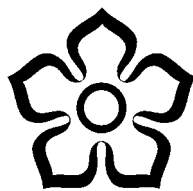


**Leicester City Council's
Service Plan for Food Enforcement**

2003/2004



Leicester City Council

Environment Regeneration & Development

1. Introduction

1.1 Purpose of Service Plan

1.2.1 This Service Plan for Food Enforcement outlines how Leicester City Council intends to fulfill its statutory obligations to maintain safety and quality standards for food and animal feedingstuffs in Leicester.

1.2 Aims and Objectives

1.2.1 Within the context of The Leicester City Council's Corporate Plan 2003/4 and its statutory obligations Leicester City Council's regulatory services work to achieve the following objectives in food enforcement:

- To prevent ill-health and death arising out of food poisoning from the consumption of food which has been contaminated by microbacteria and toxins in the process of manufacture, distribution, preparation and sale;
- To ensure that consumers can enjoy good quality food in Leicester and from Leicester producers;
- To prevent economic loss arising out of adulteration and fraud in the production and sale of food;
- To ensure that consumers are able to make informed choices about the food they buy.

1.2.1 Leicester City Council has adopted the six priority themes of Leicester's Community Plan 2003/2005 as corporate aims. The work of Leicester's public protection services links directly to the following Corporate Plan priorities and goals:

- **Social Care and Health:** To promote healthy living and help give people the opportunity to make informed choices about the way they live their lives.
- **Jobs and Regeneration:** To support excellence in existing industries and services.
- **Safeguarding the Rights of Citizens:** To safeguard the health and economic interests of consumers .

2. Background

2.1 Profile of Leicester

- 2.1.1 Leicester is an urban authority with a population of 280,900. Around 30% of the population are from ethnic communities that originate in the Asian sub-continent. Over 70,000 people commute to work in Leicester every day and the student population of Leicester has now risen considerably over 10,000. It is the largest City in the East Midlands and the tenth largest in the country.
- 2.1.2 Leicester City Council is a Unitary Authority. It acquired Unitary Status in April 1997.
- 2.1.3 Leicester is a major regional commercial, manufacturing and retail centre located close to the M1 and M69. It is known better for diversity of its trade than for the dominance of any single industry. Textiles and clothing are important but declining manufacturing industry. The proportion of the workforce employed in manufacturing is higher than the national average of 24% and this reflects the relative importance of this sector in the City's economy.
- 2.1.4 As of April 1 2003 Leicester City Council had records on 2494 food businesses and premises operating in the city and subject to monitoring by the City Council. A handful of these are of regional and national significance such as Walkers Snack Foods, Walkers Midshires, Foxes, Blackfriars Bakery, Kirby & West Dairy. A small number of food businesses distribute, process and sell foods imported from countries outside the EU.
- 2.1.5 Changes in the retail sector have been driven by new retail developments in the City Centre as well as at Fosse Park close to the City's boundary. There has been pressure on the 'corner shop'.
- 2.1.6 Leicester's service sector has grown in recent years and now employs 60% of the workforce. The leisure sector has increased substantially with more restaurants, fast food outlets, pubs and clubs opening up. Particular features of Leicester's food industry are its Asian restaurants. This sector is characterised by a high turnover in businesses.
- 2.1.7 A large number of the businesses in Leicester are small enterprises employing less than 20 employees. Many of these are run by people from Asian and other ethnic communities and for whom English is not their first language. Several languages are spoken by proprietors and staff including Bengali, Gujerati, Urdu, Chinese and Turkish.

2.2 Scope of Leicester City Council's food enforcement responsibilities

- 2.2.1 As a Unitary Authority the Council is responsible for the full range of **food safety** and **food standards** duties laid down by the Food Safety Act and the provisions of the Agriculture Act 1970 in relation to feeding stuffs.

2.3 Demands on food enforcement services

2.3.1 Leicester has a diverse range of food related businesses and premises.

2.3.2 There are 12 premises in Leicester in which food products are manufactured for export to European Member countries and subject to enhanced product specific hygiene regulations. The European Union Approved establishments comprise those producing dairy products; minced meat/meat preparation establishments and meat products establishment.

2.3.3 There are 38 butchers premises licensed by the authority under the licensing regulations which came into force in November 2000.

2.3.4 Leicester City Council acts as 'Home Authority' on food hygiene issues for Walkers Snack Foods and on food standards issues for 30 businesses. Hygiene Home Authority arrangements are under review.

2.3.5 There are no feedingstuffs premises approved, registered or approved by the RPSGB in Leicester.

2.3.6 The table below shows a profile of Leicester's food businesses by type and distribution of food premises by categories under the hygiene inspection rating scheme based on risk.

Level of Risk ¹	Producers	Slaughterhouses	Manufacturers	Packers	Importers	Distributors	Retailers	Restaurants and caterers	Manufacturers of articles in contact with food	Manufacturing Retailers	Total
Total	1		73		1	47	711	1655	2	N/A²	2494
A			13			3	6	125			147
B			29			2	31	327	2		391
C			21			15	190	834			1061
D	1		7		1	18	204	158			389
E			2			7	203	129			342
F		1	1			2	75	66			146
Unrated							2	16			18

Table 1: Food Hygiene Risk Profile as 1 April 2003 using the Food Safety Act, S40 Code of Practice 9 Inspection Rating Scheme.

¹ A – Very high risk and requiring inspections every six months; B – Annual inspection; C – Eighteen months; D – Two years; E – Three years; F – Five years; Unrated.

2.3.7 The risk profile in the area of food standards is as follows²:

Level of Risk	Producers	Slaughterhouses	Manufacturers & Processors	Packers	Importers	Distributors	Retailers	Restaurants	Manufacturers of articles in contact with food	Manufacturing Retailers	Total
Total	9	1	66		12	66	791	1504	6	40	2495
High											
Medium			35			3	2	1		7	48
Low			19		6	50	580	952		30	1637
Negligible	8	1	12		3	13	200	501	6	3	747
Unrisked³	1				3		9	50			63

Table 2: Food Standards Risk Profile as 1 June 2003 using Consumer Protection Service Risk Rating Scheme.

2.4 Organisational structure

- 2.4.1 The Food & Community Public Health Service has responsibility for food hygiene, health and safety, public health activities in all food premises excluding residential care home kitchens, office and factory canteens. In the latter food premises the Food & Community Public Health Service takes lead responsibility for policy although enforcement is undertaken by the Private Sector Housing Service and Public Safety Service. The Food & Community Public Health Service also deals with infectious disease work including investigation of food poisoning. Applications for planning permission are also commented on.
- 2.4.2 The Food & Community Public Health Service was re-organised in 2000/2001 into three area based operational teams. These came into operation from 1 April 2001 and have resulted in better integration and use of resources.
- 2.4.3 The Consumer Protection Service has responsibility for food standards issues such as the labeling, pricing, composition, weights and measures aspects of foods and feedingstuffs. The Service also provides information, advice and support to consumers with food enquiries and complaints.
- 2.4.6 The Consumer Protection Service was established in April 1997 following transfer of functions and staff to Leicester City Council on Local Government Re-organisation.
- 2.4.7 *See Annex A for the **Organisational Structure**.*

² The Consumer Protection Service is responsible for regulating the activities of an additional 5572 non-food businesses.

