

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

Staffordshire County Council  
14-16 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 food and 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<sup>1</sup> (NFDM) 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 NFDM 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 regard to FNAO are being carried out by LAs, in order to safeguard animal and public health.

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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)

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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## **1.0 Introduction**

- 1.1 This report records the results of an audit at Staffordshire 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 Staffordshire 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 Staffordshire 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 local authority 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 Staffordshire County Council's systems and procedures for the control of feed of non- animal origin (FNAO) and feed establishments including primary production.
- 1.6 The audit scope included an assessment of local arrangements for implementing the NFDM and included:
- Feed service planning, delivery and review
  - Competency 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 Staffordshire Place 1, Stafford, ST16 2DH from 14-16 September 2016.

## **Background**

- 1.8 The geographic location and make-up of the County means there are scattered centres of population, isolated rural communities and some of the fastest growing business parks in the region. The County is home to over 25,000 businesses and in excess of 5,000 farms. Staffordshire is also home to the largest renderer on a single site in Europe and multiple feed manufacturers. The trade from a number of food and feed businesses within Staffordshire is international and plays an important part in the local economy.
- 1.9 The Trading Standards Service which was based within the Community Protection Division was responsible for the delivery of feed law enforcement within the County. Ultimate management responsibility for the feed service fell to the County Commissioner Regulatory Services and Community Safety, within the Authority's organisational structure. The Business Compliance team were responsible for carrying out interventions, sampling, reactive work and providing business advice. There was no distinct feed safety team, as all officers carrying out feed delivery work did so as part of a broader spectrum of trading standards duties. Feed delivery by the department was led by a trading standards officer who acted as Lead Feed Officer (LFO) for the Authority and sat on the National Agricultural Panel. The LFO worked closely with the Regional Feed Officer for the area, proactively liaising and channelling

intelligence and information to the neighbouring local authorities in the CEnTSA (Central England Trading Standards Authorities) group.

- 1.10 Auditors were advised from 2016/17 the Authority faced further financial savings targets over a 3 year period equating to 480k and were in the process of carrying out a fundamental review of the way services are delivered. This involved prioritisation of activities according to risk and could have an impact on the future method of delivery of the feed law enforcement service.
- 1.11 The profile of Staffordshire County Council'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>
Manufactures and packers	56
Distributors/Transporters	123
Retailers	76
Co-products/surplus food	91
Stores	15
Arable farms	356
Livestock farms	3528
Importers	1
<b>Total Number of Feed Premises</b>	<b>4246</b>

## 2.0 Executive Summary

2.1 The Authority was committed to the delivery of the New Feed Delivery Model (NFDM) and the associated principle of earned recognition for feed businesses. The Service was generally delivering risk-based inspections and performing its Lead Feed Officer (LFO) role effectively in terms of liaison, training, inspection planning and communication. However the Authority needed to make improvements to fully meet the requirements of the NFDM, Framework Agreement and the Feed Law Code of Practice (FELCP). A number of potential improvements in the overall arrangements and controls for feed service delivery were identified. The key strengths and areas for improvement for the LA are set out below.

### 2.2 Strengths: Training

2.2.1 The Service had developed a staff appraisal system where officer training needs were identified and monitored, including those specific to feed law enforcement. Any training needs identified were incorporated into a Staff Development Plan. A monthly training morning had been established to support officers in maintaining their continuous professional development.

#### Lead Feed Officer Roles

2.2.2 The liaison and communication roles of the LFO were being carried out effectively, it was evident the LFO was proactive in sharing information and knowledge with colleagues within the Authority and across the region. The officer worked in partnership with the Regional Feed Lead and had a good awareness of the NFDM. The LFO was an active member of the agriculture forum on the networking and guidance forum the Knowledge Hub and other relevant national groups.

#### Inspection

2.2.3 Effective assessments of the compliance of premises and systems, including HACCP based systems, to legally prescribed standards had been carried out with the contemporaneous observations of officers recorded in detail.

#### Promotion of the importance of feed hygiene

2.2.4 The Authority was proactive in implementing a number of promotional activities to raise the awareness of the importance of feed safety and to provide practical help on compliance with feed hygiene rules.



