

Report on the Audit of Food Law Service Delivery and Food Business Compliance

Broxbourne Borough Council
24-26th May 2016



Foreword

Audits of local authorities' feed and food law enforcement services are part of the Food Standards Agency's arrangements to improve consumer protection and confidence in relation to food and feed. These arrangements recognise that the enforcement of UK food and feed law relating to food safety, hygiene, composition, labelling, imported food and feeding stuffs is largely the responsibility of local authorities. These local authority regulatory functions are principally delivered through their Environmental Health and Trading Standards Services.

The attached audit report examines the Local Authority's Food Law Enforcement Service. The assessment includes the local arrangements in place for database management, inspections of food businesses and internal monitoring. It should be acknowledged that there will be considerable diversity in the way and manner in which local authorities may provide their food enforcement services reflecting local needs and priorities.

Agency audits assess local authorities' conformance against the Food Law Enforcement Standard ("The Standard"), which was published by the Agency as part of the Framework Agreement on Official Feed and Food Controls by Local Authorities and is available on the Agency's website at:
www.food.gov.uk/enforcement/auditandmonitoring.

The main aim of the audit scheme is to maintain and improve consumer protection and confidence by ensuring that local authorities are providing an effective food law enforcement service. The scheme also provides the opportunity to identify and disseminate good practice and provide information to inform Agency policy on food safety, standards and feeding stuffs. Parallel local authority audit schemes are implemented by the Agency's offices in Wales and Northern Ireland.

The report contains some statistical data, for example on the number of food premises inspections carried out annually. The Agency's website contains enforcement activity data for all UK local authorities and can be found at:
www.food.gov.uk/enforcement/auditandmonitoring.

For assistance, a glossary of technical terms used within the audit report can be found at Annex C.

Table of Contents

1.0 Introduction	4
Reason for the Audit	4
Scope of the Audit	5
Background	5
2.0 Executive Summary	7
3.0 Audit Findings	8
3.1 Organisation and Management	8
Strategic Framework, Policy and Service Planning	8
Officer Authorisations and Training	10
3.2 Food Premises Database	11
3.3 Food Premises Interventions	12
Verification visit to a Food Premises	14
3.4 Enforcement	15
3.5 Internal Monitoring, Third Party or Peer Review	16
Internal Monitoring	16
Food and Food Premises Complaints	16
Food Sampling	17
Third Party or Peer Review	17
ANNEX A - Action Plan for Broxbourne Borough Council	18
ANNEX B - Audit Approach/Methodology	20
ANNEX C - Glossary	20

1.0 Introduction

- 1.1 This report records the results of an audit at Broxbourne Borough Council with regard to food hygiene enforcement, under relevant headings of the Food Standards Agency Food Law Enforcement Standard. The audit focused on the Authority's arrangements for the management of the food premises database, food premises interventions, and internal monitoring. The report has been made publicly available on the Agency's website at www.food.gov.uk/enforcement/auditandmonitoring/auditreports.

Hard copies are available from the FSA's Regulatory Delivery Division, please email LAudit@foodstandards.gsi.gov.uk or phone 01904 232116.

Reason for the Audit

- 1.2 The power to set standards, monitor and audit local authority food law enforcement services was conferred on the Food Standards Agency by the Food Standards Act 1999 and the Official Feed and Food Controls (England) Regulations 2009. This audit of Broxbourne Borough Council was undertaken under section 12(4) of the Act as part of the Food Standards Agency's annual audit programme.
- 1.3 Regulation (EC) No. 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, includes a requirement for competent authorities to carry out internal audits or to have external audits carried out. The purpose of these audits is to verify whether official controls relating to feed and food law are effectively implemented. To fulfil this requirement, the Food Standards Agency, as the central competent authority for feed and food law in the UK has established external audit arrangements. In developing these, the Agency has taken account of the European Commission guidance on how such audits should be conducted.¹
- 1.4 The Authority was included in the Food Standards Agency's programme of audits of local authority food law enforcement services because it had not been audited by the Food Standards Agency in the last 5 years and was representative of a geographical mix of councils selected across England.

