

**East Cambridgeshire District**  
**Environmental Services Department**

**COMMERCIAL TEAM**

**Food and Health and Safety Service Plan**  
**2018/2019**

Written in accordance with the Food Standards Agency's The Framework Agreement on Official Feed and Food Controls by Local Authorities Amendment No. 5 April 2010 and the Health and Safety Executive's Guidance to Local Authorities.

April 2018

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## INTRODUCTION

East Cambridge District Council (ECDC) is responsible for food safety and health and safety enforcement\* in its area and is required, by the Framework Agreement\*\*, to produce an annual service plan clarifying how it proposes to meet this obligation. The aim of this plan is to ensure that national priorities and standards set by the Food Standards Agency (FSA) and Health and Safety Executive (HSE) are addressed and delivered locally.

The Commercial Team (the Team) which undertakes these duties within ECDC, is committed to enforcement that is effective, risk based, proportionate and consistent, in common with the directives of the Food Standards Agency and Health and Safety Executive. It is also committed to working with all its customers including other enforcement agencies and Public Health England (PHE), no less in fulfilling its responsibilities in working to control infectious diseases.

This plan is consistent with the current Environmental Services Service Delivery Plan and the Council's corporate objective of "Delivering a Financially Sound and Well Managed Council".

Liz Knox  
Environmental Services Manager

April 2018

*\*In businesses for which the local authority is the enforcing authority (Reference The Health and Safety (Enforcing Authority) Regulations 1998).*

*\*\* Food Standards Agency's The Framework Agreement on Official Feed and Food Controls by Local Authorities Amendment No. 5 April 2010*

## SECTION 1 : COMMERCIAL TEAM AIMS AND OBJECTIVES

### 1.1 Aims and Objectives

The regulatory and advisory roles of the Commercial Team (the Team) support the Council's corporate objective "Delivering a Financially Sound and Well Managed Council" and also those of the departmental Services Delivery Plan.

The Team operates within the Environmental Services Department. The link between the Council's corporate objectives and the Environmental Services Delivery Plan is in the commitment to "Continue business reviews to minimise bureaucracy, increase efficiency and provide excellent 'can do' and 'open for business' services". It also links some functions with the Cambridgeshire Health and Wellbeing Strategy.

As an enforcement service for Food Safety, Health and Safety and Public Health legislation, the aim of the Team is to improve public health in both food and health and safety. The key objectives are:

- Planned and reactive inspections of registered and approved food establishments
- The investigation of service requests and complaints relating to food and food premises
- The investigation of cases and outbreaks of food-borne and food poisoning illnesses.
- Giving advice to businesses and other internal and external customers
- The investigation of accidents reported under RIDDOR\* and complaints about safety
- Undertaking health and safety "hazard spotting" at the time of food inspections
- Undertaking health and safety advisory visits and inspections according to HSE protocols and guidance.

The Team operates on a risk-based approach supporting firstly with advice and guidance on compliance. Enforcement is undertaken having regard to the Council's enforcement policies and guidance from the FSA, the HSE and PHE.

*\*Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013*

## SECTION 2 : BACKGROUND

### 2.1 Authority Profile

2.1.1 East Cambridge District Council is a largely rural area of some 651.3 square Kilometres. It has its main commercial centre at Ely, which, due to its cathedral is a major tourist attraction. The district has more than twice the national proportion of agricultural businesses. The average employment rate is high at 72.3% for people between the ages of 16 and 74.

2.1.2 At the 2011 Census, the District's population was 83,300. There are areas of social deprivation especially to the north of the district.

- 2.1.3 The Council is responsible for the enforcing food, public health and safety law in approximately 850 food businesses and other commercial premises. The district has around 4000 VAT registered businesses of every description. Many of the businesses in ECDC are independents, rather than being part of chains or multiples and this type of business often relies more heavily on the Commercial Team for advice and guidance. Note: The responsibility for enforcement at commercial premises is divided between the Health and Safety Executive and Council and because businesses do not need to register under health and safety law, an accurate database is not available.
- 2.1.4 The new cinema and leisure complex, Ely Leisure Village, on the outskirts of Ely was completed in 2017 and enforcement of its retail businesses falls to the Commercial Team. There are ongoing plans for extensive areas of residential development within the district.

## 2.2 Organisational Structure

- 2.2.1 The Team sits within the Environmental Services (ES) Department. The ES Department is led by the Environmental Services Manager (ESM) who reports to the Director of Operations. The ES Department, reports to the Regulatory Services Committee and has a designated Councillor Champion supporting the service. See Appendix 1 and table below.
- 2.2.2. The Senior Environmental Health Officer (SEHO) reports to the Environmental Services Manager (ESM). The ESM is a qualified EHO. The SEHO is the Lead Food Officer, undertakes the day-to-day supervision of the Team and contributes to the daily inspection and complaint investigations. The Team is responsible for the Council's enforcement role in relation to most food, health and safety and infection control aspects of public health legislation.

**Table of Commercial Team and Colleagues**

Name	Position
Councillor Carol Sennitt	Commercial Team Service Champion
Jo Brooks	Director of Operations
Liz Knox	Environmental Services Manager
Jenny Winslet	SEHO The Council's Lead Food Officer. Day-to-day supervision of the Team, performance monitoring, training and development, and delivery of an operational caseload. Includes approved establishments. Reactive Health and safety work including attendance at SAG meetings.
Louise Wright	Proactive and reactive food safety work. Day-to-day provision of technical and legal advice and operational case load. Reactive Health and safety work. Includes approved establishments. Part time post.
Jenny Clare	Graduate EHO As above EHO but full time post
Patricia Christie	Food and Safety Officer Proactive and reactive food safety work. Day-to-day provision of technical and legal advice and operational case load. Reactive Health and safety work. Sampling coordinator.

