

IMPLEMENTATION OF FOOD SAFETY MANAGEMENT

Executive Summary

1. This paper updates the Board on progress made since the last discussion in March 2004 [ref FSA 04/03/03].
2. The Board is asked to:
 - **note** the background to the new EU legislative requirement for improved consumer protection through food safety management procedures in food businesses and the challenge this requirement presents for small businesses and particularly small caterers;
 - **note** the results of evaluation on approaches to HACCP-based procedures to assist implementation of this EU requirement in small businesses;
 - **agree** the proposals to assist implementation of the requirements in the different countries of the UK reflecting circumstances and resources;
 - **agree** that the Agency should not propose new butcher shop licensing legislation when the current requirements are repealed on 1 January 2006;
 - **agree** to review the effect of the new hygiene legislation in 2 years and consider then whether a scheme for prior approval of food premises should be introduced.

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Issue

1. The Board is asked to agree proposals described in this paper to assist UK food businesses to comply with forthcoming EU food hygiene legislation requiring procedures to manage food safety and consequently improve standards to the benefit of consumers. The Board is also asked agree the way forward on butchers' licencing and prior approval, taking account of forthcoming legislative requirements.

Strategic Aims

2. The programme of work proposed is designed to improve standards in the food industry and through this deliver a reduction in foodborne disease and increased protection to consumers. It is part of the Agency's 2005-10 Strategic Plan, specifically the commitment to:
 - "Develop tailored guidance on food safety management (based on HACCP principles) especially for small businesses. Guidance to the catering sector will start to be rolled out in 2005 following tests of guidance in 2004." [Chapter 3 – Food Safety]; and;
 - "Work closely with industry and local authority partners on helping UK food businesses prepare for new EU food hygiene legislation from January 2006." [Chapter 6 – How we will deliver].

Background

3. The Agency is committed to improving people's health by reducing food-borne disease by working collaboratively with stakeholders to improve standards in the food industry. In EU discussions, the UK has argued successfully for a move away from prescriptive legislation on food hygiene towards a risk-based approach that targets food-safety activity on critical issues in a business - achieving the greatest benefit for consumers in a way that is also proportionate for the business. The Council and the European Parliament have recently adopted

consolidated food hygiene legislation: the new regulations apply directly from 1-January-2006. A separate paper [FSA 05/03/03] to the Board provides information on the legislation and actions proposed for the Agency to implement it in the UK.

4. A key part of the legislation is the requirement for food businesses to put in place and maintain food safety management procedures (based on HACCP principles). The legislation represents a significant step forward for consumer protection, delivering our aim of a risk-based approach, placing responsibility for food safety squarely with the business. Recognising the challenges that this will pose for smaller and less developed businesses, the Agency, along with some of our counterparts in other Member States, successfully negotiated flexibility in the legislation that allows it to be applied for all sizes and types of business. Developing practical guidance for businesses is now the challenge. The UK is well advanced with this, learning from, and sharing progress, with other Member States and the European Commission. The Commission expects to produce an explanation of the legislation for the simplest food businesses during 2005. The work the Agency has undertaken to produce guidance for businesses described in this paper should sit comfortably within this explanation.
5. Food safety procedures are an existing requirement for some sectors of the food industry – for example businesses handling raw meat, and the Agency has helped industry by producing guidance. The new EU legislation will cover the whole food industry except primary production.
6. Research shows that larger food businesses already have food safety procedures in place; the challenge is with small businesses, particularly catering and retailing. The Agency has worked closely with stakeholders to develop and test a range of innovative and practical guidance that will allow these small businesses to adopt and manage good food safety practice in a way that complements their methods of working and recognises craft skills. We are also working collaboratively with ethnic communities and sectors of the food industry to ensure appropriate guidance is made available for this large and diverse industry.
7. The Board previously considered HACCP issues in March 2004 [FSA 04/03/03]. At that meeting it noted the large numbers of small businesses and the challenges they face. The Board agreed the Agency should:

- develop guidance focused on small catering and retail business,
 - provide direct assistance to businesses – within available resources, and;
 - recognise different situations in each of the UK countries in developing assistance for businesses.
8. Various approaches have been developed to reflect the diversity of different business types and the situation in different UK countries and taking account of the need to protect consumers and the requirements of local stakeholders. A novel approach 'Safer Food Better Business' [SFBB] has been developed in England aimed at small catering businesses that face the greatest challenges. The Agency in Northern Ireland has refined an existing well-used pack for caterers called 'Safe Catering', whilst the Agency in Scotland has worked with their local authorities and industry representatives to produce a pack called 'CookSafe'. These approaches are targeted at the situations in each country, and are applicable across the UK as a whole.

Evaluation of approaches

9. The Agency has completed a significant pilot exercise to evaluate the effectiveness of these different approaches to provide support to small catering businesses. Details are summarised below and described in more detail at Annex 2.
10. The pilot project was a major Randomised Control Test evaluating SFBB alongside HACCP in Practice (an earlier version of CookSafe) and Safe Catering. In summary, the trial has shown that:
- All of the approaches work well with the types of business they were developed to target;
 - With all approaches, progress is most effective where businesses receive one-to-one coaching in their premises and where 'coaches' [enforcement officers, trainers etc.] have an appreciation of the craft skills for food preparation;
 - SFBB can deliver cost-effective food safety management in very small businesses;

11. This trial and other pilot exercises have shown that progress can be made, even with smaller businesses where previous guidance had only limited success, and that effective guidance on food safety management can be developed and made practical and proportionate. However, evaluation work has confirmed the challenges to be addressed if this is to be taken forward on a national basis in the UK. Also confirmed is the need for co-ordinated working by the Agency, industry, local authorities and other stakeholders.

Implications

12. The lessons learned from development and piloting work have informed the evolving strategy and the proposals for implementation.

13. Recognising the different circumstances in Scotland, Wales, Northern Ireland and England, including resource issues, proposals have been developed to target, and deliver support to businesses taking account of the circumstances in each country. High level plans are described below, more detail is provided in the annexes to this paper.

Activity proposed in England

14. The strategy for food safety management already agreed by the Board was to target small catering businesses and retailers as the sectors with most challenges and where the largest public health gain could be made. Safer Food, Better Business was specifically designed to address this target.

15. In evaluation work, SFBB has proved to be a simple but effective approach. Based on the completion of factsheets tailored to the nature of the operation, together with a page-a-day diary for record-keeping, SFBB embodies HACCP principles in a practical way, well-liked by small businesses.

16. SFBB was developed directly with small catering businesses and subsequently tested and refined. Significant trials have been carried out with English local authorities, and the North-West Regional Development Agency. In addition, collaborations with industry stakeholders and community groups have been undertaken to adapt the approach for specific sectors of the food industry and for specific ethnic cuisines. This work has helped refine the approach and allowed

the Agency to develop valuable networks. Annex 3 describes this work in detail, the main conclusions are:-

- Active involvement of enforcement officers is essential;
- To help businesses, an initial workshop followed by one-to-one coaching proved most cost-effective;
- Packs of material left with businesses or made available on the internet would by themselves have only limited effect;
- Regional support through the RDA network can play an effective part in delivering the Agency's aims;
- There is emerging evidence that SFBB, correctly introduced, can improve small businesses generally, and not just in terms of food safety;
- Material developed in association with trade organisations has more credibility and is more acceptable to small businesses;
- Use of practical language and pictures, and a sensitivity to cultural communication issues is important to gain acceptance in diverse communities.

17. The Agency believes that appropriately implemented, SFBB is a tool that enables small catering businesses to comply with the new legislation. Evaluation has shown that different businesses will need varying degrees of support for successful implementation.

18. The success of SFBB, and the need for support to achieve its implementation at a local level, has been discussed with industry and enforcement stakeholders. It has been generally acknowledged that the different support needs of individual businesses, and the ability of individual local authorities to respond to those needs within finite enforcement resources, needs to be taken into account in the promotional approach proposed by the Agency.