³ Unrisked businesses may be new food businesses which have not yet been risked by the Consumer Protection Service or may be former food business premises which now have a non-food business and have been assessed as Zero risk for food quality.

2.5 Provision of Specialist Services

- 2.5.1 Food Examination for microbiological purposes is carried under a service level agreement with the Public Health Laboratory Service.
- 2.5.2 Scientific investigations into the composition, authenticity, quality and labeling of food products are carried out by two Public Analysts appointed by the Authority, Leicestershire Scientific Services and Eurofins Scientific.
- 2.5.3 Agricultural analysis is carried out by Leicestershire Scientific Services and Eurofins Scientific.

2.6 Consumer and business access to help and advice

- 2.6.1 Food enforcement services are delivered primarily from Leicester City Council's main administrative complex located in the City Centre. Public access to Services is within office hours although officers work outside these hours when the nature of work dictates.
- 2.6.2 Consumers and businesses can report complaints relating to food or seek information and advice through a number of gateways.
- 2.6.3 Leicester City Council operates a comprehensive drop-in and phone-in Customer Service Centre in its main administrative complex during office hours.

Customer Service Centre
New Walk Centre
Welford Place
Leicester, LE1 6ZG.

The Environment, Regeneration and Development Department operates a dedicated telephone call centre (Helpline) for its services during office hours: Tel: 0116 252 6339. This will be integrated into the corporate customer services call centre in 2003.

The Consumer Protection Service has a 'High Street' presence for drop-in and phone-in enquiries during office hours. This will relocate in 2003.

Consumer Advice Centre
10/12 Granby Street
Leicester, LE1 6ZG
Tel: 0116 299 5600

The Food & Community Public Health Service operates a telephone advice line during office hours; Tel: 0116 252 6420. There is an out of hours emergency service which operates from 17.00 to 08.30 on a weekday and 24 hrs at weekends and Bank Holidays.

A translation and interpreting service is available within the Council.

Leicester City Council has a website at www.leicester.gov.uk and the Consumer Protection Service has an e-mail address at consumer.protection@leicester.gov.uk

2.7 Enforcement Policy

- 2.7.1 Leicester City Council's public protection services work in accordance with the City Council's Enforcement Policy which was agreed by the City Council in March 2002. This Enforcement Policy reflects the Enforcement Concordat adopted by the City Council in March 1999 and the Code of Practice for Crown Prosecutors.
- 2.7.2 The Enforcement Policy seeks to ensure that officers carry out actions in a fair, practical and consistent manner and that formal enforcement is applied only where there is a real risk of harm to people's health and economic interests.
- 2.7.3 Enforcement processes and responses are being documented to ensure quality and consistency in application. Decisions will be monitored to ensure consistency and compliance with the Enforcement Policy.
- 2.7.4 The Enforcement Policy is to be made available to the public and businesses through the ERD departmental website.

3. Service Delivery 2003/4

3.1 SPECIAL INITIATIVES 2003/04

- 3.1.1 **Block Surveys** Last year staff from the Food and Community Public Health Service used emergency legal powers on 20 occasions to close food businesses with pest infestations amounting to “imminent risk to health” conditions. It is intended to address this problem area, by a proactive high media campaign of “Block surveys”. Two areas of the city will be targeted in order to raise awareness and remind business proprietors of their legal responsibilities to operate pest free. The areas chosen will be a part of the City Centre and Belgrave. Since pests are no respecters of boundaries, it will involve surveys of food, non-food and domestic premises within a defined block. Businesses will also be given advice about proofing. An appropriate graduated enforcement approach will be taken against businesses found to have an active pest infestation.
- 3.1.2 **Hygiene Advisor** To compliment enforcement activities The Food & Community Public Health Service intend to trial a development of the trainer post to incorporate a hygiene advisor role. This being funded from the income generated through the training unit. This would target selected food businesses found on programmed inspections to be failing and give them opportunity to have more in-depth support and advice on how to comply with legal food safety requirements. The Hygiene Advisor would have sessions with the proprietor on safe practices and get them to document and record these to demonstrate compliance. The benefit is safer food and hopefully less programmed inspections by our enforcement staff, so we can target these resources into higher risk areas.
- 3.1.3 **Pro-active monitoring of business standards and conduct**
- 3.1.4 A database of commercial and domestic premise (including those connected with food businesses) is maintained on a Uniform 2000 computer software package. The database is shared by public protection services in Environment Regeneration & Development. Records of 2494 food related businesses and premises are held on the database.
- 3.1.5 Premises that have closed will be removed from the system in accordance with the protocol agreed by the Uniform Users Group.
- 3.1.6 The Food & Community Public Health Service deals with over 200 new food registrations every year and is the lead service for maintaining the integrity of the food premises database.
- 3.1.7 Leicester City Council's food enforcement services undertake pro-active monitoring of businesses and premises based on an assessment of risk to public health and consumers' economic interests. Monitoring is usually undertaken in a physical inspection of the premises although for some matters product sampling and testing will take place. A variety of factors are taken into account in the targeting of monitoring efforts. These include the nature of the business, its size, the customer profile, track record of compliance, quality of management systems. The risk rating schemes are publicly available. They are set by Foods Standards Agency and determine the number of inspections we are required to do in any one year.

3.2 Food Hygiene Inspections

3.2.1 A food hygiene inspection under general regulations covers food safety procedures, prevention of contamination, safe food temperatures, cleaning, pest exclusion and control, and structural matters. Product specific and butchers shops licensing regulations inspections cover similar matters but both inspection and compliance are more rigorous.

3.2.2 Food hygiene inspections are programmed at the frequency set out in Food Safety Act Code of Practice No.9 (amended October 2000) although they may be brought forward in response to complaints about food premises. Revisits following inspection take place. During 2002/3 a policy on when to revisit was introduced in the form of a decision tree. The food hygiene inspection programme for 2003/2004 is as follows:

Inspection rating category and frequency of inspection	A	B	C	D	E	F	Total
	6 months	1 year	18 months	2 years	3 years	5 years	
Number of premises	138*	350	697	188	112	16	1501
Inspections Programmed 2002/2004	1323 (*includes 138 x 2)			316			1639
Inspections carried over from 2002/2003	14			68			82
Re-visits to check on compliance (Estimate)	325			0			325

Table 3: Food Hygiene Inspection Programme for 2003/2004, taken from Uniform 15 April 2003.

