

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

South Tyneside Council
22-23 June 2010



Foreword

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

The attached audit report examines the Local Authority's Food Law Enforcement Service. The assessment includes the local arrangements in place for officer authorisation and training, inspections of food businesses and internal monitoring. The audit scope was developed specifically to address Recommendations 9 and 15 of the Public Inquiry Report¹ into the 2005 E. coli outbreak at Bridgend, Wales. The programme focused on the local authority's training provision to ensure that all officers who check Hazard Analysis and Critical Control Point (HACCP) and HACCP based plans, including those responsible for overseeing the work of those officers, have the necessary knowledge and skills. The audit also focused on existing inspection arrangements and processes to assess and enforce HACCP related food safety requirements in food businesses are adequate, risk based, and able to effect any changes necessary to secure improvements.

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

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

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

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

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

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1. Introduction

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

Reason for the Audit

- 1.2 The power to set standards, monitor and audit local authority food law enforcement services was conferred on the Food Standards Agency by the Food Standards Act 1999 and the Official Feed and Food Controls (England) Regulations 2009. This audit of South Tyneside Council was undertaken under section 12(4) of the Act as part of the Food Standards Agency's annual audit programme.
- 1.3 The Authority was included in the Food Standards Agency's programme of audits of local authority food law enforcement services, and was one of a geographical mix of 25 Councils selected across England and the Authority had also reported a low level of local food business compliance with food law requirements in their 2008/2009 Local Authority Enforcement Monitoring System (LAEMS) Return to the Agency.

Scope of the Audit

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

effectively. The on-site element of the audit took place at the Authority's office at The Town Hall and Civic Offices, Westoe Road, South Shields, Tyne and Wear on 22-23 June 2010.

Background

- 1.6 South Tyneside Council is part of the Tyne and Wear city region, covering an area of 64 square kilometres. The main centres of population include South Shields, Jarrow, Hebburn, Whitburn, Boldon and Cleadon. It is a mixed urban and rural area, traditionally comprising of heavy industry including coal mining, shipbuilding and engineering. However, the local economy suffered an industrial decline in the 1970's and 1980's leading to significant areas of deprivation. The area is currently undergoing regeneration with a significant and increasing number of food outlets.
- 1.7 In April 2010 there were approximately 1,200 registered food premises situated within the district. The majority of food businesses comprised of small to medium catering, retail and entertainment businesses. There was a coastal fairground and entertainments facility housing a number of catering establishments, and events such as the Great North Run attracted a number of mobile traders and temporary catering facilities. In addition, there were six food establishments in the Authority's area which required approval under Regulation (EC) No. 853/2004.
- 1.8 The Food Law Service formed part of the Environmental Health and Resilience Service, part of Housing Strategy and Regulatory Services within the Regeneration and Resources Directorate. The Food Safety Service was delivered by officers from the Commercial Services Group. Appropriately qualified food officers also delivered infectious disease controls, food standards and feed enforcement, some occupational health and safety duties and the enforcement of smoke free legislation.
- 1.9 The profile of South Tyneside Council's food businesses as of 1 April 2010 was as follows:

Type of food premises	Number
Primary Producers	2
Distributors/Transporters	13
Importers/Exporters	1
Manufacturers/Processors	26
Retailers	332
Restaurant/Caterers	838
Total number of food premises	1,212

