

Leicester City Council
Service Plan for Food Law Regulation
2018/2019

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1.0 Introduction

The plan is based on the Food Standards Agency's Framework Agreement on Official Feed and Food Controls of April 2010.

1.1 Purpose of this plan

This Service Plan outlines how Leicester City Council intends to fulfill its obligations as a food and feed authority. It also demonstrates how the work of the Food Safety Team links into the council's overall vision and aims for Leicester City

1.2 Aims and objectives

Leicester City Council aims to:

- Prevent ill-health and death arising from food related illness
- Ensure that Leicester's food businesses supply good quality food
- Prevent and detect fraud in the production and description of food
- Assist Leicester's food businesses to comply with food law.

2.0 Leicester City's Food & Drink Sector

2.1 Profile of Leicester City

Leicester is the largest city in the East Midlands region and the tenth largest in England. The city is a major regional commercial, manufacturing and retail centre located close to the M1 and M69. Although it is known for diversity of its trades rather than for the dominance of any single industry, it has a sizeable food manufacturing sector which includes a number of specialist ethnic food producers and importers.

The population of the city is 329,900 (2011 Census) - a rise of 47,000 since 2001. According to the ONS Leicester has the smallest proportion of people aged 65 and over in the East Midlands with almost 36,300 - 11%. It has the largest proportion of people aged 19 and under, with about 89,000 (27%), and under-fives about 23,000, (7%) of Leicester's total population. 45% of residents identify themselves as white British, 28.3% identify themselves as British Indians.

There are two universities and the city also has a large student population.

2.2 Food & Drink in Leicester Economy

The Leicester Leicestershire Economic Partnership (LLEP) 2014-2020 Strategic Economic Plan views 'food & drink manufacturing' as sector in which the area has "higher than average concentrations of employment and competitive advantage where the aim is to accelerate existing enterprise growth". 'Food & drink manufacturing' is identified as a Priority Sector for Intervention in the form of business development and support.

In November 2014 Leicester Food Park opened its gates. The park was funded by Leicester City Council and the European Regional Development Fund (ERDF) 2007 - 2013 programme. The Food Park is managed by East Midlands Chamber icon working in partnership with The Food & Drink Forum. It provides high quality food manufacturing space with purpose-built units, enabling new and innovative food businesses to start up and grow as well as providing established food businesses with grow on space for their expanding businesses. At the heart of the food park community is a Business Support Centre and Management Hub. The Chamber and the Forum maintain an onsite presence and manages the park support services.

A feature of Leicester's food industry is its high number of Asian and restaurants. Leicester's food businesses are generally small (less than 50 workers) and micro (less than 10 worker) enterprises. Some are run by people for whom English is not their first language. Establishments in existence for a short time are also characterized by poor compliance with food law and higher levels of enforcement actions. Several languages are spoken by proprietors and staff including Bengali, Gujarati, Urdu, Chinese and Turkish.

A number of Leicester's food businesses are of national significance such as Walkers Snack Foods (Pepsico), Walkers Midshires, Samworth Brothers, Fox's Confectionery and Cofresh Snack Foods. The city is also home to a number of smaller specialist food producers.

The leisure sector has increased substantially over the last ten years with more restaurants, fast food outlets, pubs and clubs opening up. This is likely to continue given Leicester's increased attraction as a visitor destination for King Richard III heritage.

A small number of food businesses import and distribute foods from third countries outside the EU.

2.3 The Register of Food Businesses

The total number of food establishments in the city continues to grow, a reflection on the appeal of Leicester being a good place to trade. The table below suggests a 'peak' in 2014, however following a review of our database and after data cleansing the total number was brought back in line with the steady trend of an overall annual increase.

Appendix 1 is a table of performance data from the annual Food Standards Agency return for comparable Cities to Leicester

FSA Reported Food Establishments	2011	2012	2013	2014	2015	2016	2017	2018
Leicester	2871	2964	3086	3112	2828	2942	2996 ¹	3028 ²
Nottingham	2741	2697	2787	2908	2977	3083	3123	n/a*
Derby	2017	2129	2169	2143	2014	1996	2024	n/a*
Birmingham				7596	7504	8071	8341	n/a*
Haringey				1957	2077	2123	2128	n/a*
Hackney				2471	2535	2954	2709	n/a*

Table: Registered Food Establishments in Leicester (Source: Local Authority Enforcement Management System – hygiene)

*Figures due to be published by the food Standards Agency Autumn 2018

	2013	2014	2015	2016	2017	2018
New Business Registrations	506	456	527	507	540	519

Table: New Food Business Registrations in the City (Source: Uniform Database)

The table above shows the volatility of Leicester's food business sector. The take-away sector, in particular, is characterised by a high turnover rate. Within the total number of establishments at any time, there are many which will be in existence for a short time, sometimes not even one year.

Working with new operators takes a significant part of the Food Safety Team resources in supporting/encouraging new businesses, identifying those who do not register and those whose compliance is poor and require enforcement.

2.4 Food & Drink Sector Profile

On 1 April 2018 Leicester City Council has records on 3028 food establishments in the city of which 18 are premises approved under EC Regulation 853 2004 by Leicester City Council to process meat, fish, egg and dairy products.

The table below show the profile of food establishments by type

Establishment Type	2013	2014	2015	2016	2017	2018
manufacturers & distributors	72	73	73	81	90	98

¹ This includes 24 registered food businesses which have not started operating.

² This includes 48 registered food businesses which have not started operating.

importers/exporters	11	11	6	6	9	8
distributors/transporters	83	80	77	82	87	94
retailers	868	848	730	773	782	800
restaurants & caterers	2052	2100	1942	2000	2028	2028
totals	3086	3112	2828	2942	2996	3028

Table: Food sector profile by type of establishment (Source: Local Authority Enforcement Management System – hygiene)

2.5 Food Hygiene Ratings in Leicester

The Food Hygiene Rating Scheme helps the public choose where to eat out or shop for food by giving information about the hygiene standards in restaurants, pubs, cafés, takeaways, hotels and other places serving food, as well as supermarkets and other food shops. The rating is not awarded to all food establishments in the city. For example manufacturers and distributors and some very low risk establishments are not within the scheme. Following inspection all eligible food establishments are awarded a Food Hygiene Rating of 0 to 5. The ratings are published online and establishments are encouraged to display the rating in a prominent position.

As of 1 April 2018 of the 3028 registered food establishments 2531 are eligible and have been rated under the scheme.

The table below shows the distribution in ratings.

Food Hygiene Rating	2013	2014	2015	2016	2017	2018
5 very good	674	784	1008	1157	1337	1397
4 good	347	370	472	493	483	462
3 generally satisfactory	414	418	536	575	452	407
2 improvement necessary	119	114	143	141	160	151
1 major improvement necessary	225	225	193	156	127	103
0 urgent improvement necessary	39	24	19	21	8	11
Totals	1818	1935	2371	2543	2567	2531

Table: Food sector profile by food hygiene ratings (Source: FHRS Local Authority Portal)

2.6 Broad compliance in Leicester

This is an indicator of the proportion of all food business establishments in the city which are broadly compliant with food hygiene law. Food establishments that do not require any enforcement related follow up to a food

hygiene inspection are Broadly Compliant. Broad compliance is measured from the food hygiene risk score awarded to a food establishment following inspection.

The Food Safety Team has over the previous 2 years focussed on supporting new food business operators and swift enforcement action for non-compliant establishments. Broad Compliance has shown significant improvement. This focus on new business support and prompt enforcement where appropriate will continue.

	2012	2013	2014	2015	2016	2017	2018
percentage “broadly compliant”	71.1	70.4	71.5	79%	82%	84%	84%*

Table: Broad compliance time series (Source: Local Authority Enforcement Management System – hygiene) *national average at end of 2016/17 was 88%

2.7 Food Hygiene Risk Profile of Leicester’s Food Sector

Following inspection food establishments are ‘risk’ scored to reflect the types of food activity carried out, scale, scope and current standards of hygiene. This risk score is used to prioritise the annual inspection programme. Category A are the highest risk and Category E the lowest risk.

The table below shows the profile of food establishments by risk category.

