



**Regulatory Committee**

**Thursday 10 June 2021**

**Subject: Food and Health and Safety Work Plan 2021/22**

Report by:

Chief Executive

Contact Officer:

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Purpose / Summary:

To provide Committee with the Food, Health and Safety Work Plan 2021/2022 for approval.

**RECOMMENDATION(S):**

Committee are asked to:

- a) Note and acknowledge the work undertaken by the Officers in the work area, in what has been (and still remains) the most challenging of times.
- b) Approve that the Food, Health and Safety Work Plan as detailed at Appendix 1.
- c) Request that an update on performance against the FSA Recovery Plan is submitted to the Committee by January 2022 in order that the Committee has assurance on what progress in being made, given the current circumstances raised through this report.

## IMPLICATIONS

### **Legal:**

The provision of this document is a statutory requirement and it is completed in line with the Food Standards Agency Framework Agreement.

### **Financial : FIN/25/22/SSc**

The report outlines financial aspects of the service within its content, as is required as per the Framework Agreement.

The report does make it clear that additional resources will be required during 2022/2023 in order to ensure that the inspection programme returns to its normal level of service whilst delivering the services required for the recovery period and following on from the Covid-19 pandemic.

It is proposed that the need for additional resources is reviewed at the end of the summer once there is more certainty in relation to the Covid-19 road map. Existing funding relating to the Covid-19 response would be used to cover the cost of the additional resources in the short term, as this work can be aligned with Covid related activities. However, it is highly likely that additional resources will be needed in order to ensure that the Council can return to the normal inspection regime and the target of between 90-95% of routine inspections being achieved.

### **Staffing :**

The report identifies the staffing resource available to the service and how they are deployed in order to meet the Council's statutory responsibilities.

The report also outlines the additional demands being placed on staff within the work area during this period and advises that over the next 12 months the service is likely to require additional resources in order to meet its statutory obligations and continue the Covid-19 recovery support.

### **Equality and Diversity including Human Rights :**

There are no implications noted.

### **Data Protection Implications :**

There are no implications noted.

### **Climate Related Risks and Opportunities :**

There are no implications noted.

### **Section 17 Crime and Disorder Considerations :**

There are no direct implications within this report. In line with the Council's Corporate Enforcement Policy this work area seeks to ensure that other agencies are engaged where necessary to address specific concerns.

**Health Implications:**

The delivery of an effective Food and Health and Safety Work Plan has a clear and direct impact on the health of the Districts residents. The plan seeks to ensure that Food Hygiene Standards are maintained in line with legislation and that Health and Safety incidents are investigated accordingly.

Within the period of the previous plan and the current plan for 2021/2022, the service is playing a direct role in the ongoing response to the Covid-19 pandemic. This response is based on the work areas resources being re-directed to address Covid-19 related concerns, to enforce the new Coronavirus Regulations and to respond to any Outbreak Management concerns in partnership with Lincolnshire County Council Public Health.

**Title and Location of any Background Papers used in the preparation of this report:****Risk Assessment :**

Maintaining Food Hygiene Inspection Requirements – the ability to deliver statutory obligations will continue to be impacted by Covid-19 and the Council will continue to work to the FSA guidance in relation to this.

Covid-19 – any major outbreaks or changes to local restrictions impact on the ability of the service to deliver its core functions. This position is continually reviewed in line with the Governments guidance and local infection rates.

**Call in and Urgency:****Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?**

*i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)*

**Yes****No****x****Key Decision:**

*A matter which affects two or more wards, or has significant financial implications*

**Yes****x****No**

## **1. Introduction**

- 1.1. The Council is required to produce and approve a work plan that is in line with the Food Standards Agency Framework Agreement and the Statement of Commitment agreed nationally between Local Authority Representatives and the Health and Safety Executive. The plan covers all work undertaken within the Housing and Environmental Enforcement work area relating to Food and Health and Safety.
- 1.2. The purpose of the work plan is to set out how the Council delivers its official controls and fulfils its duties under food, health and safety, public health and drinking water legislation.

