



Appendix 1

LONDON BOROUGH OF TOWER HAMLETS

FOOD LAW ENFORCEMENT SERVICE PLAN

2013/2014

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Executive Summary

Council Obligations

This report follows the national template as directed by the Food Safety Agency (FSA) within the framework agreement agreed with Local Authorities. This is the Council's mandatory annual plan for the effective enforcement of food safety legislation. If the Council fails in its obligation to carry out an effective food safety function, the FSA is empowered to remove the function and place it with another provider. The Council would then lose all control over the function.

Effective enforcement supports business growth in the main commercial areas of the Borough, effective control of food safety makes economic sense for the Borough.

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 Consumer and Business Regulations (CBR) Service's Food Team and links team priorities to the Council's core themes. The action of the Food Safety Team is governed by a national Code of Practice. The Team is responsible for inspections/approval of manufacturers, investigation of public complaints into allegations about food premises. The plan also gives an up to date profile of the Borough, a review of our activities in 2012/13 and our programme of work for 2013/14.

There are two specific activity areas for the Food Team, food hygiene that deals with issues of cleanliness and risks of contamination of food in predominately catering/manufacturing settings and Food Standards that relates to labelling, ingredients and allergen warnings of food packaging including the recent horsemeat scandal. All premises in the Borough are risk rated against the national code, where A band premises are the highest risk. The rating is A-E for food hygiene premises and A-C for Food Standard premises.

Performance

In 2012/13 the Food Team carried out 81.4% of all Food Hygiene inspections due in the higher bands of A-C (100% A, 99.3% B and 79% 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. 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 100% of all high risk, A band, food standards inspections.

The National Performance Indicator – 184- which measures food establishments in the Borough which are broadly compliant with food hygiene law. We currently have 83% of food premises broadly compliant. This has dropped from last year; this was due to the work that we performed with the FSA before and after the Olympics.

Olympics

At the end of the financial year in 2012 we were successful in obtaining grant funding from the FSA for Olympic interventions. This 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; 67 coaching visits were carried out by CMI in the lead up to the Olympics to help drive up compliance. 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 so that they were inspected by July 2012. Working with the FSA on the run up to the Olympics, enforcement activity was far greater in 12/13.

Grant Funding

CBR has continued to receive external funding to continue with the Healthy Eating Award which aims to create a culture of healthy food choices for residents/workers in the Borough. Whilst a separate Team has been tasked with delivering this initiative the Food Team still drives awareness of the scheme by briefing businesses during inspections. In 12/13 329 briefing sessions were carried out. As businesses are only allowed to partake in the scheme if they are broadly compliant the Food Team has a direct impact on who can and who cannot be included. Briefing work will continue into this year as we have secured funding until April 2014. In 12/13 the Healthy Eating Award Scheme resulted in 17 unique premises awards and 37 renewals/upgrades.

Food Hygiene Rating Scheme

The National Food Hygiene Rating Scheme (FHRS) has been running alongside our inspection programme. The profile of the scheme has been growing throughout the year across the country with more Local Authorities adopting the voluntary scheme. During the year we benchmarked the operational implementation of the scheme against other London Boroughs. There was variance in the way that the Food Hygiene Rating Scheme was used when undertaking re-inspections. We are proposing not to automatically rescore the National Food Hygiene Rating on a re-inspection as was carried out previously. See Appendix E.

Support for Local Businesses

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. We have met business groups and offered training on site to enable them to comply with food safety requirements.

Challenges

The Team has been subject to a small reduction in staffing levels. Whilst every effort will be made to maintain existing levels of inspections we may not be able to inspect all those premises that fall due in 2013/14. Those premises that may not be inspected will be selected due to their low risk nature. This may be because of the foods sold or because there are other monitoring regimes that are in place for the premises.

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 what was 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.

1.2 Links to Corporate objectives and plans

1.2.1 The Food Law Enforcement Service Plan is designed by the Food Standards Agency (FSA) to meet customer needs and our services are provided with reference to the:

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

1.2.2 The activities of the CBR Food 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 also has 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 Public Health England.