## **2.3 Key areas for improvement:**

### **Service Planning**

- 2.3.1 The Service Plan would benefit from more detail in regard to the delivery of the NEP's and the demands placed upon the Service with a comparison of full time equivalents available to the Service against those needed to deliver the full range of official controls for feed.

### **Earned Recognition & Database Management**

- 2.3.2 Some higher risk feed business operators who were members of an approved assurance scheme were being inspected annually rather than at a frequency commensurate with their earned recognition status, as the risk score had not yet been adjusted in accordance with the Feed Law Code of Practice. Auditors discussed the benefits of having a clear plan with timescales to complete the full alignment with the Code of Practice from the National Trading Standards risk assessment scheme.

### **Competency and officer authorisation**

- 2.3.3 The assessment of competency of feed officers in accordance with the Code of Practice and the extent and limitations of officers' powers in relation to relevant legislation needed to be completed.

## **3.0 Audit Findings**

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

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

- 3.1.1 The Trading Standards Service had developed a Food and Feed Service Plan for 2016/17, in accordance with the Service Planning Guidance in the Framework Agreement and formed part of the Strategic Trading Standards Business Plan. The Plan had been approved by the Service Portfolio Member. The Plan made reference to the planned interventions and sampling at feed businesses in accordance with the allocated National Trading Standards (NTS) funding. Detail was provided about the type and number of activities to be inspected or subject to an alternative enforcement strategy (AES) type 1. Reference was also made to awarding earned recognition to those businesses who were members of an FSA approved assurance scheme and had satisfactory or broad levels of compliance. A key performance indicator had recently been introduced regarding bringing business back into compliance which was reviewed monthly by the County Commissioner Regulatory Services. Auditors discussed referencing this indicator and detailing in the review of performance assessment in future Plans.
- 3.1.2 The Service Plan mentioned working to the priorities set out in the FSA's National Priorities document but did not go into any specific detail as to how these are integrated into the annual official control programme. Auditors were informed that the LFO considered the document to see how the stated priorities would influence the delivery of the Services' annual programme of official controls. There was clearly a level of awareness of the priorities and were advised the NEPs were a standing item on the regional CEnTSA meetings. Examples of incorporation of the NEPs into the feed control programme included liaison with Environmental Health Officers (EHOs) to identify co-product premises, ensuring correct coding of premises on the feed register and prioritising sampling in accordance with the NEPs. Auditors discussed strengthening the reference to NEP activities undertaken and planned in future Plans.
- 3.1.3 Auditors were advised interventions are undertaken on a risk assessed and intelligence led basis and the duties relating to feed are carried out by approximately 1.9 full time equivalent (FTE) officers. Auditors discussed further developing the Plan to include greater detail in regard to the demands placed on the Service including for example details of feed interventions due in addition to the FSA funded programme and to include a comparison of the FTE officers available to the Service against what was needed to deliver official controls for feed.

- 3.1.4 Auditors were advised Staffordshire County Council undertake funded inspections on behalf a neighbouring LA and discussed the benefits of formalising this arrangement with a service level agreement and making reference to this arrangement in future Plans.
- 3.1.5 The LFO was active in considering and providing comments on proposed NTS improvement projects and the Service looked to participate when appropriate. Auditors were informed officers had undertaken the FSA funded SWERCOTS Primary Production e-learning training and this had actively contributed to their ability to determine the appropriate feed activity codes. This ensured an accurate LA feed register and the application of the relevant provisions of the feed hygiene regulations to the FeBO.

**Recommendation 1 - Service planning**

[The Standard 3.1]

[The Feed Law Code of Practice 5.1}

[The National Feed Enforcement Priorities 2016/17]

Further develop the service delivery plan in accordance with Service Planning Guidance in Chapter 1 of the Framework Agreement to include:

- Greater detail in regard to the demands placed on the Feed Service; and
- a comparison of the numbers FTE needed to deliver the programme against those available to the Service.
- Greater detail in regard to the delivery of the NEP's.