¹ Commission Decision of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls to verify compliance with feed and food law, animal health and animal welfare rules (2006/677/EC)

Scope of the Audit

- 1.5 The audit examined Broxbourne Borough Council's arrangements for food premises database management, food premises interventions and internal monitoring, with regard to food hygiene law enforcement. This included a reality check at a food business to assess the effectiveness of official controls implemented by the Authority at the food business premises and, more specifically, the checks carried out by the Authority's officers to verify food business operator (FBO) compliance with legislative requirements. The scope of the audit also included an assessment of the Authority's overall organisation and management, and the internal monitoring of other related food hygiene law enforcement activities.
- 1.6 Assurance was sought that key authority food hygiene law enforcement systems and arrangements were effective in supporting business compliance, and that local enforcement was managed and delivered effectively. The on-site element of the audit took place at the Authority's office at Bishops College, Churchgate, Cheshunt. EN8 9XB on 24-26th May 2016.

Background

- 1.7 Broxbourne is a mix of urban and rural areas and is situated immediately north of Greater London, within the southeast corner of Hertfordshire. The population is approximately 96,000. The borough covers 20 square miles. Towns within the district include Waltham Cross, Cheshunt, Turnford, Broxbourne and Goffs Oak. Although urbanised with commercial and industrial activity, the area retains much of its rural character and is popular with London commuters.
- 1.8 The borough has a varied range of food businesses including a number of premises subject to (EC) 853/2004 approvals legislation for handling meat and dairy products.
- 1.9 Food safety enforcement was delivered by a small but proactive Environmental Health team which formed part of a wider Housing, Commercial and Environmental Protection Department. Officers that delivered official food controls were also responsible for the following:
- Health and safety interventions, advice and guidance
 - Investigating infectious diseases and outbreaks
 - Licensing
 - Environmental protection; and
 - Food promotional activities including training
- 1.10 Food standards enforcement was undertaken by Hertfordshire County Council's Trading Standards team.

1.11 The 2014/15 Local Authority Enforcement Monitoring System (LAEMS) return for the Authority indicated that there were 835 premises for food hygiene, the profile of which was as follows:

Type of Food Premises	Number
Primary Producers	0
Manufacturers/Packers	9
Importers/Exporters	21
Distributors/Transporters	9
Retailers	212
Restaurants/Caterers	572
Total Number of Food Premises	835

2.0 Executive Summary

2.1 The Authority was found to be delivering a range of food law enforcement activities in accordance with the statutory obligations placed on them as a competent food authority. However, some improvements were identified to enable the Service to attain the required level of protection to consumers and in order to meet the statutory requirements of the Framework Agreement and the Food Law Code of Practice (FLCoP). A summary of the main findings and key improvements necessary is set out below.

2.2 Strengths:

The Authority had generally carried out interventions on time, with 100% of interventions being achieved during the previous year (2014/15). Very few premises were overdue an inspection and there were just 17 unrated premises, all of which had been scheduled for inspection. This was commendable. The food safety team was very conscientious and proactive.

The Authority had a good range of very detailed work instructions and procedures for the key areas of the food service. Most had been reviewed recently.

A Technical Officer carried out a non-scored visit to each new food business to provide food safety advice and to forge good working relationships with the Food Business Operator (FBO) right from the outset. This was then followed up with an initial inspection by another officer.

Officers included photographic evidence of non-compliance in letter schedules to help illustrate legal contraventions to the FBO.

2.3 Key area for improvement:

Officer authorisations required urgent review. Most did not provide specific enforcement powers for officers. None of the officers were correctly authorised in terms of powers of entry under the Food Safety and Hygiene (England) Regulations 2013. This presents a serious risk of potential legal challenge against the Authority. In addition, one officer was authorised for food seizures under Section 9 of the Food Safety Act 1990, which extended beyond their qualification as specified in the FLCoP.

The Authority needed to consider the use of more formal enforcement for more serious or repeated food safety contraventions.

Approved premises records required review as those checked either had some key documents missing, or documentation relating to the approval and key correspondence was difficult to retrieve.

