

**The Highland Council**  
**Community Services Committee**

**21 August 2014**

Agenda Item	18
Report No	COM/26/14

**Food Safety Team Plan Review 2013/14**

**Report by Director of Community Services**

**Summary**

This report invites Members to approve the review of the Food Safety Service Plan for 2013/14.

**1. Background**

- 1.1 As members will be aware, one of the key duties for the Environmental Health team is to undertake the statutory role of Food Authority for the Highlands. The role aims to:
- minimise the risk of illness by ensuring food in the Highlands is safe;
  - protect consumers by checking labelling and composition of foods;
  - assist business in meeting their obligations under food legislation and to meet requirements for exporting foods.
- 1.2 When providing the Food Safety function the Council must have regard to statutory guidance issued by the Food Standards Agency. This includes the 'Framework Agreement on Official Feed and Food Controls by Local Authorities' and the 'Code of Practice for Scotland' issued under section 40 of the Food Safety Act 1990.
- 1.3 The Framework Agreement requires each food safety service to document and implement a food team plan in accordance with a specified standard. A documented performance review of the plan requires to be carried out at least once a year. Both the plan and the review have to be submitted for member approval to ensure local transparency and accountability.

**2. Review of 2013/14 Food Safety Team Plan**

- 2.1 The Food Safety Service Plan for 2013/14 was approved by this Committee on 14 March 2013. **Appendix 1** details the review of the 2013/14 Food Service Plan.
- 2.2 In summary in 2013/14 the key areas of work were:
- a) **Implementing new FSA guidance on controlling the risks from E.coli O157.** The guidance requires all businesses dealing in raw and ready to eat foods to review their processes to ensure the risks of cross contamination are eliminated. E.coli O157 can cause fatalities and serious illness, including kidney failure.

In July 2013, officers started undertaking the pro-active inspections of the

premises judged to be most affected by the guidance. A procedure including repeat visits, providing advice and taking appropriate enforcement action has been followed. The programme of detailed inspections is progressing and a further report to Committee will follow on this matter.

**b) Continued inspection of high risk premises**

The programme of food hygiene inspections at high risk establishments has continued with satisfactory performance (>90%) for internal performance measures

**c) Conclude the Food Hygiene Information Scheme rollout**

The final launch was completed in June 2013, almost a year early from the initial proposed completion date of June 2014. The website now covers 3,300 Highland food businesses and also provides apps that consumers can download for their telephones to allow searches while away from their homes.

**3. Implications**

3.1 In the current Framework Agreement and Code of Practice, the Food Standards Agency indicates that full compliance with all inspection frequencies will be expected. As stated in previous reports to the Committee on Performance Indicators, the food safety service cannot achieve this standard with current resources. Premises inspections are currently risk assessed and carried out on a priority basis, targeting higher risk premises before lower risk premises.

3.2 There are no legal, equalities, climate change/carbon clever, risk or Gaelic implications arising from these proposals.

**Recommendation**

Members are invited to approve the review of the Food Safety Service Plan for 2013/14 as detailed in **Appendix 1**.

Designation: Director of Community Services

Date: 4 August 2014

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Background Papers:

- Food Standards Agency 'The Framework Agreement on Official Feed and Food Controls by Local Authorities', Amendment Five, April 2010  
<http://multimedia.food.gov.uk/multimedia/pdfs/enforcement/frameworkagreementn05.pdf>
- Food Standards Agency 'Food Law Code of Practice for Scotland', March 2009  
<http://multimedia.food.gov.uk/multimedia/pdfs/enforcement/copscotland0903.pdf>



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### 1. Introduction

- 1.1 The Environmental Health team of Community Services acts as the statutory Food Authority to provide food regulatory and advice functions within the Highland Council area. The Food Safety Service Plan 2013/14 outlined the Environmental Health approach to delivering all aspects of food regulatory and advice functions. This was approved by the TEC Services Committee on 14<sup>th</sup> March 2013. This document reviews the 2013/14 Food Safety Service Plan.

### 2. Food Premises Inspections

#### 2.1 Food Hygiene

In 2013/14 premises in the two highest risk categories (A, B) were prioritised for inspection in terms of the minimum frequency laid in the Code of Practice. Work was focused on the alternative inspection strategy to implement the FSA's new guidance on cross-contamination. As a result of this focussed work the overall number of inspections for food hygiene has decreased.