2.0 Executive Summary

- 2.1 The Authority had developed a comprehensive Food Law Safety Service Plan for 2010/2011, in line with the Service Planning Guidance in the Framework Agreement. The Plan included detailed links with wider council objectives, and contained details of demands upon the Service and an estimate of the resources required to deliver these services effectively.
- 2.2 The Authority had developed comprehensive policies and procedures covering the range of enforcement activities undertaken by the Service. These included a system of document review and control with most procedures having been recently reviewed to take account of changes to legislation and centrally issued guidance. The Authority planned to undertake further procedural reviews once a regional intervention strategy had been completed.
- 2.3 The Authority had developed a documented system for issuing officer authorisations. This system required further review to provide a suitable method of linking officer competency assessments and officer authorisations and the subsequent identification of risk based officer training needs.
- 2.4 Officer training needs were identified during annual appraisals, and in general, the Authority was able to demonstrate that authorised officers had undertaken the required minimum 10 hours relevant training, based on the principles of continuing professional development.
- 2.5 At the time of the audit, auditors and the Authority had identified a significant number of food business establishments that had never been subject to a hygiene intervention or where a routine food hygiene intervention was overdue. Although some overdue inspections had historically involved higher risk establishments, the majority related to medium and lower risk establishments. The Service was targeting the highest risk premises with the resource available.
- 2.6 Inspection aides-memoire in use at the time of the audit required further development to prompt officers to record detailed findings during food safety inspections. In particular they required development to capture detailed officer assessments of FBO compliance with legal requirements related to HACCP and food safety management system (FSMS). Aides-memoire were sometimes only partially completed, or in some cases were missing from files, making it difficult for officers to justify risk scores or their choice of follow-up actions.
- 2.7 The Authority was able to provide detailed documentation relating to the approval and assessment of approved establishments in the Borough. Files generally contained detailed routine inspection records using appropriate aides-memoire, including details of officer

assessments of FBO compliance with HACCP and FSMS and other legal requirements. Auditors discussed the benefits of recording all decisions involving conditional approvals where continuing legal contraventions were noted by officers.

- 2.8 Letters and correspondence to businesses following inspections were generally comprehensive, clearly outlining inspection findings, differentiating between legal contraventions and recommendations and providing suitable timescales for completion.
- 2.9 An officer interview and a “reality check” visit at a food business were undertaken during the audit. The main objectives were to assess the officer’s knowledge of HACCP and FSMS, the Authority’s own systems and procedures and to evaluate the effectiveness of the Authority’s assessment of food business compliance with food law requirements. In each case officers were able to demonstrate an understanding of HACCP and FSMS.
- 2.10 Record checks confirmed that officers were willing and able to undertake a range of formal enforcement actions to help secure business compliance. However, auditors noted that the Authority had not always adopted a graduated approach to enforcement at some higher risk establishments where repeated serious breaches of food hygiene legislation had been recorded.
- 2.11 A range of enforcement actions were reviewed, including hygiene improvement notices. In most cases the actions taken were appropriate to the circumstances and had generally been undertaken in accordance with the Food Law Code of Practice, including regular contact and follow-up with the FBO.
- 2.12 The Authority maintained comprehensive food and food premises complaint investigation details and had undertaken appropriate investigations in relation to the complaint in each of the cases reviewed during the audit.
- 2.13 The Service had undertaken sampling in accordance with their sampling programme and had taken appropriate actions where unsatisfactory results had been obtained.
- 2.14 The Service was able to provide detailed evidence of quantitative monitoring relating to inspection numbers and targets. However, there was little documentary evidence of any risk based internal monitoring relating to the quality of officers work across the full range of food law enforcement activities performed by the Service.
- 2.15 An area of good practice was identified during the audit relating to the follow-up of inspection findings. FBOs were routinely requested to sign and return a receipt form to confirm that they understood the contents of any inspection reports and that they would address any

contraventions identified, including any issues relating to HACCP and FSMS. The form also gave FBOs the opportunity to request further help and explanation regarding the inspection findings.