## **Effectiveness of the implementation and monitoring of earned recognition for feed establishments**

- 3.1.6 The Authority was aware of the guidance published by the Association of Chief Trading Standards Officers (ACTSO) and the National Agriculture Panel (NAP) on implementing earned recognition.
- 3.1.7 Pre-audit database checks and further discussions and assessments during the audit enabled auditors to confirm that the Authority had, and continues to implement the scheme of earned recognition for feed establishments. The Service had implemented a system for Type 1 earned recognition for members of an FSA Approved Assurance Scheme (AAS) and premises that were members of the schemes had been effectively tagged on the database. It was established that the Service had access to the Red Tractor and Agricultural Industries Confederation (AIC) databases and systems had been implemented to take into account notifications from AAS's where membership had been withdrawn.
- 3.1.8 File checks revealed the Likelihood of Compliance (LOC) scores to businesses were being appropriately applied, although the frequency of inspection for some manufacturers did not always align to that detailed in the FELCP. This had the potential to result in more frequent inspections of assured businesses than necessary. Auditors were informed the Service had been following the NTS risk rating and the database had been configured to allocate that schemes LOC risk score. However following withdrawal of support by ACTSO in 2016/17 the Service was in the process of reverting to the FELCP risk analysis scheme and full alignment to that scheme was still work in progress. As a consequence some higher risk FeBOs who were FSA assurance approved were being inspected annually, rather than every two years due to their membership of an approved scheme not being taken into account.
- 3.1.9 Auditors discussed the benefits of having a clear planned implementation of the FELCP risk assessment scheme with timescales, to avoid potential overburdening of businesses with too frequent inspections, except where intelligence or risks to feed safety exist. Auditors discussed prioritising applying risk ratings and next inspection dates for higher risk inland feed businesses on the desktop model for 2017/18 and then work on a programme for the farm related feed businesses.
- 3.1.10 The Authority reported that it had not yet come across an inspection which warranted making an exception report to the FSA in relation to a feed business belonging to an FSA AAS.

**Recommendation 2 – Earned recognition & database management**

[Feed Law Code of Practice, Chapter 5.3]

[The Standard, paragraph 11.2]

In order to recognise earned recognition, maintain database accuracy and ensure the efficient use of limited feed official control resources, plan and implement a programme to complete the transfer from the ACTSO to the FELCP risk assessment scheme on the database. The aim is to ensure those FeBOs who maintain high standards of feed safety and qualify for earned recognition, are recognised by the Authority when determining the frequency of official controls.

**Promotion of the importance of feed hygiene**

- 3.1.11 The Service had implemented a number of promotional activities to raise the awareness of the importance of feed safety and to provide practical help on compliance with feed hygiene rules and disseminated information to livestock keepers. These included a section on feed on the Authority's website, allowing FeBOs to access useful guidance for example on registration, compliance with relevant legislation and HACCP related requirements. The Service had been active in raising awareness with Members of the importance of the role of feed enforcement officers by providing them with a CEnTSA produced farm to fork DVD.
- 3.1.12 Officers also attended an annual County Show to raise the profile of feed enforcement and distributed promotional materials during routine inspections. The Authority also used Twitter to cascade relevant information received from the Agency.

## **3.2 Competence of officers**

- 3.2.1 The County Commissioner Regulatory Services and Community Safety was delegated to authorise officers deemed competent by the LFO, who was responsible for the assessment of their competency. Auditors noted officers authorisations in writing were generic and discussed the need to separately authorise those officers performing duties under the Animal Feed (Hygiene, Sampling etc. and Enforcement) Regulations 2015 and Official Feed and Food Control Regulations 2009 commensurate with their qualifications and level of competency in accordance with the FELCP. The LFO advised the Authority were in the process of reviewing the authorisation procedure as part of the LAs quality assurance (QA) system so individual officers are authorised in accordance with their qualifications and competency.
- 3.2.2 The Authority had developed a comprehensive documented system of annual staff appraisal where individual officer training needs could be identified and monitored by the LFO, including those specific to feed law enforcement. Any training needs identified were incorporated into a Staff Development Plan. It was clear from discussions with staff that the Service was committed to ensuring officers were well trained and competent to carry out feed law enforcement duties. To support officers in maintaining their continuous professional development (CPD) the monthly training morning covers different regulatory topics including feed.
- 3.2.3 The Service had also adopted a Regional Competency Assessment document developed in accordance with the FELCP, which was in the process of being rolled out to all officers. This will help inform any future training needs for officers to maintain their required level of competency for the duties undertaken. Auditors discussed the benefits of developing a more formal method of linking the outcome of the assessment of officer competency requirements, training needs, and level of authorisation possibly using an authorisation, training and competency matrix.

