



Barrow Borough Council

Public Protection Services – Food Safety Service Plan 2019/20

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1. INTRODUCTION

This Food Safety Service plan has been produced as required by and in accordance with the Food Standards Agency Framework Agreement on Local Authority Food Law enforcement. It is written in the format prescribed by the Agency, its purpose being to demonstrate that Barrow Borough Council has in place adequate and effective arrangements to meet its statutory obligations in respect of Food Safety.

Barrow Borough Council is designated as a Food Authority under the European Communities Act 1972, the Food Hygiene (England) Regulations 2013 and the Food Safety Act 1990. This places a statutory duty on the Authority to enforce the Acts.

This plan covers the following:

- The Food Safety Service Aims and Objectives
- Background Information
- Service Delivery
- Resources
- Quality Assessment
- Service Review.

2. SERVICE AIMS AND OBJECTIVES

The Council's Corporate Strategy 2016-2020 sets out the Council's vision. Barrow Borough Council's mission will be to make Barrow a better place to live, work and visit. The Food Safety Service is an important contributor in helping to achieve this.

The Service objectives are as follows:

- Ensure that all businesses involved in the preparation, sale, distribution or handling of food comply with food safety legislation and the requirements of codes of practice issued by the Food Standards Agency.
- To minimise the spread of incidents of infectious diseases including incidents of food poisoning by investigating relevant cases and taking action to control the spread of disease.

The food service plan links to the Council's Priorities of Developing the local economy to secure a long term economic future for all our community; A strong and vibrant town centre community; Closing the gap on health inequalities; and Providing efficient and effective services. During the year we report our progress to the Management Board,

through a performance indicator based on the number of food hygiene inspections undertaken each quarter.

This plan will be reviewed annually and we welcome views, comments and suggestions on how it could be improved.

3. BACKGROUND PROFILE OF BARROW

Barrow Borough Council is one of 6 District Council's within the County of Cumbria. It is mainly urban in nature with a population of around 71,000 covering an area of 7699 hectares and a major industrial area of Cumbria. By far the largest town within the Borough is Barrow and this is the business centre of the Furness area. Dalton, the ancient capital of Furness, is smaller and lies inland. Askam, Newton, Lindal and Marton are small villages lying near the borough boundary while a number of smaller communities make up the more rural areas. To the west of Barrow lies Walney Island which is approximately 9 miles long, the central area of the island being mainly residential.

The Borough has a mixed economy although historically employment has been biased towards heavy industry, including shipbuilding, but in more recent years this type of employment has seen large scale redundancies and closures resulting in a relatively high unemployment level.

This has led to lower household incomes and higher levels of benefit dependency are concentrated in pockets of deprivation, hence improving the quality of life for all local people remains an overarching priority.

4. ORGANISATIONAL STRUCTURE

Barrow Borough follows an Alternative Arrangements structure with a committee structure for decision making.

The Council has an Overview and Scrutiny Committee (OSC) and review panels, which broadly mirror the Service areas. OSC can be involved in the development of policy under its Overview role and will also scrutinize the decisions and activities of the council.