Category	2013	2014	2015	2016	2017	2018
category A [next inspection 6 months]	43	52	33	35	27	26
category B [next inspection 1 year]	273	275	313	258	261	231
category C [next inspection 18 months]	1417	1424 ³	866 ³	868	811	792
category D [next inspection 2 years]	414	423 ³	1004 ³	1116	1121	1225
category E	569	569	536	580	681	643
unrated [yet to be inspected]	370	369	76	85	95	111
Totals	3086	3112	2828	2942	2996	3028

Table: Food sector profile by category of establishment (Source: Local Authority Enforcement Management System –hygiene)

³ In 2014 there was a CoP change to risk scoring. A significant number of C rated establishments changed to the D category and the scheduled next intervention dates put back by 6 months. This changed the intervention programme for 2014/15.

3.0 Leicester City Food Regulation Function

3.1 Scope of Leicester City Council's regulatory responsibilities

Leicester City Council is a unitary authority and has responsibility for enforcement of food hygiene, food standards and feed law.

The Team follow these key principles in our enforcement role

- Intelligence led regulatory interventions
- Food Crime – Ensure that member of the Food Safety Team are aware of the key food crime issues and understand the national and regional arrangements in place to respond to issues. [NB. Specific reference to the FSA's Food Crime Annual Strategic Assessment – A 2016 Baseline].
- Regulators Code – Ensure Food Safety Team are aware of and operate to the Regulators Code. Implement Self Audit and ensure compliance

3.2 Food Sector Interventions

A variety of interventions are used in order to monitor and improve compliance with food law by food businesses in the City. This range includes inspections, partial inspections, self-assessment questionnaires, sampling for analysis and examination, education and advice and the investigation of complaints. The Intervention programmes take due regard of the Food Law Code of Practice, March 2017.

With few exceptions, virtually all food establishments require inspection for both Food Hygiene and Food Standards legal requirements. The inspection frequency is determined by the levels of risk and compliance found at the previous inspection. There ~~is a~~ are separate risk schemes for Food Hygiene and ~~one~~ for Food Standards.

Low risk compliant food establishments are inspected for both hygiene and standards at the same intervention.

A separate Food Standards inspection regime is in place for establishments that are high risk/complex and require a focussed standards inspection separate and independent to the hygiene intervention.

3.3 Regulatory 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, the Regulators Code 2014.

The Food Safety Team has set out for service users 'What you can expect' From the Food Safety Team in line with the principle and requirements of the Regulators Code 2014.

The General Regulatory Policy was published in February 2015.

Leicester City Council has a published Prosecution Policy.

3.4 Organisational scope and management structure

Leicester City Council has a City Mayor, Sir Peter Soulsby. Executive oversight of the food enforcement function is undertaken by Deputy City Mayor Councillor Piara Singh Clair.

The officer hierarchy within which food and feed law enforcement sits is:

Chief Operating Officer	Andy Keeling
Strategic Director City Development & Neighbourhoods	Phil Coyne
Director of Neighbourhood & Environmental Services	John Leach
Head of Regulatory Services	Roman Leszczyszyn
Food Safety Team Manager/Lead Officer	David Barclay Rhodes
Food Safety Team Manager/Lead Officer	Dave Howard

David Barclay Rhodes and Dave Howard have, in line with the Food Law Code of Practice March 2017, Lead Officer responsibility for food hygiene, food standards and feedstuffs.

3.5 Provision of specialist services

Eight public analysts and one agricultural analyst all working for Public Analyst Scientific Services are appointed.

The services of six food examiners at Public Health England's food, water and environmental laboratory in London are used.

The modest amount of feed law enforcement in the City is undertaken by officers from Leicestershire County Council's Trading Standards Service.

Our reliance on availability of external specialist resource is noted. TSEM County Authority Partners have demonstrated commitment to working flexibly and delivering regulatory functions across the region. This commitment may be weakened by impending spending reviews. Feed Governance Group has announced plans to increase central funding for 'regional feed leads' and 'coordination'; a competency review of feed officers.

3.6 Public and business access to support

The FST is implementing the Leicester City Council 'digital by default' programme for public and business access to its services.

We are well along the line in terms of channel shift and have developed in conjunction with 'My Account' an LCC online reporting facility for service users wishing to report food safety or food standards issues. New for this year is an additional online facility to allow food businesses to apply for and pay for a Food Hygiene Rating Scheme re-rating inspection.

The FST website content is this year being reviewed and revised to ensure it signposts service users appropriately and efficiently and provides useful and helpful content.

Food business operators are provided direct email addresses and phone numbers for and encouraged to contact their inspecting officers for queries and advice. To facilitate this all FST officers are provided with smart phones.

At present the traditional contact methods remain and LCC has a point of single contact for all enquiries from members of the public. The telephone service lines, 0116 454 1000, are open 08.00 to 18.00 Monday to Friday, or by email at customer.services@leicester.gov.uk.

Members of the public can report issues in person to main Customer Service Centre in the city centre or one of the satellite offices.

Members of the public can also report complaints and obtain advice on all consumer issues including food standards and food safety matters to Citizens Advice (formerly Consumer Direct) on 0345 404 0506.

3.7 Liaison with other organisations

Leicester City Council is represented on the following groups:

National Food Liaison Focus Group (NFLFG) which meets 3 times a year. FST Manager Dave Howard is the East Midland Representative for the group. The remit of the group is to consider current food safety issues and establish guidelines for Local Authorities to provide a consistent approach. The group provides an initial level of consultation for new Food Standards Agency Policy before wider National consultation. Regional representatives report to the group on current regional matters of interest and trends.

Leicestershire Food Liaison Group (LFLG), which meets 4 times a year. FST Manager Dave Howard is Chair of the LFLG. This is a local coordination and best practice group with representatives from Trading Standards and Environmental Health at Leicester City Council, Rutland Council, Leicestershire County Council, the six district councils within the county, the Leicestershire Pathology Service of the University Hospitals of Leicester NHS Trust, the Birmingham HPA Food, Water and Environmental laboratory and the FSA regional coordinator.

Trading Standards East Midlands (TSEM) Food and Agriculture Group made up of the eight regional trading standards authorities, the FSA regional coordinator and the public analysts serving those authorities. One member of this group represents TSEM on the corresponding LGRegulation (ex-LACORS) group.

CIEH Best Practice Food Group meets quarterly. This is a Leicestershire and Rutland group comprising of the unitary and district councils.

3.8 Estimated Core Team Resource Requirement in 2017/18 (FTE) and Staff Allocation

Ref	Work Area/Initiative	FTE Req't	Business case
1a	Food hygiene and food standards inspections of food business establishments scheduled for year	6.0	This is a statutory obligation on the council. Inspection categories are in accordance with the Food Law Code of Practice and are risk-based; priority is given to inspecting the higher risk categories establishments.
1b	Food hygiene and food standards inspections of food business establishments overdue from previous programmes	0.1	Reduced requirement
2a	Inspections of food business establishments for the first time.	0.5	This is also a statutory obligation on the council. The Food Law Code of practice requires inspection within 28 days after registration.
2b	Inspections of food business establishments for the first time overdue from previous years	0.1	Reduced requirement
3	food sampling for microbiological examination	0.4	Increased on period 2008/2009 to 2014/2015
4	Food sampling for chemical analysis/composition [e.g. DNA]	0.4	Continuation of response to substitution and contamination threat
5	Complaints about food and food establishments	0.4	Based on period 2008/2009 to 2014/2015
6	Incidents and outbreaks	0.4	Based on period 2008/2009 to 2014/2015
7	Emergency prohibitions [temporary closure due to imminent risk of injury to health]	0.3	Increased
8	Improvement notices	0.1	
9	Prosecutions and simple cautions	0.4	Increase to take into account more robust enforcement stances
10	Specialist advice and support for regulatory projects	1.0	e.g. new business start-ups, food safety procedures, new law such as Food Information Regulation, export certificates, decreasing numbers of 0s, 1s, 2s food hygiene ratings
11	Management	1.5	increased to take into account monitoring requirements and increased regulatory project work
12	Administration	0.5	
	Total Requirement	12.1	
	Total FTE Resource Available	12.1	
	Resource Shortfall	0.0	

3.9 Resourcing Strategy

The resourcing estimate consists of frontline officer resource, administration and management. Sufficient frontline resource is required to undertake and complete the planned annual inspection programme and to ensure a suitable level of response to urgent and developing matters such as food poisoning outbreaks, food alerts, and emergency closure.

