

Leicester City Council
Service Plan for Food Law Regulation

2023/2024

Date: 20th September 2023

Version: v.03 FINAL

Owner: Liz Johnson

Table of Contents

Executive Summary

1.0	Service aims and objectives
2.0	Background
3.0	Service delivery
4.0	Resources
5.0	Quality Assessment
6.0	Review

Executive Summary

This is the Councils' mandatory annual food service plan, detailing how the Food Safety Team will fulfill its duties to enforce food and feed law in the city.

The plan fulfils the Council's obligations under "The Framework Agreement on Official Feed and Food Controls by Local Authorities". This document, issued by the Food Standards Agency, sets out what the Agency expects from Local Authorities in delivering their obligations to enforce food law.

The plan provides for a common format in the structure of service plans, so that the Agency can easily assess how a Local Authority is fulfilling this responsibility.

This is the first service plan produced since the Covid-19 pandemic began in March 2020. The previous service plan, for the financial year 2019/2020, was submitted to the Neighbourhood Services and Scrutiny Commission in May 2019.

The Impact of the Coronavirus (Covid -19) Pandemic on the Food Service Plan.

The Covid -19 pandemic resulted in the suspension of the routine food inspection programme from the end of March 2020. During the period of the pandemic, staff in the Food Safety Team were primarily diverted to the COVID -19 response.

In June 2021, the Food Standards Agency (FSA) published its Covid-19 Local Authority Recovery Plan, which provided advice and guidance to Local Authorities for the period from 1 July 2021 until 2023/4. The plan provided a framework for restarting routine food law inspections, to bring food businesses back into alignment with the Food Law Code of Practice (FLCoP) a code that Authorities must have regard to when discharging their statutory duties under food law. This requires that food businesses receive food law inspections at regular frequencies, based on risk. The plan included a series of target dates by which Local Authorities were required to have completed overdue inspections for those businesses that presented the highest risk. That is, those where compliance had previously been found to be poor, or which were regarded as higher risk due to factors such as the vulnerability of the customers served, the scale and type of food provision or the use of complex processes.

The Recovery Plan was formally brought to an end on 31st March 2023. In her letter to Chief Executives, Emily Miles, Chief Executive Officer of the FSA recognised that many Local Authorities still have a backlog of lower risk businesses that are overdue inspection (see **Annex 1**) This is the case for Leicester City Council.

Dealing with the back log of lower risk businesses

This service plan outlines the scale of the backlog of overdue lower risk inspections we face as a consequence of the coronavirus pandemic, and details how we intend to address this backlog over this financial year and subsequent ones. Lower risk businesses are those that have previously been found to comply with food law requirements, or where open food is not prepared and handled, or where open food is handled but the number of consumers is very low. There is no specific timescale that the Food Standards Agency have directed authorities to follow: the requirement is for us to adopt a risk based and intelligence led approach as we work towards realigning with the Code of Practice.

Higher risk establishments

Higher risk businesses that are already back in alignment with the Code of Practice need to receive an inspection by their due date.

Monitoring by the Food Standards Agency

The Agency monitors Local Authorities performance by requiring all authorities to submit mid and end of year returns. During the period of the Recovery Plan, regular returns were required at the end of each of the target dates in the plan.

Structural and staffing changes to the team

Since the last service plan, the Food Safety Team has undergone some significant structural and staffing changes. In particular:

- The allocated 1.5 full time equivalent (FTE) Food Safety Management post was reviewed following the retirement of Job Share Team Manager David Barclay Rhodes in June 2019. Two new posts were created for Senior Regulatory Officers, posts created to reflect the complexity of food law and the need for technical expertise within the team. These posts were recruited to internally in September 2021. As a result of these new posts, the resource required to manage the team was reduced to 1 FTE.
- In January 2022 the Food Safety Team Manager was promoted to Head of Regulatory Services.
- In May 2022 the two Senior Regulatory Services Officers in the team were jointly appointed to the post of Food Safety Manager, initially for a period of 6 months, and the subsequently on a permanent basis.
- Recruitment to the post vacated by the promotion of the two Senior Regulatory Officers to Team Manager has recently been successful, and a new Environmental Health Officer started with the team in July 2023.
- As of 1st September 2023, the team is fully resourced. The team comprises the Team Manager post plus 11 officers.

1. Service aims and objectives

1.1 Aims and Objectives

- to discharge the responsibilities the Council has under food law to carry out official controls in food and feed businesses;
- to ensure that food businesses in the city provide food that is safe to eat and does not give rise to food borne illness;
- to ensure consumers are not misled in the way food is described or presented;
- to prevent and detect fraud in the food supply chain;
- to guide Leicester's food businesses to comply with food law.

