

## LOCAL AUTHORITY FOOD LAW ENFORCEMENT MONITORING DATA FOR 2005/2006

### Executive Summary

1. This paper reports on the enforcement of food law by Local Authorities (LAs) in the financial year 2005/2006. It measures LA actions which help to drive up levels of business compliance with the law, which is used as a proxy measure to contribute to safer food. The key message from the data is that LAs appear to be doing more to focus their actions on food premises with the highest risk.
2. The system of monitoring is currently being reviewed, as part of the programme for the New Vision for food law enforcement.
3. The data collected is used to
  - monitor national levels and trends in total enforcement work;
  - identify those LAs which require support to drive up levels of enforcement;
  - provide information for consumers; and
  - report data to the European Commission.

### Risks

4. These can be summarised as follows:
  - a. it is not possible for the data provided by LAs to be 100% accurate;
  - b. ensuring that proposals for an improved monitoring system are compatible with the government's emerging, post-Hampton, approach to regulation in general; and
  - c. whether the Agency is doing enough to support those LAs in most need.

### Board Action Required

5. The Board is asked to:
  - to note the national trends and the improvements in the quality of the data from individual LAs.

#### **ENFORCEMENT DIVISION**

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## **LOCAL AUTHORITY FOOD LAW ENFORCEMENT MONITORING DATA FOR 2005/06**

### **Issue**

1. This paper reports to the Board, and gives a strategic overview, on the monitoring data from Local Authorities (LAs) for their work to enforce food law in 2005/2006. It covers both food hygiene and food standards<sup>1</sup>. The Board has received regular annual reports on this issue, most recently in paper FSA 06/02/04 in February 2006; a full list of previous Board papers is at Annex K.

### **Strategic Aim**

2. Monitoring contributes to the Strategic Plan aim of food safety. Improved enforcement by LAs should contribute to higher levels of compliance with food law by businesses.

### **Background**

3. The Agency has a statutory duty, under section 12 of the Food Standards Act 1999, to monitor the performance of enforcement authorities for food law. The purpose and use of the data is to:
  - monitor national levels and trends in total enforcement work;
  - identify those LAs which require support to drive up levels of enforcement;
  - provide information for consumers; and
  - report data to the European Commission.
4. The regulatory actions monitored by the Agency are those required by the statutory Code of Practice for food law enforcement. This is based on the risk rating of all food premises, which drives an annual inspection programme.

### **Key Message**

5. The key message is that the data indicates that LAs are prioritising and focussing their actions on those food premises considered to carry the highest risk. This is consistent with the new thrust of the government's approach to regulation following the report of the Hampton review.

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<sup>1</sup> Food hygiene is concerned with the wholesomeness of the food, whereas food standards is concerned with composition and labelling, on the nature, substance and quality of the food.

## **Strategic Context**

6. The data reported is for the year 2005/2006, and therefore reflects the existing enforcement policy, monitoring system and management framework. However, these policies and systems are currently being reviewed, in the light of the new government approach to regulation.
7. The existing enforcement policy requires every food premises to be risk rated, separately for food hygiene and for food standards, and to be subject to full inspections according to the frequencies specified for each risk rating category<sup>2</sup>. This policy could be argued to not allow sufficient flexibility to direct resources to those premises where they are most needed. Monitoring data has focussed on inspections planned and planned inspections achieved, samples taken for analysis and enforcement actions taken. The data may be challenged as concentrating on levels of activity rather than assessing the outcome.
8. The enforcement policy and the monitoring system are therefore being reviewed and changed:
  - (a) alternative enforcement strategies: changes have already been introduced to allow LAs to select an alternative enforcement strategy for the lowest risk premises (category E for hygiene and category C for standards). These strategies include the use of questionnaires, backed up by inspections of a random sample, or where the business's reply gives rise to questions, rather than blanket inspection of all premises;
  - (b) Agency involvement in work with other Government Departments flowing from the Hampton report, such as the development of the Local Better Regulation Office (LBRO) and the Retail Enforcement Pilot (which is testing arrangements for four agencies<sup>3</sup> to co-operate in a joint inspection visit to the same premises);
  - (c) As its contribution to the new approach to regulation, the Agency is developing the "New Vision" for food law enforcement. A progress report was made to the October 2006 meeting of the Board (paper PRO 06/10/02), and a further progress report will be made in March. The New Vision is being developed through four linked reviews, of enforcement policy, the monitoring system, audit arrangements and the Framework Agreement with the LAs. The structure for co-ordinating this work is shown in Annex A. The new enforcement policy is planned to introduce a suite of interventions for increasing business compliance, which will be the new outcome indicator, in

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<sup>2</sup> For food hygiene, five risk categories from A to E have inspection frequencies from 6 months to three years. For food standards, three risk categories, from A to C, have inspection frequencies from one to five years.

<sup>3</sup> The four agencies are: the Fire Service; Health and Safety; Environmental Health, to cover food hygiene; and Trading Standards, to cover food standards.

line with the Hampton report. It is now proposed to introduce the new enforcement policy and monitoring system from April 2008;

- (d) The new enforcement policy will support the advice being given to food businesses on food safety management (such as HACCP - Hazard Analysis and Critical Control Points), including advice given through Agency programmes such as “Safer Food Better Business” in England and its equivalents in Scotland, Wales and Northern Ireland.