Wendy Page	Administrator, part time. Day to day administration. Maintains food premises register, administers low risk questionnaires (E premises); uploads Food Hygiene Rating data to the FSA; calibrates equipment; issues Export Health certificates.
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2.2.3 The Legal Services department is supports legal proceedings. Officers are authorised to undertake a range of food health and safety and public health enforcement according to their job profile, competence and experience.

2.2.4 The Team has an authorised Public Analyst (PA) undertaken by Public Analysts Scientific Services and a food Examiner (Public Health England, Food Water and Environmental Microbiology Laboratory, Colindale, London).

### 2.3 Scope of the Commercial Team

2.3.1 The Team is primarily responsible for the following work areas:

- Carry out official controls at food premises to ensure that businesses comply with the relevant food hygiene legislation and the FSA Food Law Enforcement Code of Practice and Guidance.
- Carry out advisory visits at new businesses and support both new and existing businesses in the use of the required documented, food safety management systems such as the FSA, “Safer Food Better Business” and other guidance.
- Participate in the FSA Food Hygiene Rating Scheme, publicising Hygiene Ratings for businesses within the scope of the scheme.
- Sample food, food environments and articles coming into contact with food to microbiological standards, taking part in National, Regional and local sampling initiatives usually in partnership with Public Health England. Some compositional sampling may be undertaken for example in respect of imported foods.
- Action Food Alerts or other instructions/ referrals issued by the FSA and Defra.
- Cascade guidance and information from the FSA to local food businesses.
- Investigate complaints about foods and food premises.
- Investigate reported cases of food poisoning and other infectious diseases.
- Enforce imported food controls.
- Provide Home Authority (HA) advice where needed.
- Maintain the register of food establishments and a data base of food businesses.
- Maintain information about the work of the Team on the Council’s website.
- Maintain up to date data on hygiene ratings for the FSA website.

- Liaise with Primary Authorities (PA) in respect of businesses with a PA agreement.
- “Hazard-spotting” at commercial premises for compliance with health and safety legislation, where the local authority is the enforcing authority.
- Undertake advisory and proactive health and safety interventions at premises according to HSE guidance.
- Give guidance to prospective and existing business and issue registrations to skin piercing premises and persons providing treatments at those premises.
- Investigate complaints about poor health and safety standards.
- Investigate accidents reported under RIDDOR or via complaints.
- Cascade advice and information from the HSE or other authorities, such as Public Health England to commercial business for which we are the enforcing authority.
- Participate in and give advice concerning the Council’s Safety Advisory Group.
- Act as a consultee for planning and license applications in relation to relevant premises.
- Investigate complaints of smoking in relevant premises and hazard spot for smoking during other interventions.
- Liaise with and action directives from, where necessary, Public Health England; FSA; Defra; HSE, Fire Authority; internal and external regulatory partners and regional Environmental Health and Trading Standards departments on both food and safety related guidance, protocols, standards and general public health issues.
- Advise other Council services and stakeholders on all of the above as necessary and where resources allow.
- Give advice and presentations/talks to community and vulnerable groups, where resources allow.
- Participate in meetings and activities identified by the regional food and safety group including peer reviews (Cambridgeshire Food and Safety Group).
- In line with the Health and Wellbeing Strategy and County Council, promoting Healthier Options in independent food businesses to which the scheme applies.
- Maintain the Food Premises register, Cooling Tower register and Notices served under the Environmental Information Regulations 2004.
- Provide statistical and other information to the FSA and HSE.
- Be available to support emergency public health functions supporting teams within the department as necessary.

## 2.4 Demands on the Commercial Team

- 2.4.1 The Team is responsible for the enforcement of food, public health and safety law in commercial premises for which they are the enforcing authority. Of these, the Team enforces food safety in approximately 800 food businesses. The number of businesses for which the Team has an enforcement role is estimated to be in excess of 4000 (this being the approximate number of VAT registered businesses in the district).

<b>Food businesses (Food Standards Agency classification)</b>	<b>Number at 23/04/18</b>
Total number of registered food businesses	786
Primary Producers	10
Manufacturers/Packers	30
Importers	5
Distributors/Transporters	23
Food Retailers	137
Food Caterers	581
Number of establishments approved under Regulation EC No 853/2004	10

- 2.4.2 Food laws require certain premises handling food products of animal origin to be approved according to their nature, scale or complexity. ECDC has 10 approved establishments including cold stores; re-wrapping facilities; a smoker, fish cutting and distribution plant and egg packers for which specialise in the approvals legislation and guidance is needed. There are 30 manufacturers/packers and 5 businesses where the main activity is importation. There are a small number of businesses undertaking complex processes such as sous vide; vacuum packing and fermentation. Suitably qualified and trained officers carry out interventions in businesses associated with specialist and complex processes and equipment.
- 2.4.3 Officers hazard spot at food inspections and this is the focus of health and safety in the team. Officers also investigate a range of accidents and customer complaints about health and safety and undertake advisory visits and inspections at businesses listed the in HSE LAC 67-2 directive (as updated).
- 2.4.4. Figures are not kept on the percentages of businesses with a first language that is not English. There are a number of seasonal businesses and accurate figures are not kept of these as they are classed under businesses operating in residential accommodation and mobile/market establishment, some of whom never trade in ECDC. Ely town centre has a regular, twice-weekly market, but has traders on most days which includes food traders. The district is a popular tourist destination with numerous events including festivals which engage additional food traders. A number

of events are selected for inspection, based on local intelligence or where this is the only event at which a locally registered local mobile trader can be found trading.

