



Appendix 1

LONDON BOROUGH OF TOWER HAMLETS

FOOD LAW ENFORCEMENT SERVICE PLAN

2012/2013

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Executive Summary

This is the Council's mandatory annual plan for the effective enforcement of food safety legislation. This plan fulfils the Council's obligations under the Framework Agreement on Local Authority Food Law Enforcement with the Food Standards Agency (FSA). The objective of this plan is to ensure that a programme of food enforcement activity is carried out, providing public confidence that food is produced without risk and sold under hygienic and safe conditions in Tower Hamlets. This plan is a public document and will be publicised on the Council's website.

The plan sets out the aims and objectives of the Environmental Health Commercial Team and links team priorities to the Council's core themes. The plan also gives an up to date profile of the Borough, a review of our activities in 2011/12 and our programme of work for 2012/13.

In 2011/12 the Commercial Team carried out 75% of all Food Hygiene inspections due in the higher bands of A-C and 44% of all food standards inspections due in the higher bands of A-B. Food Standards inspections are seen as a second priority to that of food hygiene as this area of work crosses local authority boundaries. Food Hygiene examines the businesses processes and procedures in the preparation and service of food. Food Standards examines issues around labelling, composition components of the food and date marking. The inspection programme for both inspection types are led by food hygiene, as the risks are under local control and deemed to be greater. Food Standards inspection are undertaken if the next inspection date from the risk rating assessment score falls due the same year that the food hygiene inspection is due. This therefore results in a lower percentage of food standards inspection being undertaken. However, we have undertaken 91% of all high risk, A band, food standards inspections.

Enforcement activity was far greater this year with 21 food premises closed for pest infestations and a total of £34,235 fines and costs being issued by the Courts from 11 cases taken last year. The rate of broadly compliant premises was raised from 86% to 86.5%.

The main food premises closures are in relation to the insufficient management of pest control within the establishments. At the end of last year we were successful in obtaining grant funding from the FSA which permitted a third party organisation, appointed by the FSA, to coach our higher risk businesses in personal hygiene and general food safety – including pest management.

The National Performance Indicator – 184- which measures food establishments in the Borough which are broadly compliant with food hygiene law. We currently have 86% of food premises broadly compliant. This has remained constant from last year.

We have continued to receive funding from the Primary Care Trust Obesity Strategy to continue with the Healthy Eating Award, which aims to create a culture of healthy food choices for residents/workers in the Borough. A separate Team has been developed to deliver this initiative within the Environmental Health Commercial Team, we have issued 37 Awards. This work will continue into this year as we have secured funding until April 2013.

We were also successful in obtaining grant monies to enable us to prepare businesses for the Olympic Games. We used this to employ two contractors to carry out lower risk inspections, whilst staff concentrated on the higher risk establishments, by bringing forward all high risk inspections due for the year to inspected by July 2012. In addition we enhanced our sampling programme.

The National Food Hygiene Rating Scheme has been running smoothly, with businesses striving to be a top performer of a rating of 4 or 5. We have had very few requested for re-inspections and no appeals on the score given by the Officers. The scheme is now becoming embedded in the Borough and the ratings are being displayed by businesses.

Following on from the Hampton review into local regulation we have reviewed our services to determine if the inspection burden can be lifted on local businesses but ensuring that risks are controlled to ensure public health is not at risk. We have done this where the risk rating indicates that the business is broadly compliant. This has enabled extra focus on the higher risk premises, to reduce the risk of inadequate food safety management. As a result of the Central Government spending review, we may not be able to inspect all those premises that fall due in 2012/13. Those premises that may not be inspected have been selected due to other monitoring regimes that take place or due to the low risk nature of the food being sold i.e. pre packaged foods.

1 SERVICE AIMS AND OBJECTIVES

1.1 Aims and objectives

1.1.1 To promote and regulate food safety, food standards, health and safety in food premises.

1.1.2 To provide advice and education to all sectors of the community on food safety matters. Promotion of Healthy Eating Award in conjunction with the Primary Care Trust in the fast food outlets with the aim to reduce obesity in children.

1.1.3 To prevent the spread of infectious disease and food poisoning and investigate outbreaks.

1.1.4 Health and Safety including smoke free enforcement and advice and accident investigation.

1.1.5 Animal welfare and the control of zoonotic diseases.

1.1.6 Business compliance in readiness for the Olympic Games.

1.2 Links to Corporate objectives and plans

1.2.1 The Food Law Enforcement Service Plan is designed to meet customer needs and our services are provided with reference to the:

- Community Plan
- Council's Strategic Plan
- Directorate's Annual Plan
- Divisional Service Plan

1.2.2 The activities of the Environmental Health Commercial Team are linked where possible to these strategies, policies and objectives. These are set out in the Team Plan which details amongst other issues, the Food Enforcement objectives for the year and defines the performance that has been set to meet these targets. The Team is also a statutory function and is linked through to the Food Standards Agency, Health and Safety Executive, Department of Food and Rural Affairs, Animal Health Agency and the Health Protection Agency

1.2.3 The aim of the 2020 Community Plan is to:

Improve the lives for all those living and working in the Borough

1.2.4 The Council will realise its overall Vision for the Borough through four core themes, underpinning these themes is the commitment to One Tower Hamlets:

- **A great place to live**
- **A Prosperous Community**
- **A Safe and Cohesive Community**
- **A Healthy and Supportive Community**

1.2.5 The aim of the Environmental Health Commercial Team is to protect residents, visitors and businesses by:

- *The enforcement of consumer legislation by way of inspection, complaint investigation, awards, training and advice and enforcement.*
- *Advising consumers on the resolution of civil disputes with traders.*
- *Promoting and regulating food hygiene/safety and standards of health and safety in the workplace and at public events in the borough*
- *Preventing the spread of infectious disease and food poisoning, including the investigation of outbreaks*
- *Issue and enforcement of approvals (manufacturing premises) covering a range of activities*
- *Developing partnerships with businesses, regeneration initiatives and other organisations in the Borough*
- *Involving ourselves in national strategies i.e. Obesity Strategy, fast food outlets around schools.*
- *Promotion of business awards for smoke free and healthy eating in conjunction with local National Health services*
- *Animal welfare and the control of zoonotic infections*

1.2.6 The Food Law Enforcement Plan links in with the detailed activities that have been developed as part of the Team Plan and individual officer performance, development and review plans.