Resourcing is based on the FST service plan which both forward plans and reviews team capacity and performance. In addition the Divisional performance indicator for % of food law compliance checks due and undertaken shows that for the inspection years 2015/16, 2016/17 and 2017/18 the FST achieved 99.41%, 98.67% and 98.26% respectively.

Using Service Planning data and looking at performance indicators allows resourcing requirements to be set appropriately.

The frontline resource of 10.1 FTE food officers is adequate to address the Foods Safety needs of the city.

The Management and oversight resource for the Food Safety Team is 1.5 FTE Managers. This is sufficient to provide the oversight and planning needed to ensure the frontline resource is on target and where necessary directed towards emerging issues.

Where possible, student food officers and EHOs are used to undertake planned 'low risk' projects not requiring professional qualification/authorisation.

3.10 Staff Competency and Training for 2018/19

In line with the Food Law Code of Practice March 2017, all Food Officers must be suitably qualified and competent to undertake food law work. All officers have completed a baseline competency assessment and are subject to a rolling annual assessment:

Food Safety Team Competency Assessment:

- FST Officers must maintain and provide at the end of each year a record of key experiences and actions that provide evidence of their competency. This is assessed by the FST Manager
- FST Officers are subject to at least 1 FST Manager accompanied inspection where their interaction with food establishments can be assessed first hand.
- FST officer have monthly 1 2 1 meetings with the FST manger to discuss work allocation, ongoing cases and review actions taken.

Food Safety Team Training:

Due to the FSA withdrawing supported Food Training while it reviews its strategy for LA support the FST have had to explore training provision to meet the Food Law Code of Practice Competency and Training requirements for Food Officers:

- All officers have for this year been subscribed to an online training provider and have access to a wide range of food related learning opportunities covering both Food Hygiene and Food Standards.
- Ad hoc training as courses become available to meet needs of individual officers identified through the competency assessments.

3.11 Financial allocation 2018/19

Food Safety Team (20201) 2018/19		2017/18
Contracted Spinal Local Government Staff	379,000	349,900
National Insurance Local Government Staff	41,500	37,300
Superannuation Local Government Staff	90,000	58,800
Apprentice Levy	1,700	1,700
Employee Related Insurance	9,100	7,000
Employee Training	1,500	600
Employee Costs	522,800	455,300
Car Travel Allowance	4100	400
Equipment Purchase	200	200
Furniture Purchase	0	300
Printed & Electronic Media	500	200
Clothing, Footwear & Laundry	0	200
Stationery & Office Supplies	0	300
Printing & Copying	500	300
Environment/Science Services	700	200
Subsistence Expenses	0	200
Controllable Running Costs	6,000	2,300
Expenditure	528,800	457,600
Legal Income Incl Costs Awarded	(5,000)	(11,800)
Income	(5,000)	(11,800)
	523,800	445,200

4.0 Service delivery for 2018/2019

4.1 Food safety intervention programme

The annual intervention programme is governed by the Food Standards Agency intervention rating scheme. Inspectional activity takes up the substantial proportion of the Food Safety Team resource.

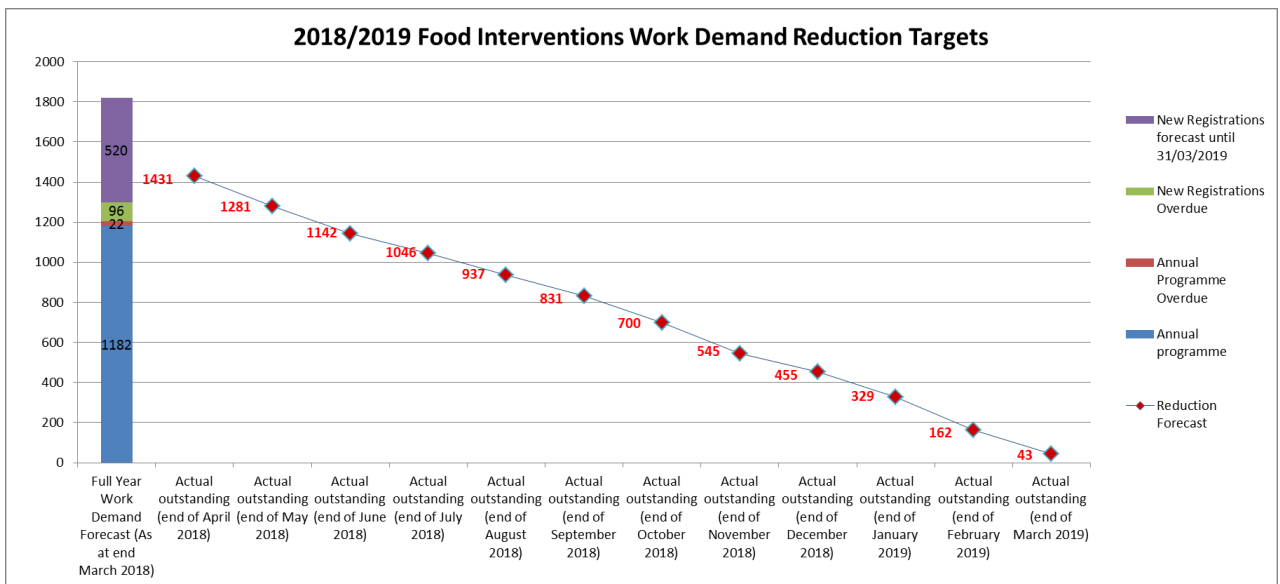
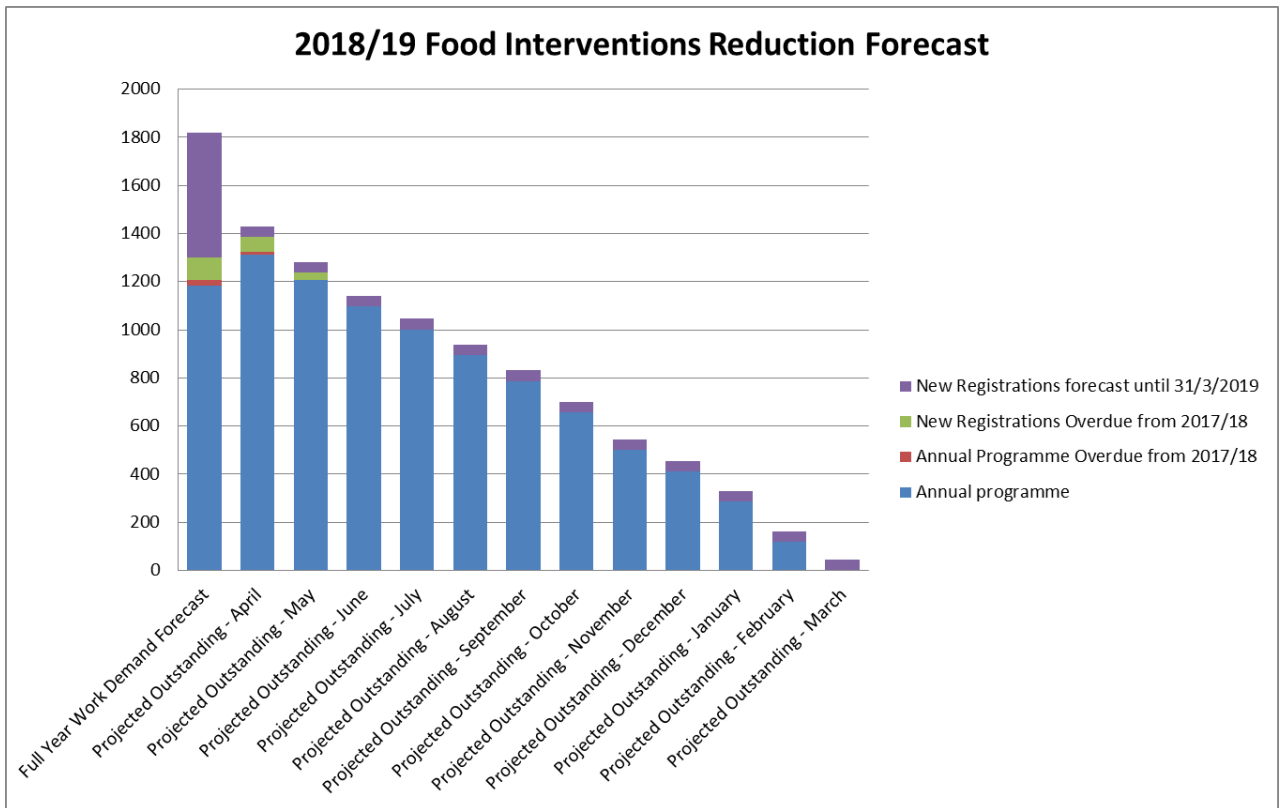
Annual Intervention Programme 2018/2019 (by risk category)	Number forecast in 2018/2019	Total due
A – at least every six months	50	
B – at least every twelve months	227	
C – at least every eighteen months	518	
D – at least every twenty four months	627	
E – a programme of alternative enforcement strategies or interventions every 3 years	96	
Business closures affecting Annual Programme FORECAST	(240)	
Total	1278	
New businesses FORECAST	520	
Total	1798	1798
Interventions overdue from Annual Programmes (by risk category)	Number overdue on 1st April 2018	
A – at least every six months	1	
B – at least every twelve months	4	
C – at least every eighteen months	4	
D – at least every twenty four months	13	
E – a programme of alternative enforcement strategies or interventions every 3 years	0	
Total	22	22
Initial Inspections overdue	Number overdue on 1st April 2018	
New businesses	96 [43] ⁴	96
Total Forecast Interventions		1916