## **2. Content**

- 2.1. The work plan is attached as Appendix 1. The plan reflects the impact that the Covid-19 pandemic has had upon the work area in relation to delivering its statutory functions in relation to food hygiene.
- 2.2. Information on performance and the inspection regime are shown in sections 9 and 10.

## **3. Covid – 19 Impact**

- 3.1. From the outset of the pandemic, this service has been severely impacted in its ability to deliver the usual obligations in relation to food safety. The cohort of officers allocated to this work were immediately identified and delegated by Government to provide the frontline response within the majority of Local Authority Coronavirus Regulations.
- 3.2. As a result, the objectives within the 20/21 work plan have not been achieved and in some instances were not able to be achieved. For example, the FSA issued guidance throughout the pandemic advising Local Authorities as to what they could and could not inspect. This enabled the work area to focus on the Covid-19 response and meant that the usual statutory requirements in relation to food hygiene inspections were amended as the year progressed.
- 3.3. The response to Covid-19 has required officers to lead on work relating to advice, education and ultimately, enforcement, to both businesses and residents. To provide comparison on how the scale of work has changed within the 12 month period, the number of service request has increased by 147% from 354 in 19/20 to 875 in 20/21.
- 3.4. There were minimal food hygiene inspections placed upon the Council 20/21 and these were all achieved via the proposed approach of virtual inspections. During the time period, the Council responded to any high risk food hygiene complaints in the usual manner.

3.5. At the height of the pandemic, one experienced officer left the authority. They have been replaced, by choice, by a less experienced officer to provide the service with longer term stability. This officer's ability to complete the final elements of the competency assessments for food inspections have been hampered by the non-provision of face to face assessments. This delay has not impacted on the Council's ability to respond to the Covid-19 pandemic, but may have a further impact on the Council's ability to deliver the required quantity of food hygiene inspections. This is explained further in section 4.

#### 4. Approach to Food Hygiene Inspections in 21/22

4.1. The FSA have set out their recovery road map for food hygiene inspections. This is shown below and sets out how Local Authorities are being asked to return to a planned routing inspection, in accordance with the Food Law Code of Practice. This approach is set out below;



4.2. In practice, this means that by the end of March 2022 the Council is required to complete an estimated total of 74 inspections. There are currently around 140 unrated premises of which circa 50% will fall within the higher risk category and need inspection. Approved premises will also require inspection taking the total estimate to 74. These can be achieved within the existing officer resource (subject to the Government's Covid-19 Roadmap continuing on its current path).

4.3. Once all premises rated and entered into the revised inspection programme there will be a significant backlog of inspections that will need to take place. There are already 554 premises that will require some form of physical inspection, before the revised unrated premises have been added to the programme.

4.4. The roadmap requires an enhanced level of inspections to take place in 22/23 in order for the planned inspection programme to return in 23/24, which is likely to be a revised model.

- 4.5. The FSA have also stated that there has been a significant increase in the number of food businesses where the risks associated with them remain largely unknown as initial inspections have not been undertaken. The FSA have also stated that there is anecdotal information suggesting that there has been a general trend of reducing hygiene standards in food establishments since the onset of the pandemic.
- 4.6. The above two points may impact on delivery against the service plan in the short to medium term. This again, may require further resources, which will be monitored.
- 4.7. In response to the above, it is proposed that the need for additional resource is reviewed at the end of the summer once there is more certainty in relation to the Covid-19 road map. It is proposed that existing funding relating to the Covid-19 response would be used to cover the cost of the additional resources in the short term as this work can be aligned with Covid related activities. However, it is highly likely that additional resources will be needed in order to ensure that the Council can return to the normal inspection regime and the target of between 90-95% of routine inspections being achieved.

## **5. Recommendations**

Committee are asked to:

- a) Note and acknowledge the work undertaken by the Officers in the work area, in what has been (and still remains) the most challenging of times.
- b) Approve that the Food, Health and Safety Work Plan as detailed at Appendix 1.
- c) Request that an update on performance against the FSA Recovery Plan is submitted to the Committee by January 2022 in order that the Committee has assurance on what progress is being made, given the current circumstances raised through this report.