



Regulatory Committee

**Thursday 5th December
2024**

Subject: Food, Health and Safety Work Plan - Mid Year Update

Report by:

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Purpose / Summary:

To provide Regulatory Committee with a mid-year update on food hygiene inspections.

RECOMMENDATION(S):

Committee are asked to:

- a) Receive the update report, as requested by Regulatory Committee meeting on 6th June 2024 to update on current progress against the food, health and safety work plan 2024/25.
- b) Agree that further updates are provided to the Chair and Vice Chair of Committee at Chairs Brief for the remainder of 24/25.

IMPLICATIONS

Legal:

The Council is required to complete a Food, Health and Safety Work Plan annually and it is completed in line with the Food Standards Agency Framework Agreement.

The Council has a statutory obligation to ensure that it meets the requirements of the framework agreement and any other such plans produced by the Food Standards Agency such as the current recovery plan.

Financial : FIN/97/25/RC/SSC

The report refers to a contingency budget (£53,100) which was made available through the 24/25 Medium Term Financial Plan (MTFP) to respond to any shortfall in food hygiene inspections. This contingency is now being utilised for an initial 6 months, which will enable an existing staff member within the team to act as an Environmental Health Officer. This initial 6-month period will utilise £26.2k of the contingency and could be extended to 12 months based on the progress that is made in relation to inspection numbers.

The reasons for utilising the contingency are set out in the body of this report.

Staffing :

The report refers to the current staffing situation within the service in terms of its ability to meet the statutory requirements.

There is a staffing implication regarding an existing staff member, however this is for noting as it is not a decision that committee are required to take. An existing staff member will be carrying out additional duties for a 6-to-12-month period as an Environmental Health Officer to assist with increasing the numbers of inspections that will be undertaken. This does not impact upon their substantive role with the Council and the funding for these additional duties has previously been agreed as a contingency for this purpose.

Equality and Diversity including Human Rights :

None noted.

Data Protection Implications :

None noted.

Climate Related Risks and Opportunities :

None 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 service 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.

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

Food Health and Safety Work Plan 2024/2025

<https://democracy.west-lindsey.gov.uk/ieListDocuments.aspx?CIId=262&MIId=3677&Ver=4>

Risk Assessment :

See section 4 of the report

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. At its meeting on Thursday 6th June 2024, Regulatory Committee approved that an update on performance against the Food Standards Agency inspection regime be submitted to the Committee in December 2024 in order that the Committee has assurance on what progress has been made. The original committee paper can be found in the background papers section of this report.
- 1.2. This report seeks to provide that update and give reassurance to committee regarding the Councils current position.

2. Background

- 2.1. The 2024/25 food, health and safety work plan identified that 376 food premises would require a physical inspection within that year. This increase in number from the 228 in the previous year related to the number of premises that were being reintroduced into the inspection programme following on from the change to the regime during the Covid-19 pandemic.
- 2.2. Alongside the usual inspections, there is also an anticipated 20% to 30% increase on planned inspection numbers. This is due to inspections undertaken that are not part of the routine programme (i.e., reinspection's) or because of complaints from the public or where an additional paid for visit is requested. Therefore, it is estimated that the true total food inspection programme figure, comprising of routine planned and unplanned inspections is more likely to be in the region of 451 and 489 inspections. This number of inspections has not been achieved previously by the Council.
- 2.3. The work plan also identified that with the existing resources in place there may be a challenge in meeting the level of inspections required in 24/25.

3. Current Position

- 3.1. As of the end of October 2024
 - 147 (39%) planned inspections have been undertaken.
 - There have been an additional 75 new business registrations and 50 businesses have ceased trading.
 - The estimated rolling number of FSA inspections now stands at 404, an increase of 7% on the 376 scheduled in April 24.
- 3.2. The service area has also been required to undertake inspections of funeral parlours on behalf of the Government. Nine inspections were undertaken with two officers attending each. All premises were operating effectively and for each inspection a proforma was completed and a submission made back to the relevant Government department to confirm the Councils findings. These inspections, whilst not-

mandatory were completed based on the potential risk that could have occurred and were done so at the expense of food hygiene inspections. Each inspection took around 6.5 hours in total and given the nature of them required two officers to be in attendance in most cases. This also included an inspection of the Council's own Lea Fields Crematorium.

