

**Report on the Audit of Local Authority Food Law  
Service Assessment of Food Businesses'  
Food Safety Management System (FSMS)**

Brentwood Borough Council  
8-9 June 2010



## Foreword

Audits of local authorities' food law enforcement services are part of the Food Standards Agency's arrangements to improve consumer protection and confidence in relation to food. These arrangements recognise that the enforcement of UK food law relating to food safety, hygiene, composition, labelling, imported food and feeding stuffs is largely the responsibility of local authorities. These local authority regulatory functions are principally delivered through Environmental Health and Trading Standards Services. The Agency's website contains enforcement activity data for all UK local authorities and can be found at: [www.food.gov.uk/enforcement/auditandmonitoring](http://www.food.gov.uk/enforcement/auditandmonitoring).

The attached audit report examines the Local Authority's Food Law Enforcement Service. The assessment includes the local arrangements in place for officer authorisation and training, inspections of food businesses and internal monitoring. The audit scope was developed specifically to address Recommendations 9 and 15 of the Public Inquiry Report<sup>1</sup> into the 2005 E. coli outbreak at Bridgend, Wales. The programme focused on the local authority's training provision to ensure that all officers who check Hazard Analysis and Critical Control Point (HACCP) and HACCP based plans, including those responsible for overseeing the work of those officers, have the necessary knowledge and skills. Also, that existing inspection arrangements and processes to assess and enforce HACCP related food safety requirements in food businesses are adequate, risk based, and able to effect any changes necessary to secure improvements.

Agency audits assess local authorities' conformance against the Food Law Enforcement Standard ("The Standard"), which was published by the Agency as part of the Framework Agreement on Local Authority Food Law Enforcement and is available on the Agency's website at:

[www.food.gov.uk/enforcement/auditandmonitoring](http://www.food.gov.uk/enforcement/auditandmonitoring). It should be acknowledged that there will be considerable diversity in the way and manner in which local authorities may provide their food enforcement services reflecting local needs and priorities.

The main aim of the audit scheme is to maintain and improve consumer protection and confidence by ensuring that local authorities are providing an effective food law enforcement service. The scheme also provides the opportunity to identify and disseminate good practice and provide information to inform Agency policy on food safety, standards and feeding stuffs. Parallel local authority audit schemes are implemented by the Agency's offices in all the devolved countries comprising the UK.

For assistance, a glossary of technical terms used within this audit report can be found at Annexe C.

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<sup>1</sup> <http://wales.gov.uk/ecolidocs/3008707/reporten.pdf?skip=1&lang=en>

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## **1. Introduction**

- 1.1 This report records the results of an audit at Brentwood Borough Council with regard to food hygiene enforcement, under relevant headings of the Food Standards Agency Food Law Enforcement Standard. The audit focused on the Authority's arrangements for the management of food premises inspections, enforcement activities and internal monitoring. The report has been made available on the Agency's website at:  
[www.food.gov.uk/enforcement/auditandmonitoring/auditreports](http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports).  
Hard copies are available from the Food Standards Agency's Local Authority Audit and Liaison Division at Aviation House, 125 Kingsway, London WC2B 6NH, Tel: 020 7276 8428.

### **Reason for the Audit**

- 1.2 The power to set standards, monitor and audit local authority food law enforcement services was conferred on the Food Standards Agency by the Food Standards Act 1999 and the Official Feed and Food Controls (England) Regulations 2009. This audit of Brentwood Borough Council was undertaken under section 12(4) of the Act as part of the Food Standards Agency's annual audit programme.
- 1.3 The Authority was included in the Food Standards Agency's programme of audits of local authority food law enforcement services, because it had not been audited in the past by the Agency and was representative of a geographical mix of 25 Councils selected across England.