2.0 **BACKGROUND**

2.1 Profile of Tower Hamlets

2.1.2 Tower Hamlets has a wide range of commercial food businesses located across different parts of the borough. Some of the key businesses include:

- § Major supermarkets (Tesco, Asda, Sainsbury, Lidl, Marks and Spencer & Waitrose)
- § Office developments occupied by blue chip companies, newspaper publishers, with large scale catering
- § Several major hotels, including Britannia, Four Seasons, Gourman, Holiday Inn, Hilton, Radisson and Marriott
- § There is a diverse range of restaurants and cafes in the borough, including Italian, French, Greek, Turkish, Somali, Spanish, Chinese, Japanese, Thai and those from the Indian sub-continent (India, Bangladesh, and Pakistan).
- § 94 schools
- § Billingsgate – London’s major Wholesale Fish Market
- § World famous street markets at Petticoat Lane, Whitechapel, Brick Lane and Roman Road.
- § London Guildhall University, Queen Mary University of London and The Royal London Hospital Medical Schools
- § The Royal London, St Andrews, Mile End, London Chest and London Independent Hospitals
- § 2 poultry slaughterhouse
- § 3 City Farms
- § numerous night clubs & other venues
- § Many community events such as concerts in Victoria Park and festivals in Brick Lane.

2.2 Organisational Structure

2.2.1 The Team is located within Commercial Services. Commercial Services is part of the Safer Communities Division which is part of the Directorate of Communities Localities and Culture. The Council’s administrative committee structure is set out in Annexe B and structure showing where the service sits in the overall council organisation is in Annexe C.

2.2.2 Food Safety falls within the portfolio of the Deputy Mayor.

2.3 Scope of the Food Service

2.3.1 The Environmental Health Commercial Team is responsible for the following functions in all commercial premises.

- food hygiene
- food standards
- health and safety
- infectious disease control
- public health activities
- Smoke Free enforcement

2.3.2 Nuisance and Pollution control issues related to commercial premises are dealt with by the Environmental Protection service. The Trading Standards Team deals with animal feeding-stuffs and fraudulent activities covered by the Food Safety Act.

- 2.3.3 A proactive and reactive service in relation to food hygiene and food standards is provided primarily through the programmed inspection of food businesses and by responding to service requests including comments on planning and licensing applications. We are a responsible authority under the Licensing Act.
- 2.4 Demands on the Food Service
- 2.4.1 Premises Profile
- 2.4.2.1 The tables below show the number of food businesses in each risk category classified by type of activity and risk rating. Some premises, where the risk is negligible are discounted from the inspection programme.
- 2.4.3 Food Standards legislation sets out specific requirements for the labelling, composition and safety parameters of food stuffs which are potentially at risk of being misleadingly substituted with lower quality alternatives. The legislation makes sure consumers are not misled as to the nature of food products when it is sold to them. Premises that are inspected included importers and exporters who may not even hold food on their premises – this accounts for the difference in total numbers in Table 1 and Table 2 below.
- 2.4.4 Food Hygiene is vital to prevent food poisoning. Our inspections cover food safety management procedures, cleaning, storing of food, pest control, preparation, cooking, the delivery and supplying of food, training of staff and the physical structure of the food premises.

Table 1

The number of food businesses and their inspection rating for food hygiene (22/6/12)

Usage	A Band	B Band	C Band	D Band	E Band	Outside	Unrated	Total
Producers			1					1
Slaughterhouse					1	1		2
Manufacturers	2	3	20	8	7	2	10	52
Packers			1					1
Importers EC						6	1	7
Transporters		1	28	28	23	1		81
Articles in contact with food					2	1		3
Mfr selling by retail		2	15	9	3			29
Supermarket		1	12	9	9		3	34
Retailer		7	178	218	237	4	18	662
Restaurant/Café/Canteen	5	57	683	86	54	2	32	919
Pub/Club		4	85	61	58			208
Takeaway	2	27	183	26	24		36	298
Caring premises	1	9	23	14	71			118
School/College		15	82	4	4			105
Hotel/Guest House			5	4				9
Others	1	1	11	2	7		12	34
Total	11	127	1327	469	500	17	112	2563

Total 2563 premises

The frequency of inspection is:

Category A, every 6 months; B, every 12 months; C, every 18 months, D, every 2 Yrs; and E, every 3 Yrs. The Category of Unrated premises is determined on the first visit and can be A-E. Category E premises may be dealt with using an alternative enforcement strategy.

Table 2

The number of food businesses and their inspection rating for food standards (22/6/11)

Usage	A Band	B Band	C Band	Outside	Unrated	Total
Producers					1	1
Slaughterhouse		1	1			2
Manufacturers	2	26	10		15	53
Packers		1				1
Importers EC		3	1	1	3	8
Transporters	4	63	9	1	3	80
Articles in contact with food			1	2		3
Mfr selling by retail		14	14		1	29
Supermarket		8	22		4	34
Retailer	2	267	317	22	54	662
Restaurant/Café/Canteen	3	430	399	3	81	916
Pub/Club		63	138		7	208
Takeaway	2	155	71		70	298
Caring premises		9	45	3	61	118
School/College		24	80	1		105
Hotel/Guest House		3	6			9
Other		7	13		14	34
Total	13	1074	1127	33	314	2561

Total premises 2561

The frequency of inspection is:

A, every 12 months; B, every 2 years; C, every 5 years. Category C premises may be dealt with using an alternative enforcement strategy.

2.4.3 As at April 2012 the following establishments were approved by the Council to produce and manufacturer food for the domestic market: -

- § 4 fishery manufacturer products establishments
- § 50 wholesale fishery products and live shellfish
- § 1 Fish wholesale/retail market
- § 5 dairy producers
- § 3 meat products establishments
- § 1 sandwich manufacturer

2.4.4 Tower Hamlets' food businesses are primarily caterers and retailers.

2.4.5 There has been a rise in the proportion of imported foods (from non EC Countries) entering the borough, either directly imported by businesses or by third parties located elsewhere. Some of these foods can be illegal (i.e. banned from importation) or do not comply with compositional or labelling requirements. This area of work is continually increasing due to cheap imports and consumer demand. However, this food gives rise to a risk to human health and we offer advice to importers.

2.4.6 We are already working in partnership with our neighbouring Boroughs through the Joint Local Authority Regulatory Services in preparation for the Olympic Games and chair the North East London Food Safety Group.

2.4.7 When carrying out a food hygiene or food standards inspection, officers may also carry out a health & safety inspection where the council is the enforcing authority for the relevant legislation.

2.4.8 One third of the population is of Bangladeshi origin and over half the population are from ethnic minorities. The make up of food businesses reflects this profile, although demand for translation and materials in other languages is not high. Ethnic minority food business proprietors generally prefer written information to be provided in English. A translation and interpreting service is available if required and a number of our staff are multi lingual.