Table: Composite Inspection/Intervention Programme for 2018/19

⁴ [43] denotes a food business that has been registered but not started operating
Regulation of Leicester Food Sector Service Plan 2018-19 - Appendix 1

22 businesses are being carried over into the intervention programme for 2018/19. These are in the main businesses which have not been accessible to officers.

96 new business registrations are being carried over. However, 43 of these are businesses which have not yet commenced trading.



4.2 2018/19 Food Establishment Profiling

The Intervention Programme sets out when food business inspections are to take place.

A significant feature of the planning of the previous 2 years' Intervention Schedule was a reset to match expected demand and resources. In previous years that schedule has primarily been determined by the date the individual businesses were registered and the consequent first inspection and risk assessment. The overall result is that the schedule for the year is 'unstructured' on a number of aspects and also does not take into account, for example, availability of 'seasonal' establishments (e.g. schools) or seasonal variations in staff resources.

This gives rise to a number of obvious and less obvious issues:

- Clashes between scheduled work and reactive responses at operational level that have resulted in scheduled inspections being postponed or not undertaken.
- Obscured management sight of performance and difficulty in providing assurance for Executive and Strategic Management that the work programme is in control and will be delivered
- Lost opportunities to enhance regulatory impact of the Service

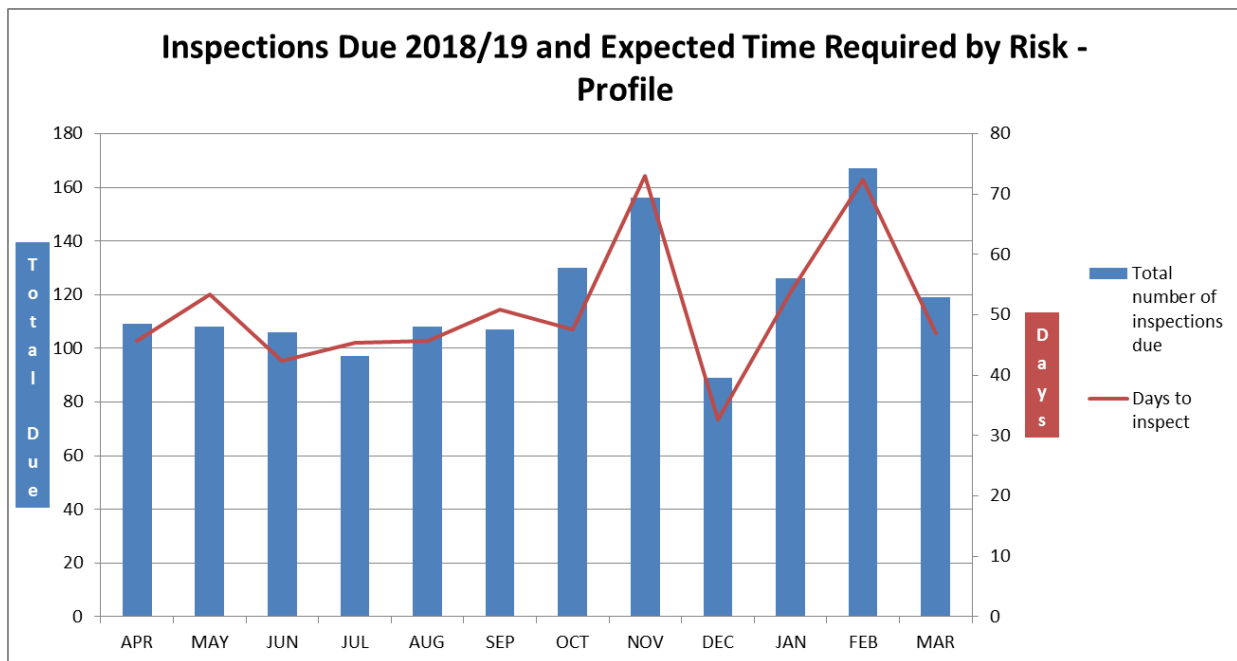
The principle of profiling has been carried on to the 2018/19 intervention schedule. The method of profiling has been refined following the experience gained during 2015/16 and 2016/17.

Rules used in profiling:

- Carried over inspections and new registrations to be completed within three months
- New businesses to be contacted by the inspecting officer and where appropriate/beneficial offered and advisory visit. Full inspection to take place where practicable within 4 weeks of an advisory visit
- New businesses where an advisory visit is not required to be inspected within 28 days of registering.
- Category 'A' risk establishments to remain on existing inspection month schedule
- Category 'B' risk establishments to remain on existing inspection month schedule.
- Approved establishments to remain on existing inspection month schedule
- Restaurants, Takeaways and pubs to remain on existing month schedule
- Adjust inspections by month to accommodate FST Officer who works on a Term Time basis
- Cluster inspections by food business (sub) type
- Target inspection month to reflect sector availability
- Apply an appropriate resource demand weighting to each sub-sector
- Spread evening inspections throughout the year.
- Future proof for subsequent years
- Category E Inspections are not included.

How the inspection Profile is determined:

- Food Establishments that are not profiled will be inspected in the month determined by their risk score.
- Groups of profiled inspections are spread across the year where there is best fit to even out the distribution of inspections taking into account the rules above
- Category E inspections are subject to an Alternate Enforcement Strategy which means that each 3 years an inspection can alternate with alternate enforcement, typically a self-assessment questionnaire.



The re-profiled Intervention Programme for 2018/19 will be closely monitored and may be amended in the interests of service delivery.

2017/18 Inspection Profile - Main Food Themes

Month	Establishment Type	Code	Number
April	Grocers	FRET2	17
	Other restaurant or caterer	FRES25	35
May	School	FRES18	43
	College	FRES19	0
June	Wholesaler	FDIST1	6
	Cash and carry	FDIST2	7
	Cold store	FDIST3	2
	Milk distributor	FDIST6	4
	Import/export warehouse, depot etc.	FIMEX	7
	Night club	FRES9	0
	Event caterer	FRES23	21
July	Hotel	FRES5	8
	Guest house	FRES6	0
	Bed and breakfast	FRES7	1
	Village hall, community centre	FRES22	23
	Home caterer	FRES26	17
	Food Bank	FFBANK	4
August	Mobile catering unit	FRES20	20
	Burger van	FRES21	1
	Butcher	FRET4	30
	Fishmonger	FRET5	4
	Mobile retail van	FRET10	3
	Other food retailer	FRET15	0
September	Nursing/care home	FRES16	16
	Asian Sweet Mart	FRES24	25
October	Grocers	FRET2	82
November	Childcare facility/nursery	FRES17	43
	School	FRES18	18

	College Off licence Sport/leisure/gym non-food codes	FRES19 FRET13	3 16 4
December	Sandwich shop/bar	FRES14	48
January	Work place canteen Hospital Supermarket Confectioner Greengrocer/fruiterer Health food shop Bakers shop (retail) Market stall Chemist Pan house	FRES4 FRES15 FRET1 FRET3 FRET6 FRET7 FRET8 FRET11 FRET16 FRET17	17 3 30 1 1 2 6 0 0 4
February	Meat manufacturer Bakery Food packers Garage minimarket Other food retailer	FMP1 FMP6 FRP10 FRET14 FRET15	1 8 3 9 60
March	Nursing/care home Newsagent	FRES16 FRET9	16 38

707 Food Establishments have been subject to profiling

Planning of the 2019/20 intervention programme will commence in the third quarter.