### **Scope of the Audit**

- 1.4 The audit examined Brentwood Borough Council's arrangements for food premises inspections and internal monitoring with regard to food hygiene law enforcement, with particular emphasis on officer competencies in assessing food safety management systems based on HACCP principles. This included a reality check at a food business to assess the effectiveness of official controls implemented by the Authority at the food business premises and, more specifically, the checks carried out by the Authority's officers to verify food business operator (FBO) compliance with legislative requirements. The scope of the audit also included an assessment of the Authority's overall organisation and management, and the internal monitoring of other related food hygiene law enforcement activities.
- 1.5 Assurance was sought that key food hygiene law enforcement systems and arrangements were effective in supporting business compliance, and that local enforcement was managed and delivered effectively. The on-site element of the audit took place at the

Authority's office at the Town Hall, Ingrave Road, Brentwood on 8-9 June 2010.

## **Background**

- 1.6 The Borough of Brentwood is situated in the south-west of Essex in an area of around 15,000 hectares and with a population of about 68,500. The Borough is located less than 20 miles from London within the Metropolitan Green Belt. The town of Brentwood forms the urban centre, however there is also a large amount of farmland, woodland and small villages within the Borough. Employment in the area is concentrated in the service sector.
- 1.7 The Environmental Health Service was responsible for enforcing food hygiene legislation in the Borough. In addition the team was responsible for health and safety enforcement. There are approximately 680 food premises in the district, comprising mainly small to medium catering and retail enterprises. The Authority reported there was one establishment in the Authority's area which required approval under Regulation (EC) No. 853/2004.
- 1.8 The profile of Brentwood Borough Council's food businesses as of 31 March 2009 was as follows:

<b>Type of food premises</b>	<b>Number</b>
Primary Producers	1
Distributors/Transporters	7
Manufacturers/Packers	11
Retailers	154
Restaurant/Caterers	509
<b>Total number of food premises</b>	<b>682</b>

## 2. Executive Summary

- 2.1 The Authority had developed and implemented a comprehensive Food Service Plan for 2009/2010 which was in line with the Service Planning Guidance in the Framework Agreement. The Plan had been agreed by appropriate Members. The Plan for 2010/2011 was being finalised and will also be submitted for Member approval in due course. The Plan would benefit from the addition of a clear comparison of the resources required to deliver the food service against the staff resources available to the Authority.
- 2.2 The Authority had detailed documented procedures on the authorisation of officers. The procedure and schedules of authorisation had recently been reviewed and were comprehensive, including all the key legislative references. The Authority needed to ensure that all officers are appropriately authorised in line with their levels of experience.
- 2.3 The Authority maintained training records for all authorised officers, including contractors, and officers had completed a minimum 10 hours relevant training in food matters in the past year based on the principles of continuing professional development. It was noted in particular that officers had recently undertaken update training on HACCP and that contractors were invited to participate in training activities.
- 2.4 The Authority had in place a comprehensive inspection aide-memoire to prompt officers to fully record their inspection findings and their assessment of the food business operator's (FBO) food safety management systems (FSMS). However, records were not always clearly legible or sufficiently detailed to conform that a thorough assessment of the business' FSMS had been carried out. Consistent full completion of the inspection aide-memoire would assist in ensuring that comprehensive records are maintained. In addition it was not clear that timely follow-up action was always being taken where serious contraventions had been found.
- 2.5 Audit checks confirmed that the Authority was implementing a risk based programme of inspections. Whilst it appeared that there may have been some historic issues in maintaining a risk based inspection programme, it was noted that the programme was being closely managed and there did not appear to be a backlog at the time of the audit. It was noted however that the limited capabilities of the food hygiene database presented challenges in the management of the food hygiene inspection programme.
- 2.6 A procedure on the approval of approved establishments had been developed and recently reviewed. The Authority reported one approved

establishment in the district. It appeared that this has only been recently re-assessed under the requirements of Regulation (EC) No. 853/2004 and that a decision on approval is currently being considered.