2.4.9 Reception and Information Service

2.4.10 The reception and information point for the Trading Standards and Environmental Health (Commercial) Department is located at:

Anchorage House
Clove Crescent

London E14

2.4.11 We operate an out-of-hours emergency call-out service, which operates from 5pm to 8am on a weekday and 24hrs at weekends and Bank Holidays. This service operates only for food poisoning outbreaks or major food safety incidents and other non-food safety related emergencies.

2.4.12 Tower Hamlets also has a website at www.towerhamlets.gov.uk and the Environmental Health Commercial Team have an E-mail address, namely: foodsafety@towerhamlets.gov.uk and healthandsafety@towerhamlets.gov.uk This address is also used for the national electronic communication system for Environmental Health Departments, known as EHCNet.

2.5 Enforcement Policy

2.5.1 The current enforcement procedure is documented and outlines all enforcement action carried out by officers, it reflects the Corporate Enforcement Policy. It seeks to ensure that formal enforcement is focused where there is a real risk to public health and that officers carry out action in a fair, practical and consistent manner.

2.5.2 The Corporate Enforcement Policy is followed by the Team during all Enforcement matters as is specifically referenced to when commencing a prosecution by the Council Legal Services.

3.0 **Service Delivery**

3.1 Inspection Programmes

3.1.1 Food establishments in the area that are broadly compliant with food hygiene law is a measure used internally and by the Food Standards Agency. This indicator covers all the food premises in the Borough, not just those that are due for inspection this year. A risk score of 10 points or below in the compliance of premises structure and hygiene laws and the confidence in management determine if the premise is broadly compliant.

3.1.2 The Food Standard Agency code of practice that guides our inspection programme permits shorter inspections to be undertaken on those businesses that are deemed broadly compliant in the lower risk categories of C and D for food hygiene and questionnaires for those in category E

3.1.3 We use a hazard spotting approach for those premises that are deemed to be broadly compliant. This reduces the burden on business and concentrates our resources on the non compliant businesses. However, a full inspection will be carried out if these compliant businesses are not in control of the risks or a public health risk is identified.

- 3.1.4 A significant number of businesses will continually move between broadly compliant and not broadly compliant. A significant number of re-inspections will be undertaken to ensure that we keep the upward trend towards broadly compliant.
- 3.1.5 We have determined that we have 86.5% of all food premises currently broadly compliant.
- 3.1.6 The Food Safety Officers carry out programmed food hygiene/standards inspections at frequencies determined by the Food Standards Agency. A programmed food safety inspection will therefore cover food hygiene and food standards, where this falls due (although some premises will fall due for food standards inspection only) and we will also deal with issues relating to enforcement and advice under health and safety law, either in very broad terms or as part of a focused health & safety project. The inspection programme is dictated by the food hygiene inspection rating allocated to a business because this generally leads to more frequent inspections. This therefore builds in efficiency into the inspection programme by only inspecting for food standards in the year that food hygiene is due. However, Category A – high risk food standards inspection due dates are checked to ensure that these are inspected in the current year. Some premises such as importers who do not actually handle or store food are subject only to food standards inspections.
- 3.1.7 Category E food hygiene and Category C food standards inspections will be addressed by using alternative enforcement strategies, such as a self audit questionnaire. These questionnaires will be sent to all Category E and C rated premises. Verification follow up will be carried out on 5% of these premises.
- 3.1.8 For 2012/13 the number of food hygiene inspections due is shown in Table 3 and the number of food standards inspections due is shown in Table 4:

Table 3

The number of food hygiene inspections due to be carried out in 2012/13.

Inspection Rating	Number of food hygiene inspections due
A	6 x 2 = 12
B Broadly compliant	44
B not Broadly compliant	97
C Broadly compliant	948
C not Broadly compliant	82
D Broadly compliant	263
D not broadly compliant	34
E (verification)	12
Unrated	48
Total Inspections	329
Total Surveillance inspections	1211
Total Interventions	1540

Table 4

The number of food standards inspections due in 2012/13 and the inspection targets.

Inspection Rating	Number of food standards inspections due
A	13
B	683
C (verification)	17
Unrated	230
Total	943

3.1.9

Most food standards inspections will be carried out at the same time as a food hygiene inspection. It is the teams' target to achieve 100% of all A standards inspections due.

- 3.1.10 Where possible new premises identified will be added to the work programme to be inspected during the year. These 'unrated' businesses will count against the broadly compliant score and hence resources will be allocated to carry out inspections on the unrated businesses.
- 3.1.11 Food hygiene and food standards inspection procedures detail the steps to be followed by officers. They take account of relevant Codes of Practice, Local Government Regulation and FSA guidance and relevant Industry Guides.
- 3.1.12 Hygiene re-inspections will be carried out where enforcement notices have been issued, where there is a significant public health risk or the premises in not broadly compliant.
- 3.1.13 Food Standards re-inspections are of a lower priority and not required as often as for food hygiene.
- 3.1.14 The resource estimated for programmed inspections, including alternative enforcement strategies for lower risk premises is **3.2 Full Time Equivalent (FTE)**. Re inspections allocation to be **2 FTE**. **Annex A** gives details of the assessment of resources for all functions within the plan. During the review in 2011/12 the Team was reduced by 1EHO. A planned restructure to move an Environmental Health Officer into the Food Safety Team will reduce the shortfall identified in this planning process to **0.99 FTE** and this will be dealt with by not inspecting all the premises that fall due where pre packed food is offered or other inspection regimes deliver a similar inspection function, namely schools, off licences, newsagents and chemists.
- 3.1.15 Additional priorities have been identified for action in 2012/13 including: -
- § Inspections will be carried out at major festivals.
 - § Enhanced sampling for the Olympic Games, this involves microbiological sampling, misleading claims and personal hygiene sampling.
 - § All 0 and 1 rated premises inspected prior to the Olympic Games
 - § Grant funded coaching by the FSA undertaken at the higher risk/failing premises on the lead up to the Olympic Games
 - § Routine attendance at Billingsgate Market.
 - § All premises subject to approval will require additional attention and inspection time due to the risk they present.
 - § Food Standards will be combined with Food Hygiene inspections.
 - § Illegal importation of food will be targeted as priority
 - § Health & Safety inspections will be on a themed basis.
 - § Closure and follow-up enforcement action, including prosecution of businesses as appropriate.
 - § We will specifically target A risk premises and Higher B's with advice and enforcement
 - § We will use alternative enforcement strategies in low risk premises and may not inspect some if reactive demands are increased.

