

Report on the Audit of Local Authority Food Law Service Delivery and Food Business Compliance

Castle Point Borough Council
25-27 June 2014



Foreword

Audits of local authorities' feed and food law enforcement services are part of the Food Standards Agency's 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 feeding stuffs is largely the responsibility of local authorities. These local authority regulatory functions are principally delivered through Environmental Health and Trading Standards Services.

The attached audit report examines the Authority's Food Law Enforcement Service. The assessment includes the local arrangements in place for database management, inspections of food businesses and internal monitoring. It should be acknowledged that there will be considerable diversity in the way and manner in which local authorities may provide their food enforcement services reflecting local needs and priorities.

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

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

The report contains some statistical data, for example on the number of food premises inspections carried out annually. The Agency's website contains enforcement activity data for all UK local authorities and can be found at: www.food.gov.uk/enforcement/auditandmonitoring.

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

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1.0 Introduction

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

Reason for the Audit

- 1.2 The power to set standards, monitor and audit local authority food law enforcement services was conferred on the Food Standards Agency by the Food Standards Act 1999 and the Official Feed and Food Controls (England) Regulations 2009. This audit of Castle Point Borough Council was undertaken under section 12(4) of the Act as part of the Food Standards Agency's annual audit programme.
- 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 Food Standards Agency, 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.¹
- 1.4 The Authority was selected for inclusion in the Food Standards Agency's programme of audits of local authority food law enforcement services because it had not been audited in the past by the Agency, and was representative of a geographical mix of five local authorities selected across England. The selection also took account of the Authority's Local Authority Enforcement Monitoring System data submitted which indicated that an audit would be beneficial.

¹ 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).

Scope of the Audit

- 1.5 The audit examined Castle Point Borough Council's arrangements for food premises database management, food premises interventions and internal monitoring, with regard to food hygiene law enforcement. This included a reality check at a food business to assess the effectiveness of official controls implemented by the Authority at the food business premises and, more specifically the checks carried out by the Authority's officers to verify food business operator (FBO) compliance with legislative requirements. An interview with an officer from the authority was also carried out. The scope of the audit also included an assessment of the Authority's overall organisation and management, and the internal monitoring of food hygiene law enforcement activities.
- 1.6 Assurance was sought that key Authority food hygiene law enforcement systems and arrangements were effective in supporting business compliance, and that local enforcement was managed and delivered effectively. The on-site element of the audit took place at the Authority's offices at Kiln Road, Benfleet, Essex on 25-27 June 2014.

Background

- 1.7 Castle Point Borough Council is situated in Essex in the east of England and has an area covering 45.08 km², with a population of approximately 86,500. The borough consists of the mainly urban districts of Canvey Island, Hadleigh, South Benfleet, and Thundersley.
- 1.8 Food safety law enforcement was provided by the Environmental Health Service.
- 1.9 Food safety law enforcement was delivered by an Environmental Health Service, which also had responsibility for other aspects of the Authority's work such as private sector housing, environmental protection and health and safety. The Environmental Health Operations Manager was overseeing the day to day running of the Environmental Health (food) Team due to a vacant team leader post. The Service did not have responsibility for the enforcement of food standards, which was the remit of Essex County Council.

1.10 The Authority reported the profile of Castle Point Borough Council's food businesses as of 31 March 2014 as follows:

Type of Food Premises	Number
Primary Producers	1
Manufacturers/Packers	9
Importers/Exporters	0
Distributors/Transporters	8
Retailers	117
Restaurant/Caterers	377
Total Number of Food Premises	512

2.0 Executive Summary

- 2.1 The Authority was selected for audit because it had not been previously audited by the FSA and there were some discrepancies in recent enforcement data submitted to the Agency via the Local Authority Enforcement Monitoring System (LAEMS), and to provide a geographical range of authorities within the audit programme.
- 2.2 The Authority reported that it had recently made a significant restructure and reported to auditors that a number of other issues had impacted on the delivery of the food service including staff issues and reductions in resources. Contractors had been engaged to carry out the majority of the programmed food inspection visits for 2013/14 and for the foreseeable future.

2.3 Key areas for improvement:

Authorisation and training: The Authority should review the procedure for the authorisation of officers and establish a link to the assessment of competency document that sets officer's enforcement to ensure that officers are effectively authorised across all current legislation.