3. Audit Findings

3.1 Organisation and Management

Strategic Framework, Policy and Service Planning

- 3.1.1 The Authority had developed a comprehensive Food Law Service Plan for 2010/2011, in accordance with the Service Planning Guidance in the Framework Agreement and had been approved by the relevant Member forum. The Plan outlined its links to the wider corporate organisational plan “*Performing Together 2009-2012*”, and the overarching document “*Spirit of Tyneside*” with the aim of achieving “*a better future for South Tyneside’s People*”.
- 3.1.2 The Food Law Service Plan provided information on the demands placed on the Service and the predicted resources needed to deliver an effective service based on estimates from previous years.
- 3.1.3 The Food Law Service Plan set out key objectives for the forthcoming year, including an aim to undertake food hygiene inspections in accordance with the frequency determined by the Food Law Code of Practice, targeting high risk inspections. In addition, the plan contained a detailed service performance review for 2009/2010. In response to the findings of the review a detailed action plan had been developed, outlining the key actions and improvements to be introduced in 2010/2011.
- 3.1.4 The Authority had completed a review of inspections against the previous year’s target, based on frequencies required by the Food Law Code of Practice, establishing a performance figure of 100% of risk category “A” establishments and 99.1% of risk category “B” inspections in 2008/2009. However, the target used did not provide any indication as to whether inspections had been carried out at the frequency required by the Food Law Code of Practice.
- 3.1.5 The Authority had reviewed the findings of the Pennington Inquiry Report into the 2005 E. coli outbreak in Wales and had introduced measures, including targeted ‘Safer food, better business’ (SFBB) coaching for businesses in the area.
- 3.1.6 Monitoring returns made to the Food Standards Agency under the Local Authority Enforcement Monitoring System (LAEMS) for 2008/2009, stated that there were 4.9 full time equivalent posts (FTE) allocated to the Service excluding administration. This included an experienced and knowledgeable lead food officer responsible for the assessment and inspection of the highest risk general and approved establishments.
- 3.1.7 The Service reported via the LAEMS monitoring returns a broad compliance figure of 53% for food establishments in the area for

2008/2009, significantly below its local target for 2008/2009 of 75%. The Authority cited past staffing and resource shortages as being a significant factor along with the relatively high number of unrated establishments that had been identified as a result of recent database modifications. The Authority expected the broadly compliant figure to rise significantly in 2009/2010, as reported in its Food Law Service Plan 2010/2011.

Documented Policies and Procedures

- 3.1.8 The Service had developed a range of relevant detailed policies and procedures covering most aspects of the food safety service. A document control and review system had been developed as an integral part of these procedures to ensure that documents reflected relevant legislation and centrally issued guidance.
- 3.1.9 Although the Authority's procedures had been reviewed in May 2010 there was evidence that some had not been updated since 2005. However, auditors were provided with evidence of some newly updated draft procedures. The Authority also informed auditors that it was working closely with its local food liaison group to develop a regional food intervention strategy. This aimed to provide consistency in the application and selection of intervention options for different types of establishments in the region. The Authority therefore planned to delay any further documentary reviews until the strategy document had been finalised. Auditors discussed the need to ensure that procedures were developed and implemented to cover all areas of food law enforcement activities.

Officer Authorisations

- 3.1.10 The Authority had developed a documented procedure outlining the steps involved in authorising officers based on officers' individual qualifications and experience. Although officers were generally authorised appropriately under relevant food hygiene legislation, the authorisation procedure would benefit from further review to include a suitable method of linking officer authorisations, competency assessments and planned training requirements.
- 3.1.11 Auditors were advised that an annual performance review system was in place where officer training needs were identified and discussed.
- 3.1.12 Audit checks and an officer interview confirmed that in general, all authorised officers had achieved the minimum 10 hours relevant training based on the principles of continuing professional development required by the Food Law Code of Practice. Auditors noted however that some officers would benefit from documented update training relating to the assessment of HACCP based FSMS,

and some complex processes relevant to types of establishments in the area.

Recommendation

3.1.13 The Authority should:

Develop a suitable method of linking officer competency assessments to its officer authorisation and training procedures and ensure that all officers are appropriately trained and competent to undertake their full range of duties, including where appropriate the assessment of any approved establishments or complex business operations in the area. [The Standard – 5.1 and 5.4]

3.2 Food Premises Inspections

- 3.2.1 The Authority maintained a food business interventions programme based on establishments' risk category ratings. At the time of the audit, checks confirmed there was a small proportion of medium and lower risk establishments that were overdue an intervention and 163 unrated establishments, including some newly registered catering businesses, awaiting an initial inspection. This had been reported in the latest Service Plan, with the relevant establishments being included in the proposed intervention programme for 2010/2011. File checks revealed that a number of past interventions, including some at higher risk establishments, had not been completed at a frequency required by the Food Law Code of Practice.

