

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

Suffolk Coastal District Council
3-4 June 2014



Foreword

Audits of local authorities' feed and food law enforcement services are part of the Food Standards Agency's arrangements to improve consumer protection and confidence in relation to food and feed. These arrangements recognise that the enforcement of UK food and feed law relating to food safety, hygiene, composition, labelling, imported food and feeding stuffs is largely the responsibility of local authorities. These local authority regulatory functions are principally delivered through their Environmental Health and Trading Standards Services.

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

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

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 devolved countries comprising the UK.

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

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

Reason for the Audit

- 1.2 The power to set standards, monitor and audit local authority food law enforcement services was conferred on the Food Standards Agency by the Food Standards Act 1999 and the Official Feed and Food Controls (England) Regulations 2009. This audit of Suffolk Coastal District Council was undertaken under section 12(4) of the Act as part of the Food Standards Agency's annual audit programme.
- 1.3 Regulation (EC) No. 882/2004 on official controls performed to ensure the verification of compliance with feed and food law includes a requirement for competent authorities to carry out internal audits or to have external audits carried out. The purpose of these audits is to verify whether official controls relating to feed and food law are effectively implemented. To fulfil this requirement, the Food Standards Agency, as the central competent authority for feed and food law in the UK has established external audit arrangements. In developing these, the Agency has taken account of the European Commission guidance on how such audits should be conducted.¹

Scope of the Audit

- 1.4 The audit examined Suffolk Coastal District Council's arrangements for food premises database management, food premises interventions and internal monitoring, with regard to food hygiene law enforcement. 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 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)

- 1.5 Assurance was sought that key authority food hygiene law enforcement systems and arrangements were effective in supporting business compliance, and that local enforcement was managed and delivered effectively. The on-site element of the audit took place at the Authority's offices at Melton Hill, Woodbridge, Suffolk, on 3-4 June 2014.

Background

- 1.6 Suffolk Coastal District Council is situated in the south of the East of England region and was formed in 1974 by the merger of a number of councils. The District has a population of approximately 125,000 and covers an area of 891 square kilometres of which 155 kilometres are open coast and estuaries. The area is predominantly rural and an Area of Outstanding Natural Beauty with tourism and arts being drivers of the local economy. The area also includes Felixstowe container port which is the largest in the country.
- 1.7 The area contained a wide mix of food business establishments including a large number of food businesses associated with or operated by ethnic minorities. The Authority was also responsible for the delivery of official controls in relation to the harvesting, processing and distribution of shellfish farmed and fished along its coastline.
- 1.8 As part of a commitment to delivering services efficiently the Authority had entered into a collaborative working partnership with Waveney District Council. The Authorities had appointed a shared Chief Executive, Strategic Management Team and Heads of Service which included the Head of Environmental Services and Port Health.
- 1.9 Food hygiene law enforcement was the responsibility of the Food and Safety Team headed by the Food and Safety Manager. The Service reported to the Head of Environmental Services and Port Health who reported to one of two Strategic Directors in turn reporting to the Chief Executive.
- 1.10 The Food and Safety Team was not responsible for food standards and feeding stuffs law enforcement, which was carried out by the Trading Standards Service at Suffolk County Council.

1.11 The profile of Suffolk Coastal District Council's food businesses as at 31 March 2014 was as follows:

Type of Food Premises	Number
Primary Producers	8
Manufacturers/Packers	62
Importers/Exporters	6
Distributors/Transporters	19
Retailers	258
Restaurant/Caterers	981
Total Number of Food Premises	1,334