1.2 Links to Corporate Objectives and Plans

The Food Safety Team is part of Regulatory Services. The main aims of this Service are;

- to protect legitimate businesses as well as the health, safety, wellbeing and economic interest of the people who visit and live in Leicester.
- provide advice, support and training to encourage business growth and sustainability through regulatory compliance.

Regulatory Services sits within the Neighbourhood and Environmental Services Division. The strategic priority of the division is;

“Providing Leicester with high quality efficient and effective services for the benefit of its people “

Links to other Strategic Plans

Leicester City Council has several strategic plans that set out what the Council aims to achieve, with our partners, local businesses, communities, and residents. This means focusing our efforts and resources in the areas that are the biggest priorities for the city.

The Food Safety Team aims and objectives link in particular to:

The Economic Action plan 2016 – 2020 (currently under review)

Enterprising Leicester Priorities Action EL1: Deliver targeted business support for growing businesses in priority sectors, including food and drink manufacturing, textiles, creative, and technology sectors.

In particular food and drink manufacturing is a distinctive strength priority sector for the city.

Tourism Action Plan 2020 - 2025

Objective 3: Developing a strong identity to position Leicester as a desirable destination attracting first-time visitors

Create awareness of the local food and drink offer reflecting the cities diversity.

2. Background

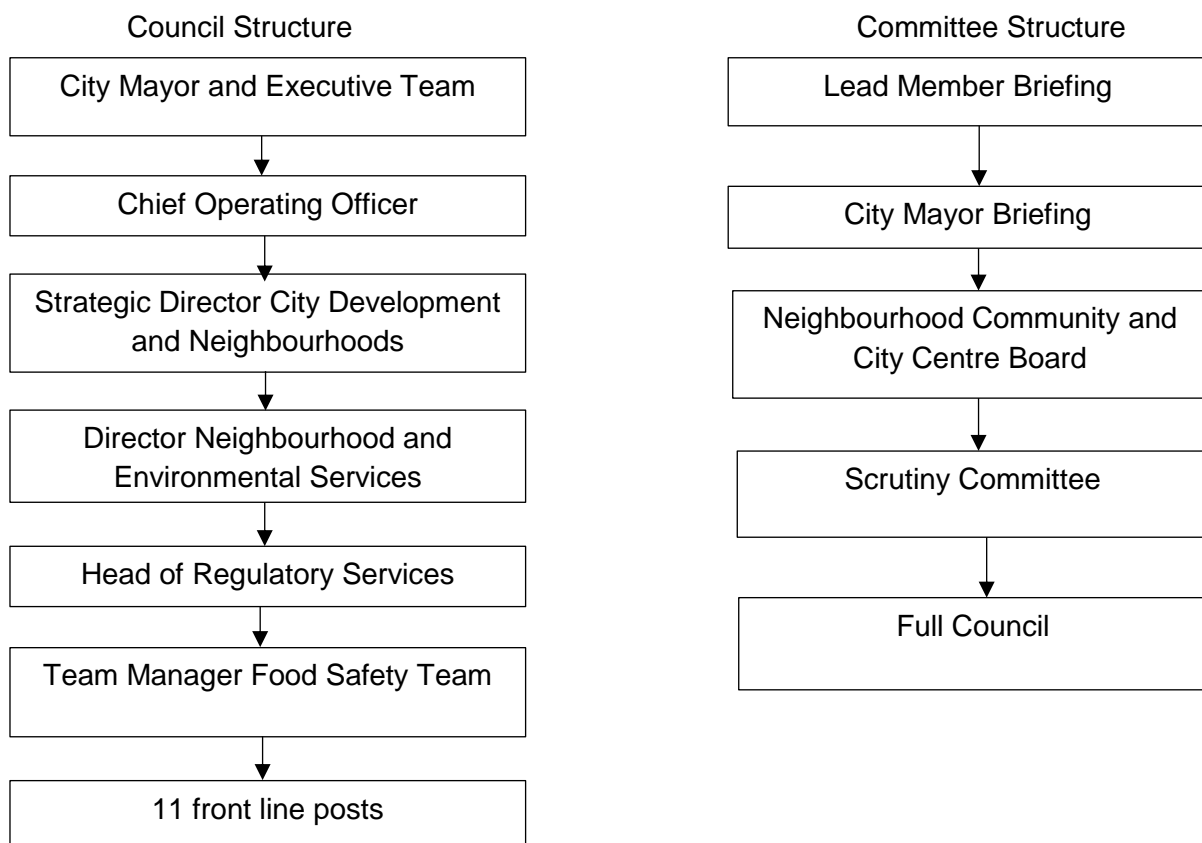
2.1 Profile of Leicester City Council

Leicester is the largest city in the East Midlands. In the 2021 census, the population of Leicester was 368,6000, increasing by 11.7% from the previous census in 2011. This represented a higher population growth than across the rest of the East Midlands. The median age of Leicester's residents is 33, below the median figure of 40 in England.

