



South Lanarkshire Council
Food Service Plan 2023/2024

1. Service Aims and Objectives

1.1 Interventions at Food Business Establishments

The role of Environmental Services is to protect the public health of residents and visitors to South Lanarkshire. Public health can be defined as “the science and art of preventing disease”, prolonging life and improving the quality of life through organised efforts and informed choices of society, organisations, communities and individuals.

In this respect the overall aim of our Food and Business Regulation Team is to ensure the safety, quality and authenticity of food produced and sold by food businesses based in South Lanarkshire.

As a Statutory Food Authority under the Food Safety Act 1990 and Retained Regulation (EU) 2017/625 the steps we will take to achieve our aim include:

- implementing a planned programme of food law inspections of food businesses;
- responding to complaints;
- investigating incidences of food borne illness;
- sampling foods to ensure they are fit for human consumption and meet all quality, compositional, and authenticity requirements; and
- providing advice and guidance to food businesses.

1.2 Links to corporate objectives and plans

The aims and objectives of this Service Plan align with South Lanarkshire Council’s overall Connect Plan 2022-2027 where the Council’s ‘Vision’ is to ‘Improve the lives and prospects of everyone in South Lanarkshire’. One of the Council’s stated priorities is to ‘put people first’, with the outcome we are seeking to deliver in terms of ‘health and wellbeing’ being to ensure that ‘people live the healthiest lives possible’.

Environmental Services will monitor our performance against the overall Council Plan, as well as at Resource/Service level. The measure currently reported by the Food and Business Regulation Team is the % of businesses inspected within South Lanarkshire Council who are broadly compliant with Food Law requirements. The target set for this measure is currently 85% of all businesses inspected.

2. Background

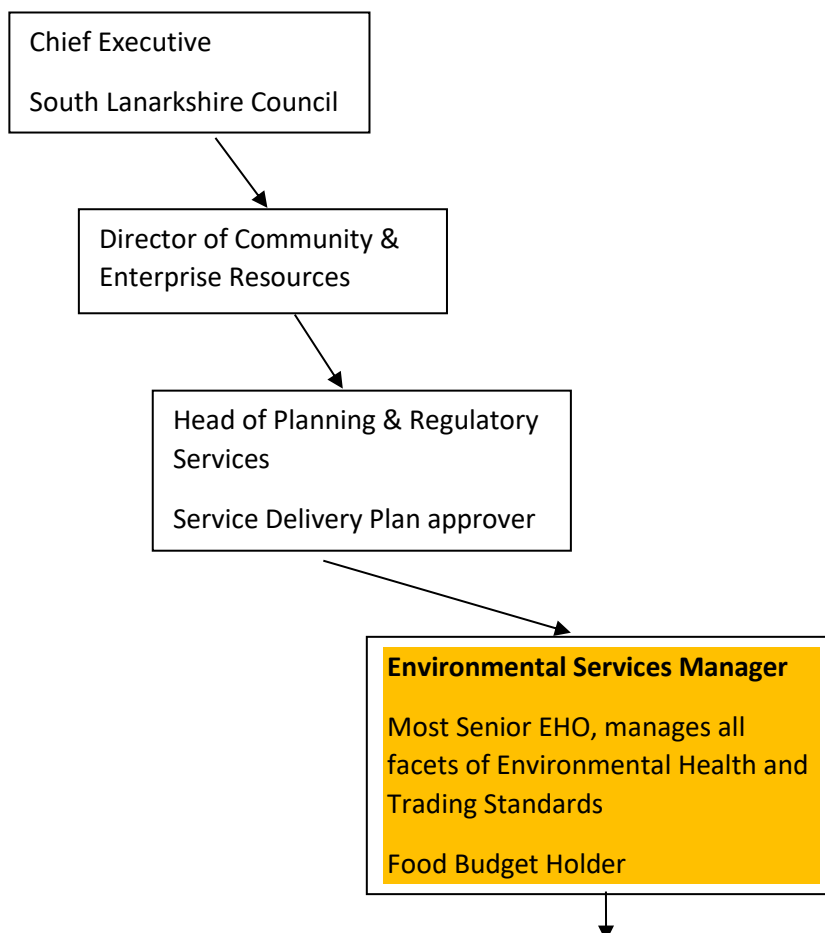
2.1 Profile of the Local Authority

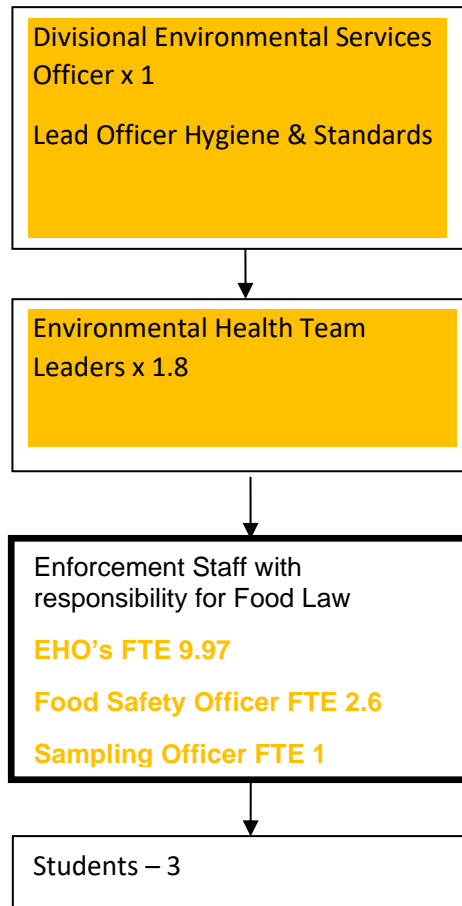
South Lanarkshire has a population of around 316,000 and is one of the largest and most diverse areas in Scotland. The Council covers around 180,000 hectares of land stretching from the outskirts of Glasgow to near the Scottish Borders. The Local Authority area consists of a mix of urban and rural environments, with almost 80% of the area classed as agricultural whilst 70% of the population live in the major urban settlements in the north.