- 2.7 The Authority had produced a sampling policy, procedure and programme. Whilst it was clear that re-sampling took place following unsatisfactory results, it was not evident in all circumstances that contraventions identified as part of the sampling investigation were duly followed up.
- 2.8 The Authority had a complaints policy and a comprehensive procedure on the investigation of food and food premises complaints. Whilst thorough investigations of the complaints were made, which included linking the complaint with the effectiveness of the FSMS in place, it was not evident that complaints were always investigated within the response targets.
- 2.9 The Authority had an enforcement policy appended to the Service Plan in addition to further policy guidance contained within the enforcement procedure. The procedure had been recently reviewed and it was identified that it needs to be expanded to cover all available enforcement options. The Authority was adopting a graduated approach to enforcement and there were a number of examples of hygiene improvement notices (HIN) being served on FBOs for failing to develop and implement an effective FSMS. These were in general drafted in accordance with the Food Law Code of Practice and centrally issued guidance, although timely visits to check on compliance were not being made and some time had elapsed before a revisit took place.
- 2.10 The Authority had developed comprehensive internal monitoring procedures covering the range of enforcement activities. It was clear that quantitative monitoring was being carried out, particularly in relation to adherence to the inspection programme, but there was limited evidence of the qualitative monitoring set out in procedures other than examples of accompanied inspections with officers and completed checklists for HINs.
- 2.11 A reality check visit at a food business was undertaken during the audit. The main objective was to assess the effectiveness of the Authority's assessment of food business compliance with food law requirements. The officer was able to demonstrate a thorough knowledge of the FSMS in place, and it was possible to confirm that the officer had carried out an effective evaluation of the compliance of the food business at the most recent inspection. An appropriate risk assessment was carried out and the officer identified areas where improvements need to be made to the FSMS.

### 3. Audit Findings

#### 3.1 Organisation and Management

##### *Strategic Framework, Policy and Service Planning*

- 3.1.1 The Authority had developed an Environmental Health Service Plan 2009/2010 which had been drawn up broadly in line with the Service Planning Guidance in the Framework Agreement and had been approved by relevant Members. A 2010/2011 Service Plan was being finalised at the time of the audit and was due to be submitted for Member approval. The Plan clearly set out the targets and standards for the year. The Plan would benefit from the inclusion of details of the Authority's approach to alternative enforcement in lower risk premises and a clear comparison of the staff resources required to deliver the food law enforcement service against the staff resources available to the Authority.

##### **Recommendation**

- 3.1.2 The Authority should:

Ensure that future Food Service Plans are in line with the Service Planning Guidance in the Framework Agreement, including details of the Authority's approach to alternative enforcement in lower risk premises, and the staffing resources required to provide the food law enforcement service compared with the staffing resources available to the Authority. [The Standard – 3.1]

- 3.1.3 The strategic aim of the Service was to *'ensure that food and drink intended for human consumption which originates from or is consumed in the Borough is safe, wholesome and healthy'*. The aim was supported by a number of specific objectives, which included:

- 1) *To ensure so far as is reasonably practicable that food is fit for human consumption and free from extraneous matter.*
- 2) *To seek to secure the protection of consumers from potential dangers of suspect or contaminated food, particularly which may result in food borne infections.*
- 3) *To secure so far as is reasonably practicable compliance with food safety legislation, the Food Standards Agency Framework Agreement and seek to ensure that regard is had to the official Code of Practice.*
- 4) *To increase the knowledge of food handlers, food managers and the general public about the principles and practice of food hygiene and healthy eating.*



- 3.1.4 The Food Service Plan set out detailed targets, standards and performance indicators for 2009/2010. This included a target to inspect 100% of high risk and other food businesses as required by the inspection programme.
- 3.1.5 The review process for the Plan included formal monitoring of performance against targets on a quarterly basis. The Plan stated that the performance levels for 2008/2009 were broadly in conformance with that period's Service Plan.
- 3.1.6 The returns made to the Food Standards Agency under the Local Authority Enforcement Monitoring System (LAEMS) for 2008/2009 declared that there were 2.85 full time equivalent posts (FTE) allocated to food law enforcement of which 0.75 was administrative. Auditors were advised that the Service was reliant on contractors to complete 90% of the inspection programme. There was one permanent 'field officer' in the team.
- 3.1.7 Following the publication of the report of the Pennington Inquiry, the Service had internal discussions to confirm that policies and procedures relating to food law enforcement were in line with the recommendations made in the report. A particular emphasis was placed on butchers' shop premises, with the food business operator (FBO) being invited for individual discussions on the use of vacuum packing equipment.