3.0 Audit Findings

3.1 Organisation and Management

Strategic Framework, Policy and Service Planning

A 2015/16 Food and Health & Safety work plan had been developed and implemented by the authority. The document linked in to a wider, Environmental Services service plan for 2016/19. Although the work plan did not undergo any form of senior management or portfolio holder clearance; however the departmental service plan was cleared by the Environmental Services Committee and the Chief Executive.

The Food and Health & Safety work plan outlined the Council's mission statement, and also highlighted a number of key objectives including:

- *Securing the best value for money in service delivery by competitive tendering, market testing, best value and business planning.*
- *Improving the quality of its services through a range of new methods of delivery and practical measures to improve public access to its services, and seek external accreditation of the standards of quality achieved for each service.*

The plan generally followed the Service Planning Guidance in the Framework Agreement. It helpfully outlined external impacts on the service as well as outlining potential demands on the service and a commitment to undertake an annual review of the work plan.

Auditors discussed the need to include information on the previous year's performance against the Service Plan and to identify any variances and where appropriate the reasons for that variance. The plan would benefit from additional detail about the Authority's approach to interventions and in particular the Food Hygiene Rating Scheme (FHRS) and the approach to lower risk food premises (alternative enforcement strategy (AES)). In addition, future service plans should include a clear comparison of the resources required to carry out the full range of statutory food law enforcement activities at all relevant food businesses in the area against the resources available to the Service. Details of how any shortfall identified will be addressed and the potential consequences for consumer protection should also be provided.

The 2015/16 work plan did not provide a clear comparison between resources needed to deliver the food service alongside the resources available. The Plan had identified the full time equivalent (FTE) officers available to deliver the functions of the food and health and safety service as 2.0. The number of FTEs declared by the Authority on the Local Authority Enforcement Monitoring System (LAEMS) return differed from that mentioned in the Service Plan - this figure

stood at 1.5 FTE for food hygiene enforcement. During the audit, the Authority confirmed that 2.0 FTE was an accurate reflection of the food resource availability.

Auditors also recommend that the Food and Health & Safety work plan is brought to the attention of senior managers and elected members.

Auditors saw evidence of quarterly meetings held between the Environmental Health Manager and Portfolio Holder where key matters of food safety and service delivery were discussed.

Recommendation 1 – Service Planning

[The Standard – Paragraphs 3.1 and 5.3]

Include in the Service Delivery Plan an accurate and clear breakdown and comparison of the resources required to carry out the full range of statutory food law enforcement activities against a reasoned estimate of the resources available to the Service. This should identify any shortfall which may prevent delivery of all planned work.

Documented Policies and Procedures

The Authority had a good range of policies and procedures for the main areas of the food service. These were often very detailed in nature and thoroughly thought through, in particular the enforcement and approved premises documents.

There was no overarching policy document that detailed when, how and who was responsible for reviewing current policies and procedures, although most procedures had been reviewed recently. These reviews were undertaken on an ad hoc basis by the Environmental Health Manager, with technical assistance as necessary from the Senior Environmental Health Officer and Technical Officer. The Authority could enhance this by implementing and maintaining a control system for all documentation relating to food safety and other related enforcement activities.

Some documents were not subject to version control. Auditors suggested that all documented policies and procedures be subject to some form of version control such as author, version number and review due date.

Key documents and procedures were saved in a folder on the Authority's shared drive. Files for review or deletion were kept in a separate, unprotected but marked folder.

Officer Authorisations and Training

An authorisation procedure was in place and had been reviewed and amended in April 2016. The document helpfully laid down clear guidance for managers to use when officer authorisation was being considered. Responsibilities were outlined and a competency framework, developed at the Herts and Beds Food Liaison Group was used to guide officers through the assessment of competence.

Newly qualified officers were assessed by the Lead Officers and a programme of training and induction was in place. The Authority had appointed two officers with Lead Food responsibilities.

The Authority used food safety contractors to assist with some of their food hygiene intervention work. For the past eleven years, they have employed the services of one contractor with others filling in as necessary to cover maternity leave. Auditors found that a small pool of carefully selected contractors was used and they were carefully monitored and supervised. Their competency was checked before appointment and reviewed as necessary. The Lead Officer also checked all contractor inspection reports and letters, and used a 'sign off' stamp to verify that this had been undertaken.