There are four towns in South Lanarkshire with a population of over 20,000 (East Kilbride, Hamilton, Rutherglen and Cambuslang) and a further 23 towns and settlements with a population of more than 1000.

2.2 Organisational Structure

The following organisation chart for South Lanarkshire Council shows where our food service sits within the structure of the Council.





Our Laboratory Services are contracted out to Edinburgh Scientific Services, who also provide our appointed Public Analysts and Food Examiners.

2.3 Scope of the Food Service

The Food Service within South Lanarkshire Council is provided by the Food and Business Regulation team, led by the Council's appointed Lead Food Officer (Divisional Environmental Health Officer) and assisted by one full time and one part time Team Leaders. The team is one of 4 teams that operate under the direction of the Environmental Services Manager and consists of 8 full time Environmental Health Officers, 3 part time Environmental Health Officers, 2 full time Food safety Officers (designated Technical Officers), 1 part time Food Safety Officer and a full-time sampling officer. The broad areas of responsibility for the team include:

- Food Safety and Food Standards Enforcement;
- Occupational Health and Safety Enforcement;
- Infectious disease investigation; and
- Caravan Site Licensing.

A more detailed list of responsibilities include:

- Carrying out Food Law interventions in food businesses that fall within the remit of the Food Law Rating Scheme;
- Carrying out food hygiene/food standards interventions in food primary production establishments, for example dairy farms and fruit/vegetable producers;
- Approving and carrying out food hygiene and standards interventions in Approved food establishments;
- Carrying out food standards interventions in Food Standards Scotland Approved food establishments;
- Investigating complaints regarding the hygiene of food establishments, for example complaints regarding cleanliness or the way in which food is being handled;
- Investigating food complaints including those relating to: allergen/point of sale and labelling information, chemical/compositional standards and microbiological and foreign body contamination, for example wrong allergy information provided, mouldy food, or hair in food;
- Investigating incidents of potential food fraud/crime;
- Responding to food incidents/withdrawals/recalls;
- Providing advice to food businesses in relation to food hygiene and standards;
- Issuing export health certificates and attestations;
- Providing Section 50 certificates to food businesses who wish to be granted a licence to sell alcohol;
- Providing certificates of compliance to street traders who require a licence to trade;
- Sampling foods to ensure they are fit for human consumption and meet all quality, compositional, and authenticity requirements and investigating sample failures, such as the presence of food poisoning organisms in food, or excessive levels of additives including colours in foods;
- Investigating incidences of foodborne illness, for example E. coli or Salmonella;
- Issuing venison dealers licences;
- Responding to complaints regarding commercial waste/odours;
- Responding to building control and general licensing consultations, for example occasional licences for the sale of alcohol, or late hours catering licences;
- Responding to consultations and carrying out inspections to premises who require to be licensed under the Civic Government (Scotland) Act 1982, eg, tattooists, skin piercers and sunbed establishments. In addition South Lanarkshire Council now licence swimming pools, soft play centres and trampoline parks. We inspect and consult on the licencing of these establishments, as well as on other public entertainment events such as fireworks displays;
- Issuing caravan site licences for residential and holiday/tourer sites;
- Carrying out inspections of premises to ensure compliance with the Health and Safety at Work, etc Act 1974;
- Investigation of workplace accidents, for example slips, trips and falls, or falls from height;

- Investigating health and safety related complaints, such as lack of welfare facilities or excessive workplace temperatures; and
- Providing advice to businesses on health and safety requirements.

2.4 Demands on Food Service

The profile of food businesses within South Lanarkshire, as found on our food premises database at May 2023, consists of 3048 *registered and 28 *approved premises.

*All food business operators require to register their establishment with the relevant Local Authority before food operations commence under Retained Regulation (EC) 852/2004, however a small number of businesses handling products of animal origin and supplying these to other businesses require instead to apply and be granted approval from the Local Authority before commencing operations under Retained Regulation (EC) 853/2004. A unique reference number will be allocated by the Local Authority to each establishment that is granted approval.

The profile of food businesses in South Lanarkshire can be further broken down as follows:

Approved Premises:

Dairy Products Establishments:	8
Meat Products Establishments:	5
Fishery Products Establishments:	2 (1 premises also approved for meat products)
Live Bivalve Molluscs Establishments:	1 (also approved for fishery products)
Meat Preparations Establishments:	2
Stand Alone Cold Stores:	6
Egg Packers:	4

Registered Premises:

South Lanarkshire Council is home to 56 non approved manufacturers including; both large and small bakery/confectionery manufacturers; bottling plants and small distillers of alcohol; sandwich manufacturers; soft drinks manufacturers; a producer of bottled water, and in addition a natural mineral water producer. In addition we have producers of salt or smoked salt based products, a honey manufacturer and 2 non approved dairy products premises.

The breakdown of non-manufacturing registered food businesses, excluding primary producers and Food Standards Scotland Approved Premises is set out in the following table:

Premises Type	Number of premises
Restaurant/Café/Snack bar/Canteen	454
Takeaway	315
Pubs Providing Food	58
Pubs not serving Food	105
School kitchens	149
Domestic premises/food business	278
Childminders	110
Childcare Premises	129
Homes/Institutional Kitchens	107
Mobile vehicles – catering	87
Other Caterers	348
Butcher	40
Baker	44
Fishmonger	10
Supermarket	85
Newsagent/General Store	176
Mobile Vehicles – retail	37
Chemists/Pharmacies	82
Off Licences	28
Other Retailers	222
Distribution/warehousing	33

Primary Producers/Dairy Farms

South Lanarkshire Council has 80 dairy farms, one of which produces milk for the production of unpasteurised dairy products. We also have 6 additional registered primary producers, two game dealers, one deer larder, one fruit/vegetable packer and two egg producers.

