

Annual report on UK local authority food law enforcement

1 April 2013 to
31 March 2014

FOOD HYGIENERATING

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Food
*hygiene**
information
scheme

TABLE OF CONTENT

1. INTRODUCTION	3
2. SUMMARY OF KEY FINDINGS	4
3. DATA RETURN LEVELS FROM LOCAL AUTHORITIES	6
4. ESTABLISHMENT PROFILES	7
Establishments Not Yet Rated for food hygiene	9
Establishments Not Yet Rated for food standards	10
5. LOCAL AUTHORITY INTERVENTIONS	11
Food hygiene interventions.....	11
Food standards interventions	12
6. ENFORCEMENT ACTIONS	16
Food hygiene enforcement actions.....	16
Food standards enforcement actions	18
7. OFFICIAL FOOD SAMPLES	20
8. CONSUMER COMPLAINTS ABOUT FOOD AND FOOD ESTABLISHMENTS	22
9. FULL TIME EQUIVALENT (FTE) PROFESSIONAL LA STAFF	23
Food Hygiene professional staff	23
Food standards professional staff.....	25
10. FOOD HYGIENE COMPLIANCE.....	27
11. IMPORTED FOOD CONTROLS AT PORTS.....	32
ANNEX A: EXPLANATORY NOTES FOR USERS OF LAEMS STATISTICS...	34
Background	34
Statistical methodology and quality control issues.....	34
Glossary	36

1. INTRODUCTION

- 1.1 This report, which covers the period 1 April 2013 to 31 March 2014, provides the Official Statistics on local authority (LA) food law enforcement activity within food businesses in the UK and on the checks carried out by port health authorities (PHAs) on food imports from countries outside the European Union. Further data by individual LAs will be published on the FSA website alongside this report at www.food.gov.uk/enforcement/monitoring/laems/mondatabyyear/. Data for previous years is also available from this weblink.
- 1.2 The report is based on the Local Authority Enforcement Monitoring System (LAEMS)¹ returns by LAs and PHAs. The FSA's arrangements for the monitoring of LA food law enforcement activity are set out in the Framework Agreement on the Delivery of Official Feed and Food Controls by Local Authorities².
- 1.2 Sections 4 to 11 of the report provide key data from the 2013/14 LAEMS returns, together with comparative data from 2011/12 and 2012/13 and analysis of key trends and variations. Explanatory notes for users of LAEMS statistics can be found at Annex A.

¹ LAEMS is a web-based system that enables LAs to provide their monitoring returns to the FSA electronically.

² <http://www.food.gov.uk/sites/default/files/multimedia/pdfs/enforcement/frameworkagreementno5.pdf>

2. SUMMARY OF KEY FINDINGS

2.1 In summary, the 2013/14 LAEMS data show:

- ▲ **622,015 food establishments** were registered with LAs in the UK as at 31 March 2014, an **increase of 2.3%** on 2012/13 (608,143). Of these, 34,529 (**5.6%**) of registered UK food establishments were **not yet rated** (NYR³) for food hygiene risk, a **decrease from 5.9%** in 2012/13.
- ▼ LAs reported that a total of **524,491 interventions** were carried out in 2013/14 (411,077 food hygiene and 113,414 food standards) a **decrease of 0.2%** on the reported number carried out in 2012/13 (525,588).
- ▲ **185,385 formal enforcement actions**⁴ were carried out in 2013/14, an **overall increase of 1.0%** from 2012/13 (183,566). Compared to 2012/13 returns, the data shows that the number of establishments subject to:
 - ▲ *Seizure, detention and surrender of food* increased by 26.5% (from 543 in 2012/13 to 687 in 2013/14)
 - ▲ *Remedial action and detention notices* increased by 18.3% (from 213 to 252)
 - ▲ *Simple cautions* increased by 4.8% (from 419 to 439)
 - ▲ *Prosecutions* increased by 2.3% (from 398 to 407)
 - ▲ *Written warnings* increased by 1.4% (from 175,230 to 177,746)
 - ▼ *Voluntary closure* decreased by 5.4% (from 1,024 to 969)
 - ▼ *Emergency prohibition orders* decreased by 12.6% (from 318 to 278)
 - ▼ *Improvement notices* decreased by 14.4% (from 5,274 to 4,513)
 - ▼ *Prohibition orders* decreased by 36.0% (from 125 to 80)
 - ▼ *Suspension / revocation of approval or licence* decreased by 36.4% (from 22 to 14)
- ▲ **75,547 Official samples**⁵ of food were taken by LAs in 2013/14, an **increase of 3.0%** (from 73,321) on 2012/13 reversing the decline shown in previous years. Compared to 2012/13, the data shows the following differences in the number of analyses / tests carried out for:

³ Not yet rated (NYR) – those establishments yet to be inspected by LA and assessed for a risk rating.

⁴ LAEMS records the number of establishments subjected to the individual types of enforcement action. The total number of individual enforcement actions taken by LAs is likely to be higher.

⁵ Official samples are those analysed / tested by Official Control Laboratories

- ▲ *Other contamination* increased by 19.6% (from 3,887 in 2012/13 to 4,650 in 2013/14)
 - ▲ *Composition* increased by 14.1% (from 16,982 to 19,376)
 - ▲ *Others* increased by 11.3% (from 2,451 to 2,727)
 - ▼ *Microbiological contamination* decreased by 3.0% (from 53,108 to 51,512)
 - ▼ *Labelling and presentation* decreased by 0.2% (from 9,958 to 9,936)
- ▲ LAs dealt with a total **70,522 consumer complaints** about the safety and quality of food and the hygiene standards of food establishments in 2013/14, an **increase of 2.7%** (from 68,639) on complaints reported in 2012/13.
 - ▼ LA returns show a total of **2,449 Full Time Equivalent (FTE)** professional LA staff (1,825 food hygiene and 624 food standards) were engaged in UK food law enforcement as at 31st March 2014, a **3.2% reduction** on numbers reported in 2012/13 (2,531).
 - ▲ The UK level of **Broad Compliance** and above (equivalent to Food Hygiene Rating Scheme (FHRS) rating 3 to 5)⁶ as at 31 March 2014 was **91.7%** of rated establishments, a **slight increase** on the 2012/13 level (91.2%).
 - ▲ A comparison with 2012/13 data shows that the percentage of LAs with broad compliance levels of 90% or greater for rated establishments increased to 77.5% (of those LAs providing Broad Compliance data) from 71.9% last year.
 - ▼ At the other end of the scale, the number of LAs with Broad Compliance levels less than 80% reduced to 1.8%, from 3.1% in 2012/13.
 - **442,232 consignments of imported food**⁷ were received at Ports during 2013/14. A total of **168,000 documentary checks**, **60,647 identity checks** and **24,116 physical checks** were reported. Due to the differing control requirements, with safeguards and foods subject to enhanced consignment checks changing yearly, meaningful comparisons cannot be made about imported food activity at ports from one year to another.

⁶ A food establishment defined as 'broadly compliant' for food hygiene, has an intervention rating score of not more than 10 points under each of the following three criteria: Level of (Current) Compliance – Hygiene; Level of (Current) Compliance – Structure; and Confidence in Management.

⁷ This figure does not represent all food consignments imported into the UK, as low risk foods of non-animal origin are not required to be pre-notified for risk based checks at designated points of entry in the UK. All consignments of products of animal origin and 'higher-risk foods of non-animal origin are required to pre-notify their arrival and are subject to official controls at points of entry to the UK.

3. DATA RETURN LEVELS FROM LOCAL AUTHORITIES

- 3.1 There were 434 UK LAs⁸ during the 2013/14 reporting period, from which a total of 629 separate LAEMS returns (404 food hygiene and 225 food standards) were due. All expected returns were received.
- 3.2 The number of LAs using the fall-back option of manual entry on LAEMS has reduced slightly (from 15 to 14) compared with 2012/13. There were six LAs that were unable to provide a full return due to local IT issues.
- 3.3 Imported food returns were received from all major PHAs and LAs with Ports receiving food from Third Countries⁹.

⁸ This figure includes West Yorkshire Joint Services, which undertakes food standards enforcement on behalf of Bradford, Calderdale, Kirklees, Leeds and Wakefield Metropolitan Borough Councils.

⁹ Imported food returns collate information specifically on enforcement action related to food imported from Third Countries (countries outside the European Union).

4. ESTABLISHMENT PROFILES

4.1 A total of 622,015 food establishments were registered with LAs in the UK as at 31 March 2014, an overall increase of 2.3% on 2012/13 (608,143).

Figure 4.1: UK 2013/14 registered food establishments profile by food hygiene risk and premises type

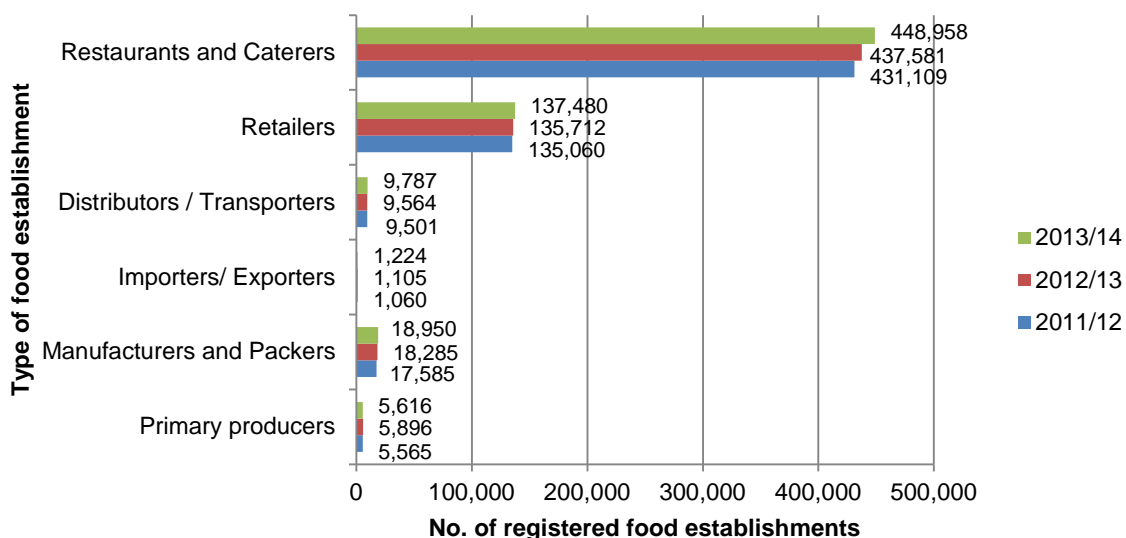
Risk category	Primary producers	Manufacturers and Packers	Importers/ Exporters	Distributors/ Transporters	Retailers	Restaurants and Caterers	Total
A	9	532	4	14	327	2,431	3,317
B	80	2,513	11	96	2,572	26,417	31,689
C	282	5,222	107	891	28,390	190,063	224,955
D	690	2,692	194	1,661	27,492	74,096	106,825
E	2,567	6,171	580	5,618	69,697	120,179	204,812
Not Yet Rated (NYR)	690	1,408	145	754	6,213	25,319	34,529
Outside¹⁰	1,298	412	183	753	2,789	10,453	15,888
Total	5,616	18,950	1,224	9,787	137,480	448,958	622,015
Breakdown by country							
England	3,297	13,895	1,087	8,080	113,491	368,780	508,630
Northern Ireland	59	1,066	40	428	4,291	14,623	20,507
Scotland	1,914	2,926	84	842	12,215	41,057	59,038
Wales	346	1,063	13	437	7,483	24,498	33,840

4.2 This increase is reflected across most establishment types. However (see Figure 4.2):

- There has been a larger increase (10.8%) in the number of registered importers and exporters (from 1,105 to 1,224)
- There has been a 4.7% reduction in the number of registered primary producers (from 5,896 to 5,616)

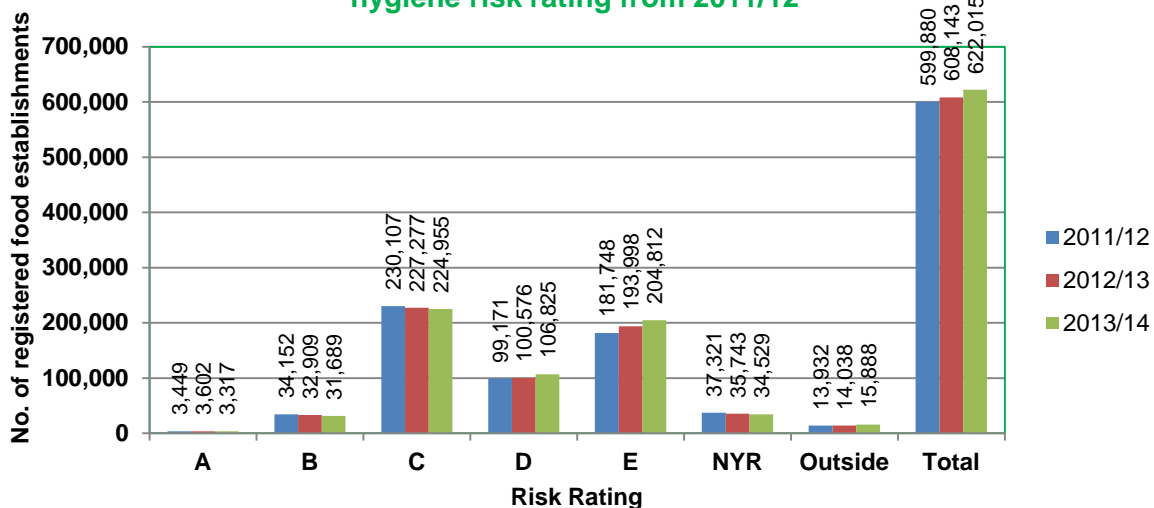
¹⁰ Outside – those establishments assessed by LAs to be of such low risk as to not be included in the intervention programme e.g. coffee/refreshments served in betting shops / hairdressers

Figure 4.2 Comparison of registered food establishments by type of establishment, from 2011/12



4.3 A comparison of the split of risk ratings in food establishments¹¹ (see Figure 4.3) indicates a reduction of 1.5% in premises rated A to C (from 263,788 in 2012/13 to 259,961) and an increase of 5.8% in premises rated D and E (from 294,574 in 2012/13 to 311,637).