Training

During the audit, authorisation and training records for four officers were looked at in detail. Generally, most officers exceeded the 10 hour continuous professional development (CPD) requirement for 2015 as laid down in the Food Law Code of Practice (FLCoP). It should be noted that some officers achieved in excess of 20 hours CPD. It was noted that the contractor was included in internal training sessions, and often attended external courses with the rest of the team; although they had achieved slightly less than the required number of CPD hours in 2015.

Officer training was varied in its nature and covered topics such as specialist processes, *E.coli*, imported food, HACCP and risk rating. To improve resilience, auditors suggested that more officers attend HACCP training, and consideration be given to refresher training on approved premises for relevant officers.

Auditors were advised that officer competence and CPD requirements were assessed and monitored through the appraisal system, regular one to ones and occasional work shadowing.

Officer competencies and qualifications were mapped against the new competency framework as laid down in the FLCOP. This included the main food safety contractor. However, further work was required to identify future officer training needs.

Authorisations

Each officer also had a paper authorisation and warrant card. The Authority used a matrix system to restrict the level of official controls and enforcement undertaken by officers.

In three of the four authorisations checked the overarching legislation was referenced, but other key pieces of legislation such as the Food Safety (England) Regulations 2013 and the Official Feed and Food Control (England) Regulations 2009 (as amended) giving specific enforcement powers were not. Auditors also found that none of the officers were correctly authorised in terms of powers of entry under the Food Safety and Hygiene (England) Regulations 2013. This presents a serious risk of potential legal challenge against the Authority. In addition, one officer was authorised for food seizures under Section 9 of the Food Safety Act 1990, which extended beyond their qualification as specified in the FLCoP.

The Authority should review authorisations to ensure that officers are able to undertake the full range of statutory controls required of them. Auditors noted that officers had started this review at the time of the audit.

Recommendation 2 – Officer Authorisations

[The Standard – Paragraphs 5.1 and 5.3]

Ensure all officers are authorised to the appropriate level and authorisation documents accurately reflect the powers of the authorised officer

3.2 Food Premises Database

- 3.2.1 The Authority was operating a database capable of providing monitoring returns to the Agency. The database was managed by the Lead Food Officers with support from others as necessary. Access rights were limited and the system was password protected. The database was backed up daily.

Auditors found a discrepancy between the number of premises contained within the food database (908 recorded) and the number of food premises confirmed by the authority in LAEMS (835 recorded). It was confirmed that the total number of food premise should be 835. Some coding errors had already been identified by the Authority, in addition to some duplicate entries. These were in the process of being corrected and the codes reviewed.

A database procedure was in place. It was last reviewed in December 2014. The procedure confirmed that the accuracy of the database was maintained through information received during the licensing and planning process and regular searches of local and internet advertising media. Auditors saw evidence of this working in practice; with emails alerting the food team of new businesses received from planning, business rates, licensing and property. The procedure could be further enhanced by documenting systematic verification checks and monitoring of information contained within the database. For example checks for duplicate records, coding errors and inappropriate risk ratings

During the onsite phase of the audit and at short notice the LA was asked to provide auditors with a range of reports. These were found to be consistent with LAEMS data previously supplied.

Auditors carried out an internet search for potential food businesses prior to the onsite element of the audit. These premises were cross referenced against the food database. All but one was recorded on the database - this one premise subsequently did not appear in the intervention programme. The Authority contacted the premise during the audit and established that it was a new business, operating out of an existing food premise. This will be followed up by officers.

Prior to the on-site phase auditors had been advised by the Food Hygiene Ratings Team that there were some potential anomalies and inaccuracies in data that the authority had uploaded to the LAEMS and Food Hygiene Rating Scheme (FHRS) portal. It appeared that these may have been due to database coding errors which will be investigated further and discussed with the relevant teams at the Agency.

Recommendation 3 - Food Establishment Database

[The Standard – Paragraph 11.2]

To implement and maintain a system of verification checks to ensure information contained within the food database is up to date and accurate

3.3 Food Premises Interventions

The Authority had an intervention and inspection procedure for general food premises as well as a very detailed procedure covering the approval and enforcement of food businesses under Regulation 853/2004. The intervention and inspection procedure had been reviewed in November 2015 and whilst it

gave instruction on how inspections should be conducted, it did not cover in sufficient detail the risk based approach to the allocation of inspections in particular the strategy for alternative enforcement in low risk premises.