Food Standards Scotland (FSS) Approved Premises

South Lanarkshire Council register and inspect 7 premises for food standards, with the hygiene interventions in such premises being undertaken by FSS.

Export Health Certificates/Attestations

South Lanarkshire Council provide Export Health certificates and premises endorsements to food businesses who require these in order to export the food products they manufacture to third countries. During 22/23 we issued export health certificates to 4 businesses within South Lanarkshire, and premises endorsements to one other business. 2 of these businesses were exporting fishery products, 2 were exporting bakery products/confectionary, and the other a low salt product. We have issued an average of 200 export health certificates/premises endorsements a year for the past three years, however only issued 114 during 22/23. This is due to the fact that a large fishery products manufacturer and exporter, previously trading in South Lanarkshire, closed in the early part of 22/23. As such it is expected that we will issue a smaller number of export certificates again in 23/24.

South Lanarkshire Council is the location of one of three Approved Stand Alone Cold Stores in Scotland that operate as export hubs to allow food businesses to export fishery products to the EU. Food businesses wishing to export their products via this and other hubs require attestations from their local Environmental Health Officer in order to facilitate signing of the certificates at the hubs by veterinarians. South Lanarkshire have one fishery products manufacturers who require these attestations every 6 months to allow them to export their products to the EU via the hubs. The food and business regulation team provide these certificates to this food businesses twice a year as and when required.

Environmental Services operate from a single location, based in Hamilton. Our offices are open to the public from 8.45am until 4.45pm Monday to Thursday and 8.45am until 4.15pm on a Friday. Staff within Environmental Services Food and Business Regulation Team work within flexitime bands, with the normal bandwidth for flexible working being between 8am and 7pm. Out with these hours of work additional flexitime, toil or overtime is available to officers when agreed by their line manager, and in the case of paid overtime in addition to this by their Head of Service and the Head of Personnel Services. Environmental Services have an out of hours contact number for emergencies that arise out with our normal service delivery times.

2.5 Enforcement Policy

The Food and Business Regulation Team refer to and implement South Lanarkshire Council's 'Environmental Services Enforcement Policy', when conducting our statutory functions in respect of food law enforcement. The current version of this policy was published on South Lanarkshire Council's website in 2016 and the link can be found here:

https://www.southlanarkshire.gov.uk/downloads/download/251/environmental_services_enforcement_policy_and_guidance

We seek to adopt a graduated approach to enforcement as set out in the above Enforcement Policy, whilst aligning with Food Standards Scotland's Strategic aim of ensuring responsible businesses flourish, and the Scottish Government's approach to better regulation as set out in the Scottish Regulators' Strategic Code of Practice. Enforcement action will be reserved for incidences where the seriousness of a situation warrants such action, or in cases where adopting a graduated approach to enforcement has been unsuccessful.

3. Service Delivery

3.1 Interventions at Food Business Establishments

Background

In April 2020 at the start of the Covid-19 pandemic Local Authorities were granted a relaxation, as set out in enforcement letter FSS/ENF/20/006 issued by Food Standards Scotland, allowing them to deviate from the above Food Law Codes of Practice. This relaxation was initially granted for a period of 4 months but was subsequently amended and extended until August 2021. The effect of this was that the majority of routine food law inspections ceased between the end of March 2020 and the start of September 2021 to allow Local Authorities to undertake wider public health duties related to Covid-19, with the exception of the highest risk premises and approved premises, where remote interventions were conducted. At the time this relaxation was granted South Lanarkshire Council, along with many other Local Authorities, were in the process of gradually transferring food businesses from older separate food hygiene and food standards rating schemes, specified in the Food Law Code of Practice (Scotland) 2019, Annex 5 to a single and combined food law rating scheme set out in the Interventions Food Law Code of Practice (Scotland) 2019. During the pandemic Food Standards Scotland tabled a paper which examined approaches that may be undertaken by Local Authorities in order to address the impact of the Covid-19 pandemic on the food intervention programme. A decision was taken and guidance subsequently issued to Local Authorities to conduct a desktop transfer which effectively saw all food business establishments with the exception of approved premises and primary producers transferred onto the new combined food law rating scheme. Following this transfer local authorities were tasked with creating a new and revised intervention programme which incorporated the entire complement of food establishments within the Local Authority area. Proposed intervention frequencies were outlined allowing Local Authorities extra time to conduct interventions in lower risk food establishments, whilst focussing resources initially on those higher risk premises. Ahead of the restart of official control interventions in all food establishments, on 1st September 2021, South Lanarkshire Council completed this desktop transfer exercise and produced a revised intervention programme based around the timescales outlined in Food Standards Scotland's (FSS's)

'Local Authority Recovery Project' document, 16th October 2020. The first 6 months of this programme focussed on conducting interventions in the highest risk food establishments, including those previously 'unrated', ie – businesses who had registered with South Lanarkshire Council but had yet to receive their first food law intervention, and in around half of our Approved establishments. The following 12 months focussed on completing inspections of all our approved establishments, continuing to focus on the highest risk food establishments, including higher risk 'unrated' food businesses, whilst bringing in some of the medium risk premises. At the time of the restart a breakdown of the number of premises within South Lanarkshire Council requiring inspection, and the time within which they required to be inspected over the next 4 years in order to meet the timescales outlined in FSS's recovery project was as follows:

<u>Timescale for 1st Inspection</u>	<u>Number of Establishments</u>
Within 3 months:	2
Within 6 months:	182
Within 12 months:	25
Within 18 months:	607
Within 24 months:	573
Within 36 months:	482
Within 48 months:	420
Total:	2291

The above was not inclusive of the approximately 400 unrated premises on the premises database at that point in time.

It also did not include the 119 approved premises and primary production premises on the database at that time.

