

# Report

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Report to:	<b>Community Services Committee</b>
Date of Meeting:	<b>17 January 2017</b>
Report by:	<b>Executive Director (Community and Enterprise Resources)</b>

Subject:	<b>Review of Official Food and Feed Controls during 2015/2016</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ Inform the Committee of the official food and feed law controls delivered during 2015/2016.
- ◆ Provide the Committee with information on Food Standards Scotland's approach to local authority audits.

## 2. Recommendation(s)

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

- (1) that the contents of the report be noted;
- (2) that an annual report on food and feed law controls continues to be reported to the Committee on an annual basis; and
- (3) that the approach to auditing by Food Standards Scotland is noted

## 3. Background

3.1 Environmental Health and Trading Standards are the designated enforcement authorities and are responsible for the delivery of official food and feed controls (e.g. inspections, audits, sampling and analysis, etc.).

3.2 In April 2015, Food Standards Scotland (FSS) was established and replaced the Food Standards Agency as the Central Competent Authority for Scotland. FSS has issued a new Food Law Code of Practice and a Food and Feed Law Codes of Practice which require performance to be reported in relation to food and feed official control delivery and also conduct a performance review of the previous year's activity. The purpose of this report is to respond to these issues.

## 4. Food and Feed Service Plan Review

4.1 A summary of the delivery of the official food and feed controls has been provided at Appendix 1. It is recommended that the review of feed and food official controls continues to be reported to Committee on an annual basis.

4.2 FSS has a remit to oversee delivery of feed and food law and audits local authorities in this regard. FSS issued their policy document 'Audit of Enforcement Authorities' in May 2016.

4.3 FSS' approach to local authority auditing will be to check for compliance with food law and will include an onsite visit to monitor how official controls are being delivered.

4.4 FSS has advised that they will include details of any corrective or preventative actions that a local authority requires to take following an audit. An action plan will be prepared following an audit when appropriate. A new feature of the audit process will be to incorporate a root cause analysis of any non-compliance found.

## **5. Employee Implications**

5.1 There are no employee implications.

## **6. Financial Implications**

6.1 There are no financial implications.

## **7. Other Implication**

7.1 Environmental Health is a statutory function concerned with the protection of the health of consumers. The management and delivery of the service relies primarily on sufficient numbers of suitably qualified and authorised staff. Lower staffing levels could result in an increased probability of these protective functions being compromised and could threaten the satisfactory implementation of the requirements of the Service Plan.

7.2 There are no sustainability implications arising from this report.

## **8. Equality Impact Assessment and Consultation Arrangements**

8.1 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.

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

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

9 December 2016

### **Link(s) to Council Objectives and Values**

- ◆ Council Value: Accountable, effective and efficient
- ◆ Council Priority Objective: Support the local economy by providing the right conditions for growth, improving skills and employability

### **Previous References**

- ◆ Community Services Committee June 2015 – Review of Official Food and Feed Controls 2014/15.

### **List of Background Papers**

None

**Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:- Craig Brown, Environmental Services Manager

Ext:- 4403

E-mail:- [Craig.Brown2@southlanarkshire.gcsx.gov.uk](mailto:Craig.Brown2@southlanarkshire.gcsx.gov.uk)

## **APPENDIX 1**

### **SECTION 1: SERVICE AIMS AND OBJECTIVES**

#### **1.1 Aims and Objectives**

Provide a comprehensive food safety enforcement and advisory service to reduce the risk of food borne infection.

Undertake visits to producers and distributors of animal feedstuffs to ensure statutory compliance

Undertake visits to Primary Producers subject to Food Standards Agency (FSA) funding and Targets

#### **1.2 Links to Corporate Objectives and Plans**

The work of the Environmental Services in respect of food and feed safety links into the Council's Connect objective to improve and maintain health and increase physical activity.

Environmental Services partnership working with Health Board colleagues and other agencies continues to link into common objectives and joint plans to improve the health of those living and working within South Lanarkshire.

### **SECTION 2: BACKGROUND**

#### **2.1 Profile of the Local Authority**

South Lanarkshire is a mixed urban and rural authority and this is reflected in the range of food and feed businesses which operate locally. In addition to the retail and catering food businesses typically found in all local authorities, South Lanarkshire has a wide range of food manufacturing and processing businesses that produce food for local, national and international markets. The large rural areas of South Lanarkshire also give rise to a significant number of agricultural businesses involved in the primary production of food and feed and the area still retains a large number of dairy farms and dairy product processors.

