

**Report on the Audit of Official Controls on Feed  
of Non-Animal Origin (FNAO) and Feed  
Establishments  
Including Primary Producers**

Dorset County Council  
6 – 8 September 2016



## Foreword

The audit of local authority feed and food law enforcement services forms 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 (LAs). The LA regulatory functions for animal feed controls are principally delivered through their Trading Standards Services.

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), a Feed Law Code of Practice (England) (published May 2014) and a Feed Law Practice Guidance (England) (updated June 2014).

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 feed 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 Wales and Northern Ireland.

Following a review of the delivery of official controls for feed law enforcement the FSA introduced a new feed delivery model (NFDM)<sup>1</sup> in April 2014 to promote consistency, efficiency and value for money in the delivery of feed official controls. This delivery model has been implemented in association with the National Trading Standards (NTS) and it promotes a regional approach to delivery, coordinated by NTS.

An innovation of the NFDM was the introduction of a system of 'earned recognition' whereby Feed Business Operators (FeBOs) who demonstrably maintained high standards of feed safety by taking appropriate steps to comply with the law, may have these standards recognised by LAs when determining the frequency of their official controls.

This programme of focused audits is being undertaken to provide assurance to the FSA that the new feed delivery model has been effectively implemented by local authorities and that official controls, as laid down in the Agency's Feed Law Enforcement Code of Practice, Practice Guidance and Framework Agreement, in

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[https://khub.net/documents/portlet\\_file\\_entry/5524476/New+Feed+Delivery+Model+06.07.2016.pdf/2e8585ff-3e92-4362-928a-5d1b6da2f594?download=true](https://khub.net/documents/portlet_file_entry/5524476/New+Feed+Delivery+Model+06.07.2016.pdf/2e8585ff-3e92-4362-928a-5d1b6da2f594?download=true)

regard to FNAO are being carried out by LAs, in order to safeguard animal and public health.

This audit forms part of the programme of audits across a number of animal feed authorities and the findings will be incorporated into a summary report on the outcomes of the overall focused animal feed audit programme.

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

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## Table of Contents

<b>1.0 Introduction</b>	<b>5</b>
Reason for the Audit	5
Scope of the Audit	6
Background	6
<b>2.0 Executive Summary</b>	<b>8</b>
<b>3.0 Audit Findings</b>	<b>10</b>
3.1 Feed service planning, delivery and review	10
3.2 Competence of officers	13
3.3 Implementation and effectiveness of feed control activities,	14
3.4 Maintenance and management of appropriate feed premises	18
database and records	18
3.5 Arrangements for the Lead Officer role for feed	18
3.6 Arrangements for the Regional Lead role for feed	19
3.7 Accuracy and delivery of official feed reports to the Agency	20
<b>ANNEX A - Action Plan for Dorset County Council</b>	<b>22</b>
<b>ANNEX B - Audit Approach/Methodology</b>	<b>25</b>
<b>ANNEX C - Glossary</b>	<b>26</b>

## **1.0 Introduction**

- 1.1 This report records the results of an audit at Dorset County Council with regard to feed law enforcement. The audit was undertaken as part of the Agency's focused audit programme on feed controls in England. This report 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).

Hard copies are available from the FSA's Regulatory Delivery Division, please email [LAAudit@foodstandards.gsi.gov.uk](mailto:LAAudit@foodstandards.gsi.gov.uk) or phone 01904 232116.

### **Reason for the Audit**

- 1.2 The power to set standards, monitor and audit local authority feed and 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 Dorset County Council was undertaken under section 12(4) of the Act as part of the Food Standards Agency's annual audit programme. The Agency has taken account of the European Commission guidance<sup>2</sup> on how such audits should be conducted.
- 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 focused audits is to provide assurance to the FSA that the new feed delivery model has been effectively implemented by local authorities. The Agency has taken account of the European Commission guidance on how such audits should be conducted.
- 1.4 Dorset County Council was included in the Food Standards Agency's programme of audits of local authority feed law enforcement services, having not been audited for feed service delivery by the Agency in the past five years and was representative of a geographical mix of 11 services selected across England.

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<sup>2</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)

## **Scope of the Audit**

- 1.5 The audit examined Dorset County Council's systems and procedures for the control of feed of non - animal origin (FNAO).
- 1.6 The audit scope included an assessment of local arrangements for implementing the New Feed Delivery Model (NFDM) and included:
- Feed service planning, delivery and review
  - Competence of officers
  - Implementation and effectiveness of feed control activities
  - Maintenance and management of appropriate feed premises database and records in relation to official controls at feed business premises
  - Effectiveness of the Lead Officer role for feed
  - Effectiveness of the Regional Lead role for feed
  - Accuracy and delivery of official reports to the Agency
- 1.7 The on-site element of the audit took place at the Authority's office at County Hall, Dorchester, Dorset, from 6-8 September 2016. The audit included a reality check at a feed establishment to assess the effectiveness of official controls implemented by the Service.