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 CBR Food Team is to protect residents, visitors and businesses by:

- *Advising consumers on the resolution of civil disputes with traders.*
- *Promoting and regulating food hygiene/safety and standards of health and safety both in the workplace and at public events in the Borough*
- *Preventing the spread of infectious disease and food poisoning, and the investigation of outbreaks*
- *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*
- *Allowing members of the public to make an informed decision on which establishments they eat in/buy food from by informing them of the general hygiene standard of premises via the FHRS and the affiliated website, window stickers and certificates.*
- *The regulation of consumer legislation by way of inspection, audit, complaint investigation, awards, training/advice and enforcement.*
- *Issue and enforcement of “approvals” covering a range of activities concerning products of animal origin (POAO) in manufacturing premises.*

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 slaughterhouses
- § 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 the Consumer and Business Regulations service (CBR). CBR 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 CBR Food 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 public complaints 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 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: Hygiene

Food businesses 13/14 and their inspection category for food hygiene (17.05.13)

Usage	A	B	C	D	E	OUTSID	UNRATE	Grand Total
E02 Child Minder			2	13	60			75
F01 Bakery/cakes		2	17	10	6		3	38
F02 Butcher		3	4	8	4			19
F03 Canteen/kitchen	3	18	79	20	27	1	5	153
F04 Cash and Carry/Food Wholesaler	1		8	9	13		1	32
F07 Delicatessen/ Cooked Meats		1	4				1	6
F08 Fishmonger/Wet Fish/Seafood		1	13	20	10	1	1	46
F10 Manu/packer - non meat/fish products	1	2	3		1			7
F11 Fish Products Manufacturer		2	3	1				6
F12 Fruit/veg/greengrocer			1	14	24		1	40
F15 Mini-Market/Grocer	1	3	88	134	76		12	314
F16 Newsagent/Sweet Shop/Tobacconist		2	11	45	40		7	105
F17 Off Licence/Wine Merchants			8	23	14		4	49
F20 Public House/Wine Bar-catering		4	76	49	45		5	179
F22 Restaurant/Cafe	5	70	501	78	31	1	71	757
F24 Fish products/cooked shellfish		1	9	6				16
F26 Supermarket / Hypermarket			9	13	16		8	46
F27 Takeaway Food	2	22	182	29	29	2	29	295
F29 Vehicle - Sale of hot food			3	2	1		5	11
F40 Home caterer			8	10	6		41	65
F50 Staff Restaurant/Canteen/Bar		1	50	19	3		12	85
F52 Sandwiches/snacks/confectionery	1		3	2	5		3	14
F57 Luncheon Club	1	1	6		1		1	10
FAA School kitchen		17	69	3	3		2	94
M01 Chemist/Pharmacy/Drug Store				1	38			39

The frequency of inspection is:

- A: every 6 months
- B: every 12 months
- C: every 18 months
- D: every 2 years
- E: every 3 years

The Category for premises classed as unrated is determined at the first visit and can be A-E.

Category E premises may be dealt with using an alternative enforcement strategy (AES).

Premised in the “outside” category are premises for Food Standards only as there is i) no hygiene involved (i.e. it is an importers office or ii) hygiene is the responsibility of the FSA (i.e. FSA approved slaughterhouses).

Other		1	41	27	77	15	16	
Grand Total	15	152	1198	538	531	21	228	2683

Table 2 : Standards.

Food businesses 13/14 and their inspection category for food standards (17.05.13)

Row Labels	A	B	C	UNRATE	(blank)	Grand Total
X02 Slaughterhouses		1	1			2
X03 Manufacturers	2	25	10	37	2	76
X04 Packers	1					1
X06 Importers (3rd)		3	1	3		7
X07 Distributors/Transporters	2	63	7	4	1	77
X08 Retailers		16	60	4		80
X09 Restaurants Etc		16	12	1		29
X11 Manufacturer Selling by Retail		14	14	2		30
X12 Supermarket/Hypermarket		10	25	3	7	45
X13 Small retailer	2	259	240	40	24	565
X15 Restaurant/cafe/canteen	2	426	353	87	49	917
X16 Pub/club		61	136	8	4	209
X17 Takeaway	1	156	69	63	7	296
X18 Caring premises		11	44	46	12	113
X19 School/college		27	76			105
X20 Mobile food unit		1	4	6	1	12
X21 Restaurant & caterers - other		6	6	4	2	18
X22 Hotel/Guest house		3	6			9
Y01 Retail Shops		3	11	5	1	20
Y02 Wholesale shops	1					1
Y03 Offices			1	1		2
Y04 Catering Services		3	4	3		10
Y06 Leisure etc.			2	1	2	5
Y07 Consumer Services			1	2		3
Y09 Hotel			1		1	2
Y10 Liable for inspection by HSE		2	2	3		7