Recommendation

3.2.2 The Authority should:

Ensure that food hygiene inspections of establishments in their area, including newly registered businesses, are undertaken at a frequency which is not less than that determined under the inspection risk rating system set out in the Food Law Code of Practice. [The Standard – 7.1]

- 3.2.3 The Authority had developed a detailed inspection procedure which provided instruction and direction for officers in relation to the inspection of food establishments in the area. The procedure was due for further review following the development of the regional intervention strategy.
- 3.2.4 Officers were required to complete an inspection aide-memoire designed to prompt officers to record their assessment of business compliance with relevant legislation during interventions. File checks showed the aide-memoire was on occasions only partially completed and sometimes missing from files. Officers were therefore unable to demonstrate that on every occasion establishments had been assessed against all relevant food hygiene legislation, including detailed assessments relating to HACCP and FSMS. In addition, auditors were not always able to determine the basis for officers' risk ratings and enforcement decisions from the information retained on file. The Authority was able to provide evidence that its general food establishment aide-memoire was under review at the time of the audit.

Recommendation

3.2.5 The Authority should:

Further review, develop and implement its inspection aides-memoire for all types of food establishments in its area, to prompt officers to record all relevant inspection findings including detailed assessments of establishments' compliance with legislation relating to HACCP and FSMS.
[The Standard – 7.3]

- 3.2.6 Letters and correspondence with food business operators following interventions were generally timely, detailed and comprehensive, containing all the information required by the Food Law Code of Practice. Letters were clearly worded with the measures to be taken to secure compliance and appropriate timescales identified. Letters also consistently differentiated between legal requirements and recommendations of good practice.

Good Practice – Business Correspondence Form

To support its enforcement actions and to provide FBOs with the opportunity to contact the Department for further advice, the Authority had developed and implemented a voluntary inspection report receipt form. FBOs were requested to sign the form and return it to the Service to confirm that they were aware of any legal contraventions found during the inspection, including issues relating to HACCP and FSMS, and that they agreed to take appropriate and timely action to ensure issues were addressed. The form also gave FBOs an opportunity to request further help and guidance regarding any concerns that they had. It also provided the Authority with the opportunity to follow-up any establishments that had not returned the form to the Department.

- 3.2.7 The Authority maintained files for six approved establishments and file checks were carried out in relation to three of these establishments. The files generally contained relevant approval documentation, evidence of a pre-approval visit and the information required by Annexe 12 of the Food Law Code of Practice Guidance. Files also contained evidence of comprehensive routine inspections including officers' assessments of food business compliance with HACCP and FSMS requirements, in accordance with Regulation (EC) No. 853/2004 and the Food Law Code of Practice. In relation to one establishment however, auditors discussed the benefits of recording all decisions relating to the approval or conditional approval of

establishments where outstanding contraventions had been identified and recorded.

Verification Visit to a Food Premises

- 3.2.8 During the audit, a verification visit was undertaken to a local residential care home with the officer that had carried out the last food hygiene inspection of the premises. The main objective of the visit was to evaluate the effectiveness of the Authority's assessment of food business compliance with food law requirements. The specific assessments included the conduct of the preliminary interview of the FBO by the officer, the general hygiene checks to verify compliance with the structure and hygiene practice requirements and checks carried out by the officer to verify compliance with HACCP based procedures.
- 3.2.9 The officer was able to demonstrate a thorough understanding of the food safety risks associated with the activities at the premises and assessing the businesses compliance to HACCP requirements. Auditors were able to verify findings from the previous inspection, and no further food hygiene issues were noted.

3.3 Enforcement

- 3.3.1 The Authority had developed a general Enforcement Policy, and a more specific Food Law Enforcement Policy, approved by relevant Members, which included reference to the Regulators' Compliance Code. The policies provided officers with guidance relating to decisions and enforcement options in respect of food matters.
- 3.3.2 There was evidence that the Authority was using a variety of enforcement options in order to achieve compliance at certain establishments which were known to be problematic. However auditors noted a number of examples where files contained insufficient evidence to support the choice of enforcement actions taken, in cases where serious and sometimes repeated breaches of food hygiene legislation had been recorded, contrary to the Authority's Enforcement Policy. The Authority was unable to demonstrate that timely action had been taken in every case to help secure business compliance with food hygiene legislation.

Recommendation

3.3.3 The Authority should:

Take appropriate action on any non-compliance found during interventions, in accordance with the Authority's Enforcement Policy, the Food Law Code of Practice and any centrally issued guidance. All decisions on enforcement should be made following consideration of the Authority's Enforcement Policy. The reasons for any departure from the criteria set out in the policy should be documented.