#### **2.2 Organisational Structure**

During 2015/2016 the Service was structured along a functional operating model for Environmental Health and Trading Standards. Environmental Services comprises of four teams. Food and feed official controls are delivered by the Food and Business Regulation team. A team comprising several discrete units operates across the whole of South Lanarkshire, delivering services aimed at protecting the environment, dealing with anti-social behaviour noise and community safety; a team deals with enforcing public health and private sector housing legislation; and a team delivers the consumer and trading standards function. All teams are based at Montrose House, Hamilton.

#### **2.3 Scope of Environmental Services**

The scope of Environmental Services includes all Food and Feed Safety activities for which local authorities have statutory responsibility.

In addition the Service is also involved in the investigation of outbreaks of food borne illness in partnership with Lanarkshire Health Board and also deals with all public and private water supply issues.

#### **2.4 Food Safety Demands**

There are 2569 premises with the risk profile being as follows:

##### **Food Hygiene Premises Risk Rating**

Category A risk premises - 23

Category B risk premises - 250

Category C risk premises - 824

Category D risk premises - 810

Category E risk premises - 609 (low risk)

### **Food Standards Premises Risk Rating**

Category A risk premises - 14

Category B risk premises - 411

Category C risk premises - 2072 (low risk)

Low risk category premises are included in an Alternative Enforcement Strategy whereby businesses receive a focused inspection or receive a questionnaire and advice.

Overall the number in each category remained relatively constant during 2015/2016 which is a positive step in terms of maintaining food safety standards. A change in the food hygiene rating scheme resulted in a reclassification of some medium risk premises.

### **Feed Hygiene Premises**

There are a total of 915 premises that are involved with animal feed, comprising:

Farms	874
Low – Medium Risk	517
Low Risk / still to be registered	357

Manufacturers 5 Medium – High Risk

Hauliers 7 Low Risk

Food Manufacturers (surplus non Animal By Product (ABP) for feed chain processing) 2

Low Risk Retailers (surplus non ABP food for feed processing) 18 Low - Medium Risk

Feed suppliers/retailers/brokers 9 Low Risk

## **SECTION 3: SERVICE DELIVERY**

### **3.1 Food and Feedingstuffs Premises Inspections**

In accordance with policy, priority was given to ensuring that routine programmed food hygiene inspections were undertaken in accordance with at least the minimum frequency outlined within the Food Law Code of Practice (Scotland):

Category A Inspections once every 6 months

Category B Inspections once every 12 months

Category C Inspections once every 18 months

Category D Inspections once every 24 months

Category E A programme of alternative interventions every 3 years

A total of 3156 interventions were made to food premises last year. These included programmed inspections, re-visits, sampling, food complaints, food alerts and advisory visits. 87% of food businesses were found to be broadly compliant during 2015/2016.

The visits are predominantly conducted on an unannounced basis and many are undertaken during the evenings when the business is operating.

35 feed inspections were carried out in 2015/2016 to check compliance and 95% of establishments were found to be broadly compliant.

### **3.2 Food and Feedingstuffs Enquiries**

A total of 853 requests were received in relation to food and feed last year which was less than the previous year. 98% of these enquiries were responded to within 48 hours of notification as detailed within the Service Plan.

### **3.3 Home Authority Principle**

Home Authority arrangements remained unchanged and considerable work was undertaken to respond to enquiries and requests for information from local businesses mainly in relation to food labelling and the provision of export certificates.

### **3.4 Advice to Business**

An important part of the work of the Service continued to be providing advice to food businesses. Advice is usually requested and given to assist food and feed business owners to meet their statutory responsibilities but some advice is also given on technical issues in order to prevent unnecessary expenditure. 99.0% of enquiries were responded to within the 2 day target specified in the Service Plan. The number of requests for advice was in line with the number of request received in 2014/15.

### **3.5 Sampling**

485 samples from food premises were submitted to the laboratory last year and the majority of samples were subsequently reported to be satisfactory by the Public Analyst. Sampling is principally focussed on local products and/or as part of national sampling projects.

25 feed samples were taken during 2015/2016; four were unsatisfactory and were followed up by inspections to check the procedures for producing the affected batch of feed.

