AGENDA ITEM NO 10
REPORT NO 775/2011

ANGUS COUNCIL

INFRASTRUCTURE SERVICES COMMITTEE – 22 NOVEMBER 2011

REVIEW OF THE FEED, FOOD AND SAFETY SERVICES PLAN 2010 - 2011

REPORT BY THE DIRECTOR OF INFRASTRUCTURE SERVICES

ABSTRACT
Review of the Feed, Food and Safety Services Plan for 2010 - 2011.

1. RECOMMENDATIONS

1.1 It is recommended that the Committee

i) agree the contents of this Report and the attached Review of the Feed, Food and Safety Services Plan 2010/11.

2. BACKGROUND

2.1 By undertaking this Review the Council will comply with its legal obligations in terms of the Framework Agreement on Official Feed and Food Controls by Local Authorities and with Section 18 of the Health and Safety at Work etc, Act 1974 (as amended).

2.2 The Review process enables the Council to assess the work undertaken by the staff involved in the enforcement of the legislation covered by the Services described in the Plan.

2.3 Carrying out this Review assists management in the development of these Services and the 2011 - 2012 Feed, Food and Safety Services Plan.

3. PROPOSALS - THE REVIEW

3.1 The attached Review of the 2010 - 2011 Plan covers the following:

- Demands on the Services
- Food Hygiene Inspections
- Feeding Stuffs
- Food Standards
- Food Safety Revisits
- Food Safety Requests
- Health & Safety Inspections
- Health & Safety Requests
- Work Place Accidents
- Advice to Businesses
- Conclusion

4. RISKS

4.1 This report does not require any specific risk issues to be addressed.

5. FINANCIAL IMPLICATIONS

5.1 There are no financial implications directly associated with the recommendations contained in this report.

6. HUMAN RIGHTS IMPLICATIONS

6.1 There are no human rights implications arising from this report.
7. EQUALITIES IMPLICATIONS

7.1 The issues dealt with in this report have been the subject of consideration from an equalities perspective. An equalities impact assessment is not required.

8. ANGUS COMMUNITY PLAN AND SINGLE OUTCOME AGREEMENT

8.1 This report contributes to the following local outcome(s) contained within the Angus Community Plan and Single Outcome Agreement 2011-2014:

- We have improved the health and well-being of our people and inequalities are reduced
- Individuals are supported in their own communities with good quality services

9. CONSULTATION

9.1 The Chief Executive, Director of Corporate Services, Head of Law and Administration and Head of Finance have been consulted on the contents of this report.

10. CONCLUSION

10.1 During the review process undertaken by management of the work associated with the Feed, Food and Safety Services Plan 2010 - 2011, it was apparent that the staff involved in delivering these important statutory services attained a substantial number of the targets defined in the Plan.

Eric S Lowson
Director of Infrastructure Services

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above report.

E&CP/CE/GK
24/10/2011
1. Introduction

The council is required on an annual basis to carry out a review of the Operational Plan relating to the Feed, Food and Safety enforcement functions. By the Council reviewing the Plan for the period 2010 - 2011 it will comply with a number of legal requirements.

2. Demands on the Feed, Food and Safety Enforcement Services

During the period of 2010 – 2011 the activities of Food Standards Agency and Health and Safety Executive continued to place demands on enforcement staff.

The Governments drive to reduce enforcement of health and safety legislation has seen a move by the Health and Safety Executive towards identifying local and national safety priorities and to this end the food and safety section identified and completed projects targeted directly at specific areas of concern. The method for risk assessing businesses was also amended and all premises currently on the Authority Public Protection (APP) database have been re-assessed and given new risk ratings. Enforcement Officers attended a number of internal and external training courses which addressed the new approach to Health and Safety Enforcement and ensured that knowledge is in place to meet the changes which will inevitably be required over the coming years.

The work which began in 2009-2010 to implement the Section 18 standard (Health and Safety at Work etc, Act 1974 (as amended)) in terms of health and safety legislation was largely completed; however, the request to nominate a Health and Safety champion has not been addressed.

The Food Hygiene Information Scheme was launched in November 2010 and during the ten month lead in period to the launch the number of premises achieving a pass increased from 62% to 82%. The scheme was “highly commended” at the Angus Excellence Awards in June of this year.

Enforcement officers continued to work closely with local food businesses to ensure high standards of food and safety were maintained and this was demonstrated by the high level achievement in meeting the performance targets.

The food and safety section took on responsibility for the animal health and welfare and communicable disease investigation functions in December 2010. The animal health inspector transferred from the Environmental Protection Section and staff awareness training was carried out to familiarise officers with the duties of the animal health officer.

Similarly the transfer of communicable disease investigation duties required the Senior Officer (Food Safety) to maintain close liaison with colleagues at NHS Tayside and staff carrying out investigations were encouraged to undergo further training.

The unit continued to work closely with Public Analyst to formulate and complete a programme of food sampling which was driven by both local and national considerations, however the Food Safety Unit was particularly keen to concentrate resources on local food production.

‘Primary Producers’ (farms) are the main businesses affected by the feedstuffs legislation in Angus. A mobile feed mill, ten agricultural agents and two small business that produce feed material as a by product continue to operate in the area.
The obligation to maintain a register of all businesses involved in the feedstuffs supply chain remains the responsibility of the Council.

A recent move by the major supermarkets to recycle food waste into animal feed now means that to date; two firms have registered all of their retail outlets as feed producing businesses. Other companies are due to follow suit during the coming months. Initial inspections of these premises will require to be made.