#### 2.4.5 Turnover

The chart below shows the turnover of businesses in the district. Officers commit extra time to new businesses giving advice before they open and at their first inspection (which is normally carried out without prior warning), according to the FSA Code. New businesses are inspected in order according to risk where the FSA target of an inspection within 28 days of opening is not met.

Year	2015/2016	2016/2017	2017/2018
<b>Number of new businesses</b>	<b>114</b>	<b>112</b>	<b>112</b>
<b>Number of closed businesses</b>	<b>141</b>	<b>132</b>	<b>112</b>

#### 2.4.6 Food Hygiene Rating Scheme

2.4.7 The Team is a partner of and promotes the FSA's Food Hygiene Rating Scheme (FHRS). Around 650 ECDC businesses are on the FSA website with businesses from 0 (urgent improvements necessary) to 5 (very good). Businesses are encouraged to display their ratings but this is not mandatory.

#### 2.4.8 Cost recovery and income generation

2.4.9 Under the FHRS scheme, a business can request re-rating visit. From 01 April 2018 food businesses must pay a fee of £130.00 for a valid re-rating request.

2.4.10 The Team issues Export Health Certificates, for which a fee is payable. A total of 44 certificates were requested last year each at a cost of £95.00.

2.4.11 From April 2017, the Team offered coaching in Safer Food Better Business for a fee of £50.00 per hour. This is advertised at the time of inspections. To date, no business has applied for paid coaching.

#### 2.4.11 External Factors

The FSA has a number of roles that can directly influence the operation of the Team. As well as developing and implementing the national guidance and codes of practice for all food authorities, they may also identify and direct reactive work. Such unplanned, reactive work can impact on the work of the Team. Examples of this include enforcing new laws with FSA guidance, data cleansing and hygiene rating consistency exercises.

## 2.4.12 Access to the Team

Access for service users	Details
Office address: The Grange Nutholt Lane Ely Cambridgeshire SM7 4EE	08:45-17.00 Monday to Thursday and until 16.30 on Fridays
Day time telephone number	01353 665555
Email	<a href="mailto:foodandsafety@eastcambs.gov.uk">foodandsafety@eastcambs.gov.uk</a>
Council email	<a href="http://www.eastcambs.gov.uk">www.eastcambs.gov.uk</a>
Out of hours contact	07710 978 900

2.4.13 Most inspections take place during weekday, office hours; but evening and weekend inspections and advisory visits are made where the business does not open at other times. Where a food business is based in residential premises, officers must give 24 hours' notice of entry. The Team does not have a safety enforcement responsibility in dwellings. In accordance with the FSA Food Law Code of Practice, inspections are without prior warning. However, inspections may be made by appointment where a business does not open at set times or officers need to meet with a particular person.

## 2.5 Enforcement Policy

2.5.1 The Council has a Corporate Enforcement Protocol in line with the Regulators Code. Under the umbrella of that Protocol, the Council has separate Food and Health and Safety Enforcement policies. These are available on the Council's website.

## SECTION 3: SERVICE DELIVERY

### 3.1. Review of the Commercial Team Intervention Programme 2017-18

3.1.1 The aims of the Team are to ensure safe food for members of the public, whether for sale inside or distributed outside ECDC. The Team achieves this with an inspection programme and interventions according to the FSA Food Law Code of Practice and Guidance. The Team is made up of qualified and experienced officers. The officers follow the ECDC Food Safety Enforcement Policy, supporting and guiding businesses in compliance with food laws in the first instance. Where advice and guidance and an informal route fails, officers will use a graduated approach into formal enforcement.

3.1.2 The Uniform computer system is used to record team actions, information and generate statistics, including planning future businesses inspections. Most inspections are carried out without prior warning (the exception would be, for example at a business run from domestic premises where 24 hours notice of entry is required). The Council's IT Department supports the computer system.

3.1.3 The computer system generates premises due for inspection against their risk rating and officers are allocated inspections according to districts and workload. Officers inspect premises giving priority to those of highest risk according to Departmental service targets set in line with the FSA codes of practice and guidance. The system also records newly registers business and the priority for their inspection is based on risk.

3.1.4 After a programmed inspection, the business is risk rated and if it fails to reach a

“broadly compliant” standard, it is re-inspected. All inspections are confirmed in writing. Premises included in the Hygiene Rating Scheme are sent information about their rating, the scheme, all businesses are invited to contact the officer about the inspection or, the senior officer if they are not satisfied.

If a premises in the Scheme is not broadly compliant, it will achieve a rating of between 0 and 2. Currently, 90% of the food business in the district meet the “broadly compliant”.

3.1.5 In recent years, officers have given priority to how food businesses follow the FSA E Coli Guidance when handling open raw and ready to eat food. The importance of this was again raised in Summer 2016 when there were 2 deaths from eating salad leaves. The work is in addition to routinely disseminating information on new legislation such as that on allergen laws. The Team is currently waiting for the FSA to finalise guidance on Acrylamide, in line with new law on the contaminant.