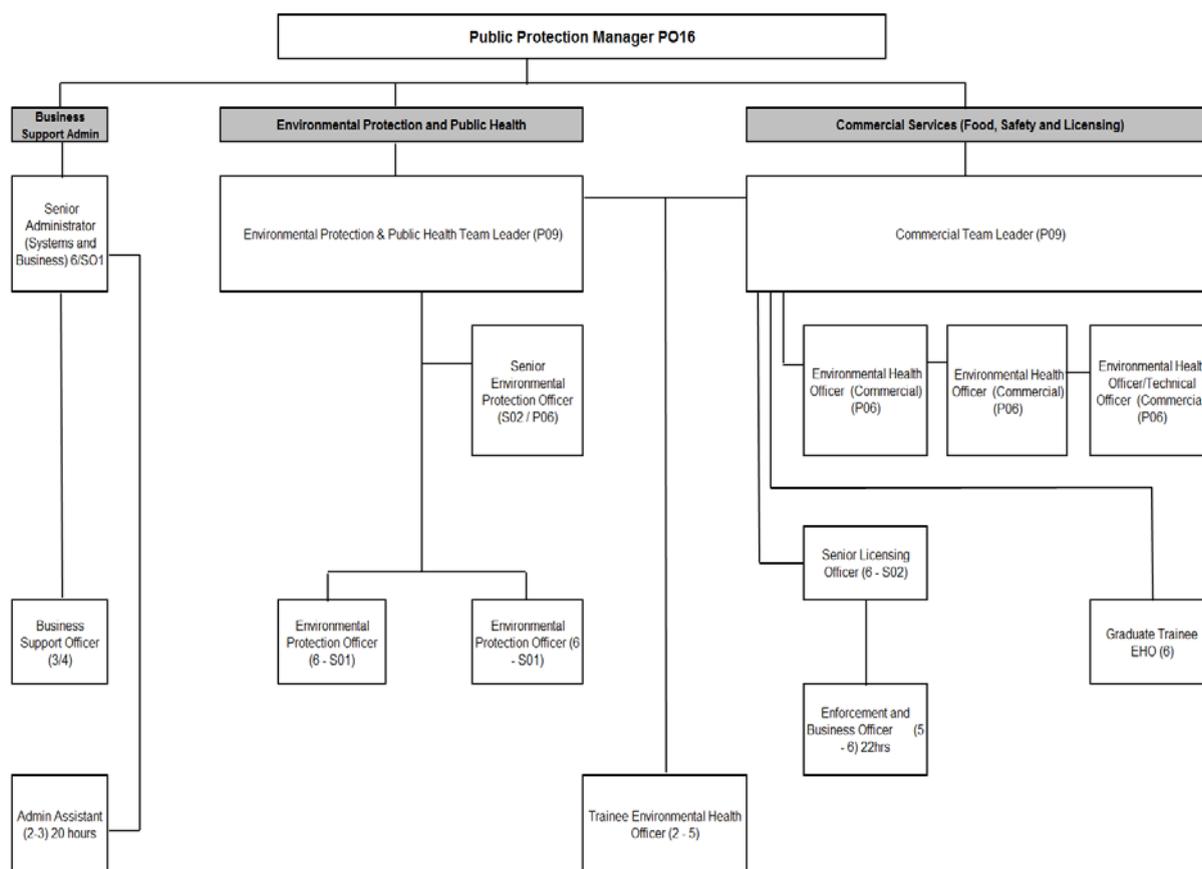
The food safety service is part of the Commercial Team and the Lead Food Officer reports to the Public Protection Manager.

The Barrow Food Safety team consists of:

- 1 Commercial Team Leader/ Lead Food Officer (0.6 FTE - food safety functions)
- 2 Environmental Health Officer (0.80 FTE - food safety functions)
- 1 Environmental Health Officers (currently vacant)
- 1 Contractor carrying out food hygiene inspections only.

Officers within the Commercial Team also undertake Health and Safety, Infectious Disease Control, Animal Welfare and Port Health Duties.

Organisational Structure



The provisions made for specialist services used on an as and when basis are:-

Food Examiner: FW & E Microbiology Lab, York
 Email - yorkFWELab@phe.gov.uk
 Tel: 01904 468 948

Food Analyst: County Laboratory, Peddles Way,

Preston Riversway Docklands,
Ashton-on-Ribble, Preston PR2 2TY
Tel: 01772 721660

The long term staffing shortages have necessitated the use of suitably qualified contractors to carry out inspections, special projects and prosecutions.

5. SCOPE OF THE FOOD SERVICE

The scope of the food safety service consists of:

- Ensuring that all food premises within the Borough are identified and inspected on a risk-assessed basis;
- Implementing and maintaining the National Food Hygiene Rating Scheme;
- Reviewing planning and building control applications to ensure that food hygiene requirements are considered at the design and build stages of development;
- Providing advice to food businesses and members of the public on issues relating to food safety;
- Investigating all complaints relating to food and food safety and taking appropriate enforcement action to prevent potential outbreaks of food poisoning;
- Undertaking sampling in order to determine the quality and fitness of food that is available for purchase throughout the Borough;
- Minimising the spread of incidents of infectious diseases, including incidents of food poisoning by investigating relevant cases and taking action to control the spread of disease.