Figure 4.3: Comparison of food establishments profiles by food hygiene risk rating from 2011/12



4.4 This difference in part reflects LAs implementing the revised Code of Practice Annex 5 parameters for category C and D, effective from 1 April 2014, on their IT system prior to making their LAEMS return. The Code of Practice has been amended to improve the focus and effectiveness of enforcement by redistributing the minimum intervention frequency in businesses compliant

¹¹ Annex A, paras 3.8 and 3.9 summarises how LAs risk rate food establishments. For further details see Annex 5 of the Food Law Codes of Practice at: www.food.gov.uk/enforcement/enforcework/food-law/

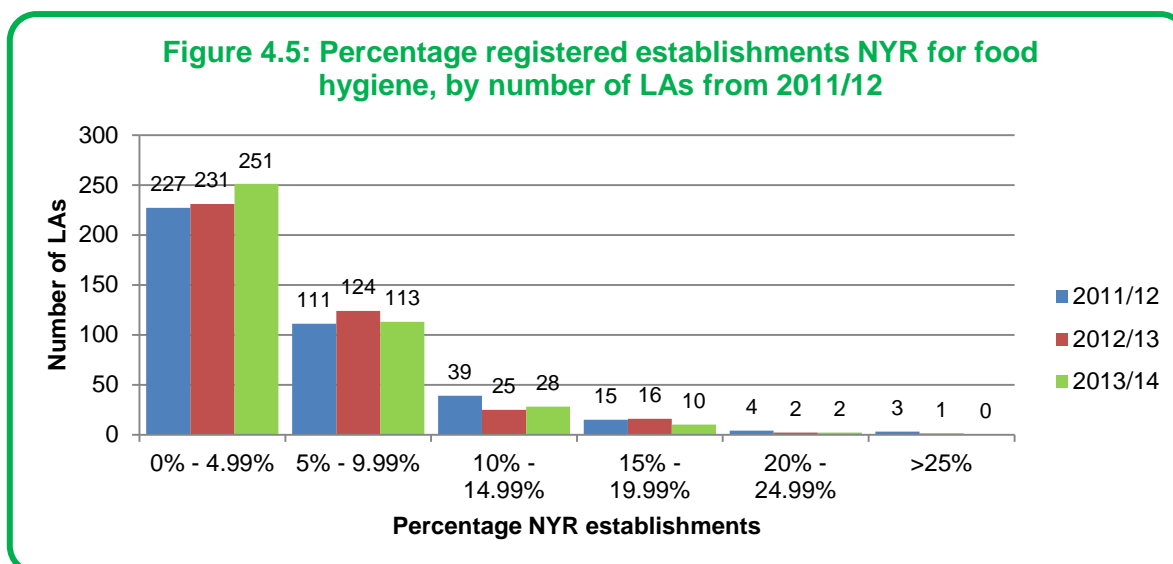
with food law and with good management controls in place. This will allow LAs to focus on non-compliant businesses. However the shift from A-C to D-E rated premises is a continuing trend which reflects the increasing compliance levels discussed further in Section 10.

Establishments Not Yet Rated¹² for food hygiene

- 4.5 UK wide 5.6% of registered food establishments were not yet rated (NYR) for food hygiene risk as at 31 March 2014 (34,529 out of 622,015), a reduction on the 2012/13 figure of 5.9% and continuing the downward trend over recent years.

Figure 4.4: Comparison of percentage of registered establishments NYR for food hygiene from 2011/12			
	2011/12	2012/13	2013/14
Total number of establishments	599,880	608,143	622,015
No. of NYR establishments	37,321	35,743	34,529
Percentage NYR	6.2%	5.9%	5.6%

- 4.6 There has been an increase in the number of LAs reporting levels of NYR establishments below 5% (62.1% of LAs compared with 57.9% in 2012/13). There has been a corresponding decrease (from 4.8% to 3.0%) in the proportion of LAs with levels of NYR above 15% (see Figure 4.5). The data is consistent with LAs continuing to focus on this activity.

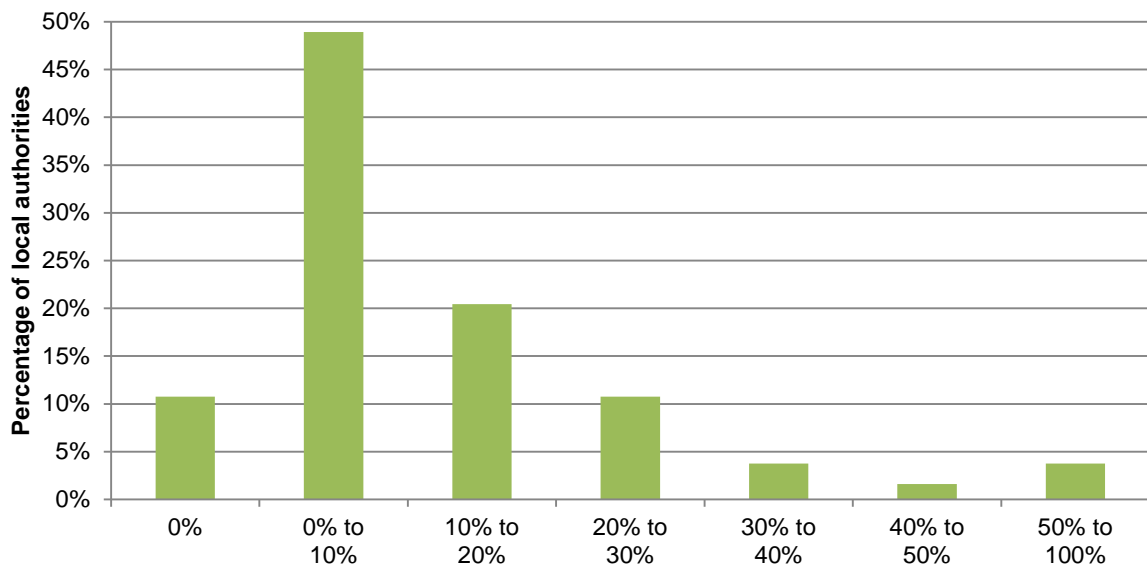


¹² Not yet rated (NYR) – those establishments yet to be assessed for a risk rating i.e. not inspected by LA.

Establishments Not Yet Rated for food standards

- 4.7 Based on LAs for which comparable data is available for the past three years (186 out of 225), the proportion of registered food establishments not yet rated for food standards risk has remained between 12% and 13% across the last three years (2011/12 to 2013/14).
- 4.7 Looking at the distribution across LAs of the proportion of food establishments not yet rated for food standards risk (see Figure 4.6):
- In 2013/14 for 11% of LAs, all food premises within the programme had been assessed for their level of food standards risk.
 - For most LAs (60%) the proportion of food premises yet to be assessed for their level of food standards risk was at most 10%.
 - For a fifth (20%) of LAs the proportion of food premises yet to be assessed was greater than 20%.

Figure 4.6: Proportion of food premises yet to be given a food standards risk rating : the distribution across UK LAs in 2013/14



Basis: 186 out of the 225 LAs

5. LOCAL AUTHORITY INTERVENTIONS¹³

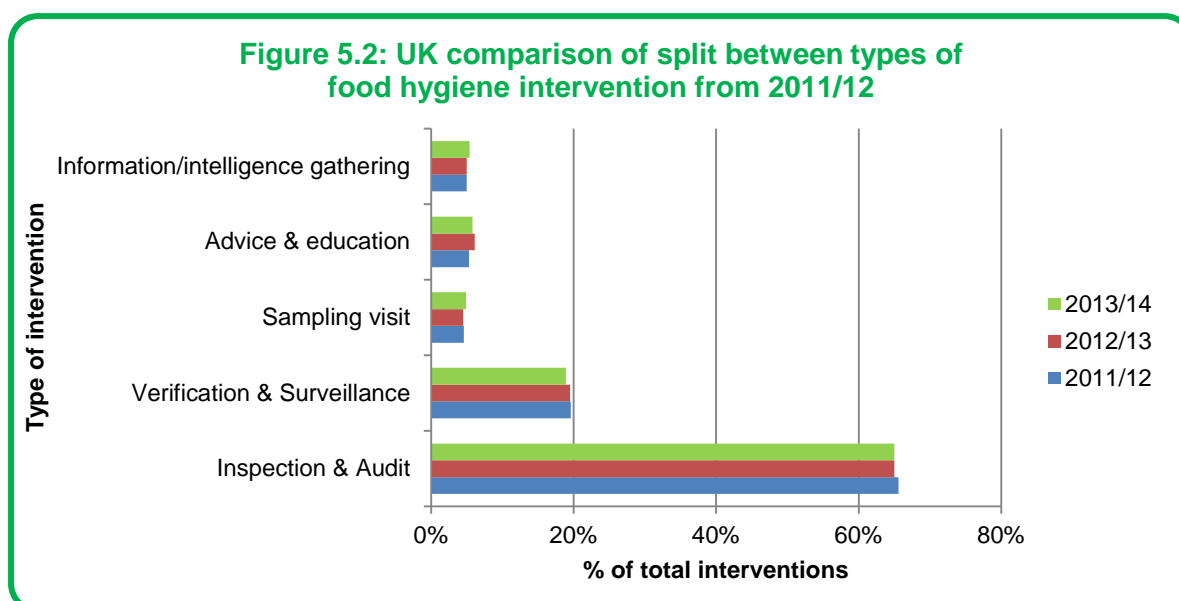
Food hygiene interventions

5.1 A total of 411,077 food hygiene interventions were carried out in 2013/14, a decrease of 1.0% on the reported number carried out in 2012/13 (415,299).

Figure 5.1: Food hygiene interventions carried out in 2013/14

	Inspections and audits	Verification and surveillance	Sampling visits	Advice and education	Information/intelligence gathering	Total
England	215,205	54,441	13,300	16,584	19,542	319,072
NI	9,891	4,757	2,686	1,803	544	19,681
Scotland	23,744	12,725	1,764	2,625	777	41,635
Wales	18,314	5,835	2,303	2,920	1,317	30,689
UK	267,154	77,758	20,053	23,932	22,180	411,077
Intervention types as a % of total food hygiene interventions						
England	67.4%	17.1%	4.2%	5.2%	6.1%	100.0%
NI	50.3%	24.2%	13.6%	9.2%	2.8%	100.0%
Scotland	57.0%	30.6%	4.2%	6.3%	1.9%	100.0%
Wales	59.7%	19.0%	7.5%	9.5%	4.3%	100.0%
UK	65.0%	18.9%	4.9%	5.8%	5.4%	100.0%

5.2 The split between food hygiene intervention types is consistent with previous years, although there were slight increases in information / intelligence gathering and sampling visits (see Figure 5.2).



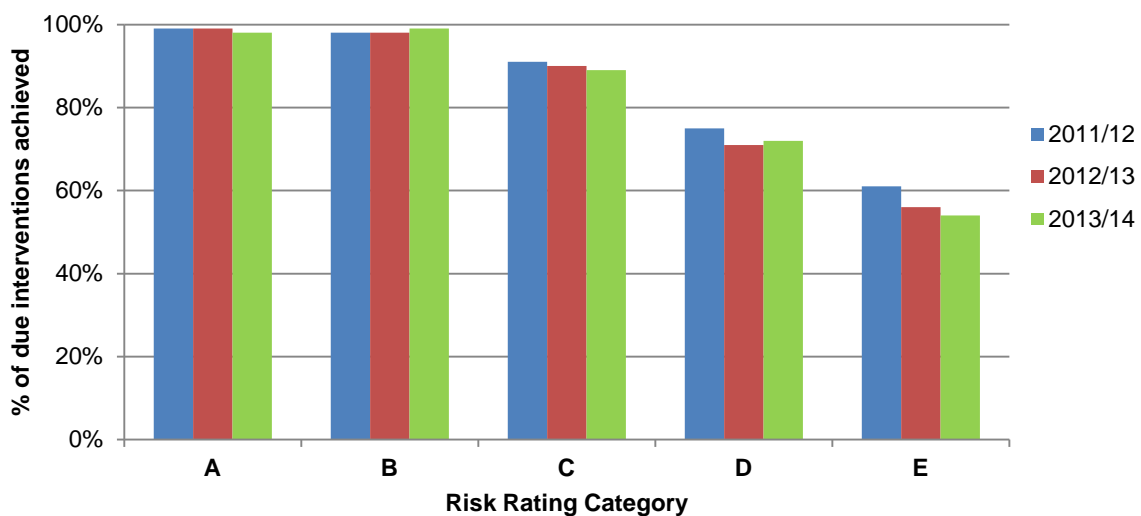
¹³ The figures in this section include interventions at establishments that have subsequently ceased trading

5.3 The trend for LAs to target higher risk establishments (Category A to C) for food hygiene intervention, at the expense of due interventions at lower risk establishments has continued across much of the UK, although Northern Ireland has maintained levels greater than 90% across all risk categories.

