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## **Report on the Food Law Enforcement Services**

Caerphilly County Borough Council  
18<sup>th</sup> – 22<sup>nd</sup> January 2016

## Foreword

Audits of local authority food and feed law enforcement services are part of the Food Standards Agency's (FSA) arrangements to improve consumer protection and confidence in relation to food and feed. These arrangements recognise that the enforcement of UK food and feed law relating to food safety, hygiene, composition, labelling, imported food and feedingstuffs is largely the responsibility of local authorities. These local authority regulatory functions are principally delivered through their Environmental Health and Trading Standards Services.

The attached audit report examines the local authority's Food Law Enforcement Services. The assessment includes consideration of the systems and procedures in place for interventions at food businesses, food sampling, internal management, control and investigation of outbreaks and food related infectious disease, advice to business, enforcement, food safety promotion. It should be acknowledged that there may be considerable diversity in the way and manner in which authorities provide their food enforcement services reflecting local needs and priorities.

Agency audits assess local authorities' conformance against the Feed and Food Law Enforcement Standard. "The Standard", which was published by the Agency as part of the Framework Agreement on Official Feed and Food Controls by Local Authorities (amended April 2010) is available on the Agency's website at: [www.food.gov.uk/enforcement/enforcework/frameagree](http://www.food.gov.uk/enforcement/enforcework/frameagree)

The main aim of the audit scheme is to maintain and improve consumer protection and confidence by ensuring that authorities are providing effective food and feed law enforcement services. The scheme also provides the opportunity to identify and disseminate good practice, and provides information to inform Agency policy on food safety, standards and feedingstuffs and can be found at: [www.food.gov.uk/enforcement/auditandmonitoring](http://www.food.gov.uk/enforcement/auditandmonitoring)

The report contains some statistical data, for example on the number of food establishment inspections carried out. 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 report also contains an action plan, prepared by the authority, to address the audit findings.

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

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## 1 Introduction

- 1.1 This report records the results of an audit of food hygiene and food standards at Caerphilly County Borough Council under the headings of the FSA Feed and Food Law Enforcement Standard. It has been made publicly available on the Agency's website at [www.food.gov.uk/enforcement/auditandmonitoring/auditreports](http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports)

### ***Reason for the Audit***

- 1.2 The power to set standards, monitor and audit local authority food and feed law enforcement services was conferred on the FSA by the Food Standards Act 1999 and the Official Feed and Food Controls (Wales) Regulations 2009. The audit of the food services at Caerphilly County Borough Council was undertaken under section 12(4) of the Act and Regulation 7 of the Regulations.
- 1.3 Regulation (EC) No. 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, includes a requirement for competent authorities to carry out internal audits or to have external audits carried out. The purpose of these audits is to verify whether official controls relating to feed and food law are effectively implemented. To fulfil this requirement, the FSA, as the central competent authority for feed and food law in the UK has established external audit arrangements. In developing these, the Agency has taken account of the European Commission guidance on how such audits should be conducted.<sup>1</sup>
- 1.4 The authority was audited as part of a three year programme (2013 – 2016) of full audits of the 22 local authorities in Wales.

### ***Scope of the Audit***

- 1.5 The audit covered Caerphilly County Borough Council's arrangements for the delivery of food hygiene and food standards enforcement

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<sup>1</sup> Commission Decision of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No. 882/2004 of the European Parliament and of the Council on Official Controls to verify compliance with feed and food law, animal health and animal welfare rules (2006/677/EC).

services. The on-site element of the audit took place at the authority's offices at Ty Penallta, Ystrad Mynach on 18<sup>th</sup> – 22<sup>nd</sup> January 2016, and included verification visits at food businesses to assess the effectiveness of official controls implemented by the authority, and more specifically, the checks carried out by the authority's officers, to verify food business operator (FBO) compliance with legislative requirements.

- 1.6 The audit also afforded the opportunity for discussion with officers involved in food law enforcement with the aim of exploring key issues and gaining opinions to inform Agency policy.
- 1.7 The audit assessed the authority's conformance against "The Standard". The Standard was adopted by the FSA Board on 21<sup>st</sup> September 2000 (and was subject to its fifth amendment in April 2010), and forms part of the Agency's Framework Agreement with local authorities. The Framework Agreement can be found on the Agency's website at [www.food.gov.uk/enforcement/enforcework/frameagree](http://www.food.gov.uk/enforcement/enforcework/frameagree)

### ***Background***

- 1.8 Caerphilly County Borough Council is a unitary authority in south-east Wales, which covers an area of 28,000 hectares and is the fourth largest local authority in Wales. It borders seven other local authority areas – Cardiff to the south, Rhondda-Cynon-Taf and Merthyr Tydfil to the west, Powys and Blaenau Gwent to the north and Newport and Torfaen to the east.
- 1.9 Caerphilly is entirely inland and covers an area which runs from the Heads of the Valleys in the north, straddling the ancient county boundaries of Glamorgan and Monmouthshire, towards the M4 corridor 40 km south. The County Borough takes in the Rhymney, Sirhowy and Ebbw river valleys.
- 1.10 Caerphilly is a mixed urban and rural county borough with over 50 distinct towns and villages situated amongst areas of natural beauty. The towns of Caerphilly, Blackwood, Newbridge, Bargoed, Ystrad Mynach, and Risca are the main administrative and commercial areas.
- 1.11 According to the 2011 Census, Caerphilly has a population of 178,806 with 98.4% of the population being White. The population density was

the fourth highest in Wales by mid 2014. Whilst the number of Welsh speakers is below the Wales average, 16% of the population speaks, reads, writes or understands Welsh;

- 1.12 The economy is broad based with manufacturing, wholesale, retail and health and social activities featuring strongly.
- 1.13 Caerphilly contains indicators of deprivation mostly above the Wales average as determined by the 2014 Welsh Index of Multiple Deprivation and includes the most deprived area in Wales. The county borough is, however, rated better than average with regards to access to services and housing.
- 1.14 Food hygiene law enforcement was being carried out by officers in the authority's Food Safety, Health and Safety & Communicable Disease team within the Environmental Health section of Public Protection. Food standards law enforcement was being carried out by officers in the authority's Trading Standards and Licensing section of Public Protection.
- 1.15 Officers and support staff responsible for food hygiene and food standards were based at Ty Penallta, Ystrad Mynach, Hengoed CF82 7PG.
- 1.16 The authority reported that it had a guaranteed 24 hour emergency out-of-hours service. The out-of-hours service was not tested as part of the audit.
- 1.17 At the beginning of 2015/16 there were around 1700 food establishments in Caerphilly. In addition, there were nine approved food establishments.
- 1.18 The authority had 6.5 full time equivalent (FTE) officers involved in the delivery of food hygiene. In respect of food standards, the authority reported that it had 3.3 FTE officers. The food hygiene service was carrying a temporary vacancy of 1 FTE officer due to maternity leave.
- 1.19 The authority provided officers with opportunities for continuous professional development in their field of work. A training budget was available and this was being maintained year on year.

- 1.20 The annual budget for food law enforcement and associated activities was £541,778 in 2015/16. This represented a slight increase on 2014/15 expenditure.
- 1.21 The authority had been participating in the National Food Hygiene Rating Scheme which was launched in Wales in October 2010. At the time of the audit, the food hygiene ratings of 1236 food establishments in Caerphilly County Borough were available to the public on the National Food Hygiene Rating Scheme website.



## 2 Executive Summary

- 2.1 The audit examined Caerphilly County Borough Council's arrangements for the delivery of official food controls. This included reality checks at food establishments to assess the effectiveness of official controls 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 food law enforcement activities.
- 2.2 The Head of Public Protection had overall responsibility for the delivery of food law enforcement services. The food hygiene service was delivered within the Food Safety, Health and Safety & Communicable Disease team within the Environmental Health section whilst the food standards service was delivered within the Trading Standards and Licensing section.
- 2.3 The food law enforcement Service Plan developed by the authority was largely in accordance with FSA guidance. The authority had provided its work programmes for the year, identified the resources required to deliver them and had reviewed its performance against the previous year's performance. A number of variations in achieving the targets were identified and explained, however, variances relating to lower risk food establishments had not been clearly addressed.
- 2.4 The authority had arrangements in place to ensure effective service delivery by appropriately authorised officers which require amendment to ensure food standards officers are authorised under all required legislation. Officers had been authorised in accordance with their qualifications, training and experience. The provision of access to several portals of information for food standards officers was identified as an area of good practice.
- 2.5 A documented work procedure had been developed to ensure the accuracy of the authority's food establishments' database. Audit checks confirmed that overall, the food hygiene and food standards database was accurate and the authority had been able to provide an electronic Local Authority Enforcement Monitoring System (LAEMS) return. The

authority had been involved in a collaboration project to procure new Public Protection software for adoption by local authorities across Wales to improve consistency and value for money.

- 2.6 Record and database checks confirmed that the food hygiene service had achieved the required inspection frequencies at higher-risk and approved establishments. Some lower risk establishments were not being inspected at the frequencies required by the Food Law Code of Practice and centrally issued guidance. The food standards service had a similarly risk based approach where high risk establishments had been prioritised for inspection. A significant number of medium and lower risk establishments were overdue a food standards intervention.
- 2.7 Inspection records did not always demonstrate that a thorough assessment of business compliance had taken place during food standards inspections or for all aspects of food hygiene. Interventions at low-risk establishments had not generally been undertaken in accordance with the Food Law Code of Practice. In general, risk rating, revisits and follow up action was being carried out as required for both food hygiene and food standards services.
- 2.8 Food hygiene inspection records and reports were being adequately maintained by the authority. Food standards reports contained some but not all of the information required by the Food Law Code of Practice; and would benefit from improvement to include actions to be taken by the authority and an indication of timescales for compliance.
- 2.9 Food and food establishment complaints, food sampling interventions, notifications of food related infectious disease and food incident interventions had generally taken place in accordance with the Food Law Code of Practice. However, notifications of *Campylobacter* had not always been appropriately investigated.
- 2.10 The authority had been proactive in providing advice and guidance to food businesses in its area and undertaking promotional activities. Collaboration between food hygiene and standards officers and the authority's food procurement section and the use of social media to promote the Food Hygiene Rating Scheme and food alerts were identified as areas of good practice.