3.1.6 This year, the vacant EHO post was converted to Graduate EHO (career graded) and This was filled by the food and safety officer. This left a vacancy for 6 months and this was filled by a new officer in October 2017.

**3.1.7 An explanation of the risk ratings:**

<b>A</b>	High Risk visit at least every 6 months	<b>D</b>	Low Risk visit at least every 24 months
<b>B</b>	High Risk visit at least every 12 months	<b>E</b>	Very Low risk visit every 60 months or use alternative enforcement strategy
<b>C</b>	Medium Risk visit at least every 18 months		

**3.1.8 Trends in the inspections by the Commercial Team**

Categories of business are defined in FSA guidance with Category A being the poorest compliant and receiving the most frequent interventions (within 6 months). Category E premises are inspected by “alternative means”, i.e. questionnaires and these “low risk” businesses receive a selective site intervention between questionnaires.

The numbers of inspections for the different categories of premises 2017/2018 is as follows, together with the projected inspections and revisits for 2018/2019:

Category	2016/2017	2017/2018	Inspections due 2018/2019
<b>A</b>	<b>3</b>	<b>3</b>	<b>2</b>
<b>B</b>	<b>27</b>	<b>48</b>	<b>48</b>
<b>C</b>	<b>85</b>	<b>72</b>	<b>84</b>
<b>D</b>	<b>76</b>	<b>113</b>	<b>92</b>
<b>E</b>	<b>96</b>	<b>102</b>	<b>113</b>
<b>Total</b>	<b>287</b>	<b>338</b>	<b>342</b>

<b>Number of re visits undertaken</b>	<b>2016/2017 = 37</b>	<b>2017/2018 = 52</b>	<b>2018/2019 Predicted 60</b>
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### 3.2 Food Complaints

3.2.1 The Team contacts all customers making food complaints (unless anonymous) and will tailor the subsequent investigation using a risk- based approach. The Team has a standard operating procedure for the receipt of food complaints. It is considered that Team resources are adequate to effectively deal with complaints and enquiries when fully staffed. Funds would be made available were specialist analytical skills needed.

Food complaints and requests for service are combined and the numbers received and predicted is as below:

<b>Period</b>	<b>2016/2017</b>	<b>2017/2018</b>	<b>2018/2019 predicted</b>
<b>Number of food complaints</b>	<b>449</b>	<b>365</b>	<b>400</b>

### 3.3. Home Authority Principle and Primary Authority Scheme

3.3.1 The Team supports the Primary Authority Scheme run by RD (Regulatory Delivery) but does not have a Primary Authority partnership with any business in the District.

All officers have access to the RD website to find out, before they approach any business, if it has a Primary Authority partnership with another local authority: If it has, the officer must use inspection plans and/or qualified guidance agreed under the scheme. The officer must communicate their findings, for an inspection or complaint, to the relevant Primary Authority and company contacts.

It is not predicted that the Team will form a Primary Authority partnership with a business in the foreseeable future and this is largely due to the nature of ECDC's largely small, independent businesses culture. Primary Authority (PA) partnerships are suitable for businesses with multiple sites ensuring consistency of enforcement across the country. No specific resources are needed for this function.

3.3.2 Where there is no PA partnership, the Team fully endorses the Home Authority Principle: The Team will share information with other regulatory authorities about a business in ECDC and if necessary, take enforcement action.

The Team does not have a Home Authority arrangement with a company, but is an Originating Authority for any Approved establishments or business supplying food outside the district. At the request of another regulatory authority, the Team will give appropriate information and assistance.

### 3.4 Advice to businesses

3.4.1 In keeping with the "open for business" ethos and the Council's own business growth policy, the emphasis of the Team is to work with businesses and develop positive working relationships. Officers invest significant time on advice and guidance to support enterprise and maintain compliance, to avoid the need for formal action. This happens before a business opens or at any time in its activities. The district has a

high proportion of small, independent businesses that do not have the support usually associated with big companies.

3.4.2 Numbers of advice enquires are combined with other service requests such as complaints about hygiene (see 3.2 above).

3.4.3 Special emphasis continues to be placed on disseminating the FSA guidance on preventing E coli 0157 in local food businesses, both before businesses open and at the time of inspection. Advice packs are sent out to new businesses and businesses are signposted to the Council's webpages with links to the FSA site.

### 3.5 Food Sampling

3.5.1 The Team participates in national and regional sampling programmes of food, food environments and food packaging. Wherever possible, the Team samples from local businesses and manufacturers rather than national chains. Sampling is also undertaken as a result of complaints such as allegations of food poisoning or of contaminated foods reported by other enforcement agencies. The Team has a Sampling Policy which forms part of its Food Safety Enforcement Policy. The food and safety officer organises the sampling plan, but all officers contribute to sampling. Targets for the Team demand that a food business is notified of its results within 7 days of the sample result being sent from the laboratory: In the case of borderline or unsatisfactory samples, an officer will visit the premises for further sampling, advice and or investigation, following this up in writing. Further sampling is undertaken where samples are not identified as satisfactory.