Interventions Due in 2023/2024

The Food & Business Regulation team will select and prioritise interventions at food business establishments primarily based on frequencies outlined in the Interventions Food Law Code of Practice (Scotland) 2019. For approved and primary production establishments intervention frequencies will be based on those outlined in the Food Law Code of Practice (Scotland) 2019, Annex 5, although intervention frequencies in such premises are currently under review. New food businesses who register with South Lanarkshire Council will be inspected and prioritised on a 'risk based' basis taking account of groups set out in the Interventions Food Law Code of Practice (Scotland) 2019 with Group 1 & 2 premises being

prioritised, but also on the basis of risk associated with that premises type. For example caterers handing raw and ready to eat foods will be prioritised over caterers providing low risk foods, or where the risk of cross contamination is negligible. We aim to inspect all high risk unrated premises within 3 months of them registering with South Lanarkshire Council. In the event that we are unable to complete all interventions planned for the year due to the increase in numbers of interventions due annually as a result of the move to the 'Food Law Rating Scheme', sickness absence or due to dealing with a serious incident, high risk unrated food establishments will be prioritised over lower risk planned interventions. We will also seek, during 2023/2024 to incorporate Group 2B businesses not yet inspected due to previous high standard of compliance, but who serve vulnerable populations, such as care homes for the elderly and pre-school nurseries into our inspection programme.

Currently, planned/recovery inspections due in 23/24 including a breakdown of groups and bands are as follows:

Group	Band	Number or Premises to be Inspected in 23/24
Group 1	A	8
	B	15
	C	33
	D	4
	E	0
Group 2	A	0
	B	650
	C	512
	D	78
	E	0
Group 3	A	0
	B	2
	C	88
	D	0
	E	0

The above planned/recovery visits will make up a large proportion of the interventions being conducted in 23/24, with the remainder being made up of interventions in approved premises, high risk premises inspections generated further to inspections carried out during 23/24, and unrated premises. Intervention lists are generated on a monthly basis to allow for high-risk unrated premises to be incorporated as and when required, while at the same time affording an opportunity to bring forward establishments programmed later in the recovery plan where resources allow. Unrated premises will be given a nominal date of 1/1/26 to allow them to be located easily and prioritised monthly, based initially on risk and thereafter on the date they first registered with the Council, with those who registered first being prioritised and inspected first. The average number of revisits expected to be

conducted in 23/24 will be around 90-100, based on the number carried out in the first full year of implementing the Food Law Rating Scheme.

South Lanarkshire Council currently employ 11.2 full-time equivalent (FTE) Environmental Health/Food Safety Officer's to conduct food law tasks including interventions, revisits, complaint investigations and other food law service demands. In addition to this we also employ a food sampling officer equating to an additional 0.6 FTE.

Officer's conducting interventions undertake a minimum of 10 hours CPD per annum and in the past 2/3 years all but two officer's within the Food and Business Regulation team have completed Official Control Verification (OCV) training provided by Food Standards Scotland. In addition 7 Officers have successfully completed Level 4 HACCP training, and training is also sought and provided for officers required to inspect specialised processes. We currently have 3 officer's with specialist training in cheesemaking and a further 3 who recently attended specialist training on Bivalve Shellfish Hygiene and Verification Course.

3.2 Food Complaints

South Lanarkshire Council will investigate food complaints taking action proportionate to risk whilst following our 'Food Safety Enforcement & Inspection Guidelines'. We aim to respond to all food complaints within 2 working days. On average the Food & Business regulation team receive and respond to around 88 food complaints a year relating to; foreign body contamination of foods; microbiological and chemical contamination of foods, and; complaints relating to labelling, allergens and point of sale information. Complaints received during 2022 included an alleged fly in a cake, maggots in a milkshake and slug detritus in a bottle of milk. A further 88 complaints a year relating to the hygiene of premises are also received and responded to by officers of the Council's Food & Business regulation team. Complaints are responded to utilising existing resources.

Service Demand Type	2019 Figure	2020 Figure	2021 Figure	2022 Figure	Estimate of numbers expected per annum based on average in previous years
Food Hygiene complaints	101	83	77	92	88
Food complaints incorporating allergens/POS, labelling, chemical/composition, micro and foreign body	98	82	101	70	88

3.3 Home Authority, Originating Authority, and Primary Authority

South Lanarkshire Council recognise and support the Home Authority principle (whereby the Local Authority where the relevant decision making base of a business is located agrees to provides advice, guidance, and where required liaison between the business and other Local Authorities for consistency of enforcement), and will have regard to any information and advice received from Home and/or Originating Authorities. Whilst no formal Home Authority agreement exists in relation to food businesses within South Lanarkshire we are the Originating Authority for a number of large manufacturer's. As the Originating Authority we will provide advice to these businesses on legal compliance where required.

In addition, we will liaise with the Home and/or Originating Authorities of multi-site businesses following interventions, on receipt of complaints or in the event of sample failures where issues noted are or may be associated with the business's centrally defined policies and procedures. In all cases we will seek to notify that authority of the outcome of our investigations.

Primary Authorities are relevant only in England and Wales, however where such partnerships have been established in respect of multi-site businesses the Home Authority principle will continue to be applied by South Lanarkshire Council.

3.4 Advice to Businesses

The Food & Business Regulation team, as part of our graduated approach to enforcement, provide advice to businesses as required at all routine interventions. From time to time, for example following the introduction of new legislation proactive communications will be send out to relevant sectors. Relevant reference materials will be provided to businesses where required, in particular where new businesses seek advice prior to opening. Links will be provided to online reference materials such as 'Cooksafe', MyHACCP and free allergen training, and visits prior to opening may be conducted where necessary. The provision of all such advice benefits the business by assisting them to comply, and the Local Authority by potentially averting time-consuming enforcement action, which could have been avoided by the provision of advice at the outset. In addition, consumers will benefit from businesses who have a greater knowledge of food safety requirements, and who in turn produce safer food as a result.