2.11 The authority had used a range of enforcement tools to secure improved business compliance with food hygiene legislation whilst the food standards service had conducted a major investigation and prosecution in respect of food supplements.

2.12 There was some evidence of internal monitoring of the food hygiene and food standards services. Further development and implementation of the authority's internal monitoring procedures will assist in achieving improvements.

### **2.13 The Authority's Strengths**

#### **Food Hygiene Interventions / Inspections Reports**

Intervention / inspection reports provided to food business operators contained all the information required by the Food Law Code of Practice.

#### **Food and Food Establishments Complaints**

The authority had responded to food complaints and complaints about food establishments in accordance with its procedures and centrally issued guidance, taking appropriate action in response to the findings of investigations.

#### **Advice to Business**

The authority had been proactive and was able to demonstrate that it works with businesses to help them comply with the law. It had delivered a number of initiatives with the aim of promoting food hygiene and standards.

#### **Food Establishments' Database**

The authority had maintained its food establishments database and was able to provide accurate information to the FSA.

#### **Food Hygiene Sampling**

The authority was able to evidence that it had consistently taken appropriate action in response to unsatisfactory food samples.

#### **Liaison**

The authority had robust arrangements in place to liaise with neighbouring local authorities and other appropriate bodies to facilitate consistent enforcement. Its collaboration arrangements to procure a

new Public Protection software system for Wales and work within the authority on food procurement were positive steps in ensuring consistent service delivery and improving food hygiene standards through its purchasing powers.

## **2.14 The Authority's Key Areas for Improvement**

### **Officer authorisations**

The authority's authorisation procedures require amendment to ensure authorisation of food standards officers under all relevant legislation under which authorisation is required.

### **Food Hygiene and Food Standards Intervention Frequencies**

The authority had not carried out lower risk food hygiene and medium and low risk food standards interventions at the minimum frequencies required by the Food Law Code of Practice. Interventions carried out at the minimum frequency ensure that risks associated with food businesses are identified and followed up in a timely manner.

### **Food Standards Establishment Interventions and Inspections**

Information captured by officers during interventions was not always sufficiently detailed to demonstrate that thorough assessments of business compliance had been undertaken for all key aspects.

### **Food Standards Intervention / Inspection Reports**

Food standards intervention / inspection reports provided to food business operators did not contain all the information required by the Food Law Code of Practice.

## **Audit Findings**

### **3 Organisation and Management**

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

- 3.1 Food law enforcement was overseen by the Cabinet Member for Community and Leisure Services. The authority's Constitution set out its decision making arrangements. Under the Constitution, decisions on most operational matters had been delegated to the Head of Public Protection.
- 3.2 A 'Food Enforcement Service Plan - 2015/2016' ('the Service Plan') had been developed by the authority. There was evidence that the Service Plan had been approved by the Cabinet Member and was available on the authority's website. Further information on food standards was contained within the 'Trading Standards Commercial Services Team Plan 2015 / 16'.
- 3.3 The Service Plan contained most of the information set out in the Service Planning Guidance in the Framework Agreement, including a profile of the authority, the organisational structure and the scope of the service. The times of operation, service delivery points and aims and objectives of the service were clearly set out.
- 3.4 The Service Plan indicated that there were approximately 1700 food establishments in Caerphilly and a breakdown was provided by type of establishment.
- 3.5 In respect of food hygiene, the risk profile of establishments was provided together with the number of interventions due. The following information was provided in the Service Plan:

## Risk Scored Interventions

Category	Frequency	Total No of Premises	Interventions due
A	6 months	6	12
B	12 months	63	63
C	18 months	694	427
<b>Total high</b>		<b>763</b>	<b>502</b>
D	2 years	248	144
E	Alternative Enforcement Strategy or interventions every 3 years	478	207
Outside programme		212	
Unrated		25	25
Estimated Revisits			300
FSM Project visits		19	19
ID Nursery Project		26	26
<b>Total other</b>		<b>1008</b>	<b>721</b>
<b>Total</b>		<b>1771</b>	<b>1223</b>

- 3.6 The targets and priorities for food hygiene had been identified in the Service Plan and a commitment was provided to deliver all inspections / interventions due at higher-risk establishments.
- 3.7 In respect of lower-risk establishments, the Service Plan stated that they would receive either an inspection or would be subject to alternative enforcement activity; both in accordance with the Food Law Code of Practice.
- 3.8 There were a significant number of lower risk food establishments overdue an intervention. Many of these had been programmed for intervention during the previous year and not clearly identified in the current years programme.

3.9 The following information was provided in respect of food standards:

<b>Risk profile</b>	<b>Frequency</b>	<b>Number of Premises</b>	<b>Inspections Due</b>
High	12 months	15	15
Medium	24 months	689	302
Low	60 months	819	487
Unrated		142	142
Revisits			
<b>Total</b>		<b>1665</b>	<b>946</b>

3.10 The review against the previous year's Service Plan had identified a significant number of overdue medium and low risk establishments. These had not been clearly identified in the interventions programme.

3.11 The targets and priorities for food standards included a commitment to deliver all inspections / interventions due at high risk establishments and where possible at medium risk establishments. Low risk establishments would receive another type of intervention.

3.12 The authority's priorities and intervention-targets as set out in the Service Plan, were risk based.

3.13 The resources available to deliver food law enforcement services were detailed in the Service Plan as 6.5 full time equivalent officers (FTEs) for food hygiene and 3.3 FTE for food standards. A breakdown was provided of the different levels of officers available.

3.14 The authority had indicated the likely demand for most aspects of the food services and had estimated the resources required to deliver the full range of food official controls against those available.

3.15 The Service Plan included information on the authority's Enforcement Policy and its approach to staff development. The need to undertake many programmed inspections out-of-hours had been emphasised.

3.16 The authority supported businesses through its commitment to the Primary Authority Scheme and the Home Authority Principle. The Service Plan also highlighted other approaches it would use to ensure businesses were well informed of their legal obligations.

- 3.17 Arrangements for internal monitoring or *'quality assessment'* were set-out in the Service Plan and included monitoring the number and quality of inspections, inspection reports and enforcement actions.
- 3.18 The overall cost of providing food law enforcement services had been provided in the Service Plan. The need to include the trend of growth or reduction and a breakdown of the non-fixed costs such as staffing, travel and subsistence, equipment (including investment in IT) and a reference to the departmental financial provision for legal action was highlighted by auditors.
- 3.20 The Service Plan set-out how the authority's performance in delivering food official controls would be reviewed against the previous year's plan and the latest review included in the Service Plan.
- 3.21 Some variations in achieving the targets set-out in the previous Service Plan were identified in the 2015/16 Service Plan. However, the variance in achieving food hygiene interventions at lower risk (Category D and E) establishments had not been identified as a variance.
- 3.22 The authority had incorporated a number of areas for improvement in its 2015/16 Service Plan, based on its review against the previous year's plan.

***Recommendations***

- 3.23 The authority should:
- (i) Ensure variances relating to lower risk food hygiene establishment interventions are identified in the Service Plan. [The Standard 3.1]



#### **4 Review and Updating of Documented Policies and Procedures**

- 4.1 Document control procedures were in place for food hygiene and food standards services. The procedures included control over the production, approval, review, updating and storage of policies, procedures and associated documents.
- 4.2 Documents were stored electronically and also in hard copy. Electronic documents were protected from unauthorised access
- 4.3 Managers were responsible for developing, reviewing and approving documents. Permissions to make changes to the list of documents or individual documents had been restricted to nominated individuals. Nominated individuals were also responsible for ensuring the removal of superseded documents.
- 4.4 Auditors were able to verify that officers had access to policies and procedures, legislation and centrally issued guidance either electronically or in hard copy.

#### **Good Practice – Availability of technical advice**

Food standards officers were provided with access to several information portals. These included information on legislation and enforcement and access to technical expertise through membership of a research association.

- 4.5 All documents had been subject to review in line with the procedures and no superseded documents were found to be in use.

## **5 Authorised Officers**

- 5.1 The Authority's Scheme of Delegation of Powers to Officers provided the Head of Public Protection with delegated powers of entry and powers to execute all duties relating to the food hygiene and food standards services. The Head of Public Protection had also been provided with powers to authorise other officers and to authorise legal proceedings.
- 5.2 Documented procedures had been developed for the authorisation of officers, based on their competencies for food hygiene, infectious disease control and food standards. The process of assessing competency had been documented and this formed part of the certificate of authorisation.
- 5.3 Lead officers for food hygiene, food standards and communicable disease had been appointed, all of whom had the requisite qualifications and training and were able to demonstrate appropriate knowledge.
- 5.4 The authority had systems in place to identify officer training needs including performance development reviews, internal monitoring activities and discussions within team meetings. A documented training plan was available for food hygiene officers. A combination of in-house and externally provided training was provided for officers and good use had been made of the opportunities afforded by the FSA local authority training programme. All officers were required to achieve 10 hours continuing professional development (CPD) in accordance with the Food Law Code of Practice. A training budget was available to support officer development.
- 5.5 An examination of the qualification and training records of six officers involved in the delivery of official food hygiene controls and four officers involved in delivery of official food standards controls was undertaken. Where records were available, they were being maintained by the authority on both hardcopy files and electronically.
- 5.6 Food hygiene officer authorisations had been recently amended and all were found to have been correctly authorised under the appropriate legislation. The powers of individual officers had been appropriately restricted where necessary. Food standards officers had been authorised under some of the required legislation and their powers restricted where appropriate. However, a number of statutes that require

specific authorisation had been omitted. The authority had arranged for the FSA to authorise a suitable number of officers under the Food and Environment Protection Act 1995.