19. Reflecting this and the successful trials where local authorities used SFBB, a **twin-track implementation approach** is proposed. Details of the components of this approach is set out in Annex 4. In summary, it involves:-

(1) A central package of SFBB promotional material:-

- to be available through local authorities, trade bodies, other local organisations who can assist businesses; consisting of:

- a 'core' pack – diary, safe methods factsheets;
- supplementary factsheets for different types of cuisine, such as Thai, Chinese, South Indian and Balti;
- supplementary material for specific operations such as function catering, sandwich making and small care homes.
- information on how to use the pack;
- a website aimed at enforcers – Including downloadable safe methods factsheets and diary pages, backing information and support material;
- training/continuous professional development for enforcement officers about the new legislation and using SFBB;
- support material: case studies, posters, leaflets etc.

(2) Financial support to selected local enforcement authorities:-

- a scheme for local authorities that want to fast-track SFBB support to businesses in their area;
- building on the success of the 'step change' initiative for imported foods;
- a bidding process, Inviting local authorities to bid for a pool of resources to fund initiatives;
- encouragement of local collaborations with food groups, RDAs, colleges etc.;
- bids to be evaluated by Agency team including key stakeholders;
- evaluation criteria drawn from evidence through trials with local authorities;
- work to be monitored and evaluated, success criteria to be updated to inform future year's bidding rounds.

20. Initially, the focus of the work in England will be with SFBB into small catering and retail premises. Some £3.5m each year for 3 years from Agency funds will be available to support this. Evidence from trials and modelling suggest these approaches will support some 20,000 small catering and retail businesses each year towards food safety management compliance. A table showing progress is given in Annex 4.

21. There are 480,000 food establishments in England. Some 15% of these are very simple businesses like greengrocers and sweet shops that are subject to an alternative enforcement strategy requiring less frequent inspection. The Agency believes these businesses will not require food safety management systems in the same manner as caterers and other higher risk businesses do. The European Commission is currently drawing up guidance on flexibility for these types of

business likely to confirm this position. The programme proposed here should enable significant progress to be made with small catering and retail businesses, moving from the current 30% compliance in 2005 to a projected ~60% compliance by end 2010/11.

22. In summary:-

England	
Number of food establishments	480,000
Current compliance level	30%
Proposal cost	£3.5m p.a.
Target businesses	~ 20,000 food establishments p.a.
Target compliance	~60% by 04/2011

Activity proposed in Scotland

23. Additional resources of £2m p.a. have been provided in 2004/05 and 2005/06 by the Scottish Ministers, FSA Scotland have worked with the Scottish Food Enforcement Liaison Committee, Scottish Food Advisory Committee and others to develop an approach to HACCP called 'CookSafe' (the earlier version of this model was called HACCP in Practice). Cook**Safe** is a manual that provides a step by step approach to developing a food safety management system, combining good hygiene practice and HACCP principles. It is designed to take account of the inherent difficulties facing caterers in implementing food safety management systems.

24. CookSafe is currently being extensively utilised in all 32 Scottish local authorities with funds awarded to specific projects. FSAS will also use some of its additional funds to provide central support, including:-

- Providing workshops on CookSafe and additional support material to local authorities;
- Producing an e-learning version of CookSafe;
- Making translated versions available for key ethnic communities in Scotland;
- Working in collaboration with Scottish Catering Colleges;
- Launching the Eatsafe award scheme (developed in Northern Ireland) to Scotland.

25. There are an estimated 53,000 food establishments in Scotland, 30,000 of which are caterers. Information collated at the beginning of the project indicates that

some 38% of caterers already have documented food safety management systems in place. It is envisaged that the proposed approach will provide support to 9000 catering businesses by 2007 to work toward food safety management compliance (30% of total) and that this could reach 12,000 (40% total).

26. In summary:-

Scotland	
Number of food establishments	53,000 approx.
Current compliance level	38% estimated
Proposal cost	£2m p.a. for 2 years
Target businesses	~ 12,000 food establishments over 2 years
Target compliance	57% by 04/2007 75% by 04/2011

27. Fuller details are given in Annex 5.

Activity proposed in Northern Ireland

28. The Safe Catering food safety management model developed by stakeholders in Northern Ireland over a number of years is already in use by all 26 district councils and is widely accepted by the catering sector.