The frequency of inspection is:

A: every 12 months

B: every 2 years

C: every 5 years.

The Category for premises classed as unrated is determined at the first visit and can be A-C.

Category C premises may be dealt with using an alternative enforcement strategy (AES).

Other		2	4	5	4	15
Grand Total	11	1108	1090	328	117	2654

2.4.5 As of May 2013 the following establishments were approved by the Council to produce and manufacture food incorporating Products of Animal Origin (POAO) for wholesale purposes: -

- § 12 fishery product manufacturers
- § 43 fishery products and live shellfish wholesalers
- § 6 dairy product producers
- § 3 meat product processors (inspected as part of the action into the horsemeat scandal)
- § 1 sandwich manufacturer

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

2.4.7 There is an unfailingly high level 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, processed in a way that contravenes EU legislation, or they do not comply with compositional or labelling requirements). This area of work is continually high due to low costs of cheap imports and high consumer demand. This food however gives rise to a risk to human health and we remove it from sale/enforce as necessary and offer advice to importers.

2.4.8 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.

2.4.9 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 is multilingual.

2.4.10 Reception and Information Service

2.4.11 The reception and information point for the CBR Food Team is located at:

Mulberry Place
5 Clove Crescent
London E14

2.4.12 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.

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

3.0 **Service Delivery**

3.1 Inspection Programmes

3.1.1 Food establishments in the Borough are risk rated. A risk score of 10 points or below in the compliance of premises i) structure ii) hygiene and iii) confidence in management determine if the premise is broadly compliant. This measure of broadly compliant with food hygiene law is 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.

3.1.2 The Food Standard Agency code of practice (that guides our inspection programme) permits shorter inspections on those businesses that are deemed broadly compliant i.e. in the lower risk categories of C and D for food hygiene. It also permits the use of posted questionnaires for those premises 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 begin moving towards an upward trend of broadly compliant percentage.

3.1.5 We have determined that we have 83% 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 (AES), 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 2013/14 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 2013/14.

Inspection Rating	Number of food hygiene inspections due
A	12 x 2 = 24
B Broadly compliant	42
B not Broadly compliant	110
C Broadly compliant	854
C not Broadly compliant	88
D Broadly compliant	414
D not broadly compliant	10
E (verification)	254 (5% = 13)
Unrated	190
Total Inspections	477
Total Surveillance inspections	1268
Total Interventions	1745

Table 4

The number of food standards inspections due in 2013/14 and the inspection targets.

Inspection Rating	Number of food standards inspections due
A	11
B	555
C (verification)	441
Unrated	268
Total	1275

- 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 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 (AES) for lower risk premises is **3.7 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. Any shortfall in year, will be dealt with by not inspecting all the premises that fall due where low risk pre packed food is offered or other inspection regimes which deliver a similar inspection function, namely schools, off licences, newsagents and chemists.
- 3.1.15 Additional inspection priorities have been identified for action in 2013/14 including: -
- § Inspections will be carried out at major festivals.

- § Sampling plan involving microbiological sampling, mis leading claims and personal hygiene
- § 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.
- § 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 2012/13 was 955.

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

3.3 Home Authority Principle

3.3.1 In response to public complaints and service request 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 Primary 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. Training has been offered to businesses, but it is not always taken up, we will endeavour to do more work with all sections of the community in this regard.