5.7 The authority provided evidence of officer authorisations consistent with their qualifications in all cases.

5.8 All officers had received the minimum 10 hours of CPD required by the Food Law Code of Practice and the authority's own policies. Further, all officers had received the necessary training to deliver the technical aspects of the work in which they were involved. Auditors noted, however, full records of training for one of the food standards officers were not available.

### **Recommendations**

5.9 The authority should:

- (i) Ensure food standards officers are authorised under all appropriate legislation. [The Standard – 5.1]
- (ii) Maintain records of relevant training and experience of all authorised food standards officers in accordance with the Food Law Code of Practice. [The Standard – 5.5]

## **6 Facilities and Equipment**

- 6.1 The authority had all of the necessary facilities and equipment required for the effective delivery of food hygiene and food standards services, which were appropriately stored and accessible to relevant officers.
- 6.2 Separate procedures for the maintenance of equipment had been developed for the food hygiene and food standards services. The food hygiene procedure included calibration and detailed the arrangements for ensuring that equipment, such as thermometers were properly identified, assessed for accuracy and withdrawn from use when found to be faulty. The procedure made reference to testing including in- house checks, together with action to be taken where tolerances were exceeded.
- 6.3 Officers had been supplied with thermometers, which were being calibrated using a calibrated reference thermometer. The equipment allocated to officers was calibrated at least annually. Records relating to calibration were being maintained by the authority.
- 6.4 An examination of records relating to the latest calibration checks confirmed that all were within acceptable tolerances.
- 6.5 Temperature checks were being undertaken on chilled food storage equipment which had recently informed a decision to replace some equipment.
- 6.6 The authority's food establishment databases were capable of providing the information required by the FSA. A number of checks were carried out during the audit which confirmed that databases were operated in such a way to enable accurate reports to be generated.
- 6.7 The food establishment databases, together with other electronic documents used in connection with food law enforcement services were subject to regular back-up to prevent the loss of data.
- 6.8 The authority had systems in place to ensure business continuity and minimise damage by preventing or reducing the impact of security incidents. In respect of food law enforcement services, officers had been provided with individual passwords and access for entering and deleting data had been restricted on an individual basis. Data input protocols

were also in place and any issues were discussed during team meetings in order to achieve consistency.

- 6.9 The authority had agreed to review a new database which is intended to be adopted by local authorities across Wales to improve consistency in data management for Public Protection services whilst providing better value for money.

## **7 Food Establishments Interventions and Inspections**

### ***Food Hygiene***

- 7.1 In 2014/2015 the authority reported through LAEMS that of the 1,705 food businesses within its area 86% of category A-E rated food establishments due to be inspected had been inspected. Furthermore, 95% of food businesses were 'broadly compliant' with food hygiene law (excluding unrated businesses and those outside the scope of the risk rating scheme). This represented an improvement in broad compliance of approximately 3% from 92% of businesses reported as 'broadly compliant' in the previous year.
- 7.2 The authority had developed documented procedures aimed at establishing a uniform approach to carrying out food hygiene interventions and revisits. Procedures were also in place for interventions at approved establishments. An examination of these procedures confirmed that all made reference to relevant legislation, had been subject to recent review, and were in accordance with the requirements of the Food Law Code of Practice and relevant centrally issued guidance. The authority had also adopted guidance produced by FSA Wales in collaboration with WHOEH Food Safety Expert Panel relating to red flagging establishments of concern.
- 7.3 Information provided during the audit indicated that the authority had adopted a risk-based approach to managing its food hygiene interventions programme. The authority reported through LAEMS that all establishments within category A-C had received an intervention within 28 days of being due in line with the Food Law Code of Practice.
- 7.4 A number of establishments had been identified as overdue an intervention. These comprised of 58 category D rated establishments and 100 category E rated establishments. The authority also reported 7 trading establishments which had yet to be rated and 252 establishments that had been identified as outside of the programme.
- 7.5 A food hygiene inspection aide-memoire had been developed by the authority to assist officers with inspecting food businesses. The aide-memoire had been recently amended to prompt officers to record information relating to their assessment of the effectiveness of cross contamination controls.

- 7.6 An examination of food hygiene intervention records relating to 10 food establishments was undertaken. Auditors confirmed that, in recent years, all but one establishment had been inspected at the frequencies required by the Food Law Code of Practice. In the remaining case, a category C establishment had been overdue an intervention by one month. The Food Law Code of Practice requires that interventions take place within 28 days of their due date.
- 7.7 In all cases establishment files contained an up to date copy of the food registration form for the current food business operator. However, in five of the 10 files the food registration form had not been date stamped on receipt contrary to the authority's procedure.
- 7.8 Inspection records were available and legible for the 10 food establishments audited and sufficient information had been captured to enable auditors to verify that officers had considered the size, scale and scope of the business operations. Where appropriate, supplier and customer information in relation to traceability was also recorded in all cases.
- 7.9 In all but one case, the level of detail recorded on aide-memoires was appropriate to verify that thorough assessments of business compliance with requirements relating to Hazard Analysis Critical Control Point (HACCP) had taken place. In the remaining case the information recorded by officers on the inspection aides-memoire was not sufficient to demonstrate that a thorough assessment of business compliance had been undertaken.
- 7.10 Auditors were able to confirm that, overall, an adequate assessment of training and discussions with food handlers other than the food business operator had taken place, where appropriate. There was evidence available in four cases to demonstrate that consideration had been given to imported foods, and auditors were unable to confirm officers had undertaken checks on health / I.D. marks. The inspection aide-memoire was amended during the audit to include a clearer prompt for officers to record ID marks.
- 7.11 In six of the 10 cases, inspection records confirmed that officers had undertaken an appropriate assessment of the effectiveness of cross contamination controls in accordance with current guidance. In the

remaining cases, there was insufficient information to demonstrate that officers had fully considered business compliance in protecting food against cross contamination. The inspection aide-memoire was amended during the audit to include a clearer prompt for officers to record information.

- 7.12 The risk ratings applied to establishments were consistent with the inspection findings in all cases.
- 7.13 Where revisits had been required, records confirmed that these had taken place within the timescales specified in the authority's revisit procedure.
- 7.14 The authority informed the FSA prior to the audit that there were nine approved establishments in its area, of which the records relating to six were examined.
- 7.15 In all cases examined, auditors were able to confirm that the authority had followed the appropriate process for issuing approvals to establishments.
- 7.16 Auditors were able to confirm that the most recent inspections at approved establishments had been undertaken by properly authorised officers at the frequencies required by the Food Law Code of Practice.
- 7.17 Information captured on aide-memoires during the most recent inspections of approved establishments was sufficient to confirm that full scope inspections had taken place, and that officers had undertaken thorough assessments of business compliance with food hygiene requirements.
- 7.18 Auditors were able to confirm that officers had assessed the use of health marks by businesses in four cases. In five cases auditors were able to verify that I.D / health marks of raw materials had been adequately assessed. In the remaining cases auditors were unable to verify from the information available that these checks had taken place.
- 7.19 In all cases the risk ratings that had been applied to approved establishments were consistent with the inspection findings.



- 7.20 The authority's food interventions procedure detailed when an Alternative Enforcement Strategy (AES) could be used for lower risk establishments. A self-assessment questionnaire was available as an appendix to the procedure.
- 7.21 Prior to the audit the authority provided a list of AES activity that had been undertaken in relation to childminder establishments. Five establishment files were selected for audit.
- 7.22 In all but one case evidence was available to demonstrate that an appropriately authorised officer had reviewed the AES questionnaire and responded to the FBO in an appropriate manner. However, in the remaining case an inspection was not triggered by the information captured despite the information provided being unclear in relation to key areas of temperature control.
- 7.23 In all cases it was noted that the AES questionnaire had been used as an alternative to a new business inspection contrary to the Food Law Code of Practice which requires a primary inspection before and AES can be administered. The authority recognised this issue and had advised staff in a recent team meeting that this practice could no longer be followed.

***Recommendations***

- 7.24 The authority should:
- (i) Ensure that food hygiene interventions/inspections are carried out at the minimum frequency specified by the Food Law Code of Practice. [The Standard -7.1]
  - (ii) Ensure that, where applicable, AES are undertaken and all registration forms are date stamped so that establishments are registered in accordance with the Food Law Code of Practice, centrally issued guidance, and local procedures. [The Standard – 7.2]
  - (iii) Fully assess the compliance of establishments in its area to the legally prescribed standards; particularly, in relation to checks on the provenance of imported food and checks on health / ID marks. [The Standard -7.3]

### *Verification Visits to Food Establishments*

- 7.25 During the audit, verification visits were made to two food establishments with authorised officers of the authority who had carried out the last food hygiene inspections. The main objective of the visits was to consider the effectiveness of the authority's assessment of food business compliance with food law requirements.
- 7.26 The officers were knowledgeable about the businesses and demonstrated an appropriate understanding of the food safety risks associated with the activities at each establishment. The officers demonstrated that they had carried out a detailed inspection and had appropriately assessed compliance with legal requirements and centrally issued guidance, and were offering helpful advice to the food business operators.

### ***Food Standards***

- 7.27 In 2014/15 the authority had reported through LAEMS that 53.98% of risk category A-C food businesses due to be inspected had been inspected. This represented an increase of 16.55% from 37.43% in the year 2013/14.
- 7.28 Information provided prior to the audit identified that the authority had a total of 1472 food businesses on its food standards database, which it shared with the food hygiene team. Of these, 27 businesses were unrated.
- 7.29 At the time of the audit programmed interventions were overdue at 461 food establishments .Of these, one was high risk (A rated establishment), 91 were medium risk (B rated establishments) and 369 were low risk (C rated establishments).
- 7.30 The authority had provided an inspection procedure for food standards which was mainly in accordance with the Food Law Code of Practice. The authority would however benefit from including reference to the use of experts in its intervention procedure. The authority's approach to new business notifications and for addressing non-compliance alongside a revisit policy had recently been developed.