An estimate of the number of requests for advice the team can expect to receive and respond to on a reactive basis during 23/24 can be gleaned from looking at the number of requests submitted in previous years:

Service Demand Type	2019 Figure	2020 Figure	2021 Figure	2022 Figure	Estimate of numbers expected per annum based on average in previous years
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Food Hygiene Advice	152	120	140	118	133
Food Standards Advice	86	112	171	126	124

On average South Lanarkshire Council receive around 133 requests for food hygiene advice each year, with a further 124 requests for advice being received in relation to food standards. We aim to respond to all requests for advice within 2 working days. Requests are responded to utilising existing resources.

3.5 Food Sampling

South Lanarkshire Council undertakes food sampling in accordance with current approved codes of practice, regulations, and guidance. Our food sampling policy is published on the Council's website, and a sampling programme detailing an estimate of the number of samples to be taken is produced annually. The programme is discussed with the Council's Public Analyst and is informed by guidance from Food Standards Scotland (FSS) and the Scottish Food Enforcement Liaison Committee (SFELC), who produce an annual report detailing suggested National sampling priorities.

As well as the published national priorities the Council prioritises our own routine sampling based on three broad categories:

Priority 1 – Samples required to meet statutory obligations: including complaint samples or samples that require to be taken to investigate food related outbreaks and incidents.

Priority 2 – Samples required for effective food safety enforcement: including microbiological samples taken from high risk premises, and chemical samples from producers, packers or importers sending food outwith South Lanarkshire Council

Priority 3 – Samples which give added value or which support local initiatives and projects: including surveys and sampling to support local initiatives.

When undertaking sampling on the basis of the above priorities, where possible we will always seek to integrate national priorities into our sampling activity. This is achieved by collecting the types of products outlined in FSS's list of National Priorities when we sample from our high risk premises and local manufacturers. The frequency of sampling of individual food businesses based in South Lanarkshire is determined by employing a rating scheme which takes into account a business's food law/food hygiene risk rating and combines this with the type of operations they carry out. The rating scheme is designed to ensure that businesses such as approved premises (not egg packers or cold stores/re-wrapping establishments) and manufacturers of high risk foods within South Lanarkshire Council are sampled more frequently than local lower risk establishments. The most recent sampling programme drawn up for 2022/23 set an annual target of 448 routine samples per annum, to be procured by the Council's food sampling officer. Complaint/Incident related samples are taken in addition to this routine sampling and in the event of large scale

incidents these samples will take priority over routine sampling activities. The Food & Business regulation team aim to take part in Food Standard's Scotland and West of Scotland Food Liaison group surveys wherever possible, and where resources allow.

South Lanarkshire Council have appointed Edinburgh Scientific Services, who are a designated 'Official Control Laboratory', to provide Public Analyst and Food Examiner services. The contract for such services was awarded in 2021 for 4 years, with the option to extend it for a further year to June 2026.

Routine sampling is carried out by a sampling officer employed by the Council to conduct sampling 3 days per week. Complaint and incident related samples will be procured and submitted by all suitably Authorised Officers of the Service, as and when sampling is deemed necessary to investigate potential contraventions of food law.

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

South Lanarkshire Council investigate food poisoning notifications in line with a 'Policy for the routine investigation of foodborne infections' developed and agreed with NHS Lanarkshire and North Lanarkshire Council in May 2018. An appendix contained within this policy details the types of cases that require epidemiological investigation. These include bacteria, viruses, and parasites, such as E coli 0157 and other Shiga toxin-producing E coli (STEC), Salmonella species, Clostridium perfringens, Clostridium botulinum, Shigella species, Staphylococcus aureus, Bacillus cereus, Vibrio cholera, Hepatitis A, Giardia and Cryptosporidiosis; and in addition, toxic forms of foodborne disease including scombroid. Surveillance of Campylobacter (the bacteria which results in the highest number of cases of reported foodborne infection year on year) is conducted, however epidemiological interviews are only undertaken where a case originates from a suspected outbreak.

Health Protection Scotland (HPS) publish data on a 5 yearly basis on the incidence rate per 100,000 population of many of these organisms per health board area. The most recent report from 2017-2021 showed that Lanarkshire was above the Scotland wide average for cases of Campylobacter, and for Salmonella from 2017-2020; however, we were slightly below average for cases of Salmonella reported in 2021. For all other bacteria, viruses and parasites reported on, including E coli 0157, STEC, Cryptosporidium and norovirus Lanarkshire was below the Scottish national average. The following table details the number of notifications received by South Lanarkshire Council from 2019-2022. The number of notifications received reduced significantly during the Covid pandemic in 2020 and 2021, however in an average year the number of notifications received would be

expected to be in the region of 109 notifications per annum, all of which are investigated by the Food & Business regulation team using existing resources.

Service Demand Type	2019 Figure	2020 Figure	2021 Figure	2022 Figure	Estimate of numbers expected per annum based on previous years
Infection Disease Notifications	132	36	50	85	109

South Lanarkshire Council prioritise the investigation of outbreaks as and when we become aware of them, or when they are notified to us. Outbreak investigations are conducted in accordance with the 'Public Health Incident Plan' developed by NHS Lanarkshire to deal with such incidents. South Lanarkshire Council have in addition worked in partnership with NHS Lanarkshire and North Lanarkshire Council to produce a Joint Health Protection Plan for the Lanarkshire area. This is an important document which acts as a reference point for assisting in the investigation and control of public health outbreaks and incidents.

3.7 Food Law Incidents

South Lanarkshire Council will respond to food law incidents and food alerts in accordance with the processes outlined in Section 2 of the Food Law Code of Practice Scotland 2019. This includes categorising incidents and notifying FSS and other relevant agencies of all serious localised and non-localised hazardous incidents by the quickest available means. In practice this will take the form of an initial telephone call followed up by submission of an incident report form and subsequently updating any information or actions required on FSS's incident database 'CLIO'. All incidents will be investigated as a matter of priority.

Out of hours contact details for South Lanarkshire Council's Environmental Services Team have been provided to FSS.