#### *Documented Policies and Procedures*

- 3.1.8 The Authority had developed detailed procedures covering the range of food law enforcement issues. The full set of policies and procedures had recently undergone a comprehensive external review and a number of recommendations for improvement had been made. These revised procedures were due to be approved by the Service Team Leader.

#### *Officer Authorisations*

- 3.1.9 The Authority had detailed documented procedures on the authorisation of officers which took account of individual officers' qualifications, experience and competency. The procedure and associated schedules of authorisation had recently been reviewed and were found to be comprehensive and included all key legislative references.
- 3.1.10 Audit checks confirmed that evidence of all officers' qualifications was available including those for contractors and that copies of relevant qualification certificates had been retained by the Authority. Responsibility for the assessment of the appropriate level of authorisation of officers lay with the Team Leader, with the authorisations signed off by the Director of Parks and Regulatory

Services. One officer was found to have full authorisation although they had not been qualified for two years and should not therefore have been authorised to serve remedial action or hygiene emergency prohibition notices.

***Recommendation***

3.1.11 The Authority should:

Ensure that all officers are authorised in accordance with their individual qualifications and levels of experience.

[The Standard – 5.1]

3.1.12 Auditors were advised that an annual performance review system for officers was in place where training needs were discussed. Training records were maintained for all officers, including contractors, which demonstrated that officers had completed a minimum 10 hours relevant training in food matters in the past year based on the principles of continuing professional development (CPD). It was evident that contractors had been included in training initiatives where possible and it was noted that all officers had received recent training on FSMS auditing and assessment.

## 3.2 Food Premises Inspections

- 3.2.1 The Authority had developed and implemented a comprehensive food inspections procedure, and in addition, a separate procedure on the specific requirements for the inspection and approval of establishments requiring approval under Regulation (EC) No. 853/2004.
- 3.2.2 File and database record checks confirmed that whilst there may have been some historical issues in maintaining a risk based inspection programme, the Authority was in general ensuring that premises were being inspected in line with the frequencies set out in the Food Law Code of Practice and were ensuring in particular, that higher risk premises were subject to timely inspection. The programme was being closely managed on a quarterly basis to ensure that there would not be a backlog at the end of the reporting year.
- 3.2.3 The Authority had identified that the current bespoke food premises database was not capable of providing an effective management tool for the food hygiene inspection programme without significant time consuming manual manipulation. It was also not capable of providing accurate returns to the Local Authority Enforcement Monitoring System (LAEMS) without resource intensive manual adjustment to the figures.

### ***Recommendation***

3.2.4 The Authority should:

Ensure that the electronic database system is configured, managed and operated in such a way that the Authority is able to provide accurate statistical data in the official monitoring returns to the Agency and to enable effective quantitative internal monitoring. [The Standard – 6.4]

- 3.2.5 Inspection findings were recorded by officers on a comprehensive aide-memoire which was undergoing review. The form provided clear prompts to officers to detail their inspection findings and in particular their assessment of the food businesses food safety management system (FSMS) in place. The completed forms were then scanned into an electronic document system for future retrieval. The quality of the retrieved documents was variable and some were not clearly legible. In addition officers were not consistently completing all areas of the form and key information was often missing, which included full details of the type of operation and the officers' assessment of the FSMS. It was evident however, from the letters following inspection,

from the reality check and from discussions with an officer that detailed and thorough assessments were taking place and that issues were being identified and brought to the attention of the FBO. It was not always evident however that appropriate and timely follow-up action was being taken where serious contraventions were identified in higher risk premises.

***Recommendation***

3.2.6 The Authority should:

Ensure that complete records of inspection findings are maintained for both general premises and approved establishments, including details of the assessment of compliance with legal requirements. Ensure that officers' contemporaneous records of inspections are legible and stored in such a way that they are readily retrievable.

[The Standard – 7.5 and 16.1]

***Recommendation***

3.2.7 The Authority should:

Ensure that timely appropriate action is taken on any non-compliance found on inspection.

[The Standard – 7.3]

3.2.8 Reports of inspection or letters were provided to the FBO to confirm the issues raised on inspection. The standard report of inspection form used required some revision to ensure it included all the information required by the Food Law Code of Practice. Correspondence following inspections contained some legal requirements in the section on recommendations of good practice, including issues relating to supervision and training, cross contamination and durability markings.