### **Quality and Accuracy of Data**

9. The quality and accuracy of the data are discussed in Annex B, and Annex C lists the changes made and the actions which the Agency has taken to work with LAs to improve the accuracy of the data.

### **Results for 2005/2006**

#### ***National Trends***

10. The total numbers of key actions (inspections, samples and formal enforcement actions) for all of the UK have fallen by between 2% and 3%, following a trend over several years. But the detail seems to reveal that many LAs are doing more to focus their inspection work on the areas of greatest risk.
11. Annex D provides an annual comparison of national trends for inspections of food businesses<sup>4</sup>, samples taken and enforcement activities from 2000 to 2005/2006. It gives total figures for the whole of the UK which are used to develop national policy and to report to the European Union. This information is also given in bar charts in Annex E. The percentage changes between 2004/2005 and 2005/2006 are given in Annex F.
12. Following the 2004/2005 monitoring data, discussions were held with the LACORS Food Policy Forum, and with some selected individual LAs, about possible reasons for the reductions in total levels. This also led to further analysis of the detailed data. The evidence below, and the advice available, indicate that LAs are doing more to focus their resources and actions on areas of greatest needs, in line with the Hampton agenda.
13. For the UK as a whole:
- planned food hygiene inspections achieved to risk categories A and B rose from 91% in 2004/05 to 93% in 2005/06;

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<sup>4</sup> The figure for inspections covers all inspections, full or partial, and all other visits, including sampling and advisory.

- planned food standards inspections to risk category A rose from 91% in 2004/05 to 95% in 2005/06;
- based on a 5% random sample, the percentage of premises in each risk rating category does not appear to have changed.

14. These figures are supported by informal evidence from contacts with individual LAs, and discussion of their detailed figures, which show:

- (a) many LAs are focusing on inspecting their higher risk premises, but are increasingly moving to the use of “alternative enforcement strategies” for lower risk premises;
- (b) the use by LAs of other types of action to secure compliance with the law, such as advisory and educational work;
- (c) better focussed, but smaller, sampling programmes; and
- (d) total staffing numbers within environmental health departments are fairly steady, but staff are moved between food safety and other areas (such as health and safety) according to local pressures.

15. Detailed figures for inspections of higher risk premises, for the UK and broken down for England, Scotland, Wales and Northern Ireland, are shown in Annex G. Figures shown in Annex H show the number of LAs broken down into 10% percentage bands for planned higher risk inspections achieved. These tables show that the large majority of LAs are achieving 90% or more of their programmes for these premises.

16. However, the increases shown in Annex G may be due in part to more accurate recording. LAs are now able to report adjustments to their programme of inspections to allow for “in-year changes” (premises found to have closed, or where a change in the risk rating makes a planned second visit unnecessary). In 2005/2006, 439 out of 468 LAs reported “in-year changes”, compared to 394 in 2004/2005.

### ***Individual LAs***

17. Annex I provides a summary of the key points on individual LAs’ data for 2005/2006. Full tables with all key actions are being placed on the Agency’s website<sup>5</sup>.

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<sup>5</sup> <http://www.food.gov.uk/enforcement/ocddata/ocd200506/databylocalauthority>

## **LAs with Low Levels of Enforcement Activity**

18. Low levels of enforcement activity are examined in detail in Annex J, where eleven LAs have been identified. Discussions have been held with each of these LAs, to explore and identify the actions being taken. These difficulties, and the actions taken or recommended, are examined in the Annex.

## **Risks**

19. The possible risks to the Agency from these figures, and the mitigating action being taken, are:

- (a) challenges over the accuracy of the data. The Agency has worked extensively with LAs over the last three years to improve the quality of their data returns (see Annexes B and C). The new monitoring system, based on automatic data transfer, should improve matters further;
- (b) whether the enforcement policy and its monitoring are compatible with the government's emerging, post-Hampton, approach to regulation in general. The Agency is working with other Government Departments on joint initiatives in this area; and
- (c) is the Agency doing enough to support the LAs in most need to improve their levels of enforcement action? The Agency discusses an individual LA's needs and support requirements on a case-by-case basis. Details of recommended actions on the 2005/2006 returns is given in Annex J.