#### 2.2 Food Hygiene Inspections - performance

Category	Inspection frequency (minimum)	Due in 2013/14	Done by due date	2013/14 %	2012/13 %	2011/12 %
A	Every 6 months	37	34	92%	96%	94%
B	Every year	250	239	96%	97%	96%

- 2.3 In total officers carried out 1647 visits to premises in connection with food hygiene:

Visit Type	2013/14	2012/13	2011/12
Full inspection	1000	1329	1626
Sampling visit/sampling survey	114	75	632*
Advisory/Educational Visit	33	38	47
Partial Inspection	361	298	312

Visit - ceased trading or no access	139	256	223
total	1647	1996	2840

Shellfish sample visits	929	1005	*na
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## 2.4 Food Standards

Food Standards work is concerned with composition and labelling of food. In 2013/14 all premises in the highest risk category and manufacturers in the medium risk category were prioritised for inspection in terms of the minimum frequency specified in the Code of Practice.

2.5 Resources did not permit the inspection of all premises in category 'Medium' in terms of the minimum frequencies specified in the Code of Practice.

2.6 Food Standards Performance:

Category	Inspection frequency (minimum)	Due in 2013/14	Done by due date	2013/14 %	2012/13 %	2011/12 %
High	Every year	18	13	72%	80%	90%
Medium manufacturers	Every 2 years	57	28	49%	54%	53%

2.7 In total officers carried out 526 visits to premises in connection with food standards:

Visit Type	2013/14	2012/13	2011/12
Full inspection	300	650	490
Sampling visit/sampling survey	117	129	59
Advisory/Educational Visit	10	9	16
Partial Inspection	133	103	143
Visit - ceased trading or no access	66	78	88
total	526	969	796

Examples of work:

- The Council worked with Scottish Government and DEFRA regarding a business selling Tuscan Olive oil. The company selling did not have approval to use the protected status of Tuscan on their oil. The premises were visited and stopped the selling and report to Scottish GT. Complaint came from another EU member state who noted the company's website.
- The Council removed significant quantities of stock from a company selling imported food with no durability dates. The matter has been raised with the FSA and the Council are working with them to solve a Scottish wide issue.

## 3. Enforcement Action

3.1 In carrying out food hygiene and food standards duties, officers apply the general principles of proportionality (i.e. that enforcement action taken is in proportion to the risk posed) when considering enforcement. However, there are circumstances where enforcement is the appropriate action to resolve contraventions of legislation.

In 2013/14, officers undertook the following enforcement actions:

	2013/14	2012/13	2011/12
Sent warning letters regarding contraventions	593	928	1269
Made revisits to premises	382	193	113
Served improvement notices requiring improvements within premises	14	16	12
Secured a voluntary closure agreement with premises	1	3	4
Closure of premises by serving notice	1	0	0
Served a remedial action notice restricting activities	7	3	0
Secured voluntary surrender of food	1	1	5

Examples of work:

- In a take away business officers found two large trays of raw chicken being defrosted on the drainer of a double sink unit amongst dirty dishes and immediately adjacent to prepared ready to eat lettuce. There was poor hand washing procedures and the food storage practices were all inadequate and posed an imminent risk to health due to cross contamination between raw and ready to eat foodstuffs. A Hygiene Emergency Prohibition Notice was served and the premises closed. Following revisits, the company improved with a fully documented Cooksafe with house rules, up to date Cooksafe records, no significant cross contamination issues and premises generally clean and tidy. Premises allowed to re-open
- A Care Home was non-compliant with respect to a food safety management system, so a notice was served to rectify this and detailed advice and assistance was provided to support the FBO in developing their system.
- Officers did a number of evening operations investigating illegal razor clam landings. The team liaised with Marine Scotland and disrupted the illegal fishing operations. This work stops illegally landed shellfish and protects the reputation of Scottish food exports.

#### 4. Food Complaints

4.1 **The total number of food complaints received in 2013/14 was 114.** The complaints covered the following matters:

Type	2013/14	Examples	2012/13	2011/12
Complaints regarding food (e.g. unfit, foreign bodies)	46	<ul style="list-style-type: none"> <li>• Concerns over curry causing food poisoning</li> <li>• Milk tasting off</li> <li>• hair grip in pie</li> <li>• beetle found with frozen chicken</li> </ul>	40	68
Complaints on hygiene of premises or staff	55	<ul style="list-style-type: none"> <li>• raw sewage leak at premises</li> <li>• operating without water supply</li> <li>• poor hygiene in food stall</li> </ul>	39	39
Complaints regarding food standards (e.g. labelling or composition)	13	<ul style="list-style-type: none"> <li>• poor labelling</li> <li>• selling out of date food</li> </ul>	16	16

All complaints were investigated by officers.