2.0 Executive Summary

- 2.1 In 2012 as part of a collaborative approach to improve efficiency Suffolk Coastal District Council and Waveney District Council had formed a single Food and Safety Team responsible for food law enforcement.
- 2.2 The new unit was undergoing significant change and developing new joint systems, policies and procedures to release the full potential of efficiencies and economies of the new Service. The Authority must ensure that there is sufficient capacity to effectively manage change while maintaining robust effective systems to support the delivery of a risk-based programme of interventions in accordance with the Framework Agreement and Food Law Code of Practice (FLCoP).
- 2.3 **Strength:**
Service planning review: The Joint Food and Health and Safety Plan with Waveney District Council included an extensive and comprehensive annual review of achievements against planned food law enforcement activities.
- 2.4 **Key areas for improvement:**
Organisation and management: The Service Plan needed to include a clear assessment and comparison of resources required and those available to deliver the full range of food law enforcement activities, including development and maintenance of systems, policies and procedures as required by the Standard in the Framework Agreement.
Food premises database: The Authority needed to complete the ongoing migration of data and information to the new computer system and to develop and implement procedures to ensure the system contains up to date accurate, reliable and readily retrievable records.
Food premises interventions: Interventions/inspections needed to be recorded on appropriate aides-memoire and carried out at a frequency not less than that specified by the FLCoP and centrally issued guidance.
Documented policies and procedures: Documented policies and procedures needed to be reviewed, updated and developed in conjunction with a document control system.
Internal monitoring: The Authority needed to review its approach to monitoring and set up, document and implement procedures to verify conformance with the Standard in the Framework Agreement and the Authority's procedures and policies.

3.0 Audit Findings

3.1 Organisation and Management

Strategic Framework, Policy and Service Planning

3.1.1 The Authority had developed and published a Business Plan 2012 – 2022 which set out its vision as:

- To focus on maintaining and sustainably improving the quality of life for every one growing up in, living in, working in and visiting our area.

The Plan set out Food Safety responsibilities as part of Community Health. The priority under this theme was to:

- Protect and promote the health and well-being of all our communities to ensure they remain safe from harm and able to live healthy lifestyles.

3.1.2 The Authority had for the last few years produced a Joint Food Service Plan with Waveney District Council that was appropriately approved by the Council. The Food Safety section of the plan set out the aims of the Food Safety Service as:

- To ensure that all food businesses comply with the relevant standards, are hygienic and have adequately trained staff.
- To ensure that food in the district is fit for human consumption and that any outbreaks of food poisoning and other infectious diseases are controlled.
- To secure and maintain a safe and healthy environment, for employees and members of the public, in those establishments, for which the Council has an enforcement responsibility.

3.1.3 The 2014/15 Joint Plan was scheduled for final approval in September 2014, however the Authority had put in place service planning arrangements from the beginning of the municipal year by way of an Internal Service Plan which had been agreed with the appropriate Cabinet Member. The internal Service Plan set out responsibilities, objectives, projects, risks and performance indicators. Auditors were advised that the Food Service Plan for 2014/15 would follow the format of previous plans.

3.1.4 The Joint Plan broadly followed the Service Planning Guidance in the Framework Agreement. The review section of the Service Plan was both comprehensive and thorough identifying variations in

performance, key achievements, Local Authority Enforcement Monitoring System (LAEMS) data, Food Hygiene Ratings Scheme (FHRS) data, new business registrations, food poisoning data and areas for improvement. The plan however needed to include a clear comparison of the resources required to carry out the full range of food law enforcement activities against the resources available to the Service and to also include a reference to the Enforcement Policy.

Recommendation

3.1.5 The Authority should:

Further develop the Food Service Plan in accordance with the Service Planning Guidance in the Framework Agreement to include a clear comparison of the resources required to carry out the full range of food law enforcement activities against the resources available to the Service and to also include a reference in the plan to the Enforcement Policy. [The Standard - 3.1]

Documented Policies and Procedures

- 3.1.6 The Authority had previously operated a quality management system with documented policies and procedures providing useful guidance for officers across food law enforcement activities. However the system had not been maintained in recent years.
- 3.1.7 Officers acknowledged that many documented procedures required review. Auditors discussed the need to ensure that all documented policies and procedures for each of the enforcement activities covered by the Standard are in place and reviewed at regular intervals and whenever there are changes in legislation or guidance. A control system for all documentation relating to its enforcement activities needed to be set up, maintained and implemented.
- 3.1.8 Lead roles for areas of food law enforcement had been recently allocated to officers within the Service and auditors were advised this included responsibilities for ensuring that procedures were reviewed and kept up to date. Auditors discussed the need for the review of procedures to take account of developments of the joint service.