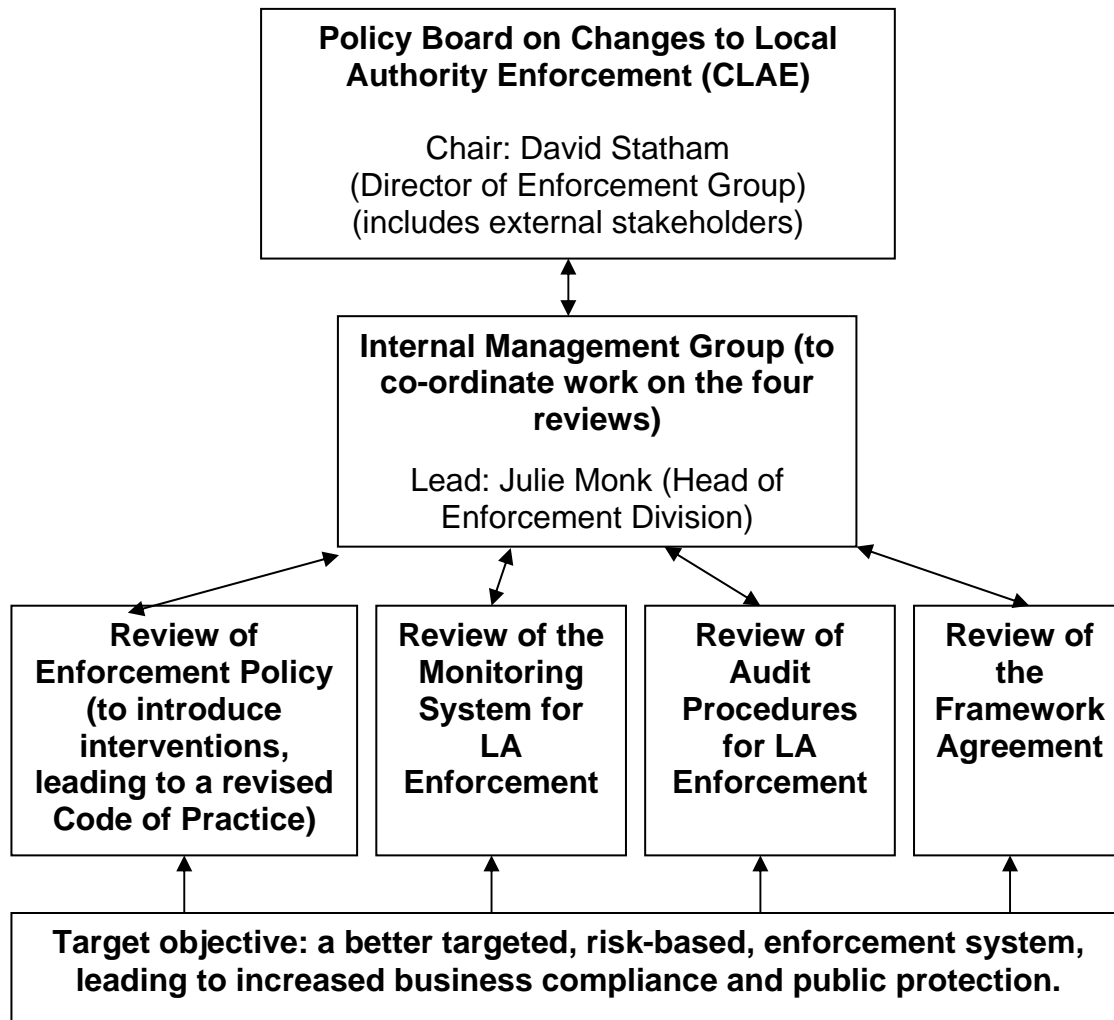
## **Board Action Required**

20. The Board is invited to:

- **note** the national trends and the improvements in the quality of data from individual LAs.

**THE NEW VISION FOR FOOD LAW ENFORCEMENT**

**Diagram of the four reviews and their co-ordination**



## **THE QUALITY AND ACCURACY OF THE MONITORING DATA**

1. The data is as reported to the Agency by the LAs.
2. The data reported is for key actions taken, including inspections, samples, and formal enforcement action, but it does not measure outcomes. It measures LA actions which help to drive up levels of compliance with the law, which is used as a proxy measure to contribute to safer food and public health.
3. There have been concerns in previous years over the quality of the monitoring data. It is never possible to state that the data is 100% accurate. There may be:
  - errors in recording by LA staff, or
  - errors in the transfer of total data numbers from LA databases to FSA monitoring forms.

However, the LAs and the Agency have pursued an extensive programme of work (see details in Annex C) over the past three years to drive up the level of reliability of the data, and the position appears to have improved markedly.

4. The new monitoring system being developed as part of the New Vision will address these points, as it will introduce both an outcome measure, and automatic data transfer, so avoiding a major area for potential errors.
5. While the current data may contain some errors in the detail, it is reliable and robust enough in overall terms for the analysis of trends, and for the identification of the LAs with the lowest levels of service delivery, which require further support.

## **SUMMARY LIST OF THE ACTIONS TAKEN BY THE AGENCY TO WORK WITH LAs TO IMPROVE THE QUALITY OF THEIR MONITORING RETURNS**

### ***Simplification Measures***

From April 2004, these included:

1. A reduction in size of sampling data, from 66 lines to 20;
2. A switch from quarterly returns to one annual return;
3. Collection of all data on a financial year basis, to fit with LAs' own systems;
4. Validation or "Sign-off" by Heads of Service (or "appropriate person – e.g. lead Food Safety Officer);
5. A new option to submit data via a simplified spreadsheet form;
6. Allowing LAs to report in-year changes to the inspection programmes, where premises are found to be closed, or where the risk rating is changed downwards), to give a truer reflection of the work actually done;

### ***Further Advice and Guidance to LAs***

7. Guidance on the 2004 changes, issued in August and October 2004;
8. Guidance on the effects of the revised Code of Practice, issued to software companies in October 2004, and to LAs in January 2005;
9. Completion in 2004 of a programme of 31 focussed audits on data provision by LAs, to identify general points;
10. Detailed advice on points of good management of the monitoring data, based on the focussed audits, issued to all LAs in May 2005;
11. Consultation of all LAs in July 2005 on issues of detail which need addressing;
12. Letter to all LAs dated 12 August 2005, giving advice on points to check on accuracy of returns;
13. An electronic link to an aide memoire for the 2005/06 returns, issued to all LAs on 29 March 2006;

### ***Meetings***

14. Three programmes of regional/national meetings with all LAs, to impress on them the need for better quality data, and to listen to their views and problems, have been held in 2004, 2005 and 2006;
15. Presentations at professional conferences in 2004 and 2005;
16. Five issues of "Monitoring Matters", and one of "The New Vision", a newsletter providing regular updates to all LAs;
17. Further help and guidance provided to individual LAs; and
18. Meetings with IT software companies, to involve them in the immediate changes, and in the overall review of the monitoring system.