Figure 5.3: Percentage of food hygiene due interventions achieved 2013/14

	A	B	C	D	E	NYR	Total
England	97.9%	98.4%	88.2%	70.7%	50.7%	89.1%	80.9%
NI	99.2%	99.5%	97.8%	94.6%	93.6%	92.7%	96.5%
Scotland	99.1%	98.0%	80.9%	67.8%	60.4%	93.3%	84.4%
Wales	100.0%	99.9%	98.2%	74.2%	75.5%	93.6%	92.2%
UK	98.4%	98.5%	88.5%	71.5%	54.0%	89.8%	82.6%

Figure 5.4: Comparison of percentage of due food hygiene interventions achieved UK wide from 2011/12



Food standards interventions

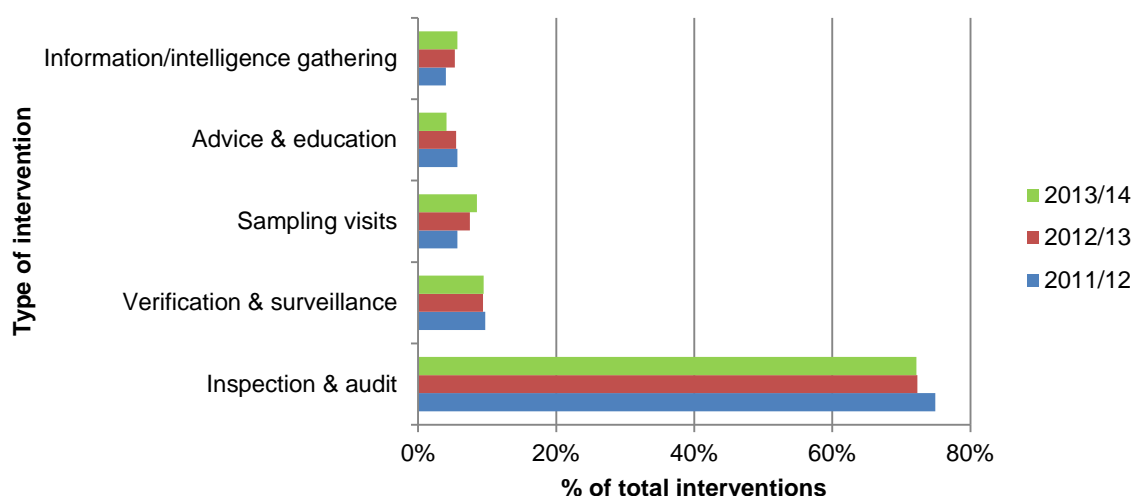
5.4 A total of 113,414 food standards interventions were carried out in 2013/14, an increase of 2.8% on the reported number carried out in 2012/13 (110,289), reversing the declining trend in previous years.

Figure 5.5: Food standards interventions carried out in 2013/14

	Inspections and audits	Verification and surveillance	Sampling visits	Advice and education	Information/intelligence gathering	Total
England	57,783	7,550	5,427	3,104	4,597	78,461
NI	4,467	591	945	183	805	6,991
Scotland	11,055	2,162	2,360	931	906	17,414
Wales	8,582	526	856	439	145	10,548
UK	81,887	10,829	9,588	4,657	6,453	113,414
Intervention types as a % of total food standards interventions						
England	73.6%	9.6%	6.9%	4.0%	5.9%	100.0%
NI	63.9%	8.5%	13.5%	2.6%	11.5%	100.0%
Scotland	63.5%	12.4%	13.6%	5.3%	5.2%	100.0%
Wales	81.4%	5.0%	8.1%	4.2%	1.4%	100.0%
UK	72.2%	9.5%	8.5%	4.1%	5.7%	100.0%

5.5 The split between food standards interventions types is fairly consistent with last year (see Figure 5.6). There was however a further increase in the percentage of sampling visits to 8.5% of total interventions (from 7.5% in 2012/13 and 5.7% in 2011/12), which could reflect LA activity following the horsemeat incident and is consistent with the increase in food standards sampling in 2013/14 (see paragraph 7.1). In contrast, the level of advice and education visits has dropped to 4.1% (from 5.5% in 2012/13).

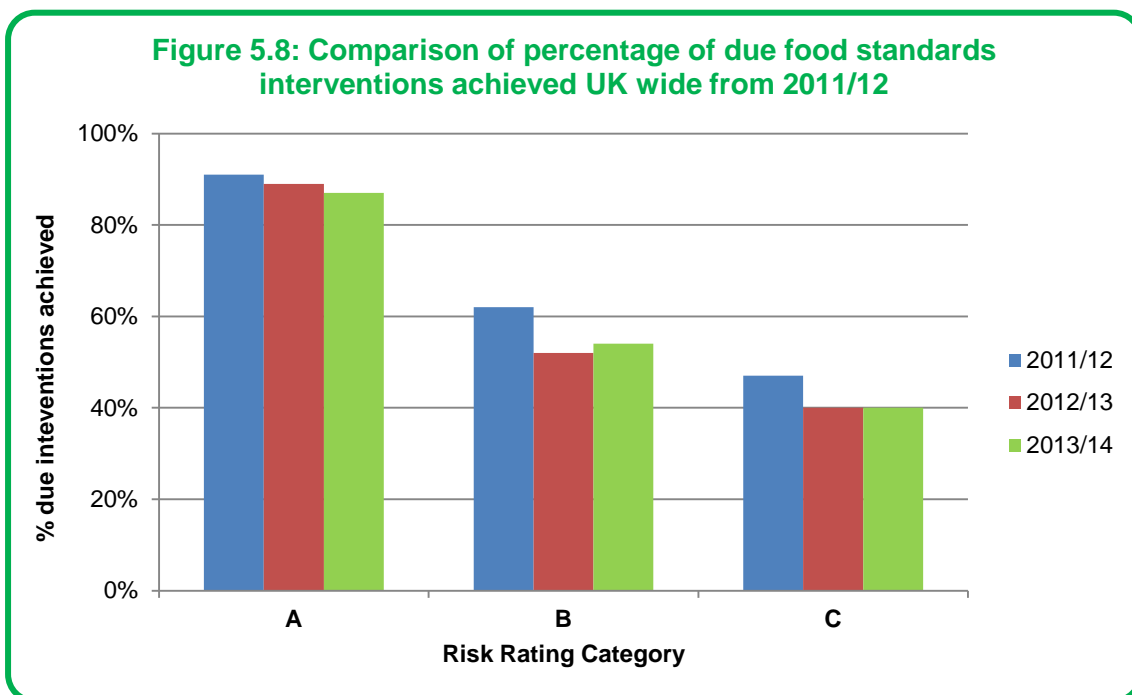
Figure 5.6: UK comparison of split between types of food standards intervention from 2011/12



- 5.6 LAs have continued to target higher risk establishments (Category A) for food standards interventions across much of the UK, although levels of interventions achieved has decreased across all risk categories.
- 5.7 We are aware from LA feedback that there is an increasing trend, particularly in food standards lower risk category establishments, for LAs to use more intelligence led approaches rather than programming interventions based on the frequencies laid down in the Food Law Code of Practice (FLCoP).

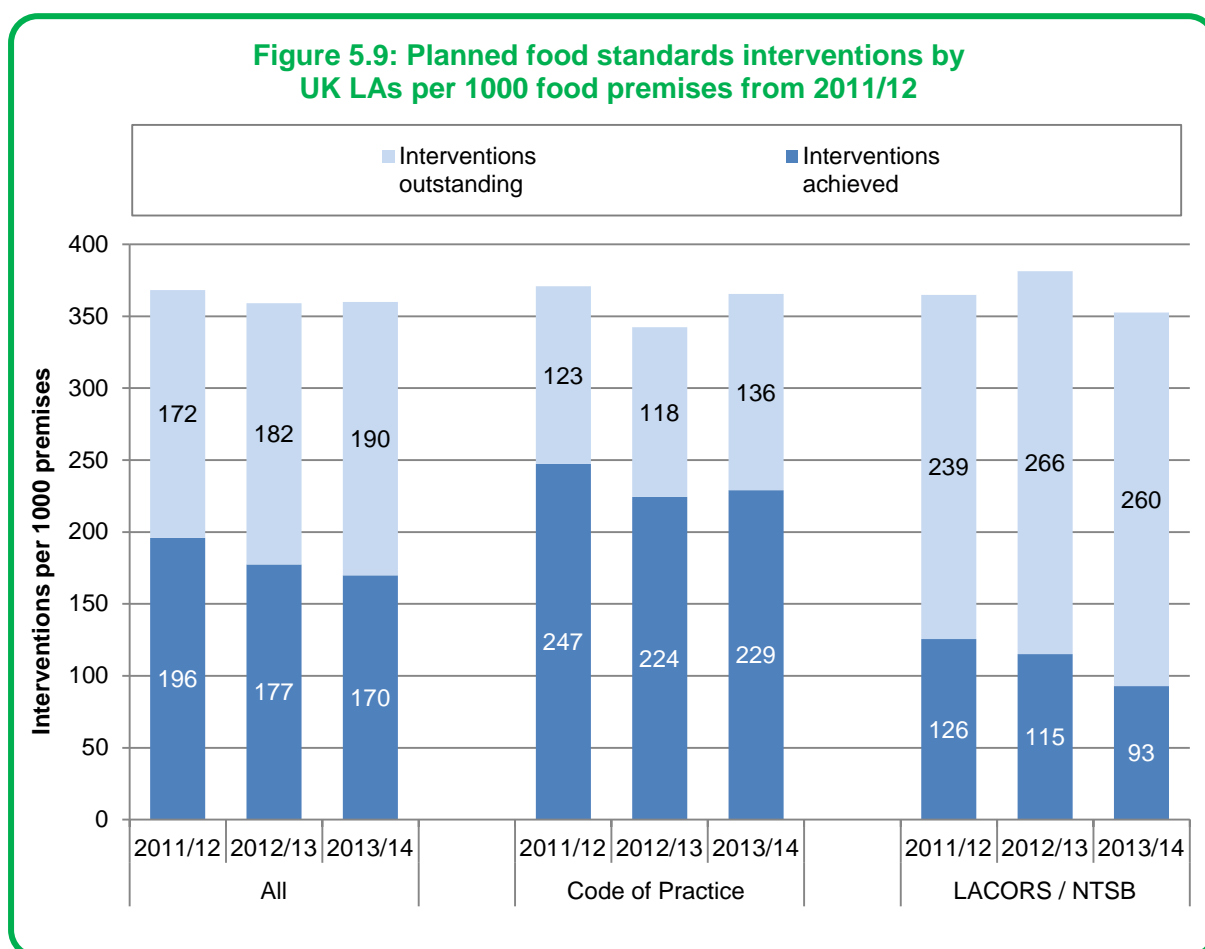
Figure 5.7: Percentage of food standards due interventions achieved 2013/14

	A	B	C	NYR	TOTAL
England	83.5%	48.1%	33.9%	70.6%	45.8%
NI	98.7%	93.0%	89.9%	86.1%	90.1%
Scotland	89.8%	85.7%	73.4%	92.9%	81.6%
Wales	98.4%	53.5%	44.1%	79.2%	56.6%
UK	86.7%	53.5%	40.4%	74.5%	51.7%



5.8 Based on the LAs from which we can make comparisons over the past three years (206 out of 225) (see Figure 5.9):

- The number of food standards interventions carried out has fallen by 13%, to 170 for every 1,000 food establishments in 2013/14.
- LAs using the FLCoP risk rating scheme for food standards, carried out around twice as many food standards interventions as those using the LACORS / NTSB¹⁴ risk rating schemes.
- This mainly reflects a higher proportion of planned interventions being achieved for LAs using the FLCoP scheme (65% compared to 30% for LAs using the LACORS / NTSB schemes).



¹⁴ Where the food authority is responsible only for food standards enforcement, or where food hygiene and food standards enforcement is carried out by separate departments within the same food authority, e.g. Environmental Health and Trading Standards, the food standards risk assessment may be based on the National Trading Standards Board (NTSB) guidance on risk assessment for trading standards (or on the LACORS guidance which this replaces). Where assessments are based on the NTSB scheme, the intervention frequency for food standards purposes should not be less than would have been the case under the FLCoP scheme, see <http://www.food.gov.uk/enforcement/enforcework/food-law/annex5-food-establish-intervention/a55-food-standards-intervention>

6. ENFORCEMENT ACTIONS^{15 16}

Food hygiene enforcement actions

6.1 A total of 169,914 hygiene enforcement actions were reported in 2013/14 – 162,624 written warnings and 7,290 other official enforcement actions, a slight overall increase of 0.4% on 2012/13 (169,306), although some types of enforcement action have shown decreases (see Figure 6.2).