Examples of work:

An officer recently investigated a food complaint regarding a piece of wire found in a chicken meal from a well-known fast food restaurant. To begin it was thought that the complaint originated from the chicken but following a second complaint in Inverness and another in Edinburgh it was traced to the lettuce. The company carried out an inspection at the factory and the source of the complaint identified as coming from a wire brush. The officer was able to conclude this complaint and advise the complainant of the outcome.

## **5. Provision of Advice to Business and the public**

5.1 **In 2013/14 officers dealt with 300 requests for information on food safety (195 in 2012/13).** These covered such areas as setting up new food businesses, food hygiene training, exporting food, labelling, and operating a food business from a domestic house.

Feedback from businesses:

Bakery 'very helpful, work as a partnership'

Nursing Home 'very helpful, understanding'

Cafe (new business) 'helpful, put on the right footing, showed kindness'

Examples of providing advice:

- Officers recently held an evening information session for the local child minders – this is something done once every few years. It covered the latest updates to food hygiene including the cross contamination principles and allergens. Hand washing exercises were also done using the UV light box and also the ATP meter. At the same session officers also covered safety on farms and animal attractions (as it was just after Easter when they all want to take the kids to see the new lambs etc.).

## **6. Food Sampling**

6.1 Environmental Health currently has a contract for bacteriological examination and chemical analysis of foodstuffs with Dr. AC Mackie, Public Analyst, City of Edinburgh.

6.2 The food sampling target figures (on which the contracts with the food examiners have been agreed) are based on a target of three samples per 1,000 population, per year. Target figures for 2013/14 were **500 bacteriological** samples and **500 chemical** samples (composition and labelling). Sample is targeted at high risk local manufacturers and involvement with national surveillance surveys.

6.3 In 2013/14 officers took **the following food samples**

	2013/14 total	2013/14 satisfactory	2012/13 total	2012/13 satisfactory
Microbiological	368	89%	340	84%
Chemical (includes labelling)	349	88%	423	80%

Examples of sampling work:

An officer took a routine sample of a sandwich from a cafe that does takeaway. The results came back from the analyst, and although it wasn't an outright fail, the analyst commented that the count found for E coli indicated that there may have been a hygiene problem in that premises. The officer revisited the premises and took an ATP meter to check cleanliness. No issues noted with their storage or records, and temperatures of cabinets were satisfactory. However, staff were noted cleaning a work surface, doing spray and immediate wipe. The ATP meter was used on the recently cleaned surface and it showed a reading of over 2000 (should be less than 100-200). The officer explained correct use of chemicals and cloths and surfaces were re-cleaned with correct contact time and using disposable paper towels to wipe off. The retest with the meter showed a reading of 5. This was a great demonstration to the staff of the need to follow correct cleaning instructions.

- 6.4 In addition **1316 samples of shellfish** were taken in 2013/14 as part of the shellfish sampling schemes for biotoxins and to monitor classified shellfish waters (**1166 taken in 2012/13**). This protected public health by stopping harvesting on 13 occasions between May and September when toxins were found to be at dangerous levels at particular harvesting areas. The length of time that sites were closed varied from 2-12 weeks.

## **7. Control and Investigation of Outbreaks and Food Related Infectious Disease**

- 7.1 Environmental Health works closely with colleagues within NHS Highland's public health team to investigate incidents of infectious disease. Standard infectious gastroenteritis questionnaires are used by all Officers for investigation of infectious diseases.

**In 2013/14 officers:**

- **Investigated 2 possible outbreaks (all suspected viral)**
- **Investigated 14 reports from the public on suspicion of food poisoning**
- **carried out 154 individual interviews following confirmed infectious disease reports to NHS Highland.**

## **8. Liaison with other organisations**

- 8.1 Environmental Health takes measures to ensure that enforcement action taken in its area is consistent with that in neighbouring authorities. The lead officers are members of the North of Scotland Food Liaison Group (NSFLG) which comprises members of all food authorities in the north of Scotland, i.e. Highland, Orkney, Shetland, Aberdeenshire, Aberdeen and Moray. **In 2013/14 the EHOs taking special responsibility for food safety attended 4 meetings of this group.**
- 8.2 The lead officer for food hygiene has also carried out work with NHS Highland and the Council's catering team.