**Officials are working with the full involvement of LACORS and key colleagues from the LAs.**

UK ENFORCEMENT TRENDS, 2000 TO 2005/06

ANNEX D	2000	2001	2003	2004/05***	2005/06	PERCENTAGE - CUMULATIVE CHANGE 2000 - 2005/06****	PERCENTAGE - YEAR CHANGE 2004/05 - 2005/06****
PREMISES	603,328	577,893	570,619	582,297	574,790	-5%	-1.3%
INSPECTIONS AND OTHER VISITS (AS % OF PREMISES)	739,858 (123%)	702,023 (121%)	664,748 (116%)	634,054 (109%)	619,600 (108%)	-16%	-2%
TOTAL NUMBER OF SAMPLES TAKEN	178,438	165,222	181,147	172,299	167,861	-6%	-3%
TOTAL NUMBER OF FORMAL SAMPLES TAKEN**	N/A	87,914	109,336	96,657	93,633	N/A	-3%
REPORTED ENFORCEMENT ACTIONS*	174,417	176,207	180,910	164,733	160,158	-8%	-3%
WRITTEN WARNINGS REPORTED: TOTAL AS A % OF REPORTED ENFORCEMENT ACTIONS	166,269 (95%)	166,595 (95%)	172,946 (96%)	157,367 (96%)	153,589 (96%)		
IMPROVEMENT NOTICES REPORTED: TOTAL AS A % OF REPORTED ENFORCEMENT ACTIONS	4,247 (2.4%)	6,371 (3.6%)	5,158 (2.9%)	4,681 (2.8%)	3,959 (2.5%)		
PROSECUTIONS UNDERTAKEN: TOTAL, AND AS A % OF REPORTED ENFORCEMENT ACTIONS	753 (0.4%)	654 (0.4%)	860 (0.5%)	902 (0.5%)	803 (0.5%)		
REPORTED NUMBER OF HOME OFFICE FORMAL CAUTIONS: TOTAL, AND AS A % OF REPORTED ENFORCEMENT ACTIONS	335 (0.2%)	513 (0.3%)	492 (0.3%)	443 (0.3%)	458 (0.3%)		

Notes:

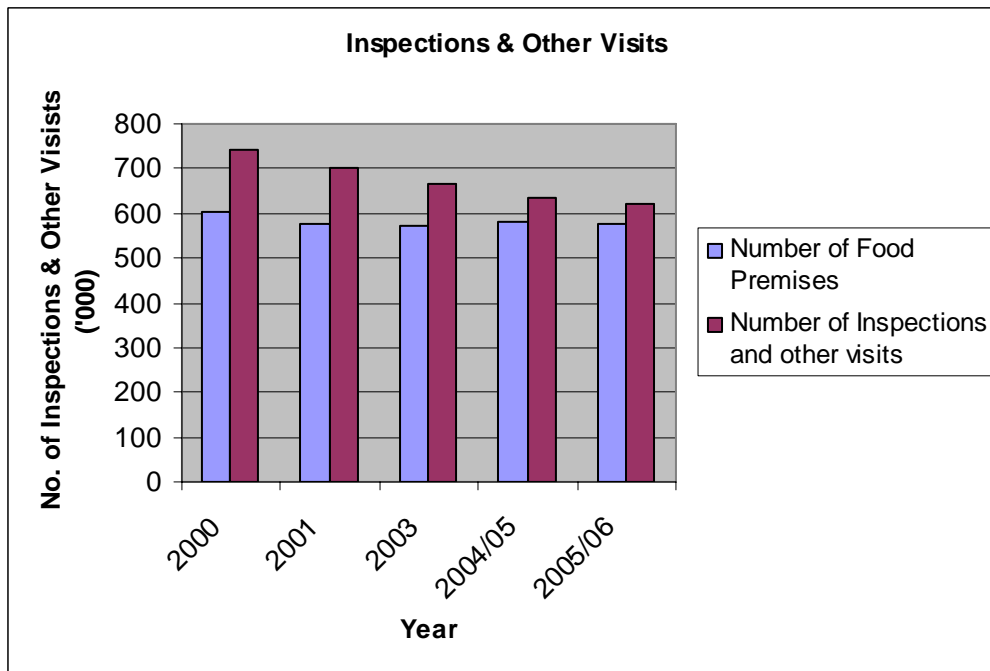
\* In accordance with EU guidance for the collection of Official Controls Directive data, each type of enforcement action is only recorded once per premises per year. This means that if a premises is served with two improvement notices only one would be recorded. Similarly, this does not mean that in 2005/06 160,158 food premises were subject to enforcement action, as more than one type of enforcement action may have been taken against the same premises, for example both a written warning and an improvement notice.

\*\* Due to a change in the categorisation of samples taken for microbiological examination in 2001, no direct comparison can be made between 2000 and 2001 formal sampling data.