Records of training should be effectively maintained for all officers, including contractors.

Database: The Authority should continue the process of implementation of the new food premises database, and develop and implement associated procedures, to ensure its accuracy and to ensure that its data submissions to the FSA via LAEMS accurately reflect all the official controls carried out by the Service.

Interventions and inspections: The Authority should ensure that serious contraventions detected on inspection, such as the risk of cross-contamination and the effective implementation of food safety management systems (FSMS) are dealt with in a timely manner, and that the escalation of formal enforcement is considered where necessary.

An appropriate premises specific aide-memoire should be used when carrying out inspections at approved establishments.

Records: The Authority should ensure that comprehensive, retrievable records were maintained of all food law enforcement activities. Reliable records are essential to inform future officer interventions and a graduated approach to enforcement and to enable effective internal monitoring.

Internal monitoring: Although there was clear evidence that extensive qualitative and quantitative internal monitoring had been carried out in regard to programmed inspections, this needed to be extended further to include risk-based and targeted monitoring of all aspects of the Service including complaints, sampling and enforcement. All internal monitoring should be routinely recorded and retained for two years.

3.0 Audit Findings

3.1 Organisation and Management

Strategic Framework, Policy and Service Planning

3.1.1 The Food Service Plan 2014/15 had been developed. The plan provided a helpful profile of the borough as well as detail about the organisational structure of the Authority and Environmental Health Team. The Environmental Health Operations Manager stated the Plan had been forwarded to the senior delegated officer and it had been approved verbally. For future Service Plans the Authority should ensure that written evidence of the approval of the appropriate Member forum or senior delegated officer is retained.

3.1.2 The Service Plan gave the following commitment:

‘...to ensure that food and drink intended for sale for human consumption, which is produced, stored, distributed, handled or consumed within the Borough is safe for the consumer.’

The Plan had appropriately linked the work of the Service to the Authority’s corporate objectives.

3.1.3 Generally, the Plan had been drafted in accordance with the Service Planning Guidance in the Framework Agreement. However, future Service Plans would benefit from the addition of a clear comparison of the resources required to deliver the food law enforcement service fully in accordance with the Food Law Code of Practice (FLCoP) against the resources available. The absence of such information makes it difficult to quantify any resource shortfalls to senior managers and Members. In addition, the Service Plan would benefit from the inclusion of greater detail in regard to the annual inspection programme. The Service Plan had included a review of the previous year’s plan with a summary of the variation from the planned activities.

Recommendation

3.1.4 The Authority should:

Ensure that future Service Plans are formally approved and include a clear comparison of the resources required to carry out the full range of statutory food law enforcement activities against the resources available to the Service and more complete detail in regard to the annual inspection programme in accordance with the Service Planning Guidance in the Framework Agreement. [The Standard – 3.1]

Documented Policies and Procedures

3.1.5 The Authority had not developed an overarching procedure for the review of documented policies and procedures. A number of in-house procedures had been drafted including officer authorisation and internal monitoring. However, for interventions, sampling, enforcement and many other procedures required by the Framework Agreement, the Authority had engaged the online Regulatory Information Management System (RIAMS). These procedures were updated on a two yearly basis and when there were significant changes to legislation or codes of practice. The Environmental Health Operations Manager checked these for accuracy before they were used more widely within the team. Auditors discussed the benefits of developing and implementing an overarching procedure for the review and updating of the remaining in-house procedures, not covered by the RIAMS system.

Recommendation

3.1.6 The Authority should:

Set up, maintain and implement a control system for all documentation and ensure that all documented policies and procedures are reviewed and updated on a regular basis. [The Standard - 4.1 and 4.2]