3.5.2 The numbers of samples taken and predicted to be taken are as follows:

Type of sample	Nos taken 2017/2018	Predicted 2018/2019
<b>Complaint microbiological (e.g. as a result of food poisoning outbreak or allegation)</b>	<b>0</b>	<b>10</b>
<b>Survey microbiological</b>	<b>33</b>	<b>50</b>
<b>Compositional (e.g. contaminated imported food)</b>	<b>0</b>	<b>0</b>

3.5.3 Microbiological samples are sent to PHE at Colindale and the Public Analyst for analysis. The Team has a service agreement with both PHE and Public Analyst Scientific Services (the appointed Public Analyst).

3.5.3 The predicted number of samples will include sampling of local businesses with Approved establishment status, but total numbers may be reduced with the cessation of the Food Standards Agency –led, national programme and the reduction in the PHE, monthly sampling allocation. Taking formal samples for contaminants is unusual and is likely only as a result of a specific incident. The laboratory makes no restrictions on the number of samples needed in the event of an outbreak and does not charge for allocated numbers of samples.

### 3.6 Control of Investigation of Outbreaks and Food Related Infectious Disease

- 3.6.1 The Team investigates allegations of food poisoning using a risk-based approach having regard to the history of the premises, intelligence and the willingness of the complainants to provide stool specimens. The Team works in partnership with the Health Protection Team in the event of any outbreak or investigation into food borne pathogens/other contaminants including using regional guidance. In the event of a large outbreak, officer support would be sourced from the Domestic team of Environmental Services where two officers undertook sampling training in 2017. Depending on the nature of an outbreak, this would be reported to the FSA.
- 3.6.2 There has been a drop in the number of food poisonings reported to the Team because PHE no longer report cases of Campylobacter. The majority of food poisonings come to the Team by way of a service request. Officers contact all those reported as having food poisoning and with anyone alleging food poisoning. Numbers of food poisoning allegations are included in the earlier figures for food complaints. It is considered that resources are adequate to deal with the investigation and control of outbreaks when the team is fully staffed, but if additional resources were needed, they would be sourced from the Domestic Team. The numbers of notified food poisonings are as follows:

Year	2015/2016	2016/2017	2017/2018
<b>Number of PHE notified food poisonings investigated out of the number reported</b>	<b>12/78</b>	<b>28/30</b>	<b>23/26</b>

### 3.7 Food Safety Incidents

The Team responds to national food safety incidents and alerts as directed by the FSA Code of Practice/Guidance using a standard operating procedure. Based on the small number of food alerts in recent years the number of predicted incidents for the forthcoming year is two. The Team would notify the FSA of any local incident.

### 3.8 Liaison with Other Organisations

- 3.8.1 The Team liaises with neighbouring districts, by direct contact or via the regional Cambridgeshire Food and Safety Group meetings and with bordering Suffolk authorities as required. Representatives from PHE, Trading Standards, HSE and FSA attend these meetings. Heads of Service attend strategic meetings at a county level. Working closely within a small authority, the Team liaises with Licensing; Building Control; the Markets Team; Waste Management and Ely Tourism. Officers attend the Safety Advisory Group meetings allowing officers to work with emergency services and other County representatives. No special resources are needed to undertake this liaison. Officers work with Cambridgeshire County Council on the Healthier Options project.

### 3.9 Food Safety promotional work and non-official controls

- 3.9.1 In line with the Cambridgeshire Health and Wellbeing Strategy, Officers promote the Healthier Options project at food businesses that meet the scheme's criteria. The aim is working with small businesses to help them to offer healthier choices in their menus. The Team has a target to meet for the businesses joining the scheme.
- 3.9.2 As a result of a business customer survey undertaken, the Team has offered a food business seminar each year. However, of the 30 businesses with a rating of 2 or below invited to a seminar in January 2018, no businesses applied. As a result, the Team has introduced a Poor Performers project to directly target a business identified on a set date, to have a rating of 2 or below. This project is an investment, working with businesses to improve compliance, reduce the risk of food poisoning and reduce the risk of time consuming legal action.
- 3.9.3 The team disseminates information to businesses and customers on site, in the post and via its website. On a day to day basis, information is provided mainly in the form of leaflets and web-links during routine correspondence. Information packs are sent out to newly registered businesses and prospective businesses.

## SECTION 4 : RESOURCES

### 4.1 Financial Allocation

4.1.1 *The budgets for the Commercial Team are shown below.*

AREA	2014/15	2015/2016	2016/2017	2017/2018
<b>Food (EH003)</b>				
<b>general</b>	<b>122,829</b>	<b>155,724</b>	<b>168,599</b>	<b>151,142.86</b>
<b>Central charges</b>	<b>31,316</b>	<b>45,994</b>	<b>37,135</b>	<b>36,855</b>
<b>Income</b>	<b>3735</b>	<b>6520</b>	<b>4134</b>	<b>5778.50</b>
<b>Total</b>	<b>150,440</b>	<b>195,198</b>	<b>201,600</b>	<b>193,776.36</b>
<b>H&amp;S (EH004)</b>				
<b>general</b>	<b>39,896</b>	<b>18,255</b>	<b>15,424</b>	<b>14,939.40</b>
<b>Central charges</b>	<b>18,860</b>	<b>21,041</b>	<b>18,222</b>	<b>17,981</b>
<b>Total</b>	<b>58,756</b>	<b>39,295</b>	<b>33,646</b>	<b>32,920.40</b>

- 4.1.2 Samples are submitted to Public Health England without charge within the Authority's allocation. Funds would be allocated for any non-routine, microbiological; compositional or other analytical samples.
- 4.1.3 Funding is made available where documents require translation or interpreting skills are needed.
- 4.1.4 In the event of legal proceedings, the costs are met from within the Departmental budget.
- 4.1.5 Office accommodation, IT and basic equipment such as torches; temperature probes printing etc are included in overheads.