3.2 Food Complaints/Requests for Service

3.2.1 The Environmental Health Commercial Team will record, assess, prioritise and deal appropriately with all requests for service. Requests for service will be classed as higher risk issues or lower risk issues. The target response time for service requests are:

- *To give a 1st response to 99% of service requests within 3 working days*
- *To respond to 100% of higher risk issue service requests within 24 hours.*
- *To register all new operating premises within 28 days of receipt of application form.*

3.2.2 The number of service requests for 2011/12 was 1031.

3.2.3 The resource estimated for dealing with service requests is **1.9 FTE**.

3.3 Home Authority Principle

3.3.1 The Council formally adopted the Home Authority Principle at the Planning and Environmental Services Committee meeting of 13th June 1995. A Home Authority is the local authority where the decision making base of an enterprise is situated. The local authority provides advice to the enterprise and deals with enquiries from other councils in relation to the business. An Originating Authority premises is one where the food is manufactured, stored or first imported to, but to which the definition of Home Authority does not apply. The new concept of Priority Authority Partnerships that has recently been introduced by the Government may affect work plans for companies where the company trades across two or more Local Authority areas. This will enable one Authority to be a Primary Authority that will guide the business on compliance issues.

3.3.2 Approximately 200 businesses have been identified as probable Home or Originating Authority premises. Enquiries for advice from local businesses or other enforcement authorities will be treated as requests for service and will be prioritised accordingly.

3.3.3 The resource estimated for this area of work is **0.25 FTE**.

3.4 Advice to business

3.4.1 Advice is freely available to food businesses and is provided during visits and upon request. Business information packs have been produced for people considering setting up a food business and are sent to relevant applicants for planning permission. A variety of information leaflets, in community languages, are also available.

3.5 Food Inspection and Sampling

3.5.1 Food is inspected in accordance with UK and EU legislation. A documented sampling programme is produced each financial year covering planned microbiological and chemical sampling. Our sampling policy is at Annex D

3.5.2 The programme includes participation in co-ordinated projects organised by the Food Standards Agency, Health Protection Agency (HPA), Local Authority Coordinating Body on Regulatory Services (LACORS), EU, London Food Co-ordinating Group and North East London Food Liaison Group. Planned local projects and Home Authority sampling are also included.

3.5.3 The target for 2012/13 is approximately 188 samples to be taken by the end of the financial year. The budget for sampling is £12,000.

3.5.4 The total number of samples taken for 2011/12 was 188 of which 40 were unsatisfactory and follow up action was required.

3.5.5 The Laboratories to which samples are sent are subject to the appropriate accreditation. Analysis is undertaken by the Council's nominated Public Analysts:-

Duncan Arthur
Jeremy Wooten
Eurofins Scientific Laboratories, 445 New Cross Road, London, SE14

Microbiological examination is undertaken by:-

Susan Surman (Food Examiner)

Health Protection Agency, Food, Water & Environmental Microbiology Unit (London), Food Safety Microbiology Laboratory, Central Public Health Laboratory, 61, Colindale Avenue, London, NW9 5HT.

On occasions, samples for microbiological examination will be sent to Eurofins Scientific Laboratories.

3.5.6 The resource required for food sampling is estimated to be **0.5FTE**

3.6 Outbreak Control and Infectious Disease Control

3.6.1 We will investigate all suspected and confirmed outbreaks of food poisoning and the Outbreak Control Plan will be implemented in the case of a major outbreak (i.e. 4 or more cases).

3.6.2 Individual allegations of food poisoning caused from consumption of food within the borough, but which are not supported by medical evidence will be treated as service requests. The level of resource is estimated at **0.02 FTE**

3.7 Food Safety Incidents

3.7.1 We deal with Food Alerts in accordance with the Code of Practice and guidance issued by the Food Standards Agency. Alerts requiring action by the department will take priority over all other work. The out-of-hours emergency service will notify the duty officer in the event that the Food Standards Agency notifies them of a major incident of food contamination which occurs outside normal office hours.

3.7.2 There is a policy document and procedure note on dealing with Food Hazard Warnings.

3.7.3 Resources for this work are dependent on the demand. In 2011/12 there were 39 Food Hazard Warnings and 62 Allergy Alerts issued by the Food Standards Agency. Resources are therefore estimated at **0.05 FTE**. (Included in Service Requests above)

3.8 Liaison with Other Organisations

3.8.1 Liaison arrangements are in place to ensure that enforcement action in Tower Hamlets is consistent with neighbouring authorities and in particular: -

- § Tower Hamlets is a member of the North East London Food Liaison Group which meets every eight weeks.
- § A PEHO attends regular sub-group meetings to discuss and arrange co-ordinated Approval processes.
- § Planned liaison meetings take place between the Health Protection Agency.
- § We are an active member of the Olympic Boroughs network for Environmental Health

3.8.2 The resource required for these activities is estimated at **0.03 FTE**.

3.9 Food Safety Promotion

3.9.1 The Food Safety Officers will, subject to available resources, carry out food safety promotional work through participation in certain national campaigns and local projects, more specifically:

- § It is intended to examine opportunities to participate in appropriate schemes, deliver talks, and provide displays for suitable groups or at events or locations throughout the year.
- § National Obesity Strategy working with the PCT.
- § Seeking small grants from the Food Standards Agency to carry out bespoke projects

3.9.2 The resource required for these activities is estimated at **0.03 FTE**.

3.10 Administration

3.10.1 The Service's central Admin team provides administration support.

3.11 Management

3.11.1 The Environmental Health Commercial Services Manager provides management, with support from the 2 PEHO's who also have fieldwork duties. Management accounts for approximately **0.8 FTE**.

4.0 Resources

4.1 Financial Allocation

4.1.1 The Food Safety financial allocation is part of the Environmental Health (Commercial) cost centre.

4.1.2 Training costs are included in the Employee related expenses and a number of free courses are run by the Food Standards Agency.

4.1.3 Provision of other central, directorate support services which includes legal services is added at the end of the financial year to service costs. This recharge is on a divisional basis and not broken down into individual teams.