Recommendations

3.1.9 The Authority should:

- (i) Ensure that all documented policies and procedures for each area of enforcement activities are reviewed at regular intervals and when there are changes to legislation or centrally issued guidance. [The Standard - 4.1]
- (ii) Set up, maintain and implement a control system for all documentation relating to its enforcement activities. [The Standard - 4.2]

Officer Authorisations

- 3.1.10 The Service had developed a documented procedure for the authorisation of officers however this was dated 2006 and required review and updating. Whilst the procedure stated that authorisations were governed by qualifications, experience and competence the actual process of assessment of competence was unclear.
- 3.1.11 The Authority was leading on the development of the Suffolk Flexible Warrant Scheme. This scheme was being developed as a mutual aid agreement between the seven district and borough councils in Suffolk and Suffolk County Council. The scheme enabled suitably qualified, experienced and competent officers providing food safety and other enforcement services to be issued with flexible warrants enabling them to carry out relevant enforcement functions across Suffolk.
- 3.1.12 Checks on authorisations and inspection activities confirmed that officers were appropriately authorised and acting within the limits of their authorisation. The Authority had also managed the return of an officer to food law enforcement activities and provided evidence of a comprehensive and structured refresher programme of inspection work.
- 3.1.13 Qualification and training records of five officers were examined which confirmed officers were appropriately qualified, receiving a wide range of training, including a minimum of 10 hours relevant training per annum based on the principles of continuing professional development (CPD) as required by the Food Law Code of Practice (FLCoP).
- 3.1.14 The Authority had appointed a Lead Officer for food, who demonstrated that they had the necessary experience and qualifications for that role.

Recommendation

3.1.15 The Authority should:

Review the documented procedure for the authorisation of officers based on their competency in accordance with the Food Law Code of Practice and centrally issued guidance.
[The Standard - 5.1]

3.2 Food Premises Database

- 3.2.1 The Service was in the process of changing its computer database system. Both systems had the capability to provide returns required under LAEMS.
- 3.2.2 At the time of the audit the Authority had not completed the full transition to the new database. The old system was being used to store premises inspection history prior to November 2013. Inspection reports from November 2013 had not been stored on the database but in various other locations awaiting transfer or recording on the new system. This process had been hampered by the delayed introduction of another software system designed to allow records associated with inspections such as letters to businesses and formal notices to be scanned and attached to inspection records.
- 3.2.3 Auditors were concerned that the fragmented migration of data coupled with the temporary storage arrangements and delays had the potential to undermine the effective delivery of food law enforcement activities. Officers advised auditors that these issues would be addressed as a matter of urgency.
- 3.2.4 The Service had a documented procedure which aimed to secure an accurate and up to date database of commercial premises on the old computer system. However the procedure was limited in its scope and required review and updating to reflect a more comprehensive approach to maintaining accurate data and the introduction of the new system.
- 3.2.5 Checks on food premises in the area identified by internet searches confirmed all six were present on the database and included within the intervention programme.

Recommendations

3.2.6 The Authority should:

- (i) Set up, maintain and implement a documented procedure to ensure that the premises database is accurate, reliable and up to date. [The Standard – 11.2]
- (ii) Ensure that the computer software package is capable of providing details of all food law enforcement activities that may be requested by the Food Standards Agency. [The Standard - 6.3]

3.3 Food Premises Interventions

3.3.1 The Joint Food and Health and Safety Plan for 2014/15 was still under development, however the LAEMS data for 31 March 2014 provided the risk rating profile of food businesses as follows:

Premises Risk Category	Number of Premises
A	11
B	40
C	459
D	220
E	552
Unrated	46
Outside Programme	6
Total	1,334

3.3.2 The Service Plan set out the priorities for its intervention programme as part of a risk-based approach in accordance with the FLCoP. The Plan identified the range of interventions and flexibilities as detailed in the FLCoP and also that regulatory burden was minimised by selecting the most appropriate intervention appropriate for the risk category of the establishment. It also referred to the adoption of alternative enforcement strategies (AES) for lower risk premises which included the use of questionnaires. Auditors were informed that whilst the flexibilities of interventions provided for in the FLCoP were an option, officers had generally adopted an approach of full inspection to all premises with the exception of lower risk category E premises.