Figure 6.1: Number of establishments subject to food hygiene enforcement actions 2013/14

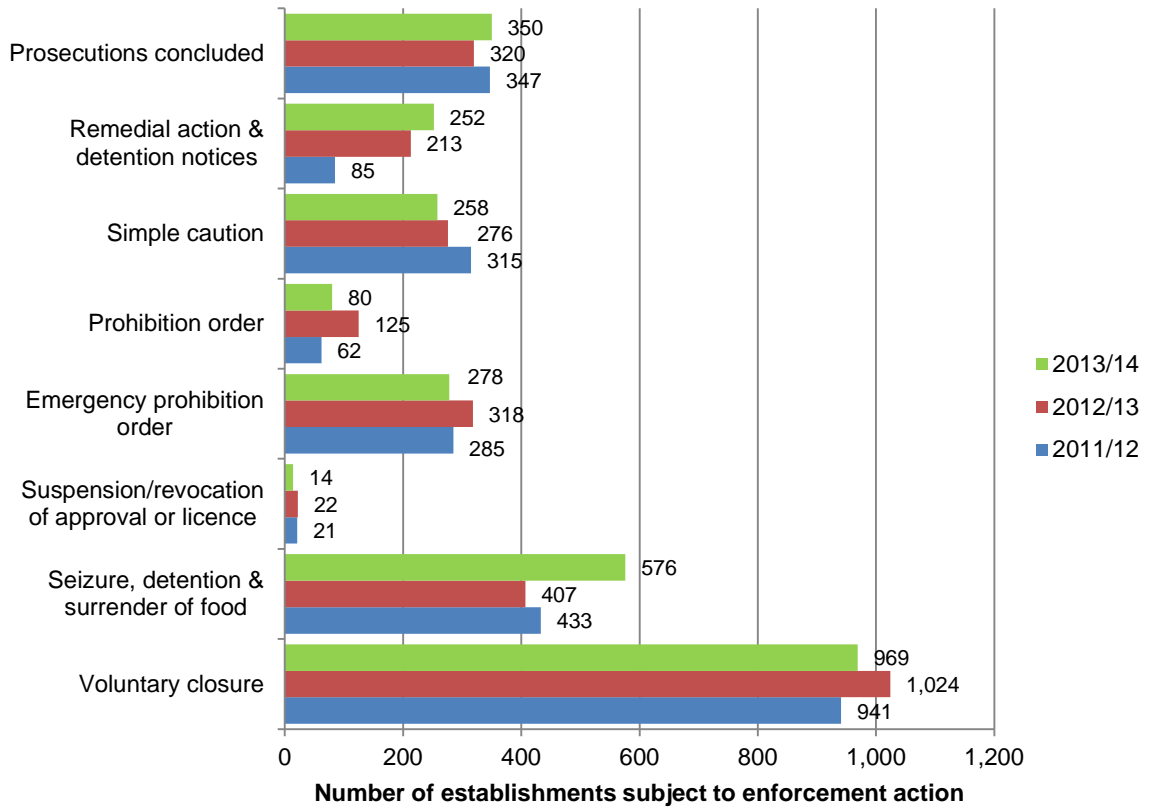
	Voluntary closure	Seizure, detention & surrender of food	Suspension / revocation of approval or licence	Emergency Prohibition Notice	Prohibition Order	Simple caution ¹⁷	Improvement notice	Remedial action and detention notices	Written warnings	Prosecutions concluded	Totals
England	741	438	9	259	75	222	3,786	63	130,764	311	136,668
Northern Ireland	17	42	0	2	2	6	52	12	6,119	7	6,259
Scotland	118	45	5	15	1	0	359	128	12,896	2	13,569
Wales	93	51	0	2	2	30	316	49	12,845	30	13,418
UK Totals	969	576	14	278	80	258	4,513	252	162,624	350	169,914

¹⁵ LAEMS records the number of establishments subject to the individual types of enforcement action. The total number of individual enforcement actions taken by LAs is likely to be higher.

¹⁶ The figures in this section may include enforcement actions at premises that have subsequently closed.

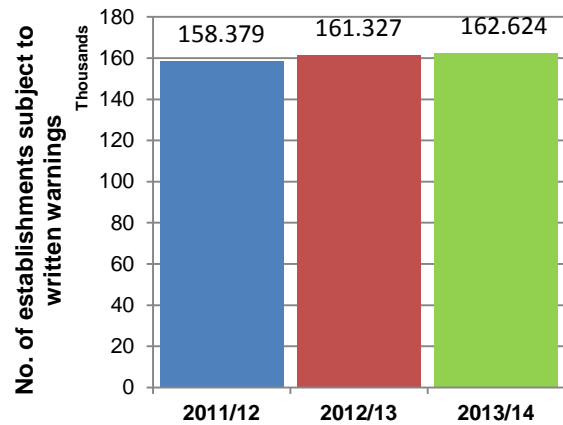
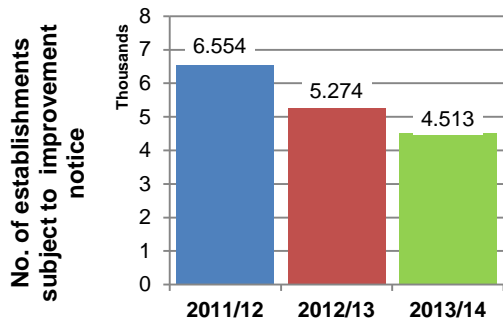
¹⁷ Simple cautions do not apply in Scotland.

Figure 6.2: Comparison of food hygiene enforcement actions from 2011/12



Food hygiene written warnings

Food hygiene improvement notices



6.2 Based on the LAs for which we are able to make comparisons on the numbers of food hygiene enforcements carried out over the past three years (366 out of 404):

- 275 written warnings were issued for every 1,000 food establishments in 2013/14, down 2% from 2011/12
- 14 official enforcement actions were carried out from every 1,000 food establishments in 2013/14, down from 16 in 2011/12
- In 2013/14, 4% of LAs carried out no official food hygiene enforcement action compared to 3% in 2011/12
- Only 2 out of the 366 LAs for which comparisons are possible, reported no official food hygiene enforcement action over the past three years

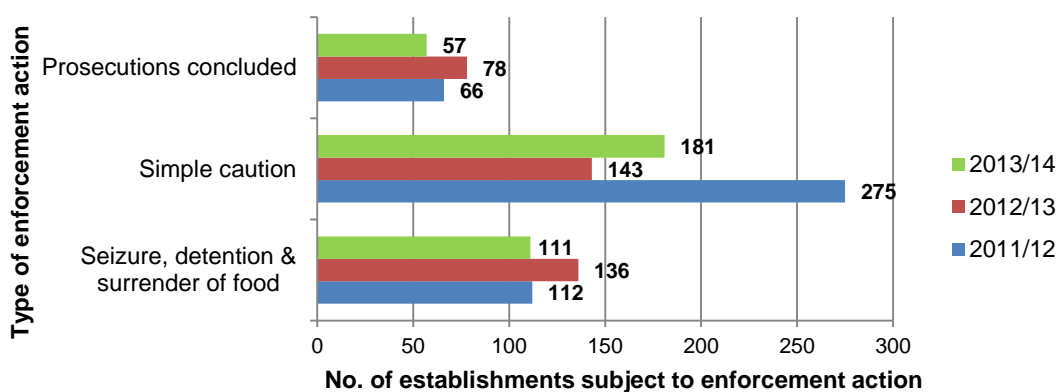
Food standards enforcement actions

6.3 A total of 15,471 food standards enforcement actions were reported in 2013/14, an increase of 8.5% compared with 2012/13 (14,260) although some types of enforcement action have shown decreases (see Figure 6.4).

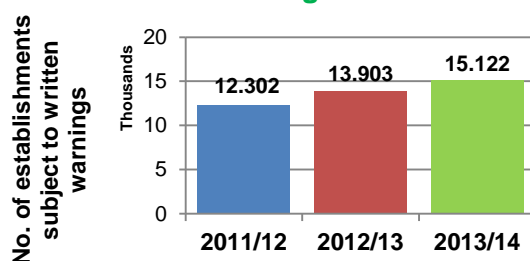
Figure 6.3: Number of establishments subject to food standards enforcement actions 2013/14					
	Seizure, detention & surrender of food	Simple caution¹⁸	Written warnings	Prosecutions concluded	Totals
England	88	113	10,586	52	10,839
Northern Ireland	6	4	1,264	2	1,276
Scotland	4	0	2,231	0	2,235
Wales	13	64	1,041	3	1,121
UK totals	111	181	15,122	57	15,471

¹⁸ Simple cautions do not apply in Scotland

Figure 6.4: Comparison of food standards enforcement actions from 2011/12



Food standards written warnings



6.4 Based on the LAs for which we are able to make comparisons on the numbers of food standards enforcement actions carried out over the past three years (163 out of 225):

- The number of written warnings issued by LAs has been broadly flat over the past three years. In 2013/14, 33 written warnings were issued for every 1,000 food establishments
- In 2013/14, 57% of LAs carried out no official food standards enforcement action, around the same proportion as the previous two years.

7. OFFICIAL FOOD SAMPLES¹⁹

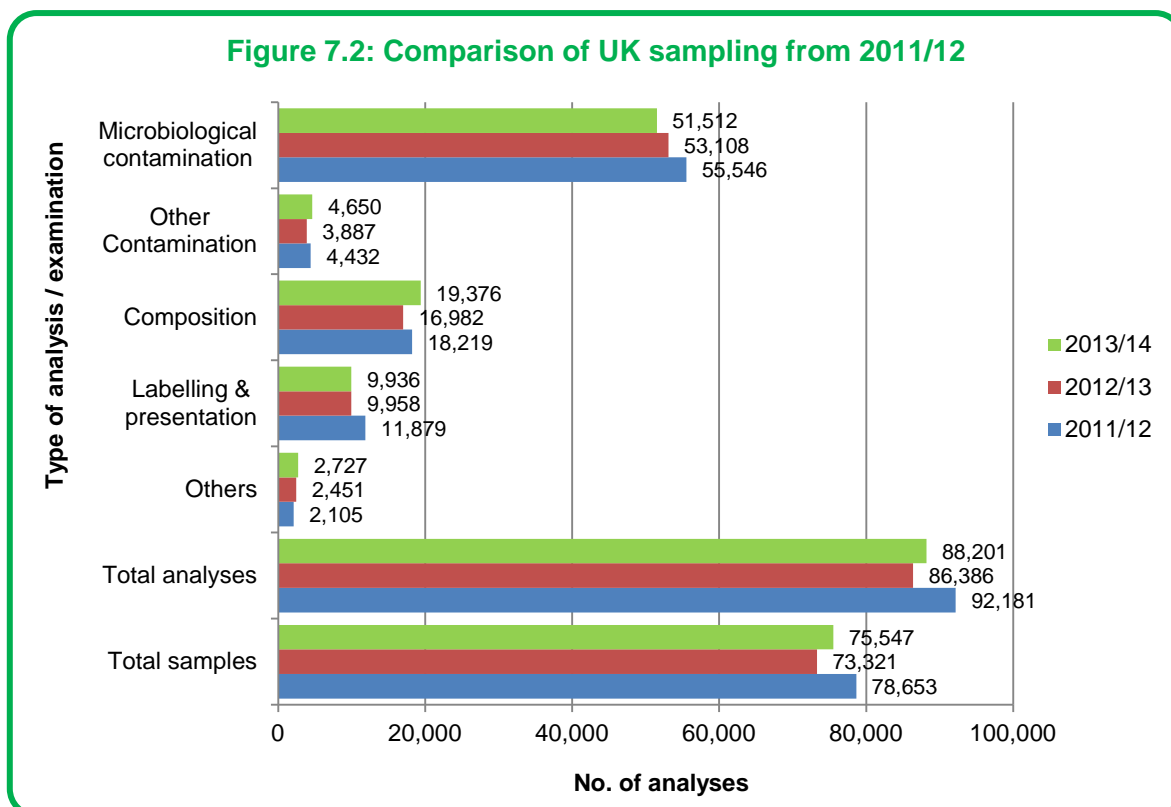
7.1 A total of 75,547 official food samples were taken in 2013/14, an increase of 3.0% from 2012/13 (73,321), reversing the decline shown in previous years. Some types of analysis / test have seen a reduction on last year, whilst others have increased (see Figure 7.2). The rise in compositional analysis may reflect increased activity in monitoring food fraud following the horsemeat incident, and is consistent with the increase in food standards sampling visits (see paragraph 5.5).

7.2 Those LAs that record their food samples on the UK Food Surveillance System (FSS) have the option to provide their sampling LAEMS return from that system. There were issues with extracting data from FSS on the analyses carried out on some samples and this was still under investigation at the time of publication. The figures provided below may therefore be slightly under-reported.

Figure 7.1: Official samples 2013/14

	England	Northern Ireland	Scotland	Wales	UK
Microbiological contamination	32,834	6,325	6,224	6,129	51,512
Other Contamination	2,749	58	1,293	550	4,650
Composition	11,179	1,871	4,275	2,051	19,376
Labelling & presentation	6,423	1,379	1,088	1,046	9,936
Other	1,500	8	1,168	51	2,727
TOTAL ANALYSES / EXAMINATIONS	54,685	9,641	14,048	9,827	88,201
TOTAL SAMPLES	47,207	8,291	11,313	8,736	75,547

¹⁹ Official samples are those analysed / tested by Official Control Laboratories. The FSA monitoring returns only collect data on official samples.



