

Barrow Borough Council
Public Protection Services – Food Safety Service Plan
2020/2021

Contents

1. INTRODUCTION.....	3
2. SERVICE AIMS AND OBJECTIVES	3
3. BACKGROUND PROFILE OF BARROW	4
4. ORGANISATIONAL STRUCTURE.....	4
5. SCOPE OF THE FOOD SERVICE	6
6. DEMANDS ON THE FOOD SERVICE	7
6.1. Approvals	8
6.2. The Food Hygiene Rating Scheme	8
6.3. Enforcement Policy	9
7. SERVICE DELIVERY.....	10
7.1. Food Safety Interventions.....	10
7.2. Performance Management Monitoring.....	10
8. FOOD SAFETY INTERVENTIONS PLAN	10
8.1. Inspections.....	10
8.2. Food Registration.....	12
8.3. Information and Training	12
8.4. New Businesses.....	12
8.5. Food Complaints	12
8.6. Food Fraud	13
8.7. Primary Authority Principle	14
8.8. Advice to Business	14
8.9. Food Sampling	15
8.10. Infectious Disease Control	15
8.11. Liaison with Other Organisations.....	15
8.12. Food Safety and Standards Promotion	16
8.13. Food Alerts.....	16
8.14. Equality and Diversity	16
9. RESOURCES/DEMANDS ON SERVICE DELIVERY	17
9.1. Financial / Staffing Allocation	17
9.2. Staff Development Plan	18
10. QUALITY ASSESSMENT	18
11. REVIEW	19
11.1. Performance against Plan	19
11.2. Areas for improvement.....	19

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

Barrow Borough Council's Council Plan 2020-2024 sets out the actions it will take to ensure the Borough is a great place to live, work and visit. It will be underpinned by detailed delivery plans, one of which is the Food Safety Service Plan.

We will need to be bold and ambitious to deliver this vision, and we will need to find different ways to work to make the most of the resources we have available.

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 Team, 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 67,100 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, over the past 15 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.

However, recent investment in offshore energy and at the UK's submarine construction facility has resulted in an increase of both the blue and white collar workforce, traveling to and residing in Barrow and the surrounding area.

Also, the recent restrictions placed on businesses and individuals as a result of the Coronavirus Pandemic has increased the pressures on the local economy.

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.

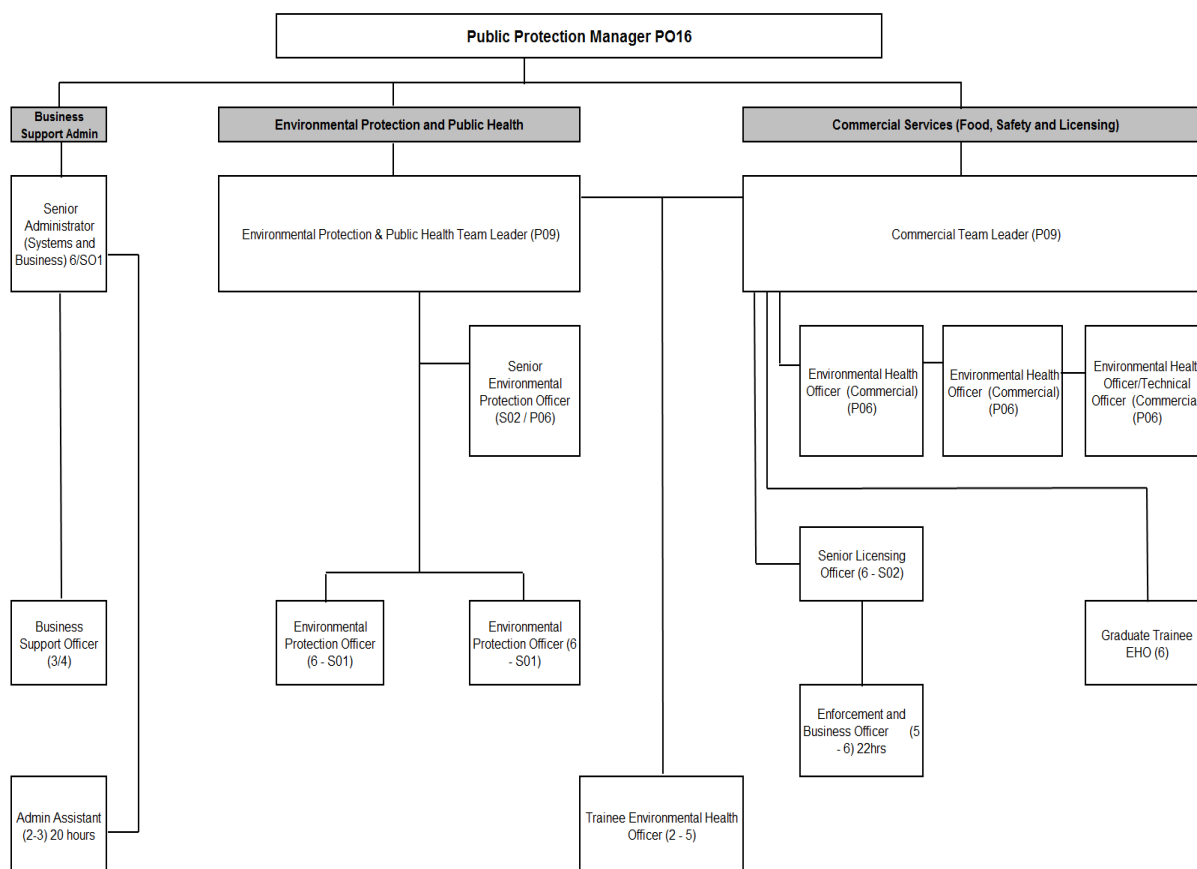
The food safety service is part of the Commercial Team and the Lead Food Officer reports to the Public Protection Manager.