Whenever possible, visits to premises for different purposes are combined to ensure that officer time is used efficiently and that the time spent with proprietors and managers of businesses is kept to a minimum.

6. DEMANDS ON THE FOOD SERVICE

There are approximately 558 registered food premises within the Borough, mainly composed of restaurants, takeaways and retailers. A small number of businesses are seasonal, and a number of takeaways are run by proprietors whose first language is not English.

As of April 2019, 558 registered food premises within the Borough were made up of the following food premises types:

Manufacturer/Processor	2
Packer	2
Caterer	1
Supermarket/Hypermarket	25
Small Retailer	98
Retailers others	24
Restaurant/Café/Canteen	91
Hotel/Guest House	14
Pub/Club	98
Takeaway	74
Caring Establishment	33
School/College	37
Mobile Food unit	18
Restaurant /Caterer – Others	40
Total Registered Premises	558

Incorporated in the above are 2 Approved Premises.

Barrow Borough Council has Procedures in place that ensure that the Food Standards Agency's Code of Practice and Practice Guidance document is followed. In addition, these Procedures also refer to the various Guidance Notes from the Local Government Regulation which gives guidance on Food Safety issues. Officers of the Council must and do have regard to these Codes and Guidance in undertaking the food safety function as they ensure consistent enforcement.

Council services are provided 08.30 – 17.00 hours Monday to Thursday and Friday 08.30 – 16.30 hours. This is supported by an out of hour's emergency response service accessed by calling 01229 833311.

Planned out of hours inspection and visits are also made by Officers on the basis of the trading times of food businesses and perceived need.

6.1. Approvals

The Authority approves premises which are required to be formally Approved under specific EU Legislation due to the increased risk posed by their particular food activities e.g. manufacturers or food premises producing meat products for other food businesses. There are currently 2 approved premises in Barrow.

6.2. The Food Hygiene Rating Scheme

The Food Hygiene Rating Scheme (FHRS) is a Food Standards Agency/Local Authority partnership initiative. It is a national scheme which provides consumers with information about hygiene standards in food business establishments using information gathered by officers at the time they are inspected to check compliance with legal requirements on food hygiene. The food hygiene rating given reflects the inspection findings.

The FHRS allows consumers to make informed choices about the places where they eat or shop for food and, through these choices, encourage businesses to improve their hygiene standards.

There are six different food hygiene ratings ('0' up to '5') - the top rating represents a 'very good' level of compliance with legal requirements and all businesses irrespective of the nature or size of their operation should be able to achieve this.

Food hygiene ratings are published online at <http://ratings.food.gov.uk/>. Businesses are encouraged to display a sticker showing their food hygiene ratings at their premises where consumers can easily see them, although there is no legal requirement currently to display them.

The FHRS incorporates safeguards to ensure fairness to businesses. This includes an appeal procedure, a 'right to reply' for publication (together with the food hygiene rating) at <http://ratings.food.gov.uk/> and a mechanism for requesting a re-inspection/re-visit for the purposes of re-rating when improvements have been made. Further guidance is available in the "Food Hygiene Rating Scheme: Guidance for Local Authorities on Implementation and Operation: the Brand Standard".

Barrow Borough Council joined the scheme in 2012. The following Table shows the current list of Ratings for Barrow (as at April 2019):

Ratings	2019	% of total
0 – Urgent Improvement Necessary	4	0.7

1 – Major Improvement Necessary	15	2.7
2 – Improvement Necessary	4	0.7
3 – Generally Satisfactory	28	5.1
4 – Good	55	10.0
5 – Very Good	396	71.9
Exempt / excluded / sensitive	45	8.2
Total	547	100%

The Council received 13 requests for a re-inspection after the food business operator had addressed the issues raised during a 2018/19 inspection.