## **Background**

- 1.8 The County of Dorset is located on the South West coast of England covering an area of over 2,600 square kilometres. The County is primarily rural with a growing population of over 420,000 with a high number of retired people and a low proportion of children.
- 1.9 Dorset's coast has World Heritage Status and the County has many areas which are designated as areas of Outstanding Natural Beauty. There is a strong tourism industry, and the farming and agricultural industries are a vitally important part of the local economy.
- 1.10 Feed hygiene controls within the County were delivered by the Trading Standards Service which was part the Adult and Community Services Directorate responsible to the Council Cabinet.
- 1.11 The Authority had appointed a Lead Feed Officer and Agricultural Analyst and was a member the Trading Standards Partnership South West (SWERCOTS).
- 1.12 The profile of Dorset's feed businesses as at 31 March 2015 according to their submitted enforcement return was as follows:

<b>Type of Feed Premises</b>	<b>Number</b>
Manufacturers/Packers	18
Distributors/Transporters	45
Retailers	23
Co-products/surplus food	52
Stores	7
Arable farms	187
Livestock farms	3640
Importers	1
<b>Total Number of Feed Premises</b>	<b>3973</b>

## 2.0 Executive Summary

2.1 The Authority was found to be delivering a range of controls in accordance with the New Feed Delivery Model, the Framework Agreement and the Feed Law Code of Practice however the Authority needed to make key improvements to fully meet requirements. The key strengths and areas for improvement for the LA are set out below.

### 2.2 Strength:

#### Sampling

2.2.1 The Authority had on the basis of a risk based assessment to sampling committed additional funding for feed sampling in 2016/17.

### 2.3 Key Areas for Improvement:

#### Service Planning

2.3.1 The Authority should improve Service Planning by including;

- A statement of how the LA has had regard and implemented the National Enforcement Priorities within their annual official control programme.
- A clear comparison between the resources required to deliver official feed law controls against the resources currently available to the Service.
- A review of the LA performance against the previous year's Feed Service Plan.

#### Risk Rating Scheme

2.3.2 The Authority should implement an approved and up to date risk assessment scheme for feed premises to ensure accurate risk scores, correct interventions frequencies, and enable effective implementation of earned recognition, AES and desktop assessments as part of the NFD. M.

#### Registration & Database Accuracy

2.3.3 The Authority should devise and implement a proactive strategy to improve registration and the accuracy of its database in accordance with the National Feed Enforcement Priorities.



#### 2.3.4 **Officers Authorisations**

Authorisations required review to ensure they contained all relevant feed legislation.

#### **Inspections/Interventions**

2.3.5 The Authority should ensure that all observations obtained during the course of interventions are recorded in sufficient detail to provide an adequate record of the assessment and determination of business compliance and in the case of contraventions appropriate timescales to achieve compliance should be clearly stated and recorded.

#### **Internal Monitoring**

2.3.6 The Authority should set up, maintain and implement a documented internal monitoring procedure for the feed service to verify its conformance with the Standard, relevant legislation, Code of Practice, NFDM and other centrally issued guidance. Records of all internal monitoring should be made and kept for at least 2 years.

## **3.0 Audit Findings**

### **3.1 Feed service planning, delivery and review**

#### **Implementation of the Agency's National Feed Priorities document**

- 3.1.1 The Authority had in place three relevant service plans for 2016/17 which were a Trading Standards Service Plan a Food Service Plan and a Feed Service Plan.
- 3.1.2 The Trading Standards Service plan set out the purpose of the Service as “to provide a fair and safe trading environment for the consumers and businesses of Dorset, through education, advice, enforcement and partnership working” and it highlighted a number of specific service objectives, relating to feed which included:
- Support economic growth by providing the best advice to businesses, including farmers, to ensure they trade fairly and safely.
  - Ensure the food chain is safe and animal livestock disease spread minimised.
- 3.1.3 The Plan also detailed the County Council priority areas including “Enabling economic growth” which stated “Our experience is that the majority of Dorset businesses seek to trade fairly and ensure they maintain necessary standards, be that in their dealings with consumers or in areas such as farming and animal welfare”.
- 3.1.4 The Authority delivered all feed law controls within the County and also delivered FSA funded feed inspections/controls on behalf of Bournemouth Borough Council.
- 3.1.5 The 2016/17 Feed Service Plan set out an overview of the Authority's responsibilities, its approach, funding arrangements, inspection and sampling targets, alongside commentary on sampling, complaints, incidents, advice, alternative enforcement strategies, training, facilities, equipment, key responsibilities and contact details. An electronic link was provided to the Authority's enforcement policy.
- 3.1.6 The Service Plans did not make reference to the Agency's National Enforcement Priorities (NEPs). However it was clear from discussions with the Lead Officer for feed that there was good awareness of the Priorities. The Authority did highlight its intelligence led approach which would include feed issues if they arose. Auditors discussed the benefits of raising the profile of the NEPs and their importance in the delivery of national feed enforcement objectives within the Service Plan.