3.3.3 Checks on the food premises database highlighted that there were approximately 220 establishments overdue an intervention. These mainly comprised of lower risk premises however there were a small number of overdue higher risk and non-compliant category A, B and C inspections. Auditors discussed the need to maintain interventions at appropriate frequencies particularly at the highest risk food businesses, although the Authority was able to provide reasons for some of the overdue high risk inspections.

3.3.4 The Authority had developed documented procedures for food hygiene interventions and the approval of establishments under product specific regulations, however both documents required review.

3.3.5 Auditors checked file records for six general food premises. Records indicated that officers were generally identifying hazards and recording their assessments of business compliance with HACCP requirements and the FSA's E.coli O157 guidance but auditors noted

a wide variability between officers in the recording of inspection findings and the range of forms and inspection reports produced. The Authority had in the past used a detailed inspection aide-memoire to record inspection findings but more recently it had developed and implemented a shorter abridged version. The Authority had also previously issued officers with guidance on completion of the aide-memoire. Auditors discussed that the latest aides-memoire did not prompt officers to record all relevant information required to demonstrate that businesses were being fully assessed against relevant food hygiene legislation and the benefits of including further prompts for officers regarding business compliance with traceability legislation. Auditors also experienced some difficulty in retrieving inspection histories and records due to IT issues which prompted concerns officers may have difficulties in retrieving premises inspection and enforcement histories prior to inspection.

- 3.3.6 Three approved establishment files were examined and found to generally contain the information required to assess whether the establishments required approval under Regulation (EC) No 853/2004. Auditors noted that only limited inspection findings were recorded on the database using the basic food premises aides-memoire and inspection report. Auditors recommended the introduction of new product specific aides-memoire to allow more detailed recording of officer assessments of businesses compliance with all relevant hygiene legislation. More detailed information regarding business processes and activities and inspection findings was required to allow officers to demonstrate that businesses were complying with the requirements and conditions of their approval.

Recommendations

3.3.7 The Authority should:

- (i) Carry out interventions/inspections at a frequency which is not less than that specified by the Food Law Code of Practice and centrally issued guidance. [The Standard - 7.1]
- (ii) Ensure that inspections/interventions are recorded on appropriate aides-memoire to demonstrate establishments have been fully assessed to the legally prescribed standards, the Food Law Code of Practice and centrally issued guidance. [The Standard - 7.2 and 7.3]
- (iii) Ensure that observations, data and records obtained in the course of inspections/interventions are stored in a way that they are retrievable. [The Standard - 7.5]

Verification Visit to a Food Premises

3.3.8 No verification visit was undertaken as auditors had previously carried out a reality visit to assess the effectiveness of the Authority's assessment of food business compliance with food law requirements. On that occasion auditors were able to confirm the officer had a good understanding with the operations at the business, had carried out a detailed methodical inspection, and had appropriately assessed business compliance with legal requirements.