6.3. Enforcement Policy

The Council has adopted the principles of the Regulators Code which provides a clear, flexible and principle based framework for how regulators should engage with those whom they regulate. The principles are incorporated within the Councils enforcement policy.

All food safety enforcement decisions are made following consideration of the Enforcement Policy. Any departure from the Policy will be documented. A copy of the Enforcement Policy is available on request.

All food law enforcement will be carried out in accordance with the relevant Food Standards Agency Code of Practice and Practice Guidance and other Official Guidance produced by Local Government Regulation or the Food Standards Agency.

Where matters are identified or reported to officers and the enforcement responsibility lies with other council services or agencies, officers will refer the matter to the appropriate service or agency.

7. SERVICE DELIVERY

7.1. Food Safety Interventions

The enforcement of Food Safety legislation is governed by a Statutory Food Law Code of Practice and Practice Guidance. This specifies procedures and forms to be used by

employees when enforcing the legislation. Interventions include the formal inspection regime, auditing, verification visits, sampling and food or food hygiene complaint investigations.

In March 2017 the Food Standards Agency issued a revised Food Law Code of Practice.

Interventions are risk based and a range of other interventions can be employed to achieve the same result, e.g. surveys, formal training and interventions including sampling, auditing, verification visits, as well as visits to investigate food or food hygiene complaints.

7.2. Performance Management Monitoring

The Food Standards Agency has a remit to oversee local authority food law enforcement to ensure appropriate local services are in place.

Barrow report to the Local Authority Enforcement Monitoring System (LAEMS), uploading data from the Civica APP Flare public protection database.

Barrow uploads food inspection ratings to the FSA NFHRS database.

Review the data on approved premises and advise the FSA accordingly.

The LAEMS return for 2019/20 will be an electronic upload.

8. FOOD SAFETY INTERVENTIONS PLAN

8.1. Inspections

Inspections are carried out in accordance with the Food Law Code of Practice (March 2017).

Following each inspection, the premises are attributed a Risk Rating Score in accordance with Food Law Code of Practice, which determines the minimum inspection period before the next inspection. The risk score is entered on the Civica App Flare software system and each quarter a list of premises due for inspection is produced.

At the time of every programmed food premises inspection, a pro-forma (aide memoir) is completed which is attached to the electronic premises file. Following each

inspection, either a written report is sent to the proprietor of the business or, for minor matters, a carbonated handwritten report together with a letter advising how the rating is worked out is left on site. The report and carbonated handwritten report have a standard format.

The inspection record includes an assessment of the risk from E.coli, based on Food Standards Agency guidance & is completed by Food Officers in premises where raw and ready to eat foods are handled.

The Code requires Category A and B premises to receive an inspection at the appropriate frequency (6 months & 12 months).

Category C premises receive an inspection at the appropriate frequency (18 months)

Category D premises will receive an inspection at the appropriate frequency (2 years)

Category E premises will receive an inspection at the appropriate frequency (3 years)

For the year 2019/2020, it is anticipated that all of the high-risk premises that were due for inspection will have been inspected by the deadline of 31 March 2020.

Revisits are made in order to check on compliance with Enforcement Notices and to ensure poor standards and serious defects are addressed by the food business operator. This is at the officers' discretion, but in line with Departmental Enforcement Policy.

The use of the risk assessment scheme ensures that the highest priority is given to food manufacturers and caterers where conditions are below standard and premises that cater for vulnerable groups.

The Authority has an accurate list of the food businesses operating throughout the district due to the requirement for all food businesses to be registered. Therefore the following Inspections are due. These figures include all overdue inspections from previous years.

Premises Risk Category	Frequency of Intervention	Number of Premises
A	6 months	4
B	12 months	24
C	18 months	62
D	24 months	150
E	Suitable for Alternative Intervention	100

Total		340
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In addition to this figure will be new business ventures that open up within the Borough ranging from home caterers and market stalls, through to national companies.

8.2. Food Registration

A register of all food premises within the Borough is maintained in accordance with regulations.

8.3. Information and Training

The Food Safety team has received appropriate training to ensure knowledge of food specific legislation which relates to premises within the Borough. All Officers received the relevant training to ensure core CPD.