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

A total of 160 cases of food poisoning were investigated last year which is higher than the previous year, but within the target set by the Service Plan. Some of these cases related to persons returning from holiday abroad.

100% of cases were investigated within 24 hours of notification as detailed within the Service Plan.

An Outbreak Control Plan to identify and control the spread of infection has been agreed with Lanarkshire Health Board and this is kept under review. No suspected food related outbreaks were reported during 2015/2016.

### **3.7 Food Safety Incidents.**

This is a national electronic warning system whereby Food Standards Scotland can send details of food related issues to all local authorities for information purposes or for action, depending on the circumstances. A Food Alert for Action is issued where intervention by enforcement authorities is required. These notices and alerts are often issued in conjunction with a product withdrawal or recall by a manufacturer, retailer or distributor.

Food Standards Scotland issued 1 Food Alert for Action during 2015/2016. The main purpose is to ensure that food products which may be unsafe or not meet statutory requirements are withdrawn from sale as quickly as possible.

Allergy alerts are also issued to highlight issues relating to the composition of a product which may not be properly included in the list of ingredients and where one of these may cause an allergic reaction which can be very serious in some instances for example the presence of nuts in a product.

### **3.8 Liaison with other Organisations**

South Lanarkshire continued as an active member of the West of Scotland Food Liaison Group the authority is also represented on the Scottish Fish Hygiene Working Group and the Artisan Cheese Working Group.

Regular meetings also take place with NHS Lanarkshire to which a representative from Scottish Water is normally invited.

In relation to feed South Lanarkshire continued to be an active member of the West of Scotland Feed Group and also attend the national SFELC Feed Sub-committee.

### **3.9 Food and Feedingstuffs Safety and Standards Promotion**

During 2015/2016 South Lanarkshire Council continued to participate in the national Food Hygiene Information Scheme. This is a Food Hygiene rating system which incorporates the display of PASS or IMPROVEMENT REQUIRED certificates to assist consumers in deciding which premises they wish to support with their custom.

The Service continues to work in partnership with the Food Standards Scotland regarding their Eat Safe initiative. In South Lanarkshire 117 food businesses have achieved the required standard and it is proposed to continue promoting the award.

An important partnership continues with the Healthy Living Award scheme. The main focus of this scheme is to encourage and recognise food premises which provide food of which over 50% meets specified minimum nutritional requirements. In addition the premises have to meet certain criteria in regard to food hygiene standards which are regulated by Local Authorities; 26 local businesses hold the Healthy Living award.

## **SECTION 4: RESOURCES**

### **4.1 Financial Allocation**

The financial allocation for the Service was sufficient in order to provide the resources necessary for the Council to meet its Service Plan commitments.

### **4.2 Staffing Allocation**

The reintroduction of a functional operating model has increased the amount of time officers spend on food safety duties; the estimated FTE in 2015/2016 was 12 which was 0.05 higher than the previous year.

Sufficient resources are available to deliver feed hygiene official controls and in 2015/2016 0.425 FTE officers were involved in this work.

### **4.3 Staff Development Plan**

A Performance Review and Development Scheme has been implemented for all staff and is generally working well and is linked into the Service Plan through the key work objectives. It has been challenging for officers to meet the CPD requirements of the Code of Practices for Food and Feed. However, staff from the service attend external training events when they arise.

## **SECTION 5: REVIEW**

### **5.1 Review against the Service Plan**

The Service Plan was reviewed on a quarterly basis at Environmental Services Management meetings. The Environmental Services Manager also reviews the performance with the Head of Service on an ongoing basis.

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

There were no significant variations of the 2015/2016 Service Plan

### **5.3 Areas of Improvement**

The Service will implement and close off the action plan associated with the Food Standards Agency Dairy Establishments audit from 2014. This will benefit the food service overall in respect of updated policies and procedures and through improved internal monitoring.

#### **5.4 External Audit**

The Service was not audited by Food Standards Scotland during 2015/2016.

### **SECTION 6: PERFORMANCE PLANNING**

#### **6.1 Performance Plan**

The majority of targets detailed within the Service Plan were achieved and it was demonstrated that resources were targeted at the areas of highest risk.

#### **6.2 Performance Indicators**

The percentage of "broadly compliant" food premises which generally achieved satisfactory food safety standards remained relatively constant at 87% during 2015/2016. This reflects very well compared to other performance figures elsewhere in Scotland.