3.2.3 The Food Hygiene Inspection Programme for the year requires 1721 inspections of food businesses to be completed in accordance with the Food Standards Agency risk ratings. This is 240 extra compared to last year. In view of current resources and the need to target pest activity in businesses it is felt the following is a realistic target to achieve.

Inspection Rating Category	A – C	D – F	Total
Number of inspections	1,337	384	1721
% to be inspected	95%	33%	
Number to be inspected	1,270	125	1,395
Shortfall	67	259	326

3.2.4 The shortfall of 326 inspections will have to be added to the 2004/5 Programme. The implications of the shortfall will be looked at as part of the review of priorities and resources within Environmental Health

- 3.25 Inspections are allocated to officers. Generally speaking officers will inspect premises located in their geographical Area. However, service priorities and resources may require departure from this. Category A, B, and C premises inspections will generally be allocated to Food Specialist Environmental Health Officers. Category D, E, and F premises will be allocated to Community Public Health Environmental Health Officers. Difficulties in resources will be addressed if needs be. As a last resort work will be prioritised and targets reduced. Their immediate line manager will monitor officer performance and any missed inspections will be carried forward to the next quarter.
- 3.2.6 The Area Team Manager (Central Area) will monitor the inspection programme as a whole and will periodically report on progress to the Head of Service
- 3.2.7. All new premises will be visited and inspected within 28 days of receipt of the registration form.

3.3 Food Standards Inspections and Interventions

- 3.3.1 Businesses with a significant food related risk rating (e.g. food manufacturers who are assessed as medium risk) are inspected on a frequency appropriate to their risk rating.
- 3.3.2 The inclusion of inspections for food standards purposes in other lower risk businesses will be considered designing the sectoral surveillance projects that are scheduled in the Service's Market Surveillance Programme. Generally speaking where the business sector is large then a sample of no less than 10% of businesses will be inspected for the purposes of a 'reality check'. Where there is adverse local or national information then the a more inspection based intervention would be undertaken.
- 3.3.3 Food standards inspections may include checks on pricing, compliance with date mark requirements, use of appropriate weighing equipment, display of statutory notices. A food standards inspection can lead to the acquisition of food samples to check on the quality, composition and labeling of foods.
- 3.3.4 The specific business sectors programmed for review in 2003/4 and which have food related activities are:- Confectioners - retail and manufacturing (11); Restaurants (177); Butchers at retail, markets and mobile premises and manufacturing premises (55); Public Houses (62); Food Manufacturers (3); Grocers (69), Hot foods from mobile units (23), Children's Homes (3) and Health Food Retailers (6), Places of Worship (35), Newsagents (35), Hospitals (14), Farm (7).
- 3.3.5 Food standards interventions are programmed at the frequency recommended in the Food Safety Act 1990 Code of Practice 2003 (consolidated 2003) and in accordance with the Consumer Protection Services risk assessment scheme. The nature and significance of the risks associated with poor food hygiene generally leads to a different frequency and pattern of inspections than in the case of food standards.
- 3.3.6 An inspection may be triggered or brought forward in response to complaints about a food business.

3.3.7 Where serious non-compliance is discovered a re-visit/s will take place.

3.3.8 The Food Standards Intervention workload is set out below:

Risk category & Frequency of Intervention	High	Medium	Low	Neg	Total
	1 year	2 yearly	5 years		
Benchmark number of businesses for review		24 (48)	327 (1637)	150 (747)	501 (2495)
Programmed inspections and alternative enforcement interventions for 2003/2004		10	379	123	512
Re-visits to check on compliance (Estimate)	40				40

Table 3: Food Standards Intervention Programme for 2003/2004.

3.3.9 It is estimated that a total of 0.70 FTE officers will be committed to carrying out 512 food standards related visits and other interventions in 2003/2004.

3.4 Complaints about Food Products and Food Premises

3.4.1 All food complaints from the public and trade are recorded and assessed by officers to identify the appropriate response. A significant number give rise to public health or economic issues and require prompt investigation. Those which do not require prompt action are recorded for officers to consider or raise with business proprietors at the next scheduled contact.

3.4.2 The Food & Community Public Health Service investigates complaints about specific products and food premises relating to food hygiene. Generally speaking food purchase complaints are dealt with by the Area Team responsible for the area in which the complainant resides. If the complainant resides outside Leicester then the complaint will be dealt with by Area Team in whose patch the product supplier is based. Complaints about food premises will be allocated to the Area Team responsible for the area in which the business is based.

3.4.3 During the year 2002/2003 the Food & Community Public Health Service recorded:

- 93 food purchase complaints
- 915 complaints and requests for service about food premises

3.4.4 A similar number are anticipated this year.

3.4.5 The Consumer Protection Service investigates a broad range of food related complaints including those relating to the way in which a food or drink product is marketed, described, priced, labeled and packaged. A significant proportion of complaints are initiated by officers sampling or inspection work.

- 3.4.6 The Consumer Protection Service provides advice and assistance to consumers seeking redress for poor quality catering services, food products and minor personal injury.
- 3.4.6 The Consumer Protection Service is expecting to receive around 360 food related complaints from members of the public and traders via the Consumer Advice Centre. These will be forwarded to appropriate public protection services.
- 3.4.7 The Consumer Protection Service expects to investigate 150 complaints from the public and 70 complaints made by other local authorities related to Leicester sourced food products.
- 3.4.7 No significant increase is expected in the number of complaints, enquiries and investigations arising from food and it is estimated that 0.52 FTE officer will be required to deal with them.

3.5 Business Advice

- 3.5.1 Advice is available to food businesses on request. Generally, however, advice is provided during visits to premises. Information leaflets and packs are available for people considering setting up a food business
- 3.5.2 The Food & Community Public Health Service and the Consumer Protection Service provide a telephone advice line for businesses.
- 3.5.3 The Food & Community Public Health Service does not record data on the number of businesses requesting advice outside of the inspection programme. It is estimated that 25% of the calls received by the Service relate to food issues. Advice to the home authority businesses is calculated at 2 days of officer time.
- 3.5.4 The Consumer Protection Service expects to receive around 50 requests from traders for advice on food standards matters in 2003/2004 and an additional 10 from home authority businesses. A provision of 0.225 FTE is being made to respond to business advice requests.
- 3.5.5 The Food & Community Public Health Service has formal 'Home Authority'⁴ relationships with a food business in Leicester: Walkers Snack Foods.
- 3.5.6 The Consumer Protection Service has informal 'Home Authority' relationships with 30 local food businesses.

3.6 Food Sampling

- 3.6.1 The acquisition and analysis of food products is an integral feature of Leicester City Council's monitoring activities.