[The Standard – 7.3 and 15.4]

- 3.3.4 A sample of three hygiene improvement notices (HINs), which had been served on businesses for failing to comply with Regulation (EC) No. 852/2004, including Article 5 relating to HACCP requirements, were reviewed during the audit. In each case, the notice had been the appropriate course of action. The notices were appropriately detailed with the measures and time limits to achieve compliance clearly specified. Timely checks were made on the businesses to determine compliance on the expiry of the notices and auditors discussed the benefits of routinely recording letters to the FBOs to confirm compliance with the notices.

- 3.3.5 Details relating to three voluntary closures involving businesses where there was deemed to be an imminent risk to health were assessed. The choice of action taken in each case was appropriate and consistent with the Authority's Enforcement Policy and files generally contained detailed administrative records relating to actions taken during the closure process.
- 3.3.6 Records were also reviewed in relation to a sample of other enforcement actions which had been taken in order to achieve business compliance at food premises. In each case, the actions taken by the Authority were appropriate for the contraventions that had been identified, and followed due legal process.

3.4 Internal Monitoring and Third Party or Peer Review

Internal Monitoring

- 3.4.1 The Service was able to provide evidence of routine quantitative monitoring of inspections against targets set out in its Service Plan. In addition auditors were provided with details of a corporate mechanism in place to report, identify and address any shortfalls in inspection targets.
- 3.4.2 The Authority had developed an internal monitoring procedure covering most areas of the Service, last reviewed in 2005. In practice there was little documentary evidence of any risk based qualitative internal monitoring across the range of its food law enforcement activities, including inspections and follow-up actions. Auditors were informed that internal monitoring arrangements were due to be reviewed in the near future as part of a food liaison group exercise.

Recommendation

3.4.3 The Authority should:

Further review, develop and implement its internal monitoring procedures to include qualitative monitoring of all areas of food law enforcement activity and ensure that appropriate records are retained to verify conformance with the Standard, the Food Law Code of Practice and centrally issued guidance. [The Standard – 19.1 and 19.2]

Food and Food Premises Complaints

- 3.4.4 Audit checks were completed in relation to five separate food and food hygiene complaint records. In all cases examined, complaints had been thoroughly investigated, including examination of the businesses FSMS records where appropriate. Records maintained were generally comprehensive and complainants had been notified of the investigation findings. There was no evidence of internal monitoring for the files examined.

Food Sampling

- 3.4.5 The Authority was actively participating in local, regional and national food sampling programmes referenced in the Authority' Food Service Plan.
- 3.4.6 Audit checks of unsatisfactory sampling test results were carried out. In all cases FBOs had been informed of the analysis results and

appropriate actions taken in accordance with the official guidance. Where unsatisfactory sampling results had been identified, appropriate follow-up actions had been taken and FBOs notified of the findings. There was no evidence of internal monitoring for the files examined.