3.3. In June 2024, the work area undertook proactive food hygiene enforcement checks at the Lincolnshire Showground on the days prior to and during the Lincolnshire Show. These were undertaken to ensure that the major catering establishments were compliant with food law and good practice. Approximately 46 spot checks were undertaken where food hygiene and health and safety issues were considered. Four of these were full inspections of West Lindsey registered food businesses and one business ceased trading due to identified issues, whilst one other was made to dispose of a large amount of stock. The attendance at this event continues to be a very worthwhile exercise for both the Council and its partners.

4. Estimate

4.1. The Council normally has a target to achieve 90% of the required food hygiene inspections per annum from the FSA. Based on the 376 start of year target, this would require the Council to complete 338 inspections in 24/25. If in the remaining 5 months 30 inspections per month are completed, this will leave the Council in a position whereby around 300 (80%) inspections will have been completed. This is a realistic estimate. This includes the additional FTE resource cited below.

4.2. The Council would then have to set out to the FSA how it would recover its position, and the additional six-month contingency resource) if retained for a total of 12 months, would provide part of this solution. At this stage, there is not an estimation for the number of inspections that are to be scheduled for the 25/26 reporting year.

5. Staffing Resources

5.1. The resources available to complete inspections are as stated in the food, health and safety work plan. In 2023, given the potential large number of inspections required in 23/24, The Council agreed a contingency budget for staffing, which could be utilised should there be a concern regarding meeting the required number of inspections in 24/25. This contingency is now being utilised.

5.2. The contingency budget has been allocated to enable an existing staff member, to step into an Environmental Health Officer role for a six-to-twelve-month period. This individual currently works within the team and has been working towards achieving their full competency, alongside completing the relevant academic qualifications. This approach is helping to meet the Council's needs in a number of ways. The numbers of inspections completed will increase, the individual continues to develop within their profession and the contingency budget amount

required is less than if the Council chose to engage an external agency contractor.

5.3. Alongside this, there have been two periods of long term, unexpected sickness absence within the team of inspecting officers, which has impacted on the Council's ability to deliver inspections. These periods of sickness are now at an end, with both team members back to full time working hours.

6. Service Risks

6.1. In the report presented to Regulatory Committee on the 6th of June 2024, the following service risks were identified.

6.1.1. Increased likelihood that the inspection target of 90% may not be achieved within the current resources available.

6.1.2. Additional demand on Senior EHOs reducing availability to complete inspections.

6.1.3. Inability to complete proactive health and safety inspections.

6.2. To mitigate the risk cited in 6.1.1.

- The measure is recorded within progress and delivery and monitored by officers monthly.
- A temporary resource has been agreed to increase the volume of inspections undertaken.
- The Councils existing 0.1 FTE agency resource, to cover evening and weekend inspections will be extended to the end of March 2025. A previous budget remaining from the covid backlog is already allocated for this work.
- The Council will need to balance the resources it puts into its health and safety obligations versus its food hygiene inspections, dependant on risk. The focus will remain on food hygiene inspections.

6.3. Failure to achieve the required level of inspections could result in intervention from the FSA who would initially ask for a plan of action in relation to how any backlog would be overcome, and inspection numbers increased. The contingency resource, if utilised for 12 months would provide reassurance to the FSA and form part of the Council's action plan response.

6.4. To mitigate the risk cited in 6.1.2.

- A further estimated number of inspections will be undertaken as of the 1st of January 2025.
- The work scheduled to be undertaken as part of the service review, whereby a new system for case management is introduced, will be scheduled to have the least possible time impact.

- The resources required for the new system will also be discussed internally to consider whether additional are available internally to assist with this.
- An apprentice has been approved and recruited into the work area and will undertake some support officer duties in order to relieve some pressure from the existing officer.

6.5. To mitigate the risk cited in 6.1.3.

- The Council will only undertake essential health and safety inspections at this point. No proactive regime will be in place for this period.

7. Summary and Next Steps

7.1. There will be a challenge for the service to meet the estimated number of inspections required in 24/25 within the existing resources that are available. Even with the additional resources, the Council is unlikely to meet the target before the end of March 2025, however should be in a tolerable position to then address this into 25/26 depending on the future scheduled inspection numbers.

7.2. A range of mitigating actions have been identified to assist with the risks that are present within the service, and these will be explored and delivered by officers accordingly. The contingency resource is in place and functioning and provides a broader benefit to the Council in regard to business continuity planning into the future.

7.3. Regular updates will be provided to the Regulatory Committee Chair's briefing and internally, the inspection measure will continue to be reported monthly via progress and delivery reporting.

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