29. The findings from the trial of different approaches to food safety management (reported in Annex 2) have reinforced the perceived success of the pack in Northern Ireland in terms of improvement in understanding, change in behaviour and implementation of food safety management systems.

30. There are some 16,250 food establishments in Northern Ireland of which some 9450 are caterers. Around 3,450 copies of a previous version and 2,750 copies of an updated version of the Safe Catering pack have been distributed amongst these caterers in Northern Ireland. Any catering business operating in accordance with any version of Safe Catering is deemed to have a documented food safety management system in place and hence compliant. A baseline survey of EHOs conducted in 2003 prior to roll-out of the most recent version, estimated that about 3,300 caterers (35%) were compliant, mostly based on use of the previous version of the pack. The survey also estimated that around 30% of all food businesses had a documented food safety management system in

place and that a further 37% were compliant with the current 'hazard analysis' requirement.

31. The Food Safety Authority of Ireland wishes to work jointly with FSA and intends to co-operate with the Agency in developing a version for use in the RoI. Joint activity with FSAI would ensure a common approach throughout Ireland and be a novel mutually beneficial approach between two Member States.
32. The 16 Catering Colleges in Northern Ireland are keen to support training of students in use of the Safe Catering pack.
33. The Eat Safe food hygiene award scheme which is being piloted in Northern Ireland and Scotland is moving forward rapidly and is a key part of FSA NI's HACCP strategy. The requirement for businesses to have HACCP-based procedures is a key criterion for the award.
34. Some £125,000 will be allocated in the next financial year to promote food safety management/HACCP. This funding will be allocated to FSA NI's 'toolkit' of measures as follows:-
 - Further enhancements to Safe Catering to include elements of other packs shown to be effective. The Food Safety Authority of Ireland will be involved in the revision, which may include extension of the pack to some retailing businesses. It is intended to have the revised version ready for distribution by December 2005;
 - Supply of copies of the updated pack to at least a further 1500 caterers.
 - Provision of at least 4 training workshops on the revised pack for district council EHOs;
 - Provision of at least 5 training seminars for caterers on the revised model;
 - Continuation of the approach of using existing district council EHOs to deliver the Safe Catering guidance supported by additional district council staff funded by FSA NI if resources permit;
 - Investigation into providing guidance materials and training seminar for the Chinese catering sector in NI;
 - Working collaboratively with catering colleges to ensure training of appropriate catering students in the use of the Safe Catering model. Each final year catering student (approx. 250) will be supplied with a copy of the pack;
 - Extending the scope of the existing Eat Safe award scheme.

35.FSANI has set targets of 4,725 (50%) of caterers having a documented food safety management in place by April 2006 and 75% of all businesses being in compliance by April 2011

36.Fuller details are given in Annex 5. In summary:-

Northern Ireland	
Number of food establishments	16,250
Current compliance level	30%
Proposal cost	£125,000 in 05/06
Target businesses	1500 caterers
Target compliance	50% of caterers by April 2006 and 75% of all food businesses by April 2011

Activity proposed in Wales

37.FSA Wales is working closely with the 22 Welsh unitary authorities, the Welsh Development Agency and others in Wales to promote food safety management systems to catering businesses. A budget of at least £100,000 will be used to enhance the provision of training and guidance available to food businesses. A steering group comprising of FSAW staff with representatives of each of the three Welsh Regional Food Groups has been set up and will consider how to channel resources to best effect. Previous projects involving awareness-raising seminars, training courses and the development of multi-lingual guidance packs, provide a sound base on which to build.

38.Links are being forged with the Welsh Tourist Board and the Tourism Training Foundation for Wales who are interested in developments regarding food safety management and the Welsh Food Hygiene Award.

39.Details of proposal are given in Annex 7.