## 4.2 Staffing Allocation

- 4.2.1 The work of the Team is carried out by the officers and a part-time administrator, supported as needed by the Council's Legal; Reprographics; General Office; Customer and ICT Services.
- 4.2.2 All officers carrying out enforcement duties are registered with the Chartered Institute of Environmental Health itself or its Registration Board (EHRB). Each enforcement officer is authorised in accordance with the standards and requirements of the respective legislation, the minutes of the Council and FSA Food Law Code of Practice.

The Commercial Team consists of:

Team member	Position
Jenny Winslet	SEHO authorised in food safety enforcement functions + 30 years experience. EHRB registered
Louise Wright	EHO (p/t) authorised in food safety enforcement functions + 10 years experience. EHRB registered
Jenny Clare	Graduate EHO authorised in food safety enforcement functions + 15 years experience. EHRB registered
Patricia Christie	Food and Safety Officer authorised in food safety enforcement functions + 20 years' experience. EHRB registered
Wendy Page	Administration assistant (p/t) + 20 years experience in Environmental Health

- 4.2.3 The Team has a history of employing contractors going back at least 5 years to cover vacancies and maternity leave. It is considered that the Team has the resources to cover its needs. In the case of an extreme event or outbreak, the Team would seek additional resources from officers in the Domestic Team.

Year and Full Time Equivalent (FTE)	2017/2018 Food FTE	2017/2018 Health and Safety FTE
<b>Total officers – 4.0</b>		
<b>Officers</b>	<b>2.85</b>	<b>0.35</b>
<b>Administration</b>	<b>0.45</b>	<b>0.05</b>

## 4.3 Staff Development Plan

- 4.3.1 All officers are appropriately qualified according to the Food Standards Agency Food Law Code of Practice and maintain their competencies. The officers also undertake the Regulatory Needs Development Analysis (RDNA) for both food and health and safety. Officers undertake personal study (including on-line courses and webinars), training after monthly team meetings and attend a variety of relevant external courses. Officers are set targets for personal training in annual appraisals. The loss of the FSA training for officers in early 2017 meant a significant loss of cost free training for officers in food safety. There is a culture of sharing knowledge and

“buddying” colleagues at interventions both for food and for health and safety within the Team. Maintaining competencies in Approved establishments is not only by “buddying” in the district but is also being sought via neighbouring authorities.

4.3.2 Each officer is responsible for the maintenance of their personal Continual Professional Development (CPD) records, subject to the requirements of the Chartered Institute of Environmental Health. The CIEH reviewed the CPD for ECDC officers in 2014.

4.3.3 Staff development for the service includes:

- The employment of competent enforcement officers capable of performing their role within the Team with qualifications meeting the requirements of the FSA Code of Practice.
- Maintenance and evidence of formal qualification and CPD. Undertaking in-house or external competency-based training. This includes webinars and other on-line training.
- Officers undertaking external training are required to feed this back to the team members after the event.
- The undertaking of “buddying” or mentoring with qualified or officer with different experience in food or health and safety.

## **SECTION 5 : QUALITY ASSESSMENT**

### **5.1 Quality Assessment & Internal Monitoring**

5.1.1 To maintain the quality of the work undertaken, the Team has a series of standard operating procedures which are reviewed periodically, drawing any changes to the attention of officers.

5.1.2 The Team undertakes monthly meetings to discuss procedures, changes in guidance from regulators and other technical matters. The agenda is open to the whole Team. Officer correspondence is reviewed, periodically, at the time of a change in risk rating and at the time of any contentious matter by the SEHO. Consultant’s correspondence is reviewed and joint visits arranged with the SEHO to review site interventions. This supports consistency particularly in issuing Food Hygiene Ratings to businesses. Team colleagues are encouraged to discuss ratings or contentious technical matters. The quality and consistency of each enforcement officer’s site interventions is periodically reviewed by way of joint visits. Health and safety Notices are issued having regard to the Enforcement Policy and for health and safety, the HSE Enforcement Management Model (EMM). Health and safety and food safety Notices are reviewed by the SEHO before service.

5.1.3 Bite-size training sessions follow the monthly Team meetings and these target identified training needs. This is in addition to personal learning, one to one and annual reviews.

5.1.4. The Team contributes to peer review exercises in conjunction with the Cambridgeshire Food and Safety Group. The Lead Food Officer (SEHO) organised the regional peer review for food inspections in 2015 and reported this to the FSA. A

peer review of health and safety was undertaken by the regional group in 2016. The Team contributes and responds to the FSA, national, peer review exercises.

## **SECTION 6: SERVICE PLAN REVIEW**

### **6.1 Review against the Service Plan**

- 6.1.1 This service plan mirrors the Environmental Service delivery plan which sets out targets for complaint/service request investigation, interventions at the different categories of commercial premises inspected (includes health and safety interventions and A-E premises for food activities); approved establishments and new businesses. This service plan is designed to satisfy the requirements of FSA and HSE annual returns.
- 6.1.2 There are quarterly and annual reviews of performance targets against the service plan which is reported to the relevant committee. In the intervening period, monthly targets are reviewed by the SEHO with the Environmental Services Manager at one to ones. Officers have monthly one to one meetings with the SEHO.