8.4. New Businesses

New food premises receive an initial inspection, generally within one month of opening or some other intervention.

All new food premises will receive an initial rating inspection and thereafter treated as above depending on the initial category.

8.5. Food Complaints

An inspections may be undertaken following receipt of a food or food hygiene complaint if required by the nature and circumstances of the complaint.

Food complaints are varied in type and include:

- Food which does not comply with the food safety requirements i.e. food which is unfit; food which has been rendered injurious to health; or food which is so contaminated.
- Food which is not of the nature or substance demanded by the purchaser.
- Food not produced, processed or distributed in accordance with the Hygiene Regulations.

Barrow also enforces the provision of the Food Information Regulations 2014, which relate to 'Use-by' date labelling and quality issues, in co-operation with Cumbria County Council's Trading Standards Authority.

Initial investigations into food complaints are given high priority, since these can give an indication of where the food supply chain has broken down. Such breakdowns may be one-offs or can indicate a problem that, if left unattended, could have serious consequences. Arrangements are in place to contact the Food Standards Agency where food complaints may have wider implications.

Where companies involved are unable to provide a satisfactory defence that they take all reasonable precautions and exercise all due diligence to prevent such a complaint, legal proceedings may be instigated. The decision to prosecute would be taken at the recommendation of the officer concerned, in consultation with the Commercial Team Leader and the Council's legal representative and in accordance with the Public Protection Enforcement Policy

Dealing with food complaints is a relatively small part of the workload from April 2018 to March 2019 the Council received 12 complaints.

8.6. Food Fraud

Officers are aware of the potential for food fraud and are mindful of this whilst undertaking interventions. Where intel is received, the Commercial Team Leader will cascade the information to the team accordingly to investigate as appropriate.

8.7. Primary Authority Principle

In April 2009 the Regulatory Enforcement and Sanctions Act introduced the Primary Authority Scheme. This is an arrangement where a Local Authority agrees to provide specialist advice to a company regarding its Food Safety arrangements and acts as a point of contact for other local authorities where its food may be sold. The Primary Authority is usually where the head office for a company is situated.

If a business has a primary authority the officer will contact the primary authority before any enforcement action is taken, unless immediate action is required because of the imminent risk to health.

Currently this Council does not act as Primary Authority for any local business.

If a business requests a Local Authority to be its Primary Authority for any regulatory function, the Local Authority must agree to the request, although it may charge for the cost of doing so. Copeland isn't currently a Primary Authority.

8.8. Advice to Business

Whilst the Council will utilise its powers to enforce the food legislation, it is realised that, where food businesses break the law, it is not always deliberate. As a consequence, it is the Council's policy to provide advice to business in a number of different ways for example through 'gain or retain' for existing businesses and 'safer food direct' for new business start-ups.

The Food Safety team does not provide formal food hygiene training, as there are many local providers.

Advice is given during routine inspections and visits and also to direct queries received by letter or telephone. Provisional advice is given prior to the setting up of a food business upon request.

Building Control and Planning applications are reviewed and advice given to the developers / applicants regarding issues relating to Food Safety and Health and Safety.

The Barrow Borough Council website contains limited general information and is currently under review

8.9. Food Sampling

Proactive, point of sale, food sampling programme can provide useful information about the microbiological fitness of food for sale within the Borough.

The Council participates in the Cumbria Food Liaison Group and provides input to co-ordinated food-sampling programmes based on agreed local priorities.

The sampling programme consists of the following:-

- Target approved and high-risk premises
- Participation in local initiatives devised by the local sampling group
- Participation in Public Health Laboratory Service sampling initiatives.

8.10. Infectious Disease Control

The investigation of food poisoning cases is given a high priority and in an outbreak situation can necessitate utilising officers from the Environmental Protection & Public Health team, in addition to those in the food safety team (for example distributing faecal pots).

Outbreak investigations follow the Public Health England's North West Outbreak Plan and associated procedures and guidance. Such investigations will be overseen by the Commercial Team Leader in partnership with Public Health England.

There are good links with Public Health England and all notifications are actioned on the day of receipt, by a telephone call, visit or a letter.