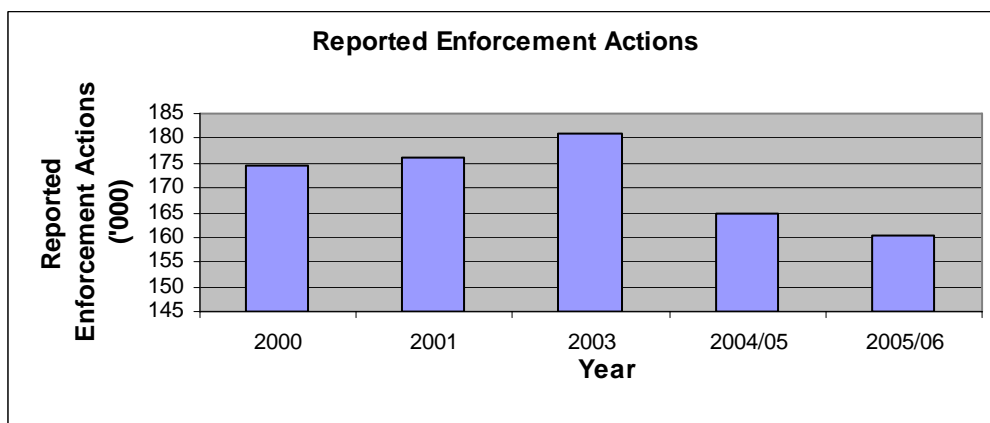
\*\*\* 2004/05 Data: Data updated since February 2006 Board Paper - additional data supplied by a small number of LAs.

\*\*\*\* 2000, 2001 and 2003 data reported on a calendar year basis. 2004/05 and 2005/06 data reported on a financial year basis.

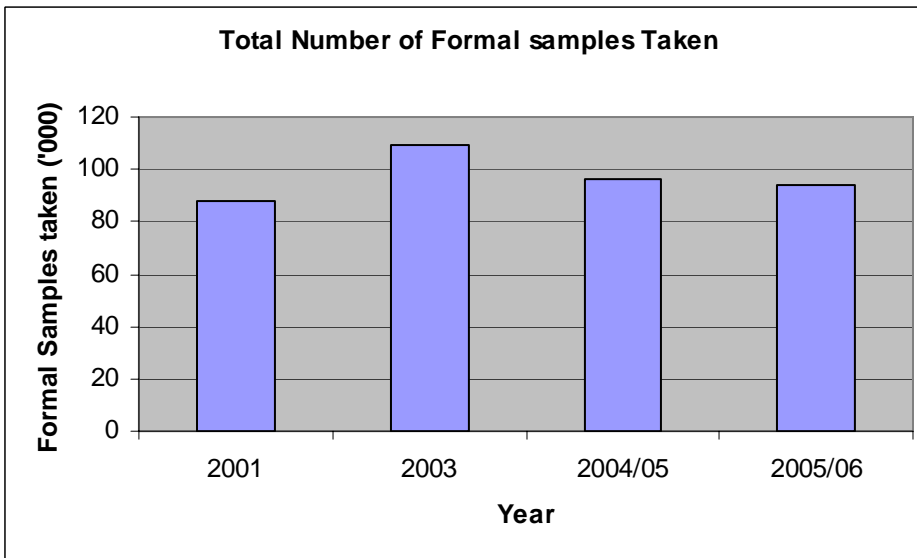
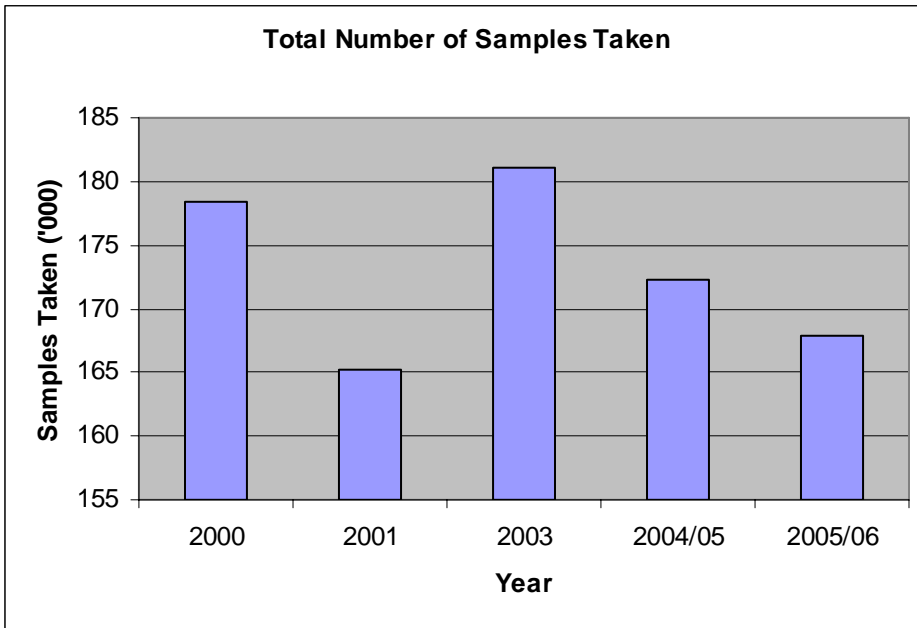
LA MONITORING DATA 2000 TO 2005/2006: TOTAL LEVELS OF KEY DATA FOR THE UK



NB: 'Inspections and Other Visits' includes full and partial inspections, revisits, advisory visits and sampling visits.



NB: 96% of all enforcement actions are written warnings.



NB: No data for 2000, because of change to categorisation of microbiological samples.