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, Public Health England (PHE), 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 2013/14 is approximately 180 (Proactive sampling: 82 from FSA grant samples, 65 from NE sector, planned internal and HPA; Reactive Sampling: a contingency sampling quota of 27 is set aside for internal samples from closures, seizures, outbreaks etc.). All 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 2012/13 was 199 of which 31 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)

Public Health England, 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 Response to 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 2012/13 there were 46 Food Hazard Warnings and 59 Allergy Alerts issued by the Food Standards Agency. Resources are therefore estimated at **0.05 FTE**. (Included in Service Requests above)

3.8 Enforcement Policy

3.8.1 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.

3.8.2 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.

3.9 Liaison with Other Organisations

3.9.1 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 with Public Health England.

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

3.10 Food Safety Promotion

3.10.1 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 Public Health.
- § Seeking small grants from the Food Standards Agency to carry out bespoke projects

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

3.11 Administration

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

3.12 Management

3.12.1 The Head of Consumer and Business Regulations Service provides overall management of all services in CBR. The Food Team is managed by the Food Team Leader with support from 1 PEHO who also has 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 CBR Food Team 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:

0.2 x Head of Consumer and Business Regulations Service

1x Food Team Leader

1 x Principal Environmental Health Officer (PEHO)

2 x Senior Environmental Health Officer (SEHO)

3.5 x Environmental Health Officer (EHO)

2 x Food Safety Officer (FSO)

1x Healthy Eating Project Lead – funded until April 2014

4.2.3 Additional resources located outside of the CBR Food Team are as follows:

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

CBR Food & 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 (0.25 FTE)

4.5 x Administration Officers (1.125 FTE)

4.2.5 Authorisation and competencies

Head of Consumer and Business Regulations Service /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 (PDR) 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 2013/14 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 and how the resources identified to complete the plan in 2012/13 were allocated. .

4.4.2 Section **6.0** of this Plan sets out the achievements of the team in 2012/13

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 81.4% 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 2013/14. 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 CBR Food Team Management to assess quality and promote consistency include: -

- Desktop reviews of proactive and reactive case paperwork and files will be undertaken by the Food Team Leader or 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 CIVICA software system.

6.0 Review of 2012/13

6.1 Review against the Service Plan

6.1.1 The Head of Consumer and Business Regulations Service 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 Food Team Leader 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 2012/13 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 81.4% of all food hygiene premises (Bands A-C) that were due for inspection had a food hygiene intervention. For the higher risk premises this was 100% A risk and 99.3% B risk. All overdue premises have been carried forward to the 2013/14 programme.

6.4.2 422 re-inspections were carried out. This is a decrease from the previous year. Taking into account that 1118 inspections were carried out this equates 37% of 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 22 (11 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 £152,471 (£34,235 previous year)
- 6.5.2 72 (123 in the previous year) formal improvement notices were issued.
- 6.5.3 35 (21 in the previous year) premises were closed by Emergency Prohibition Notices or voluntary closure, mainly for uncontrolled pest infestation, this is of course a large increase on the previous year. This may be a result of concentrating resources on the higher risk premises, but may be a symptom of a shortfall in FTE resources – i.e. less interventions may cause some businesses to worsen over time in the absence of EH advice. Of the 34 businesses closed (number taken as 34 and not 35 as one premises was closed twice) 17 were B/C before inspection and 11 closures came about through Service Requests.
- 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 955 service requests were received.
- 6.7.2 The main types of complaints received were: 94 were with regards to food poisoning complaints concerning food premises in the Borough (an increase from 89 last year), 85 about pest infestations (a decrease from 93 last year), 74 for poor hygiene practices (75 last year), 16 for cleanliness of premises (a decrease from 23 last year), and 95 complaints were received about food standards issues, such as food labelling (Use by dates)(same as last year).
- 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

6.10.1 199 Food samples were taken, of which there were 31 failures (a decrease from 41 last year). All of these failures were subsequently followed up.

6.10.2 A full Sampling Plan has been produced for 2013/14. 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 94 service requests were investigated specific to incidents of alleged food poisoning originating from food consumed in the borough. No large outbreaks were identified/confirmed during the year however there was 1 outbreak alleged. There are still a number of Typhoid and Paratyphoid infections that are reported via Public Health England and contact tracing is undertaken to avoid outbreaks.