- 3.1.7 The Plan did not reflect the format prescribed in the Service Planning Framework and did not include a review of the Authority's performance against the previous year's Feed Service Plan. There was no clear comparison between the resources required to deliver feed law controls against the resources currently available to the Service.
- 3.1.8 The process of approval of the feed and other service plans had been recently discussed within the Authority and the Feed Service Plan was to be submitted to the Cabinet and Full Council for approval in September 2016.
- 3.1.9 The Service Plans for 2015/16 were all readily available to feed business operators and consumers via the Authority's website.
- 3.1.10 The LA had assisted on a number of National Trading Standards (NTS) improvements projects which included the SWERCOTS AES Toolkit and the Primary Production E-learning Course.

**Recommendation 1 - Service Planning**

[The Standard 3.1 & 3.2]

[The National Feed Enforcement Priorities 2016/17]

[The Feed Law Code of Practice 5.1]

Further develop the Service Delivery Plan in accordance with Service Planning Guidance in Chapter 1 of the Framework Agreement to include:

- A statement of how the LA has had regard and implemented the National Enforcement Priorities within their official control programme.
- A clear comparison between the resources required to deliver required feed law controls against the resources currently available.
- A review of the LA performance against the previous Feed Service Plan

- 3.1.11 The Lead Feed Officer led on earned recognition and the Authority had signed up to the Agricultural Industries Confederation (AIC) and Red Tractor (RT) websites and regularly receiving email updates. The updates had been actioned by an administration support officer who was responsible for feed data entry on the database system.
- 3.1.12 Premises which were members of FSA approved assurance schemes had been designated with a code denoting their status on the database.

- 3.1.13 Prior to the audit visit the Authority had stated that it had adopted the ACTSO scheme for risk rating premises. However, database checks carried out during audit preparation identified anomalies and what appeared to be inaccuracies in the hazard and likelihood of compliance scores allocated to premises.
- 3.1.14 The Feed Lead Officer had been recently appointed and demonstrated a good understanding of the NFDM including earned recognition and AES. However it was apparent that the Authority had for some time configured its feed premises risk rating on an old version of the previously adopted ACTSO Trading Standards risk assessment scheme. This risk rating system was configured to provide an overall premises risk score in relation to feed and also animal health. The Authority did not have a separate risk rating score for feed hygiene which is required to accurately complete the annual desk top submission to the FSA. This overall risk scoring for feed premises which included animal health impacted on overall risk scoring and the correct allocation of earned recognition, inspection frequencies and AES. The Authority was therefore not effectively reducing interventions on compliant businesses in accordance with the Feed Law Code of Practice.
- 3.1.15 Discussions with the Trading Standards Service Manager resulted in an immediate commitment to addressing this issue as soon as possible.

**Recommendation 2 – Risk Rating**

[Feed law Code of Practice, Chapter 5.2]

[The Standard, paragraph 12.1]

Implement an approved and up to date risk assessment scheme for feed premises to ensure accurate risk scores, correct interventions frequencies, and enable effective implementation of earned recognition, AES and desktop assessments as part of the NFDM.

**Promotion of the importance of feed hygiene**

- 3.1.16 The Authority had not planned any specific promotional feed events for 2016/17 but in 2015 had organised a smallholder livestock training event to educate smallholders in regard to the legislation pertinent to keeping livestock and included information on record keeping, animal identification rules, disease risks, animal feed and feed hygiene.
- 3.1.17 The event was publicised in the local press and radio and over 160 tickets were sold. All who attended were given a USB memory stick pre-

loaded with guidance notes on livestock legislation and information from event partners. Information gathered from questionnaires issued enabled the Authority to update over 270 premises on its database. The LA had carried out a cost benefit analysis of the event.

- 3.1.18 Officers also promote the importance of feed hygiene at National Farmers Union meetings and also by advice to business during inspections and when contacted.

## **3.2 Competence of officers**

- 3.2.1 The 2016/17 Feed Service Delivery Plan included a section on training and competence of officers highlighting that two officers were fully qualified to carry out all aspects of feed enforcement and that all other staff carrying out feed duties were trained to enable them to undertake feed inspections at farms. It also detailed the requirement for all officers involved in feed inspection to complete a minimum of 10 hours CPD each year.