At the time of the audit, there were 835 food premises in the borough. Of these, 374 were due a programmed food inspection in the year 2015/16. Interventions were generally being carried out on time, with 100% of interventions being achieved during the previous year (2014/15). At the time of the audit, only five premises were overdue an inspection and there were there were just 17 unrated premises of which all had been scheduled for inspection.

The Authority generally carried out full inspections at category A to D premises, and operated a system of alternative enforcement at lower risk, category E premises. Examples of lower risk non-official interventions undertaken included training and advice on cleaning and cleaning products as well as advice on food safety documentation. Occasionally, partial inspections were undertaken at premises subject to approval under Commission Regulation 853/2004.

Good Practice – Forging good links with new food businesses

Prior to the first food inspection, an initial non-scored assessment visit was carried out by an officer from the food team, with the aim of forging an early working relationship with new businesses, and to offer advice. This was considered good practice by auditors.

Food premises records were maintained in electronic format, including those relating to premises subject to approval under Regulation (EC) 853/2004. Records were generally retrievable.

The Authority had adopted a comprehensive inspection proforma for general and approved inspections which officers were required to complete. Auditors found that some of the examples seen required more detail in order to support the risk rating. Auditors were unable to retrieve inspection records in some cases.

During the audit five premises records were reviewed in detail. Generally all inspections were undertaken on time and according to FLCoP intervals. Where significant non-compliance had been identified, timely revisits were generally undertaken. In two out of the five records examined, formal enforcement action may have been more appropriate than the informal approach taken - in particular after the initial light touch approach failed to have an impact. There was no evidence to justify why this was not undertaken which was at odds with the Authority's enforcement policy and the FLCoP.

Auditors also noted that during a database check a non-authorized officer had rescored a business following an intervention which changed the risk rating significantly. Officers from the Authority were looking in to this.

Good Practice – Illustrating non-compliance in enforcement letters

Post inspection letters and legal schedules were found to contain photographic evidence of non-compliance and detailed information on legal requirements and recommendations. This was considered good practice, and clearly demonstrated to the FBO where improvements were required.

Auditors looked at three approved premises records. Some records were difficult to retrieve and key documents such as inspection proformas and approval notification documents were missing from the food database. In one case, the wrong inspection proforma had been used meaning that important information relating to the approval such as traceability, recall, suppliers and HACCP was not covered in sufficient detail. In another file, a letter was found which granted the conditional approval but auditors could not find a pre-approval inspection report upon which the approval had been based.

In all cases, auditors found evidence of the Authority notifying the Agency once approval had been granted.

Recommendation 4 – Approved Establishments

[The Standard – Paragraph 16.1]

Undertake a full review of all approved premises records to ensure that premises are appropriately approved and compliant with current food legislation and that all business documentation is available and up to date.

Verification visit to a Food Premises

During the audit, a verification visit was undertaken to a nursery with an officer from the Authority.

The last inspection had been undertaken by the food safety contractor. The main objective of the visit was to assess the effectiveness of the Authority's assessment of food business compliance with food law requirements.

The officer was able to demonstrate a detailed knowledge of food safety legislation and food safety management systems at the establishment. It was also clear that the business had acted on previous advice from the contractor.

Auditors identified that the recent inspection proforma used by the food safety contractor contained insufficient detail which made it difficult to fully justify a change in scoring (method of handling changed from 10 to 30).

3.4 Enforcement

- 3.4.1 The Authority had a detailed Enforcement Policy and Food Safety Enforcement Procedure in place. The policy had been reviewed in December 2015, and the procedure in February 2014. The procedure contained some out of date references to superceded or repealed documents but was generally very detailed in its nature. It contained detailed guidance for officers on the different types of enforcement actions possible and the situations when they might be appropriate. The document helpfully provided links and information from other guidance documents which auditors considered helpful to officers.