4.2 Staffing Allocation

4.2.1 The staffing for food safety work, is as follows:

0.3 x Environmental Health Commercial Service Manager
2 x Principal Environmental Health Officer (PEHO)
2 x Senior Environmental Health Officer (SEHO)
3 x Environmental Health Officer (EHO)

2 x Food Safety Officer (FSO)
1x Healthy Eating Project Lead – funded until April 2013
(Total Technical Staff for work identified in plan = **11.99 FTE**)

4.2.3 Additional resources located outside of the Environmental Health Commercial Team are as follows:

TSO/CSO –Animal Feeding-stuffs – resources allocated as required

Environmental Health Commercial & Trading Standards Teams share administration resources:

Food Safety allocation is approximately:

1 x Senior Support Services Manager (0.1 FTE)
1 x Support Services Manager (0.3 FTE)
4 x Administration Officers (1.2 FTE)
(Total Admin staff = **1.6 FTE**)

4.2.5 Authorisation and competencies

Environmental Health Commercial Services Manager/PEHOs/EHOs:

- Fully qualified to Diploma/Degree level
- Authorised to inspect all categories (with the exception of any officers who have not been qualified for 6 months or have insufficient experience)
- Take all levels of enforcement action (with the exception of any officers who have not been qualified for 2 years or are Food Safety Officers)

4.3 Staff Development Plan

4.3.1 The Council uses its Performance Development and Review Scheme to:

- Set individual aims and objectives for staff.
- Monitor and appraise performance.
- Assess the development needs of all staff.

At the start of the performance year all staff will have their own Personal Plan, which will comprise of their main objectives with targets and their own development plan.

4.3.2 Individual and Team training plans reflect the following

- Common training issues for the service
- Training issues linked to Corporate and Directorate priorities
- Training linked to new legislation, professional developments
- Training relating to organisational matters (IT, systems and procedures)

4.3.3 Training for the financial year 2012/13 is prioritised as follows:-

Food Issues

Update Seminars – providing technical information on food safety topics
Consistency of scoring for the Food Hygiene Rating Scheme
Use of the new Enforcement powers to stop business activities (RAN)

General Issues

Investigation techniques – general training for successful investigations, due to the increase in enforcement
Interviewing under caution – aimed at newly qualified staff to enable they feel confident in undertaking such legal processes
Working with the third sector

4.4 Allocation of Resources

4.4.1 **Table 5** in **Annex A** sets out the total resources available (i.e. **10 FTE** officers) and how the resources identified to complete the plan in 2011/12 were allocated. The table also sets out the resources required to fulfil the plan for 2012/13.

4.4.2 Section **6.0** of this Plan sets out the achievements of the team in 2011/12

4.4.3 The areas of work which were not completed were:

- § Primary Authority Partnerships – no formal agreements were established. There was no demand from businesses to sign up to a formal agreement. However we have continued to provide informal agreements and advice to businesses.
- § Programmed inspections were 75% of those planned for hygiene (and 44% for standards. Excluding the D and E and C surveys. The Team concentrated on the higher risk premises to ensure food safety, These inspections will be carried forward

into 2012/13. The Standards inspections were lead by the due date of the hygiene inspections. In some cases Standards inspections fall due when hygiene is not due hence they are carried forward to the next inspection date.

5.0 Quality Assessment

5.1 The measures to be taken by the Environmental Health Commercial management to assess quality and promote consistency include: -

- Desktop reviews of proactive and reactive case paperwork and files will be undertaken by a PEHO.
- New or Agency staff will be inducted into the departments procedures and shadowed on inspections to ensure competency and consistency.
- All staff will have a 6-8 weekly 1 to 1 with their immediate supervisor to discuss casework.
- Accompanied inspections will be carried out with each member of staff.
- Documented procedures
- Bi -monthly documented team meeting
- Occasional training sessions and other exercises which are organised to aid consistency, staff appraisals and 6 month reviews.
- Monthly monitoring reports will be produced using the FLARE software system.

6.0 Review

6.1 Review against the Service Plan

6.1.1 The Environmental Health Commercial Service Manager presents reports to the Service Management Team on performance of the food safety inspections against performance targets detailed in the Service Plan.

6.1.2 At the end of the financial year, a performance review is carried out by the Environmental Health Commercial Service Manager with input from team members, which will include information on the past year's performance and progress on any specified performance targets, service improvements and targeted outcomes. It will also identify service priorities for the coming year. The review of 2011/12 is set out in 6.4 below.

6.2 Identification of any variance from the Service Plan.

6.2.1 Any variance in meeting the Food Law Enforcement Service Plan is identified in the review in 6.4 together with any reasons for the variance. Where necessary any variance will be addressed in this years plan.

6.3 Areas of Improvement

6.3.1 Where a service improvement or a service development is identified as part of the review process or through quality assessments, it will be incorporated into this years plan. Key areas for improvement identified from the review are detailed in paragraph 6.17.

6.4 Inspection Programmes

6.4.1 75% of all food hygiene premises that were due for inspection had a food hygiene intervention. For the higher risk premises this was 97% (A – B risk). All overdue premises have been carried forward to the 2012/13 programme.

6.4.2 627 re-inspections were carried out. This is an increase from the previous year. This equates to 1 in 1.5 premises receiving a re-inspection.

6.4.3 44% of the food standards programme was carried out, food standards inspections that fall due along side food hygiene inspections. The remaining were not carried as hygiene inspections were not due or the premises had been assessed as low risk.

6.5 Enforcement

6.5.1 11 (15 in the previous year) businesses or individuals were prosecuted as a result of either programmed inspections or complaint inspections. This resulted in total fines and costs awarded of £34,235

6.5.2 123 (78 in the previous year) formal improvement notices were issued.

6.5.3 21 (17 in the previous year) premises were closed by Emergency Prohibition Notices or voluntary closure, mainly for uncontrolled pest infestation, this was an equal to the previous year. This is a result of concentrating resources on the higher risk premises.

6.6 Additional Priorities

6.6.1 Regular early morning inspections were carried out at Billingsgate Market. Programmed inspections were carried out as well as general supervision of the market. All Traders have now received their approval to trade at the market.

6.7 Food Complaints/Requests for Service

- 6.7.1 A total of 1030 service requests were received.
- 6.7.2 The main types of complaints received were: 89 complaints alleged food poisoning due to eating out in Tower Hamlets (a decrease from 110 last year). 23 complaints were about dirty premises (compared to 17 the previous year), 75 about unhygienic practices (same as last year), 93 about pest infestations (previous year 73) and 95 complaints were received about food standards issues, such as food labelling (Use by dates).
- 6.8 Home Authority Principle
- 6.8.1 No formal Home Authority Partnerships were established during the year due to the demands of other areas of work. However a number of the contacts from outside bodies were Home Authority enquiries from other authorities. Each of these was dealt with as appropriate and in line with the Home Authority Principle.
- 6.9 Advice to Business
- 6.9.1 Business packs for new businesses continued to be issued, along with a booklet giving advice on carrying out a hazard analysis.
- 6.10 Food Inspection & Sampling
- 6.10.1 188 Food samples were taken, of which there were 40 failures. All of these were subsequently followed up.
- 6.10.2 A full Sampling Plan has been produced for 2012/13. The Sampling Policy is detailed in Annex D and is a required to be approved as part of the Food Law Plan.
- 6.11 Outbreak Control & Infectious Disease Control
- 6.11.1 Some 89 service requests were investigated specific to incidents of alleged food poisoning originating from food consumed in the borough. No outbreaks were identified during the year. There is still a number of Typhoid and Paratyphoid infections that are reported via the Health Protection Unit and contact tracing is undertaken to avoid outbreaks.
- 6.12 Food Alerts
- 6.12.1 39 Food Alerts were received from the Food Standards Agency, most of these did not require any action, however a number did result in the issue of Press Releases to notify the public and some required a large number of businesses to be notified in writing.