3.2.9 The file for the Authority's approved establishment was examined during the audit. There was no evidence that the establishment had been approved under the requirements of Regulation (EC) No. 853/2004. The Authority had however recently reviewed the file and entered into discussions with the Company with a view to confirming its approval status. It was also evident that the file contents had been updated to ensure that key business and operations information was provided as recommended in Annexe 12 of the Food Law Practice Guidance.

***Recommendation***

3.2.10 The Authority should:

Maintain up to date, accurate and comprehensive records for all approved establishments subject to Regulation (EC) No. 853/2004 in accordance with Annexe 12 of the Food Law Practice Guidance. Establishments should be approved in accordance with relevant legislation and centrally issued guidance. [The Standard – 16.1 and 7.2]

*Verification Visit to a Food Premises*

- 3.2.11 During the audit, a verification visit was undertaken to a local public house with the officer from the Authority who had carried out the last food hygiene inspection of the premises. The main objective of the visit was to assess the effectiveness of the Authority's assessment of food business compliance with food law requirements. The specific assessments included the conduct of the preliminary interview of the FBO by the officer, the general hygiene checks to verify compliance with the structure and hygiene practice requirements and checks carried out by the officer to verify compliance with HACCP based procedures.
- 3.2.12 The audit visit confirmed that the checks carried out by the officer were thorough and covered relevant food law requirements. The officer demonstrated a thorough knowledge of the FSMS in place at the business and it was possible to confirm that the officer had carried out an effective evaluation of the compliance of the food business at the most recent inspection. An appropriate risk assessment was carried out and the officer identified key areas where improvements were required to the business' FSMS.

### **3.3 Enforcement**

- 3.3.1 The Authority had an enforcement policy appended to the Food Service Plan. In addition, policy issues were set out in the Food Safety Enforcement Procedure. The procedure provided useful guidance to officers on a range of enforcement options, however as part of the comprehensive review of documented policies and procedures, the Authority should ensure that procedures are provided for all enforcement options including the specific enforcement options available for approved establishments.
- 3.3.2 It was clear that the Authority had adopted a graduated approach to enforcement where businesses had consistently failed to implement a FSMS, and examples of relevant hygiene improvement notices (HIN) were available. These were in general drafted in accordance with the requirements of the Food Law Code of Practice, although the Authority had identified some anomalies in the format of the notices and legislative references which they had rectified. It was not however evident in all three of the HINs checked during the audit that a timely check on compliance had been made, with one premises being visited two months after the expiry date of the notice.

#### ***Recommendation***

3.3.3 The Authority should:

Ensure that hygiene improvement notices are drafted in accordance with the Food Law Code of Practice and that timely checks are made on compliance following expiry of the notice, with follow-up action taken as appropriate.  
[The Standard – 15.3]

### **3.4 Internal Monitoring and Third Party or Peer Review**

#### *Internal Monitoring*

- 3.4.1 The Service had developed a comprehensive documented internal monitoring procedure covering the range of enforcement activities carried out by the team. The procedure included a number of forms for recording internal monitoring activities. In practice however, other than records of an accompanied inspection with each officer, and completed checklists for HINs, there was limited evidence of qualitative monitoring checks taking place. The Authority was carrying out some quantitative monitoring checks, such as adherence to set targets and quarterly monitoring against the inspection programme.

#### ***Recommendation***

3.4.2 The Authority should:

Fully implement the internal monitoring procedure and maintain records of all monitoring activities across the range of food law enforcement activities.

[The Standard – 19.2 and 19.3]

#### *Food and Food Premises Complaints*

- 3.4.3 The Authority had a complaints policy and a comprehensive procedure on the investigation of food and food premises complaints. Five complaint records were examined during the audit. Three of the complaints had not been investigated in accordance with the Authority's own response targets. It was clear that complaint investigations included consideration of the adequacy of the businesses FSMS where appropriate, however where issues were identified it was not evident that there was adequate follow-up to ensure that the matters had been satisfactorily addressed by the FBO.