With the exception of written warnings, no other formal enforcement action had been taken by the authority over the past two years. Auditors were advised that compliance within the borough was generally good, with businesses taking action to rectify any non-compliance after informal intervention from the Authority. An example of such intervention included carrying out an informal interview with food businesses where ongoing or more serious non-compliance was identified. Auditors suggested that this approach needed capturing in the Enforcement Policy and procedure.

During the inspection records check, auditors found evidence on a number of occasions of where formal enforcement action may have been more appropriate than the informal approach taken - in particular after the initial light touch approach failed to have an impact. In one premises multiple structural and hygiene issues had been identified, including cross contamination issues from same chopping boards being used for raw and ready to eat foods. The officer had highlighted serious concerns in the inspection proforma but the response to the findings included inviting the food business operator (FBO) in to the Council offices for a meeting. Auditors noted two months later, a letter had been sent to the same FBO, again inviting them for a further meeting – this time the FBO was asked to bring photographs to demonstrate compliance with the cross contamination risks. The history of non-compliance and concerns about the FBO were detailed at subsequent inspections also. Despite this, the premises risk rating moved from an A to a C with insufficient detail recorded on file to justify why.

Recommendation 5 - Enforcement policy

[The Standard - Paragraph 12.2]

Take appropriate action on any non-compliance found in accordance with the Authority's enforcement policy.

3.5 Internal Monitoring, Third Party or Peer Review

Internal Monitoring

- 3.5.1 The Authority had a detailed procedure "Monitoring of the Quality of the Food Law Enforcement Function" procedure in place. The document had been reviewed in November 2015.

The procedure made reference to an extensive range of internal monitoring checks to be undertaken, but in reality auditors found varying levels of internal monitoring being undertaken. This was acknowledged as being down to time and other work pressures. Although some basic qualitative and quantitative monitoring was undertaken, it was informal in its approach and was not always fully documented.

Examples of internal monitoring undertaken by the Authority included regular one to one's and annual appraisals. Some shadowed inspections had been undertaken in the past. Officer consistency exercises had been undertaken annually by officers, including the regular food safety contractor.

The work of the food safety contractor work was monitored and signed off by the Lead Food Officer. Auditors saw evidence of issues relating to the contractors work being followed up and addressed.

It is recommended that the authority review the existing internal monitoring procedure to better reflect the monitoring currently undertaken. The procedure could helpfully be expanded to include monitoring of officer files and risk scoring as well as the food database.

Food and Food Premises Complaints

The Authority had a food complaints procedure which had been reviewed in April 2016. Whilst the procedure was detailed in nature, its main focus was complaints regarding food, with little mention of complaints about food premises. Auditors suggested that this could be included when the document undergoes the next review.

During the audit, five food complaint files were looked at in detail by auditors. Complaints were generally investigated promptly by officers. This often involved a visit to the premise. In most cases, complainants were not informed of the outcome of the Authority's investigation but the Authority did inform auditors that this may have been due to the complaints reporting procedure – whereby complainants can choose not to be contacted further by the LA.

Food Sampling

The Authority had a sampling policy in place which had been reviewed most recently in April 2016.

A total of 79 food samples had been taken by the Authority in the financial year 2015/16. The Authority participated in a number of food sampling programmes, including through the Herts and Beds food liaison group.

Auditors checked a number of unsatisfactory and borderline sampling results, as well as a satisfactory result. All had been investigated in line with the procedure, with the FBO being notified of results in all cases.

Follow up action wasn't always taken in the case of unsatisfactory or borderline results. In one case, auditors did find evidence of some discussion with the laboratory about the need to re-sample following unsatisfactory results.

Third Party or Peer Review

The Authority participated in the 2015 Food Hygiene Rating Scheme (FHRS) national consistency exercise and will be undertaking the next one in July 2016.

The authority had also been involved in a recent FHRS inter-authority audit with other LA's in the Herts and Beds Food Liaison Group. Many of the actions identified from this audit had already been addressed by the Authority.

The LA was regularly represented at the regional food liaison group and contributed to the consistent development of policy at regional level.