- 3.2.2 The Service had developed an Officer Feed Authorisation Protocol as part of its quality assurance system. The protocol stated the Authority would appoint a suitably competent and experienced Lead Feed Standards Officer and appoint a sufficient number of Authorised Officers to carry out feed enforcement work as set out in the Service Plan. The protocol was supported by a Feed Hygiene Officer Authorisation Matrix and the corporate Performance Development Review system.

- 3.2.3 Together these systems and records set out the LAs approach and methodology for the authorisation of officers and the arrangements for assessing, recording, maintaining and progressing competency and continuing professional development.

- 3.2.4 Record checks showed that the Lead Feed Officer had recently undertaken an appropriate Lead Feed Officer training course and all officers were found to be appropriately trained for feed law enforcement in accordance with their level of authorisation. Officers had received 10 hours annual CPD through external and internal training.

- 3.2.5 Qualification and training records had been maintained by the Authority and were easily retrievable.

- 3.2.6 Authorisation checks found that they required reviewing to ensure all legislation was included and up to date.

- 3.2.7 Auditors were informed that the Lead Feed Officer and all other feed officers were registered with, and had access to the Knowledge Hub forum.

### **Recommendation 3 – Authorisation of Officers**

[Feed Law Code of Practice, Chapter 3.2]  
[The Standard – para. 5.3]

Review current authorisations to ensure that all officers are appropriately authorised under relevant current legislation.

### **3.3 Implementation and effectiveness of feed control activities,**

#### **Inspection**

- 3.3.1 The Authority had made some progress in updating the feed register and database. However, there were over 2000 unregistered premises within the Authority. The Service needed to develop a strategy for dealing with unregistered premises in accordance with the National Feed Enforcement Priorities and to ensure that the Feed Register and database were up to date.
- 3.3.2 Auditors discussed approaches developed by other LAs and the Lead Officer agreed to explore options and develop a more proactive approach to registering feed premises.
- 3.3.3 The Service had utilised the model template inspection forms developed by the FSA.
- 3.3.4 File checks were undertaken on 5 feed premises inspection records. Auditors found Interventions had been carried out by appropriately authorised staff and it was clear that effective assessments of the compliance of premises and systems, including HACCP based systems, to legally prescribed standards had been carried out.
- 3.3.5 Inspection reports were all dated, signed by the officer detailing their designation. Where contraventions were found these were identified. However in all cases timescales to achieve compliance were not clearly stated and in some instances aide memoirs did not contain sufficient detail in all areas.
- 3.3.6 File checks were undertaken on one feed establishment approved under Feed Hygiene Regulation (EC) No 183/2005. Auditors found that the approval had been appropriate and had been carried out without delay. The officer had used an appropriate aide memoir. However some

sections of the aide memoire would have benefitted from more detailed recording of the officer assessment of compliance.

**Recommendation 4 – Inspection - Feed Registrations**

[The National Feed Enforcement Priorities 2016/17]

[The Standard – para. 11.1& 11.2]

Devise and implement a more proactive strategy to improve registration and the accuracy of its database in accordance with the National Feed Enforcement Priorities

**Recommendation 5 – Inspection - Non-Compliance**

[Feed law Code of Practice, Chapter 6.1]

[The Standard – para. 7.3]

When citing contraventions ensure that appropriate timescales to achieve compliance are clearly stated and recorded.

**Recommendation 6 – Inspection - Reports/Aides Memoire**

[Feed law Code of Practice, Chapter 2.9.2]

[The Standard, paragraph 7.3, 7.5,16.1]

Ensure that all observations obtained during the course of interventions are recorded in sufficient detail to provide an adequate record of the assessment and determination of business compliance.

## **Sampling**

- 3.3.7 The Authority had developed a Feed Safety Inspections and Sampling procedure as part of its Quality Assurance Manual. This included a section headed Formal and Informal Feed Samples which set out the labelling, sealing, storage, submission and the recording of sampling. It also detailed officer responsibilities to monitor progress of samples, ensure results were received on time and stated a target of 7 days for feed businesses to be notified of analytical results.

- 3.3.8 Planned sampling for 2016/17 consisted of 16 samples funded by the Authority and 36 samples as part of the feed sampling programme co-ordinated regionally, agreed with NTS and compiled with due consideration to NEPs. The Service had in place a Feed Sampling Plan for Authority funded sampling detailing the need and rationale for the sampling and costings. The samples related to;
- Excessive urea content,
  - Fibre, fats, ash, vitamin and mineral levels in pet foods.
  - Heavy metals in sugar beet pellets
- 3.3.9 Records of five unsatisfactory sample results were checked. The samples had been taken by an appropriately authorised officer and in accordance with the sampling programme. Appropriate follow up action had been taken in response to the sampling result in every case and the FeBOs informed of the results.