At the 2021 census, 57.9% of the population said they were born in England, with 16.2% stating they were born in India. 43.4% of Leicester's residents identified their ethnic group within the "Asian, Asian British or Asian Welsh category" and 40.9% of that as "white" and 7.8% identified their ethnic group as Black, Black British, Black Welsh, Caribbean or African"

Leicester City Council is a unitary authority. It consists of 54 councillors representing 21 wards in the city overseen by a directed elected mayor. The executive team is made up of the City Mayor, Sir Peter Soulsby, together with Deputy City Mayors and Assistant City Mayors.

2.2 Organisational Structure



Analytical Services

Eight Public Analysts and one Agricultural Analyst all working for Public Analyst Scientific Services are appointed. The services of six Food Examiners at the UK Health Security Agency's Food, Water and Environmental Laboratory in London are also used.

2.3 Scope of the feed and food service

Food Law Inspections

Food Safety Team Officers are responsible for the enforcement of both food hygiene and food standards law in food businesses.

Feed Law Inspections

For a number of years, arrangements has been in place for Trading Standards Officers from the County Council to carry out inspections of registered feed establishments in the city. The cost for this is claimed back from the Food Standards Agency. There are 41 registered feed business establishments in the city. Of these, inspections are due at 4-5 a year. There are no feed manufacturers in the city, and those feed establishments we do have are regarded as low risk.

2.4 Demands on the food and feed service

Leicester has some notable long-established food and drink manufacturers in the city, such as Walkers snack foods – a subsidiary of US giant PepsiCo, which operates the largest crisp factory in the world in Leicester. Also of note is Samworth Brothers Ltd, whose products include sandwiches and pork pies. The city is also home to Cofresh Snack Foods, the trading name of Lakshmi and Sons (now part of Vibrant Foods), the market leader in Indian snack foods.

However, 86% of the sector are 'micro'-sized (employing less than 9 people) food businesses. (Source; Leicester and Leicestershire Partnership trust – sector profile Agri Food and Drink in Leicester and Leicestershire)

The establishment profile for registered food businesses

The establishment profile for food businesses in the city is shown below. It can be seen that compared nationally, we have a higher number of manufacturers and distributors and retailers, but a lower number of restaurants and caterers.

Establishment Type	2023	% of total	2019/2020 England only (LAEMS return)
Primary producers	3	0.09 %	0.7%
manufacturers & distributors	108	3.3 %	2.8%
importers/exporters	16	0.5 %	0.3%
distributors/transporters	107	3.3 %	1,7%
retailers	875	26.7%	22%

restaurants & caterers	2176	66%	72.6%
total	3285		

(Source – internal figures; establishment profile as of 31/3/2023.)

The increase in food businesses in the city

The table below shows the total number of food business establishments registered in the city over the last 5 years.

	2018	2019	2020	2021	2022	2023
Number of food business establishments	2980	3113	3159	3421	3444	3285

(Source; 2018-2020 FSA LAEMS reports, 2021. Internal figure, 2022-2023 figures submitted in yet to be published LAEMs returns)

It can be noted that the yearly increase in the total number of establishments has now levelled off. The reduction in numbers between 2022 and 2023 is probably mostly attributable to closures as a result of the coronavirus pandemic, the cost-of-living crisis and a data base cleansing exercise.

New registrations

The number of new food business registrations received over the last 5 years is shown below;

	2018/2019	2019/2020	2020/2021	2021/2022	2022/2023
Number	506	549	524	561	595

(Source; Food Safety Team performance reports, end March 2018-2022.)

It can be seen that there has been a year-on-year increase in this figure, with the overall number increasing by 18% between 2018/9 and 2022/23.

A particular feature of food businesses in the city, which this table does not indicate, is the rate that businesses change hands. Whenever this happens, the new operator is required to register this change, which in turn triggers the need for an inspection to occur. In addition to this, any new businesses that have set up for the first time also need to register and be subject to inspection. Our management information system is not set up to allow us to obtain figures for the number of existing premises that change hands.