**PERCENTAGE CHANGES IN KEY ACTIVITY LEVELS UK 2004/2005 TO 2005/2006**

Between 2004/2005 and 2005/2006:

- (a) the number of food premises decreased by 1.3%;
- (b) the numbers of inspections and other visits decreased by 2%: (“inspections and other visits” covers full or partial inspections, revisits, advisory visits and purely sampling visits);
- (c) the total number of samples taken decreased by 3%;
- (d) the number of formal samples also decreased by 3%;
- (e) the number of all enforcement actions decreased by 3%;
- (f) the breakdown on enforcement actions into different types did not change significantly: written warnings remained at 96% of the total, and prosecutions were 0.5% of the total.

**PERCENTAGES OF PLANNED INSPECTIONS ACHIEVED FOR HIGHER RISK PREMISES, 2004/2005 AND 2005/2006**

(a) Hygiene, risk categories A and B combined

Year	UK	England	Scotland	Wales	N Ireland
2004/05	91	91	95	89	89
2005/06	93	93	95	93	91

(b) Hygiene, risk category A

Year	UK	England	Scotland	Wales	N Ireland
2004/05	85	84	90	78	83
2005/06	89	89	90	93	86

(c) Hygiene, risk category B

Year	UK	England	Scotland	Wales	N Ireland
2004/05	93	93	96	91	92
2005/06	94	94	96	93	92

(d) Standards, risk category A

Year	UK	England	Scotland	Wales	N Ireland
2004/05	93	92	91	96	73
2005/06	94	94	88	96	117

**NUMBERS OF PLANNED INSPECTIONS AND PLANNED INSPECTIONS ACHIEVED, 2004/2005 and 2005/2006**

(e) Hygiene, risk category A and B combined

Year	UK	England	Scotland	Wales	N Ireland
04/05 Planned	69233	51914	9312	3846	4161
04/05 achieved	63260	47332	8809	3406	3713
05/06 planned	64252	48472	8687	3725	3368
05/06 achieved	60052	45292	8216	3478	3066

(f) Hygiene, risk category A

Year	UK	England	Scotland	Wales	N Ireland
04/05 Planned	13269	8960	2207	801	1301
04/05 achieved	11255	7563	1990	624	1078
05/06 planned	10400	7266	1796	604	734
05/06 achieved	9279	6464	1619	562	634

(g) Hygiene, risk category B

Year	UK	England	Scotland	Wales	N Ireland
04/05 Planned	55964	42954	7105	3045	2860
04/05 achieved	52005	39769	6819	2782	2635
05/06 planned	53852	41206	6891	3121	2634
05/06 achieved	50773	38828	6597	2916	2432

(h) Standards, risk category A

Year	UK	England	Scotland	Wales	N Ireland
04/05 Planned	7430	6473	171	775	11
04/05 achieved	6873	5962	156	747	8
05/06 planned	7243	6417	95	719	12
05/06 achieved	6802	6016	84	688	14

## NUMBERS OF LAs BY PERCENTAGE BAND FOR PLANNED INSPECTIONS ACHIEVED FOR THE UK

- Food Hygiene Higher Risk (categories A&B) Planned Inspections

<b>% Achieved</b>	<b>Number of LAs</b>
Over 100%	8
Exactly 100%	160
90-99%	167
80-89%	47
70-79%	21
60-69%	16
50-59%	8
Under 50%	1
<b>Total</b>	<b>428</b>

428 out of 433 LAs responsible for food hygiene work. Five are missing: one made no return; one had no food hygiene plan; and three LAs are participating in the DTI Retail Enforcement Pilot Project and were excused reporting on 05/06 planned inspections.

- Food Standards High Risk (category A) Planned Inspections

<b>% Achieved</b>	<b>Number of LAs</b>
Over 100%	1
Exactly 100%	101
90-99%	22
80-89%	11
70-79%	5
60-69%	5
50-59%	4
Under 50%	3
<b>Total</b>	<b>153</b>

153 out of 225 LAs responsible for food standards work. Of the other 72 LAs, 62 reported having no high risk rated premises, nine had no plan for food standards, and one achieved over 90% of all inspections, but showed them all as “unrated premises”.

**KEY POINTS ON ACTIVITY DATA FOR INDIVIDUAL LAs 2005/2006**

1. The returns for 2005/2006 show the following positive and welcome points:
  - a. for the first time, no new case has been identified of an LA with low levels of service delivery where the Agency needs to pursue further enquiries and possibly take audit action;
  - b. returns received: all of the 468 LAs made returns, except for one which has known problems, and has recently been audited. This confirms the trend from 2004/05, when, for the first time, all LAs made a return;
  - c. the number of LAs reporting achieving 100% of planned inspections of higher-risk food hygiene premises has risen, from 112 in 2003 to 161 in 2004/2005 and 168 in 2005/2006 (out of 428 LAs)<sup>1</sup>;
  - d. the number of LAs reporting achieving 90% or more of planned inspections of higher risk food hygiene premises has risen from 260 in 2003 and 310 in 2004/2005 to 335 in 2005/2006 (out of 428);
  - e. the number of LAs reporting achieving less than 50% of planned inspections of higher risk food hygiene premises has fallen, from 7 in 2003 to 3 in 2004/2005 and only one in 2005/2006;
  - f. the number of LAs reporting achieving 100% of planned inspections of high risk food standards premises has risen, from 54 in 2003 and 79 in 2004/2005 to 102 in 2005/2006 (out of 153 LAs<sup>2</sup>);
  - g. the number of LAs reporting achieving 90% or more of planned inspections of high risk food standards premises has risen, from 89 in 2003 and 106 in 2004/2005 to 124 in 2005/2006; and
  - h. the number of LAs reporting achieving less than 50% of planned inspections of high risk food standards premises has fallen, from 19 in 2003 and 5 in 2004/2005 to 3 in 2005/2006.
2. Full tables giving all the key activity levels, for each LA, listed by type of LA and in alphabetical order (on the same model as was produced for the 2003 and 2004/2005 data (see paper FSA 06/02/04)) are being placed on the Agency's website. Hard copies are available to Board members upon request.
3. Unitary authorities are responsible for both food hygiene and food standards. English County Councils are responsible only for food standards. English District Councils are responsible only for food hygiene.