3.4 Enforcement

- 3.4.1 The Authority had an Enforcement Policy in place which had been approved by the Council in 1999 and this was readily available through the Council's website. A Suffolk Coastal District Council and Waveney District Council Compliance and Enforcement Policy had been drafted but not yet approved. Whilst both policies included reference to a graduated approach to enforcement, the new draft policy reflected an updated and more comprehensive policy embracing regulatory developments since 1999. The policy included background, key aims, interventions and action types, liaison arrangements and service standards. The Authority needed to complete the review of its enforcement policy to ensure it will meet the requirements of the FLCoP and guidance and attain Council approval.
- 3.4.2 Documented procedures relating to the serving of formal notices, seizure and detention of food, prosecutions and formal cautions had been developed however some procedures had not been reviewed since 2008 and required review and updating.
- 3.4.3 The Authority reported there had been no voluntary closures, food seizures, detentions or simple cautions, emergency hygiene prohibition notices or remedial action and detention notices served in the two years preceding the audit.
- 3.4.4 Audit checks on file records for formal enforcement activities were carried out in regard to three food hygiene improvement notices and a prosecution. All actions were found to be appropriate for the circumstances and were generally carried out in line with the requirements of the FLCoP.

Recommendation

3.4.5 The Authority should:

Complete the review of the Enforcement Policy and also review enforcement actions procedures in accordance with the Food Law Code of Practice and centrally issued guidance. [The Standard – 15.1 and 15.2]

3.5 Internal Monitoring, Third Party or Peer Review

Internal Monitoring

- 3.5.1 The Authority had no documented internal monitoring procedure setting out the process for quantitative and qualitative monitoring across the food law enforcement service. Auditors were advised that the Authority had previously carried out qualitative internal monitoring which had now been discontinued.
- 3.5.2 Overall quantitative monitoring was carried out against the Service Plan on a quarterly basis and reported to the Council. However the Authority acknowledged the need to review, develop and implement risk-based documented internal monitoring procedures for quantitative and qualitative monitoring across the full range of food law enforcement activities undertaken.

Recommendations

3.5.3 The Authority should:

- (i) Set up maintain and implement a documented internal monitoring procedure in accordance with Article 8 of Regulation (EC) 882/2004), the Food Law Code of Practice and centrally issued guidance. [The Standard - 19.1]
- (ii) Verify the conformance of the Service with the Standard in the Framework Agreement, the Food Law Code of Practice, relevant centrally issued guidance and the Authority's own documented policies and procedures. [The Standard - 19.2]
- (iii) Ensure appropriate records of all internal monitoring activities undertaken are maintained. [The Standard - 19.3]

Food and Food Premises Complaints

- 3.5.4 The Authority had a documented food complaints policy which was set out in an appendix to a documented food complaints procedure issued in 2009. It had also developed a procedure for the processing of enquiries, service requests and complaints.
- 3.5.5 Audit checks on five records of food and food premises complaint investigations and service requests found that in two cases there were

no officer investigations or other actions recorded. Audit checks on the remaining records confirmed that appropriate investigations and action had been carried out and interested parties had been informed of the outcome of the investigation. There was no evidence of internal monitoring recorded on files.

Recommendation

3.5.6 The Authority should:

Investigate complaints in accordance with the Authority's policies and procedures. [The Standard - 8.2]

Food Inspection and Sampling

3.5.7 The Authority had developed a documented sampling procedure but had not developed a documented sampling policy. Routine sampling had reduced over recent years partly due to the loss of a temporary part time sampling officer post. Sampling was carried out as required during the investigations of complaints, at new approved establishments and where the FSA provided funding.

3.5.8 Record checks on five samples confirmed that effective and appropriate follow-up had been taken in three cases. In two other cases there was no record of any food law enforcement activity. Auditors were advised that as a result of other pressures an unusually high number of samples had been taken in the last three months of the year which had resulted in a high number of sampling results requiring action. Whilst some sample results still required follow-up, the Authority advised auditors that it was dealing with these on a risk basis and that further work would be undertaken in regard to the two samples with outstanding action. There was no record of internal monitoring on the files examined.

Recommendation

3.5.9 The Authority should:

Set up and maintain a documented sampling policy in accordance with the Food Law Code of Practice and centrally issued guidance, to include reference to its approach to any relevant national sampling programme co-ordinated by the Agency. [The Standard - 12.4]

Records

- 3.5.10 The introduction of the new computerised system for the Service had led to significant problems with the storage and easy retrieval of information and data.
- 3.5.11 Auditors discussed the urgent need to clarify the arrangements for the completion of the transfer of data and information.

