



Regulatory Committee

Thursday 15th June 2023

Subject: Food and Health and Safety Work Plan 2023/24

Report by:	Director - Change Management, ICT and Regulatory Services
Contact Officer:	Andy Gray Housing and Enforcement Manager andy.gray@west-lindsey.gov.uk
Purpose / Summary:	To provide Committee with the Food, Health and Safety Work Plan 2023/2024 for approval.

RECOMMENDATION(S):

Committee are asked to:

- a) Approve the Food, Health and Safety Work Plan as detailed at Appendix 1.
- b) Note that the Food, Health and Safety work area will undergo a T24 review commencing in May 2023, as set out in section 7.
- c) Approve that an update on progress against the plan is brought to Regulatory Committee at its December 2023 meeting.

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/18/24/SSc

There are no financial implication arising from this report.

The table below summarises the Medium-Term Financial Plan budget for Food Safety approved by Committee in March 2023.

Ledger code Food Safety	Base budget 2023/24	Base budget 2024/25	Base budget 2025/26	Base budget 2026/27	Base budget 2027/28	Base budget 2028/29
	£	£	£	£	£	£
Employees	249,000	255,700	260,600	268,100	274,100	280,300
Transport	200	200	200	200	200	200
Supplies and Services	900	900	900	900	900	900
Third party Payments	0	0	0	0	0	0
Support Services	48,700	50,300	51,500	52,700	53,000	53,000
Customer and Client Receipts	(7,100)	(7,300)	(7,400)	(7,400)	(7,400)	(7,400)
Total	291,700	299,800	305,800	314,500	320,800	327,000

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.

Equality and Diversity including Human Rights :

There are no implications noted.

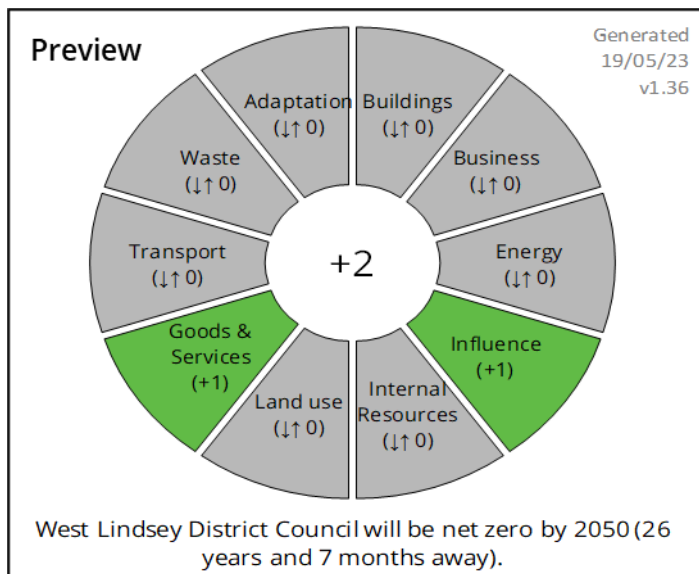
Data Protection Implications :

There are no implications noted.

Climate Related Risks and Opportunities :

In relation to the climate, this work plan seeks to deliver a number of the Council's statutory obligations focussed on food and health and safety. Within this there are opportunities to positively impact climate related risks through advice and engagement that can be provided to food businesses.

This mainly relates to advice and guidance in regards to waste and the appropriate practices for its disposal and storage.



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.

During the period of 2021/2022, the service played a direct role in the response to the Covid-19 pandemic. This response was 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.

At the time of writing the 2022/2023 work plan, there are no such restrictions in place, however the service is still working in line with the FSA recovery plan, which was developed during the pandemic and is continually reviewed.

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

None noted.

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.

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

Key Decision:

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

Yes

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 (HSE). This 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 (shown in appendix 1) 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. Context

- 2.1. The Covid – 19 pandemic severely impacted upon the 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.
- 2.2. During 22/23, there were minimal requirements across this cohort of officers to respond directly to Covid-19 related issues. This was generally in line with the Government's roadmap for living with Covid, which has now come to an end.
- 2.3. There are currently 937 food businesses registered within the district, a decrease from 1037 in the previous year, a 9.6% reduction. Since 2010/11 the average number of registered food businesses annually has been 955. This figure was 977 prior to the pandemic.
- 2.4. The reduction in the number of food businesses operating within the district can be significantly linked to the impact of the Covid pandemic, and current cost of living financial crisis. This has the potential to be an ongoing volatile situation whereby the number of food businesses operating within the district may further reduce, or may significantly increase, dependent on economic stability.

The specific reduction of 100 businesses within the last year is believed to be linked to the reduction of “home based” and takeaway style food businesses, which increased significantly during the pandemic. Alongside this, around 15% of the reduction is believed to relate to restaurants and pubs that have ceased trading due to significant cost of living challenges and financial impacts.

3. Service Demand in 22/23

- 3.1. The table below shows the demand placed on the service over the last 4 years.