<b>Annual Criteria</b>	<b>Target</b>
<b>Programmed Inspections</b>	
<b>A and B-rated food businesses due an inspection</b>	<b>100%</b>
<b>C and D- rated food businesses due an inspection and E rated by alternative questionnaire</b>	<b>90%</b>
<b>Approved establishments due an inspection</b>	<b>100%</b>
<b>Contact FBOs within 7 days of sampling result received from the laboratory</b>	<b>100%</b>
<b>Complaint Investigations/Service request/ health and safety service request customer contacted within 3 day of receipt</b>	<b>90%</b>
<b>Infectious Disease Investigations within 3 days of receipt</b>	<b>100%</b>

### **6.2 Identification of any variation from the Service Plan**

- 6.2.1 The Team has satisfied these annual targets and this is achieved by variations being identified and discussed at monthly meetings between the SEHO and Service Manager.
- 6.2.2 Any additional activities such as formal enforcement or outbreaks are taken into account at reviews. Two food hygiene prosecution files were submitted to legal in 2017 with one being successfully prosecuted at Cambridge Magistrates Court in March 2018.

### **6.3 Areas for Improvement**

- 6.3.1 The FSA Framework Agreement requires every local authority to review its previous year's performance against its service plan. The review must identify where the authority was at variance from the service plan and, where appropriate, the reasons for that variance. If service issues are identified, these are discussed at Team and then between the SEHO and Service Manager over the course of the year.

## **Section 7: HEALTH AND SAFETY**

### **7.1 Overview**

Whilst the responsibility for managing health and safety risks lies with any business, ECDC has a statutory responsibility for safeguarding the health, safety and welfare of employees and the public, working in, or visiting many businesses located within the District.

Under section 18(4) of the Health and Safety at Work etc Act 1974, a duty is placed on ECDC to make “adequate arrangements” for the enforcement of health and safety. These “arrangements” are set out in The National Local Authority Enforcement Code 2013 (The Code).

The Code is a framework ensuring LA regulators adopt a consistent and proportionate approach to enforcement. The Code directs that business operating in comparatively lower risk premises should not be subject to proactive, unannounced inspections, unless there is real and proportionate reason to suspect poor performance (“no inspection without a reason”). A business can make a complaint to the Council and to the Independent Regulatory Panel if it believes that the Code has not been followed. This has reduced the number of proactive inspections.

Enforcement of health and safety in businesses is divided between the HSE and local authorities under The Health and Safety (Enforcing Authority) Regulations 1998 and examples of these are as follows:

LA enforcement	HSE enforcement
Offices (not LA or government)	Factories
Shops and retail premises	Farms
Hotels, restaurants, pubs, clubs	Construction sites
Leisure premises	Nursing homes, hospitals
Care homes, sheltered accommodation	Schools and places of education
Nurseries and playgroups	Garages undertaking repairs/ MOTs
Skin piercers and beauty sector	Gas, electricity and water service providers
Storage warehouses	Warehouses (mainly distribution)
Zoos	Offshore installations
Churches and places of worship	Government / LA undertakings

### **7.2 Review of the Team’s Health and Safety Work**

7.2.1 Health and safety complaints and incidents reported under RIDDOR (The Reporting of Incidents, Diseases and Dangerous Occurrences Regulations 2013 (as Amended)) are investigated according to the HSE LAC 22/13: Incident selection criteria. LAC stands for Local Authority Circular.

7.2.2 Local businesses that come to the Team’s attention through complaints, referrals, Local/new, national intelligence and notifications under RIDDOR are considered for proactive inspection under the latest HSE LAC (67(2): Currently, Revision (7).

7.2.3 Officers follow the HSE guidance including (HSE) LAC 67/2 and HSE “Guidance on combining health and safety and food inspections”. This is the routine “hazard spotting” undertaken by officers at food hygiene inspections and re-visits. During “hazard spotting”, officers look into how a business is managing its risks of slips and

trips (still the greatest cause of incidents in that sector). They also include the national planning priorities found in Annex A of LAC 67/2 of “Gas safety in commercial catering premises” and “Beverage gases in the hospitality industry” including how businesses are managing risks from solid fuel appliances.

- 7.2.4 Officers monitor and address Matters of Evident Concern (MECs)\* and Matters of Potential Major Concern (MPMCs)\*\* at the same time as food hygiene or other visits.
- 7.2.5 Officers undertook planned, advisory visits included those to zoos, visitor and animal attractions (ECDC has one zoo) in line with this HSE priority.
- 7.2.6 Officers attend the regular Safety Advisory Group meetings (SAG) supporting event organisers and businesses with advice, before, during and after the meetings. Advice is given to market traders and visiting stalls/markets both at events and in the regular Markets in Ely. Advice is offered to any business seeking support
- 7.2.7 The HSE strategy of “Raising awareness of the need to prevent injury to members of the public from accessing large commercial waste and recycling bins” was raised at the Council’s Health and Safety Group Meeting in readiness for the Council taking local refuse collection in-house in 2018.
- 7.2.8 The Team disseminates information about health and safety as a result of alerts from the HSE. An example of this is in relation to a dangerous play area swing and this was brought to the attention of all the Parish Councils as well as the Council itself in 2017.
- 7.2.9 The Team will refer any matters of potential national significance to the HSE and reports its activities to the HSE annually.
- 7.2.10 The Team follows its Health and Safety Enforcement policy ensuring its activities are compliant with the Regulator’s Code. The policy is to be reviewed in 2018.
- 7.2.11 ECDC does not have a primary authority agreement with a business but officers will use primary authority plans and coordinate any activities with the primary authority.
- 7.2.12 Officers attend the regional Food and Health and Safety Group meetings, share information with the group and use it to undertake peer reviews. The last peer review was in December 2016 and this related to accident investigation.
- 7.2.13. The Team used the HSE prosecution data base to undertake a project to bring the risks of unsecured windows to the attention of care providers.
- 7.2.14 Officers carried out a joint visit with the HSE and other LA regulators at a wake-boarding site whose equipment is designed and manufactured by a single supplier and at which that manufacturer had made modifications to the equipment that could be used across the sector.
- 7.2.15 The Team reacts to referrals from engineers reporting unsafe lifting equipment.