- 7.31 A Food Standards Inspection Report form, which also served as a report of visit had been developed by the authority for use by officers in recording inspection findings in most cases. However, the form did not contain sufficient fields to facilitate the necessary capture of observations made and/or data obtained in undertaking a full scope assessment of business compliance with requirements relevant to food standards. The authority had recently developed an appropriate aide-memoire to assist officers in demonstrating that thorough assessments of business compliance are being carried out. Auditors were able to confirm its use in some cases.
- 7.32 During the audit an examination was carried out of the food establishments database and the most recent hardcopy inspection records relating to 10 food establishments.
- 7.33 The file histories for seven establishments confirmed that, in recent years, these had been inspected at the frequencies required by the Food Law Code of Practice. However, three had not been inspected at the required frequencies, of which one was high-risk, and two were medium risk. Inspections at these establishments had been carried out some 9 to 44 months after their due dates. The Food Law Code of Practice requires that interventions take place within 28 days of their due date.
- 7.34 Records of inspection observations relating to the latest inspection were retrievable and legible in nine cases. In two cases, officers observations had been captured using the authorities recently introduced food standards inspection aide-memoir for manufacturers as well as an inspection report form. In one case neither an aide memoir nor an inspection report form was available.
- 7.35 Auditors noted that officers were generally recording information by exception on report forms. Thus, the records did not generally reflect in sufficient detail the scope and depth of observations made and/or data obtained in the course of an inspection, contrary to the Food Law Code of Practice. Due to the limited information recorded, it was not generally possible to verify that officers had considered the size and scale and the food activities undertaken by the business. Further, it was not possible to consistently verify that compositional, presentation and labelling requirements, traceability requirements including withdrawal / recall

arrangements, the existence and effectiveness of quality management systems, whether any imported foods were being handled, the effectiveness of systems to ensure separation of food and feed and compliance with suppliers specifications, had where appropriate, been consistently assessed.

- 7.36 Auditors were able to confirm in two cases that inspections had been unannounced. In the remaining cases, auditors were unable to verify that inspections had been unannounced.
- 7.37 In relation to previously highlighted issues, auditors were able to verify that in nine of the 10 cases examined, significant issues from previous inspections had been adequately followed up. In the remaining case, auditors were unable to verify whether a repeated food presentation offence had been adequately escalated.
- 7.38 The authority was using the intervention rating scheme in annex 5 of the Food Law Code of Practice for determining food standards intervention frequencies. In all cases, auditors were able to confirm that the risk ratings were consistent with information on the food establishment files.
- 7.39 In eight cases, auditors were able to verify that appropriate follow-up action had been taken in light of the most recent inspection findings. In the remaining two cases, auditors were unable to verify whether action was required based on the limited information contained in the inspection report.
- 7.40 The authority reported undertaking an AES scheme for food standards; however, no documented procedure for undertaking AES interventions had been developed.
- 7.41 Ten food standards files were selected for audit. Auditors were able to confirm that three had been subject to an AES in accordance with the Food Law Code of Practice. The remaining cases had not been subject to an AES intervention but had been subject to an awareness raising event conducted by the local authority.
- 7.42 Auditors were unable to confirm whether the three establishments subject to AES should have been included in the scheme in accordance with the Food Law Code of Practice. Further, there were insufficient records for the way in which the AES activity was carried out and

auditors were unable to confirm whether there were any circumstances which would have triggered a primary inspection.

7.43 In all three cases, a suitably authorised officer had either reviewed the file or undertaken the AES.

***Recommendations***

7.44 The authority should:

- (i) Ensure that food standards establishment interventions are carried out at a frequency which is not less than that determined by the Food Law Code of Practice. [The Standard - 7.1]
- (ii) Carry out interventions / inspections including AES, in accordance with relevant legislation, the Food Law Code of Practice and centrally issued guidance. [The Standard - 7.2]
- (iii) Assess the compliance of establishments in its area to the legally prescribed standards; and ensure appropriate action is taken to follow-up non-compliance in accordance with the authority's Enforcement Policy. [The Standard – 7.3]
- (iv) Amend the interventions procedures to provide guidance on the use of experts and AES [The Standard 7.4].
- (v) Ensure that observations and/or data made in the course of an intervention/inspection are recorded in a timely manner to prevent the loss of relevant information, and that contemporaneous records of interventions are stored in such a way that they are retrievable. [The Standard – 7.5]

*Verification Visit to Food Establishment*

7.45 Verification visits were made to two food establishments with an authorised officer of the authority who had carried out the most recent food standards inspection. The main objective of the visits was to consider the effectiveness of the authority's assessment of the systems

within the business for ensuring that food meets the requirements of food standards law.

- 7.46 Despite the absence of sufficiently detailed intervention records, officers were able to demonstrate their knowledge of the businesses and provide auditors with assurances that assessments of food standards controls had taken place as part of the inspection. One of the businesses had made significant equipment changes since the inspection which were noted by the officer for further follow-up.

## **8 Food and Food Establishments Complaints**

- 8.1 The authority had developed a range of procedures for dealing with food complaints and service requests. The main procedure was based on a template produced by the Welsh Heads of Environmental Health (WWhoEH) Food Safety Expert Panel. The procedure was supplemented with a number of specific procedures detailing local arrangements in relation to investigation and sampling. The content of the procedures was in accordance with the Food Law Code of Practice and official guidance.
- 8.2 Target response times for responding to food hygiene and food standards complaints and service requests had not been included in procedures. In relation to food hygiene, the procedure included reference to the time limits being set within the food complaints database. Auditors established that these target times were set and could not be amended by officers. However, in relation to food standards, no specific information was recorded in relation to proposed target response times and auditors established that response times set in the service requests database could be changed or amended by officers.

### ***Food Hygiene***

- 8.3 An examination of the records relating to 10 food hygiene complaints received by the authority in the two years prior to the audit was undertaken. All complaints had been responded to within the target response times set out in the food complaints database in accordance with the authority's procedure.
- 8.4 All complaints had been investigated in accordance with the authority's procedures and evidence was available to demonstrate that appropriate investigations had been carried out. Where applicable, complainants had been notified of the outcome of investigations.

### ***Food Standards***

- 8.5 An examination of the records relating to ten food standards complaints received by the authority in the two years prior to the audit was undertaken. Auditors established that all complaints had been actioned

in a timely manner however no comparison could be made with target response times due to these not being detailed in the authorities' procedure.

- 8.6 In all cases complaints had been investigated in accordance with the authority's procedure and relevant centrally issued guidance.
- 8.7 In all complaints where the complainant's details had been provided to the authority, there was evidence that they had been informed of the outcome of investigations.

***Recommendations***

- 8.8 The authority should:
- (i) Amend the food standards procedure to include target response times for food standards complaints and service requests. [The Standard - 8.1]



## **9 Primary Authority Scheme and Home Authority Principle**

- 9.1 The authority's commitment to the Primary Authority Scheme and Home Authority Principle was set-out in its Enforcement Policy and its operational procedure on Home Authority.
- 9.2 Food law enforcement officers had been provided with passwords to enable them to access the Primary Authority website.
- 9.3 Home Authority considerations had been included in some other work procedures, for example food complaints and sampling procedures.
- 9.4 Although the authority had no Primary Authority agreements in place, auditors were able to verify that, in its capacity as an enforcing authority, it had regard to Primary Authority guidance and followed up matters of concern with Primary Authorities, as appropriate.
- 9.5 The authority had Home Authority arrangements in place with 11 local food businesses. Records examined during the audit demonstrated that they had been provided with accurate and timely advice and the authority had responded appropriately to requests for information from other local authorities.

## **10 Advice to Business**

- 10.1 The authority had been proactive in providing food hygiene and food standards advice to businesses. There was evidence that advice had been provided during interventions, as well as on request, both in writing and over the telephone. Over 300 requests for information and advice per year were estimated for the food hygiene service in the Service Plan.
- 10.2 A range of information was available on the authority's website to assist local businesses, which included advice on:
- Setting-up a new food business;
  - Approvals and registrations;
  - Food hygiene inspections;
  - The Food Hygiene Rating Scheme (FHRS);
  - Food Safety Management, including Hazard Analysis Critical Control Points (HACCP);
  - Food complaints;
  - Food poisoning;
  - Food safety training.
- 10.3 Business advice on a comprehensive range of food standards issues was available through links to the Trading Standards Wales and Chartered Trading Standards Institute on the authority's website.
- 10.4 The authority had participated in training visits to kebab shops targeting businesses requiring further support to develop good levels of compliance. The authority had also provided training courses to 170 attendees from 115 businesses on the requirements of recent changes to labelling laws including allergen labelling.

## **11 Food Establishments Database**

- 11.1 The authority had a documented procedure for the maintenance of its food establishment database which had recently been amended to reflect the full range of activities carried out to keep it up to date. Information to update the database is gathered from interventions, database reviews, business directories, district knowledge, mail returns and liaison with other council departments such as licensing, planning and building control.
- 11.2 The authority's internal monitoring processes included monthly and / or quarterly checks on database integrity. Checks were also undertaken prior to submission of the annual LAEMS return.
- 11.3 Auditors randomly selected 10 food establishments located in the authority's area from the Internet. All of the food establishments that remained trading had been included on the authority's database and . in the food inspection programmes.

## **12 Food Inspection and Sampling**

- 12.1 The authority's Service Plan contained aims and objectives that made specific reference to the monitoring and sampling of food to verify compliance with statutory requirements. A policy relating to both food standards sampling activities and microbiological sampling had also been developed.
- 12.2 Programmes for the microbiological examination and chemical analyses of food that had regard to national and regional priorities had been developed and implemented. In addition to funding its own sampling programme, the authority had previously benefited from FSA grant funding for food standards samples.
- 12.3 Procedures had been developed for the approach to sampling for food standards analysis and for the microbiological sampling of foods, which were generally in accordance with the Food Law Code of Practice and official guidance. The procedures had been recently updated to include the provisions for taking all forms of foodstuffs as prescribed in the Food Law Code of Practice and for notifying food business operators of both informal and formal samples results.
- 12.4 The authority had appointed a Food Examiner and Public Analyst for carrying out examination and analyses of food samples, and had a formal agreement in place with Public Health Wales (PHW) for the microbiological examination of food.
- 12.5 All food hygiene and food standards samples and results were being entered on the authority's database. Additionally, food hygiene samples were being entered on the Food Standards Agency's central Food Surveillance System.