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<sup>1</sup> Excludes those LAs which could not provide both plan and outturn data for food hygiene inspections.

<sup>2</sup> Excludes those LAs which could not provide both plan and outturn data for food standards inspections. Also excludes those Authorities responsible for food standards which had no high risk premises.

4. The following points should be borne in mind when reading the full tables:
- a) the information is as reported by the LAs, where the Head of Service (or equivalent) is required to sign them off;
  - b) in-year changes to the initial programme of inspections: LAs are given the opportunity to amend their programme of planned inspections, to allow for in-year changes, such as premises found to have closed, or where a downward change to the risk rating category means that a planned second inspection is no longer required. In 2005/2006, 439 out of 468 LAs made these amendments. For the 29 LAs which did not, the numbers of planned inspections may be too high;
  - c) Retail Enforcement Pilot project: the small number of LAs participating in this pilot project have been excused reporting planned inspections and planned inspections achieved, for the duration of the pilot, because the pilot started for a calendar year, whereas data sent to the Agency is for the financial year. These LAs will therefore show zero in relevant columns: e.g. Warwickshire and the District Councils in Warwickshire;
  - d) Food Standards – high risk premises: a number of LAs responsible for food standards have reported that they have no premises in the high risk category for food standards. Therefore, these LAs will show zero in the columns for high risk food standards inspections planned and achieved: e.g. Cornwall;
  - e) Local IT difficulties: a number of LAs have reported that they have local IT issues which have prevented them from reporting data. However, many of these LAs have confirmed, in communications to the Agency, that the actual work of inspections has been carried out, based on manual checks of their records. Nevertheless, these LAs will appear with blanks in relevant columns; and
  - f) Food Hygiene inspection frequency categories: some premises still appear in risk category F. The number of risk rating (and thus inspection frequency) categories was reduced from six (A to F) to five (A to E) following a revision of the statutory Code of Practice (effective in England and Scotland from late October 2004, and from a little later in Wales and Northern Ireland). However, not all category F premises have yet been re-rated.

## MONITORING DATA 2005/2006 LAs WITH LOW LEVELS OF ENFORCEMENT ACTIVITY

1. The benchmarks previously used by the Agency to identify LAs with low levels of enforcement activity have been:
  - (i) achieving fewer than 50% of planned food hygiene inspections of higher risk premises (defined as risk categories A and B);
  - (ii) achieving fewer than 50% of planned food standards inspections of high risk premises (defined as risk category A);
  - (iii) reporting taking no food samples during the year; and
  - (iv) having significant gaps in the monitoring data returns.
2. For 2005/2006, eleven LAs fell below these levels:
  - one LA achieved fewer than 50% of planned food hygiene inspections of higher risk premises, and fewer than 50% of planned food standards inspections of high risk premises;
  - two LAs achieved fewer than 50% of planned food standards inspections of high risk premises;
  - two LAs reported taking no food samples during the year;
  - six LAs had significant gaps in the monitoring data returns, due to major IT problems. In some of these cases, the LA has confirmed that inspections are being done, even if they cannot be properly recorded.
3. The Agency has already been in contact with these eleven LAs, to explore the reasons and actions taken, and to identify whether further action by the Agency may be appropriate. In eight of the eleven cases, action has been taken by the LA: see details in paragraph 5 below. In the remaining three cases, audit action has already been taken by the Agency, or is planned.
4. These eleven LAs have not been identified by name, because there are no new cases for audit action to propose to the Board.
5. In detail:
  - (a) achieving fewer than 50% of planned food hygiene inspections of higher risk premises, and achieving fewer than 50% of planned food standards inspections of high risk premises: one LA. This Metropolitan Borough Council reported achieving only 15% of higher risk hygiene inspections. It reported the effects of dealing over 3 months with a major pest infestation (requiring action against mice, rats and cockroaches in all premises (not only food ones) in a

three mile corridor), plus the effects of IT changes, of the new licensing regime and of action on diet and nutrition to address health inequalities. It also reported zero percent for 2005/06 for high risk standards inspections, arising from major IT problems following transfer of food standards work from Trading Standards to Environmental Health. Standards work is being done in 2006/2007, and a proper plan is to be produced for 2007/2008. This LA was audited two years ago (for imported food) and found to be well organised and managed. Recommendation: No further action;

(b) achieving fewer than 50% of planned food standards inspections of high risk premises: two LAs:

- the first is an English County reporting 42%, due to staffing problems. These problems have now been resolved, and a high level of inspection is forecast for 2006/2007. Recommendation: No further action;
- the second is an English Unitary authority, reporting 31%, due to staffing problems. These problems have now been resolved, and 100% achievement is forecast for 2006/2007. This LA had not had difficulties prior to these problems. Recommendation: No further action;