**Recommendation**

3.4.4 The Authority should:

Ensure that food complaints and complaints about the hygiene of food premises are investigated in accordance with the Food Law Code of Practice, centrally issued guidance and the Authority's own policies and procedures. [The Standard – 8.2]

*Food Sampling*

- 3.4.5 The Authority had developed a food sampling policy for 2010/2011 and a food sampling programme. A detailed procedure had also been produced, which had recently undergone review. Samples were being taken as part of the sampling programme. Where unsatisfactory results were received officers were taking further samples, however it was not always evident that any identified issues which may have contributed to the unsatisfactory result were adequately pursued with the FBO.

**Recommendation**

3.4.6 The Authority should:

Ensure that where unsatisfactory sample results are received that appropriate and timely follow-up action is taken in accordance with the Food Law Code of Practice, centrally issued guidance and the Authority's own policies and procedures. [The Standard – 12.7]

*Third Party or Peer Review*

- 3.4.7 A representative from the Authority regularly attended meetings of the Essex Food Liaison Group. The Group had not undertaken any inter-authority auditing activities in the last two years.

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## Action Plan for Brentwood Borough Council

Audit date: 8-9 June 2010

<b>TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)</b>	<b>BY (DATE)</b>	<b>PLANNED IMPROVEMENTS</b>	<b>ACTION TAKEN TO DATE</b>
3.1.2 Ensure that future Food Service Plans are in line with the Service Planning Guidance in the Framework Agreement, including details of the Authority's approach to alternative enforcement in lower risk premises, and the staffing resources required to provide the food law enforcement service compared with the staffing resources available to the Authority. [The Standard – 3.1]	Completed	To develop and complete the 2010/2011 Food Service Plan to indicate more clearly the full time staff, agency staff and pecuniary resources currently available and against the planned proactive and reactive work envisaged. The Service Plan to indicate clearly the Authority's AES interventions policy.	Service Plan completed.
3.1.11 Ensure that all officers are authorised in accordance with their individual qualifications and levels of experience. [The Standard – 5.1]	Completed	To review and amend the authority's authorisation procedure to ensure that only officers with two or more year's experience are authorised to sign Hygiene Emergency Prohibition Notices served under regulation 8 of the Food Hygiene (England) Regulations 2006 or Emergency Prohibition Notices served under section 12 of the Food Safety Act 1990.	The non-authorised officer is no longer employed at the authority and their replacement (sought currently) will be recruited with the appropriate experience to be authorised for the serving of statutory notices.
3.2.4 Ensure that the electronic database system is configured, managed and operated in such a way that the Authority is able to provide accurate statistical data in the official monitoring returns to the Agency and to enable effective quantitative internal monitoring. [The Standard – 6.4]	30/04/11	To replace the existing DOS-based system with a new food premises database commonly used by local authorities. In the meantime – to carry out modification/alteration where possible to be able to provide accurate returns and reliable data.	New food premises database to be provided.

<b>TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)</b>	<b>BY (DATE)</b>	<b>PLANNED IMPROVEMENTS</b>	<b>ACTION TAKEN TO DATE</b>
3.2.6 Ensure that complete records of inspection findings are maintained for both general premises and approved establishments, including details of the assessment of compliance with legal requirements. Ensure that officers' contemporaneous records of inspections are legible and stored in such a way that they are readily retrievable. [The Standard – 7.5 and 16.1]	Completed	Legibility of report copies and scanning to be reviewed and improved so that all scanned copies are perfectly readable/discernable particularly where stored as electronic images.	All inspecting officers are now required to ensure complete legibility of written records including front and back copies of formwork. All duplicate copies to be clear enough to obtain legible scanned documents.
3.2.7 Ensure that timely appropriate action is taken on any non-compliance found on inspection. [The Standard – 7.3]	On-going	Enhanced monitoring arrangements to be implemented to ensure that prompt and effective follow-up action is taken where necessary following inspection'	Action to be taken on the service of any future notices.
3.2.10 Maintain up to date, accurate and comprehensive records for all approved establishments subject to Regulation (EC) No. 853/2004 in accordance with Annex 12 of the Food Law Practice Guidance. Establishments should be approved in accordance with relevant legislation and centrally issued guidance. [The Standard – 16.1 and 7.2]	Completed	All approved establishments upon being known or identified by the authority will be subject to adequate inspection relative to the requirements of Regulation EC 853/2004. The corresponding Code of Practice covering conditional and full approval will also be followed together with the laid-down set time periods for such. The only premises subject to EC 853/2004 known within the borough will be progressed towards the standards necessary for full approval and in accordance with the Code.	A full inspection and validation exercise has been completed at the premises and a report has now been sent together with legal requirements
	Ongoing	All notices served with respect to approved premises must be drafted in accordance with the Food Law Code of Practice and centrally issued guidance.	Any Notices served in future to meet this standard.