### ***Food Hygiene***

- 12.6 Audit checks of records relating to 10 samples submitted for microbiological examination were undertaken; seven of which related to unsatisfactory samples. All documentation relating to sampling was easily legible and retrievable, all samples had been taken by an

appropriately trained and authorised officer and the results were available on the food establishment files in all cases.

- 12.7 Businesses had been informed of unsatisfactory results and appropriate action had been taken by officers where applicable.

***Food Standards***

- 12.8 An examination of the records relating to 10 food standards samples was undertaken; all of which related to unsatisfactory samples. All samples had been taken by appropriately trained and authorised officers and in all cases sample results were available on the food establishments' files.

- 12.9 Businesses had been informed of unsatisfactory results in writing in all cases and appropriate action had been taken by officers in response to unsatisfactory samples in nine of the cases. This included liaising with Primary or Home Authorities as appropriate. In the remaining case, evidence was not available to enable auditors to verify that sufficient follow up had been undertaken after their initial contact with the manufacturer.

***Recommendations***

- 12.10 The authority should:
- (i) Take appropriate action in accordance with its Enforcement Policy where food standards sample results are not considered to be satisfactory. [The Standard – 12.7]

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

- 13.1 The authority had identified a lead officer for communicable disease along with other designated officers to assist in investigation and assessment of notifications received by the authority.
- 13.2 The Wales Outbreak Plan, produced by a multi-agency group, including Public Health Wales and Welsh Government had been approved for adoption by the Head of Public Protection. The Plan had been localised to include the contact details for neighbouring local authorities and other agencies that have a role in the control of outbreaks.
- 13.3 A procedure for investigating sporadic cases of food related infectious disease notifications had been produced by the authority. This was , supplemented with a range of pathogen specific procedures, advisory leaflets and investigation questionnaires. Auditors advised that the procedure would benefit from review to include advice for officers where postal questionnaires are not returned for sporadic cases of Campylobacter and reference to the investigation of food related Norovirus cases.
- 13.4 The authority had formal arrangements in place to respond to notifications of food related infectious diseases received outside normal working hours. The arrangements were not tested as part of the audit.
- 13.5 Notifications of 10 sporadic cases of food related infectious disease were selected for audit. Completed questionnaires were available in eight cases, which confirmed that officers had interviewed infected persons and that thorough and timely investigations had been carried out in accordance with the authority's procedures and target response times. In two of the cases where a questionnaire was available, auditors commented on minor deviations from the procedures in relation to recording information on household contacts and follow-up at implicated food establishments.
- 13.6 In the remaining two cases, investigation records for sporadic cases of Campylobacter were not available. Records indicated that postal questionnaires had been sent out to the cases and no response received. No evidence of follow-up investigation or further action was available on file. Auditors established that whilst this was in accordance

with the authority's procedure; it was not in accordance with centrally issued guidance in relation to the investigation of sporadic cases.

- 13.7 There had been no reported outbreaks of food related infectious disease reported by the authority in the two years prior to the audit.
- 13.8 Records relating to the control and investigation of food related infectious disease were being retained by the authority for at least six years.

***Recommendation***

- 13.9 The authority should:
- (i) Amend the procedure for investigation of sporadic cases of infectious disease to include the action required where postal questionnaires are not returned in order to ensure compliance with centrally issued guidance. [The Standard -13.2]

## **14 Food Safety Incidents**

- 14.1 The authority had developed a policy and a procedure for dealing with incidents and food alerts which also included food alerts arising in its area.
- 14.2 Auditors were, generally, able to verify that a sample of five recent food alerts for action notified to the authority by the FSA had been received and actioned as appropriate in accordance with the instructions issued, however, in one case, no records of the action taken in relation to a food alert were available.
- 14.3 Auditors were able to verify that the authority was aware of the requirement to notify the FSA of any serious localised and non-localised food hazards arising in its area and had done so when this had been required.



## **15 Enforcement**

- 15.1 The authority had developed a departmental Enforcement Policy that covered regulatory functions exercised by the food hygiene and food standards services. The Policy was made available to the public and businesses on the authority's website.
- 15.2 The policy advocated a graduated approach to enforcement and was generally in accordance with Food Law Code of Practice and other official guidance. The policy provided criteria for taking informal action, simple cautions and prosecutions and made reference to the Primary and Home Authority schemes. Whilst the procedures for individual enforcement actions also contained criteria, the Policy would benefit from including the circumstances under which statutory notices are used and approvals suspended or revoked.
- 15.3 The need to further develop the Policy to detail how non-compliance in local authority establishments would be addressed was discussed with officers.
- 15.4 Procedures for the withdrawal or suspension of approvals had been documented in the procedure for interventions in approved establishments and a separate enforcement procedure had been developed for imported food. Both were in accordance with the Food Law Code of Practice.
- 15.5 The authority had a range of procedures which were generally in accordance with the Food Law Code of Practice. However, the joint procedure for the seizure, detention, certification and voluntary surrender of unsafe food would benefit from further development to include further detail on the local arrangements for the destruction and disposal of food. Further, whilst the authority's procedure for Hygiene Improvement Notices (HIN), covered method of service via hand it did not provide details in relation to other methods of service such as postal service; which may be necessary where service by hand is not practicable. The procedure on Remedial Action Notices (RANs), included within the food hygiene service's Enforcement Procedure, had recently been developed to include situations where RANs may not be appropriate and for providing guidance on checking compliance with the notice.

- 15.6 The authority had used a range of enforcement tools to secure improved business compliance with food hygiene legislation. A major investigation and prosecution in respect of food standards had also taken place during the two year's prior to the audit.
- 15.7 The following formal enforcement actions had been reported, in pre-audit documentation, as having been undertaken in the two years prior to the audit:
- 87 Hygiene Improvement Notices (HINs);
  - 5 Remedial Action Notices;
  - 11 Voluntary Closures;
  - 1 Food seizures;
  - 2 simple cautions;
  - 2 prosecution decisions.
- 15.8 An examination of database records, indicated one '0' rated establishment, which had been subject to timely and appropriate formal enforcement action. Further, all 11 establishments which had fulfilled the health risk conditions requiring closure had been subject to appropriate enforcement action. In one case where escalation to further enforcement action may have been appropriate, the business had permanently ceased trading.
- 15.9 Ten Hygiene Improvement Notices (HINs) and associated records were selected for audit. In all cases, the service of HINs had been the appropriate course of action, the details of the contraventions identified and the measures to achieve compliance had been specified along with all other required information. In all cases, there was evidence available to confirm the method of service, there had been a timely check on compliance, appropriate follow-up action had been carried out and in all relevant cases where compliance had been achieved, this had been confirmed in writing to the food business operators.
- 15.10 Audit checks were undertaken of five RANs and associated records, which confirmed that notices had been correctly drafted, signed by an appropriately authorised officer who witnessed the contravention and properly served. In all cases, auditors were able to verify that RANs had been an appropriate course of action. However, in one case, the authority would have benefited from ensuring that establishment records

were updated with information pertaining to enforcement decisions. Further, auditors noted that, in two cases, records were not available to confirm that the recipient had been provided with the address of the court of law in the event of appeal.

- 15.11 In all cases, auditors were, able to confirm that appropriate follow-up action had been taken. However in one case, auditors were unable to verify that a timely check on compliance had occurred due to insufficient information on the establishment record to account for an absence in monitoring activity. In all cases auditors were able to confirm, that where applicable, notices had been correctly withdrawn.
- 15.12 Auditors examined the records of 10 voluntary closures which had been undertaken by the authority in the two years prior to the audit. In all but one case auditors were able to verify that the issue of a voluntary closure was a suitable course of action. In the remaining case limited information was available to demonstrate an imminent risk.
- 15.13 There was evidence available in all cases to confirm that officers had made regular checks to ensure establishments remained closed in accordance with the recently amended procedure.
- 15.14 In the two years prior to the audit, the authority had issued two simple cautions with respect to food standards and two prosecutions; one for food standards offences whilst the other was a joint prosecution involving both services.
- 15.15 Auditors were able to verify that the joint prosecution had been an appropriate course of action administered in accordance with relevant official guidance.
- 15.16 With respect to the two Simple Cautions issued by food standards officers, auditors were able to confirm that they had been administered by appropriately authorised officers. However, in one case, a witness statement was unavailable to support the decision to issue the simple caution, whilst in the other case, the simple caution had been administered one month after the time period for laying a case had elapsed, both contrary to its own procedures and relevant official guidance.

### ***Recommendations***

15.17 The authority should:

- (i) Review and amend the Enforcement Policy to include criteria for the use of statutory notices and enforcement action in approved establishments in accordance with the Food Law Code of Practice and official guidance and include reference to businesses operated by the authority. [The Standard – 15.1]
- (ii) Review, amend and implement its documented enforcement procedures to include further detail on the local arrangements for the destruction and disposal of unsafe food and provision of information in relation to alternative methods of service for food hygiene Improvement Notices. [The Standard - 15.2]
- (iii) Ensure that food hygiene and food standards enforcement is carried out in accordance with its procedures, the Food Law Code of Practice, official guidance and centrally issued guidance. [The Standard – 15.2 & 15.3]
- (iv) Ensure all decisions on enforcement action are documented and are made following consideration of the authority's enforcement policy. Document the reasons for any departure from the criteria set-out in the Enforcement Policy. [The Standard - 15.4]

## **16 Records and Interventions/Inspections Reports**

### ***Food Hygiene***

- 16.1 Food business records, including registration forms, inspection aide-memoires, post inspection visit report forms and correspondence were being stored by the authority on its electronic food establishment database. Details of the date and types of intervention undertaken at food establishments, as well as the risk profiles and food hygiene ratings, were also maintained on the system. Information relating to food establishments selected for audit was provided by the authority in hard copy. Where relevant, information relating to the last three inspections was available and records were being retained for six years.
- 16.2 In all cases, approved establishment files contained a synopsis, HACCP documentation, notification document and establishment layout plans. The remainder of the information required in Annex 10 of the Food Law Practice Guidance was available in all cases. Establishment files for approved premises would benefit from a review to ensure that any historic material is removed or archived to allow easier access to the most up to date documents.
- 16.3 Letters provided to food businesses post inspection clearly differentiated between legal requirements and recommendations for good practice. These letters also detailed corrective actions and the timescales required to achieve compliance, as well as indicating any further follow-up action intended by the authority.
- 16.4 Post-inspection letters contained all the information required to be provided to food business operators under Annex 6 of the Food Law Code of Practice.
- 16.5 In all cases examined, the latest inspection letters had been sent to businesses within 14 days of the visit, as required by the authority's procedures and Food Hygiene Rating legislation.