⁴ Home Authority relationships are established for businesses, which have a significant regional or national trading presence and therefore interact with the regulatory services of numerous local authorities. The Home Authority undertakes to take a lead role in providing business advice to that business and taking up a central liaison role in the event of problems being discovered. Relationships differ in the level of formality. Information on Home Authority commitments are maintained at national level by LACOTS.

- 3.6.2 The Food & Community Public Health Service undertakes microbiological sampling in accordance with local priorities including those identified by the Leicestershire Food Liaison Group, and in support of EU and LACOTS co-ordinated food surveillance programmes.
- 3.6.3 The food sampling programme for Leicestershire will form the basis for Leicester's food microbiological sampling activities. This programme will encompass international, national, regional, and local sampling issues.
- 3.6.4 Seven programs have been set for 2003/2004 food sampling.
- 3.6.5 The Food & Community Health Service sampling programme is contained in Annex E. Around 150 samples will be acquired.
- 3.6.6 The Consumer Protection Service approach to food standards sampling is to monitor:-
- The ingredients used in the final product from 'Home Authority' producers
 - Food that is prepared in Leicester for consumption in Leicester
 - Specific product related products identified by Leicester consumers by way of complaint, consultation, eg. products with specific health claims.
 - To participate in any regional/national programme which would benefit the consumers of Leicester.
- 3.6.7 In deciding which food products to sample the Consumer Protection Service will consider:
- The susceptibility of the product to quality variation or deliberate adulteration at local level
 - The level of detriment that this may cause
 - The vulnerability of consumers, that is higher priority to the elderly, children and people with illnesses.
- 3.6.8 The Consumer Protection Service sampling programme is contained in Annex D. 160 samples will be acquired and a commitment of 0.22 FTE officer and manager time will be made to this.

3.7 Outbreak Control and Infectious Disease Control

- 3.7.1 The Food & Community Public Health Service will record all notifications of food poisoning. High risk patients will be monitored and where necessary be excluded from work or school/nursery until clearance is obtained from the Consultant in Communicable Disease Control (CCDC), Leicestershire Health Authority.
- 3.7.2 It is estimated that there will be 200 notifications during 2003/2004.
- 3.7.3 The Outbreak Control Plan will be implemented in the case of a major outbreak. The resources required will depend on the nature and extent of any outbreak. If necessary, resources will be diverted away from other lower priority work areas and activities.

3.8 Responses to Food Hazard Warning

- 3.8.1 The Food & Community Public Health Service will deal with Food Hazard Warnings in accordance with Code of Practice 16 and guidance issued by the Food Standards Agency. The Area Team Manager (Central) has lead responsibility and the out of hours service is set up to deal with any warnings which occur outside normal office hours. Warnings are received electronically via EHCNet (an e-mail based communication system run by the Chartered Institute of Environmental Health) and by pager.
- 3.8.2 The resources required will depend on the nature and extent of any Food Hazard Warning. If necessary, resources will be diverted away from other lower priority work areas and activities and/or brought in from the Consumer Protection Service and other regulatory services. 50 food hazard warnings were issued by the Food Standards Agency during 2002.
- 3.8.3 A Food Hazard Warning policy and procedure document will be agreed and implemented by March 2004.

3.9 Responses to Feedingstuffs Safety Incidents

- 3.9.1 The Consumer Protection Service will comply and act upon any notifications of animal feedingstuffs hazards. None are anticipated in 2003/2004.

3.10 Food Safety and Standards Promotion

- 3.10.2 A high public and trade awareness of food safety and standards issues is a factor in encouraging better business compliance with best practice and legislation, reducing food poisoning and economic fraud, and creating more informed and discerning consumers.
- 3.10.3 The Food & Community Public Health Service and the Consumer Protection Service will, subject to other priorities, carry out educational campaigns as an integral element of their enforcement approach. The Services will participate in inter-authority campaigns like the National Food Safety Week and National Consumer Week.
- 3.10.4 The resource commitment to this area will be 4 days from both Services.
- 3.10.5 A significant contribution to promoting food safety is made by the Food & Community Public Health Service's food hygiene training service. Courses in food hygiene are offered at basic, intermediate and advanced levels in English and several other community languages. Approximately 700 people will be trained by the Food & Community Public Health Service in 2003/2004.

3.11 Liaison with Other Organisations

- 3.11.2 It is the aim of the Food & Community Public Health Service and the Consumer Protection Service to apply best practice in dealings with food businesses and respond in a manner proportionate to the level of risk and detriment. Consistency of approach

with neighbouring and national agencies will be sought to the extent that this supports protection of the public and visitors to Leicester. The Services participate in a number of networks:

Food hygiene/safety

- (CIEH) Leicestershire Food Liaison Group
- LACORS Food Liaison Group
- Midland Cities Group

Food standards

- Public Analysts/Consumer Protection Service Meetings
- East Midlands Co-ordination Of Trading Standards (Food Standards) Group
- Trading Standards Unitary Cities Group

4.0 **RESOURCES**

4.1 Financial Allocation

4.1.1 Given the multidisciplinary and integrated organisation of food related service delivery it is not possible to provide a comprehensive and detailed report on the financial allocation to food enforcement or to its component activities. Moreover, many expenditures such as training, IT, legal and other support services costs are paid for out of generic Service budgets or provided by other Services as services in their own right (e.g. Helpline).

4.1.2 The Food & Community Public Health Service has a cost centre for food related activities.

120351 - Food Control

Staffing	395,200
<u>Running Costs</u>	<u>15,200</u>
Gross Expenditure	410,400

<u>Less:</u>	
Income	5,100
<u>Net Expenditure</u>	<u>405,300</u>

The Cost Centre does not include food complaints, food poisoning investigations, food premises inspections undertaken by officers previously in the Public Health Teams.

120352 - Food Training

This service is run on a stand-alone break-even basis utilising Trainers

Environmental Health will be reviewing resource allocation between functions in the current financial year.

- 4.1.3 The Consumer Protection Service is organised into three teams of multidisciplinary officers tackling consumer protection issues in trade sectors. Food standards issues or related issues such as personal injury, weights and measures may arise in any sector. The Consumer Protection Service makes budgetary provisions for the commissioning of analytical services. No specific sum is ring fenced for food analysis.
- 4.1.4 The Departmental Budget Strategy for 2003/4 implements a £100K reduction in the budget of the Consumer Protection Service from 1 April 2003. In the long run this will be achieved by changing the suppliers of Public Analyst and Metrological Services and relocating the consumer advice function to cheaper premises. In 2003/4 the budget reduction target (and the one-off costs of the relocation) are being financed by a freeze on recruitment and drawing on analytical services and other budgets.