6.12 Food Alerts

6.12.1 46 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, some required a large number of businesses to be notified in writing, and some required officer visits/sampling.

6.12.2 Food Alerts attract a high priority and immediate response. When 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. The horse meat scandal pulled team resources into tracking down traceability of meat across the Borough, throughout the country, and throughout Europe. A sampling programme was also undertaken in liaison with the FSA.

6.13 Liaison with Other Organisations

6.13.1 The food safety unit fulfilled all of its liaison activities in the 2012/13 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
- Auditing food premises
- Microbiology
- Contamination

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 and broadly compliant C premises.

- 6.17.6 Consistency training for staff in relation to the Food Hygiene Rating Schemes
- 6.17.7 Development of our database with regards to Sampling data, UKFSS, a central shared database
- 6.17.8 Development of hand held/tablet computer IT systems
- 6.17.9 To recognise the Primary Authority Partnership scheme from the Better Regulation Executive
- 6.17.10 Revisits are to continue as this has resulted in enforcement action being taken when advice has not been followed.

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 2013/2014

Annex E: Food Hygiene Rating Scheme: re-rating

Annex A

Assessment of Resources

Resources for 2013/2014

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) = 477 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 1670 hours to inspect 100%.

Broadly compliant premises = 1268 inspections (Table 3 as Surveillance Inspections) due at 1.5 hours per inspection, therefore 1902 hours to inspect 100%.

Total for inspections/surveillance therefore = 3572 hours (510 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 (1109) for implementation of scheme = 278 hours

Allow 5% will require inspection, i.e. 56 premises at 1.5 hrs each = 83 hrs

Total for Alternative Enforcement Strategies = 361 hrs (52 days)

Food Standards Inspections A rated: 11 premises due for food standards only @ 2 ½ hrs each = 27.5 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 = **3.7 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 = 24 @ 3.5hrs = 84 hrs (12 days)

Premises falling out of broadly compliant category 660@ 3.5 hours = 2310 hours (330 days) (Number based on mid-point between RVs carried out last year (422) v projected number of non B/C inspections from 13/14 inspections (477))

Resource required for re inspections = 330 days = **2 FTE**

Food standards inspections revisits 11 @ 2hrs = 22hrs (3days)

Resources required for food standard revisits = **0.02 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, PHE or the NE Sector Liaison Group, plus a number of local projects and home authority sampling.

180 samples @ average of 3 hrs per sample = 540 hours

Follow up to adverse results 20% = 36 @ 4 hours per sample = 144 hours

Total for Sampling = 684 hrs (97 days) = **0.6 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 Public Health 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 March 2014.

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 Head of Consumer and Business Regulations Service is responsible management functions across CBR (0.1 FTE). The Food Team Leader is responsible for management functions in the Food Team (0.5 FTE). Also, approximately 0.2 FTE of the PEHO's time 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 2013/14, 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 below in Table 6:

Table 6

Activity	Time identified to complete work in Service Plan (2012/2013)	Time identified to complete work in Service Plan (2013/2014)
Programmed Inspections	3.2	3.7
Re-inspection	2	2
Food standards	0.01	0.02
Service Requests	1.9	1.9
Home Authority	0.25	0.25
Advice to businesses	0.2	0.2
Food sampling	0.5	0.6
Liaison	0.03	0.03

Food Safety Promotion	0.03	0.03
Food Poisoning outbreaks	0.02	0.02
Other Activities	1.8	1.8
Management	0.8	0.8
Technical Officer Support	0.25	0.25
Healthy Eating Award	1	1

Annex B ; Decision Making Structure:

Cabinet

Mayors Executive Decision Making

Council

Overview and Scrutiny

Health Scrutiny Panel

Inner North East London Joint Health Overview & Scrutiny Committee

Overview and Scrutiny Committee

Committees and Panels of Council

Appointments Sub Committee

Audit Committee

Development Committee

General Purposes Committee

Human Resources Committee

Investigation and Disciplinary Sub-Committee

King Georges Field Charity Board

Licensing Committee

Licensing Sub Committee

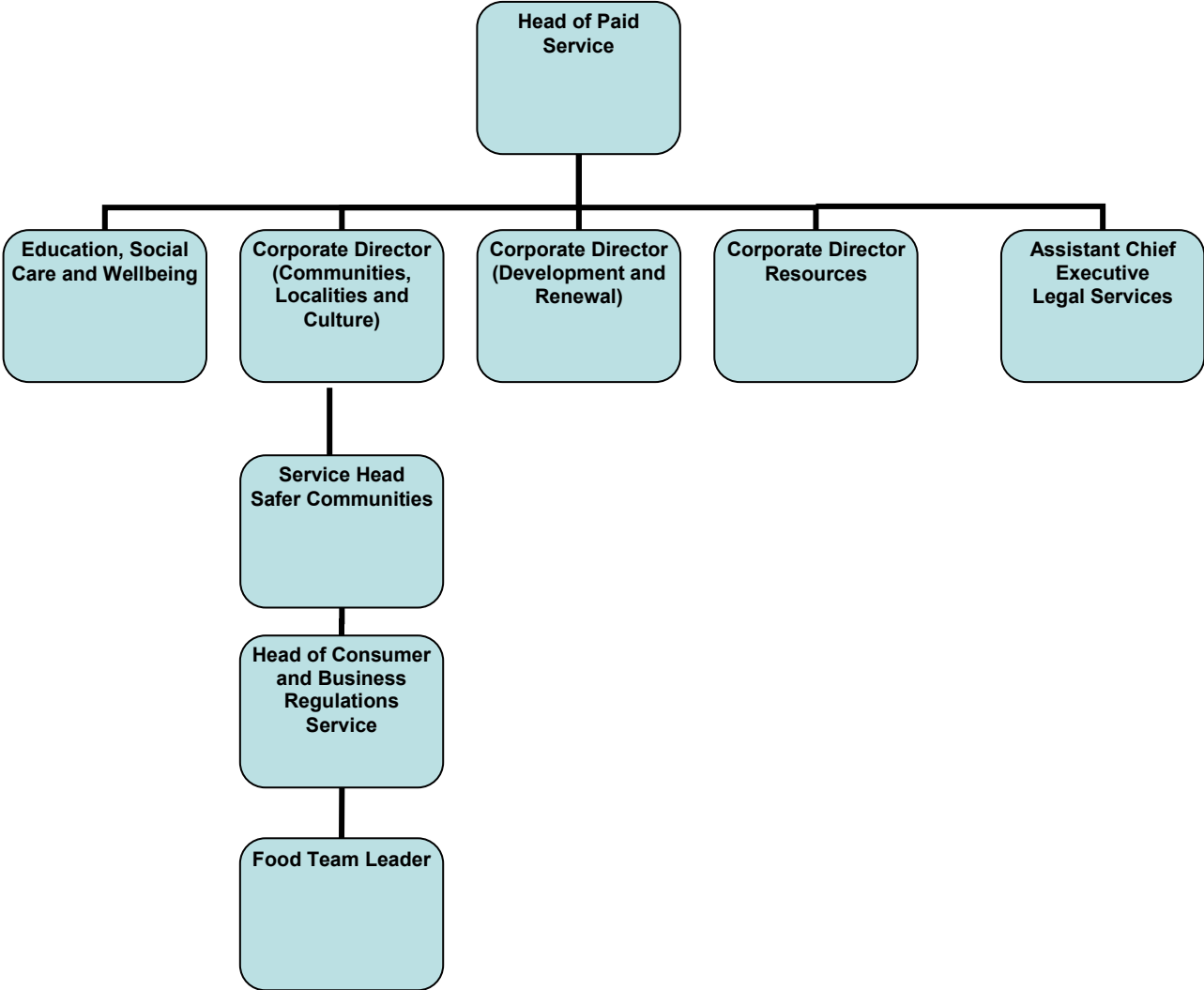
Pensions Committee

Standards (Advisory) Committee

Strategic Development Committee

Annex C

Corporate Structure



Annex D

LONDON BOROUGH OF TOWER HAMLETS

FOOD SAMPLING POLICY 2013/14

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 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) PHE 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. UKFSS implementation will aid with information sharing.

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.

Annex E:

Food Hygiene Rating Scheme: rescoring.