In relation to food alerts, again these will be responded to in accordance with the Food Law Code of Practice Scotland 2019, with food alerts for action being responded to and actioned without undue delay. Product recall information notices and allergy alerts are logged and circulated to all officer's within the Food & Business regulation team for information and awareness purposes.

Only two food alerts for action have been issued by FSS since 2018 therefore demand for such actions is not expected to be high. In respect of incidents/withdrawals/recalls South Lanarkshire Council estimate that we may be involved in 3-4 incidents per annum, that each take around 2 days of officer time. This estimate does not include serious incidents, major investigations or reports to the procurator fiscal as these events can involve a number of officers, can run for months or years and are therefore not able to be accurately quantified.

3.8 Liaison with Other Organisations

To facilitate efficient, effective and consistent enforcement with neighbouring Local Authorities, South Lanarkshire Council attend and participate in the West of Scotland Food Liaison Group (WSFLG). South Lanarkshire Council currently chair this group which includes representatives from a total of 13 Local Authorities based in the southwest of Scotland, a Public Analyst representing Glasgow Scientific Services, and representatives from Food Standards Scotland. The group provides a forum for the discussion of relevant topics, sharing best practice guidance, initiating surveys or projects and co-ordinating specific investigations. This local liaison group, along with other similar groups in the North, East and in Lothian & Borders support the work of the national Scottish Food Enforcement Liaison Committee (SFELC). The Scottish Food Enforcement Liaison Committee supports the work of FSS by providing information and expert advice in relation to food law enforcement. SFELC contributes to the development and implementation of FSS strategies and policies. As the chair of the WSFLG South Lanarkshire Council are represented on SFELC. We chair one of the SFELC working groups on Specialist Cheese and recently chaired a sub group of a SFELC working group looking at Local Authority Food Law recovery, following the easing of restrictions during the pandemic. More recently we have been involved in a working group chaired by Food Standards Scotland looking at the future of interventions at dairy farms.

South Lanarkshire Council liaise with NHS Lanarkshire and North Lanarkshire Council and have produced a Joint Health Protection Plan for the Lanarkshire area (2013-2015), as well as agreeing procedures to be followed in the investigation of infectious diseases and in the investigation and control of public health outbreaks and incidents. We are represented on Lanarkshire's Healthy Weight Subgroup where we liaise with colleagues in NHS Lanarkshire's public health team. We are also represented on the Scottish Health Protection Network (SHPN) STEC subgroup, which consists of members including Health Protection Scotland, the Scottish E.coli Reference laboratory, Consultants in Public Health Medicine from health boards, Food Standards Scotland, the Health and Safety Executive, Microbiologists from diagnostic laboratories and Scottish Government health protection colleagues. This group is tasked with overseeing the completion of outstanding recommendations contained in Scotland's VTEC/E coli 0157 action plan. In addition we liaise with our own Public Analyst, Edinburgh Scientific Services regarding our annual sampling programme, and with Food Standards Scotland in relation to the sampling of bottled water and other routine sampling surveys.

Internally the Food & Business regulation team review applications and consult with planning and building standards on the structural requirements required to meet Food Law requirements for new food businesses. We consult with our Licensing colleagues in relation to issuing certificates of compliance to street traders and Section 50 food hygiene

certificates to persons submitting applications for a premises licence under the Licensing (Scotland) Act 2005. We also consult with licensing in respect of small-scale local events where food may be provided and are represented on the Council's Safety Advisory Group (SAG) which coordinates and considers larger scale event applications to South Lanarkshire Council. Larger events in 2022 included a music festival and a fireworks event. All liaison is conducted using existing resources.

3.9 Food Law promotional work, and other non-Official Controls interventions

South Lanarkshire Council have for some years now utilised the option in the Food Law Code of Practice (Scotland) 2019 to alternate between Official Control and non-Official Control interventions for primary production establishments D rated in accordance with Annex 5 of the Code, specifically in relation to food hygiene interventions conducted at dairy farms. Due to the low risk nature of these activities versus the higher risk recovery visits planned for 2023/24 these establishments will not feature in our interventions programme this year. South Lanarkshire Council are however represented on a working group chaired by Food Standards Scotland looking at the future of interventions at dairy farms and are previously piloted remote interventions in such establishments as part of this project.

Officer's within Food & Business regulation will continue during 2023/24 to offer advice to new and existing food business operators in response to enquiries and during routine interactions. We use, promote and provide copies of Cooksafe as well as directing businesses to other online resources, including free allergen training, as and when required. In addition advice is provided to all low risk food businesses who register with us but who will not receive a proactive intervention as set out in the Interventions Food Law Code of Practice (Scotland) 2019. In particular this information contains advice on the requirements for allergens to specifically target businesses producing low risk foods based from a domestic dwelling.

South Lanarkshire Council will continue to support and promote Food Standards Scotland's 'Eatsafe' Award Scheme. Currently 142 food business establishments hold this award within South Lanarkshire, many of which are schools. All non-official control activities will be undertaken using existing resources.

3.10 Food Crime and Fraudulent activities

Food fraud and/or food crime is defined in the Food Law Code of Practice (Scotland) 2019 as 'serious dishonesty that impacts detrimentally on either the safety or the authenticity of

food'. Where food fraud and/or food crime is detected by officers of South Lanarkshire Council in the course of our duties our policy as set out in the Code is that we will contact Food Standard's Scotland's 'Scottish Food Crime and Incidents Unit' at the earliest opportunity in order that where necessary a joint investigation can be instigated. In addition, where officers of South Lanarkshire Council obtain or gather evidence that may be used to support wider investigations relating to food fraud and/or food crime we will report this information via the shared intelligence database known as 'CLUE'. It is difficult to estimate the resources required to deal with food crime, however where a serious risk to public health exists any such situation will be awarded the highest priority utilising all available resources.

4. Finance and Staffing

4.1 Financial Allocation

Environmental Services does not have a separate cost centre for the 3 sections which operate within Environmental Health. The budget allocation for the Food and Business Regulation team has not been reduced in recent years.