4.2 Staff Allocation

- 4.2.1 As with the Financial Allocation it is difficult to disaggregate the planned or actual allocation of staff resources to food related enforcement.
- 4.2.2 The Food & Community Public Health Service comprises 18 Environmental Health Officers and 4 technical officers, 9 1/2 of whom specialise in food hygiene matters, and officers working in Pest Control and Dog Warden Teams. The F&CPH Service currently has vacant EHO posts, which need to be filled if targets are to be met. There is also one Training Officer post dedicated to offering food safety training in the main.
- 4.2.3 The management of food related and public health activities is undertaken by three Area Team Managers one of whom has an overall strategic lead role for the Service. All managers and specialist officers are EHORB Registered and adequately experienced in food safety enforcement as required by FSA Code of Practice 19.
- 4.2.4 Administrative support consists of 3.5 FTE posts of which at least 1.5 FTE are dedicated to supporting food safety related activities.
- 4.2.5 The Consumer Protection Service comprises 23 Trading Standards and Consumer Protection Officers. There are no posts which specialise in food related enforcement although it is a significant (but not necessarily the main) element in the work activities of 3 officers and 1 Manager. The Service has 9 officers with appropriate qualifications and experience to meet the requirements of the FSA Code of Practice 19.
- 4.2.6 The demands for animal feedingstuffs enforcement in Leicester is negligible.
- 4.2.7 Administrative support consists of 4 posts of which 0.25 FTE is dedicated to food standards activities.
- 4.2.8 More detailed resource calculations and costings will be undertaken in preparation for the Best Value Review of regulatory services in 2004/5.

4.3 Staff Development Plan

- 4.3.1 The Environment & Development Department has Investor in People Status. All officers in The Food & Community Public Health Service and the Consumer Protection Service are subject to annual appraisal under a corporate Appraisal Scheme. The appraisal covers issues of performance, current and anticipated learning needs.
- 4.3.2 The Food & Community Public Health Service and the Consumer Protection Service operate locally devised competency schemes to facilitate staff development.
- 4.3.3 Identified needs are prioritised according to beneficial impact on service delivery and management. Generally speaking the order of priorities is: training to satisfy statutory/mandatory requirements (e.g. Food Standards Agency minimum training requirements); remedial training to improve shortcomings in individual performance;

training to underpin new work areas or fill gaps when competent officers leave;
Service capacity building and personal development.

- 4.3.4 Arrangements are in hand to improve the administration of officer training records in Food & Community Public Health Service and the Consumer Protection Service.

5. Quality Assessment

5.1 Introduction

5.1.1 The Food & Community Public Health Service and the Consumer Protection Service have both obtained Charter Mark status.

5.2 Performance Management

5.2.1 The Food & Community Public Health Service maintain documented work processes and procedures. Due to the Food Standards Agency Framework Agreement and anticipated revised Code of Practice these were reviewed in 2002/3. The Consumer Protection Service are in the process of reviewing its documented procedures with a view to completion by September 2004. The Food & Community Public Health Service continues its implementation of the standard set out in the Framework Agreement. Depending on there being sufficient resources to provide services, work on implementation should be completed during 2003/4.

5.2.2 Management of performance is undertaken by front-line managers and this includes regular desk top reviews of complaint and inspection files. This includes reviewing all adverse samples and checking all notices served.

5.2.3 Officers who are new to food enforcement or have returned after a prolonged absence are subject to closer supervision depending on the quality of their prior experience and CPD history.

5.3 Customer Satisfaction Surveys

5.3.1 All businesses, including food businesses, subject to an inspection are left a customer satisfaction questionnaire for completion and return to the Head of Service. All consumers whose food related complaints are taken on by the Service for the purposes of an investigation or resolution of a civil compensation dispute are sent a satisfaction questionnaire. Any criticisms of the service are investigated and if necessary service improvements made.

5.4 Complaints against Service

5.4.1 Complaints against Service are investigated by line managers and the Head of Service depending on the nature of the complaint and the complainant's satisfaction with the outcome. The findings of complaint investigations are considered and actioned appropriately.

5.5 Intra-authority and Inter-authority Audits

5.5.1 The Food & Community Public Health Service is a member of the Leicestershire Food Liaison Group and is programmed in June 2003 to have an inter-authority audit. In January 2002, the food service of Food & Community Public Health received an audit from the Food & Veterinary Office of the European Union, accompanied by staff from the Food Standards Agency.

5.5.2 The Consumer Protection Service is a participant of the EMCOTS peer review process and was audited in January 2002. The production of the report was delayed due to the illness of one of the auditors. A number of non-compliances were identified in the review and the service is including these in its review of working practices.

5.6 Best Value Reviews

5.6.1 The Food & Community Public Health Service, the Consumer Protection Service and other regulatory/enforcement services in the Environment & Development Department are scheduled for Best Value Review in 2005.

6. Review against Service Plan 2002/3

6.1 Review against the Service Plan

- 6.1.1 The Service Plan for Food Enforcement is a composite plan extracted from the Business Plans of the Food and Community Public Health Service and the Consumer Protection Service for the purposes of seeking councillor endorsement and satisfaction of the Food Standards Agency's requirements.
- 6.1.2. Activities are reviewed on a quarterly basis by the lead managers to their respective Service Management Teams on the performance against commitments and targets made in the Business Plans. Quarterly meetings with the Service Director follow, where any discrepancies in the business plan are discussed and action plans prepared to address them. The performance indicators form part of the health indicators for the Public Protection Division.

Review of performance against this plan will be reported to members.

6.2 Food & Community Public Health achievements for the year 2002/03

- A. Achieved our inspection targets for high-risk food businesses of 1169 inspections.
- B. 20 food business's with pest infestations resulting in "imminent risk to health" conditions had to be closed using emergency legal powers through the courts. 120 Improvement Notices were served for food hygiene contravention's.
- C. Introduced a revisit policy to target those premises where a food safety risk exists and needs a re-inspection to ensure compliance.
- D. Ran a series of pest briefings to inform proprietors of the signs of an infestation and action to be taken to overcome such problems.
- E. Reviewed our training unit to ensure it runs at no cost to the Council and provides cost-effective quality training in partnership with Adult Education.
- F Introduced customer satisfaction questionnaire's for users of the service
- G Achieved Charter Mark status for the Food & Community Public Health Service

6.3 Consumer Protection Service achievements 2002/3

- 6.3.1 Proactive Market Interventions 2002/3 - The food related sectors scheduled for review in the 2002/3 Food Enforcement Plan were as follows:-