Recommendation

3.5.12 The Authority should:

Maintain up to date and accurate records in retrievable form on all food law enforcement activity in accordance with the Food Law Code of Practice and centrally issued guidance. [The Standard - 16.1]

Third Party or Peer Review

- 3.5.13 Auditors were advised that the Authority had not recently participated in any inter-authority audit (IAA) or peer review initiative and none was planned for the forthcoming year.
- 3.5.14 The Authority had however participated in a number of peer review activities relating to inspections, the review of an award of a FHRS rating and a Suffolk Food Liaison Group peer review in regard to E.coli. Auditors discussed the benefits to the Service of participating in any relevant IAA schemes that may be developed in the region.

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Food Standards Agency

Operations Assurance Division

ANNEX A Action Plan for Suffolk Coastal District Council

Audit date: 3-4 June 2014

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.1.5 Further develop the Food Service Plan in accordance with the Service Planning Guidance in the Framework Agreement to include a clear comparison of the resources required to carry out the full range of food law enforcement activities against the resources available to the Service and to also include a reference in the plan to the Enforcement Policy. [The Standard - 3.1]</p>	<p>30/04/15</p>	<p>A comparison of the resources required to carry out the full range of food law enforcement activities against the resources available will be undertaken for next year's Service Plan.</p>	<p>A draft Joint Food and Health & Safety Service Plan 2014/15 was completed in June 2014.</p> <p>The plan was reported to the Council's Scrutiny Committee meeting of 10 July 2014.² The Joint Food and Health & Safety Service Plan 2014/15 will be reported to:</p> <ul style="list-style-type: none"> a. Cabinet on 2 September 2014 and b. Council on 25 September 2014. <p>Statements around capacity to complete work programmes are set out in the Joint Food and Health & Safety Service Plan 2014/15 at paras 5.2.2, 11.2.1 and 17.2.2.</p> <p>The Joint Food and Health & Safety Service Plan 2014/15 now includes reference to Enforcement Policy (at para 2.3).</p>

² <https://apps3.suffolkcoastal.gov.uk/committeeminutes/showagenda.asp?id=20055>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.1.9(i) Ensure that all documented policies and procedures for each area of enforcement activities are reviewed at regular intervals and when there are changes to legislation or centrally issued guidance. [The Standard - 4.1]	31/12/14	Now that both councils are working off the same software platform we will initially update and harmonise all procedures.	The recently introduced lead roles for team members will be developed to ensure that procedures are reviewed when there are changes to legislation or centrally issued guidance. This will be reinforced by a programmed review of procedures that will be added to the agenda of existing monthly team meetings.
3.1.9(ii) Set up, maintain and implement a control system for all documentation relating to its enforcement activities. [The Standard - 4.2]	31/10/14	We will set up, maintain and implement a joint control system for all documentation relating to our enforcement activities.	A member of the team has the lead role for Document Management (introduced January 2014).
3.1.15 Review the documented procedure for the authorisation of officers based on their competency in accordance with the Food Law Code of Practice and centrally issues guidance. [The Standard - 5.1]	31/10/14	We will review the documented procedure for the authorisation of officers.	
3.2.6(i) Set up, maintain and implement a documented procedure to ensure that the premises database is accurate, reliable and up to date. [The Standard – 11.2]	31/10/14	We will review, revise and improve existing procedures to ensure that the joint premises database is accurate, reliable and up to date. This will include regular checks (intervals to be specified) on the data to look for anomalies etc.	