In relation to the establishment, the number posts in the Food and Business Regulation team remained constant since 2018/19 until it was slightly increased from September 2023 by 0.27FTE. The increase was due to a transfer of resource from the Public Health & Housing team.

4.2 Staffing Allocation

South Lanarkshire Council's Food & Business regulation team carries out functions including food safety, occupational health and safety, infectious disease investigations and caravan site licensing. Approximately 87% of officer time is currently spent on our food safety function. The team is overseen by the Environmental Services Manager who is the budget holder and is a qualified Environmental Health Officer (EHO). The day-to-day management of the team is the responsibility of a Divisional Environmental Health Officer who is also the Lead Food Officer, and who is assisted by 1.8 Environmental Health Team Leaders, all of whom are fully qualified EHO's. The team currently have an establishment of 13.57 full time equivalent (FTE) front line Environmental Health Officers/Food Safety Officers/Technical Assistants (sampling officers) to carry out tasks including food safety tasks required by the Food Law Code of Practice (Scotland) 2019. We had one EHO vacancy equating to approximately 0.35 of a post at the start of 2023/24. This was filled in September 2023; including an additional 0.27 FTE posts being added to the establishment at that time. The

breakdown of FTE posts in terms of the number of staff working on the delivery of food Official and Non-Official controls and including vacant posts is as follows:

Job Title	Qualification	Authorisation Level	FTE allocated to Food Law Code of Practice Tasks
Environmental Services Manager	Fully qualified EHO with over 2 years experience	Fully authorised to conduct all Food Law Code of Practice Tasks	0.2
Divisional Environmental Health Officer (Lead Food Officer)	Fully qualified EHO with over 2 years experience	Fully authorised to conduct all Food Law Code of Practice Tasks	0.8
Environmental Health Team Leaders x 2 (1 full time and 1 part time)	Fully qualified EHO's with over 2 years experience	Fully authorised to conduct all Food Law Code of Practice Tasks	1.35
Environmental Health Officers (8 full time and 3 part time)	All fully qualified EHO's. One full time officer has less than 2 years experience.	Fully authorised to conduct all Food Law Code of Practice Tasks. Officer with less than 2 years experience will not inspect complex processes or issue RAN's or HEPN's	8.7
Food Safety Officer x3 (2 full time and 1 part time)	Fully qualified Holders of the Higher Certificate in Food Hygiene and Food Standards Inspection with over 2 years experience	Authorised to conduct all Official Controls with the exception of the seizure and detention of food	2.47
Technical Assistant (Sampling Officer) x 1	Student FSO, no Food Law Code of Practice Official Control qualifications held	Authorised to conduct Non-Official Controls <u>only</u> under the supervision of Fully Authorised EHO's/FSO's	0.6

4.3 Staff Development Plan

All staff within South Lanarkshire Council undergo an annual Performance Appraisal, which as well as assessing performance during the previous year also assesses future training needs. Environmental Services produce an annual learning and development priorities matrix which details training which the Service will seek to provide to staff each year. For Food & Business Regulation staff this includes standing items such as 10 hours of Food safety related CPD, Level 4 HACCP and OCV training. Other new and/or emerging issues are added as required, along with any sector specific training in complex processes. Training is identified annually and if this cannot be conducted in house external training will be sought.

All officer's conducting Official control interventions undertake a minimum of 10 hours CPD per annum and in the past 2-3 years all but two officers within the Food and Business Regulation team have completed Official Control Verification (OCV) training provided by Food Standards Scotland. In addition, 7 Officers have successfully completed Level 4 HACCP training, and training has been sought and provided for officers required to inspect specialised processes. We currently have 3 officers with specialist training in cheesemaking and a further 3 who have attended specialist training on Bivalve Shellfish Hygiene and Verification. South Lanarkshire Council will continue our programme of training during 23/24, ensuring all newly qualified officer's undertake Level 4 HACCP and OCV training and that any additional specialist training is provided for officer's where necessary.

Student EHO's have an appointed training officer within South Lanarkshire Council who ensures they are provided with the training they require to competently progress to sitting their professional examinations. During this time, they will be included in much of the training offered to qualified officer's as well as any additional training specific to their needs. Newly qualified officers will be supervised and mentored until the Lead Food Officer deems them competent to inspect all types of food establishment. Upon qualification they will be supervised for at least 3 months and will not initially be tasked with inspecting approved premises or high-risk manufacturers but may be appointed as 2nd officers for such establishments. This will allow them to gain on the job experience, training and mentoring, such that once they have completed Level 4 HACCP and OCV, together with on-the-job training and mentoring they may then be deemed competent to inspect these types of establishments.

4.4 Estimate of Resources

The number of officers allocated to food law enforcement is the minimum required to deliver effective food official controls. There is no capacity to accommodate prolonged absences and this may require available resources to be reprioritised during 2023/24.

5. **Monitoring**

5.1 **Quality assessment and internal monitoring**

Internal monitoring was not conducted in South Lanarkshire Council during the pause in food law interventions as a result of the pandemic in 20/21 and 21/22, however the desktop transfer process ahead of the restart of food law interventions in September 2021 did provide the opportunity for some internal monitoring to be conducted in terms of the accuracy of our database of food establishments, including looking at risk groups and categories, and in some cases also at officer risk scoring. This type of monitoring, along with accompanied visits continued during 22/23, however full internal monitoring procedures have yet to recommence following the pandemic.