Examples of liaison with other organisations:

- Schools: Officers have assisted and advised the Compliance officer with the schools FSMS. They have now decided to follow Cooksafe. With our guidance the House Rules have been developed and are due to go out to the schools over the summer holidays. Officers are attending workshops in Lochaber, Dingwall and Inverness when the Cooks in Charge will be trained in the use of the new manual. This new system will be delivered to 215 schools throughout HC area.
- NHS: Officers have attended several meetings with NHS staff to build better relationships and to ensure a consistent approach from both sides. Officers have done several visits to NHS premises to see how we expect the guidance to be implemented in food businesses. There is now a better reporting system to the correct people within the NHS which has resulted in any issues within these premises being remedied in a very short timescale.
- With Adult Services transferring from HC TO NHS, there was a lot of work to be done to bring these premises in line with the NHS procedures/ practices. The updated NHS Scotland National Food Safety Assurance Manual was brought out in March his year. Officers have/ are attending training days for the cooks from these nursing homes in the implementation of these new manuals. The last training day was very beneficial with many issues clarified. The work officers have done with the NHS encompasses 43 premises over HC area.'

## **9. Food Safety and Standards Promotion**

- 9.1 The resources available to Environmental Health are limited and hygiene inspections of high risk food premises have been given priority. Consequently food safety promotion has to be very focussed. In 2013/14 Environmental Health gave presentations at the Black Isle Show and did a number of advertisements relating to food safety.

## **10. Resources**

- 10.1 **Financial allocation** Community Services is a multi-disciplinary Service that combines Environmental Health with a number of other functions. It is not possible to extrapolate costs relating to food safety specifically. The total Environmental Health revenue budget for 2013/14 was £1.919 million. This included all staffing costs, training, travel and subsistence and overheads.

### **10.2 Staffing allocation**

The following numbers of officers were working on food safety law in 2013/14:

- food hygiene and standards enforcement: **11.1** full-time equivalent staff
- Shellfish monitoring (FSA funded): **4.4** full-time equivalent staff
- Farm Hygiene (FSA funded): **0.45** full-time equivalent staff

## **11. Areas of Improvement/projects – Review of specific 2013/14 targets**

- 11.1 Last year's plan identified 9 improvement areas and projects. Progress on these targets is reviewed below:

### **1. Continue implementation of the Food Standards Agency guidance on cross-contamination**

In 2013/14 work on this area continued with an Implementation Strategy being approved by Committee in November 2012. Training and briefing sessions were also held with officers. Further letters and guidance were

sent out to premises identified as high risk. The inspection programme commenced in July 2013 and is making satisfactory progress. This issue has been carried forward as an improvement area in 2014/15.

**2. Engage with Scottish Government on new Scottish Food Safety Body proposals**

The food safety team have participated on preparatory work for the new body by responding to consultations and having representation on a working group looking at local authority activities. Work on the new body is progressing ahead of its proposed implementation in April 2015.

**3. Engage with FSA on review of official controls**

The team monitored progress on this issue and will respond at the appropriate stage of the consultation process.

**4. Respond to horse meat contamination issues**

In 2013/14 the Council continued to support the actions of the FSA by carrying out focussed food sampling as part of a UK programme. No issues have been identified in Highland.

**5. Review unrated premises & unregistered premises**

In addition to the work on cross-contamination the team have reviewed all unrated premises and established a risk based inspection programme. Work is progressing on the premises identified as higher risk. Work on unregistered premises has been carried forward into the 2014/15 plan.

**6. Conclude the Food Hygiene Information Scheme rollout**

The initial launch of FHIS went ahead in May 2012 covering around 950 premises throughout the Highlands. Work continued throughout 2013/14 with further launches in October 2012 and March 2013.

The final launch was completed in June 2013, almost a year early from the initial proposed completion date of June 2014. The website now covers 3,300 Highland food businesses and also provides apps that consumers can download for their telephones to allow searches while away from their homes.

**7. Conclude review of export health certificate procedures and charges**

A COSLA/SOCOEHS (Society of Chief Officers of Environmental Health Scotland) working group has been established to take forward a national approach to charges and guidance. The Highland Council have representation on this group. This issue has been carried forward as an improvement area in 2014/15 and will be concluded in 2014/15.

**8. Develop local shellfish action groups**

Initial contact was made with key partners SEPA and Scottish Water but the groups were not developed due to competing work priorities.

**9. Implement approval of egg packers requirements**

Limited work on this area was carried out in 2013/14 due to competing priorities.

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