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.2.6(ii) Ensure that the computer software package is capable of providing details of all food law enforcement activities that may be requested by the Food Standards Agency. [The Standard - 6.3]</p>	<p>31/08/14</p>	<p>Electronic file attachments e.g. Records of Visits, letters, statutory notices etc. will be extracted from the old computer database to EDMS using a software script.</p>	<p>Read access to old computer database/computer software package currently maintained.</p> <p>Temporary measures in place to store files e.g. document repository until Information at Work is commissioned.</p> <p>From November 2013 to February 2014 we migrated to a new computer software package capable of providing details of all food law enforcement activities that may be requested by the Food Standards Agency.</p> <p>We went live with the corporately commissioned electronic document management system (EDMS) on 21 July 2014. The EDMS will have its own document search and retrieval facility and be integrated with the old computer software package.</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
	31/08/14	Electronic files saved manually into a temporary drive will be extracted and saved to EDMS using a software script.	
			<p>We have begun the process of bar coding to key template documents that will enable scanning and automatic indexing of completed records into EDMS.</p> <p>We have begun the process of coding templates generated via new computer software package that will enable the automatic storage and indexing.</p>
	31/03/15	Complete the bar coding of template documents that will enable scanning and automatic indexing of completed records into EDMS.	

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.3.7(i) Carry out interventions/inspections at a frequency which is not less than that specified by the Food Law Code of Practice and centrally issued guidance. [The Standard - 7.1]	31/10/14	The monitoring of interventions achieved is to be stepped up throughout the year. The Food and Safety Team will adopt the corporately commissioned Enterprise integrated with the new computer software package to help real time monitoring of targets, workloads and performance.	Discussions have taken place with the team to strengthen commitment to achieving intervention intervals. Performance has been reviewed by Scrutiny Committee in July 2014 and the Committee have asked that performance difficulties be reported by exception until the next Service Plan review.
3.3.7(ii) Ensure that inspections/interventions are recorded on appropriate aides-memoire to demonstrate establishments have been fully assessed to the legally prescribed standards, the Food Law Code of Practice and centrally issued guidance. [The Standard - 7.2 and 7.3]			An aide-memoire for use at non-approved food establishments has been introduced and is in use. It is available as a template document. A set of aides-memoire for use at approved food establishments has been introduced and are available for use. The aides-memoire are available as a template document.
3.3.7(iii) Ensure that observations, data and records obtained in the course of inspections/interventions are stored in a way that they are retrievable. [The Standard - 7.5]	21/07/14	See 3.2.6(ii) above.	See recommendation 3.2.6(ii) above.

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.4.5 Complete the review of the Enforcement Policy and also review enforcement actions procedures in accordance with the Food Law Code of Practice and centrally issued guidance. [The Standard – 15.1 and 15.2]	31/10/14		<p>A revised draft Compliance and Enforcement Policy had been produced and agreed by Corporate Management Team in May 2014.</p> <p>A revised draft Compliance and Enforcement Policy was considered at a Cabinet briefing in July 2014. This will be followed by stakeholder consultation with a plan that it should be formally considered by Cabinet and adopted in October 2014 by Council.</p>
	31/12/14	We will update the procedures on enforcement actions.	
3.5.3(i) Set up maintain and implement a documented internal monitoring procedure in accordance with Article 8 of Regulation (EC) 882/2004), the Food Law Code of Practice and centrally issued guidance. [The Standard - 19.1]	31/10/14	We will draft and implement a documented internal monitoring procedure Article 8 of Regulation (EC) 882/2004), the Food Law Code of Practice and centrally issued guidance.	

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.5.3(ii) Verify the conformance of the Service with the Standard in the Framework Agreement, the Food Law Code of Practice, relevant centrally issued guidance and the Authority's own documented policies and procedures. [The Standard -19.2]</p>	<p>31/03/15</p>	<p>Implement and maintain and ongoing range of measures to enable verification of the Service i.e.</p> <ul style="list-style-type: none"> a. Internal monitoring covering all aspects of food law enforcement b. Peer review e.g. team meetings, joint visits etc. c. Reference to centrally issued guidance such as 'Every Inspection Counts' and 'Accurate Reporting Through LAEMS'. d. Introduce use of Regulators' Development Needs Analysis (RDNA) self-assessment tool. <p>Adopt and integrate the use of Enterprise with the new computer software package.</p>	
<p>3.5.3(iii) Ensure appropriate records of all internal monitoring activities, undertaken are maintained. [The Standard - 19.3]</p>	<p>31/10/14</p>	<p>We will ensure that records arising from the monitoring procedure are held.</p>	

