

# Report

Report to:	<b>Community and Enterprise Resources Committee</b>
Date of Meeting:	<b>7 November 2023</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Subject:	<b>Approval of South Lanarkshire Council's Food Service Plan for 2023/2024</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ♦ seek approval for the Food Service Plan 2023/2024 developed for South Lanarkshire Council in accordance with, and as required by, The Food Law Code of Practice (Scotland) 2019, and the draft Administration and Service Planning – Food Law Code of Practice (Scotland) 2020

## 2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that the Food Service Plan for 2023/2024 be approved; and
- (2) that the Food Service Plan continues to be reported to the Committee on an annual basis for approval.

## 3. Background

3.1. Local Authorities have a statutory duty to enforce legislation relating to food. This is achieved by carrying out 'official controls' in food establishments within their area. Official controls comprise of, inspections, audits, monitoring, surveillance, or sampling. The legislation is supported by Codes of Practice issued under Section 40 of the Food Safety Act 1990, Regulation 24 of the Food Hygiene (Scotland) Regulations 2006 and Regulation 6 of the Official Feed and Food Controls (Scotland) Regulations 2009. Food Authorities are required to have regard to these Codes when discharging their duties.

3.2. Statutory obligations in the Food Safety Act 1990 and associated legislation apply to the delivery of official controls by Local Authorities to ensure:-

- ♦ the effectiveness and appropriateness of official controls
- ♦ controls are applied at an appropriate risk-based frequency
- ♦ a sufficient number of suitably qualified and experienced competent staff and adequate facilities and equipment to carry out our duties properly are provided
- ♦ staff are free from conflicts of interest
- ♦ there is access to an adequate laboratory capacity and capability for testing.

- 3.3. The Food Law Code of Practice (Scotland) 2019 instructs Food Authorities to ensure these statutory obligations are brought to the attention of their local authority officials and or elected member bodies responsible for agreeing budgets or other service arrangements relevant to the delivery of official controls.
- 3.4. The Food Law Code of Practice (Scotland) 2019 further instructs each Food Authority to complete an annual Service Plan which details the interventions programme for the coming year. They should ensure the programme is adequately resourced, and the overall plan is subject to approval at the appropriate governance level within the local authority.

#### **4. The Food Service Plan 2023/2024**

- 4.1. A copy of The Food Service Plan for 2023/2024 is included in Appendix 1. A draft copy of The Food Service Plan 2023/2024 was submitted to Food Standards Scotland in July 2023 at their request. No adverse comments were received, however, Food Standards Scotland have requested that a final version be submitted to them upon receiving approval by the Committee.
- 4.2. The Food Law Code of Practice (Scotland) 2019, and the draft Administration and Service Planning – Food Law Code of Practice (Scotland) 2020 stipulate Food Service Plans should be drawn up, documented and implemented in accordance with the Codes of Practice, and include a template to ensure that all official controls covered by the Codes are included in the plan, whilst allowing scope for locally defined objectives.
- 4.3. The Food Service Plan should include a statement in relation to the Food Authority's approach or policy on interventions, enforcement and service delivery. It should include the food business establishment profile, the number of interventions programmed, and estimate of the number of revisits to be made and an estimation of the resources required. The Service Plan should incorporate a performance review carried out by the Food Authority at least once a year.
- 4.4. The Food Service Plan 2023/2024 has been developed in accordance with the requirements of The Food Law Code of Practice (Scotland) 2019, and the draft Administration and Service Planning – Food Law Code of Practice (Scotland) 2020.
- 4.5. The Food Service Plan 2023/2024 was completed in May 2023, and reflects the staffing resources available at that time. The team successfully recruited Food Safety Officers during the summer of 2023 and from September 2023 the Food and Business Regulation team has operated with a full establishment. The draft report has been updated to reflect the current establishment. It is also confirmed that future updates on the Food Service Plan will be reported on an annual basis to the Community and Enterprise Resources Committee.

#### **5. Employee Implications**

- 5.1. There are no employee implications associated with this report.

#### **6. Financial Implications**

- 6.1. There are no financial implications associated with this report.

#### **7. Climate Change, Sustainability and Environmental Implications**

- 7.1. There are no climate change, sustainability and environmental implications associated with this report.

8. Other Implications

8.1. There are no risk or other implications associated with this report.

**9. Equality Impact Assessment and Consultation Arrangements**

9.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and therefore no impact assessment is required.

9.2. There is no requirement to undertake any consultation in terms of the information contained in this report.

**David Booth**

**Executive Director ( Community and Enterprise Resources)**

9 October 2023

**Link(s) to Council Values/Priorities/Outcomes**

Values

- ◆ Focused on people and their needs
- ◆ Working with and respecting others
- ◆ Accountable, effective, efficient and transparent
- ◆ Ambitious, self-aware and improving

Priorities

- ◆ We will work to recover, progress and improve

Outcomes

- ◆ People live the healthiest lives possible

**Previous References**

- ◆ None

**List of Background Papers**

- ◆ None

**Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

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