<b>TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)</b>	<b>BY (DATE)</b>	<b>PLANNED IMPROVEMENTS</b>	<b>ACTION TAKEN TO DATE</b>
3.3.3 Ensure that hygiene improvement notices are drafted in accordance with the Food Law Code of Practice and that timely checks are made on compliance following expiry of the notice, with follow-up action taken as appropriate. [The Standard – 15.3]	30/09/10	All hygiene improvement notices to be followed up by timely revisits and this to be controlled by a robust monitoring and management system to be reflected within food safety procedures.	Hygiene improvement notices recently served since the audit will be checked/checked-upon upon expiry and by the Team Leader EHO. This to continue.
3.4.2 Fully implement the internal monitoring procedure and maintain records of all monitoring activities across the range of food law enforcement activities. [The Standard – 19.2 and 19.3]	30/09/10	Internal monitoring procedures to be followed. Lead Officer to audit a specific number of inspections and complaints per quarter. This to be incorporated into appropriate procedures.	A sample of inspections and complaints are to be reviewed shortly, and this to occur on a quarterly basis.
3.4.4 Ensure that food complaints and complaints about the hygiene of food premises are investigated in accordance with the Food Law Code of Practice, centrally issued guidance and the Authority's own policies and procedures. [The Standard – 8.2]	Completed  Ongoing	Procedure 015 'Food Complaints & Complaints about Food Premises' to be modified to ensure that all service requests are responded to/initiated within 5 working days of receipt.  Additional internal routine management monitoring to feature in this procedure to ensure that complaints are adequately followed up and adhere to specified response time.	Procedure 015 updated and modified to incorporate 5 day response time and auditing of complaints to the procedure.
3.4.6 Ensure that where unsatisfactory sample results are received that appropriate and timely follow-up action is taken in accordance with the Food Law Code of Practice, centrally issued guidance and the Authority's own policies and procedures. [The Standard – 12.7]	Completed  Ongoing	All food samples to be adequately followed up in relation to appropriate corresponding action taken and with reference to Regulation EC 2073/2005, and the HPA document; 'HPA Guidelines for Assessing the Microbiological Safety of Ready-to-Eat Foods Placed on the Market' - ultimately to ensure food safety and in accordance with other relevant statutory provisions.  Additional internal routine management monitoring to feature in the sampling procedure to ensure appropriate and timely follow-up and additional sampling (as necessary) by officers.	Procedure 014 Food Sampling updated and modified to include monitoring and follow-up.

## **Audit Approach/Methodology**

The audit was conducted using a variety of approaches and methodologies as follows:

*(1) Examination of LA policies and procedures.*

The following LA policies, procedures and linked documents were examined before and during the audit:

- Food Service Plan 2009/2010
- Food Interventions Policy
- Authorisation of Officers procedure and appendices
- Food Hygiene Inspections procedure
- Procedure on Food Complaints and Complaints About Food Premises
- Food Sampling Policy 2010/2011
- Procedure on Food Sampling – Bacteriological Examination and Chemical Analysis of Foodstuffs
- Procedure on Seizure/Detention of Food
- Food Safety Enforcement Procedure and appendices
- Procedure on Monitoring the Quality of Food Hygiene Inspections, Visits and Actions, and appendices

*(2) File reviews – the following LA file records were reviewed during the audit:*

- General food premises inspection records
- Approved establishment file
- Food complaint records
- Food sampling records
- Formal enforcement records
- Internal monitoring records

*(3) Officer interviews – the following officers were interviewed:*

- Audit Liaison Officer
- Environmental Health Officer

Opinions and views raised during officer interviews remain confidential and are not referred to directly within the report.