6.12.2 Food Alerts attract a high priority and immediate response. Were they happen resources have to be diverted from other food enforcement functions to facilitate the necessary action. This can impact on the target outputs of the Plan.

6.13 Liaison with Other Organisations

6.13.1 The food safety unit fulfilled all of its liaison activities in the 2011/12 Plan.

6.14 Food Safety Promotion

6.14.1 Promotional activities on food hygiene for school children were delivered.

6.14.2 The service worked with the FSA to provide an external contractor to carry out food hygiene coaching on our higher risk premises.

6.15 Staffing

6.15.1 The team was fully staffed during the year.

6.16 Training

6.16.1 The food safety officers undertook a wide range of training activities during the year, these included:

- Sampling
- Personal Safety
- Interviewing techniques
- Legal updates
- Carbon monoxide sources
- Auditing food premises
-

6.16.2 Quality Assessment

6.16.3 Documented team meetings took place.

6.16.4 Monthly monitoring reports are produced on a regular basis

6.17 Key areas for Improvement/Development

- 6.17.1 Professional Development of Food Safety Officers and newly qualified Environmental Health Officers.
- 6.17.2 Working with the private markets to control the hazards produced by stall holders and to obtain up to date trading details.
- 6.17.3 Procedures are systematically reviewed and completed and kept up to date.
- 6.17.4 Quality monitoring is continuing and staff have been requested to undertake a training needs analysis.
- 6.17.5 Development of alternative enforcement strategies for low risk premises, now to consider using with D rated food safety premises.
- 6.17.6 Consistency training for staff in relation to the Food Hygiene Rating Schemes
- 6.17.7 Development of our Olympic Games food premises improvement programme
- 6.17.8 Development of our database with regards to Sampling data, UKFSS, a central shared database
- 6.17.9 Development of hand held computer IT systems
- 6.17.10 To recognise the Primary Authority Partnership scheme from the Better Regulation Executive
- 6.17.11 Revisits are to continue as this has resulted in enforcement action being taken when advice has not been followed.
- 6.17.12 The movement of an Environmental Health Officer from the Health and Safety Team into the Food Safety Team.

7.0 Annexes

Annex A: Assessment of resources
Annex B: Current Council Decision Making Structure
Annex C: Current Council Corporate Structure
Annex D: Food Sampling Policy 2012/2013

Annex A

Assessment of Resources

Resources for 2012/2013

Table 5

Estimation of Full Time Equivalent (FTE)

1 year	365 days
Annual Leave	31 days
Training / team meetings	24 days
Bank Holidays/Statutory leave	12 days
Sick leave/dependency/Special leave etc	5 days
Weekends	104 days
Downtime – reading, research etc.	18 days
Officer Administration	10 days
Number of working days	161 days
1 FTE	161 days (1127 hours)

Programmed Inspections

High risk premises (Cat A,B and not broadly compliant premises) = 329 inspections due (Table 3 as Total Inspections), at 3 ½ hours per inspection (this is in line with the average London authority – LFGG bench marking exercise carried out in September 1999), therefore 1151 hours to inspect 100%.

Broadly compliant premises = 1211 inspections (Table 3 as Surveillance Inspections) due at 1.5 hours per inspection, therefore 1816 hours to inspect 100%.

Total for inspections/surveillance therefore = 2967 hours (424 days)

Low risk (D, E hygiene and C standards) premises are likely to be subject to alternative enforcement strategies:

Allow 10 hrs for management of scheme. Allow 0.25 hrs per premises (875) for implementation of scheme = 218 hours

Allow 5% will require inspection, i.e. 43 premises at 1.5 hrs each = 64.5 hrs

Total for Alternative Enforcement Strategies = 282 hrs (40 days)

Food Standards Inspections A rated: 13 premises due for food standards only @ 2 ½ hrs each = 32 hrs (4 days) Efficiency is gained as medium to low risk food standard inspections are undertaken in the year that the food hygiene is due.

Approval inspection on processes of HACCP 20 premises @ 14 hours = 280 hrs (40 days)

Resource required to achieve 100% inspection rate = **3.2 FTE**.

Re inspections following programmed inspections

All Category A premises will require a revisit as will premises that fall out of the broadly compliant range.

A = 12 @ 3.5hrs = 42 hrs (6 days)

Premises falling out of broadly compliant category 627@ 3.5 hours = 2194 hours (313 days)

Resource required for re inspections = 313 days = **2 FTE**

Food standards inspections revisits 13 @ 2hrs = 26hrs (2days)

Resources required for food standard revisits = **0.01 FTE**

Service requests

It is expected that some 1000 food safety related service requests will be received during the year. It is estimated that each will take an average of 1.5 hrs, therefore 1500 hrs will be required to deal with these.

Total for Service Requests 1500 hours (214 days)

In addition:

50 Planning Applications @ 1 hr each = 50 hrs

Total time for Planning Applications = 50 hrs (7 days)

40 Premises Licence Applications @ 0.5 hr each = 20 hrs

Total time for Premises Licence Applications = 20 hrs (3 days)

39 food alerts @ 0.5 hr each = 19 hrs

10% approx will require extensive investigations etc.4 @ approx. 3.5 hrs each = 14 hrs

Total time for Food Alerts = 32 hrs (4.5 days)

Approximately 150 new premises to open during year @ 3 ½ hrs each = 525 hrs

Total time for New Premises = 525 hrs (75 days)

Total for Service Requests = 303 days = **1.9 FTE**

Home Authority Premises

There are approximately 200 premises considered to be either Home or Originating Authority. Most of these will simply be dealt with during routine inspections. However it is estimated that approximately 15 premises will require greater attention.

15 premises @ 7 hrs each = 105 hrs

185 premises @ 1 hr each = 185 hrs

Total time for Home Authority = 290 hrs (41.4 days) = **0.25 FTE**

Advice to Businesses

Throughout the year advice to business forums etc will be given on an ad-hoc basis

Ad-hoc support & advice = 250 hrs

Total for Business Advice & Support = 250 hrs (35 days) = **0.2 FTE**

Food Sampling

Sampling will be based on the Sampling Plan - which consists of a number of projects co-ordinated, by either: EU, L/HPA or the NE Sector Liaison Group, plus a number of local projects and home authority sampling.