7.3 There were 10 LAs that did not carry out any sampling during 2013/14 - nine District Councils and one unitary authority. In addition:

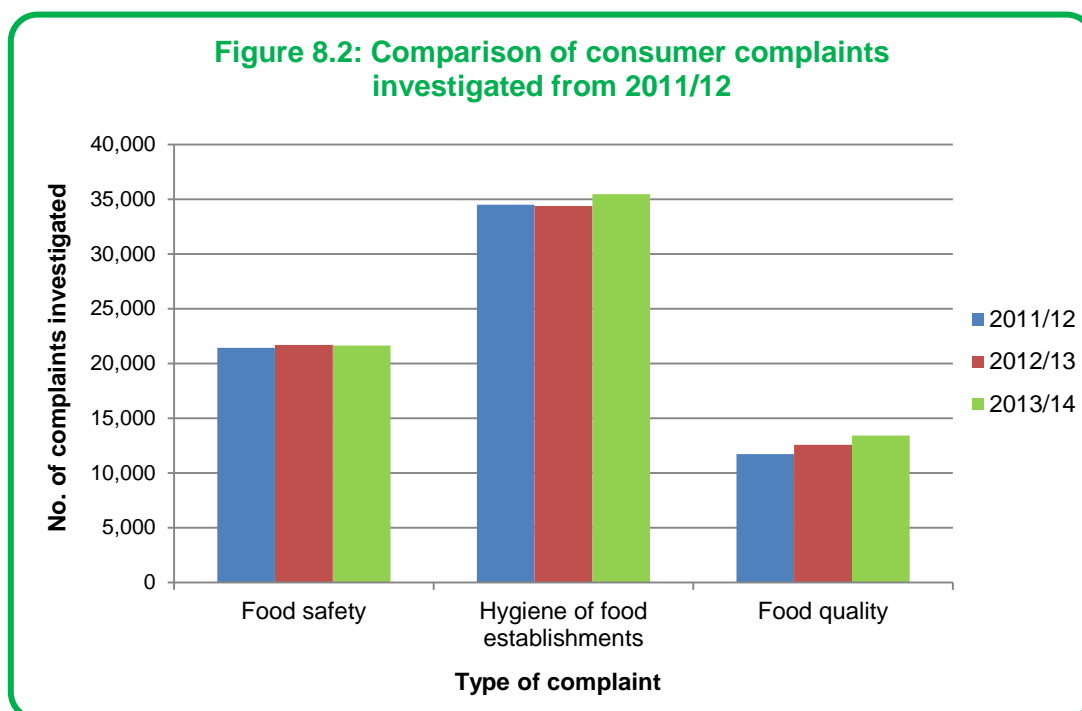
- 3 unitary authorities, with responsibility for both food hygiene and food standards, carried out no microbiological testing (but did carry out standards sampling)
- 3 unitary authorities carried out no standards sampling (but did carry out microbiological testing)
- 1 District Council carried out composition sampling (for which they do not have direct responsibility) but did not carry out any microbiological testing

8. CONSUMER COMPLAINTS ABOUT FOOD AND FOOD ESTABLISHMENTS

8.1 LAs dealt with a total of 70,522 consumer complaints about food and food establishments during 2013/14, an increase of 2.7% (from 68,639) overall across the UK on 2012/13 (see Figure 8.2).

Figure 8.1: Consumer complaints investigated 2013/14

	Food (FH)	Hygiene of premises (FH)	Food (FS)	TOTAL
England	18,166	30,457	11,106	59,729
Northern Ireland	214	808	508	1,530
Scotland	1,894	2,506	935	5,335
Wales	1,361	1,700	867	3,928
UK Totals	21,635	35,471	13,416	70,522

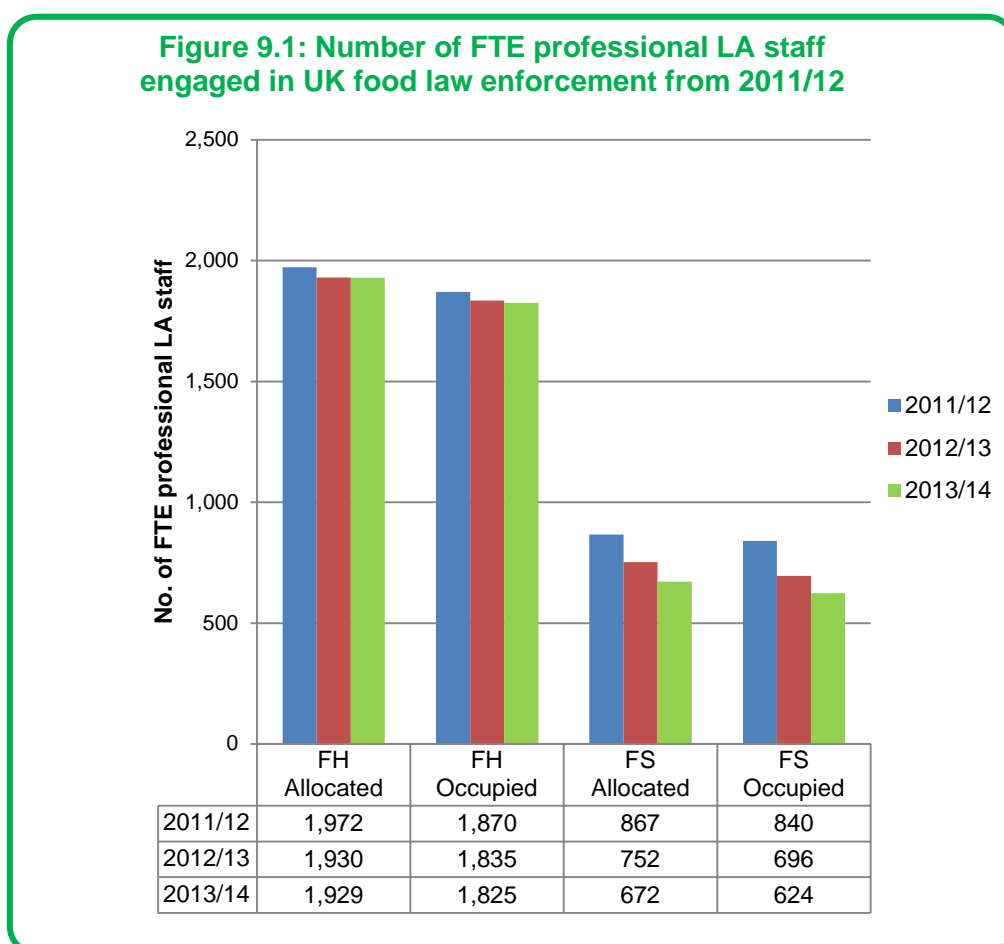


8.2 The trend in number of consumer complaints investigated by LAs varies across the four countries of the UK as follows:

- ▼ Northern Ireland – 3.9 % decrease on 2012/13 (from 1,592 to 1,530)
- ▲ England – 2.6% increase (from 58,169 to 59,729)
- ▲ Scotland – 1.5% increase (from 5,256 to 5,335)
- ▲ Wales – 8.5% increase (from 3,622 to 3,928)

9. FULL TIME EQUIVALENT (FTE) PROFESSIONAL LA STAFF

9.1 A total of 2,449 FTE professional LA staff was reported as being in post at 31 March 2014, a 3.2% reduction (from 2,531) on 2012/13. The reduction was greater for food standards than food hygiene. The reduction in professional staffing levels has been an ongoing trend in recent years, also noted in other LA workforce reports (see Figure 9.1).

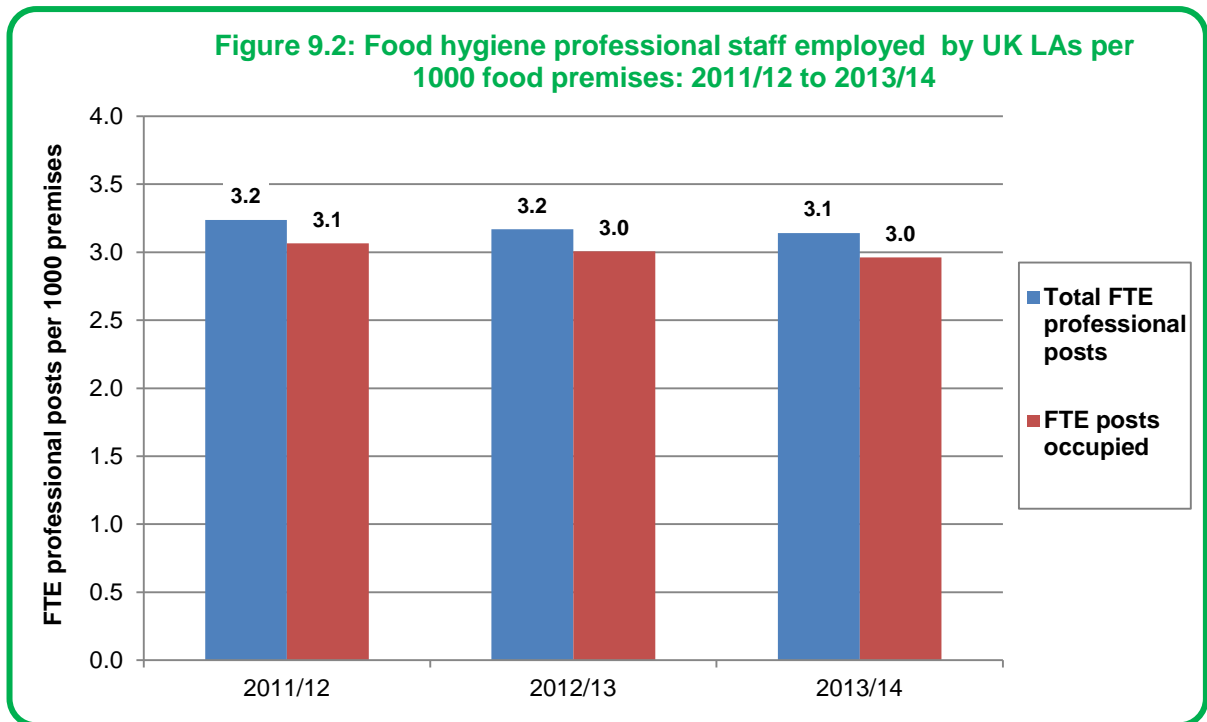


Food Hygiene professional staff

9.2 The number of FTE professional food hygiene staff employed by LAs per 1,000 food establishments appears to have fallen slightly over the past three years (see Figure 9.2). Based on LAs for which we can compare data over this period (349 out of 404):

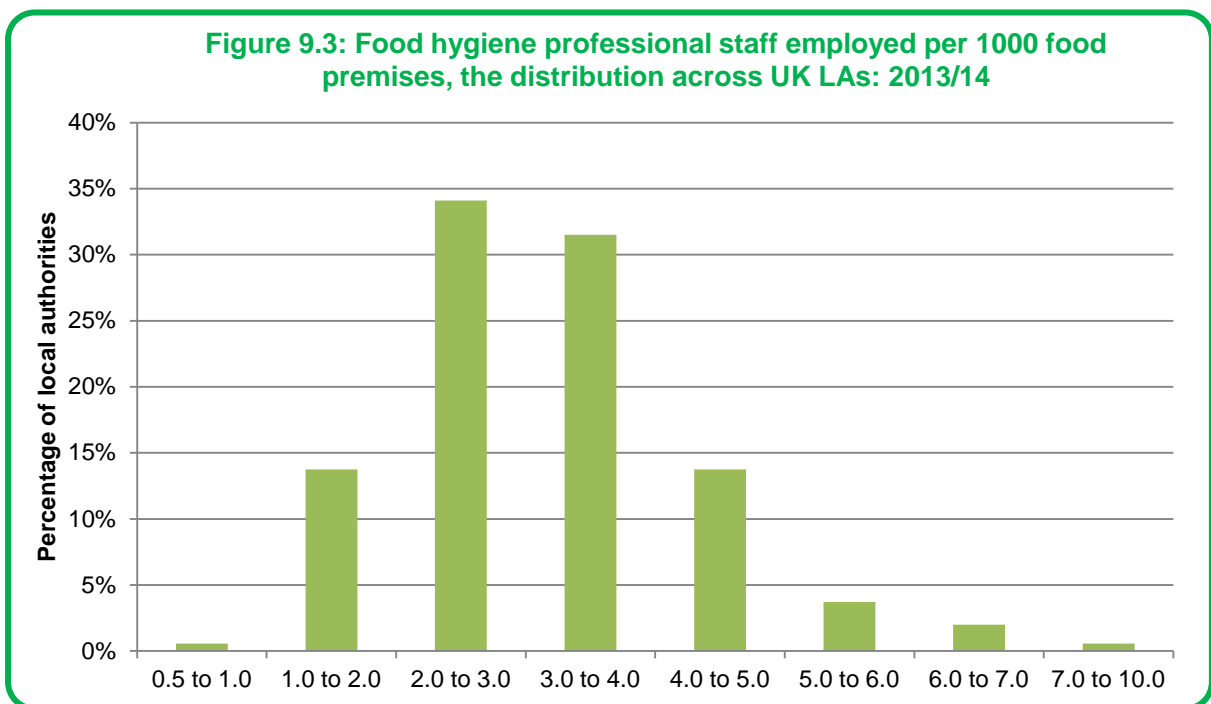
- There were 3.0 FTE staff for every 1,000 food establishments in 2013/14, down by 3% from 2011/12
- This was in line with a 3% fall in the number of FTE professional food hygiene posts (including vacancies) over this period

9.3 The proportion of vacant food hygiene professional posts has been between 5% and 6% over the past three years.



Basis: 349 out of 404 LAs

9.4 In 2013/14 the majority (86%) of LAs were employing more than 2.0 FTE food hygiene professional staff for every 1,000 food establishments (see Figure 9.3), a similar proportion to the previous two years.