South Lanarkshire Council aim to implement procedures to further monitor the progress, quality and consistency of interventions undertaken by the Authority towards the end of 23/24. Monthly checks have been conducted since September 2021 to check that all high risk establishments are inspected within the timescales indicated in the Food Law Code of Practice; to ensure that inspections are not overdue or missed; and to check that high risk establishments are being prioritised by officer's for inspection. In addition, accompanied inspections are regularly carried out by the Service's two team leaders to provide mentoring and assistance with complex cases, and all notices issued are reviewed and approved by the Divisional Environmental Health Officer or Team Leaders prior to being served. During 23/24 this will be supplemented with completion of a quality monitoring checklist, which was drawn up prior to the pandemic and is designed to assess:

- Adherence to our planned intervention programme;
- Compliance with Codes of Practice and FSS guidance;
- The consistent assessment of intervention ratings;
- Appropriate use of relevant inspection documentation;
- Compliance with internal procedures, policies and the Food Authority's enforcement policy;
- That action taken following interventions is consistent with FSS and/or SFELC guidance; and
- That Authorised Officer's are aware of and have access to Industry Codes of Practice, and have due regard to published UK or EU guides to good practice.

The Food and Business Regulation team report quarterly, through South Lanarkshire Council's own internal monitoring systems, the % of businesses inspected within South Lanarkshire Council who are broadly compliant with Food Law requirements. The target set for this measure is currently 85% of all businesses inspected, however since the

implementation of the Food Law Rating Scheme in 2019 this service has seen a notable increase in the percentage of premises reaching this target. Currently the number of premises broadly compliant with Food Law requirements is in the region of 95%.

6. Review

6.1 Review against the Service Plan

This Service Plan will be reviewed annually by the Divisional Environmental Health Officer. The review will include information on performance against this service plan, including reviewing any performance targets or targeted outcomes set. For 22/23 this consisted of reviewing how the Service had performed against the priorities and intervention timescales detailed in the Local Authority Recovery Project Report issued by Food Standards Scotland on 16th October 2020. This same standard will be assessed for 23/24. The % of businesses inspected within South Lanarkshire Council who are broadly compliant with Food Law requirements will continue to be reported via the Council's internal monitoring system on a quarterly basis.

The combined review of our performance since the restart of inspections in September 2021, and during 22/23, can be summarised as follows:

During the first 18 months of our recovery plan, which ran from 1/9/21-28/2/23 South Lanarkshire Council planned to conduct interventions in 1067 food establishments, 922 of which were conducted within this timeframe. This included those food establishments who received interventions, and those which were visited but noted to have closed. It equates to 86% of planned interventions conducted on time and includes our Group 1 and Band D & E rated establishments. A further 1.5% of these establishments received interventions just outside of this timeframe and inspections missed consisted of Group 2 Band B & C rated establishments. In the same period officers completed a total of 1710 interventions in food establishments altogether, 1506 of which received food law interventions and a further 204 of which were noted to have ceased trading at the time they were visited. The additional interventions over and above those in the original recovery plan consisted of; visits to approved establishments; visits regenerated following initial FLRS inspections; and interventions conducted in high-risk unrated establishment that were incorporated during this timeframe.

In March 2023 all but 4 of the recovery inspections originally planned for March were moved to later in the programme to accommodate approved premises, higher risk recovery

visits missed in the first 18 months of our recovery programme, higher risk visits regenerated following previous inspections, and high-risk unrated establishments. All recovery inspections moved consisted of Group 2B establishments that have historically demonstrated high standards of food law compliance. In addition to this 35 generally compliant or very compliant establishments which had been inspected since the re-start of our food law programme in September 2021 were also moved to later in the programme to accommodate the above higher risk establishments. This is in line with the way in which we have outlined that the Food & Business Regulation team will select and prioritise interventions at food establishments in the 'Service Delivery' section of this Service Plan. We will continue to prioritise our interventions in this manner throughout 23/24.

In summary, the overall performance of the Food & Business Regulation team from September 2021 until the end of 22/23 has been commendable, in the context of having 2 full time EHO's on maternity leave, from the start of July 2022 and September 2022 respectively. In addition, we have had some long-term absence issues during this time, and have had a serious health and safety incident to investigate, which diverted some of our resources away from food law intervention work. Had we not experienced this deficit in resources, which was not foreseen when our recovery plan was developed, it is likely that we would have met our proposed targets for 22/23.

Overall, the resourcing pressures facing the team are similar to the situation in the majority of councils across Scotland. FSS has estimated an additional 180 FTE officers would be required across Scotland to deliver official food controls as set out in the Code of Practice. Recognising the position Councils are in, FSS has initiated a project to review food safety delivery systems in Scotland, so they are more realistically aligned with available resources.

6.2 Areas of Improvement

Any areas identified as requiring action following on from the review and quality assessment/internal monitoring processes will be addressed by the Food & Business Regulation extended management team. Action taken shall range from immediate action to inclusion in the Service Plan for future years.

Many of the issues in terms of resourcing during 22/23 were out with our control, however the Service have taken steps to ensure that going forward we can maintain our establishment at full capacity, in order that we can maximise our performance. We have already taken steps early in 23/24 to recruit to a vacant part post created due to retirement, and also to another full time post soon to become vacant due to retirement. In addition, we expect both of our EHO's currently on maternity leave to return to us early in the autumn.

South Lanarkshire Council were audited by Food Standards Scotland in February 2023. Areas for improvement were detailed in an action plan, which the Food & Business Regulation team are working to address. Whilst the final audit report, at the time of writing, has yet to be published, progress has been made already in completing 5 of the 10 items listed, one of which is to finalise this Service Plan and seek it's approval at Committee. Actions completed so far include ensuring that information transferred from our database to FSS's Scottish National Database is accurate. Work has been done to ensure this is the case as whilst on the whole this information was accurate, an issue was noted specifically in relation to our enforcement actions which has now been addressed. We have also updated our standard letters and reports to ensure all applicable main pieces of legislation are included in the headers, that specific timescales are provided on typed letters, and that there is space to detail legislation contravened on hand-written reports. Finally, we have provided details on how we prioritise our 'unrated' business establishments and this is detailed within our Service Plan. Throughout the course of 23/24 we aim to complete the rest of the actions listed in the action plan, including seeking approval of this Service Plan at committee, updating some of our policies and procedures, and lastly re-starting full quality monitoring to include completion of our quality monitoring checklists.