139 samples @ average of 3 hrs per sample = 417 hours

Follow up to adverse results 20% = 28 @ 4 hours per sample = 112 hours

Total for Sampling = 529 hrs (75 days) = **0.5 FTE**

Outbreak Control

The resource required to deal with an outbreak will depend on the size and complexity of the incident. Estimated **0.02 FTE**.

Liaison

Attendance at Sector Group meetings, study groups etc and follow-up work = 5 days

Total resource required is = **0.03 FTE**

Food Safety Promotion

A number of initiatives are planned, as follows:

- Miscellaneous press releases and events @ 35 hrs (5 days)

Total time for Health Promotion = 35 hrs (5 days) = **0.03 FTE**

Other Activities

Inspections will be carried out at major festivals and outside events such as the Brick Lane Festival and events in Victoria Park.

Total for festivals 200hrs (28 days)

Billingsgate Market:

Allow 4 hrs per week for Proactive visits, including dealing with service requests.

Allow 125 hours for auditing approval standards

Total for Billingsgate Market = 333 hrs (47 days)

Imported Food Projects/Surveillance allow 300 hrs

Total for Imported Food Control = 300 hrs (43 days)

Approved Premises:

Allow 70 hrs for processing additional premises identified during year

Total for approved = 70 hrs (10 days)

Food Standards Projects:

Allow 140 hrs for Food Standards Projects

Total for Food Standards Projects = 140 hrs (20 days)

Approximately 20 closures @ up to 50 hrs each (inc of legal action) = 1000 hrs

Total time for Closures = 1000hrs (142 days)

Total for other activities = 290 days= **1.8 FTE**

Healthy Eating Funding

The Tower Hamlets PCT grant funded the Food Service to the sum of £60,000 to deliver a Healthy Food Choices Award with the aim to reduce obesity within the Borough. This funding has enabled us to employ 1 FTE to work on this project until September.

Technical Support

The Food Safety Officers are responsible for supporting officers in their activities and for maintaining back-up systems and equipment and other resources. Along with their own inspection targets **0.25 FTE**

Admin Support

Admin support is provided by a generic admin function sitting within the Strategy and Resources Division of CLC.

Management

The Environmental Health Commercial Service Manager is responsible full time for management functions and approximately 0.25 FTE of the 2 PEHO's is accounted for in management functions. Total for management is therefore **0.8 FTE**

A summary of resources required to meet the requirements of the service plan for 2012/1, allowing Tower Hamlets to obtain a position in the top quartile of high performing councils in relation to the number of high risk inspections carried out that are due to be carried out is shown in Table 6:

Table 6

Activity	Time identified to complete work in Service Plan (2011/2012)	Time identified to complete work in Service Plan (2012/2013)
Programmed Inspections	2.9	3.2
Re-inspection	1.6	2
Food standards	0.1	0.01
Service Requests	1.9	1.9
Home Authority	0.25	0.25
Advice to businesses	0.2	0.2
Food sampling	0.5	0.5
Liaison	0.2	0.03
Food Safety Promotion	0.03	0.03

Food Poisoning outbreaks	0.2	0.02
Other Activities	1.5	1.8
Management	0.8	0.8
Technical Officer Support	0.5	0.25
Healthy Eating Award	1	1
Total	11.68	11.99
	Actual Availability	Actual Availability
	11.3	10

Annex B ; Decision Making Structure:

Cabinet

Mayors Executive Decision Making

Council

Overview and Scrutiny

Health Scrutiny Panel

Overview and Scrutiny Committee

Committees and Panels of Council

Appointments Sub Committee

Audit Committee

Development Committee

General Purposes Committee

Human Resources Committee

King Georges Field Charity Board

Licensing Committee

Licensing Sub Committee

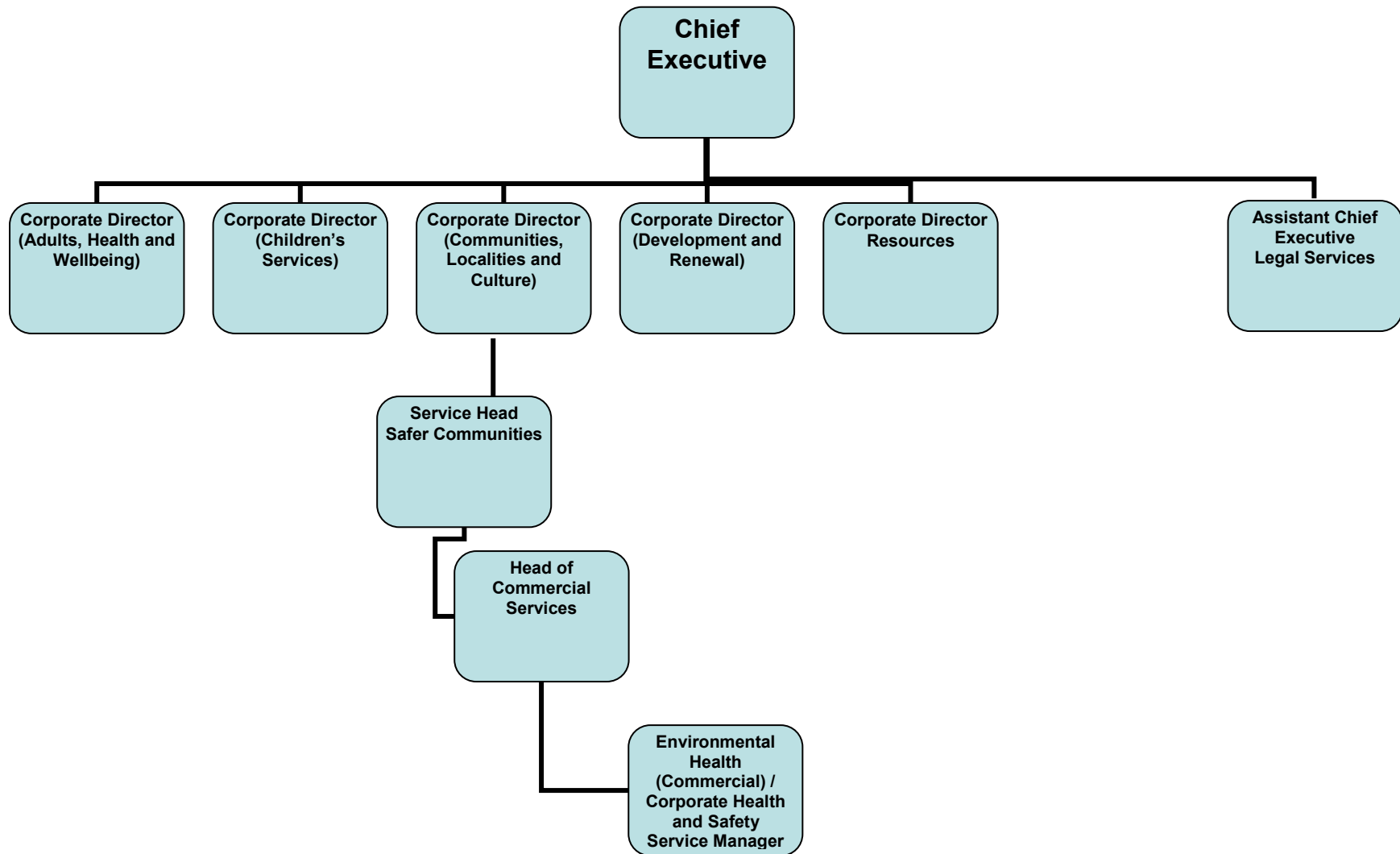
Pensions Committee

Standards (Advisory) Committee

Strategic Development Committee

Annex C

Corporate Structure



Annex D

LONDON BOROUGH OF TOWER HAMLETS

FOOD SAMPLING POLICY 2012/13

It is a requirement of the Code of Practice, which outlines procedures for sampling made under the Food Safety Act 1990 and Food Hygiene (England) Regs 2006 that local authorities publish a sampling policy and outline programmes for each financial year.

In common with all London boroughs, Tower Hamlets is part of the London Food Co-ordinating Group (LFCG). This has been set up by ALEHM (Association of London Environmental Health Officers), previously the London Chief Environmental Health Officers' Association in association with LACORS to co-ordinate the food enforcement function of London Boroughs.

Membership of the Group includes Environmental Health Officers, Public Analysts and a representative of the Health Protection Agency. One of the key functions of the Group is the co-ordination of food sampling in London – this is achieved by dividing the 33 London Boroughs into 4 regional sectors, with each sector arranging sampling programmes in its own area only after proper liaison with the other 3 sectors. Tower Hamlets is in the NE sector.

FOOD SAMPLING OBJECTIVES AND PRIORITIES

The main objective of food sampling should be the protection of the consumer through the enforcement of food legislation and the encouragement of fair trading. In attempting to achieve this objective it is important that the Council considers the most effective use of limited resources. Therefore, the Council has identified its food sampling programmes in the following priority order:

- (i) Investigation of food poisoning outbreaks and food contamination incidents
- (ii) Complaints where sampling is necessary
- (iii) Imported food responsibilities
- (iv) Home authority responsibilities
- (v) EU co-ordinated sampling programme
- (vi) HPA/LACORS sampling programme
- (vii) Co-ordinated programmed sampling – with other London Boroughs
- (viii) Local projects in individual boroughs

TYPES OF SAMPLES

There is a need for a common approach to sampling in the Borough, and this is set out as follows:

Random informal samples

- (i) These should be avoided for both chemical and microbiological samples.
- (ii) There is, however, a place for informal samples but principally within a programmed sampling project concentrating on a particular food issue.
- (iii) There will also be occasions when informal samples will be justified when testing a new product or process on the market.

Microbiological samples

- (i) Formal samples being taken in accordance with the Regulations should be the normal procedure.
- (ii) There are no advantages in taking informal microbiological samples – the procedures laid down in the Regulations are in any case good sampling practice and the additional information gathering required is minimal. However, only samples taken with the intention of legal proceedings in the event of adverse results should be submitted to the HPA as Formal samples. In these cases the relevant HPA Formal Sample form should be used.

Chemical samples

- (i) In view of the resource and time implications of taking formal chemical samples it is accepted that a significant amount of chemical sampling will be informal – this is especially the case when project or programmed sampling is being carried out as a monitoring or fact finding exercise.
- (ii) Formal samples should, however, be taken when:
 - Problems and contraventions of legislation are suspected
 - Results are not thought repeatable, e.g. pesticide residues or aflatoxins in food
 - In response to food complaints
 - Repeat sampling following a previous unsatisfactory informal sample

Sampling in manufacturing premises

- (i) The level and type of samples taken at individual manufacturing premises will depend on a number of factors including:
 - The nature of the raw materials, intermediate and finished products
 - The existence or absence of Hazard Analysis Critical Control Points (HACCP) type procedures
 - The existence of in-house quality control systems
 - The level of in-house sampling and the quality of procedures and documentation
- (ii) It is important, however, to ensure that food sampling forms an integral part of routine inspections within the risk assessment system laid down in the relevant Code of Practice and LACORS guidance. Ad hoc samples taken without regard to the above and without set objectives and protocols should be avoided.

SAMPLING PROCEDURE

It is wasteful of resources to carry out sampling without first considering and agreeing the objectives – this is especially the case for any sampling project or programme carried out in conjunction with other London Boroughs.

A sampling and analytical protocol should be prepared in conjunction with the selected laboratory in order to ensure an agreed procedure and to encourage a uniform approach. Clearly the subsequent status of the sampling will depend upon the objectives and protocol agreed.

The results and conclusions from the sampling exercise should be collated and circulated through sector groups. It is recognised that on occasions individual local authorities, sectors or the LFCG will want to consider wider publication.

LEVEL OF SAMPLING

Local authority sampling levels are closely monitored by the Food Standards Agency through returns. This data will be aggregated and returned to Brussels in accordance with the Official Control of Foodstuffs Directive.

CO-ORDINATION

In order to achieve maximum effectiveness and the best use of scarce resources, the Council should ensure that food sampling, other than for reactive duties such as complaints, food poisoning and port health and home authority duties, is carried out in conjunction with the LFCG.

Proposed sampling projects should be cleared initially through the relevant sectors. Sector co-ordinators will be in a position to ensure that other sectors are not proposing to carry out similar surveys – this will avoid duplication.

Reports of surveys should be passed through sectors and ultimately through the LFCG in order to ensure a wide distribution and a sharing of information.

In cases where projects have implications for areas outside London, the completed reports will be submitted to the relevant Food Panel of LACORS.

SUMMARY

The aim of this Policy is to ensure that the Council protects the consumer, and in so doing follows good practice and uses scarce resources in the most effective way.

The Policy is intended only as a guide. It is flexible enough to allow initiative, but points the way forward to a more locally based approach to food sampling.

Nothing in the Food Sampling Policy is intended to preclude initiative on the part of individual enforcement officers – there will be occasion, in circumstances of constant market change, when ad hoc sampling will be necessary.