4.3 Approved Establishments

In total there are 15 Approved Establishments due for inspection during 2018/19 comprising 1 category A, 6 category B, 6 category C and 1 category D.

The category of these establishments arises from their compliance with food hygiene law and also whether they manufacture high risk food. If they do then they get a high score which may lead to a higher category. See also paragraph 6.3 below on approved establishments.

Quarter Due	Approved Establishments	Risk Category
April – June 2018	Star Dairies Paynes Dairies Just Egg RQ Open Ltd	A C B D
July – September 2018	Life With Taste AA Foods Aisha Foods Easy Chef Everest Dairies	A C C B B
October – December 2018	Leicester Sausage And Meat M And M Seafood	D D
January – March 2019	Walkers Midshire Foods Kebab King Wholesale Food Attraction Walkers Charnwood Bakery	B C B B

4.4 Food Standards Intervention Programme

Generally inspections on food standards matters such as labelling and composition is included in and part of food hygiene inspections. There is also a food standards inspection programme of food standards establishments. Some category A and B establishments will have separate hygiene and standards inspections due to the size of the establishments and/or their complexity. Category C establishments will be subject to alternative intervention; an intelligence gathering questionnaire.

2018/2019 Food Standards Inspections Due

Category	Number due
Category A	8
Category B	161
Category C	251
Total	420

4.5 Proposed Compliance Projects 2018/19

Allergens

The project will investigate take away food for cross contamination and or substitution with peanuts where foods are labelled or presented as containing no peanuts. The initial project focus will be on this particular allergen because of the high risk of fatality should the food establishment not have suitable controls and understanding in place. There have been several high profile cases including fatalities and near misses nationally in relation to peanut contamination and substitution in food that consumers have bought as peanut free.

This project will involve a desktop review of establishment menus looking for correct description of food and declaration of allergens, placing an order for a peanut free meal and then sending that meal to the Public Analyst.

Provision has been set aside for up to 100 samples to be taken. However the programme will be phased to allow assessment and follow up of approximately 20 initial samples. The outcome of these initial results will shape and focus the next phases in terms of particular areas or foods of concern.

The project will also investigate the allergen controls in small Leicester manufacturers in relation to substitution with peanuts for other ingredients such as almonds, and peanut contamination.

Acrylamide

Acrylamide is a chemical substance formed when starchy foods, such as potatoes and bread, are cooked at high temperatures. Acrylamide levels found in food have the potential to increase the risk of cancer for people of all ages.

New legislation which came into force in May 2018 requires all food businesses operators to put in place simple practical steps to manage acrylamide within their food safety management systems. This will ensure that acrylamide levels in their food are as low as reasonably achievable.

EC Regulation 2017/2158 establishes best practice, mitigation measures and benchmark levels for the reduction of the presence of acrylamide in food.

This project aims to identify Leicester based manufacturers and caterers likely to be producing foods that will be higher in acrylamide and contact and inform those businesses of the new requirements.

Promotion of 5 Rated Establishments

Introduce an additional level of recognition for Food Establishments that routinely achieve a 5 – recognise consistent high standards.

Illicit Alcohol – Wet Bars/Nightclubs

Joint project with the Licensing Team to visit difficult to access late night bars and clubs with a focus on illicit alcohol

Quarter Planned	Compliance Projects
April – June 2017	Allergens Planning Acrylamide Planning
July – September 2017	Allergens Acrylamide
October – December 2017	Allergens – assessment of initial samples and follow up Allergens – small manufacturers Acrylamide - follow up and review
January – March 2018	Allergens follow up and review 5 Rated Establishments Illicit Alcohol

4.6 Registered feed establishments

There are 43 registered feed establishments in the City. With the exception of 2 farms, all are food establishments which either transfer surplus foodstuffs into the feed chain or sell co-products of food production.

Leicestershire County Council continues to perform feed interventions for Leicester City Council. Funding has been reduced and in accordance with national and regional planning, only 1 feed establishment in the city is due to be inspected during 2018/19.

4.7 Product Testing

Planned Local Sampling Exercises

Quarter Planned	Testing/Sampling
April – June 2017	National and Regional Food Surveys
July – September 2017	National and Regional Food Surveys Allergens in food –emphasis on takeaway food
October – December 2017	National and Regional Food Surveys Allergens in food – emphasis on small Leicester based manufacturers
January – March 2018	National and Regional Food Surveys Allergens in food – analysis of results and follow up work

National and Regional Food Surveys

Where the subject is of interest locally and or will support national/regional intelligence into food safety, The FST will participate in nationally and regionally planned sampling surveys for microbiological examination. If any such surveys for chemical and compositional analysis are announced, the FST will take the same approach to participation.

Other Samples

These will include samples from approved establishments and from establishment that are the subject of compliance issues or associated with food poisoning, and samples of imported food from non EU countries.

The number of routine samples taken will be determined by capacity during the course of the year, and any incidents/outbreaks which occur.

Revision of Local Plan

The Director of Public Health has made representations that the revision of the Local Plan includes an enhanced health perspective and that consideration is given to the concentration of fast food outlets (FFOs) in the City, their management through planning controls in order to tackle obesity levels in the City. The DoPH has indicated that that the Food Safety Team will be requested to assist in a sampling programme to develop nutritional assessment of food sold by local Hot Food Takeaways, in order to determine if the foods sold are of low nutritional value, have high salt levels, have high energy density (sugar and/or fat content) and are provided in larger portion sizes.

4.8 Investigations of complaints relating to food and food premises

Service Requests and complaints have continued to increase in 2017/18. This followed the launch of a Food Standards Agency national complaint portal and the Leicester City Council My Account facility. Both systems have simplified the reporting method for service users to contact the city council.

Whilst the overall numbers of complaints is expected to rise in 2018/19 it is anticipated that the increase will not be as dramatic as 2017/18 and will level off and stabilise.

Service requests received cover a wide range of issues from requests for advice (setting up a new food establishment) to matters that require an urgent response (food poisoning outbreaks).

Service Requests are assessed for detriment and risk and responded to appropriately.

	2011/2012	2012/2013	2013/2014	2014/15	2015/16	2016/17	2017/18
Complaints	289	273	244	213	237	371	453

(Source: Local Authority Enforcement Management System – hygiene)

4.9 Business and Consumer advice and support

The Food Team through the course of their interaction with new and existing food establishments identify potential support needs.

The Food Team will continue to support new food business operators with appropriate advice and support to guide towards a high level of compliance with food law. Currently advisory visits are offered on a no charge basis. Such visits are beneficial in our drive to reduce the number of new food establishments with poor Food hygiene ratings, particularly 0s and 1s.

The Food Team work with organisations such as the Leicestershire Food & Drink Forum and Leicester & Leicestershire Enterprise Partnership (LLEP) to signpost new and growing food businesses towards advice and support.

Requests from businesses for Primary Authority agreements will be considered and determined with senior management.

The Food Safety Team will respond appropriately where consumers are seeking advice. Referrals for civil advice will be made to Citizens Advice Consumer Advice.

5.0 Organisational Improvement & Development

5.1 Introduction

The Authority will continue to implement the actions set out in the 2014 Improvement Plan.

5.2 Quality assessment

The findings of the FSA Auditors in 2014 were that quality of inspections was good. However, it was the view of the Auditors that enforcement action proportionate to the risk and reflecting the compliance history of the business was not being taken.

To provide assurance that there is a consistency in approach to advice, inspection and enforcement by officers regular formal internal monitoring continues.

A process of pre and post inspections review of officer decisions and actions is in place. Reviews are triggered where inspections reveal poor compliance and ongoing through monthly 1 to 1's with officers.