Auditors: Sarah Green – Lead Auditor
Jamie Tomlinson - Auditor

Food Standards Agency
Regulatory Delivery Division

ANNEX A - Action Plan for Broxbourne Borough Council

Audit date: 24-26 May 2016

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>Recommendation 1 – Service Planning</p> <p>[The Standard – Paragraphs 3.1 and 5.3]</p> <p>Include in the Service Delivery Plan an accurate and clear breakdown and comparison of the resources required to carry out the full range of statutory food law enforcement activities against a reasoned estimate of the resources available to the Service. This should identify any shortfall which may prevent delivery of all planned work.</p>	30/04/17	A comparison of the resources required to carry out the full range of statutory food law enforcement activities against a reasoned estimate of the resources available to the Service will be included in the review of the 2016/17 service delivery plan.	
<p>Recommendation 2 – Officer Authorisations</p> <p>[The Standard – Paragraphs 5.1 and 5.3]</p> <p>Ensure all officers are authorised to the appropriate level and authorisation documents accurately reflect the powers of the authorised officer</p>	30/07/16	All officers issued with new authorisation documents.	New authorisations documents issued.
<p>Recommendation 3 - Food Establishment Database</p> <p>[The Standard – Paragraph 11.2]</p> <p>To implement and maintain a system of verification checks to ensure information contained within the food database is up to date and accurate</p>	30/08/16	A new procedure will be written to detail the checks that are to be made to ensure the information contained within the food database is up to date and accurate. The procedure will include the frequency at which the checks should be carried out.	During the audit, the Regulatory Officer checked the coding with the Manager to ensure the database was amended where a wrong code was used.

<p>Recommendation 4 – Approved Establishments</p> <p>[The Standard – Paragraph 16.1]</p> <p>Undertake a full review of all approved premises records to ensure that premises are appropriately approved and compliant with current food legislation and that all business documentation is available and up to date.</p>	<p>30/08/16</p>	<p>This work is in progress; all records are being checked to ensure that businesses are appropriately approved and related documents are being checked for compliance and scanned on to the data management system where necessary.</p>	<p>SEHO coordinating work to check and scan documents.</p>
<p>Recommendation 5</p> <p>[The Standard - Paragraph 12.2]</p> <p>Take appropriate action on any non-compliance found in accordance with the Authority's enforcement policy.</p>	<p>30/07/16 (initial measures taken immediately)</p>	<p>Discussions taken place with Authorised Officers to work in compliance with enforcement procedure. Meeting held with SEHO and Contractor on 8/07/16</p>	

ANNEX B - Audit Approach/Methodology

The audit was conducted using a variety of approaches and methodologies as follows:

(1) Examination of LA policies and procedures.

The following relevant LA policies, procedures and linked documents were examined before and during the audit:

- Food and Health & Safety Work Plan for 2015/16
- Service policies and procedures
- Food premises inspection procedure and proformas
- Officer authorisation, training and qualification records
- Examples of recent team and food liaison group meeting minutes

(2) File reviews – the following LA file records were reviewed during the audit:

- General food premises inspections
- Approved establishments
 - Food and food premises complaints
 - Food sampling
 - Training and authorisation records

(3) Review of Database records:

- To review and assess the completeness of database records of food hygiene inspections, food and food premises complaint investigations, samples taken by the authority, formal enforcement and other activities and to verify consistency with file records
- To assess the completeness and accuracy of the food premises database

(4) Officer interviews – the following officers were interviewed: Claire Russell, Senior EHO

Opinions and views raised during officer interviews remain confidential and are not referred to directly within the report.

(5) On-site verification check:

A verification visit was made with the Authority's officers to a local food business. The purpose of the visit was to verify the outcome of the last inspection carried out by the Local Authority and to assess the extent to which enforcement activities and decisions met the requirements of relevant legislation, the Food Law Code of Practice and official guidance.