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.5.6 Investigate complaints in accordance with the Authority's policies and procedures. [The Standard - 8.2]	31/12/14	<p>FSA Audit findings shared with staff e.g. through team meetings.</p> <p>Complaints procedure to be reviewed and discussed at team meetings etc.</p> <p>Ensure actions relating to complaints/service requests etc. are properly recorded.</p> <p>New internal monitoring procedure.</p>	
3.5.9 Set up and maintain a documented sampling policy in accordance with the Food Law Code of Practice and centrally issued guidance, to include reference to its approach to any relevant national sampling programme co-ordinated by the Agency. [The Standard - 12.4]			Policy drafted and included in Service Plan for 2014/15.
3.5.12 Maintain up to date and accurate records in retrievable form on all food law enforcement activity in accordance with the Food Law Code of Practice and centrally issued guidance. [The Standard - 16.1]		See 3.2.6(ii) above.	See 3.2.6(ii) above.

ANNEX B Audit Approach/Methodology

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

(1) Examination of LA policies and procedures.

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

- Joint Food and Health and Safety Service Plans 2011-14
- Internal Service Plan 2014/15
- Quarterly Performance Reports to Cabinet 2013/14
- Food Hygiene Interventions Procedure
- Approval of Premises Under Product Specific Regulations Procedure
- Food Complaints Procedure
- Routine Food and Water Sampling Procedure
- Food Alerts Procedure
- Prosecutions and Formal Cautions Procedure
- Authorisation of Officers Procedure
- Seizure and Detention of Food Procedure
- Serving of Notices Procedure
- Compliance and Enforcement Policy (draft 2014)
- Enforcement Policy
- Minutes of meetings of Suffolk Food Liaison Group 2013/14
- Minutes of team meetings (various dates 2013/14)
- Officer authorisation, training and qualification records.

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

- General food premises inspection records
- Training records
- Approved establishment files
- Food and food premises complaint records
- Food sample records
- Formal enforcement records.

(3) Review of database records:

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

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

- Environmental Health Officer

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

ANNEX C Glossary

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

Food hygiene	The legal requirements covering the safety and wholesomeness of food.
Food Hygiene Rating Scheme (FHRS)	The Food Hygiene Rating Scheme provides information to the public about hygiene standards in catering and retail food establishments. It is run by local authorities in partnership with the Food Standards Agency. Businesses that fall within the scope of the scheme are given a ‘hygiene rating’ which shows how closely the business was meeting the requirements of food hygiene law at the time of inspection. The scheme also encourages businesses to improve hygiene standards.
Food Safety Management System	A written permanent procedure, or procedures, based on HACCP principles. It is structured so that this requirement can be applied flexibly and proportionately according to the size and nature of the food business.
Food standards	The legal requirements covering the quality, composition, labelling, presentation and advertising of food, and materials in contact with food.
Framework Agreement	<p>The Framework Agreement consists of:</p> <ul style="list-style-type: none"> • Food and Feed Law Enforcement Standard • Service Planning Guidance • Monitoring Scheme • Audit Scheme <p>The Standard and the Service Planning Guidance set out the Agency’s expectations on the planning and delivery of food and feed law enforcement.</p> <p>The Monitoring Scheme requires local authorities to submit yearly returns via LAEMS to the Agency on their food enforcement activities i.e. numbers of inspections, samples and prosecutions.</p> <p>Under the Audit Scheme the Food Standards Agency will be conducting audits of the food and feed law enforcement services of local authorities against the criteria set out in the Standard.</p>
Full Time Equivalents (FTE)	A figure which represents that part of an individual officer’s time available to a particular role or set of duties. It reflects the fact that individuals may work part-time, or may have other responsibilities within the organisation not related to food and feed

enforcement.

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

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