Approved establishments are dealt with by a small team of officers within the Food Safety Team. This ensures a clear oversight of the Cities Approved Establishments which due to their complexity and technical require closer attention.

5.3 Organisational Improvement & Development Programme

The work programme includes:

- Establish working arrangements with the newly established Service Support & Intelligence Team (Regulatory Services Review: Phase 2)
- Embedding intelligence arrangements in food regulation
- Review the Food Safety/Trading Standards investigation into meat substitution and identify lessons to be learned
- Monitoring regulatory developments associated with Regulating Our Future and Brexit; and making appropriate organisational changes.

6.0 Review of the Food Law Service Plan 2017/18

6.1 Introduction

The Food Law Service Plan for 2017/18 saw the findings of the May 2014 Food Standards Agency Audit further underpinned. The earlier work on implementing the audit action Plan has been built on and continues to be taken forward in the Food Law Service Plans.

Whilst the key objectives of the Food Safety Team remain (1.2 above) there has been a strong focus on support for new businesses and swift enforcement actions where compliance is poor.

Since the Food Standards Agency Audit and following the implementation of the recommendations including resourcing commitments we have seen the level of broad compliance rise across food businesses in the city from 71.5% to 84%.

The food team remain committed to those key objectives.

Appendix 2 is a summary of the commentary from the FST monthly reports providing service ‘highlights’.

6.2 Resourcing

The Authority needs to ensure that future reviews of resources should include a considered and realistic assessment on the challenges specific to the Service, namely the large number of food businesses with poor levels of compliance and the numerous approved establishments in the Authority’s area. These challenges can significantly impact on the ability of the food safety team to deliver service priorities, particularly in the areas of work and businesses that carry the biggest public health and food safety risks. [FSA Audit 2014]

The additional resources first committed to the service In 2015/16 have been maintained in 2017/18 and continue to support the required management advisory and regulatory activity. The 2017/18 intervention plan was completed with only a small number of inspections being carried over to 2018/19.

At the end of the 2016-2017 the FTE permanent establishment of the Team was:

Management	Frontline	Administrative Support
1.5	10.2	0.5

At the end of the 2017-2018 the FTE permanent establishment of the Team is:

Management	Frontline	Administrative Support
1.5	10.1	0.5

6.3 Approved Establishments

These are food establishments which process meat, fish, dairy or egg and market to other businesses. They are subject to some additional food hygiene requirements and to prior approval by Regulation of Leicester Food Sector Service Plan 2018-19 - Appendix 1

the local authority before they operate. At the end of 2017/18 there were 18 approved establishments.

Approved Establishments are a complex and high risk food environment which demand a great deal of close attention to ensure compliance. Examples include:

In November 2017 an existing approved establishment was found to be manufacturing egg products from raw eggs. They did not have the necessary approval to permit this production. A Remedial Action notice was served stopping the production of egg products.

Approval is required when using raw eggs to manufacture egg based products.

The Food Business Operator has, following officer advice, since revised their recipe and are now using ready cooked eggs from a suitably approved supplier.

In November an establishment that had been subject to previous action to formerly 'Withdraw' their approval status was prosecuted. The matter was put before the court due to the poor compliance history which led to the FST decision to withdraw the approval.

The business was fined £320 and ordered to pay the council costs of £4802.50.

6.4 Monitoring Interventions

In 2017/18 the following monitoring activity was undertaken by the Authority. Comparative data for 2016/17 on Leicester is presented in the Appendix.

	Actual 2012/2013	Actual 2013/2014	Actual 2014/15	Actual 2015/16	Actual 2016/17	Actual 2017/18
inspections & audits	1297	1388	2062 [+117 desktop assessments of E's]	1477 [+11 desktop assessments of E's]	1822 [+28 desktop assessments of E's]	1663 [+51 desktop assessments of E's]
verification & surveillance	768	702	1013	1365	1273	1290
sampling visits	137	56	62	153	95	151

Annual Intervention Programme Review	Undertaken in 2014/15	Undertaken in 2015/16	Undertaken in 2016/17	Undertaken in 2017/18
A – at least every six months	96	50	44	40
B – at least every twelve months	238	251	227	224
C – at least every eighteen months	645	387	524	447
D – at least every twenty four months	280	301	511	368

E – alternative enforcement strategies or interventions every 3 years	249	40	30	195
Total	1508	1001	1336	1274

Initial Inspections	Annual New Registration Forecast	2014/15 Undertaken	2015/16 Undertaken	2016/17 Undertaken	2017/18 Undertaken
New Businesses registered in year	480	483	425	476	418

6.5 Monitoring Interventions and New Registrations– Clearing the Backlog

The Authority should ensure that it addresses the significant backlog of food businesses that are not broadly compliant with hygiene legislation and overdue for intervention. [FSA Audit 2014]

Similarly there are a large number of food establishments registered with the Authority including caterers and restaurants that have not yet received any assessment or intervention, contrary to the Food Law Code of Practice, which should receive a first inspection at the earliest possible opportunity. [FSA Audit 2014]

Interventions overdue from previous Annual Programmes (by risk category)	Number overdue on 1st April 2014	Number overdue on 1st April 2015	Number overdue on 1st April 2016	Number overdue on 1st April 2017	Number overdue on 1st April 2018
A – at least every six months	1	1	0	0	1
B – at least every twelve months	5	0	1	3	4
C – at least every eighteen months	220	6	5	6	4
D – at least every twenty four months	216	10	1	12	13
E – a programme of alternative enforcement strategies or interventions every 3 years	364	40	0	0	0
Total	806	57	7	21	22

Initial Inspection overdue	Number overdue on	Number overdue on	Number overdue on	Number overdue on	Number overdue on
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	1 st April 2014	1 st April 2015	1 st April 2016	1 st April 2017	1 st April 2018
New Businesses registered but not inspected	369	73 [33] ⁵	86 [36] ⁶	75 [24] ⁷	96 [43] ⁸

6.6 Product Testing

Microbiological examination

During 2017/18 Leicester City Council's Food Safety Team participated in the following Public Health England (PHE) surveys:

Study 60: Paan (betel), curry, banana, vine leaves - sampling from retailers between April and December 2017 and examination of samples for numbers of *Escherichia coli* per gram and the presence/absence of *Salmonella* in 25g.

Cross-regional hygiene study of re-usable bottles for antibacterial/sanitiser sprays between June and November 2017 and examination of samples and swabs for total viable count, Enterobacteriaceae, *E.coli*, Coagulase positive staphylococci, *Pseudomonas aeruginosa* [all per mL liquid or per cm² or per swab]

Study 62: Chilled ready to eat foods from Eastern European and other retail premises between November 2017 and March 2018 and examination of samples for numbers of Enterobacteriaceae, *Escherichia coli*, Coagulase positive staphylococci and *Listeria* per gram and the presence/absence of *Listeria* in 25g.

Additionally, samples of foods imported from third countries were taken from establishments across the city and sent for examination. These can include fresh fruit and vegetables, tins, jars and dry ambient stable foods.

Chemical and compositional analysis

Samples of food suspected of failing to comply with compositional requirements were sent for analysis during 2017/18. However, following the suspension of its coordinated food sampling programme and funding for this by the Food Standards Agency, there were no national or regional chemical or compositional sampling studies.

6.7 Investigations

The Team responds to a diverse range of service request and complaints.

The recent trend has been a significant increase in the numbers of complaints received. This is due in part to improved service user access via digital/online reporting and an increased awareness of food safety issues.

⁵ [33] denotes an establishment that has been registered but not started operating

⁶ [36] denotes an establishment that has been registered but not started operating

⁷ [24] denotes an establishment that has been registered but not started operating

⁸ [43] denotes an establishment that has been registered but not started operating

The significant increase is a challenge but managed by 'triaging' requests based on priority and where possible signposting Service Users towards information and solutions where they can self help.