40. In summary:-

Wales	
Number of food establishments	34,000
Current compliance level	~ 30%
Proposal cost	£100,000+ in 05/06
Target businesses	~2000 food establishments p.a.
Target compliance	~60% by 04/2011

Monitoring and Evaluation

41. An integral part of the approach proposed by the Agency for each of the 4 UK countries will be:-

- Arrangements to track progress with implementation within target sectors;
- Evaluation of promotional materials and support provided to businesses to feed into the evolution of Agency actions in future years.

Other Supporting Actions across the UK

42. Reflecting the Agency's wider strategic agenda on food safety, the Agency has work in hand which provides synergy with the HACCP promotional activity described in this paper. These include:-

- Work with industry and other parts of government to influence **National Occupational Standards for training** as they relate to food. This should lead to appropriate vocational and short courses for all types of food business (details given in Annex 8);
- Work with a number of food industry sectors to revise **statutory Industry Guides** focusing on food safety compliance;
- Revision of the **Enforcement Code of Practice** and accompanying guidance to inform local authority enforcement action including consistency of judgements and compliance by food businesses.

Butchers' Licencing

43. The Board is also asked to decide the future of our national licensing legislation for retail butcher shops. It is necessary to review this legislation because the current licensing requirements will otherwise cease on 1 January 2006 when the new EU food hygiene legislation takes effect. The Board is recommended to agree that the Agency should not propose new butcher shop licensing legislation when the current requirements are repealed on 1 January 2006. Supporting arguments for this recommendation are discussed in Annex 9. The discussion reflects the results of a public consultation exercise undertaken to inform Agency policy on this.

Prior approval

44. "Prior approval" is permission for a food business to commence trading provided they meet agreed criteria. It could apply to all new establishments other than those subject to approval under current regulations and the new hygiene regulations from January 2006 (i.e. producers of food of animal origin). Prior approval is a potential way to improve standards and increase the number of food premises with effective food safety management, targeting businesses as they open – making sure they are right, from the start. When the Board discussed HACCP in February 2003 it was agreed that the issue should be revisited after the target for HACCP implementation in 30% of food businesses had been reached – this has now been achieved [Board paper March 2004 reported this: FSA 04/03/03].

45. Prior approval would be an opportunity to address consumer concerns by ensuring all businesses meet the standards required of existing approved premises before they can commence trading. However, in order to introduce such a scheme, the Agency would have to show it was a proportionate measure giving proven public health benefit and in line with Cabinet Office Better Regulation principles. To demonstrate this fully, a period for food businesses to operate under the new hygiene legislation is needed, bearing in mind that from January 2006 the requirements on all food businesses, enforceable by local authorities, include maintenance of food safety management procedures based on HACCP principles. Fuller details of these discussions are given at Annex 10.

Conclusions

46. Application of HACCP-based food safety management procedures represents a significant challenge, particularly for small businesses. The Agency has developed a range of innovative material to help support businesses and has developed implementation support packages taking account of evaluation work, and in conjunction with industry and enforcement stakeholders. This takes account of circumstances in each UK country including central and local resource constraints.

47. On Prior Approval, the Board is recommended to await the results of monitoring and evaluation of the effectiveness of the new hygiene legislation and progress in the food industry with food safety management, and to return to the discussion after the legislation has been in place for two years.

48. On Butchers' Licencing, the Board is recommended to agree that the Agency should not propose new butcher shop licensing legislation when the current requirements are repealed on 1 January 2006.

Board Action Required

49. The Board is asked to:

- **note** the background to the new EU legislative requirement for improved consumer protection through food safety management procedures in food businesses and the challenge this requirement presents for small businesses and particularly small caterers;
- **note** the results of evaluation on approaches to HACCP-based procedures to assist implementation of this EU requirement in small businesses;
- **agree** the proposals to assist implementation of the requirements in the different countries of the UK reflecting circumstances and resources;
- **agree** that the Agency should not propose new butcher shop licensing legislation when the current requirements are repealed on 1 January 2006;

- **agree** to review the effect of the new hygiene legislation in 2 years and consider then whether a scheme for prior approval of food premises should be introduced.