Basis: 349 out of 404 LAs

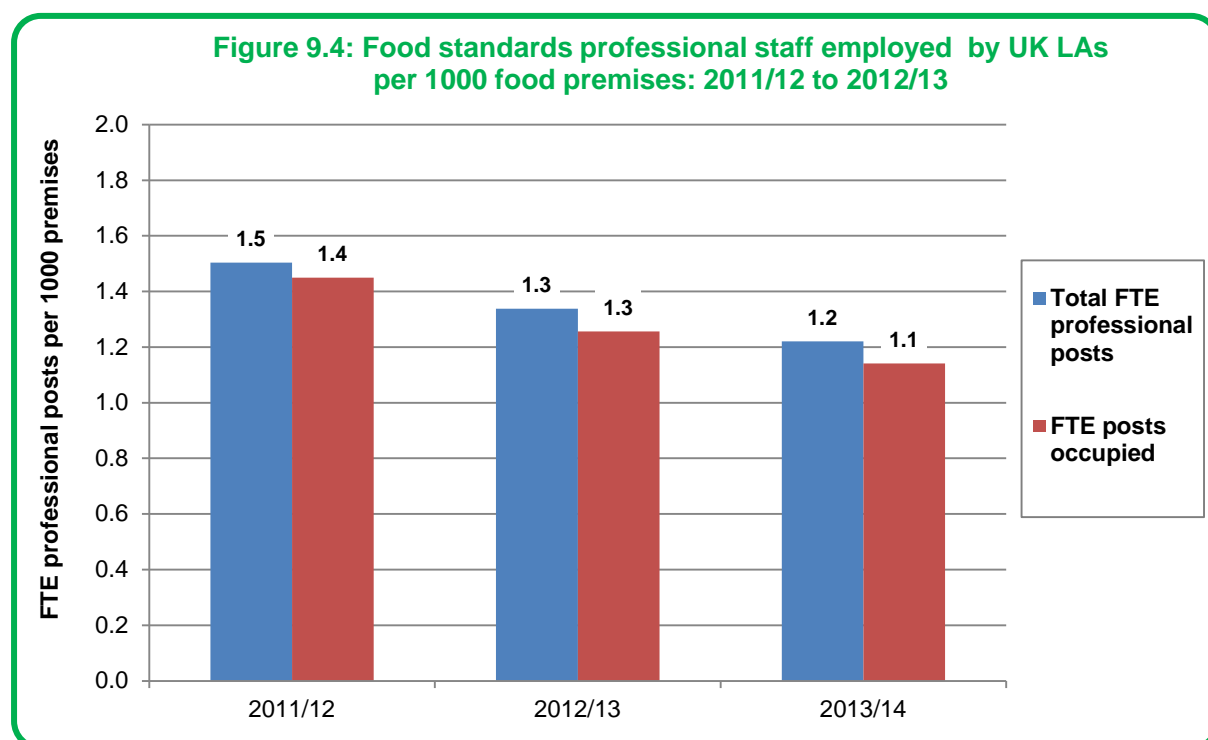
Food standards professional staff

9.5 The number of FTE professional food standards staff employed by LAs per 1,000 food establishments appears to have fallen slightly over the past three years (see Figure 9.4). Based on LAs for which we can compare data over this period (177 out of 225):

- There were 1.1 FTE professional food standards staff employed by LAs for every 1,000 food premises in 2013/14, down by 21% from 2011/12.
- The number of FTE professional food standards posts (including vacancies) at LAs fell by 19 per cent over this period, to 1.2 per 1,000 food establishments in 2013/14.

9.6 Looking at professional food standards vacancies at LAs:

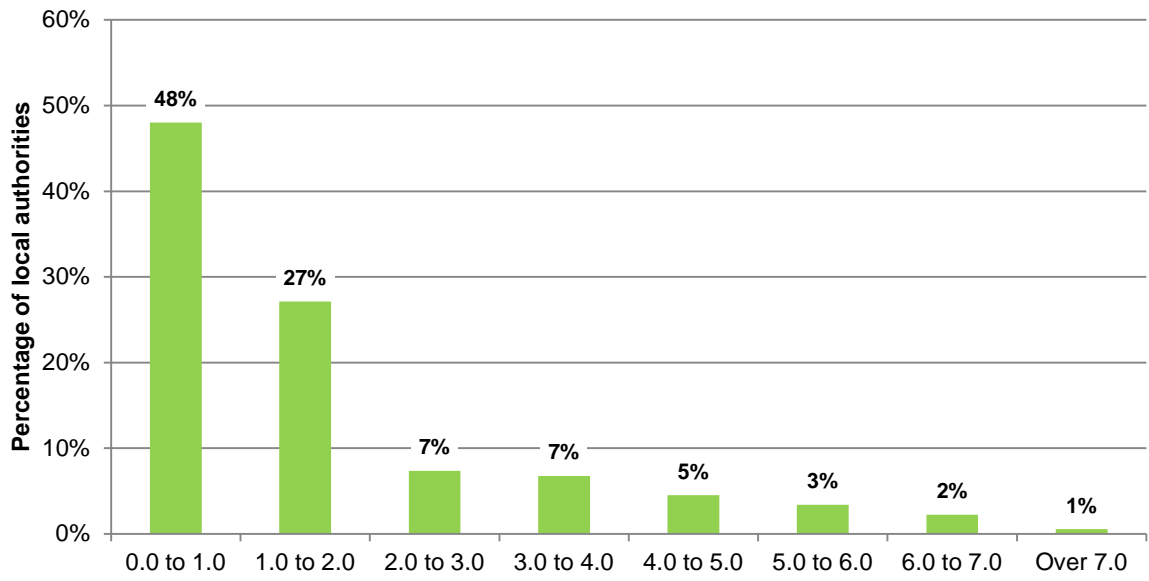
- The proportion of posts per 1,000 establishments, which were vacant, rose from 4% to 7% between 2011/12 and 2013/14.
- The proportion of LAs with no remaining vacancies decreased from 85% to 80%.



Basis: 177 out of the 225 LAs

9.7 In 2013/14, almost half of LAs (48%) were employing the equivalent of 1.0 or less food standards professional FTE for every 1,000 food establishments and 75% of LAs were employing the equivalent of 2.0 or less FTEs (see Figure 9.5).

Figure 9.5: Food standards professional staff employed per 1000 food premises, the distribution across UK LAs: 2013/14



Basis: 177 out of the 225 LAs

10. FOOD HYGIENE COMPLIANCE²⁰

- 10.1 The UK level of Broad Compliance²¹ as at 31 March 2014 was 91.7% of rated establishments, a slight increase from 2012/13 (91.2%). There were variations in the percentage of Broadly Compliant premises in the four countries (see Figure 10.1).

**Figure 10.1 UK food establishment food hygiene compliance levels 2013/14
(2012/13 figures in brackets)**

	% of establishments which are 'broadly compliant' or better		% of establishments which are below 'broadly compliant'		& of establishments which are not yet risk rated		Total
England	87.1	(86.4)	7.5	(7.8)	5.4	(5.8)	100.0
NI	88.9	(88.0)	5.0	(5.3)	6.1	(6.8)	100.0
Scotland	79.3	(79.8)	11.4	(11.6)	9.3	(8.6)	100.0
Wales	89.0	(84.4)	8.0	(11.5)	3.0	(4.1)	100.0
UK	86.5	(85.7)	7.8	(8.3)	5.7	(6.0)	100.0
Excluding the establishments which are not yet risk rated:							
England	92.1	(91.7)	7.9	(8.3)			100.0
NI	94.7	(94.4)	5.3	(5.7)			100.0
Scotland	87.5	(87.3)	12.5	(12.7)			100.0
Wales	91.8	(88.0)	8.2	(12.0)			100.0
UK	91.7	(91.2)	8.3	(8.8)			100.0

- 10.2 A comparison with 2012/13 data shows that the percentage of LAs with broad compliance levels of $\geq 90\%$ for rated establishments have increased to 77.5% (of those LAs providing Broad Compliance data) from 71.9% last year. At the other end of the scale, the number of LAs with levels $< 80\%$ had reduced to 1.8%, from 3.1% in 2012/13.

**Figure 10.2: Proportion of 'broadly compliant' establishments (excluding NYR)
by LA type 2013/14**

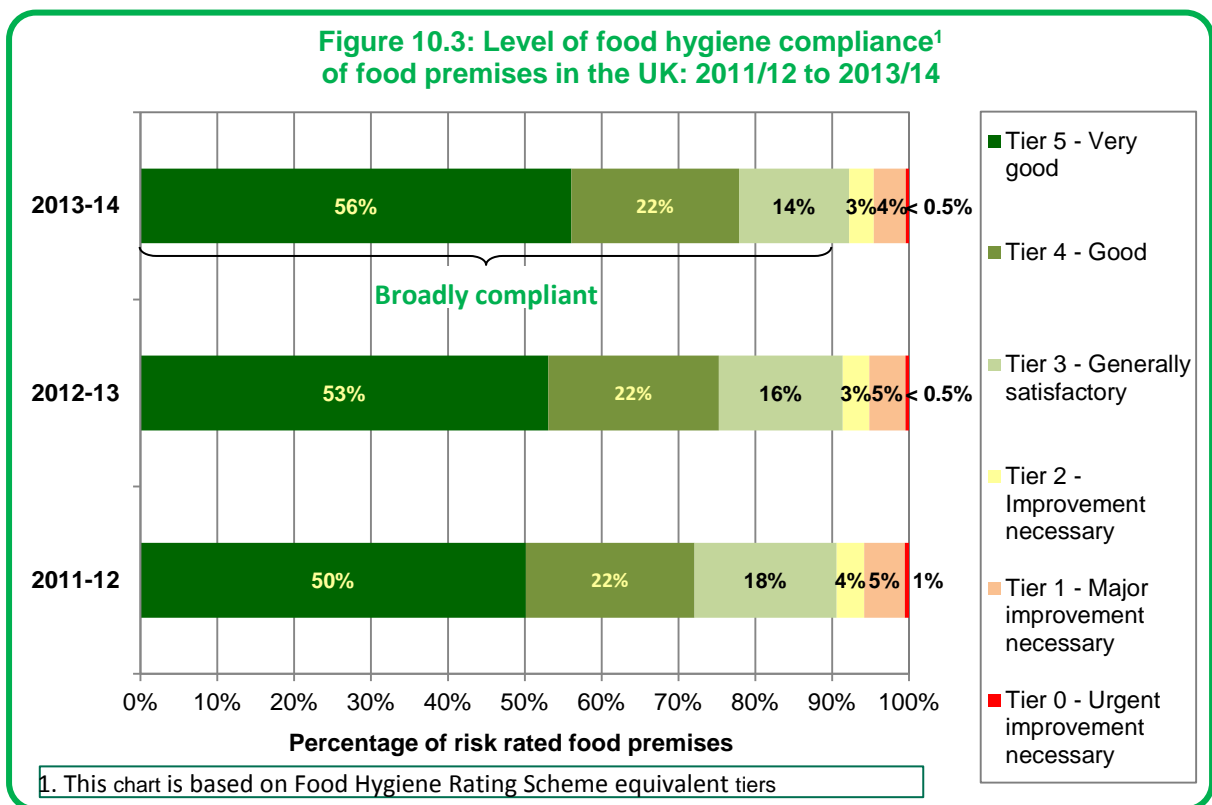
Broad compliance levels:	No. of LAs showing establishments 'broadly compliant' or better							
	English District	English London Borough	English Metropolitan Borough	English Unitary	Northern Ireland	Scotland	Wales	UK
Up to 69.99%	0	0	0	0	0	0	0	0
70 - 79.99%	1	3	0	0	0	3	0	7
80 -89.99%	17	23	14	8	2	13	6	83
90 - 100%	177	7	22	48	24	16	16	310
Unable to provide necessary data	4	0	0	0	0	0	0	4
TOTAL	199	33	36	56	26	32	22	404
Highest % reported	99.7%	98.4%	99.2%	99.0%	99.1%	96.5%	99.7%	99.7%
Lowest % reported	74.9%	75.2%	83.8%	81.1%	84.9%	71.8%	84.8%	71.8%

²⁰ Calculations in this section exclude establishments outside programme.

²¹ A food establishment defined as 'broadly compliant' for food hygiene, has an intervention rating score of not more than 10 points under each of the following three criteria: Level of (Current) Compliance – Hygiene; Level of (Current) Compliance – Structure; and Confidence in Management.

10.3 The LAEMS data indicate an improvement in compliance with food hygiene regulations from 2011/12 to 2013/14 (see Figure 10.3). Based on LAs for which we are able to compare results over the past three years (307 out of 404 LAs):

- The proportion of food establishments which were broadly compliant increased slightly from 91% in 2011/12 to 92% in 2013/14.
- Looking at the top end of the food hygiene compliance scale, the proportion of food establishments which were considered either 'good' or 'very good', increased from 72% to 78% over this period.
- Looking at the lower end of the food hygiene compliance scale, the proportion of food establishments which required 'urgent' or 'major improvement' decreased from 6% to 4.5% over this period.