	2011/2012	2012/2013	2013/2014	2014/15	2015/16	2016/17	2017/18
Complaints	289	273	244	213	237	371	453

(Source: Local Authority Enforcement Management System – hygiene)

A major investigation into meat substitution has been concluded. The case for Food Hygiene, Food Standards and Food Fraud contraventions has now been heard in court

Investigating a Food Poisoning Outbreak
To celebrate the end of Diwali 2017, employees at three Leicester offices of a central government department were invited to order culturally relevant food from a city establishment and have this delivered to their offices for consumption while at work. A set menu of food items was supplied in containers within 'Tiffin Bags' and were left on employees desks. Food was consumed either immediately or some hours later. The organiser of this celebration food contacted the council after staff became ill. Forty two out of up to 180 people who ate the food reported illness. Some of the food left over was submitted for microbiological examination, as was a faecal sample from someone who was ill. Some of the food items yielded high levels of *Clostridium perfringens* toxin; the faecal specimen was positive for enterotoxin producing *Clostridium perfringens*. Unfortunately it has not been possible to obtain sufficient evidence for a realistic prospect of conviction. In these circumstances no prosecution will be brought.

6.8 Enforcement Actions

All food law enforcement action taken by the Council's authorised officers is required to be proportionate to the harm and risk, consistent with statutory requirements and good practice.

	Actual 2012/2013	Actual 2013/2014	Actual 2014/15	Actual 2015/16	Actual 2016/17	Actual 2012/2013
Voluntary closure	7	5	9	5	9	4
Seizure, detention & surrender of food	3	1	11	19	8	1
Suspension/revocation of approval or licence	0	0	0	0	1	0
Emergency prohibition notice	13	11	8	9	2	4
Simple caution	6	1	2	12	6	10
Improvement notices [X] ⁹	30	15	76 [25]	58 [33]	60 [29]	46 [22]
Remedial action & detention notices	1	3	1	3	0	0
Written warnings	1246	1210	1814	1273	1661	1538
Prosecutions concluded	1	5	1	3	2	1

(Source: Local Authority Enforcement Management System – hygiene)

⁹ [X] denotes the number of establishments subject to enforcement action.
 Regulation of Leicester Food Sector Service Plan 2018-19 - Appendix 1
 Page 26

Prosecution – In March 2018 a city centre restaurant and takeaway was prosecuted for 6 food hygiene offences. This followed a history of fluctuating compliance with food law. Improvements were not made by the food business operator and the matter was put forward for prosecution. The business was fined £3009 including costs. Standards have since improved and the business has now achieved a Food Hygiene Rating of 4 ‘Good’.

Food Incidents - During the fourth quarter of 2017/2018, an officer in the FST discovered and spent a significant amount of time investigating and dealing with two types of food which failed to meet food safety requirements: a pan masala mouth freshener with an illegal dye, and mini jelly cups - sweets which were a choking hazard to children. The officer collected sufficient evidence for the Food Standards Agency to issue national product recall notices.

6.9 Business Advice & Support

The Business Regulation Advice, Support and Training Team [BRAST] was decommissioned as part of the Regulatory Services Spending Review 2017. Food operators requiring complex advice on food standards matters, e.g. labelling are re-directed to commercial providers.

As part of the ongoing campaign to improve food hygiene compliance in new food businesses the Food Safety Team continue to offer email and telephone support to new businesses and where appropriate carry out advisory visits to new registrations ahead of formal inspections.

In 2017/18 Food Safety Team Officers carried out 238 advice visits offering bespoke guidance to new businesses on compliance and how to achieve the best Food Hygiene Rating possible

6.10 2017/18 Compliance Projects

Engage food businesses and service users through social/digital media - completed

The FST participated in the digital promotion for ‘Our Day’ 21 November 2017. Images of one of the FST officers on district were published on the LCC Twitter feed highlighting the varied aspects of Local Authority work.

Introduction of cost recovery for FHRS re-rating visits - completed

The groundwork was set in place to introduce a cost recovery scheme for FHRS Re-rating inspections. This has been launched as from 1 April 2018. All food establishments, following a statutory food hygiene inspection are eligible to apply for a re-rating inspection once the works have been addressed. This is a non-statutory inspection for the benefit of the business. As such the Local Authority is permitted to charge on a cost recovery basis. The charge has been set for 2018/19 at £110 (plus VAT)

Introduction of cost recovery based advice and support services – on hold

This has been put on hold pending the success of cost recovery based charging for re-rating inspections

Promotion of 5 Rated Establishments – carried forward to 2018/19

This has been carried forward to and included in the 2018/19 Service Plan.

Allergens – planning and scoped for implementation 2018/19

On embarking on the project for 2017/18 it became apparent to the FST that there was an opportunity for joint working with colleagues in Public Health. The project was therefore scoped and set up in 2017/18 and planned for implementation in 2018/19

This sampling exercise is focussed on potential allergen issues in relation to take away foods. The public should be confident that they can order food with allergen content clearly indicated on menus (online or leaflet) and where appropriate the food ordered is allergen free.

Public Health are carrying out a study into healthy eating looking at the incidence of obesity (particularly childhood) and diabetes in the city. The focus being the lack of healthy options available to consumers who order from take away establishments. PH would like data regarding the nutritional content of food offerings in the city particularly in areas of concern to help design a strategy to help tackle obesity and diabetes.

The latter part of 2017/18 saw FST meeting with PH to discuss a combined sampling exercise. PH have mapped areas of the city of concern against density of takeaway establishments. This has provided a basis for selection to select takeaway establishments for sampling for both allergens and nutritional values..

The scope of the project is now understood and sampling planned. The FST have the sampling expertise and will take one sample for allergen testing and another for nutritional testing. This joint exercise provides efficiencies in collecting and sending sample for testing and cost savings.

Sampling will start from June onwards in a phased manner to allow for subsequent analysis and follow up.

Sweet Marts – completed

This project involved 20 sweet mart establishments which were profiled for routine inspection during September 2017. Foods which are typically produced by this type of establishment were selected for sampling and microbiological examination: chutneys, samosas, savoury snacks to which spices had been added after cooking such as gathai, Bombay mix, etc., rasmali and shrikhand.

Information was also gathered on ingredients used, shelf life, and temperature control during production. In total 85 samples were collected and the majority of results were satisfactory. For the few which were unsatisfactory, officers visited establishments and advised food business operators to improve their food handling procedures. Follow up samples were collected to check that improvements had been made.

Illicit Alcohol –wet bars/nightclubs – carried forward to 2018/19

This has been carried forward to and included in the 2018/19 Service Plan. The proposal is to set up a joint project with colleagues in Licensing. Recent resourcing issues in Licensing have set aside this project to the 2018/19 Service Plan.

Illicit alcohol has continued to be investigated on an intelligence basis.

Launch new web content – part completed

Not yet launched

However, new FST content has been drafted which will provide more information for businesses on compliance with food law and signpost to self-help guides and other sources of information. The information also guides Leicester residents and visitors on the work of the FST, food law and if necessary how to make a complaint.

The information will link to the My Account facility where food business operators can register their new businesses and request and pay for re-rating inspections and Leicester residents can raise any concerns about food establishments or food they have purchased /eaten

Halal Certification - completed

Food described as halal is permitted for consumption by those who follow the Muslim faith. Like so many others, it is a claim open to opportunities for food business operators to 'mislead' customers.

There is no definition of or standards for "halal food" in food law.

There is however a general requirement for food business operators not to mislead or to act fraudulently. It is clear for example, that food which contains pork is not halal.

Operators must be able to demonstrate traceability of their food. Foodstuffs/ingredients should be traceable back to their original source to prove where necessary that that source is a legitimate producer/supplier.

In March 2018 the FST as part of routine inspections carried out a traceability exercise in food establishments that advertised or marketed meat or meat products as being halal. In total 27 Food establishments were checked.

The traceability exercise did not reveal any significant compliance issues with regard to claims that food (meat/meat products) were halal. Consequently no follow up work is proposed. Some other minor labelling and declaration issues were raised with food business operators at the time of the inspection.

Concerns regarding halal/halal content of food are not a common complaint. Any questions regarding the integrity of halal food will continue to be investigated by the FST on an intelligence led basis.

GM Foods - completed

The FST have this year reviewed the supply and availability of Genetically Modified Foods in the UK.

The safety assessments of GM foods are carried out by the European Food Safety Authority (EFSA). Assessments include a detailed study of:

- whether the foods could be toxic
- their nutritional value
- whether they could cause allergic reactions

GM foods are only authorised for sale if they are judged:

- not to present a risk to health
- not to mislead consumers
- not to have less nutritional value than their non-GM counterpart

In the UK, foods must say on their label if they contain or consist of genetically modified organisms (GMOs) and/or contain ingredients produced from GMOs

This means that all GM foods have to be labelled as GM.