Sector	Sectoral	Intervention
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	Food Risk	
Bakers Retail	Low	8 of 20 retailers visited. Labelling problems. Advisory letter sent to all in sector.
Bakers Manufacturing	Medium	6 of 17 bakers visited. 3 of 7 retail/manufacturing bakers visited. Checks for bread weights. Bread weights short. Shortcomings in record keeping. Revisits. No exemption certificates held. Plan to reissue.
Hospitals	Negligible	Deferred to April 2005.
Restaurants	Low	33 out of 63 businesses visited and subjected to wide compliance check. 12 businesses satisfactory. Problems found included: imperial spirit optics, no suitable measures for dispensing wine, no W&M notice, one misdescription on menu, problems with business names notices and pricing. Chicken Tikka/Pilau rice samples taken. Adverse results for colourings and rice. Revisits and advice.
Newsagents (with and without food)	Negligible	178 newsagents and 18 Specialised Wine Retailers visited and advised on law restricting the sale of products by age.
Specialised Wine Retailers	Low	Distribution of specially produced guide. . Full inspection in 3 businesses. Six age test purchases undertaken. Four failures.
Paan Houses	Low	5 dedicated businesses in sector. 4 visited and inspection of labelling and display of tobacco notices.
Butchers Retail	Medium	22 businesses inspected. Significant non-compliance with food labelling (16), pricing (5) and incorrect scales (3). Revisits arranged and compliance.
Butchers Manufacturers	Medium	3 business in sector. Review rescheduled to September 2004.
Hotels	Negligible	18 businesses identified as Hotels and 14 as B&B. Advice letter sent to all regarding display of prices.
Bed & Breakfast	Negligible	
Public Houses	Low	18 out of 46 pubs inspected. Compliance mediocre. Dip tests for spirit substitution. Advice letter sent to full sector (274).
Herbalists	Negligible	8 herbalists visited of which 4 were retail outlets and 4 were 'clinics'. No adverse results.
Undertakers (with	Negligible	Survey undertaken of religious

food)		communities. No adverse food related information disclosed.
Grocers Market/Mobile	Low	Inspection of market based grocers (48 inspected) for compliance with metrication, pricing and labelling. Food related compliance satisfactory. Pricing and shortweight issues.
Casinos/Betting	Negligible	3 businesses identified and inspected. No adverse findings.
Food Importers	Medium	Deferred to 2004

The Consumer Protection Service also undertook inspections of the following major food businesses based in the City: Charwood Bakery, SI Foods, Raj Royale, Paddy Fields Rice, Walkers Midshires, Daisy Preserves, Neya Taste, Sabera, Sanjay Foods, Walkers Snacks (Leycroft), Everest Ices, Natasha Foods, Drivers Pickles, Kebab King, Ashapura Millers.

- 6.1.7 Complaint Investigation - 367 food related complaints were received by Leicester City Council in 2002/3 from members of the public, other businesses and local authorities via the Consumer Advice Centre. Where appropriate complainants were referred to enforcement officers in the Food & Community Public Health Service and Consumer Protection Service.

In 2002/2003 the Consumer Protection Service recorded:

- **160** (153 in 2001/2) investigations arising out of complaints from members of the public (**128** from Leicester consumers, **32** from non-Leicester consumers)
- **63** (68 in 2001/2) investigations initiated into Leicester based businesses as a result of referrals from other local authorities.
- **24** (23 in 2001/2) instances of significant non-compliances found through monitoring activities or complaints received and which required the issue of warning notices.

The Food Enforcement Plan 2002-3 did not forecast any significant changes in the level or nature of food related complaints and enquiries.

- 6.1.8 Business Advice – The Consumer Protection Service recorded 45 (65 in 2001/2002) requests from traders for advice on food standards matters in 2002/2003 and of which 7 (1 in 2001/2) were from home authority businesses.
- 6.1.9 Consumer and Business Education – No significant consumer or business projects on food issues were carried out in the period 2002/3.
- 6.1.10 Other – Used Cooking Oil Survey undertaken in 2002 in collaboration with Food & Community Public Health Service. 44 samples taken from restaurants, pubs and takeaways. Samples tested for thermal abuse (polymerised triglycerides), rancidity (oleic acid) and quality (peroxide levels). Two samples revealed thermal abuse and one of these also showed signs of rancidity. Trader advised on remedial action.

6.2 Identification of any variance from the Service Plan

- 6.2.1 Staff vacancies, difficulties in recruitment, and the impact of budget cuts in the previous financial year to the Food and Community Public Health Service have created pressure in completing all the activities highlighted in the last year's business and service plans. Some of the policies and procedures required in the Food Standards Agency's Framework Agreement have had to be taken forward into this year's plan.
- 6.2.2 Resources were committed to attempting to achieve the performance indicator of food inspections achieved against the target for high-risk premises. The table below highlights our achievements.

Inspection Rating Category	A to C	D to F
Target	1169	231
Achieved	1155	163
% Achieved	98.8%	70.6%
% PI Target 2002/03	99%	99%

Table 4: Food hygiene inspections programme for 2002/03

The unprecedented number of food premise closures during the year at 20 has had an impact on the low risk inspection programme, since staff were diverted from the programme and into litigation.

- 6.2.3 The service target 28-day rule for visiting new food businesses, which registered with us, was suspended and only introduced from April 2003. A current backlog exists of 45 businesses awaiting inspection.
- 6.2.4 Similarly the microbiological sampling programme of foods was suspended during 2002/03 and only partially introduced again for the current year.
- 6.2.5 From October 2001 the Consumer Protection Service's market surveillance activities (inspections, sampling) have been steered by the Service Management Team using the five-year Market Intervention Programme. Three of the planned food related sectoral reviews were not undertaken (Manufacturing Butchers, Food Importers and Hospitals) due to appropriately experienced/trained officers being allocated other work commitments. The deferred sectoral reviews have been rescheduled. Staff development measures are being taken to increase the capacity of the Service to handle more complex food business inspections and associated advisory duties.

6.3 Areas of Improvement

- 6.3.1 The work plans for food safety and standards activity is contained within the Public Protection Division Service Plans 2003/04.
- 6.3.2 The Food Safety Service will update its policies and procedures in line with the Food Standards Agency Framework Agreement.

- 6.3.3 Resources permitting, new registrations will be inspected within 28 days of notification and targeted sampling programmes (See Annex E) re-introduced. We also intend to update our database of food businesses by conducting street surveys of properties. An exercise we conduct every 2 years.
- 6.3.4 The Food Safety Act 1990 Revised Code of Practice - The following work items have been identified as a result of the revision of the Code of Practices by the FSA.
- The exchange of information on food premises registration including for purposes of deciding whether or not to undertake inspection of new premise.
 - The documentation of liaison arrangements between our lead food officers for food safety and standards.
 - The production of an agreed list for Home Authority Businesses and named Home Authority Officers.
 - The production of a documented sanctions application scheme for officers and businesses to supplement the generic enforcement policy adopted by the City Council.
 - Documentation of arrangements for ensuring compliance in LCC food related businesses. Review Enforcement Policy.
 - Production of a single documented procedure for the premises based authorisation of officers and backed up with appropriate training.
 - Creation of a comprehensive food businesses database to include non-registered food businesses. Documentation of our enforcement position vis a vis unregistered premises.
 - Documentation of local response to Food Hazard Warnings issued by the FSA.
 - The creation of a common format of post-inspection reports for the food business proprietor.
 - Inclusion of food sampling programme in the Business Plan.
 - To review Senior Management's monitoring of food enforcement activities including consistent assessment of inspection ratings, compliance with enforcement policy, officer understanding of industry codes of practice.
- 6.3.5 The Management of the Food and Community Public Health Service and Consumer Protection Service will review the resource planning assumptions used in the preparation of the Food Enforcement Plan.