#### **Alternative enforcement**

- 3.3.10 The Service used the SWERCOTS Feed Hygiene Alternative Enforcement Strategy Toolkit as the foundation of its alternative enforcement strategy for FeBOs that had achieved Earned Recognition (ER) under the Feed Law Code of Practice. Using this approach the Authority had sent 100 letters to Primary Producers (R13) with self-assessment questionnaires to determine if the FeBO still qualified for earned recognition. The questionnaire required the FeBO to answer a series of questions designed to establish if there had been any changes to business operations that would impact on registration activity codes, risk ratings or trigger a higher level intervention.
- 3.3.11 Seventy six questionnaires had been returned of which six stated the premises had no farming activity. The remaining seventy were found to still qualify for AES. Twenty four FeBOs who did not return questionnaires were being followed up by phone and in the case of no contact these premises were to be put back on the LA inspection list.
- 3.3.12 The Authority did not have a documented strategy for Tier 2 AES and this was to be developed when the tier 2 AES needed to be implemented.
- 3.3.13 File checks on 5 AES tier 1 interventions found that one AES interventions had not been appropriate. One establishment had ER applied and been subject to an AES when the LOC score was 40 (medium). Type 1 ER can only be applied to feed businesses with a high LOC score. The procedure for undertaking AES Tier 1 was in place and had been undertaken by an administration officer under the supervision of the Lead Officer.



## **Enforcement**

- 3.3.14 The Authority had in place an approved and published Trading Standards Enforcement Policy which had been reviewed in 2014. The policy set out the LAs approach to dealing with non - compliance, the process of investigation, how decisions on enforcement action were made and the enforcement options available. The policy did not make specific reference to feed law enforcement but it had been developed in accordance with centrally issued guidance.
- 3.3.15 The Authority had developed a Feed Business General Enforcement Procedure as part of its Quality Assurance System. The procedure set out the processes to be followed in regard to a range of formal notices.
- 3.3.16 In the last two years the Authority had not been required to take formal enforcement action to achieve compliance other than two formal written warnings which had been issued. Auditors found that the written warnings had been an appropriate course of action and was in accordance with the LAs Enforcement Policy.
- 3.3.17 Auditors discussed the relatively low number of written warnings and it was agreed that the Authority had not been using the FSAs definition of a written warning.

## **Imports and 3rd Country Representatives**

- 3.3.18 The Authority had a proactive relationship in place with the *de minimus* port at Portland which had significant volumes of 3<sup>rd</sup> country imports via Latvia and Rotterdam. The volume of 3<sup>rd</sup> country imports had potential to increase and it was clear that the Authority was fully engaged with its feed responsibilities in relation to that port.
- 3.3.19 The Authority had no feed businesses within the County acting as representatives for 3<sup>rd</sup> Country establishments.

## **Verification Visit to a feed establishment**

- 3.3.20 During the audit a reality visit was carried out at a cider producer where waste product was supplied for animal feed. The visit was with the officer that had carried out the last inspection. The main objective of the visit was to assess the effectiveness of the Authority's assessment of feed business compliance with feed law requirements. It was clear from the visit that the officer had a good working relationship with the business, was familiar with the processes involved and had a good knowledge of the relevant legislation.

### **3.4 Maintenance and management of appropriate feed premises database and records**

- 3.4.1 The Service had developed a procedure to ensure the accuracy and completeness of the feed premises database titled Feed Business Registration/approval and Database Accuracy as part of its quality assurance system.
- 3.4.2 This procedure documented the process of registration and approval of feed premises with particular attention to premises coding and it also had a specific section on Maintaining Feed Database Accuracy. However the specified checks were limited. Auditors were informed that additional actions were being undertaken that would assist data accuracy including:
- Monthly updates from assurance schemes
  - Updates from new holding registration numbers from DEFRA/APHA/RPA
  - New premises questionnaires sent out to establish types of business and activities undertaken.
- 3.4.3 Database updating was restricted to trained administration officers and this included premises creation and deletion.
- 3.4.4 As the Authority was operating its risk assessment based on an old version of the ACTSO risk rating scheme the database included inaccurate risk scores, next inspection dates and premises subject to earned recognition. In addition, the database was not up to date due to the aforementioned unregistered premises not being included. Recommendations have been made with reference to this in other sections to this report.
- 3.4.5 The database was backed up on a daily basis.