*(4) On-site verification check:*

A verification visit was made with the Authority's officers to a local food business. The purpose of the visit was to verify the outcome of the last inspection carried out by the Local Authority and to assess the extent to which enforcement activities and decisions met the requirements of relevant legislation, the Food Law Code of Practice and official guidance, having particular specific regard to LA checks on FBO compliance with

HACCP based food management systems.

## Glossary

Authorised officer	A suitably qualified officer who is authorised by the local authority to act on its behalf in, for example, the enforcement of legislation.
Codes of Practice	Government Codes of Practice issued under Section 40 of the Food Safety Act 1990 as guidance to local authorities on the enforcement of food legislation.
County Council	A local authority whose geographical area corresponds to the county and whose responsibilities include food standards and feeding stuffs enforcement.
District Council	A local authority of a smaller geographic area and situated within a County Council whose responsibilities include food hygiene enforcement.
E. coli	<i>Escherichia coli</i> microorganism, the presence of which is used as an indicator of faecal contamination of food or water. <i>E. coli</i> 0157:H7 is a serious food borne pathogen.
Environmental Health Officer (EHO)	Officer employed by the local authority to enforce food safety legislation.
Feeding stuffs	Term used in legislation on feed mixes for farm animals and pet food.
Food hygiene	The legal requirements covering the safety and wholesomeness of food.
Food standards	The legal requirements covering the quality, composition, labelling, presentation and advertising of food, and materials in contact with food.
Framework Agreement	<p>The Framework Agreement consists of:</p> <ul style="list-style-type: none"> <li>• Food Law Enforcement Standard</li> <li>• Service Planning Guidance</li> <li>• Monitoring Scheme</li> <li>• Audit Scheme</li> </ul> <p>The <b>Standard</b> and the <b>Service Planning Guidance</b> set out the Agency's expectations on the planning and delivery of food law enforcement.</p> <p>The <b>Monitoring Scheme</b> requires local authorities to submit quarterly returns to the Agency on their food enforcement activities i.e. numbers of inspections, samples and prosecutions.</p> <p>Under the <b>Audit Scheme</b> the Food Standards Agency will be conducting audits of the food law enforcement services of local authorities against the criteria set out in the Standard.</p>
Full Time Equivalents (FTE)	A figure which represents that part of an individual officer's time available to a particular role or set of duties. It reflects the fact that individuals may work part-time, or may have

other responsibilities within the organisation not related to food enforcement.

HACCP		Hazard Analysis Critical Control Point – a food safety management system used within food businesses to identify points in the production process where it is critical for food safety that the control measure is carried out correctly, thereby eliminating or reducing the hazard to a safe level.
LAEMS		Local Authority Enforcement Monitoring System is an electronic system used by local authorities to report their food law enforcement activities to the Food Standards Agency.
Member forum		A local authority forum at which Council Members discuss and make decisions on food law enforcement services.
Metropolitan Authority		A local authority normally associated with a large urban conurbation in which the County and District Council functions are combined.
OCD returns		Returns on local food law enforcement activities required to be made to the European Union under the Official Control of Foodstuffs Directive.
Regulators' Code	Compliance	Statutory Code to promote efficient and effective approaches to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens on businesses.
Risk rating		A system that rates food premises according to risk and determines how frequently those premises should be inspected. For example, high risk premises should be inspected at least every 6 months.
Service Plan		A document produced by a local authority setting out their plans on providing and delivering a food service to the local community.
Trading Standards		The Department within a local authority which carries out, amongst other responsibilities, the enforcement of food standards and feeding stuffs legislation.
Trading Standards (TSO)	Officer	Officer employed by the local authority who, amongst other responsibilities, may enforce food standards and feeding stuffs legislation.
Unitary Authority		A local authority in which the County and District Council functions are combined, examples being Metropolitan District/Borough Councils, and London Boroughs. A Unitary Authority's responsibilities will include food hygiene, food standards and feeding stuffs enforcement.