All aspects of feeding stuffs work and enforcement continues to be carried out by the Lead Feed Officer who maintains sufficient Continuous Professional Development (CPD) as required by the FSA Feed Code of Practice. It is recognised that having only one officer able to carry out this function is not satisfactory and where training becomes available it is intended that a Trading Standards Officer within the department will attend to establish a working knowledge of the subject.

The introduction by the FSA of the Local Authority Enforcement Management system as mentioned in last years’ report has been further delayed and will not now be implemented for the foreseeable future.

3. Food Hygiene Inspections

The following table provides a breakdown of the inspections undertaken during the period 2010-2011. The data expressed in the table was extracted from the Civica APP software database system.

<table>
<thead>
<tr>
<th>Minimum Inspection Frequency</th>
<th>Number of Premises to be Inspected</th>
<th>Actual Number Inspected</th>
<th>Percentage Inspection Undertaken on time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Highest Risk</td>
<td>6 months (A)</td>
<td>16</td>
<td>15 (1 Closed)</td>
</tr>
<tr>
<td>Higher-Medium Risk</td>
<td>12 months (B)</td>
<td>159</td>
<td>158 (1 closed)</td>
</tr>
<tr>
<td>Medium Risk</td>
<td>18 months (C)</td>
<td>320</td>
<td>308 (12 closed)</td>
</tr>
<tr>
<td>Lower-Medium Risk</td>
<td>2 years (D)</td>
<td>121</td>
<td>108 (11 closed)</td>
</tr>
<tr>
<td>Lower Risk</td>
<td>above 2 years (E)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

NB The letters in the brackets in the table above indicate the risk category of the food business in terms of the Risk Rating Scheme defined in Annex 5 of the Food Law Code of Practice (Scotland) made in terms of Section 40 of the Food Safety Act 1990 (as amended).

The Food and Safety Unit staff inspected all of the food businesses in the A, B and C risk categories during the Plan period, and there was again a substantial improvement in the number of food businesses inspected in the ‘D’ category. The Alternative Enforcement Strategy for category ‘E’ food businesses continued throughout the period of the Plan. The responses received as a result of this strategy have enabled staff to assess the food safety risk of these businesses within the terms of the Food Law Code of Practice (Scotland).

4. Feeding Stuffs

As part of the service’s programme of visits to primary producers for 2010/2011 it was agreed with the Environmental Health staff that 12 visits would be conducted by the Lead Feed Officer. All 12 visits were completed between the winter months of November to February with an element of food legislation included in each visit. A sampling programme was agreed between the Dundee Public Analyst for the year and a total of thirteen samples were submitted from six premises who were subsequently advised of the results. Only one sample failed to meet the required standard, although the failure, an excess of zinc relative to the statutory statement, was not considered to be detrimental to the target animals. The information was passed to the home authority of the producer for their information.
All the results were placed on the national database known as SPOCC2.

5. Food Standards

The table below indicates the number of food samples taken during 2010 - 2011 compared to the targets defined in the Plan.

<table>
<thead>
<tr>
<th>Type of Sample</th>
<th>Target Number</th>
<th>Samples Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>Microbiological</td>
<td>240</td>
<td>227</td>
</tr>
<tr>
<td>Chemical</td>
<td>207</td>
<td>216</td>
</tr>
<tr>
<td>Total</td>
<td>447</td>
<td>443</td>
</tr>
</tbody>
</table>

The total number of samples taken amounted to ninety nine percent of the planned target. There was an decrease on the number of samples taken during the period of the previous Plan (2009 - 2010) however this is attributable to more effective targeting of sampling resources.

The target defined in the Plan for food standards inspections was successfully completed during 2010 - 2011.

6. Food Safety Revisits

During 2010 - 2011 a total of one hundred and eighty six revisits were undertaken by staff.

7. Food Safety Requests

The Food and Safety Unit received some three hundred and thirty nine service requests during the period of the Plan. These include requests for advice and complaints about food safety.

8. Health and Safety Inspections

The following table provides a breakdown of the health and safety inspections carried out during the period of the Plan.

<table>
<thead>
<tr>
<th>Risk Rated Category</th>
<th>Target Inspections</th>
<th>Actual Inspections</th>
<th>% of Inspections undertaken</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>10/11 09/10</td>
<td>10/11 09/10</td>
<td>10/11 09/10</td>
</tr>
<tr>
<td>A</td>
<td>27 19</td>
<td>27 19</td>
<td>100 100</td>
</tr>
<tr>
<td>B1 - B2</td>
<td>120 84</td>
<td>98 71</td>
<td>70 85</td>
</tr>
</tbody>
</table>

The figures show a rise in the number of inspections carried out in higher risk A and B1 premises compared to 09/10. Businesses which are rated B2 were subject to a lower inspection target and premises rated C were subject to alternative enforcement strategies.

9. Health and Safety Service Requests

During the period of the Plan the Food and Safety Unit received a total of sixty seven requests. It is therefore, proposed that the target defined in the 2011 - 2012 Plan should be set at eighty service requests.

10. Work Place Accidents
A total of forty eight accidents were referred to the Food and Safety Unit from the Incident Control Centre of the HSE during 2010 - 2011.

11. Advice to Businesses

During the routine programmed inspections and sampling visits by the Feed, Food and Safety enforcement staff advice was given to proprietors, managers and staff of businesses on how best to comply with the law and implement good practice.

12. Conclusion

From this review it is evident that the performance of the operational staff continued to improve during 2010/11.

It is therefore, with confidence that the managers and the staff look to the Plan for the period 2011 - 2012 in the hope that the improvements gained in 2010 - 2011 will continue.