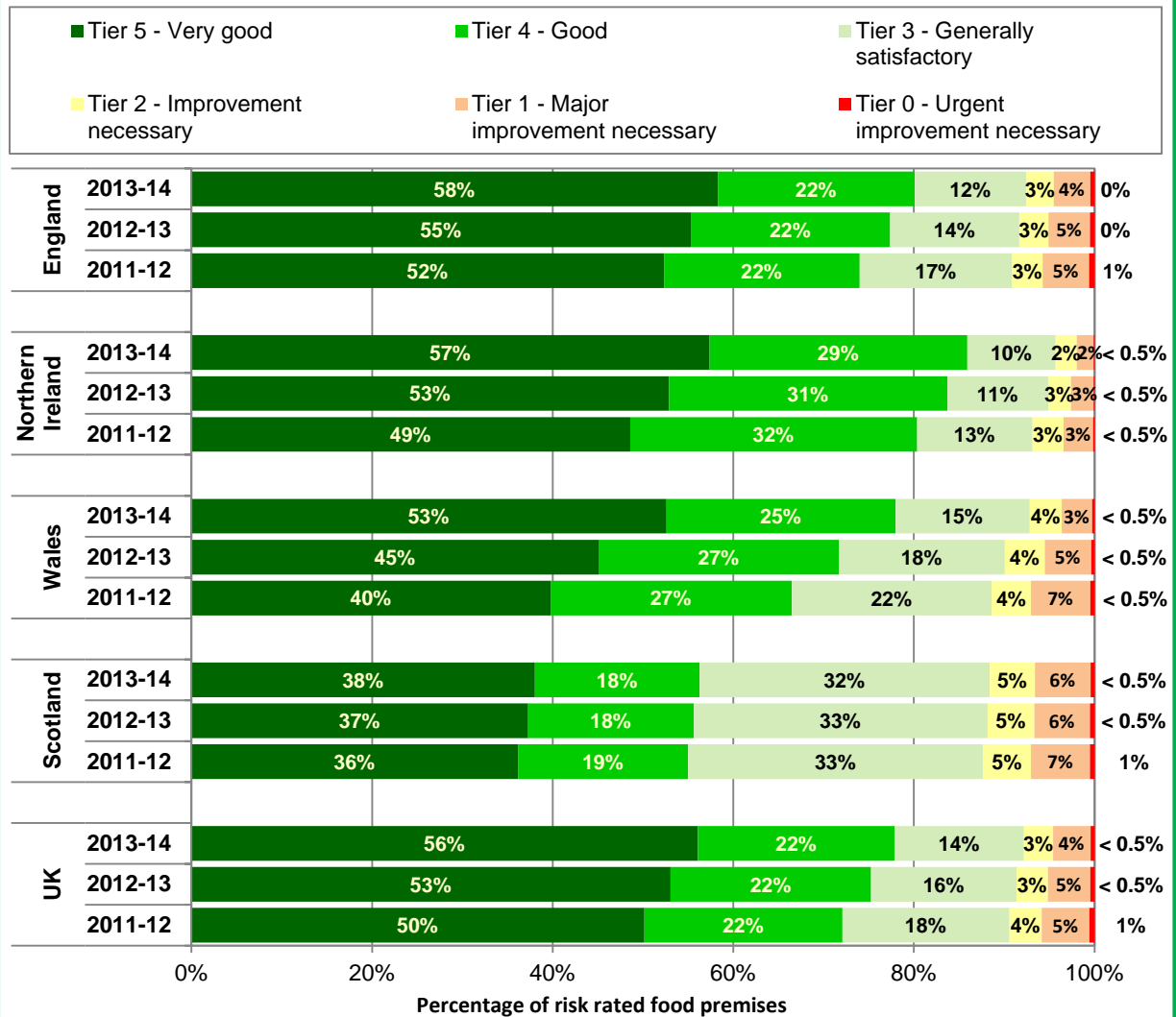


Basis: 307 out of 404 LAs

10.4 Looking at food hygiene compliance rates by country (see Figure 10.4):

- Northern Ireland has the highest broad compliance rate: 96% in 2013/14 up from 93% in 2011/12.
- The broad compliance rate in Wales increased from 89% in 2011/12 to 93% in 2013/14.

Figure 10.4: Level of food hygiene compliance of food premises in the UK, by country: 2011/12 to 2013/14



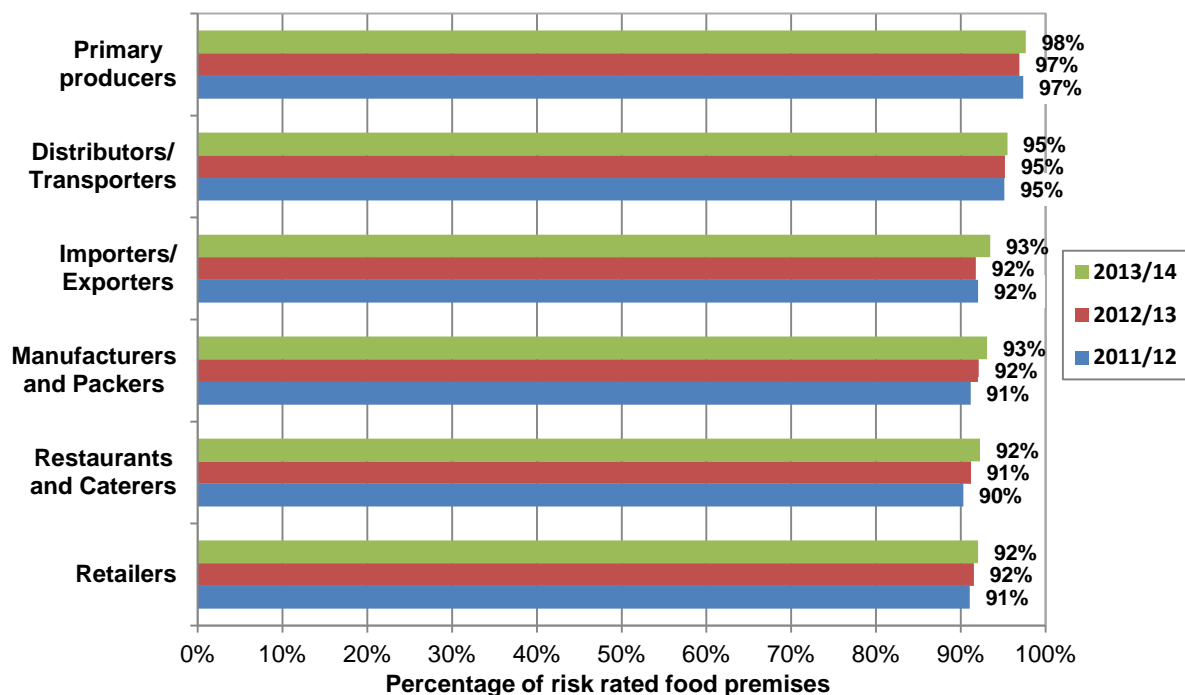
1. This chart is based on Food Hygiene Rating Scheme equivalent tiers

Basis: 307 out of 404 LAs

10.5 Looking at changes in broad compliance rates for different types of food establishment (see Figures 10.5 and 10.6) suitable data for comparisons between the past three years is available for 301 out of 404 LAs:

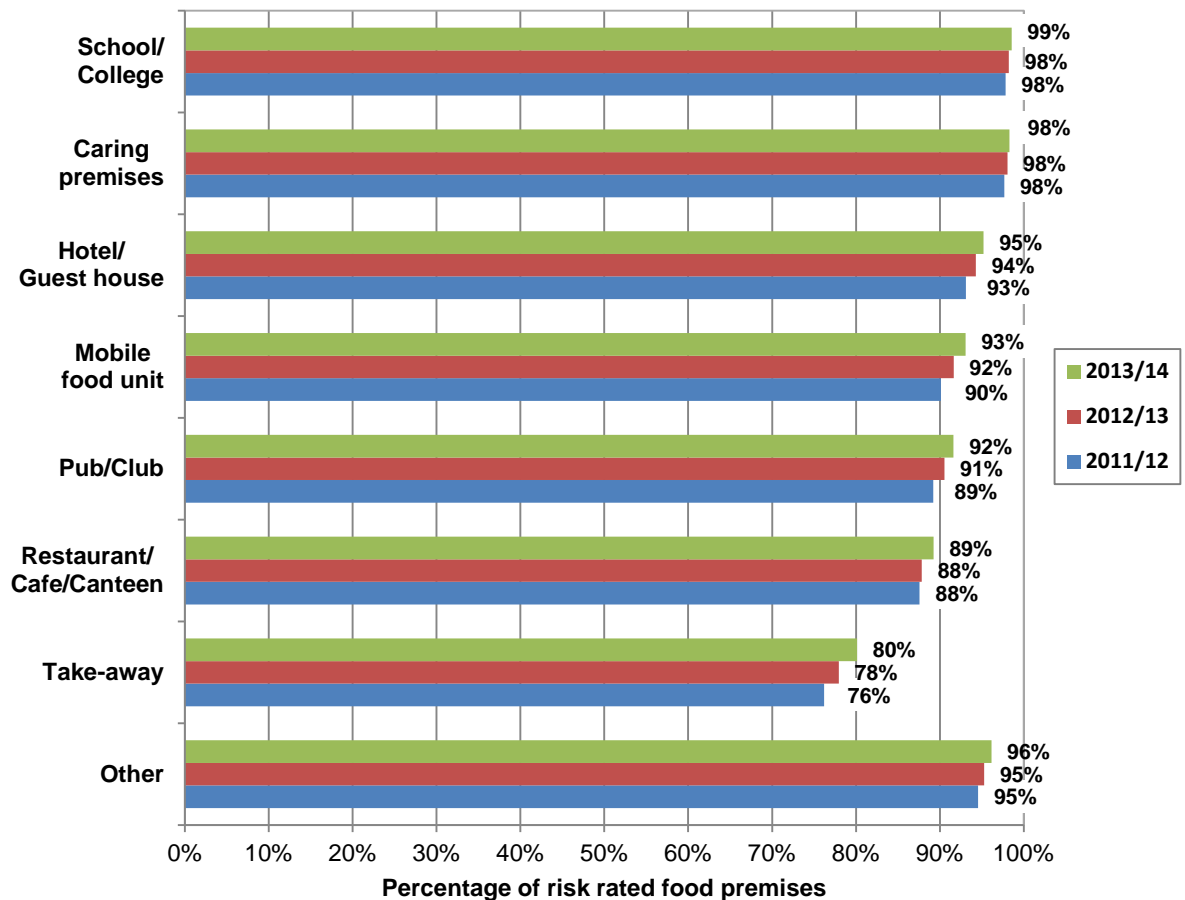
- Primary producers and transporters/distributors had the highest rates of broad compliance in 2013/14 (98% and 95% respectively).
- ‘Restaurants and caterers’ which tend to have the lowest rates of broad compliance showed an improvement from 90% to 92% between 2011/12 and 2013/14.
- Take-away premises tended to have lowest rates of broad compliance among ‘restaurants and caterers’. Only 80% of take-away premises were broadly compliant in 2013/14, although this represented an improvement from 76% in 2011/12.

Figure 10.5: Food hygiene broad compliance rates by type of food premise, UK: 2011/12 to 2013/14



Basis: 301 out of 404 LAs

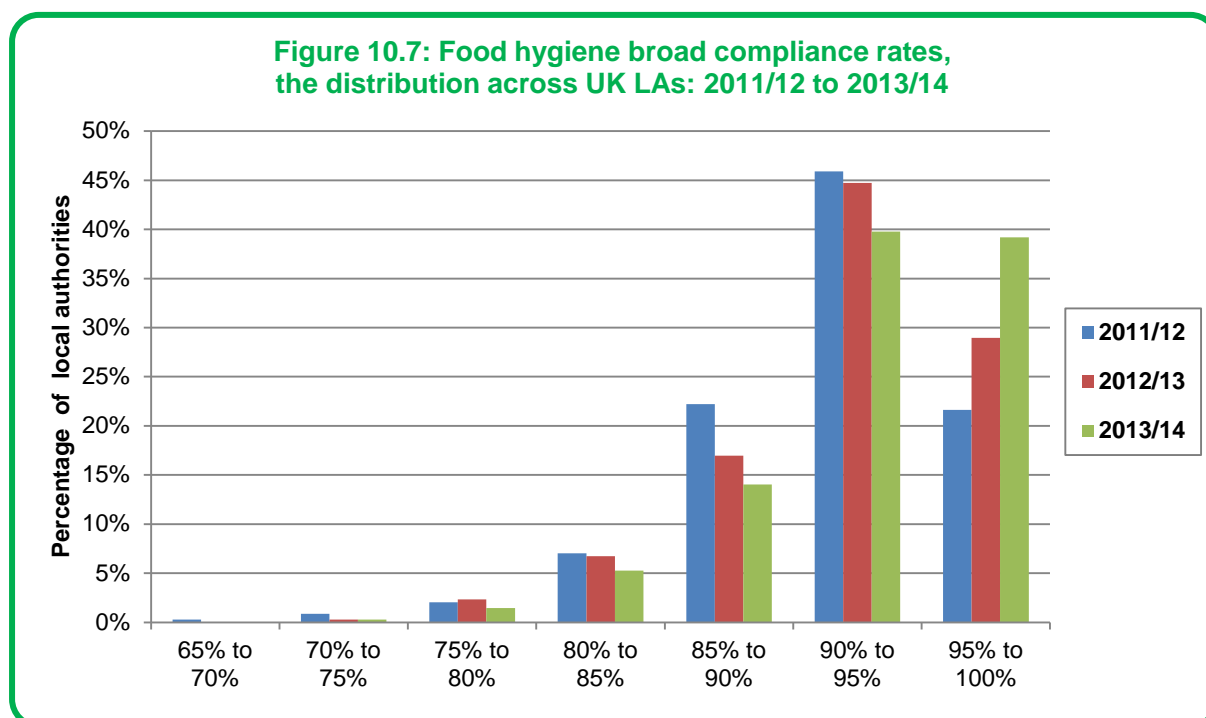
Figure 10.6: Food hygiene broad compliance among restaurants and caterers in the UK: 2011/12 to 2013/14



Basis: 301 out of 404 LAs

10.6 Looking at the broad compliance rates for individual LAs over the past three years (based on 342 out of 404 LAs):

- In 2013/14, most LAs (79%) had a broad compliance rate greater than 9 in 10, up from only 68% of LAs in 2011/12 (see Figure 10.7).
- The proportion of LAs with a broad compliance rate greater than 19 in 20 almost doubled from 22% to 39%, between 2011/12 and 2013/14.
- A quarter (25%) of LAs showed an improvement of at least 1 percentage point in their broad compliance rates for both years (2012/13 and 2013/14).