A further feature of food businesses in the city is the percentage of food business operators for whom English is not their first language. This presents some challenges for Officers in terms of explaining food law requirements and enforcing these.

Because of our diverse population, Leicester is a hub for shops specialising in ethnic produce. A lot of these products are imported into GB. Therefore, checking that such food

has been legally imported into GB and is safe to consume and properly labelled does account for a significant amount of time.

Approved Establishments

Approved establishments are those that handle products of animal origin and store or process them. These require prior approval before they can start this activity. This can be a complex process and time intensive for the small number of officers who are involved in this work.

There are 28 approved establishments in the city. The numbers of different establishment types are shown below;

Type of establishment	Number of establishments
Stand-alone cold store	6
Meat preparations manufacturer	4
Meat products manufacturer	4
Meat prep, meat products and fishery	1
Meat prep and meat products	1
Dairy products Manufacturer	3
Fishery products manufacturer	3
Egg products manufacturer	3
Rewrapping premises	3
Total	28

Inspections are due or overdue at 11 of these establishments this year.

Service delivery points

Services can be accessed online through the “My Account” facility. This operates 24/7. Users can access this service by logging in to their account, or by continuing without an account. The City Council also has a general telephone number that can be called from 8am – 6pm.

A customer service centre is located in the city centre and is open 2 days a week (Tuesday and Thursday) from 9.30am – 4.30pm. There is also an emergency out of hours telephone number that can be used from 6pm – 8.00am.

A customer services email address is also freely available to use. There is also a dedicated email account: food@leicester.gov.uk. Complaints made online via The Food Standards Agency “Report a problem” pages are re-routed to this account.

2.5 Regulation Policy

The Council’s Regulatory Services have a published General Regulatory Policy. This policy reflects the statutory regulatory principles set out in section 21 of the Legislative and Regulatory Reform Act 2006 and the Regulators’ Code 2014.

This policy is currently undergoing review.

3. Service Delivery

3.1 Interventions at food and feeding stuffs establishments

Intervention type – food hygiene

The Food Law Code of Practice (England) issued in June 2023 (FLCoP) provides guidance to Local Authorities on what types of interventions can be carried out at each category of risk rated business. The inspection frequencies for each risk category are shown at **Annex 2**.

While there is some flexibility that exists on the type of intervention that can be carried out for different risk rated categories, (**see Annex 3**) if a business is subject to the food hygiene rating scheme, then a food hygiene rating can only be issued if the business has been assessed for compliance with food law against the criteria included in the scheme. In practice, this means that those businesses that are included in the scheme must receive an inspection for the rating to be reviewed.

It is the policy of Leicester City Council to support the national food hygiene rating scheme, to protect the integrity of the scheme and maintain consumer confidence in this. This means that every routine intervention we carry out at food businesses in scope for the scheme will be an inspection.

Approximately 8 % of the total number of food businesses in the city are out of scope of the scheme. Therefore, it can be seen that in practice, the flexibilities in the FLCoP for intervention type cannot realistically be utilised.

For the small number of food businesses that are not in scope for the scheme (which will include food manufacturers), many will be overdue an intervention. In that time, standards could have considerably altered, and activities significantly changed. We therefore intend to ensure that those businesses are also subject to inspections.

Establishments risk rated as Category E for hygiene

The only exception to the above will be for the 31 establishments risk rated as category E for hygiene and due this year. These are by their nature low risk establishments, such as retail shops selling packaged foods and found to be at least broadly compliant with food law. While many of these will be subject to the Food Hygiene Rating Scheme, we intend to subject them to an alternative intervention in the form of a telephone questionnaire. This will mean that the food hygiene rating will not be reviewed, and they will retain the rating issued 3 years ago. The only exception to this will be if the nature of the business has changed and they are no longer carrying out low risk activities or where information comes to light suggesting their risk profile may have changed. In such cases, they will be moved into the inspection programme.

Food Inspections due or overdue 2023/2024

The following categories of food inspections have been considered in determining this year's food service plan;

1. Due food hygiene inspections
2. Due high risk food standards inspections
3. Overdue low risk food hygiene inspections carried over from the previous financial year(s)
4. New registration inspections
5. New registration inspections carried over from the previous financial year(s)

1. Due food hygiene inspections

The table below shows food hygiene inspections that are due for the current financial year;

Inspection risk rating category	A	Estimated further category A inspections required #1	B	C	D	E # 2	Total (exc. Cat E)
Total	26	26	165	318	385	31	920

#1 there will be inspections carried out in the first half of the year where the establishment is rated as a category A for hygiene and will then be due again for a further inspection the same financial year. Estimate same number as first half.