Officer Authorisations

- 3.1.7 The Authority's Scheme of Delegation for the authorisation of officers was contained in Part 3 of the Council's constitution. This delegated authority for the authorisation of officers to the Head of Environment.
- 3.1.8 The Authority had developed a 'Procedure for the Authorisation of Food Safety Officers'. Newly appointed officers were subject to a documented qualification and competency assessment which also set enforcement power limits based on the officer's level of competency and experience. Auditors discussed the benefits of more effectively linking the competency assessment document to an officer's authorisation documents to ensure they are authorised across all the required legislation. In addition, the authorisation procedure and competency assessment documentation should be reviewed to ensure that all the legislative references are up to date.
- 3.1.9 Record checks confirmed that both permanent enforcement staff and those employed on a contractual part time basis generally had achieved the minimum 10 hours of relevant training, reflecting their roles and responsibilities, in accordance with the levels of continuing professional development (CPD) specified in the Food Law Code of Practice. However, some officers would benefit from update training on food safety management systems based on HACCP, consistency training and formal enforcement.
- 3.1.10 The Authority was unable to provide evidence of training for contractors in regard to approved establishments, specialist complex equipment or food safety management systems based on HACCP. Although the Authority was able to provide training records in various forms it was clear that CPD and qualification records had not been routinely maintained.
- 3.1.11 Auditors discussed the benefits of developing a competency matrix to identify ongoing training requirements and to ensure officers receive regular relevant update training, which could be used as part of the Authority's annual Personal Performance Development Plan.

Recommendations

3.1.12 The Authority should:

- (i) Review and update officer authorisations as necessary to ensure that all officers are appropriately authorised under relevant current legislation in accordance with their individual level of qualification, experience and competency. [The Standard – 5.1 and 5.3]
- (ii) Ensure that all officers receive appropriate specialist training, including contractors to deliver all aspects of work they undertake. This should include approved establishment interventions in accordance with the Food Law Code of Practice. [The Standard – 5.4]
- (iii) Maintain records of academic or other qualifications, training and experience of each authorised officer, including contractors, in accordance with the Food Law Code of Practice. [The Standard - 5.5]

3.2 Food Premises Database

- 3.2.1 The Service had recently changed its database software provider and as a result, at the time of the audit, the database system was not capable of providing the returns required for the Agency's Local Authority Enforcement Monitoring System (LAEMS). Auditors were advised that because of the imminent migration of information to the new database software the 2013/14 LAEMS return had been submitted to the Agency in haste and had not undergone the usual validation checks, which had resulted in the omission of sampling data and some other minor inaccuracies. Auditors discussed the benefits of developing a database monitoring and validation procedure to ensure the accuracy of future LAEMS returns.
- 3.2.2 Auditors also discussed the benefit of the development and implementation of work instructions for officers entering enforcement data which should aid the accuracy and completeness of the database.
- 3.2.3 Auditors were unable to run most of the audit validation reports to check the accuracy of the database as the new system had not been configured to run reports at the time of the audit, and checks carried out prior to the audit were from the older database provided in an Excel spreadsheet. Consequently it was not possible to draw any definite conclusions in regard to the accuracy of the database during this audit.

Recommendations

3.2.4 The Authority should:

- (i) Continue to implement the new food premises database software package to ensure it is reliable and capable of providing any information reasonably requested by the Food Standards Agency.
[The Standard - 6.3 and 11.1]
- (ii) Set up, maintain and implement documented procedures to ensure that the food premises database is accurate and up to date.
[The Standard - 11.2]

3.3 Food Premises Interventions

3.3.1 The Authority's Food Safety Service Plan 2012/13 set out the food premises profile by risk category and the interventions programme for the year. The Service Plan also stated the Authority's commitment to the Agency's FHRS programme. Factors likely to have an impact on the Service in 2014/15 were reported in the Service Plan including the need to engage environmental health contractors to carry out routine food inspections due to staff vacancies.

3.3.2 The Service Plan confirmed the following breakdown of premises requiring inspection:

Premises Risk Category	Number of Premises
A	0
B	20
C	178
D	126
E	187
Unrated	1
Outside programme	0
TOTAL	513

The Service Plan set out the priorities for the annual inspection programme based on risk and in consideration of current staffing resources and other service demands. Generally, premises within the programme were inspected within 28 days of the premises' due date as required by the Food Law Code of Practice (FLCoP). The Authority was able to demonstrate low numbers of overdue and unrated premises and had good systems in place to ensure that these were dealt with according to risk.

3.3.3 The Authority had made use of the flexibilities contained in the FLCoP to deliver a range of interventions, including an Alternative Enforcement Strategy (AES) for lower risk establishments.

3.3.4 The Authority was using the online RIAMS food hygiene inspection procedure for the inspection of general food premises.