	2019/20	2020/21	2021/22	2022/23
Total Routine Planned Food Hygiene Inspections (A to D, & Unrated)	372	291	198*	447
Completed Food Hygiene Inspections	347 (92.5%)	18 n/a	172 (87%)	418 (91%)
Food Inspection Visits (inc abortive)	401	39	210	542
Food Inspection Revisits (additional)	25	4	26	131
Request for Revisit (FHRS)	16	0	2	17
Health & Safety Intervention Visits				32
Health & Safety Targeted Interventions				20
Food / H&S Complaints and Service Requests (Note: 2020/21 figure includes Covid related complaints and service requests)	354	875	395	247
Service Requests Requiring a Premises Visit (additional)	45	5	28	39
Accident Investigations	2	12	2	1
RIDDOR Reports Reporting of Injuries, Diseases and Dangerous Occurrences Regulations	37	50	64	50
Infectious Disease Reports	41	23	50	47
Sampling Undertaken	37	4	0	24

3.2. The figure of 447 total routine planned food hygiene inspections (A to D) reflected the number of inspections required within the FSA Recovery plan to the end of March 23.

3.3. There is a level of uncaptured demand that relates to general advice and queries that arise as part of the day-to-day work relating to food and health and safety. The total number of visits in 22/23 was 542. The offering of advice provides additional value to businesses in the district and help to ensure that strong relationships are in place.

4. Approach to Food Hygiene Inspections in 22/23

4.1. The Food Law Code of Practice (March 2021) provides opportunity for a range of interventions in relation to food premises. The approach that the Council takes regarding these interventions is linked to its Corporate Enforcement Policy, which officers have regard for when making any decision. The planned programme of intervention is shown in the table below:

Category	Inspection Frequency	No of Premises
A	6 months	2
B	12 months	25
C	18 months	101
D	24 months	74
E	36 months	6
UNRATED		26

4.2. The above table represents a normal routine inspection program for the 2023/24 financial year of 234. Of these, 228 require a physical food hygiene inspection, and 6 category E are inspected via an Alternative Enforcement Strategy.

4.3. 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. 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 ongoing.

4.4. Food hygiene inspections undertaken, which do not form part of the routine inspection programme, are estimated to increase this number by 20 to 30% to these figures. Non-routine inspections include: -

- Paid for food hygiene inspections undertaken as part of the Food Hygiene Rating Scheme.
- Food hygiene inspections undertaken as part of a complaint investigation.
- New food businesses opening after 1st April 2023.
- Changes to the risk rating, resulting in more frequent inspection.

4.5. Therefore, the true food inspection programme, comprising of both the routine planned and unplanned inspection program's is estimated at between 274 and 296 food hygiene inspections required in the current financial year 23/24.

4.6. With the existing resources in place (and the current fixed term resources in place until the end of June 23), it is estimated that circa 70 inspections will be completed in quarter one. This is roughly a quarter of the overall total and indicates with reduced capacity there is likely to be a challenge in meeting the level of inspections required within year.

5. Resources

5.1. There are currently 6 officers authorised to undertake food and/or health & safety related work within the Council. Four directly employed by the Council and 2 on temporary fixed term contracts. This equates to 4.2 FTE to deliver the food and health & safety service plan. This translates to:

- 1 FTE Senior Environmental Health Practitioner
- 2 FTE Food and Health and Safety operational inspecting officers
- 1.2 FTE fixed term contract food and health & safety inspection officers (until June 2023)

A further 0.3 FTE, towards delivery of the food and health & safety function, is provided by administrative support.

5.2. There is sufficient resource within the Support Officer roles across the broader work area to assist with the administrative functions relating to food and health and safety.

5.3. The additional 1.2 FTE fixed term contractors have clearly made a significant difference to the inspection regime. This resource has enabled a far greater number of inspections to be completed as is shown through the service demand table. These additional resources have also enabled proactive health and safety work to be undertaken at a level that has not been achieved previously.

5.4. When these resources come to an end there will be three FTEs delivering the overall service plan. Two of these are inspecting officers and one is Senior EHO, who completes inspections at a reduced frequency due to their additional responsibilities and the support being provided to staff.

5.5. It is believed that moving forward that additional resources may be needed to ensure that the Councils food hygiene requirements can be met, along with its health and safety requirements. A full T24 review of the service and this situation will be completed along with a report to Management Team as outlined in the latter sections of this report.

6. Service Risks

6.1. As we move into the 23/24 inspecting year, there are a number of risks within the service, which are expected to have an impact on its delivery moving forward. These risks are outlined below:

- Increased likelihood that the inspection target of 90% may not be maintained consistently over 23/24
- Fluctuating inspection numbers which could result in increasing volumes for 24/25.
- Additional demand on Senior EHOs reducing availability to complete inspections.

- Inability to recruit experienced staff to replace fully competent officers

7. Proposed Way Forward

7.1. The service is due to go through its T24 review process and this will present an opportunity to consider the above risks and identify some potential solutions and mitigations. This will be a full T24 review in line with the Council's agreed approach to this process.

The initial T24 scoping process has already taken place and depending on the extent of the work needed to be undertaken the T24 process is expected to take three to six months. This includes both process and resource reviews to ensure mitigating options can be provided to deliver the future work plan.

7.2. During this time period the inspection regime and progress will be monitored closely and is included within the Council's progress and delivery performance reporting regime. An update report on progress against the plan and its targets will be provided at the December 2023 meeting of the Regulatory Committee.

END