### ***Food Standards***

- 16.6 The outcome of inspections was being reported to businesses using food standards inspection report forms. In some instances inspection letters

had been provided. Records of interventions were being maintained on the authority's database, including the date, type of intervention and risk rating for the establishment.

- 16.7 Auditors were able to confirm that in eight out of ten of the interventions checked, food business operators had received an inspection report at the conclusion of the visit. Where available, latest inspection report forms were all retrievable and legible and contained most of the information required by Annex 6 of the Food Law Code of Practice. However, some key information had not been consistently provided, including the type of business, the person seen or interviewed, documents examined, samples taken, actions to be taken by the authority, an indication of timescale for achieving compliance and the officers signature and designation. Auditors noted that the authority had recently developed a Food Standards Business Advice Form which included the officers designation.
- 16.8 The authority was able to demonstrate, where applicable, that records were being kept for at least six years.

***Recommendation***

- 16.9 The authority should:
- (i) Maintain up to date accurate food standards records of all food establishments in its area in accordance with the Food Law Code of Practice and centrally issued guidance. These records shall include reports of all interventions / inspections (including copies of food inspection reports), the determination of compliance with legal requirements made by the authorised officer, details of action taken where non-compliance was identified and details of any enforcement action taken. The authority should also record, with reasons, deviations from set procedures. [The Standard – 16.1]

## **17 Complaints about the Service**

- 17.1 The authority had developed both a corporate complaints policy and a departmental policy which were available to the public and food businesses on its website.
- 17.2 Complaints were dealt with under a two stage procedure, initially by the relevant officer / line manager and then, if the customer was not satisfied, by the department's complaints officer.
- 17.3 One complaint about the food hygiene service had been received in the two years prior to the audit. This had been investigated in accordance with the authority's procedure and not upheld.
- 17.4 Auditors noted that the details of a senior officer was provided on correspondence should businesses wish to complain following an inspection or other intervention.

## 18 Liaison with Other Organisations

18.1 The authority had indicated in its Service Plans that it had liaison arrangements in place with a number of external groups aimed at ensuring that enforcement action is consistent and proportionate. Relevant officers attended meetings of the South East Wales Food Safety Task Group, South East Wales Communicable Disease Task Group, Communicable Disease Liaison Group, Greater Gwent Food Group, the National Food Forum, Wales Heads of Trading Standards Group (WHoTS), WWhoTS Food Standards and Labelling Enforcement Group, Welsh Food Microbiological Forum and Wales Food Safety Expert Panel (FSEP). Arrangements were also in place to keep informed of the work of the following bodies and liaise with them as appropriate:-

- Lead Officers Food Hygiene Rating Steering Group;
- Wales Heads of Environmental Health Group;
- Wales Communicable Disease Expert Panel;
- Welsh Government;
- Food Standards Agency;
- Welsh Food Fraud Coordination Unit;
- Medicines and Healthcare Regulatory Agency (MHRA);
- Consultant in Communicable Disease Control Proper Officer (CCDC) and infection control nurses of Public Health Wales (Welsh NHS)

18.2 The authority provided evidence that effective liaison had taken place with the full range of external groups indicated.

18.3 Auditors were also able to verify that liaison arrangements were in place with and Welsh Water, and that liaison had taken place with licensing colleagues on food safety related matters. The authority's enforcement procedure set out how food hygiene interventions were reported to other council departments.

### **Good Practice – Collaboration on food procurement**

The authority's food safety and food standards officers worked collaboratively with procurement officers on an authority wide Food Procurement Policy, new food procurement tenders, the awarding of mobile vendor contracts at local authority events, training and the standards to be adopted by third party auditors for the procurement service.



18.4 The authority had worked collaboratively with other local authorities to identify a suitable Public Protection software system for adoption across Wales.

## **19 Internal Monitoring**

- 19.1 Internal monitoring is important to ensure performance targets are met, services are being delivered in accordance with legislative requirements, centrally issued guidance and the authority's procedures. It also ensures consistency in service delivery.
- 19.2 A number of key performance indicators had been identified for the food hygiene and standards services. Quantitative internal monitoring arrangements were in place to monitor performance against the targets, which had been set-out in the Service Plan and the authority's Improvement Plan. Performance records were being maintained on a corporate performance monitoring database which was updated and reported on quarterly. Further monitoring of the intervention programmes occurred during team meetings.
- 19.3 Separate documented internal monitoring procedures had been developed for the food hygiene (based on the All Wales Food Safety Expert Panel (FSEP) procedure) and food standards services.
- 19.4 Senior officers were responsible for internal monitoring of food enforcement services at an operational level.
- 19.5 Auditors were able to verify that some qualitative internal monitoring had been undertaken across the service including database checks, accompanied inspections and record checks. Records maintained, in accordance with the procedure, were able to confirm the nature and extent of the monitoring activity. In respect of food hygiene the need to extend the scope of the procedure to include AES, communicable disease investigations and officer authorisations was discussed with managers. The food standards internal monitoring procedure required development to include AES and provide an indication of the frequency for file monitoring activity.
- 19.6 The authority has reviewed its progress in meeting the recommendations of the Public Inquiry into the 2005 Outbreak of *E. coli* O157 in South Wales on an annual basis, most recently in November 2015.
- 19.7 The authority was able to demonstrate that officer progress in meeting performance targets, training and qualitative aspects of their work had

been discussed in regular team meetings and during individual supervision meetings.

- 19.8 Officers had attended training to ensure the consistent application of food hygiene risk ratings, in accordance with Annex 5 of the Food Law Code of Practice. Further, they had participated in a national consistency exercise co-ordinated by the FSA.
- 19.9 The authority has conducted customer surveys to gain external feedback on some aspects of service delivery.
- 19.10 Internal monitoring records were being maintained by managers for at least two years.

***Recommendation***

- 19.11 The authority should:
- (i) Extend the scope of its internal monitoring procedures for food hygiene to include AES, communicable disease investigations and officer authorisations and include AES in its food standards internal monitoring procedures together with an indication of the frequency of file monitoring activities. Implement the revised procedures. [The Standard – 19.2]

## **20 Third Party or Peer Review**

- 20.1 In January 2014 the authority, in common with the other 21 local authorities in Wales, had submitted information in respect of two FSA focused audits - Response of Local Government in Wales to the Recommendations of the Public Inquiry into the September 2005 Outbreak of *E. coli* O157 in South Wales and Local Authority Management of Interventions in Newly Registered Food Businesses. These focused audit reports are available at:  
[www.food.gov.uk/enforcement/auditandmonitoring](http://www.food.gov.uk/enforcement/auditandmonitoring)
- 20.2 The authority's Environmental Health functions, which included the food hygiene service and the investigation of food related infectious disease, had been subject to a review by the Wales Audit Office in 2013/14. The report's findings were noted by the authority's Scrutiny Committee on the 23<sup>rd</sup> June 2015.

## 21 Food Safety and Standards Promotion

21.1 The authority had delivered a number of initiatives with the aim of promoting food hygiene and standards. Activities included:

- participation in development of national guidance on food standards for takeaways; translated into six languages;
- talk to local school on Food Hygiene Rating Scheme (FHRS);
- talks to local businesses on allergens and labelling;
- hand washing demonstrations to local schools;
- use of social media to publicise food businesses that had achieved a FHRS rating of 5;
- advice letters to food businesses on new requirements relating to labelling and allergens;
- use of social media to publicise food alerts;
- publicising food prosecutions on its website.

### **Good Practice – Use of social media**

The authority had used social media to promote the Food Hygiene Rating Scheme and to publicise food alerts.

21.2 Information on food hygiene and food standards services was available for consumers and businesses on the authority's website.

21.3 Records of promotional activities were being maintained by the lead officers.

### **Auditors:**

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## Action Plan for Caerphilly County Borough Council

Audit Date: 18th – 22nd January 2016

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.23 (i) Ensure variances relating to lower risk food hygiene establishment interventions are identified in the service plan. [The Standard 3.1]	Completed		Completed in 2016/17 Food Service Plan.
5.9 (i) Amend its food standards authorisations to ensure officers are correctly authorised under all appropriate legislation. [The Standard – 5.1]  (ii) Maintain records of relevant training and experience of all authorised food standards officers in accordance with the Food Law Code of Practice. [The Standard – 5.5]	Completed  Completed		November 2016, OP- 01 Authorisations procedure reviewed and amended. Food Standards officer authorisations amended. Non Food Standards officer authorisations added.  Completed January 2017 officer qualification and training records maintained and stored electronically..
7.24 (i) Ensure that food hygiene interventions/inspections are carried out at the minimum frequency specified by the Food Law Code of Practice. [The Standard -7.1]  (ii) Ensure that, where applicable, AES are undertaken and all registration forms are date stamped so that establishments are registered in accordance with the Food Law Code of Practice, centrally issued guidance, and local procedures. [The Standard – 7.2]	During 2016/2017 & 2017/2018	Plan in place to address these interventions during 16/17 - 17/18 with officer overtime/engagement of contractor.  Checks undertaken as part of internal monitoring.	Priority given to High Risk businesses. AES's undertaken for Low Risk businesses outside the scope of the FHRS.  Low Risk interventions ongoing.  All registration forms are date stamped on receipt.