8.11. Liaison with Other Organisations

To ensure that enforcement action taken in the area of this Council is consistent with national guidance and neighbouring local authorities, liaison arrangements are in place with The Food Standards Agency, FW & E microbiology lab York, Manchester Lab (clinical samples) and Public Health England.

The Council fully supports the work of the Cumbria Food Liaison Group. This group has representatives from all Cumbria Local Authorities, microbiology labs and Public Health England.

8.12. Food Safety and Standards Promotion

Education and promotion activities can have a direct impact on food safety standards. The Council is committed to providing advice and information both to business and the public through a number of initiatives:

- Food advisory visits
- Food Safety information leaflets
- Food Safety Week/Food Link
- Link to food safety information on the council website (currently under review)
- As resources allow, talks to schools and other groups
- World of work campaigns

8.13. Food Alerts

All food officers are signed up to receive the automated Food Alerts notified from the Food Standards Agency. The Commercial Team Leader will discuss with officers of appropriate action in each case, which may include mailshots, visits, local press releases, etc. The resource implication is unknown, as it depends upon the nature and type of alerts, but existing resources usually perform this work as and when required.

8.14. Equality and Diversity

The Equality Act 2010 replaced many separate anti-discrimination laws with a single Act. It also strengthened the law in important ways and extends protection against discrimination on the basis of: race, disability, sex, gender reassignment, marriage and civil partnership, sexual orientation, age, religion or belief, and pregnancy and maternity.

There is a general duty under the act and some specific duties which include the need for public bodies to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity and foster good relations. In addition, there is a duty to publish certain information to demonstrate compliance with the Act.

Barrow Borough Council have an Equality & Diversity Strategy 2017 that details the various measures in place to ensure the Service does not discriminate and is equally accessible to all.

9. RESOURCES

9.1. Financial / Staffing Allocation

The Barrow Borough Council Food Safety team consists of 1 Full time Commercial Team Leader (0.6 – Food), 2 Full time Environmental Health Officers (0.8 – Food), 1 Environmental Health Officer (vacant post). These officers also undertake Health and Safety, Infectious Disease Control, Private Water supplies and some Environmental Protection functions

Officers only carry out work which is permitted by the qualification requirements of the code of practice.

Officers are delegated authority based on qualification and competency assessment which is reviewed as a minimum annually and will be updated as new regulations are made.

9.2. Staff Development Plan

Training is determined during 1:2:1 and section meetings. This plan recognises the need for Professional Officers to meet Continuing Professional Development (CPD) requirements.

Training and development is based on the basic principles and ideals of:

- The Council is committed to continuous development of employees and services to ensure it is properly equipped to deal with future challenges.
- The Council will develop the potential of all its employees.
- Officers and the team have a duty to the Council to meet food safety competencies
- Regular and continual training and updating of skills in order to undertake "the job" are necessary.
- Succession planning.
- Training will include customer service training.

Training may be provided through attendance at externally organised courses and seminars or through in-house training activities.

10. QUALITY ASSESSMENT

The Food Law Code of Practice (England) Regulations, requires Authorities to have internal monitoring systems.

Officers follow food safety procedures aimed at meeting the requirements of the Food Safety Code of Practice and Official Guidance. This is regularly kept under review and is used to ensure consistency and improvements in service delivery.

Procedures are in place for achieving and monitoring the consistency and quality to ensure that its food safety service is provided in a way that is consistent with the Food Standards Agency Standard, Statutory Codes of Practice and nationally issued guidance.

11. REVIEW

11.1. Performance against Plan

The Food Safety Service Plan is reviewed annually.

Food safety actions; the number of premises inspected by risk (planned / actual), are reported quarterly to the Management Team and Executive Committee.

The performance of the food service is reported annually to the Food Standards Agency, via the Local Authority Monitoring System (LAEMS).

The Food Standards Agency reports this performance data to Government and Europe.

11.2. Areas for improvement

Delivery of the Food Safety service will need additional resources through suitably qualified contractors.

Service plans to be formulated in February / March each year.