2 category E establishments can be subject to an alternative intervention and do not need to be inspected. . This figure has therefore not been included in the total number of establishments that require inspection.

2. Due food standards inspections

The vast majority of due food standards inspections are carried out at the same as food hygiene inspections. In general, a food standards inspection is less resource intensive than a food hygiene inspection. For those establishments that are risk rated as category A for food standards (due every year) , a separate inspection may need to be scheduled if the hygiene inspection is not also due. Category A food standards inspections tend to be food manufacturers. These do tend to be resource intensive inspections.

The total number of high-risk food standards due inspections due in 2023/24 is shown below:

	Category A
Total	22

3. Overdue low risk food hygiene inspections carried over from previous financial years

All inspections of higher risk establishments overdue because of the coronavirus pandemic were completed in the last financial year or very shortly afterwards. At the beginning of this year, the number of overdue food hygiene inspections of lower risk establishments

(Category D and E) is shown below;

	Category D	Category E
Total	756	506

While the Food Law Code of Practice does allow for an alternative intervention strategy for Category E businesses, that means they do not need to receive an inspection, those that are in scope for the food hygiene rating scheme will need to be inspected for the food hygiene rating to be updated. In addition, during the coronavirus pandemic because of the diversion of resources into the covid-19 response, an alternative enforcement strategy has not been applied to these establishments for a number of years, and the majority of category E establishments are now overdue.

4. New Registrations

The estimated number of new registrations inspections required (based on the average of the last 5 years) is shown below:

2022/2023 new registration interventions required (estimate)	547
--	------------

5. New registration inspections carried over from the previous financial year(s)

The number of new registrations carried over from the previous financial year that require an inspection is shown below;

new registrations carried over	245
--------------------------------	------------

Estimated total number of interventions required to realign inspection programme with the Food Law Code of Practice (FLCoP) this financial year;

Due inspections (category A-D)	Due Food standards inspections Category A	Overdue Category D Hygiene	Overdue Category E Hygiene	New registrations Estimate	New registrations Carried over	Total
920	22	756	506	547	245	2996

Resources Required

The Framework Agreement requires us to estimate the resource requirement in full time equivalent posts (FTE) for carrying our all aspects of food law work.

The work we carry out is both proactive (the routine inspection programme) and reactive: responding to food incidents, general hygiene complaints, outbreaks of food borne disease and food complaints. It can be difficult to quantify the resource requirement for reactive work as this does vary from year to year. We therefore use a figure of inspection capacity which includes capacity for reactive work built in.

Inspection capacity 2023/2024

The inspection capacity of the existing team for the year is estimated at **1452** inspections (**see Annex 4 calculation**) . It can be seen therefore, that it is not feasible for the food law inspection programme to be realigned at the end of this financial year. There are roughly double the number of inspections required than can be realistically achieved.

2023/2024 Inspection Plan

The inspection plan for 2023/2024 recognises that it is not possible for us to realign with the Code of Practice this year. The point when realignment can be achieved is difficult to predict. This current financial year we have fewer due inspections than we normally would, due to the disruption of the inspection programme cycle during covid. Next financial year, we anticipate that we will have a significant amount more due inspections. The Food Standards Agency have set no specific time scale for realignment but have advised that Local Authorities should be working towards this, based on a risk based and intelligence led approach.

A consultation on a new food hygiene delivery model has recently ended and our plan would be to aim for realignment at the time that the new delivery model is introduced. This is likely to be 2024/2025 or later) (see **Annex 5** for further details)

The current years plan is to;

1. Inspect only those higher risk establishments due for a hygiene intervention this year

Of the 920 due inspection for this current year, those risk rated as category A-C are regarded as higher risk inspections. The total for these is **496**. We intend to delay inspecting the due lower risk inspections (category D) to provide capacity for us to focus on inspecting the overdue category D inspections. We anticipate it will be necessary to delay inspecting those due category D inspections by a period of 6-9 months, so that only those due in the first two quarters of the year will actually be planned in for inspection this year.

2. Inspect those due category A food standards inspections

There are a **22** category A food standards inspections due.

3. Inspect those overdue lower risk inspections based on risk

An inspection plan has been devised that aims to prioritise those most overdue category D inspections that pose the greatest risk and inspect them in this current financial year.

The 756 overdue category D premises have been divided into higher and lower risk establishments as indicated below;

Overdue category D (hygiene) inspections

	Higher risk	Lower risk	Total
Category D Hygiene	511	245	756

Our plan is to inspect those **511** higher risk establishments this financial year.