### **Recommendation 3 – Competency Assessment**

[The Standard, paragraph 5.3]

[Feed Law Code of Practice, Chapter 3.2]

Complete the assessment of all feed officers competency in accordance with the Feed Law Code of Practice. Define the extent and limitations of officers' powers in relation to their feed duties under the Animal Feed (Hygiene, Sampling and Enforcement) Regulations 2015 and Official Feed and Food Control Regulations 2009 on authorisations, ensuring that the level of authorisation and duties of officers is consistent with their qualifications, training, experience and the Code of Practice.

- 3.2.4 Training records and authorisations of five feed officers were checked by auditors, including those of the LFO. File checks showed that officers had been sufficiently and appropriately trained for feed law enforcement in accordance with their level of authorisation. All officers had received 10 hours annual CPD based on the principles of CPD and received HACCP and general enforcement training. Officer qualifications and training records had been maintained by the Authority and staff.
- 3.2.5 Auditors were informed that the LFO for feed also kept their knowledge up to date through self-learning through access to the Knowledge Hub and their duties as a member of the National Agricultural Panel. Officers were encouraged to engage on the Agriculture Community Knowledge Hub forum.

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

#### **Inspection**

- 3.3.1 The Authority had a well-established feed register and database and identified any new and existing feed businesses not on the register via a number of methods. These included engaging with businesses on receipt of intelligence and registering when appropriate, liaison with EHOs re co-producers and following up information gained by officers during interventions which identified potential businesses requiring registration.
- 3.3.2 The Authority had developed a series of useful and easily accessible onscreen work instructions for officers to give them a step by step instruction on how to update the database and enter their risk scores correctly for various types of businesses, under the risk assessment scheme. Documented inspection procedures were also provided to support officers and ensure consistency.
- 3.3.3 The Authority was able to demonstrate compliance with the memorandum of understanding between the National Agriculture Panel and the Veterinary Medicines Directorate at feed businesses regulated by both organisations.
- 3.3.4 Auditors discussed how the Service, in drawing up the intervention programme, and the population of the desktop model, decides upon the most appropriate interventions at feed businesses. The LFO advised this was generally done on the basis of time since the last inspection unless other intelligence was available.
- 3.3.5 An audit check of six premises files found that registration activity codes had been correctly determined and in every case detailed and comprehensive inspection findings had been recorded to help support and justify the risk scores allocated. All the inspection records examined were retrievable and a record of inspection had been provided for the FeBO in accordance with the FELCP. It was clear that in general effective assessments of the compliance of premises and systems, including HACCP based systems, to legally prescribed standards had been carried out. It was however noted on one file repeated visits had identified no HACCP plan for feed in place despite a satisfactory LOC being allocated.
- 3.3.6 Auditors discussed the need to better define the revisit criteria for officers and were advised this was being considered as part of the database user group to ensure consistent follow up action and recording on the database action diaries.



- 3.3.7 As referenced earlier in the report it was noted some higher risk FeBOs who were members of an approved assurance scheme were being inspected annually rather than at a frequency commensurate with their earned recognition status as the risk score had not been adjusted in accordance with the FELCP. However additional inspections were justified due to the need to follow up on incidents and adverse sample results.