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
(iii) Fully assess the compliance of establishments in its area to the legally prescribed standards; particularly, in relation to checks on the provenance of imported food and checks on health / ID marks. [The Standard -7.3]		Checks undertaken as part of internal monitoring.	Inspection and Approved premises forms have been amended to include prompts for officers to record this information.
<p>7.44 (i) Ensure that food standards establishment interventions and inspections are carried out at a frequency which is not less than that determined by the Food Law Code of Practice. [The Standard - 7.1]</p> <p>(ii) Carry out interventions / inspections including alternative enforcement strategy, in accordance with relevant legislation, the Food Law Code of Practice and centrally issued guidance. [The Standard - 7.2]</p> <p>(iii) Assess the compliance of establishments in its area to the legally prescribed standards; and ensure appropriate action is taken to follow-up non-compliance in accordance with the authority's Enforcement Policy. [The Standard – 7.3]</p>	<p>During 2017/18</p> <p>During 2017/18</p> <p>During 2017/18</p>	<p>Checks undertaken as part of internal monitoring.</p> <p>Checks undertaken as part of internal monitoring.</p> <p>Internal monitoring to check improvements applied in practice.</p>	<p>June 2016 - Food Standards Inspections at Food Establishments Policy amended. Policy sets out how food standards inspections at Food Establishments are prioritised and how premises are selected for intervention.</p> <p>June 2016 new Food Standards OP-13 AES procedure devised and implemented. 358 out of 408 low risk food premises returned self-assessment survey forms to date.</p> <p>New Enforcement Policy circulated to staff 27/10/16. Officers have access to and follow Trading Standards Quality Manual and Food Manual procedures. December 16 - Internal Food Standards staff training. Covered Food Quality manual procedures including Interventions/data capture, significant breaches, Revisits, Notices and recording methods..</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>7.44 (iv) Amend the interventions procedures to provide guidance on the use of experts and AES [The Standard 7.4].</p> <p>(v) Ensure that observations and/or data made in the course of an intervention/inspection are recorded in a timely manner to prevent the loss of relevant information, and that contemporaneous records of interventions are stored in such a way that they are retrievable. [The Standard – 7.5]</p>	<p>Completed</p> <p>During 2017/18</p>	<p>Checks undertaken as part of internal monitoring.</p>	<p>June 2016 OP-03 Interventions at Food Establishments procedure amended to include guidance on use of experts..</p> <p>Staff updated of changes during internal training session in December 16..</p> <p>December 16 - Officers retrained regarding recording and retention of intervention data..</p> <p>January 17, OP-02 Internal Monitoring procedure amended to include intervention file audits. Staff updated 30/01/17.</p>
<p>8.9 (i) Amend the food standards procedure to include target response times for food standards complaints or service requests. [The Standard - 8.1]</p>	<p>Completed</p>		<p>Completed January 17. OP- 04 Complaints and Service Requests amended. Procedure references complaint service standards contained in OP-301 Complaints and Enquiries. Staff updated by e mail with regards to the changes 30/01/17.</p>
<p>12.10 (i) Take appropriate action in accordance with its Enforcement Policy where food standards sample results are not considered to be satisfactory. [The Standard – 12.7]</p>	<p>During 2017/18</p>	<p>Checks undertaken as part of internal monitoring.</p>	<p>New Enforcement Policy circulated to staff 27/10/16.</p> <p>December 16 internal refresher staff training included OP-05 Sampling. Included action to be taken following adverse sample results.</p> <p>January 17, OP-02 Internal Monitoring procedure amended to include intervention file audits. Staff updated by E mail regards to the changes 30/01/17.</p>



TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
13.9 (i) Amend the procedure for investigation of sporadic cases to include the required action where postal questionnaires are not returned in order to ensure compliance with centrally issued guidance. [The Standard -13.2]	Completed		Reminder letters sent out to non responders. from August 2016. Procedure reviewed January 2017.
15.17 (i) Review and amend the enforcement policy to include criteria for the use of statutory notices and action in approved establishments in accordance with the relevant Codes of Practice and official guidance and include reference to businesses operated by the authority. [The Standard – 15.1]	Completed		October 2016 Enforcement Policy reviewed and amended. Approved by Cabinet Member and Head of Public Protection..
<p>(ii) Review, amend and implement its documented enforcement procedures to include further detail on the local arrangements for the destruction and disposal of unsafe food and provision of information in relation to alternative methods of service for food hygiene improvement notices. [The Standard - 15.2]</p> <p>(iii) Ensure that food hygiene enforcement is carried out in accordance with its procedures, the Food Law Code of Practice, official guidance and centrally issued guidance. [The Standard – 15.2 &amp; 15.3]</p>	<p>Completed</p> <p>During 2017/18</p>	<p>Checks undertaken as part of internal monitoring</p>	<p>Completed January 2017.</p> <p>FH Enforcement is carried out in accordance with procedures. Issues are discussed with other officers for consistency purposes.</p>

<b>TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)</b>	<b>BY (DATE)</b>	<b>PLANNED IMPROVEMENTS</b>	<b>ACTION TAKEN TO DATE</b>
(iv) Ensure all decisions on enforcement action are documented and are made following consideration of the authority's enforcement policy. Document the reasons for any departure from the criteria set-out in the Enforcement Policy. [The Standard - 15.4]	During 2017/18	Checks undertaken as part of internal monitoring.	Decisions taken on enforcement actions are documented and made following consideration of the authority's Enforcement Policy.  Trading Standards Quality Manual procedures OP 603.6 'Compilation of Reports' and OP604 'Report Processing' amended January 16.
16.9 (i) Maintain up to date accurate records of all food establishments in its area in accordance with the Food Law Code of Practice and centrally issued guidance. These records shall include reports of all interventions / inspections (including copies of food inspection reports), the determination of compliance with legal requirements made by the authorised officer, details of action taken where non-compliance was identified and details of any enforcement action taken. The authority should also record, with reasons, deviations from set procedures. [The Standard – 16.1]	During 2017/18	Checks undertaken as part of internal monitoring.	Records of Food establishments, interventions & reports are maintained on Civica APP.  During 2016 new Food Standards Inspection Report Forms (Annex 2 OP-O3 Interventions at Food Establishments) piloted and introduced. Includes new data recording prompts.  December 16 internal training - officers reminded of importance of data capture, recording of non-conformances and enforcement actions and any deviations from set procedures. January 17, OP-02 Internal Monitoring procedure amended to include intervention file audits. Staff updated by E mail regards to the changes 30/01/17.
19.11 (i) Extend the scope of its internal monitoring procedures for food hygiene to include AES, communicable disease investigations and officer authorisations and include AES in its food standards internal monitoring procedures together with an indication of the frequency of file monitoring activities. Implement the revised procedures. [The Standard – 19.2]	During 2017/18	Additional checks to be undertaken as part of revised internal monitoring procedure.	Food Safety - completed January 2017, procedure amended.  Food Standards – completed January 2017. Internal Monitoring procedure reviewed and amended. Staff updated by E mail regards to the changes 30/01/17.

***Audit Approach/Methodology***

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

***(1) Examination of local authority policies and procedures***

The following policies, procedures and linked documents were examined:

- Food Enforcement Service Plan 2015/16
- Trading Standards Commercial Services Team Plan 2015/16
- Annual Performance Report 2014/15
- Corporate Plan 2015/16
- Corporate Plan 2013-17
- Improvement Objectives 2013/14
- Part 2 - Improvement Objectives 2014-2015
- Annual Service Plan Public Protection 2015/2016
- Cabinet Report 5th February 2014: Appointment Of Public And Agricultural Analysts
- Cabinet Report 16th October 2013: Amendments To Authorisation Of Officers Within The Public Protection Division
- Regeneration And Environment Scrutiny Committee – 17th February 2015: Public Protection Enforcement Policy
- Regeneration And Environment Scrutiny Committee – 1st July 2014: Public Protection Enforcement – 2013/14
- Cabinet 11th December 2013: Food Hygiene Rating (Wales) Act 2013
- Cabinet – 4th March 2015: Public Protection Enforcement Policy
- Public Protection Presentation By RH for HSC Committee 2015
- Health Social Care And Wellbeing Scrutiny Committee - 23rd June 2015: Public Protection Enforcement – 2014/15
- Health Social Care And Wellbeing Scrutiny Committee – 23rd June 2015: Wales Audit Office Report On Environmental Health Services
- Food Safety/H&S/CD Operational Procedure FS OP-001: Document Control
- Food Standards Operational Procedure OP- 06: Document Control
- Constitution Part 3: Responsibility for Functions
- Annual Council – 14th May 2015: Constitutional Matters
- Food Safety Operational Procedure FS OP-024: Authorisation
- Food Standards Operational Procedure OP- 01: Authorisations
- Communicable Disease Control Operational Procedure EHOP – 11: Authorisation
- Structure of the food service
- Food Safety Operational Procedure FS OP-015: Calibration & Maintenance

- Food Standards Operational Procedure OP- 09: Equipment & PPE
- Food Safety Operational Procedure FS OP-019: Controlling the Database
- Food Safety Interventions Policy 2015
- Food Standards Interventions at Food Establishments Policy
- Food Safety Operational Procedure FS OP-002: New premises and changes of details to existing premises
- Food Safety Operational Procedure FS OP-003: Food Safety Interventions
- Food Safety Operational Procedure FS OP-005: Revisits
- Food Safety Operational Procedure FS OP-0025: Water Disconnections
- Food Safety Operational Procedure FS OP-028: Food Hygiene Rating Scheme
- Food Safety Operational Procedure FS OP-022: Approved premises – application process
- Food Safety Operational Procedure FS OP-023: Approved premises – Interventions
- Food Safety & Standards Operational Procedure FS OP-006: Inspection of food
- Food Standards Operational Procedure OP- 03: Interventions at food establishments
- Food Standards Operational Procedure OP-11: Notices
- Food Complaints Policy
- Food Safety Operational Procedure FS OP-010: Food Complaints
- Food Standards Operational Procedure OP- 04: Complaints and Service Requests
- Food Standards Operational Procedure OP- 301: Complaints and Enquiries
- Food Safety & Standards Operational Procedure FS OP-012: Home Authority
- Food Safety & Standards Operational Procedure FS OP-019: Controlling the Database
- Cabinet Report 6th March 2012: Appointment Of Public And Agricultural Analysts
- Food Sampling Policy
- Food Safety Sampling Programme 2014 – 2015
- Food Safety Operational Procedure FS OP-011: Food Sampling
- Food Standards Operational Procedure OP- 05: Sampling
- Trading Standards Commercial Services Team Sampling Plan 2014/2015
- Outbreak Control Plan
- Communicable Disease Control Operational Procedure EHOP – 11: Authorisation
- Communicable Disease Control EHSP – 02: Investigation of a Sporadic case of Campylobacter Food Poisoning
- Communicable Disease Control EHSP – 01: Investigation of a sporadic case of suspected food poisoning
- Communicable Disease Control EHSP – 03: Investigation of a sporadic case of Gastro Intestinal infection