Basis: 342 out of 404 LAs

Figure 10.8: Year on year changes in the broad compliance rates for individual UK LAs: 2011/12 to 2013/14

		No. LAs Changing from 12-13 to 13-14			Totals: Change 11/12 to 12/13
		↓ over 1%	↔ within +/- 1%	↑ over 1%	
No. LAs changing from 11/12 to 12/13	↓ over 1%	8	17	29	54
	↔ within +/- 1%	11	69	45	125
	↑ over 1%	16	61	86	163
Totals: Change 12/13 to 13/14		35	147	160	342

Basis: 342 out of 404 LAs

11. IMPORTED FOOD CONTROLS AT PORTS

- 11.1 The top six ports, in terms of the number of imported food consignments received (both products of animal origin and food not of animal origin), account for 95% of imported food third country consignments (consignments arriving from outside the European Union) that were reported for 2013/14 (see Figure 11.1).
- 11.2 A total of 442,232 consignments²² of imported food were received at Ports during 2013/14. Figures 11.2 to 11.4 detail the checks made on these consignments.
- 11.3 Due to the differing control requirements, with safeguards and foods subject to enhanced consignment checks changing yearly, meaningful comparisons cannot be made about imported food activity at Ports from one year to another.

²² This figure does not represent all food consignments imported into the UK, as low risk foods of non-animal origin are not required to be pre-notified for risk based checks at designated points of entry in the UK. All consignments of products of animal origin and 'higher-risk foods of non-animal origin are required to pre-notify their arrival and are subject to official controls at points of entry to the UK.

Figure 11.1: Percentage of Third Country imported food consignments by port of entry 2013/14

Port (with Local or Port Health Authority)	Animal Origin	Non Animal Origin	All
Felixstowe (Suffolk Coastal PHA)	33%	44%	43%
Port of London (City of London PHA) ²³	18%	29%	28%
Liverpool (Mersey PHA)	5%	9%	9%
Heathrow (London Borough of Hillingdon)	19%	6%	8%
Southampton (Southampton PHA)	16%	3%	5%
Portsmouth (Portsmouth PHA)	0%	4%	4%
All other UK ports of entry	9%	5%	5%
Total	100%	100%	100%

Figure 11.2: Checks in ports receiving Third Country imported food consignments²⁴ 2012/13 and 2013/14

	2012/13	2013/14		
	All	Animal Origin	Non Animal Origin	All
Total Consignments²⁹	398,198	59,283	382,949	442,232
Consignments undergoing:				
Documentary checks	179,077	57,505	110,495	168,000
Identity checks ²⁵	63,331	53,834	6,813	60,647
Physical checks	23,386	18,154	5,962	24,116

Figure 11.3: Sampling²⁶ in Ports receiving Third Country imported food consignments²⁷ 2012/13 and 2013/14

	2012/13	2013/14		
	All	Animal Origin	Non Animal Origin	All
Microbiological samples	742	307	244	551
Chemical / compositional samples	5,142	957	4,144	5,101
Other samples	520	88	206	294
Total	6,404	1,352	4,594	5,946
of which, were unsatisfactory	550	35	288	323
(as % of total samples)	9%	3%	6%	5%

Figure 11.4: Rejections and enforcements in Ports receiving consignments from Third Countries³²

	2012/13	2013/14		
	All	Animal Origin	Non Animal Origin	All
Rejected consignments	1,059	619	421	1,040
(as % of total consignments)	0.3%	1.0%	0.1%	0.2%
Notices and other enforcement actions ²⁸	1,566	1,043	690	1,733

²³ Includes Thamesport, Tilbury and Sheerness.

²⁴ Note that some smaller ports did not receive third-country consignments in both years.

²⁵ The figures for the number of Identity checks for both 2012/13 and 2013/14 differ from the figures first reported owing to a correction provided by a Port Health Authority

²⁶ Most samples were collected at port and so will be additional to the samples reported in Section 6. However, some local authorities reported inland and port sampling together. Therefore, up to 17% of samples in this table may be double-counted with those reported in Section 6.

²⁷ Note that some smaller ports did not receive third-country consignments in both years.

ANNEX A: EXPLANATORY NOTES FOR USERS OF LAEMS STATISTICS

Background

- 1.1 There are more than 600,000 food establishments operating in the UK. They are monitored by Local authorities (LAs) to make sure they operate within legal criteria designed to protect consumers from unsafe or fraudulent food practices. LAs report the results of their activity to the Food Standards Agency (FSA) via the Local Authority Enforcement Monitoring System (LAEMS). LAEMS is a web-based application, introduced in 2008, that allows LAs to upload data directly from their own local systems.²⁹ A small amount of variation in local software and IT management systems remains. However, things have evolved to the point where 98% of LA uploads were complete and fully automated in 2013/14.
- 1.2 LAEMS comprises data on the enforcement of food hygiene and food standards legislation by LAs, as well as on controls applied to food imports from outside the EU. It is a valuable resource for evaluating and refining the performance of food enforcement activity in the UK. It is much used by the FSA and provides useful bench-marking data for LAs. The purpose of this annex is to help make LAEMS statistics more accessible to a wider user base. A glossary describes some of the key terms and concepts used in the main report. There is also a note on some aspects of statistical methodology and assumptions that will enable users to gauge the integrity of the statistics.

Statistical methodology and quality control issues

Primary analysis

- 2.1 LAs download the required data from the local system(s) on which they record food law enforcement activity data and then upload the generated file to the web-based LAEMS system. The data is then aggregated to pre-defined categories and LAs are invited to view, on-screen, the results of the aggregation and assess whether amendments to the data are needed. Amendments may then be made to the aggregate level data. When content, LAs are required to confirm the accuracy of the data, before it is submitted for evaluation and publication by the FSA. It is a fundamental feature of the primary analysis of LAEMS statistics that they are based on the full data, as reported to us by LAs, and as signed off by LA Heads of Service.

²⁸ Most enforcement notices relate to consignments entering the port and so will be additional to those reported elsewhere. However, some LAs have reported inland and port enforcement together. Therefore, up to 12% of the enforcement notices in this table may be double-counted with those in Section 5.

²⁹ Information on LAEMS is available at <http://www.food.gov.uk/enforcement/auditandmonitoring/laems/>

- 2.2 The statistical methods used are straightforward and should be transparent from the tables and commentary provided. As an example, the % of food establishments (FE's) which are Broadly Compliant is calculated as:
$$100 \times (\text{No. of Broadly Compliant FE's in UK}) / (\text{Total No. of FE's in UK}).$$
It is worth pointing out that the denominator includes all FE's, even those whose most recent inspection was prior to 1 April 2013³⁰. Thus % Broad Compliance is a status variable, reflecting the situation at 31 March 2014, using the most recent inspection (whenever conducted) on each FE.
- 2.3 Users should be mindful of the limited possibility of double-counting, which can manifest itself in different ways: e.g. mobile food vans may be registered in more than one LA; the same establishment may receive multiple enforcement actions within the reporting period. A third example, where LAs with ports may have reported the same samples under both their imported food and food hygiene or food standards returns, it is possible to put an upper bound on the potential for double-counting.

Secondary analysis

- 2.4 For secondary analysis there is some variation from the rules in 2.1. Secondary analysis makes use of both the aggregated figures, signed off by LA Heads of Service, and the underlying xml data.³¹
- 2.5 The following checks were taken into account in the secondary analysis to confirm metrics and comparisons were reliable:
- LAs were excluded from an analysis where missing values, data entry errors and inconsistent adjustments issues would invalidate findings on each metric.
 - Reliable time comparisons are obtained by restricting analysis to a cohort of LAs that submitted valid data for each metric across all relevant years.
 - Xml data for an LA was excluded if aggregated figures signed off by Heads of Service had been adjusted by more than $\pm 2\%$ from the original xml, to provide comparability with aggregated analysis.
 - Tables include base numbers to enable users to judge how much data, if any, has been excluded as a result of this selectivity.

³⁰ Category C and D premises need only be inspected every 18 or 24 months respectively (see "Risk Rating" below).

³¹ The xml data provides results at the level of individual establishments, including a breakdown of the elements comprising the overall establishment compliance score, the risk rating, and any interventions and enforcement actions undertaken in the reporting year.

Glossary

Compliance

3.1 Compliance of food establishments (FE's) with food hygiene law is measured on a 0-5 scale. The term "Broadly Compliant" refers to any FE attaining one of the top three FHRS ratings (3-5). For more detail see "FHRS" (below).

Enforcement Action

3.2 Includes measures, such as suspension of approval and prosecution, which constitute an escalation from intervention measures (see paragraph 3.5).

Food Establishment

3.3 A broad definition is adopted, but some establishments, posing sufficiently low risk, may be excluded from a programme of routine inspection (see paragraph 3.9).

Food Hygiene Rating Scheme (FHRS)

3.4 The FHRS represents the compliance of food establishments with food hygiene law on a 0-5 scale. The criteria for the FHRS tiers are:

Figure A1: Food Hygiene Rating Scheme tiers						
Numerical scores (sum of the three components)	0-15	20	25-30	35-40	45-50	>50
Additional factor	No individual score greater than 5	No individual score greater than 10	No individual score greater than 10	No individual score greater than 15	No individual score greater than 20	-
Tier	Top	Second	Third	Fourth	Fifth	Bottom
FHRS Rating/ Descriptor	5 <i>Very Good</i>	4 <i>Good</i>	3 <i>Generally satisfactory</i>	2 <i>Improvement necessary</i>	1 <i>Major improvement needed</i>	0 <i>Urgent improvement necessary</i>
Broadly compliant?	Yes	Yes	Yes	No	No	No

Intervention

- 3.5 Activities designed to monitor, support and increase food law compliance within a food establishment. They include surveillance, verification, audit, inspection, intelligence gathering, advice, education, sampling and analysis. More than one type of intervention may be carried out during a single visit to a food establishment. When calculating “% of due interventions achieved” the denominator may include 0, 1 or 2 interventions for each food establishment, depending upon the risk rating of the establishment (see paragraph 3.8).

Local Authority

- 3.6 The local authorities with delegated responsibility for food law enforcement come in various types and sizes, for example county councils, unitary authorities, London boroughs and port health authorities.

Official Sample

- 3.7 Taking food or any other substance relevant to the production, processing and distribution of food, to verify, through analysis, compliance with food law. Sample analysis is carried out by an official laboratory.

Risk Rating

- 3.8 A score attributed to each establishment to help prioritise enforcement activity by LAs. The risk rating for food hygiene is based on an explicit formula that includes the following elements: type of food and processing; number and type of consumers potentially at risk; current compliance of the establishment; risk of contamination; and confidence in management. The rating is on a scale from 0-197 and is used to prioritise intervention frequency as follows:-

Risk category	Risk score	Intervention frequency
A	≥ 92	At least every 6 months
B	72 to 91	At least every 12 months
C	42 to 71	At least every 18 months
D	31 to 41	At least every 24 months
E	0 to 30	A programme of alternative enforcement

³² Risk scores in operation during the 2013/14 reporting period. The risk scores for Categories C and D have been amended from 1 April 2014.

- 3.9 LAs may assess some establishments as outside the normal programme, because they pose very low risk: e.g. coffee provided in betting shops. Other establishments may be 'not yet risk rated' i.e. new businesses that have yet to be assessed. The risk rating system for food standards has similar features to that used for food hygiene. LAs must make sure that all establishments (irrespective of risk rating) continue to be subject to official controls.
- 3.10 This is a brief guide. More detail can be found on the FSA website, including within the Food Law Code of Practice, located at <http://www.food.gov.uk/enforcement/enforcework/food-law>