7. Annexes

Annex A: Organisational Chart

Annex B: Resource Assessment - Food Safety

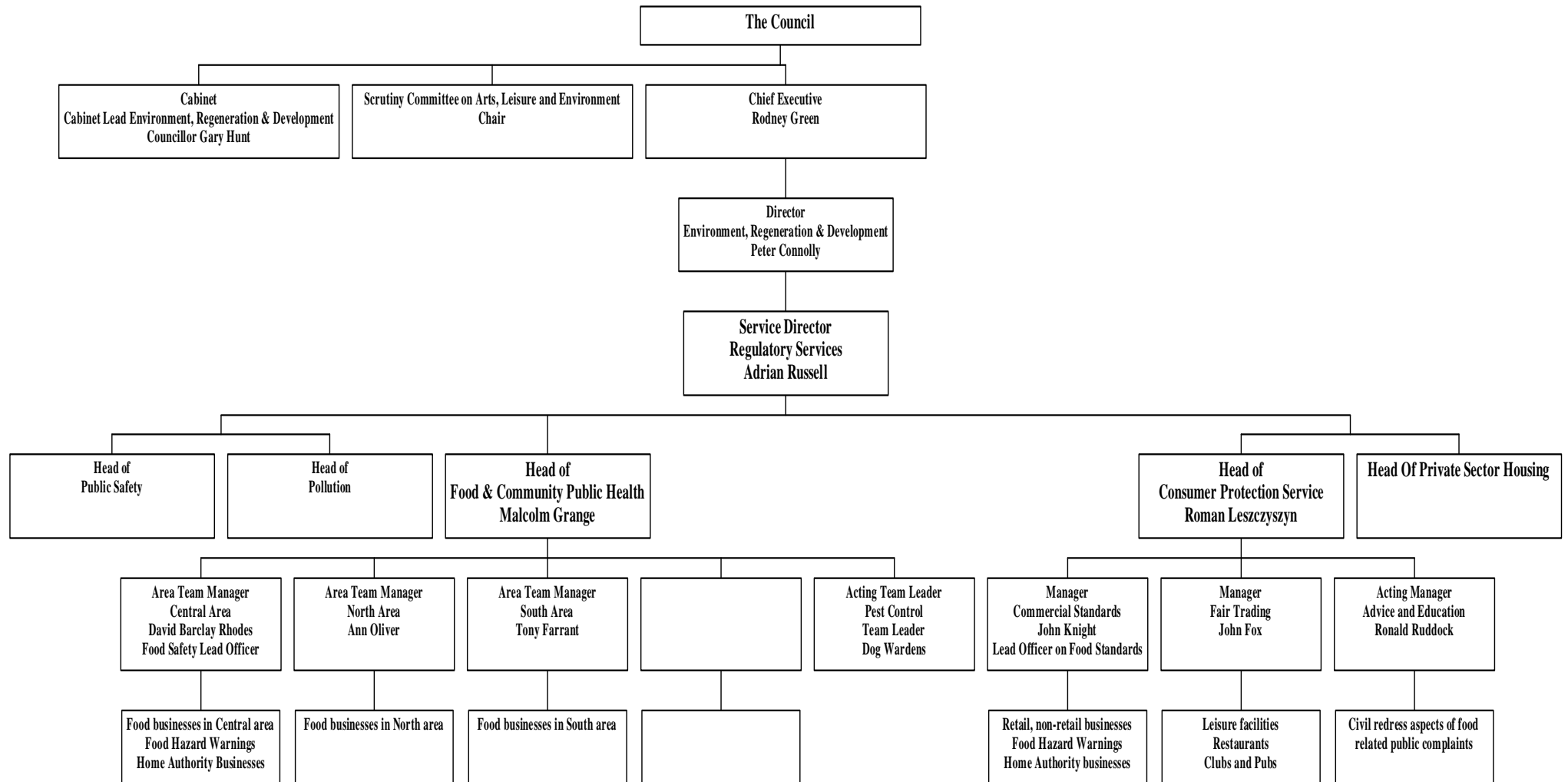
Annex C: Resource Assessment - Food Standards

Annex D: Consumer Protection Service Sampling Programme 2003/2004.

Annex E: Food & Community Public Health Sampling Programme 2003/2004.

Annex A

Leicester City Council - Organisational Structure



Annex B

Resource Assessment - Food Safety

1. Working days available for service delivery from Full Time Equivalent Post

1 year		52 weeks
Less		
Annual leave	5 weeks	
Bank Holidays/statutory leave	2 weeks	
Sick leave/compassionate leave/etc	1 week	
Training	1 week	
Service and Team Meetings	1 week	
Appraisal and individual supervision meetings	1 week	
Number of working weeks for service delivery		41 weeks
Number of working days		205 days
Number of hours		7700 hours

2. Food Hygiene Inspections

Assumptions:- 1.3 inspections per day for category A to C premises. 3 inspections per day for category D to F premises. 3 re-visits per day for premises in all categories. The figure includes all documentation of inspection and consequential actions.

Activity	Number of events	Number of days	Number of FTE
Inspections of category A to C premises due on April 15 2003	1323	1018	4.96
Inspections of category D to F premises due on April 15 2003	316	105	0.50
Inspections of category A to C premises carried over from 2002/3	14	10	0.05
Inspections of category D to F premises carried over from 2002/3	68	23	0.11
Re-visits to check compliance	350	117	0.60
Total for Food Hygiene Inspections	2071	1137	6.22 FTE

Total staff resource required for food hygiene inspections = 6.22 FTE

3. New Food Business Registrations

Assumption: 2 initial assessments per day for all types of business

Activity	Number of events	Number of days	Number of FTE
Risk assessment of new food business	200	100	0.5

Total staff resource required for risk assessment of new food business = 0.5 FTE

4. Investigation of food purchase complaints and complaints about food premises

Assumption: 1 complaint per day for food purchase complaints. 3 complaints per day for food premises complaints. Includes documentation, communication with complainant and where appropriate investigation, testing, inspection, legal action.