3.3.5 Auditors were advised that following the publication of guidance from the FSA on E.coli O157 and Control of Cross-Contamination, the Authority had identified and visited all butchers shops in the area, distributing a copy of the guidance and the FSA's DVD. In addition, officers had attended the FSA's E.coli O157 training courses.

3.3.6 File record checks for five general food premises were carried out. Generally it was noted that the level of detail recorded by officers was of a good standard, particularly in regard to effectiveness of food

safety management systems (FSMS), and cross-contamination. However, it was observed that some officers were re-using the same aide-memoire to record their observations for up to three years in some cases. Although in each case a different coloured pen had been used to differentiate between inspections, auditors discussed the benefits of using a fresh aide-memoire for each inspection to aid clarity for historical purposes and to help inform future interventions.

- 3.3.7 File checks also showed that historically on one occasion the Authority had not taken enforcement action on a dual use vacuum packing machine in accordance with the Agency's E.coli O157 Guidance and the matter had not been resolved until recently. In some cases there was evidence that the same contraventions were being detected at subsequent inspections despite the conduct of timely revisits. Auditors discussed the consideration of the escalation of formal enforcement action in accordance with the Authority's Enforcement Policy in premises which are consistently non-compliant, particularly in regard to the risk of cross contamination and the implementation of FSMS.
- 3.3.8 Letters following inspection had been consistently provided to the food business operator (FBO) following each intervention, which provided useful advice to businesses as well as confirming the key points found on inspection and any proposed follow-up action to be taken by the Authority. However, auditors discussed the benefit of adding a specific reference to the legislation contravened and the time limits for compliance to the formal enforcement letters sent to the food business operators to assist with FBO understanding of the necessary requirements.
- 3.3.9 One approved food establishment was located within the borough. A check of the intervention and enforcement records in relation to this establishment showed that the file required review to ensure it contained key business information required by Annex 10 of the FLCoP Practice Guidance in an easily retrievable form. The business had been approved under the appropriate European regulations and there was clear evidence that the Authority had been proactive in providing the business with detailed guidance and support as required. However, the observations carried out during some of the inspections examined had not been recorded on an appropriate aide memoire.

Recommendations

3.3.10 The Authority should:

- (i) Ensure that inspections/interventions are recorded on appropriate aides-memoire to demonstrate establishments have been fully assessed to the legally prescribed standards, the Food Law Code of Practice and centrally issued guidance. [The Standard - 7.2 and 7.3]
- (ii) Take appropriate action on any non-compliance found in accordance with the Authority's own Enforcement Policy. Ensure that observations made in the course of an inspection are effectively recorded. [The Standard - 7.3 and 7.5]

Verification Visit to a Food Premises

- 3.3.11 During the audit a verification visit was undertaken to a local butchers' shop with an authorised officer of the Authority who had carried out the last food hygiene inspection of the premises. The main objective of the visit was to assess the effectiveness of the Authority's assessment of food business compliance with food law requirements.
- 3.3.12 It was observed that the officer had a good working relationship with the FBO and an effective approach to the inspection. The visit confirmed that the premises was generally in accordance with the last inspection aide-memoire and the officer was able to demonstrate detailed knowledge of food safety legislation, food safety management systems and cross-contamination risks. During the visit, some problems that had been previously identified by the officer were again in evidence and the officer would be following them up as soon as possible.

3.4 Enforcement

- 3.4.1 The Authority had developed a corporate Enforcement Policy, which had been reviewed in April 2013, and was generally in line with centrally issued guidance. An Additional Statement of Enforcement Policy – Food Safety had also been developed which focused more closely on food safety enforcement options than the corporate policy and this had also been reviewed in April 2013. The policies made appropriate reference to the Regulators' Compliance Code incorporating the principles of consistency and proportionality. There was no record available that either enforcement policies had been approved by the appropriate Member forum or senior delegated officer.
- 3.4.2 The Service had utilised RIAMS to implement a range of documented enforcement procedures which provided useful guidance to officers authorised to carry out formal enforcement actions.
- 3.4.3 No formal enforcement action had been taken in the Borough within the last two years.