Third Party or Peer Review

3.4.7 The Authority had not participated in any inter-authority or external audits in the last three years.

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Food Standards Agency

Local Authority Audit and Liaison Division

Action Plan for South Tyneside Council

Audit date: 22-23 June 2010

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.1.13 Develop a suitable method of linking officer competency assessments to its officer authorisation and training procedures and ensure that all officers are appropriately trained and competent to undertake their full range of duties, including where appropriate the assessment of any approved establishments or complex business operations in the area. [The Standard – 5.1 and 5.4]</p>	<p>31/10/10</p>	<p>Introduce documented competency framework to link officer competency assessments to authorisation and training procedures and undertake review with all officers of current competencies/training needs.</p>	<p>Matrix partially developed to link officer competencies.</p> <p>1 to 1 reviews arranged with all officers to discuss audit outcomes and further training needs.</p>
<p>3.2.2 Ensure that food hygiene inspections of establishments in their area, including newly registered businesses, are undertaken at a frequency which is not less than that determined under the inspection risk rating system set out in the Food Law Code of Practice. [The Standard – 7.1]</p>	<p>31/03/11</p>	<p>Implement monthly monitoring of database and performance against inspection plan by Senior Management for all risk categories and including new unrated businesses.</p>	<p>Previous database issues relating to new businesses resolved and process for generating inspections for new unrated businesses already revised.</p> <p>Current Service Plan for 2010/2011 includes for inspections of all existing and newly registered food businesses.</p> <p>Staffing proposal submitted for Council agreement for backfill cover of the Lead EHO to ensure capacity to deliver the inspection programme.</p> <p>New interventions strategy prepared by the wider North East Liaison Group as part of its consistency work is awaiting agreement in autumn 2010 for implementation in 2011/2012.</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.2.5 Further review, develop and implement its inspection aides-memoire for all types of food establishments in its area, to prompt officers to record all relevant inspection findings including detailed assessments of establishments' compliance with legislation relating to HACCP and FSMS. [The Standard – 7.3]	30/09/10	Implement use of revised aides-memoire for all types of food business to ensure comprehensive recording by officers of inspection findings including HACCP/FSMS compliance.	General food business aide-memoire already revised as part of wider regional consistency work and awaiting final agreement by the group.
3.3.3 Take appropriate action on any non-compliance found during interventions, in accordance with the Authority's Enforcement Policy, the Food Law Code of Practice and any centrally issued guidance. All decisions on enforcement should be made following consideration of the Authority's Enforcement Policy. The reasons for any departure from the criteria set out in the policy should be documented. [The Standard – 7.3 and 15.4]	30/09/10	Implement revised enforcement decision process recording to include review of history of compliance and documenting of all enforcement decisions including notices.	Revised case file procedure implemented. Issue of enforcement discussed at team meeting and recently revised Enforcement Policy disseminated to all staff.
3.4.3 Further review, develop and implement its internal monitoring procedures to include qualitative monitoring of all areas of food law enforcement activity and ensure that appropriate records are retained to verify conformance with the Standard, the Food Law Code of Practice and centrally issued guidance. [The Standard – 19.1 and 19.2]	31/12/10	Prepare and implement revised Internal Monitoring Procedure.	Additional qualitative monitoring of officer work undertaken and 1 to 1 meetings arranged to discuss outcome of review.

Audit Approach/Methodology

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

(1) Examination of LA policies and procedures.

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

- Food Law Service Plan 2010/2011
- Range of enforcement procedures
- General Council Enforcement Policy
- Food Law Enforcement Policy
- Food Premises Inspection aides-memoire.

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

- General food premises inspection records
- Approved establishment files
- Food complaint records
- Food sampling records
- Formal enforcement records.

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

- Audit Liaison Officer
- Environmental Health Officer

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

(4) On-site verification check:

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

Glossary

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

		other responsibilities within the organisation not related to food enforcement.
HACCP		Hazard Analysis and Critical Control Point – a food safety management system used within food businesses to identify points in the production process where it is critical for food safety that the control measure is carried out correctly, thereby eliminating or reducing the hazard to a safe level.
LAEMS		Local Authority Enforcement Monitoring System is an electronic system used by local authorities to report their food law enforcement activities to the Food Standards Agency.
Member forum		A local authority forum at which Council Members discuss and make decisions on food law enforcement services.
Metropolitan Authority		A local authority normally associated with a large urban conurbation in which the County and District Council functions are combined.
OCD returns		Returns on local food law enforcement activities required to be made to the European Union under the Official Control of Foodstuffs Directive.
Regulators' Compliance Code		Statutory Code to promote efficient and effective approaches to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens on businesses.
Risk rating		A system that rates food premises according to risk and determines how frequently those premises should be inspected. For example, high risk premises should be inspected at least every 6 months.
Service Plan		A document produced by a local authority setting out their plans on providing and delivering a food service to the local community.
Trading Standards		The Department within a local authority which carries out, amongst other responsibilities, the enforcement of food standards and feeding stuffs legislation.
Trading Standards Officer (TSO)	Officer	Officer employed by the local authority who, amongst other responsibilities, may enforce food standards and feeding stuffs legislation.
Unitary Authority		A local authority in which the County and District Council functions are combined, examples being Metropolitan District/Borough Councils, and London Boroughs. A Unitary Authority's responsibilities will include food hygiene, food standards and feeding stuffs enforcement.