### **Sampling**

- 3.3.8 The Service had developed a documented feed sampling programme, agreed with NTS and compiled with due consideration to the NEPs.
- 3.3.9 Auditors confirmed that the programme met the NEPs and included sampling to ascertain levels of heavy metals and mycotoxins in feed materials, levels of carryover of coccidiostats in compound feed and dioxin levels in feed.
- 3.3.10 Records of five sample results were checked. All the samples taken had been recorded and documented with analytical results being kept on file. In all businesses were advised of the results, all of which were satisfactory

### **Alternative enforcement**

- 3.3.11 The Service had developed an Animal Health responding to Risk Assessment Procedure which included a risk assessment process map and provided detail of the Services approach to AES. This involved an initial desktop review of available information and intelligence which was risk rated which triggered either further telephone contact with the FeBO or an intervention on site. The Lead Officer intended to review this system against the SWERCOTS AES toolkit.
- 3.3.12 Records of three AES interventions were checked and found an appropriate Tier 1 AES had been undertaken.

### **Enforcement**

- 3.3.13 The Authority had a corporate enforcement policy which had been approved by Members. No feed law enforcement activities requiring notices had been carried out within the previous two years. A prosecution case and simple caution file was examined. There was evidence that the enforcement policy had been considered and the action taken was in line with this policy.

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

3.3.14 The Authority was aware of the requirements surrounding imports and 3<sup>rd</sup> Country Representatives. The Authority advised they had three such businesses in its area that acted as a 3<sup>rd</sup> country representative and were visited as part of the intervention programme. Auditors discussed the need to update the Agency with their details.

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

3.4.1 The Service had developed a range of comprehensive procedures to ensure the accuracy and completeness of the feed premises database. New registrations were checked before entering onto the system and an annual validation of feed register activity codes was undertaken. The more consistent use of action diaries by officers to record details of action taken and follow up with non-compliance was currently being trialled. At present no validation of risk rating and the scheduled next inspection was being carried out and discussed developing these as part of the transfer across to the FELCP risk assessment scheme.

3.4.2 Access to the database was appropriately managed by log-in requirements and user privileges

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

3.5.1 Lead officer arrangements were discussed in detail in terms of the responsibilities of the role for:

- feed programme bidding,
- internal reporting,
- ensuring staff training and competency,
- liaison with other feed leads in the regions,
- consistency, and
- the dissemination of information to staff.

3.5.2 The LFO was observed to be actively engaged in the relevant Knowledge Hub Groups and is a Member of the National Agriculture Panel, National Animal Health and Welfare Panel and Veterinary Risk Group. It was evident the LFO was proactive in sharing information and knowledge with colleagues within the Authority and across the region.

3.5.3 The LFO had a good understanding of the requirements of the NFDM and auditors identified no areas for improvement in respect of liaison, the assessment of training needs and the planning and delivery of training, with the Service able to demonstrate compliance in these areas. The role

undertaken by the experienced LFO was a strength for the Authority and auditors discussed the need to consider future succession and contingency planning for this role.

- 3.5.4 The Service had no documented procedure for the monitoring of feed law enforcement and auditors were advised the feed service was monitored through a QA system. A number of monitoring activities were being carried out including the delivery of the desktop model in relation to interventions and sampling were monitored regular via delivery of the quarterly return to the FSA, the LFO checking and signing off completed inspections, regular team meetings and accompanied inspections for officers, although these were not always formally recorded.
- 3.5.5 In addition monthly Public Protection performance reports were provided to senior management which included information on high and medium risk feed inspections as well monthly reporting on a key performance indicator regarding non-compliant premises. Auditors discussed reviewing the QA system to ensure suitable level of monitoring is undertaken of all feed law enforcement activities.
- 3.5.6 The Authority had not carried out any structured feed risk rating consistency exercises with officers but guidance had been issued to officers to ensure consistency in recording risk assessments. The monthly training morning also provides an opportunity for the LFO to discuss consistency issues.

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

3.6.1 Arrangements were discussed in detail in terms of the responsibilities of the role for:

- Bidding and allocation,
- Regional training needs assessment and delivery,
- Regional reporting to the FSA,
- Liaison with other feed leads and regulators in the region and nationally,
- Consistency and the dissemination of information from the NAP representative and to other feed leads.

3.6.2 Auditors were advised the LFO works closely with the Regional Feed Lead (RFL) in undertaking these tasks and some of these activities are also undertaken by the Regional Co-ordinator. It was clear there is close collaboration across the region to ensure delivery against the NFDM and feed was a standing item on the regional meetings.