Recommendation

3.4.4 The Authority should:

Ensure that the enforcement policy is approved by the relevant Member forum or senior delegated officer.
[The Standard – 15.1]

3.5 Internal Monitoring, Third Party or Peer Review

Internal Monitoring

- 3.5.1 The Authority had developed and implemented an internal monitoring procedure which documented the ways in which the Service would be monitored and contained both quantitative and qualitative controls.
- 3.5.2 It was evident that routine and effective quantitative monitoring checks were being carried out in respect of officer's inspection targets and numbers of complaints received on a monthly basis and these were documented on a spreadsheet. Inspection targets were discussed with officers at 1 to 1 meetings and also discussed more generally at team meetings.
- 3.5.3 There was evidence that qualitative monitoring checks had been routinely carried out including all correspondence to FBOs from contractors working on behalf of the Authority and annual documented accompanied visits with authorised officers. The procedure also required the monitoring of inspection aides-memoire and their subsequent database entry. Auditors were informed that these checks were discussed with officers at their regular 1 to 1 meetings but they had not always been routinely documented. In addition although regular discussions took place in regard to the escalation of enforcement actions, sampling programme and ongoing complaints these were not part of the regular monitoring programme and were not routinely documented. Auditors discussed the benefits of documenting monitoring activities across the whole Service in accordance with the FLCoP.
- 3.5.4 There was also evidence of other types of monitoring and review including team meetings and bi-monthly training sessions where a range of subjects, including food safety matters, could be discussed. In addition the Service had been internally audited by the Internal Audit Services and a report and action plan published. Although the report focussed mainly on strategic organisation and management it also highlighted the need for more structured, documented internal monitoring.

Recommendations

3.5.5 The Authority should:

- (i) Review and develop the risk based documented internal monitoring procedures to include enforcement, sampling and complaints in accordance with Article 8 of Regulation (EC) No. 882/2004 (Official Feed and Food Controls), the Food Law Code of Practice and centrally issued guidance. [The Standard – 19.1]
- (ii) Ensure that a record is kept of all internal monitoring and retained for at least two years. [The Standard - 19.3]

Food and Food Premises Complaints

- 3.5.6 The Food Safety Service Plan included the Authority's policy in regard to the investigation of complaints and a procedure had been implemented through the online RIAMS system.
- 3.5.7 In practice, all complaints and service requests were investigated by the Authority and recorded on the database.
- 3.5.8 Checks made on records for five food and food premises complaints showed that in general officers had carried out appropriate investigations, with appropriate contact with FBOs and primary or home authorities where required.

Food Inspection and Sampling

- 3.5.9 The Authority had developed a Food Sampling Policy and there was a clear commitment to participate in local, national and EU sampling programmes and to use food sampling activities to support interventions at food premises and in response to complaints as necessary.
- 3.5.10 The Authority had implemented documented sampling procedures through RIAMS which provided detailed guidance for officers to carry out both environmental hygiene sampling and the sampling of food for examination.
- 3.5.11 An annual sampling programme had been developed and implemented. The sampling plan focused on participation in national and regional sampling initiatives and had been developed in liaison with local authority partners in the region.

3.5.12 Checks were made on seven records where unsatisfactory and borderline sample results had been obtained. In accordance with the Authority's sampling policy, the samples had been taken by a trained, authorised officer. In relation to a sampling survey of pub soda guns, which had produced a number of unsatisfactory samples, there was no evidence of any follow-up action. However, the Authority was able to produce evidence of discussions regarding the results at the regional food liaison group and the matter was dealt with at a national level. In all other cases appropriate follow-up actions had been carried out and records maintained.

Records

3.5.13 Records of food law enforcement activities were maintained in paper files and electronically on the food premises database system. However, due to the ongoing database migration electronic records were difficult to access during the audit. In general, recent records were easily retrievable and up to date but there was evidence that historical records were either difficult to retrieve or missing altogether.

Recommendation

3.5.14 The Authority should:

Maintain up to date accurate records in retrievable form on all food establishments, and for all relevant checks, in accordance with the Food Law Code of Practice and centrally issued guidance. Ensure records are maintained for at least six years.
[The Standard - 16.1 and 16.2]

Third Party or Peer Review

3.5.15 The Authority advised that there had not been any inter-authority audits carried out in the last two years. The Authority was however, an active participant in the Essex Food Liaison Group.