- Communicable Disease Control EHSP – 05: Investigation of a sporadic case of *E.coli* O157 food poisoning
- Communicable Disease Control EHSP – 06: Investigation of a sporadic case of Listeriosis
- Communicable Disease Control EHSP – 07: Investigation of a sporadic case of Hepatitis E
- Communicable Disease Control EHSP – 09: Application for Part 2A Orders
- Communicable Disease Control EHSP – 10: Local Authority Powers
- Communicable Disease Control Out of Hours OHSP – 09: Investigation of a Sporadic Incident of E coli O157 Food Poisoning out of hours
- Food Incidents and Alerts Policy
- Food Safety & Food Standards Operational Procedure FS OP-013: Food Incidents and Food Alerts
- Public Protection Enforcement Policy
- Food Safety Operational Procedure FS OP-004: Enforcement Protocol
- Standard Operating Procedure: Fixed Penalty Notices
- Operational Protocol For Public Authorities Engaged In Joint R.I.P.A. Operations
- Food Safety & Food Standards Operational Procedure FS OP-014: Imported Foods
- Trading Standards & Commercial Operating Procedure OP603.4: Compilation of Reports
- Trading Standards & Commercial Operating Procedure OP612.3: Digitally Recorded Interviews (CD Issue)
- Trading Standards & Commercial Operating Procedure OP601.2: Initiation of Offences
- Trading Standards & Commercial Operating Procedure OP602.4: Infringement Procedure
- Trading Standards & Commercial Operating Procedure OP604.3: Report Processing
- Trading Standards & Commercial Operating Procedure OP605.4: Prosecution Procedures
- Trading Standards & Commercial Operating Procedure OP606.3: Evidence and Powers
- Trading Standards & Commercial Operating Procedure OP607.5: Entry Warrants
- Trading Standards & Commercial Operating Procedure OP608.3: Statements
- Trading Standards & Commercial Operating Procedure OP609.3: Interviews
- Trading Standards & Commercial Operating Procedure OP610: Authorised Notebooks
- Trading Standards & Commercial Operating Procedure OP611: The Storage, Retention and Disposal of Evidence

- Trading Standards & Commercial Operating Procedure OP613.3: Authorisations for Directed Surveillance
- Trading Standards & Commercial Operating Procedure OP614.3: Authorisations for Covert Human Intelligence
- Trading Standards & Commercial Operating Procedure OP615.4: Authorisation for Obtaining Communications Data
- Trading Standards & Commercial Operating Procedure OP616.1: Contact with Defendants and Witnesses
- Trading Standards & Commercial Operating Procedure OP617: Evidential Digital Imaging
- Trading Standards & Commercial Operating Procedure OP618.2: Interviewing of Vulnerable Witnesses
- Trading Standards & Commercial Operating Procedure OP619: Obtaining Vehicle Keeper Details Via National Anti Fraud Network
- Procedure for Charging at Police Stations
- Corporate Complaints Policy
- Food Safety & Food Standards Operational Procedure FS OP-008: Complaints About Service
- Food Safety Operational Procedure FS OP-021: Management Control
- Food Standards Operational Procedure OP – 02: Internal Monitoring

## ***(2) File and records reviews***

A number of local authority records were reviewed during the audit, including:

- Food Plan Approval 2015/16
- Cabinet Minutes 4th March 2015: Public Protection Enforcement Policy
- Annual Council Minutes 14th May 2015
- Officer authorisations and training records
- Calibration records
- General food establishment records
- Approved establishment files
- Food and food establishment complaint records
- Advisory and promotional materials provided to businesses and consumers
- FSM Project Evaluation
- Notice of Cabinet Decisions 5th February 2014: Appointment of Public and Agricultural Analysts
- Cabinet Minutes 5th February 2014: Appointment of Public and Agricultural Analysts
- Food sampling records
- Records of food related infectious disease notifications
- Food Incident records
- Notice Of Cabinet Decisions 4th March 2015: Public Protection Enforcement Policy
- Informal and formal enforcement records

- Minutes of internal meetings and external liaison meetings
- Internal monitoring records

**(3) *Review of database records:***

A selection of database records were considered during the audit in order to:

- Review and assess the completeness of database records of food inspections, food and food establishment complaint investigations, samples taken by the authority, formal enforcement and other activities and to verify consistency with file records.
- Assess the completeness and accuracy of the food establishments database.
- Assess the capability of the system to generate food law enforcement activity reports and the monitoring information required by the Food Standards Agency.

**(4) *Officer interviews***

Officer interviews were carried out with the purpose of gaining further insight into the practical implementation and operation of the authority's food control arrangements. The following officers were interviewed:

Senior Environmental Health Officer  
Senior Trading Standards Officer  
Trading Standards Officers including officer with lead responsibility for food standards  
District Environmental Health Officers, including officer with lead responsibility for communicable disease

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

**(5) *On-site verification checks:***

Verification visits were made with officers to four local food establishments. The purpose of these visits was to consider the effectiveness of the authority's assessment of food business compliance with relevant requirements.

***Glossary***

Approved establishments	Food manufacturing establishment that has been approved by the local authority, within the context of specific legislation, and issued a unique identification code relevant in national and/or international trade.
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.
CPIA	The Criminal Procedures and Investigations Act 1996 – governs procedures for undertaking criminal investigations and proceedings.
Critical Control Point (CCP)	A stage in the operations of a food business at which control is essential to prevent or eliminate a food hazard or to reduce it to acceptable levels.
Directors of Public Protection Wales (DPPW)	An organisation of officer heading up public protection services within Welsh local authorities.
Environmental Health Professional/Officer (EHP/EHO)	Officer employed by the local authority to enforce food safety legislation.
Food Examiner	A person holding the prescribed qualifications who undertakes microbiological analysis on behalf of the local authority.
Food Hazard Warnings/ Food Alerts	This is a system operated by the Food Standards Agency to alert the public and local authorities to national or regional problems concerning the safety of food.



Food/feed hygiene	The legal requirements covering the safety and wholesomeness of food/feed.
Food Hygiene Rating Scheme (FHRS)	A scheme of rating food businesses to provide consumers with information on their hygiene standards.
Food standards	The legal requirements covering the quality, composition, labelling, presentation and advertising of food, and materials in contact with food.
Food Standards Agency (FSA)	The UK regulator for food safety, food standards and animal feed.
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.

Home authority	An authority where the relevant decision making base of an enterprise is located and which has taken on the responsibility of advising that business on food safety/food standards issues. Acts as the central contact point for other enforcing authorities' enquiries with regard to that company's food related policies and procedures.
Hygiene Improvement Notice (HIN)	A notice served by an Authorised Officer of the local authority under Regulation 6 of the Food Hygiene (Wales) Regulations 2006, requiring the proprietor of a food business to carry out suitable works to ensure that the business complies with hygiene regulations.
Inspection	The examination of a food or feed establishment in order to verify compliance with food and feed law.
Intervention	A methods or technique used by an authority for verifying or supporting business compliance with food or feed law.
Inter authority Auditing	A system whereby local authorities might audit each others' food law enforcement services against an agreed quality standard.
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.
National Trading Standards Board (NTSB)	An association of chief trading standards officers.
OCD returns	Returns on local food law enforcement activities required to be made to the European Union under the Official Control of Foodstuffs Directive.
Official Controls (OC)	Any form of control for the verification of compliance with food and feed law.

Originating authority	An authority in whose area a business produces or packages goods or services and for which the authority acts as a central contact point for other enforcing authorities' enquiries in relation to the those products.
PACE	The Police and Criminal Evidence Act 1984 – governs procedures for gathering evidence in criminal investigations.
Primary authority	A local authority which has developed a partnership with a business which trades across local authority boundaries and provides advice to that business.
Public Analyst	An officer, holding the prescribed qualifications, who is formally appointed by the local authority to carry out chemical analysis of food samples.
Registration	A legal process requiring all food business operators to notify the appropriate food authority when setting-up a food business.
Remedial Action Notices (RAN)	A notice served by an Authorised Officer of the local authority under Regulation 9 of the Food Hygiene (Wales) Regulations 2006 (as amended) on a food business operator to impose restrictions on an establishment, equipment or process until specified works have been carried out to comply with food hygiene requirements.
Risk rating	A system that rates food establishments according to risk and determines how frequently those establishments should be inspected. For example, high risk hygiene establishments 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 service within a local authority which carries out, amongst other responsibilities, the enforcement of food standards and feedingstuffs legislation.

Trading Standards Officer (TSO)	Officer employed by the local authority who, amongst other responsibilities, may enforce food standards and feedingstuffs legislation.
Unitary authority	A local authority in which all the functions are combined, examples being Welsh Authorities and London Boroughs. A Unitary authority's responsibilities will include food hygiene, food standards and feedingstuffs enforcement.
Unrated business	A food business identified by an authority that has not been subject to a regulatory risk rating assessment.
Wales Heads of Environmental Health (WHeEH)	A group of professional representatives that support and promote environmental and public health in Wales.