The issues:

The National Food Hygiene Rating Scheme (FHRS) has run alongside our inspection programme since April 2011.

Benchmarking against other London Boroughs has taken place to increase consistency across Boroughs¹. Further research into the FHRS brand standard, the Food Law Code of Practice and Tower Hamlets Procedures indicated that we may be able to utilise the “compliance driving” nature of the scheme in a more effective way. This is of particular concern for three reasons i) the FHRS has now become a national scheme and ii) there is a potential future steer towards compulsory displaying of ratings; therefore it is important that we are consistent and fair with both local businesses and multi-site, national establishments to ensure that they are not treated differently in Tower Hamlets to their benefit or detriment iii) Food Business will keep a consistent standard from one visit to the next.

At the moment premises are inspected and scored; if there are outstanding works, the Officer will go back to re-inspect; the premises is then rescored on the FHRS. Regionally, other Local Authorities, as a rule do not re-rate at this re-inspection. It is claimed there is no incentive to comply before the next inspection and we cannot ensure that there has been a prolonged culture change in the business.

The Food Business Operator (FBO) may have carried out the works simply to placate the Officer in the short term in the knowledge that after the works are done the FBO will be made broadly compliant and due to the nature of the scoring system the Food Business Operator (FBO) will not then be inspected for 18 months to 2 years. In this time, where the FBO will receive no intervention/education/advice from Officers, standards can drop and by the time the next primary inspection becomes due (or a Service request is received) there are often problems requiring enforcement.

This can create a see-saw of scoring and enforcement rather than a consistently performing broadly compliant business. In the year 12/13 there were 35 closures. Of these 34 premises (one premises was closed twice) 17 were broadly compliant at the time of the inspection. This has prompted the Service to review the current practise and to ensure that the scheme remains credible. 11 of the closures came about from service requests. The 35 closures due to pests in 2012/13 is set against 21 closures 11/12, 17 closures 10/11, 17 closures 09/10 and 13 closures 08/09. There has been a steady incline in numbers of closures. It is clear that we at the Food Team have to take a new approach to

¹ Borough benchmarking: x 20 Boroughs questioned at NE London Food Coordinating Group & at London Food Coordinating Group Approvals Sub-Group regarding re-rating policy. All 20 Boroughs did not re-rate at revisit.

Havering; Lambeth; Greenwich; Camden; Merton; B&D; RBKC; Hillingdon; Hackney; Haringey; Barnet; Brent; Enfield; Bexley; Kingston; Tendring; Ealing; Islington; Waltham Forest; Redbridge

drive up compliance. Currently we cannot use the FHRS as a sanction as well as a food safety promotional opportunity. A change to the system will enable us to do this.

We will still carry out re inspections which will remove the risks to public health and allow the original rating to stand from the primary inspection. This will not only incentivise businesses to comply with the law, but it will also allow us to target our resources to the higher risk premises since lower rated premises will be inspected less often.

Impacts on the service:

At the moment 83% of the premises in the Borough are broadly compliant. This may decrease as fewer businesses will be re-rated up to broadly compliant within the financial year. A study of premises rated after a primary inspection and a subsequent revisit 12/13 shows that if the changes had been implemented last year the percentage of broadly compliance would have dropped to 72.7%. We hope however that the new procedure will drive up compliance. This will bring down the level of reactive work there is i.e. closures/ number of complaints (955 in 2012/13) /outbreaks. It is also expected that the new procedure will inform the public better on poorly performing businesses as the scheme is set up to do – thereby driving up compliance without spending time and money on interventions. In the year 12/13 there was only 7 formal re inspection requests. It is envisaged that this number will go up, but this will be aligned with the number of revisits being currently undertaken to achieve broadly compliant status.

Proposed changes:

Under the new procedure Officers will not re-score businesses on revisits unless i) it is formally requested and it is after the 3 month stand still period or ii) the revisit is within the three month stand still period but the works required are structural only. There will be a new distinction between types of revisits.

Future outcomes:

This will have a small detrimental effect on the broadly compliant percentage however it is foreseen that this reduction will only be a temporary drop as the FHRS utilised will drive compliance itself over time.