Activity	Number of events	Number of days	Number of FTE
Investigation of food purchase complaint including Home Authority	100	100	0.49
Investigation of food premises complaint including Home Authority	900	300	1.5

Total staff resource required for food purchase/food premises complaints = 2.00 FTE

6. Advice to Food Businesses in Leicester on Food Safety related matters

Activity	Number of events	Number of days	Number of FTE
General advice to businesses	NK	52	0.25

Total staff resource required to advise businesses on food issues = 0.25 FTE

7. Food Safety Sampling

Assumptions: 2 days set up time per sampling programme. 150 samples (50 taken as part of inspection) acquired in 7 programmes. taken 5 samples per day.

Activity	Number of events	Number of days	Number of FTE
Setting up and co-ordination of sampling programmes	7	14	0.07 (Manager Time)
Acquisition of sample, documentation and processing	150	30	0.15

Total staff resource required to undertake food safety sampling = FTE 0.2.

8. Food Safety Promotion

Activity	Number of events	Number of days	Number of FTE
Hygiene advisor role		50	0.25
Food Safety Training and promotional event		50	0.25

Total staff resource available for food hygiene training = FTE 0.5.

9. Special events/initiatives

Staff attend and inspect food stalls at 3 staged events in the city. The Mela, One Big Sunday and the Caribbean Festival. Also to address pest activity in businesses 2 block surveys are planned.

Assumptions: 5 days. Pre-planning for each event with block surveys being 10 pre-planning days plus 4 members of staff for duration of event.

Activity	No of events	Pre-planning days	Attendance days (x 2 staff)	No's of FTE
Mela	1	5	4	0.04
One Big Sunday	1	5	2	0.03
A Caribbean Carnival	1	5	2	0.03
Block Survey 2 events		20	80	0.48
Total staff resource required @ 0.49 FTE				

10. Administrative Support

The Food & Community Public Health Service has 3.0 FTE officers providing administrative support. The functions include inputting data on businesses, complaints and activity into Uniform; maintaining records and files; administering the training courses; providing support and administrative functions for officers.

Total staff resource required for administration of food related enforcement duties and training = FTE 1.0.

Annex C

Resource Assessment - Food Standards

1. Estimation of working hours/days available for service delivery from Full Time Equivalent Post

1 year	52 weeks
Less	
Annual leave	5 weeks
Bank Holidays/statutory leave	2 weeks
Sick leave/compassionate leave/etc	1 week
Training	1 week
Service and Team Meetings	1 week
ERDS and individual supervision meetings	1 week
Number of working weeks for service delivery	41 weeks
Number of working days	205 days
Number of hours	7700 hours

2. Inspection of premises for Food Standards

Assumptions:- 1 inspection per day for High Risk premises. 2 inspections per day for Medium Risk premises. 4 inspections per day for Low Risk Premises. 3 re-visits per day for premises in all risk categories. The figure includes all documentation of inspection and consequential actions.

Activity	Number of events	Number of days	Number of FTE
High Risk			-
Medium Risk	10	5	0.025
Low Risk	502	125	0.60
Re-visits	40	13	0.06

Total staff resource required for food standards inspections = 0.70 FTE

3. Risk assessment of New Food Business

Assumption: Desk top assessments for all types of business and entry onto system.

Activity	Number of events	Number of days	Number of FTE
Risk assessment of new food business	200	2	0.01

Total staff resource required for risk assessment of new food business = 0.01 FTE

4. Investigation of food standards complaints

Assumption: 3 complaints per day for food purchase. 5 investigations per day of adverse samples and significant non-compliance's (proportion of adverse samples referred to Home Authority). 2 investigations per day of local authority referrals. Includes receipt, documentation, and communication with complainant and where appropriate investigation, testing and inspection.

Activity	Number of events	Number of days	Number of FTE
Investigation of public food complaints	150	50	0.25
Investigation of significant non-compliances found in monitoring	100	20	0.1
Investigation of Home Authority referrals	70	35	0.17

Total staff resources required to investigate food standards complaints is 0.52 FTE.

5. Advice to Food Businesses in Leicester on Food Standards related matters

Assumption: . 1 advice enquiry per day where this involves Home Authority Advice. 5 advice enquiries per day on food standards related issues. Includes research, documentation, and communication with enquirer.

Activity	Number of events	Number of days	Number of FTE
General advice to businesses	50	10	0.1
Answering requests for information and advice from the Home Authority business	10	10	0.1
Review and production of information/advice sheets	4	5	0.025

The resource required to provide advice to food businesses is FTE 0.225

6. Food Standards Sampling

Assumptions: 1 day set up time per sampling programme involving Head of Service, Manager and Officers. 4 samples per day including liaison with the public analyst, documentation and review of results.

Activity	Number of events	Number of days	Number of FTE
Setting up and co-ordination of sampling programmes	4	4	0.02
Acquisition of sample, documentation and processing	160	40	0.20

The resource required to undertake food standards sampling is FTE 0.22.

7. Food Standards Promotion

Activity	Number of events	Number of days	Number of FTE
Preparing seasonal press releases; media appearances; events	-	4	0.02

The resource available to undertake food standards promotion is 0.02 FTE.

8. Administrative Support

The Consumer Protection Service has 4 FTE officers providing administrative support (of which one is a frozen vacancy). Their functions include maintaining records and files; and providing the generality of support and administrative functions for officers. In relation to food enforcement the Administrative Support staff make a major contribution to maintenance of the database.

The level of Admin support provided for food related enforcement duties is 0.25 FTE.

Annex D

Consumer Protection Service Annual Food Sampling Programme⁵ 2003-2004

Month	H/A Manufacturers	Contamination	Composition
Apr	Asian Snacks		Sandwiches for QUID/nutrition
May		Soya sauce for contamination	MSG and colours in Oriental meals and Asian meals
Jun			Sweets for colours (Pic & Mix) Dried fruit for excess preservative
Jul			
Aug			
Sep			Meat products for composition (new Regs) Sausage, Economy burgers etc. Also salt content.
Oct	Snack Foods		
Nov			Spirits/Beer for strength & substitution.
Dec			
Jan			
Feb		Spices for aflotoxin	Spices/Saffron for Irradiation/contamination
Mar	Snack Foods		Spirits (Bingo halls)

⁵ Samples of ingredients and product will also be taken from Manufacturers and Importers at the time of inspection visits. This sampling programme will be supplemented by Officers taking food samples in response to food complaints and using their initiative during business visits.

Annex E Food and Community Public Health Sampling Programme 2003/04

<u>Month</u>	<u>Sample</u>
April	Raw meat
May	Raw shell eggs from caterers
June	Swabbing at Caterers
July	Ice from ice machines
August	Cream cakes with real dairy cream
September October	Packaged cooked meats
November	Fish Products
December	Spices
January	Chicken based Chinese meals
February	Approved premises
March	swabbing mobiles

A total of 150 samples will be taken over the course of the programme.