(c) taking no food samples during the year: two LAs:

- the first is an English District Council, which reported that its small team had been affected by maternity leave and illness; and remaining resources were taken by Licensing Act work. LA has taken samples in 2006/2007. Recommendation: No further action;
- the second is another English District Council which reported that resources were redirected in 2005/2006 to cover urgent Port Health Authority duties. LA has taken samples in 2006/2007. Recommendation: No further action;

(d) having significant gaps in the monitoring data returns: six LAs:

- first is a Metropolitan Borough Council, which was not able to provide any monitoring data, due to major IT problems, centred on an inaccurate premises database; however, the LA stated that it was making inspections. This LA was audited in 2006, after it reported same problems for 2004/2005, and an Action Plan has been agreed. Recommendation: to pursue the Action Plan;
- second is another Metropolitan Borough Council, which was unable to provide service plans for 2005/2006 for either food hygiene or food standards. Their IT problems have now been resolved, and service plans have been produced and implemented: inspections are being made in 2006/2007. Recommendation: No further action;

- third is a London Borough with no service plan for food standards. This LA was audited in 2006; the audit found that some food standards issues were considered during food hygiene inspections. An Action Plan is now being agreed, which will cover this issue. Recommendation: to agree and pursue the Action Plan;
- fourth is another London Borough with no service plan for food standards, due to staffing problems. However, the LA reports that inspections were carried out. The LA has produced a standards plan for 2006/2007. Recommendation: No further action;
- fifth is an English Unitary, with no service plan for food standards, although it reports that inspections were carried out. It has long standing IT problems for food standards (though not for hygiene). The LA is now listed for an on-site audit; and
- sixth is a Welsh Council, which has been affected by IT problems and internal staffing issues. FSA Wales is working with the LA to help resolve matters.

**WEB LINKS TO PREVIOUS BOARD PAPERS**

- 1. FSA BOARD MEETING 12 OCTOBER 2006**  
AGENDA ITEM 4.2: FOOD LAW ENFORCEMENT BY LOCAL AUTHORITIES:  
THE NEW VISION  
<http://www.food.gov.uk/multimedia/pdfs/pro061002a.pdf>
- 2. FSA BOARD MEETING 9 FEBRUARY 2006**  
AGENDA ITEM 6: LOCAL AUTHORITY MONITORING DATA ON FOOD LAW  
ENFORCEMENT  
<http://www.food.gov.uk/multimedia/pdfs/fsa060204.pdf>  
<http://www.food.gov.uk/multimedia/pdfs/fsa060204ai.pdf>
- 3. FSA BOARD MEETING 9 SEPTEMBER 2004**  
AGENDA ITEM 5: PROGRESS REPORT ON ACTION TO IMPROVE THE  
QUALITY OF DATA SUBMITTED BY LOCAL AUTHORITIES OF FOOD LAW  
ENFORCEMENT ACTIVITY IN THE UK  
<http://www.food.gov.uk/multimedia/pdfs/fsa040903.pdf>
- 4. FSA BOARD MEETING 12 FEBRUARY 2004**  
AGENDA ITEM 4: QUALITY OF DATA SUBMITTED BY LOCAL AUTHORITIES  
ON FOOD LAW ENFORCEMENT ACTIVITY IN THE UK  
<http://www.food.gov.uk/multimedia/pdfs/fsa040202.pdf>
- 5. FSA BOARD MEETING 11 SEPTEMBER 2003**  
AGENDA ITEM 5: FOOD STANDARDS AGENCY ASSESSMENT AND  
REPORTING OF LOCAL AUTHORITY (LA) FOOD LAW ENFORCEMENT  
<http://www.food.gov.uk/multimedia/pdfs/fsa030903.pdf>
- 6. FSA BOARD MEETING 13 FEBRUARY 2003**  
AGENDA ITEM 4: LOCAL AUTHORITY FOOD LAW ENFORCEMENT ACTIVITY:  
JANUARY 2001 – MARCH 2002  
<http://www.food.gov.uk/multimedia/pdfs/fsa030202.pdf>
- 7. FSA BOARD MEETING 12 DECEMBER 2001**  
AGENDA ITEM 6: MONITORING LOCAL AUTHORITY FOOD LAW  
ENFORCEMENT ACTIVITY: FOLLOW-UP REPORT  
<http://www.food.gov.uk/multimedia/pdfs/fsa010804.pdf>
- 8. FSA BOARD MEETING 19 SEPTEMBER 2001**  
AGENDA ITEM 5: REPORT ON LOCAL AUTHORITY FOOD LAW  
ENFORCEMENT ACTIVITY  
[http://www.food.gov.uk/multimedia/pdfs/fsapaper01\\_05\\_03](http://www.food.gov.uk/multimedia/pdfs/fsapaper01_05_03)

**9. FSA BOARD MEETING 14 DECEMBER 2000**

AGENDA ITEM 5a: MONITORING LOCAL AUTHORITY PERFORMANCE:  
FOLLOW-UP REPORT

<http://www.food.gov.uk/multimedia/pdfs/fsa000702.pdf>

**10. FSA BOARD MEETING - 20 JULY 2000**

AGENDA ITEM 5: LOCAL AUTHORITY FOOD LAW ENFORCEMENT  
ACTIVITIES

<http://www.food.gov.uk/multimedia/pdfs/fsa-00-03-05.pdf>