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Food Standards Agency
Operations Assurance Division

ANNEX A Action Plan for Castle Point Borough Council

Audit date: 25-27 June 2014

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.1.4 Ensure that future Service Plans are formally approved and include a clear comparison of the resources required to carry out the full range of statutory food law enforcement activities against the resources available to the Service and more complete detail in regard to the annual inspection programme in accordance with Service Planning Guidance in the Framework Agreement. [The Standard – 3.1]</p>	<p>Completed</p>	<p>Section included in future Service Plans (from 2015/16) to show comparison between available staff resource and staff resource required to undertake the full range of statutory food law enforcement services.</p>	<p>Note made to ensure that the next food Service Plan includes the required information on staffing resource. Head of Service to ensure that Plan presented includes the required information.</p> <p>Note from Head of Service agreeing 2014/15 Service Plan.</p>
<p>3.1.6 Set-up, maintain and implement a control system for all documentation and ensure that all documented policies and procedures are reviewed and updated on a regular basis. [The Standard - 4.1 and 4.2]</p>	<p>31/04/15</p>	<p>Document control procedure to be produced and maintained to ensure that all documented policies and procedures are reviewed and updated on a regular basis.</p>	<p>Document control procedure has now been produced and will be maintained / updated on a regular basis.</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.1.12(i) Review and update officer authorisations as necessary to ensure that all officers are appropriately authorised under relevant current legislation in accordance with their individual level of qualification, experience and competency. [The Standard – 5.1 and 5.3]</p>	<p>Completed</p>	<p>Officer authorisations to be updated ensuring:</p> <ul style="list-style-type: none"> • Officers are authorised under all relevant current legislation. • Officers are authorised with due regard to their individual levels of qualification, experience and competency. 	<ul style="list-style-type: none"> • Officer authorisations have been updated having regard to their individual levels of qualification, experience and competency. • Officers are authorised under all relevant legislation.
<p>3.1.12(ii) Ensure that all officers receive appropriate specialist training, including contractors to deliver all aspects of work they undertake. This should include approved establishments interventions in accordance with the Food Law Code of Practice. [The Standard – 5.4]</p>	<p>31/04/15</p>	<p>Specialist training requirements relevant to food safety including approved establishments to be identified.</p> <p>Officers will receive appropriate extra training where necessary, having regard to the criteria listed on their authorisation.</p>	<p>Review undertaken identifying specialist training requirements appropriate to the level of authorisation held by each officer.</p> <p>Extra or refresher training to be provided where need has been identified.</p>
<p>3.1.12(iii) Maintain records of academic or other qualifications, training and experience of each authorised officer, including contractors, in accordance with the Food Law Code of Practice. [The Standard – 5.5]</p>	<p>31/04/15</p>	<p>Details of training and CPD records to be held for a minimum period of six years. Qualification records to be held indefinitely, until the officer leaves the councils employ.</p>	<p>Details of CPD / training / qualification records will now be held and maintained by the service and will be updated when required.</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.2.4(i) Continue to implement the new food premises database software package to ensure it is reliable and capable of providing any information reasonably requested by the Food Standards Agency. [The Standard - 6.3 and 11.1]	31/04/15	Continue to build and test the new database system to ensure that any food safety information reasonably requested by the Food Standards Agency is available.	Good progress made in database build and producing / testing database reports capable of providing FSA requested information.
3.2.4(ii) Set up, maintain and implement documented procedures to ensure that the food premises database is accurate and up to date. [The Standard - 11.2]	31/04/15	Documented procedure to be produced, detailing appropriate checks as to ensure the food premises database is accurate and up to date.	Procedure to be introduced as part of database commercial premises system/reports build, currently being implemented.
3.3.10(i) Ensure that inspections/interventions are recorded on appropriate aides-memoire to demonstrate establishments have been fully assessed to the legally prescribed standards, the Food Law Code of Practice and centrally issued guidance. [The Standard - 7.2 and 7.3]	Completed	Ensure that the appropriate aide memoire is used for the inspection of premises approved under EC/853/2004 and EC/852/2004.	<p>Appropriate aides-memoire (appropriate to EC/852/2004 inspections) are readily available.</p> <p>Appropriate specialist forms are readily available covering establishments approved under EC/853/2004.</p> <p>Inspectors have been reminded to use the appropriate form when completing inspections of standard or approved establishments.</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.3.10(ii) Take appropriate action on any non-compliance found in accordance with the Authority's own Enforcement Policy. Ensure that observations made in the course of an inspection are effectively recorded. [The Standard – 7.3 and 7.5]	31/04/15	Repeat contraventions found during consecutive inspections to be considered for escalation of enforcement action, having regard to Enforcement Policy. If further escalation is not proposed, the reason(s) for this decision should be recorded.	Reminder to officers to consider escalation of enforcement action, having regard to EH enforcement policy in the event of repeated contravention of food regulations during consecutive inspections. The reason(s) for this decision should be recorded if further escalation is not proposed. Monitoring ongoing.
3.4.4 Ensure that the enforcement policy is approved by the relevant Member forum or senior delegated officer. [The Standard – 15.1]	31/12/14	Enforcement policy to be formally approved.	Report to Cabinet seeking endorsement of the refreshed Enforcement policy.
3.5.4(i) Review and develop the risk based documented internal monitoring procedures to include enforcement, sampling and complaints in accordance with Article 8 of Regulation (EC) No. 882/2004 (Official Feed and Food Controls), the Food Law Code of Practice and centrally issued guidance. [The Standard – 19.1]	Completed	Current internal monitoring procedures to be reviewed and expanded where necessary in accordance with the appropriate regulations, code of practice and guidance.	Current internal monitoring procedures have been reviewed and expanded to include enforcement, sampling and complaints. Monitoring ongoing.