3.6.3 Examples of joint working included standardising of competency assessment and reviewing the joint authorisations for animal health to extend to feed to provide emergency cover.

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

3.7.1 The Service does not have any specific documented procedures for assessing the accuracy of official feed reports to the Agency. In practice annual feed returns are subject to an interrogation of the database with cross checks on the number of interventions and samples taken against those planned and discussions with officers to verify the information is correct. The move across to the FELCP risk rating scheme will help address the inconsistencies in reporting of risk scores and application of earned recognition.

3.7.2 In regard to the annual feed returns the lack of written warnings were discussed. It was agreed that the anomaly was possibly caused by a misinterpreting the FSA's definition of a written warning which includes any legislative non-compliance brought to a FeBOs attention in writing. The LFO advised this would be addressed for future returns.

3.7.3 The accuracy of the NTS annual desktop exercise was potentially affected due to the issue previously referred to concerning the application of the risk rating scheme which will be addressed when the FELCP scheme is fully implemented. No issues were identified with the NTS quarterly monitoring return and UKFSS return.

3.7.4 There were no technical issues reported with the uploading and submission of the returns.

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Food Standards Agency  
Regulatory Delivery Division

## ANNEX A - Action Plan for Staffordshire County Council

Audit date: 14-16 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]            [The Feed Law Code of Practice 5.1}            [The National Feed Enforcement Priorities 2016/17]</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>•Greater detail in regard to the demands placed on the Feed Service; and</li> <li>•a comparison of the numbers FTE needed to deliver the programme against those available to the Service.</li> <li>•Greater detail in regard to the delivery of the NEP's.</li> </ul>	<p>31.03.2017</p>	<p>Greater detail will be included in the Staffordshire County Council Food and Feed Service Delivery Plan for 2017 / 2018 to reflect the agreed National Enforcement Priorities in the work undertaken by the Local Authority. This work will commence January 2017 to have implementation and elected member approval before 1<sup>st</sup> April 2017.</p> <p>The Service Delivery Plan for 2017 / 2018 and subsequent future plans will include an estimation of the demands on the service as a result of risk based selection of inspections and the FSA National Enforcement Priorities when compared with available resource to meet these demands. Demand will be based on the annual desk top assessment of feed businesses within Staffordshire presently undertaken as part of the FSA funding programme.</p>	<p>Work on the Food and Feed service delivery plan will be commenced in January 2017 once the FSA have released the finalised National Enforcement Priorities for 2017 / 2018.</p> <p>Meeting with senior management held to discuss the action plan for Staffordshire County Council as a result of the FSA Audit in September 2016 and on the level of content to be included in drafting future Food and Feed Service Delivery plans.</p>



<p><b>Recommendation 3 – Competency Assessment</b>  [The Standard, paragraph 5.3]  [Feed Law Code of Practice, Chapter 3.2]</p> <p>Complete the assessment of all feed officers competency in accordance with the Feed Law Code of Practice. Define the extent and limitations of officers' powers in relation to their feed duties under the Animal Feed (Hygiene, Sampling and Enforcement) Regulations 2015 and Official Feed and Food Control Regulations 2009 on authorisations, ensuring that the level of authorisation and duties of officers is consistent with their qualifications, training, experience and the Code of Practice.</p>	<p>31/03/2017</p>	<p>Ongoing competency to be assessed alongside training and development records as part of staff performance appraisals known as 'My Performance Conversation' twice yearly. Assessment is in accordance with the Chapter 3.2 of the Feed Law Code of Practice and Annex 1.</p> <p>A QA document detailing officer authorisation is to be implemented to reflect the competency requirements as detailed in Annex 1</p> <p>Ongoing monthly review of baseline minimum CPD hours to identify areas of training required based upon previous training and National Enforcement Priorities.</p>	<p>Assessment of competency for authorisations is presently being completed for all officers and will be held on file with copies of relevant baseline qualifications.</p> <p>Review of present authorisation procedure to ensure specific officer authorisation is aligned to competency as per the Feed Law Code of Practice via the QA system.</p>
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## **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.



## **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 Code of Practice	Government Code of Practice issued under the 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 Equivalent (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.