### **3.5 Arrangements for the Lead Officer role for feed**

- 3.5.1 The Lead Feed Officer had been appointed with responsibility for operational management of feed and to oversee all feed work and ensure activities were delivered in accordance with the FLECP. The Feed Authorisation Protocol further specified the role of the Lead Feed Officer and replicated the responsibilities as stated in the FLCoP.
- 3.5.2 The Service operated a Quality Assurance System which provided that planned and documented internal audits would be carried out to ensure that the quality system was being operated effectively, reflects current practice and to seek improvement to the process. However, no internal

audits had been carried out in regard to feed quality assurance procedures.

- 3.5.3 The Service did not have a documented procedure for the monitoring of feed law enforcement. However, to ensure consistency in the delivery of official controls a number of monitoring activities were being carried out. These included:
- Quantitative monitoring the planned interventions programme for feed through the use of a spreadsheet and also via the quarterly return to the FSA.
  - Accompanied inspections
  - The Lead Feed Officer examining audit forms
  - Informal 1 to 1s
- 3.5.4 Data from feed enforcement activity was entered by admin support which helped maintain data integrity and accuracy.
- 3.5.5 The regional group had discussed the potential for inter authority audits for feed but this was still under discussion and no inter authority audits or peer review exercises had been carried out in the last two years.
- 3.5.6 The Lead Officer attended and received minutes of the regional feed group and also maintained good liaison with a range of partners such as VMD, FSA and the Animal and Plant Health Agency.

**Recommendation 7 – Internal Monitoring**

[The Standard, paragraph 19.1 & 19.2]

Set up, maintain and implement a documented internal monitoring procedure for the feed service to verify its conformance with the Standard, relevant legislation, Code of Practice, New feed delivery model and other centrally issued guidance.

Records of all internal monitoring shall be made and kept for at least 2 years.

**3.6 Arrangements for the Regional Lead role for feed**

- 3.6.1 The Authority's Lead Feed Officer was very supportive of the overall arrangements in place for Regional Feed Lead Officers (RFLOs) and felt the approach was very beneficial to the delivery of feed controls. It had

helped provide a better and shared focus on feed law which had improved delivery of controls.

3.6.2 The Lead Officer felt that the RFLOs had been effective in organising funding submissions and reporting including carry out the following tasks:

- Collating the regional bid within the agreed timescales
- Working with the LAs in the region to achieve consistency and minimise discrepancies in funding submissions
- Managing the delivery of agreed targets for each authority
- Collation and submission of the quarterly earned recognition reports
- Working to ensure the timely return of reports and feedback requested
- Encouraging the timely submission of results for NTS projects

3.6.3 The RFLOs had supported successful delivery and arrangements were in place for regular regional feed meetings attended by the RFLOs. Minutes of the meetings clearly demonstrated a wide range of constructive debate and sharing of expertise across a range of areas including, consideration of feedback from national panel meetings, training, desktop modelling exercises, earned recognition, sampling, feed returns, competency of officers, issues arising from KHub, and AES. The regional group had also recently introduced one hour training sessions into meetings.

3.6.4 The RFLOs and officers also utilised the SWERCOTS website to communicate and share information.

### **3.7 Accuracy and delivery of official feed reports to the Agency**

3.7.1 The Service does not have any documented procedures for assessing the accuracy of official feed reports to the Agency.

3.7.2 In regard to the annual feed returns the lack of written warnings had been discussed and it was agreed that the anomaly was caused by officers misinterpreting the FSA's definition of a written warning as any legislative non-compliance brought to a FeBOs attention in writing.

3.7.3 The NTS annual desktop exercise is reliant on the implementation of an approved up to date premises risk rating scheme which the Authority needed to implement. Recommendations have been made with reference to this in other sections to this report.

3.7.4 The NTS quarterly monitoring return appeared to be accurate and the Service had carried out the work as reported. Checks on the UKFSS return showed that this had also been filed accurately.

**Auditors:**                **John Ashcroft**  
                                     Robert Hutchinson

**Technical Advisor:** Theo Hawkins

Food Standards Agency, Regulatory Delivery Division

## ANNEX A - Action Plan for Dorset County Council

Audit date: 6-8 September 2016

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p><b>Recommendation 1 - Service Planning</b>            [The Standard 3.1 &amp; 3.2]            [The National Feed Enforcement Priorities 2016/17]            [The Feed Law Code of Practice 5.1]</p> <p>Further develop the Service Delivery Plan in accordance with Service Planning Guidance in Chapter 1 of the Framework Agreement to include:</p> <ul style="list-style-type: none"> <li>• A statement of how the LA has had regard and implemented the National Enforcement Priorities within their official control programme.</li> <li>• A clear comparison between the resources required to deliver required feed law controls against the resources currently available.</li> <li>• A review of the LA performance against the previous Feed Service Plan</li> </ul>	<p>31.03.17</p>	<p>Incorporate recommended suggestions into the Feed Service Plan for 2017-18. This will be drafted by 31.03.17 and approved by the Lead Member for Trading Standards before publication on the County Council's website.</p>	<p>Reviewed FSA service planning guidance in the standard against current plan and assessed gaps.</p> <p>Raised issue as part of Trading Standards Service monthly training meeting (20.10.16) and also Trading Standards Management Team (18.10.16).</p>