ANNEX C - Glossary

Authorised officer	A suitably qualified officer who is authorised by the local authority to act on its behalf in, for example, the enforcement of legislation.
Broadly Compliant	An outcome measure which the Food Standard Agency has developed with local authorities to monitor the effectiveness of the regulatory service relating to food law. It is based on the risk rating scheme in the Food Law Code of Practice which is currently used by food law enforcement officers to assess premises which pose the greatest risk to consumers failing to comply with food law.
Codes of Practice	Government Codes of Practice issued under Section 40 of the Food Safety Act 1990 as guidance to local authorities on the enforcement of food legislation.
County Council	A local authority whose geographical area corresponds to the county and whose responsibilities include food standards and feeding stuffs enforcement.
District Council	A local authority of a smaller geographical area and situated within a County Council whose responsibilities include food hygiene enforcement.
E. coli O157	E.coli O157 belongs to the group of verotoxigenic E. coli (VTEC) bacteria which are a toxin-producing strain of Escherichia coli that occur naturally in the gastrointestinal tract of animals such as cattle and sheep, and are pathogenic to humans. E.coli O157 is the VTEC strain that has been most commonly implicated in human infection in the UK.
External Temporary Storage Facility (ETSF)	A warehouse (formerly known as an enhanced remote transit shed or ERTS) designated by HM Revenue and Customs (HMRC), where goods are temporarily stored pending clearance by HMRC, and prior to release into free circulation.
Environmental Health Officer (EHO)	Officer employed by the local authority to enforce food safety legislation.

Feeding stuffs	Term used in legislation on feed mixes for farm animals and pet food.
Food hygiene	The legal requirements covering the safety and wholesomeness of food.
Food Hygiene Rating Scheme (FHRS)	The Food Hygiene Rating Scheme provides information to the public about hygiene standards in catering and retail food establishments. It is run by local authorities in partnership with the Food Standards Agency. Businesses that fall within the scope of the scheme are given a 'hygiene rating' which shows how closely the business was meeting the requirements of food hygiene law at the time of inspection. The scheme also encourages businesses to improve hygiene standards.
Food Safety Management System	A written permanent procedure, or procedures, based on HACCP principles. It is structured so that this requirement can be applied flexibly and proportionately according to the size and nature of the food business.
Food standards	The legal requirements covering the quality, composition, labelling, presentation and advertising of food, and materials in contact with food.
Framework Agreement	<p>The Framework Agreement consists of:</p> <ul style="list-style-type: none"> Food and Feed Law Enforcement Standard Service Planning Guidance Monitoring Scheme Audit Scheme <p>The Standard and the Service Planning Guidance set out the Agency's expectations on the planning and delivery of food and feed law enforcement.</p> <p>The Monitoring Scheme requires local authorities to submit yearly returns via LAEMS to the Agency on their food enforcement activities i.e. numbers of inspections, samples and prosecutions.</p> <p>Under the Audit Scheme the Food Standards Agency will be conducting audits of the food and feed law enforcement services of local authorities</p>

against the criteria set out in the Standard.

Full Time Equivalents (FTE)	A figure which represents that part of an individual officer's time available to a particular role or set of duties. It reflects the fact that individuals may work part-time, or may have other responsibilities within the organisation not related to food and feed enforcement.
HACCP	Hazard Analysis and Critical Control Point – a food safety management system used within food businesses to identify points in the production process where it is critical for food safety that the control measure is carried out correctly, thereby eliminating or reducing the hazard to a safe level.
LAEMS	Local Authority Enforcement Monitoring System is an electronic system used by local authorities to report their food law enforcement activities to the Food Standards Agency.
Member forum	A local authority forum at which Council Members discuss and make decisions on food law enforcement services.
Metropolitan Authority	A local authority normally associated with a large urban conurbation in which the County and District Council functions are combined.
Risk rating	A system that rates food premises according to risk and determines how frequently those premises should be inspected. For example, high risk premises should be inspected at least every 6 months.
Safer food, better business (SFBB)	A food safety management system, developed by the Food Standards Agency to help small catering and retail businesses put in place food safety management procedures and comply with food hygiene regulations.
Service Plan	A document produced by a local authority setting out their plans on providing and delivering a food service to the local community.
Trading Standards	The Department within a local authority which carries out, amongst other responsibilities, the

enforcement of food standards and feeding stuffs legislation.

Trading Standards
Officer (TSO)

Officer employed by the local authority who, amongst other responsibilities, may enforce food standards and feeding stuffs legislation.

Unitary Authority

A local authority in which the County and District Council functions are combined, examples being Metropolitan District/Borough Councils, and London Boroughs. A Unitary Authority's responsibilities will include food hygiene, food standards and feeding stuffs enforcement.