4. New registrations

The Code of Practice allows us to delay inspecting lower risk new registrations where to do so would mean that there would be a delay in inspecting any higher risk establishments.

All new registrations are triaged within 4 weeks of receipt, the food business operator is contacted and signposted to published advice and guidance and the risk of the business is determined as either, low, medium, or high.

All high and medium risk new registrations carried over from 2022/2023

	New reg high and medium risk	New Reg lower risk	Total
Number	69	176	245

Our plan is to inspect the **69** high and medium risk new registrations carried over from 2022/2023 .

Predicted new registrations 2023/2024

Total estimate	Of which we estimate will be assessed as high risk	Of which we estimate will be assessed as medium risk	Of which we estimate will be assessed as low risk
547	20	264	263

Our plan is to inspect those estimated high risk new registrations (**20**) and those assessed as medium risk within 6 months of their registration. Assuming we get an equal number of medium risk new registrations every month, we estimate this to be **132**.

Predicted rerating inspections

Food Business Operators can apply for a rerating inspection at any time after an inspection. During the covid pandemic, charges for this were waived, but were introduced again in 2022. The charge is for cost recovery only. The estimate for the number of rerating inspections is based on the average of the last 3 years ;

	2019/2020	2021/2022	2022/2023	2023/24 estimate
Rerating requests received	66	70	64	67

Summary of Inspection plan for 2023/2024.

	Total number
Due inspections (category A-C only)	496
Due Food standards inspections Category A	22
Overdue Category D (higher risk)	511
Due category D in first 2 quarters	177
New registrations high and medium risk carried over overdue	69
New registrations- higher risk Estimated	20
New registrations- medium risk – inspected within 6 months of receipt Estimated	132
Rerating inspections estimate	67
Total	1494
Estimated number of inspections that can be achieved	1452

Variance

In practice, we often experience considerable variance with the inspection programme. An estimated 20% of establishments will be found to have changed hands or closed either at an inspection or before one can be scheduled. This means that businesses often move from one list to another. For example, if an overdue category D premises was visited for inspection purposes and a new food business operator found, the premises would move from the overdue D list to the new registration list. While it may be appropriate to inspect this new business since the officer is already on site, if the nature of food handling activities have changed, for example it has moved from a café to a retail shop, the officer may decide not to inspect it at that time because there are higher priority inspections to complete.

Intelligence and information

If there is credible intelligence to suggest that the risk of any food business has altered, for example because we have received complaints from consumers alleging poor standards or illness after consuming food from there, then we will bring the inspection forward. This is particularly the case if the inspection is overdue.

Carried over to inspection plan for 2024/2025

It can be seen that this inspection plan does address the following;

Low risk new registrations

Low risk new registrations carried over from the last financial year and those that registered this current year will not be inspected.

Category D inspections that are overdue and lower risk

Such premises are most likely to be small retailers.

Category E establishments

None of the 506 category E establishments that are overdue an inspection will be inspected.

We will, however, develop a strategy this year to determine how these businesses can be bought back into the inspection programme. Initial plans are based around utilising Environmental Health apprentices (of whom 7 have been recruited to Regulatory Services) who will spend blocks of time with the team from June 2024. They will have developed some competency in food law enforcement by this point in their training.

The total number of inspections that we will not have capacity to inspect this year is summarised in the table below;

Low risk new registrations carried over from 2022/2023	176
Medium risk new registrations registering in second half of current year	132
Low risk new registrations current year	263
Category D's due second half of current year	247
Low risk overdue category D's	245
Overdue category E	506
Total	1569

Compliance Revisits

Our estimated of the number of compliance revisits is based on the average of the last 3 years.

Estimated compliance revisits.

	2019/2020	2021/22	2022/23	2023/24 Est
Compliance revisits carried out	1150	909	1114	1057

Compliance revisits are required by the Food Law Code of Practice wherever a food business is not found to be broadly compliant at a food hygiene inspection. Multiple revisits made be made to some businesses before broad compliance is achieved. Food hygiene re-rating inspections are also classed as compliance revisits.

Our resource calculation for the number of inspections we can achieve this year takes into consideration other activities undertaken by officers in the team, including compliance revisits.

New requirements 2023/2024

There are no new legislative requirements that will come into force this year that we believe will have a significant impact on our food service plan. A summary of proposed changes to food law are shown below;

The Food (Promotion and Placement) (England) Regulations 2022

These regulations restrict promotions and placement in certain large retail stores of foods high in fat, salt, or sugar (commonly known as the HFSS regulation)

The government announced (19th June 2023) that the rules banning multi buy deals on products high in salt, fat, or sugars (so called BOGOF deals) which was due to come into effect in October 2023, will be further delayed until October 2025.