<p><b>Recommendation 2 – Risk Rating</b> [Feed Law Code of Practice, Chapter 5.2] [The Standard, paragraph 12.1]</p> <p>Implement an approved and up to date risk assessment scheme for feed premises to ensure accurate risk scores, correct interventions frequencies, and enable effective implementation of earned recognition, AES and desktop assessments as part of the NFDM.</p>	28.11.16	<p>Implement alterations on Civica (Flare) database to meet new FSA risk assessment scheme. We propose this is in place by the time of the regional desktop exercise to produce the feed premises profile for 2017-18 funding round.</p>	<p>Agreed during audit to implement alterations on database to meet new FSA risk assessment scheme.</p> <p>Contacted Civica and ordered 'Goldstar' service contract work to implement FSA risk before end of November. (Order finalised 28.10.16)</p>
<p><b>Recommendation 3 – Authorisation of Officers</b> [Feed Law Code of Practice, Chapter 3.2] [The Standard – para. 5.3]</p> <p>Review current authorisations to ensure that all officers are appropriately authorised under relevant current legislation.</p>	30.04.17	<p>Any new legislation to be enforced by the Trading Standards Service is now raised at monthly Management Meeting and amendments required will be made by the Trading Standards Service Manager. An annual review of the schedule will form part of a new quality assurance procedure as part of recommendation 7 response.</p>	<p>Schedule of legislation updated which officers are authorised under. (01.11.16)</p>
<p><b>Recommendation 4 – Inspection - Feed Registrations</b> [The National Feed Enforcement Priorities 2016/17] [The Standard – para. 11.1&amp; 11.2]</p> <p>Devise and implement a more proactive strategy to improve registration and the accuracy of its database in accordance with the National Feed Enforcement Priorities</p>	25.10.16	<p>To address this over a five year period by contacting all unregistered premises unless they have a Low likelihood of requiring registration. 100 premises to be contacted each quarter with a minimum of 400 per year. A feed registration form to be enclosed with a questionnaire on activity to aid database accuracy.</p>	<p>Operational work plan has been devised and agreed.</p>

<p><b>Recommendation 5 – Inspection - Non-Compliance</b>  [Feed law Code of Practice, Chapter 6.1]  [The Standard – para. 7.3]</p> <p>When citing contraventions ensure that appropriate timescales to achieve compliance are clearly stated and recorded.</p>	31.12.16	<p>Feed Officers’ training meeting planned for December 2016 to focus on this and other audit findings.</p> <p>Monitoring of officers’ citing of timescales to be included in the monitoring arrangements as part of recommendation 7 response.</p>	<p>Raised issue as part of Trading Standards Service monthly training meeting (20.10.16) and also Trading Standards Management Team (18.10.16).</p>
<p><b>Recommendation 6 – Inspection - Reports/Aides Memoire</b>  [Feed law Code of Practice, Chapter 2.9.2]  [The Standard, paragraph 7.3, 7.5,16.1]</p> <p>Ensure that all observations obtained during the course of interventions are recorded in sufficient detail to provide an adequate record of the assessment and determination of business compliance.</p>	31.12.16	<p>Feed Officers’ training meeting planned for December 2016 to focus on this and other audit findings.</p> <p>Monitoring of officers’ recording of observations to be included in the monitoring arrangements as part of recommendation 7 response.</p>	<p>Team training event on 15.06.16 was a response to having internally identified this as an issue. Subsequent checks have revealed officers are recording detail as required. (30.09.16)</p> <p>Raised issue as part of Trading Standards Service monthly training meeting (20.10.16) and also Trading Standards Management Team (18.10.16).</p>
<p><b>Recommendation 7 – Internal Monitoring</b>  [The Standard, paragraph 19.1 &amp; 19.2]</p> <p>Set up, maintain and implement a documented internal monitoring procedure for the feed service to verify its conformance with the Standard, relevant legislation, Code of Practice, New feed delivery model and other centrally issued guidance.</p> <p>Records of all internal monitoring shall be made and kept for at least 2 years.</p>	31.12.16	<p>A written monitoring procedure will be introduced to the Quality System that reflects the checks that are being carried out, yet not at this stage documented.</p> <p>Additional monitoring will include internal audits and checks on the database accuracy.</p>	<p>Need reviewed by Lead Feed Officer and introduction of new internal monitoring procedure agreed in principle by Management Team. (01.11.16)</p>



## **ANNEX B - Audit Approach/Methodology**

Audit resource was targeted at the key risk areas. We examined any relevant records, instructions, documents, and evaluated procedures and outcomes. We also conducted appropriate audit testing to form an opinion on the controls in place.