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.5.4(ii) Ensure that a record is kept of all internal monitoring and retained for at least two years. [The Standard - 19.3]	31/04/15	Internal monitoring records (as 3.5.4(ii)) to be retained for at least two years.	Records of internal monitoring to be retained for at least two years.
3.5.14 Maintain up to date accurate records in retrievable form on all food establishments, and for all relevant checks, in accordance with the Food Law Code of Practice and centrally issued guidance. Ensure records are maintained for at least six years. [The Standard - 16.1 and 16.2]	31/04/15	New database to include ability to maintain all records in an accurate and readily retrievable form.	<p>Continue to develop the database system.</p> <p>Continue to maintain accurate manual records until database is brought into full use to include production of reports.</p> <p>Continue to ensure that records are maintained for at least six years.</p>

ANNEX B Audit Approach/Methodology

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

(1) Examination of LA policies and procedures.

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

- Environmental Health Services Food Safety Service Plan 2014/15
- Procedure for the Authorisation of Food Safety Officers
- Assessment of Competence For Food Safety Officer Authorisation
- Scheme of Delegations – Part III Council Constitution
- Low Risk Food Premises Questionnaire
- Registration of Food Premises Procedure (RIAMS)
- Premises Interventions and Revisits Procedure (RIAMS)
- Approval of Product Specific Premises Procedure (RIAMS)
- Approved Premises Interventions Procedure (RIAMS)
- Food Premises Interventions Programme 2014/15
- Food Sampling Policy
- Sampling procedures x2 (RIAMS)
- Food Sampling Programme 2013/14 and 2014/15
- Statement of Enforcement Policy
- Additional Statement of Enforcement Policy – Food Safety
- Enforcement Procedures x9 (RIAMS)
- Internal Monitoring Procedure – Food Safety
- Internal Audit Services Report
- Minutes of liaison group meetings
- Minutes of team meetings.

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

- General food premises inspection records
- Approved establishment records
- Food and food premises complaint records
- Records of food sampling
- Internal monitoring records

(3) Review of Database records:

- To review and assess the completeness of database records of food hygiene inspections, food and food premises complaint investigations, samples taken by the authority, formal enforcement and other activities and to verify consistency with file records
- To assess the completeness and accuracy of the food premises database

- To 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 – the following officers were interviewed:

- Environmental Health Operations Manager
- Administration and Finance Assistant
- Environmental Health Officers (x2)

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

(5) On site verification check:

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

ANNEX C Glossary

Authorised officer	A suitably qualified officer who is authorised by the local authority to act on its behalf in, for example, the enforcement of legislation.
Broadly Compliant	An outcome measure which the Food Standard Agency has developed with local authorities to monitor the effectiveness of the regulatory service relating to food law. It is based on the risk rating scheme in the Food Law Code of Practice which is currently used by food law enforcement officers to assess premises which pose the greatest risk to consumers failing to comply with food law.
Codes of Practice	Government Codes of Practice issued under Section 40 of the Food Safety Act 1990 as guidance to local authorities on the enforcement of food legislation.
County Council	A local authority whose geographical area corresponds to the county and whose responsibilities include food standards and feeding stuffs enforcement.
District Council	A local authority of a smaller geographical area and situated within a County Council whose responsibilities include food hygiene enforcement.
E.coli O157	E.coli O157 belongs to the group of verotoxigenic E.coli (VTEC) bacteria which are a toxin-producing strain of Escherichia coli that occur naturally in the gastrointestinal tract of animals such as cattle and sheep, and are pathogenic to humans. E.coli O157 is the VTEC strain that has been most commonly implicated in human infection in the UK.
External Temporary Storage Facility (ETSF)	A warehouse (formerly known as an enhanced remote transit shed or ERTS) designated by HM Revenue and Customs (HMRC), where goods are temporarily stored pending clearance by HMRC, and prior to release into free circulation.
Environmental Health Officer (EHO)	Officer employed by the local authority to enforce food safety legislation.
Feeding stuffs	Term used in legislation on feed mixes for farm animals and pet food.

Food hygiene	The legal requirements covering the safety and wholesomeness of food.
Food Hygiene Rating Scheme (FHRS)	The Food Hygiene Rating Scheme provides information to the public about hygiene standards in catering and retail food establishments. It is run by local authorities in partnership with the Food Standards Agency. Businesses that fall within the scope of the scheme are given a ‘hygiene rating’ which shows how closely the business was meeting the requirements of food hygiene law at the time of inspection. The scheme also encourages businesses to improve hygiene standards.
Food Safety Management System	A written permanent procedure, or procedures, based on HACCP principles. It is structured so that this requirement can be applied flexibly and proportionately according to the size and nature of the food business.
Food standards	The legal requirements covering the quality, composition, labelling, presentation and advertising of food, and materials in contact with food.
Framework Agreement	<p>The Framework Agreement consists of:</p> <ul style="list-style-type: none"> • Food and Feed Law Enforcement Standard • Service Planning Guidance • Monitoring Scheme • Audit Scheme <p>The Standard and the Service Planning Guidance set out the Agency’s expectations on the planning and delivery of food and feed law enforcement.</p> <p>The Monitoring Scheme requires local authorities to submit yearly returns via LAEMS to the Agency on their food enforcement activities i.e. numbers of inspections, samples and prosecutions.</p> <p>Under the Audit Scheme the Food Standards Agency will be conducting audits of the food and feed 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 and feed

enforcement.

HACCP	Hazard Analysis and Critical Control Point – a food safety management system used within food businesses to identify points in the production process where it is critical for food safety that the control measure is carried out correctly, thereby eliminating or reducing the hazard to a safe level.
LAEMS	Local Authority Enforcement Monitoring System is an electronic system used by local authorities to report their food law enforcement activities to the Food Standards Agency.
Member forum	A local authority forum at which Council Members discuss and make decisions on food law enforcement services.
Metropolitan Authority	A local authority normally associated with a large urban conurbation in which the County and District Council functions are combined.
Risk rating	A system that rates food premises according to risk and determines how frequently those premises should be inspected. For example, high risk premises should be inspected at least every 6 months.
Safer food, better business (SFBB)	A food safety management system, developed by the Food Standards Agency to help small catering and retail businesses put in place food safety management procedures and comply with food hygiene regulations.
Service Plan	A document produced by a local authority setting out their plans on providing and delivering a food service to the local community.
Trading Standards	The Department within a local authority which carries out, amongst other responsibilities, the enforcement of food standards and feeding stuffs legislation.
Trading Standards Officer (TSO)	Officer employed by the local authority who, amongst other responsibilities, may enforce food standards and feeding stuffs legislation.
Unitary Authority	A local authority in which the County and District Council functions are combined, examples being Metropolitan District/Borough Councils, and London

Boroughs. A Unitary Authority's responsibilities will include food hygiene, food standards and feeding stuffs enforcement.