Retained EU Law (Revocation and Reform) Bill

In May 2023 the government announced that the sunset clause in this bill, which would have seen all EU law automatically revoked by the end of the calendar year (which could have included significant amounts of food law) , unless exempted, will be dropped.

Changes to novel food regulations

The UK now has its own register for novel foods, that is, those foods that do not have a significant history of consumption in the country before May 2015. The UK is now diverging from the EU in this area, with 2 new novel foods added to the EU register which haven't been added to the UK register. From 31 December 2023, only edible insect species that are subject to an application for novel food authorisation will be allowed to legally remain on the market.

Genetically modified crops

The Genetic Technology (Precision Breeding) Bill is currently at the report stage in the House of Lords. If passed, this will allow the release and marketing of foods made from “precision breed” plants or animals. In effect this means that genes of current plants and animals could be edited to become more nutritious or resistant to disease of the effects of climate change.

3.2 Feed and Food Complaints

All complaints received by the service are logged and reviewed by officers who will use professional judgement to determine which complaints warrant further investigation. Wherever a site visit is made, the officer will endeavour to combine a complaint investigation with an inspection at those premises where the inspection is overdue.

The estimated number of complaints for this year is based on last year’s figure and the figure for the 2019/2020 averaged together.

Year	2019/2020	2022/2023	2023/2024 Estimate
Total number of complaints	1055	907	981

Our resource calculation for the number of inspections we can achieve this year takes into consideration other activities undertaken by officers in the team, including investigation of complaints.

3.3 Home Authority Principle and Primary Authority Scheme

Leicester City Council has one primary authority agreement with Navitas/ESB Limited, a Leicestershire based food safety and health and safety consultancy.

Costs are recoverable on a not-for-profit basis only.

The partnership was in effect mothballed during the coronavirus pandemic and there is currently no regular resource commitment to this. The company has recently expressed an interest in us carrying out a review of their food safety monitoring system. A decision will be made on whether we agree to this based on the estimated time resource.

We also act as the Originating Authority for many Leicester based food manufacturers, responding to requests for advice and information about these businesses from other local authorities.

Our resource calculation for the number of inspections we can achieve this year takes into consideration time officers spend on dealing with complaints and queries from other councils about Leicester based businesses.

3,4 Advice to Businesses

All new business registrations are contacted and signposted to relevant advice before a first inspection occurs (generally by email). Our capacity to carry out advice visits is limited, and these will only generally be carried out for premises seeking approval or for premises intending to set up new manufacturing premises in the city.

Many micro sized food businesses (<10 employees) which manufacture, or pack food do not have technical expertise within their businesses on how to comply with food law requirements. As a result, they rely heavily on us for advice and assistance in achieving this. In particular in the areas of food labelling and food safety management procedures.

We do have close links with the Food and Drink Forum, an organisation providing support to the food and drink sector, which is locally based, and are able to refer some of these businesses on to this organisation to obtain this support.

Currently, we do not record the resources we deploy in advising small packers or manufacturers on food law compliance. It can be difficult to separate this out from our statutory duty to inspect them to identify non-compliances with food law.

3.5 Feed and Food Sampling

Microbiological sampling

This year we plan to carry out microbiological sampling on two days most months. Where UK Health Security Agency (UKHSA) national sampling surveys are relevant to us, we will take part in these. We will also visit and take food samples and/ or environmental swabs from premises where we have received multiple credible complaints about illness after eating food.

Samples will be submitted to UKHSS laboratory at Colindale in London via a courier service.

Sampling for analysis (including allergens)

We do not plan to carry out any regular sampling for this, but moreover will consider ad hoc sampling in response to complaints or the identification of concerns.

Last year we carried out 32 samples for analysis of imported food through funding obtained by the Food Standards Agency. We have applied for and been success in obtaining further funding this year for a reduced number of samples (10).

Our resource calculation for the number of inspections we can achieve this year takes into consideration time officers spend in carrying out sampling.

Feed sampling

We do not plan to carry out any samples from feed establishments, due to the fact there are no feed manufacturers in the city.

3.6 Control and investigations of outbreaks of food related infectious disease

The food safety team are responsible for investigating any outbreaks of infectious disease in the city linked to food premises, with the Public Safety Team taking the lead on arranging sampling of cases and completion of questionnaires.