The approach consisted of desktop reviews of information requested from the LA in a pre-visit questionnaire, and a 2 day onsite audit consisting of:

- Examination of plans, policies and procedures.
- Examination of file records.
- Review of database records
- Interviews with local authority officers - opinions and views raised during officer interviews remain confidential and are not referred to directly within the report.
- On-site verification check:  
A visit to a local farm was carried out as part of the audit. The purpose of the visit was to assess the effectiveness of the officer's evaluation of the compliance of the feed business with legislative requirements.

## **ANNEX C – Glossary**

Agricultural Analyst	A person, holding the prescribed qualifications, who is formally appointed by a local authority to analyse feed samples.
Authorised officer	A suitably qualified and competent officer who is authorised by the local authority to act on its behalf in, for example, the enforcement of food and feed law.
Feed Law Code of Practice	Government Code of Practice issued under regulation 6 of the Official Feed and Food Controls Regulations 2009 as guidance to local authorities on the execution and enforcement of feed law.
County Council	A local authority whose geographical area corresponds to the county and whose responsibilities include food standards, food hygiene at the level of primary production and feeding stuffs enforcement.
Defra	The Department for Environment, Food and Rural Affairs. The Government Department designated as the central competent authority for products of animal origin in England.
District Council	A local authority of a smaller geographical area and situated within a County Council whose responsibilities include food hygiene enforcement.
Environmental Health Officer (EHO)	Officer employed by the local authority to enforce food safety legislation.
FNAO	Feed not of animal origin. Products that do not fall under the requirements of the veterinary control regime.
The DG Health and Food Safety - Audit and Analysis	Part of the European Commission, formerly known as the Food and Veterinary Office (FVO).
Feed Law Enforcement	Government Code of Practice issued under the

Code of Practice	Official Feed and Food Control Regulations 2009.
Feeding stuffs	Term used in legislation meaning feed, including additives and pet food, whether processed, partially processed or unprocessed, intended to be used for oral feeding to animals.
Food/feed hygiene	The legal requirements covering the measures and conditions necessary to control hazards to ensure fitness for human consumption of a foodstuff/animal consumption of a feed, taking into account its intended use.
Food/Feed standards	The legal requirements covering the quality, composition, labelling, presentation and advertising of food/feed
Framework Agreement	<p>The Framework Agreement consists of:</p> <ul style="list-style-type: none"> <li>• Food and Feed 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 and feed law enforcement.</p> <p>The <b>Monitoring Scheme</b> requires local authorities to submit yearly returns to the Agency on their feed enforcement activities .e. numbers of inspections, samples, prosecutions and notices.</p> <p>Under the <b>Audit Scheme</b> the Food Standards Agency conduct 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 feed safety management system used within feed businesses to identify points in the production process where it is critical for food/feed 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 and feed safety/ standards issues. Acts as the central contact point for other enforcing authorities' enquiries with regard to that company's food/feed related policies and procedures.
Informal samples	Samples that have not been taken in the prescribed manner laid down in Regulation EC. No 152/2009 laying down the methods of sampling and analysis for the official control of feed.
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.
New Feed Delivery Model (NFDM)	NFDM is a multi-faceted solution to improve the effectiveness of official feed controls, delivered in partnership with key stakeholders, ensuring timely, appropriate, proportionate and consistent delivery of controls to secure compliance with feed law.
Port Health Authority (PHA)	An authority specifically constituted for port health functions including imported food and feed control.
Primary Authority	An authority that has formed a formal partnership with a business in accordance with the Regulatory Enforcement and Sanctions Act 2008.

Public Analyst	An officer, holding the prescribed qualifications, who is formally appointed by the local authority to carry out chemical analysis of food and feed samples.
RASFF	Rapid alert system for food and feed. The European Union system for alerting port enforcement authorities of food and feed hazards.
Risk rating	A system that rates food/feed premises according to risk and determines how frequently those premises should be inspected.
Service Plan	A document produced by a local authority setting out their plans on providing and delivering a food/feed Service to the local community.
Trading Standards	The Department within a local authority which carries out, amongst other responsibilities, the enforcement of food standards, food hygiene at the level of primary production and feeding stuffs legislation.
Trading Standards Officer (TSO)	Officer employed by the local authority who, amongst other responsibilities, may enforce food standards, food hygiene at the level of primary production 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 (including at the level of primary production), food standards and feeding stuffs enforcement.