

Report

Report to:	Community and Enterprise Resources Committee
Date of Meeting:	30 May 2023
Report by:	Executive Director (Community and Enterprise Resources)

Subject:	Appointment of Public Analysts, Agricultural Analysts and Food Examiners
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ seek approval for the appointment of a Public Analyst, Agricultural Analyst and Food Examiners to undertake the relevant statutory duties for the Council

2. Recommendation(s)

2.1. The Committee is asked to approve the following:-

- (1) that the appointment of Karen Maddison of Aberdeen Scientific Services to act on behalf of South Lanarkshire Council as Public Analyst and Agricultural Analyst be approved; and
- (2) that the appointment of Sarah Green and Claire Brechin of Edinburgh City Council to act on behalf of South Lanarkshire Council as Food Examiners be approved.

3. Background

- 3.1. Amongst the duties and roles of South Lanarkshire's Environmental Service there is a need for Officers to sample a range of produce and goods such as food, water and toys and have these items tested to ensure that they are safe and comply with statutory standards.
- 3.2. Chemical analysis can involve checking for the presence of lead in drinking water which needs to be certified by a Public Analyst. At the same time microbiological examination, of foodstuffs for the presence of Salmonella needs to be certified by a Food Examiner, while samples may be taken for a range of purposes, including the investigation of suspected food poisoning outbreaks which may have been brought to the attention of the Council from consumer complaints, routine surveillance or as part of local or national surveys.
- 3.3. Within this context and as required by the Local Government (Scotland) Acts, Councils are required to appoint one or more Public Analysts to carry out duties under the Food Safety Act 1990 within their area.
- 3.4. Public Analysts must possess a Mastership in Chemical Analysis (MChemA) awarded by the Royal Society of Chemistry, and as stated in Regulation 4 of the Food Safety

(Sampling and Qualifications) (Scotland) Regulations 2013, the individual appointed must hold the appropriate qualifications.

- 3.5. Paragraph 85 of Schedule 13 to the Local Government etc (Scotland) Act 1994 also makes it the duty of Councils to enforce Part IV of the Agriculture Act 1994 also makes it the duty of councils to enforce part IV of the Agriculture Act within their area. Section 67(3) of the Agriculture Act requires enforcement authorities to appoint sampling officers and analysts, and Section 67(3)(b) states that authorities shall appoint an Agricultural Analyst.
- 3.6. There is no statutory requirement to appoint Food Examiners, but it is considered to be prudent to do so, should the local authority be called upon in legal proceedings to confirm that a Food Examiner was entitled to act on the Council's behalf. The qualifications for these posts are detailed in Regulation 5 of the Food Safety (Sampling and Qualifications) (Scotland) Regulations 2013 and the individuals referred to in the recommendations of this report hold the appropriate qualifications.

4. Current Position and Proposal.

- 4.1. Following a competitive tender exercise, the City of Edinburgh Council have been contracted to undertake analytical services on behalf of the Council since 2007.
- 4.2. On 21 August 2007, the Community Resources Committee appointed Andrew C Mackie and Robert C Beattie as Public Analysts, Agricultural Analysts and Food Examiners and on 22 May 2018 the Community Resources Committee appointed Robert C Beattie and Christopher Hunt as Public Analysts, Agricultural Analysts and Food Examiners.
- 4.3. In June 2021, the City of Edinburgh Council were awarded a new 4-year contract from June 2021 until June 2025 with an option to extend for one year to June 2026 to provide scientific services.
- 4.4. Previous Public Analyst, Agricultural Analyst and Food Examiner Robert C Beattie retired from the City of Edinburgh Council in 2022; and Christopher Hunt will be retiring imminently. As such there is a need to formally appoint new personnel to fulfil the roles of appointed Public Analysts, Agricultural Analysts and Food Examiners for South Lanarkshire Council.
- 4.5. Edinburgh Scientific Services have entered into a working agreement with Aberdeen Scientific Services and Karen Maddison for her to provide Public Analyst provision at their Edinburgh site.
- 4.6. The City of Edinburgh Council have appointed both Sarah Green and Claire Brechin as Food Examiners.
- 4.7. Therefore, given the above it is proposed that the following individual is appointed as Public Analyst and Agricultural Analyst with immediate effect:-
 - ◆ Karen Maddison BSc (Hons), MChemA., CChem, MRSC
- 4.8. It is also proposed that the following individuals are appointed as Food Examiners with immediate effect:-
 - ◆ Sarah Green BSc (Hons) MRSB MIFST

◆ Claire Brechin MIFST MRSC RSci

5. Employee Implications

5.1. There are no employee implications as a result of the contents of this report.

6. Financial Implications

6.1. The appointment of Public Analysts, Agricultural Analysts and Food Examiners sits within the context of an existing contract the Council have entered into with the City of Edinburgh Council to provide scientific services. The contract was entered into in June 2021 and is due to end in June 2025, with the option at that time to extend the contract for a further year to June 2026. There are, therefore, no additional financial implications associated within this report.

7. Climate Change, Sustainability and Environmental Implications

7.1. There are no significant implications in terms of climate change, sustainability and environmental implications as a result of the contents of this report.

8. Other Implications

8.1. There are no other significant implications as a result of the contents of this report.

9. Equality Impact Assessment and Consultation Arrangements

9.1. This report does not introduce a new policy, function or strategy nor recommend a change to an existing policy, function or strategy and, therefore, no impact assessment is required. There is also no requirement to undertake any consultation in terms of the information contained in this report.

David Booth

Executive Director (Community and Enterprise Resources)

15 May 2023

Link(s) to Council Values/Priorities/Outcomes

- ◆ Accountable, effective, efficient and transparent
- ◆ Fair, open and sustainable

Previous References

- ◆ Community Resources Committee Report 21 August 2007
- ◆ Community and Enterprise Resources Committee Report 22 May 2018

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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