The Barrow Food Safety team consists of:

- 1 Commercial Team Leader/ Lead Food Officer (**0.6 FTE** - food safety functions)
- 1. Environmental Health Officer (**0.80 FTE** - food safety functions)
- 2. 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, Port Health and Covid-19 related 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.

6. DEMANDS ON THE FOOD SERVICE

There are less than 600 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 2020, 574 registered food premises within the Borough were made up of the following food premises types:

Primary Producer	1
Manufacturer or Packer	3
Caterer	1
Supermarket / Hypermarket	24
Small Retailer	101
Retailer - Other	26
Hotel/Guest House	15
Mobile Food Unit	18
Caring Premises	31
Restaurants and Caterers	39
Pub/Club	102
Restaurant/Cafe/Canteen	94
School/College	41
Take-away	78
Total	574

Incorporated in the above are 2 Approved Premises (See Section 6.1).

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 2020):

Ratings	1/4/2020	% of total
0 – Urgent Improvement Necessary	0	0
1 – Major Improvement Necessary	18	3.7
2 – Improvement Necessary	6	1.2
3 – Generally Satisfactory	34	6.9
4 – Good	67	13.6
5 – Very Good	367	74.6
Total	492	100%
Premises with a rating of 3 or more	468	95.1%
Exempt / excluded / sensitive	32	

The Council received 15 requests for re-inspection last year, after the food business operator had addressed the issues raised.

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.

The data on approved premises was reviewed in July 2020 and the FSA advised accordingly.

The LAEMS return for 2019/20 has been uploaded electronically.

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)

Although it was anticipated that all of the high-risk premises that were due for inspection in 2019/2020 would have been inspected by the deadline of 31st March 2020, this was not possible due to restrictions placed on food businesses who were required to close following the UK Governments response to the Coronavirus Pandemic.

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 this financial year. These figures include all overdue inspections from last year.

Premises Risk Category	Frequency of Intervention	Number of Premises
A	6 months	1
B	12 months	30
C	18 months	82
D	24 months	26
E	Suitable for Alternative Intervention	77
Total		216

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 public 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 2019 to March 2020 the Council received 23 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, Barrow Borough 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.

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 general information and is updated when required.

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 participates in 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/DEMANDS ON SERVICE DELIVERY

9.1. Financial / Staffing Allocation

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

During 2019 there was a backlog of programmed inspections which had to be carried out. This was mainly due to the fact that the Authority was carrying over inspections from the previous year. The situation was exacerbated by the fact that a member of the Commercial Team had left the Authority. As a consequence of this we enlisted the services of a suitably qualified Contractor.

During the weeks leading up to 16th March 2020 we were on target to meet our yearly allocation of programmed inspections.

On 23rd March 2020 due to the Coronavirus Pandemic, businesses were required to close. In addition, the Town Hall where Commercial Team Officers were normally located, was closed.

Arrangements have now been made for Officers to work remotely having access to our Food Database and have continued to investigate food complaints.

Officers from the Commercial Team have been involved in providing advice and information to businesses which were allowed to stay open and trade during the Lockdown. They have also been involved in taking enforcement action in relation to businesses which are not complying with the Coronavirus Business Restrictions.

Physical Programmed Food Hygiene inspections recommenced on the 1st August 2020

Recruiting and retaining qualified staff in the Commercial Team has been an issue for Barrow BC for a number of years. The 2019/20 FTE posts on establishment for Food was 2.50 with 2.00 in post; with 1 post dedicated to undertaking programmed inspections. At the current time we do not have sufficient resources to deliver all food controls. However, on a positive note, we have secured the services of a suitably qualified contractor for 2020/21 again dedicated to undertaking programmed inspections and we are actively engaged in recruiting a PT (0.4 FTE) EHO.

We continue to advertise for qualified and experienced staff. A report is being prepared for Senior Management to introduce a graded salary; currently EHOs are on a single salary point. It is hoped that this will attract both experienced and newly qualified EHOs into the Commercial Team.

We continue to develop two graduate / trainee EHPs to take up positions in the Commercial Team, both of whom should complete their academic studies in the Summer of 2021.

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).

Last year we acted upon the comments made by the OFFC Performance Management Team and have reviewed the service plan accordingly.

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. However this was not possible this year due to the Coronavirus Pandemic.