\*Matters of Evident Concern (MEC) are defined as those that create a risk of serious personal injury or ill health and which are observed by an officer (i.e. self-evident) or brought to the attention of the officer.

\*\*Matters of Potential Major Concern (MPMCs) are those which have a realistic potential to cause either multiple fatalities or multiple cases of acute or chronic ill-health.

**For 2017/2018, as part of the “Helping Britain Work Well” HSE strategy and the LAC 67 (2) this is a summary of the Team’s work:**

Intervention type	Number	
Number of visits to investigate health and safety incidents e.g. accidents	2	
Number of visits to investigate complaints	10	
Number of visits following requests for service e.g. by skin piercers wanting registration	12	
Number of re-visits from an earlier intervention	9	
Number of notices served	0	
Intervention type according to HSE LAC 67(2) as revised	Targeted using national intelligence	Targeted using local intelligence
Non inspection interventions where there is face to face contact such as hazard spotting at food hygiene inspections and advisory visits	4	95
Other contact/intervention such as phone calls that are not face to face	1	36
Proactive inspections	0	0

### 7.3 Targeting inspections

- 7.3.1 The Team uses LAC 67(2) as its framework for its daily activities and work plans. Notified incidents and complaints are investigated as stated above. Sources to help target the work of the team come from working relationships with other regulators such as fire, ambulance, police; building control, licensing etc. allowing intelligence to be shared at SAG meetings and at other times. The Team receives alerts from the fire service and HSE. In this small, local authority, officers liaise with colleagues directly in areas such as building control and licensing.
- 7.3.2 Other sources of work and intelligence include meeting other LAs and the HSE local principal inspector at the regional Cambridge Food and Health and Safety Group. Social media, local press, on line EHCNET and the HSE sites are monitored. The HSE prosecution website is reviewed.
- 7.3.3 In 2018-19, the Team will:
- Investigate fatalities and major accidents where ECDC is the enforcing authority.
  - Investigate accidents reported under RIDDOR\* having regard to the HSE incident selection criteria.
  - Investigate allegations of poor health and safety standards/complaints, having regard to the HSE incident selection guidance.
  - Continue to “Hazard spot” and raise health and safety standards in businesses as part of other inspections and visits such as food hygiene inspections. As part of this continue to include issues of “Gas safety in commercial catering premises” and “Beverage gases in the hospitality industry”.
  - Investigate adverse lift reports sent in by engineers.

- Offer advisory visits on controlling the risks from manual handling in care homes.
- Offer advisory visits to skin piercing premises in relation to the maintenance of autoclaves and management of infection control. This is in addition to the routine offer of support and guidance to skin piercing establishments at the time of registration applications.
- Update the Council's Health and Safety web pages.
- Host a work related death training course for ECDC and external LA officers using an external trainer.
- Continue to attend SAG, the Council's internal health and safety committee meetings and the Cambridgeshire Food Health and Safety Group.
- Build links with Enterprise East Cambridgeshire to help raise awareness of the "Helping Britain Work Well" strategy and HSE website resources
- Refer emerging safety issues to the HSE.

#### 7.4 **Competencies and procedures**

7.4.1 Officers are responsible for maintaining their competency using the Regulatory Needs Development Analysis by way of personal study, taking part in on line training and webinars. Where training is undertaken at courses, the officer must share this with other Team members, normally at monthly team meetings. The meetings are also used for health and safety training. This has included gas safety/ gas cylinder and work related death training in the last year. Officers "buddy" during accident and complaint investigations, where necessary, to help maintain knowledge and practical skills. Officers have targets for maintaining competencies that are reviewed at monthly one to ones and at 6 monthly and annual appraisals.

7.4.2. In December 2017, the Team facilitated a Health and Safety refresher course for Local Authority Regulators, inviting outside officers to a study day with Andy Lucas of Bespoke Safety. The timing of the training was to ensure that the newly appointed food and safety officer and all ECDC officers) could attend. The Team plans to host a further external trainer to provide low- cost training this year, probably in Work related Death. This will allow all team members to attend.

7.4.3 Standard Operating procedures (SOP) are reviewed in the light of changes to guidance and/or legislation. If a SOP is found not to be working, it will be reviewed. An example is the procedure for receiving and registering skin piercers. The Team will also review its activities in the light of customer comments or if it received complaints.

#### 7.5 **Areas for improvement**

Identified areas for improvement this year are to include ensuring more recording of Interventions that take place, the review of the Enforcement Policy and the review of standard operating procedures.

### Appendix 1 Environmental Services