We have not had a major food poisoning outbreak in the city involving the convening of an outbreak control team for a number of years.

Our resource calculation for the number of inspections we can achieve this year **does not take into consideration** a major food borne disease outbreak. In the event that this occurs, resources would need to be diverted from the inspection programme into this. It is not possible to estimate what resources would be needed for this.

3.7 Feed/Food Safety Incidents

The food safety team are responsible for responding to food alerts and incidents notified to us by Food Standards Agency. We are also responsible for alerting the Agency to any incidents that we become aware of in accordance with the Code of Practice requirements.

Our resource calculation for the number of inspections we can achieve this year **does not take into consideration** a major feed or food incident. In the event that this occurs, resources would need to be diverted from the inspection programme into this. It is not possible to estimate what resources would be needed for this.

3.8 Liaison with Other Organisations

The Team Managers routinely attend the following liaison groups;

Trading Standards East Midlands (TSEM) - food and allergen group.

Leicestershire Food Group – covering food hygiene matters. A UK Health Security Agency representative also attends this group.

The above groups meet every quarter and aim to share experience and best practice.

Team Managers may also attend the Midlands Cities Benchmarking Group, which operates on an ad hoc basis. Performance data is also submitted to this group every year for comparison purposes.

3.9 Feed and Food Safety and Standards promotional work and other non-official controls

We do not plan to carry out any food safety promotional work this year. This is not a statutory function and we have not had the resources to do this for a number of years now.

4 Resources

4.1 Financial Allocation

Food Safety Team 2023/2024 Financial Allocation

The table below shows the overall expenditure in providing the service and shows how this figure has changed over time (not adjusted for inflation)

	Current budget 2023/2024	2018/2019	2017/2018
Employee costs	580,500	522,800	455,300
Controllable running costs (including travel, equipment purchase)	3800	6000	2300
Sampling budget	no set amount		
Financial provision for legal action	No set amount		
Total expenditure	584, 300	528,800	457,600

4.2 Staffing Allocation

The Food Safety Team is currently composed of;

Food Safety Team Manager	1 FTE
Senior Regulatory Officer	1 FTE
Front line officers; Food Safety Officers/ Environmental Health Officers	10 FTE
Allocated front line posts	11
Filled front line posts (excludes Team Manager post)	11

The 11 allocated front-line posts are considered to be adequate to deliver the service in an average year but are not adequate for us to deal with the backlog of all overdue inspections this current financial year.

In terms of the cost, allocated resources and performance of the service, a comparison can be seen at **Annex 6** with Nottingham City Council. It can be seen that the budgets, staffing allocation and performance are remarkably similar.

Officers working in the Food Safety Team are all fully qualified to deliver food hygiene inspections in accordance with the Food Law Code of Practice (FLCoP) requirements. In terms of food standards work, once officer is not qualified to carry out food standards inspections, although they are permitted to carry out allergen related food standards work. As this is the most significant area of food standards work, this does not create us significant difficulties.

4.3 Staff development plan

All officers are required to undertake a minimum of 20 hours continuing professional development a year, as part of the competency requirements detailed in the Food Law Code of Practice.

This is facilitated by an individual subscription that each team members holds to ABC Food law. Officers can use this subscription to attend live webinars, watch on demand webinars or complete online courses. In addition to this, officers will also attend ad hoc courses organised by partner organisations, such as the UK Health Security Agency (UKHSA).

We also take part in consistency exercises operated by the Food Standards Agency in respect to the operation of the Food Hygiene Rating scheme.

5 Quality Assessment

5.1 Quality Assessment and Internal Monitoring

Monthly performance reports are produced that provide data on numbers of inspections completed, enforcement actions taken, numbers of complaints and new registrations received. The reports contains tracking bar charts, which aim to help us assess whether we are on track to meet our targets. See **Annex 7** for a copy.

There are no current plans for any inter-authority audits to occur this year.

6.Review

6.1 Review against the service plan

It is our intention to review progress with this service plan every quarter, and report back after 6 months to the Lead Member for Regulatory Services on our progress with this.

Performance in 2022/2023.

While there was a service plan for 2022/2023, this was not submitted for Councillor approval. The plan essentially was to ensure that we completed the Recovery Plan targets set for Local Authorities by the Food Standards Agency,

Annex 8 details work completed by the team that year and **Annex 9** staffing changes that have occurred.

6.2 Identification of any variation from the service plan

Since there was no published service plan last year, we have not analysed this for variance against the plan.

6.3 Areas of Improvement

In our review against this years' service plan, we will identify areas for improvement which will feed into the service plan for the following year.