Foods produced with the help of GM technology do not have to be labelled. An example of this is cheese produced with the help of GM enzymes which are used to clot the milk in the production process. These are not ingredients in the cheese.

Products such as meat, milk and eggs from animals that are fed on GM animal feed also do not need to be labelled.

At present the supply of food in the EU is largely GM free. The exception being cooking oil which can contain genetically modified soya. As part of routine inspection, officers look for GM oils and advise/take action to ensure Food businesses either have a method of informing their customers or change to a GM free equivalent.

6.11 Conclusion of Service Plan Review

The commitment of additional resources and other measures taken enables the Food Safety Team to achieve the intervention programme and avoid a backlog of inspections. The closer management oversight of the programme provides greater assurance that non-compliance is addressed in an appropriate, proportionate and timely fashion.

Whilst the continued support offered to new and existing food business operators is not a statutory requirement, this support coupled with swift enforcement for those less willing has seen a significant rise in 'broad compliance' with food hygiene law.

The Food Safety Team Officers continue to work hard to ensure that the operators of food establishments in the City provide safe food. In light of the diverse and challenging environment that is Leicester City and the impacts of the Service Review this work is to be commended.

APPENDIX 1 : COMPARATIVE DATA FOR 2017/2018

Authority	Total establishments	Unrated establishments	Total of Broadly Compliant A-E (%)	Total of Interventions Achieved, exc unrated (%)
Hackney	2,709	54	87.75	54.98
Haringey	2,128	100	94.09	71.29
Birmingham	8,341	1,314	83.18	96.42
Derby City	2,024	21	96.66	93.43
Leicester City	2,996	95	86.69	97.24
Nottingham	3,123	66	99.13	67.26

Authority	Voluntary Closures	Hygiene Emergency Prohibition Notices	Prohibition Orders	Seizures and detentions of food
Hackney	4	4	4	1
Haringey	0	2	0	8
Birmingham	4	81	3	0
Derby City	3	1	0	0
Leicester City	9	2	1	8
Nottingham	3	0	0	0

Authority	Written warnings	Remedial Action & Detention Notices	Cautions	Prosecutions
Hackney	612	0	0	0
Haringey	547	0	6	0
Birmingham	2,043	6	0	37
Derby City	839	0	0	1
Leicester City	1,661	3	6	2
Nottingham	1,113	0	3	1

(Source: Local Authority Enforcement Management System – hygiene)

APPENDIX 2

Commentary from FST Monthly Performance Reports Apr 2017 to Mar 2018

Apr 2017

- Dutch Bangla sentencing in the Crown Court: Mahmudur Rahman and Kamal Rahman each sentenced to 5 years imprisonment for conspiracy to defraud and other convictions including some under the Food Safety Act 1990. Prosecution application for costs to be adjourned to be dealt with alongside an application for the confiscation of the proceeds of crime.
- Voluntary Closure of Oriental Buffet City High Street – no hot water
- 1 FST Manager working flexibly to accommodate impairment until operated on (Operation Planned 15th May)

May 2017

- 2016/2017 Local Authority Enforcement Management System [Laems] return submitted to the FSA [statistics on 2016/2017 intervention and enforcement activity]
- Draft Service Plan for 2017/18 prepared
- FST Manager had operation on 15th May
- Pressurised fryers – Joint year-long PST/FST Project.
- Review of 379 Category E establishments due intervention during 2017/18 to identify those to be inspected and those to be sent self-assessment questionnaire.

Jun 2017

- Preparation for Customer Service Line application of “hard stop” of phone enquiries by mid August
- Attendance of officers at training on obtaining entry warrants, and at an East Midlands event on food safety matters
- Attendance of 2 FST managers at FSA update on strategic project “Regulating our Future”
- Smoking shelters – Joint year-long PST/FST Project.

Jul 2017

- FST Manager Dave Howard appointed to National Food Focus Group and attended first meeting in London
- Emergency closure of Subway 37 Granby Street due to cockroaches. Hygiene Emergency Prohibition Order granted by the Magistrates’ Court
- Participation in FSA Food Hygiene Rating Scheme consistency exercise
- Service plan considered by Scrutiny Commission and Executive
- Three officers attended 2 days’ Police & Criminal Evidence Act [PACE] training on interviewing suspects

Aug 2017

- The percentage of establishments in the city which are broadly compliant with food hygiene law increased in August to 84%, from 83% in July.
- The excess of inspections remaining in the programme in June, July and August over that forecast is due to increased officer annual leave and will be caught up later.

- Overall a high standard of compliance with food law was found during checks at this year's Caribbean Carnival.
- Sanitisers found in use in food establishments were submitted for examination to assess their efficacy [part of national survey]
- Food production at Action Homeless was inspected and there was collaboration with LCC's Food Plan officers in relation to Leicester's Summer Food Scheme

Sep 2017

- An event caterer called Ganis Catering of Lunsford Road was closed using emergency powers, due to evidence of rodents and poor cleaning and poor temperature control.
- The operators of a central Leicester retailer took voluntary action to remove stock [mostly non-food] contaminated with rat droppings.
- Leicester Royal Infirmary and Glenfield Hospitals were inspected and both found to be "good" or "very good" Earlier this year the ratings of hospitals throughout the country which were lower than "good" ["generally satisfactory", for example] had been the subject of newspaper reporting.
- FST EHO Alison Lea was appointed to the vacant post of Private Sector Housing Team Manager. She will leave the FST at the end of October. Approval has been given to recruit a replacement member of staff.

Oct 2017

- Cllr Piara Singh Clair took over executive lead on food law enforcement
- Food Law Enforcement Service Plan approved at full Council
- Outbreak of gastro-intestinal illness following supply of end of Diwali food to three government department offices by a Leicester food outlet [update in Nov report]
- Recruitment exercise for EHO - to fill vacancy created by Alison Lea's appointment in another team
- Planning next year's Inspection programme started
- Simple Caution Accepted by FBO of a takeaway in the city.

Nov 2017

- LCC v Ilyas Rauf t/a Eastern Catering – pleaded guilty in mags. court to 6 food hygiene charges: fined £320, ordered to pay all Council's costs of £4802.50
- Hygiene Emergency Prohibition Notice served on operator of Shere Punjab 21 Melton Road – evidence of mice and poor standards of cleaning. Court order also granted.
- Remedial Action Notice served on Leicester food manufacturer which started producing egg products without approval
- Voluntary Closure of Leicester restaurant.
- Food Fraud Training – 7 authorised officers attended and FST manager Dave Howard assisted National Food Crime Unit investigator and trainer Nick Smith
- October government department outbreak investigation update: same Clostridium perfringens toxin found in one food item and faecal specimen of person ill with symptoms of food related illness
- Revised version of FSA Food Law Code Practice Guidance published

Dec 2017

- Current Public Safety Team EHO Mina Jotangia was interviewed for and offered a vacant post of Food Safety Team EHO [start date to be Mar 2018]

- A meeting with Public Health England was held on the management of and investigation into infectious disease related incidents and outbreaks

Jan 2018

- The kitchen and basement of The Sports Corner 32 Belgrave Road was shut temporarily using emergency powers. A court granted a Hygiene Emergency Prohibition Order.
- Packing and moving to a temporary home at 16 New Walk took place. Managers exhorted field officers to work flexibly during the move.
- A test upload of all hygiene data in the FSA's electronic monitoring of local authorities returned **zero** data errors. This covered thousands of data entries and is testimony to the skill and expertise of Rob Lowe and diligence of field officers, admin staff [and FST managers]. There have been fewer errors each year. When electronic uploading started, there were thousands of them.
- EHO Laura Cowlshaw returned to the FST after one year's maternity leave and now works 18.5 hours a week [previously full time].
- Monitoring of and appropriate corrective steps increased in relation to the remaining 2017/2018 planned work programme.
- Formulation of the 2018/2019 service plan began.

Feb 2018

- During February the priority was on a) assessing the establishments due inspection in the 2017/2018 inspection programme so that any residue is of lower risk establishments, and newly registered establishments, and b) deploying resources to achieve as much of the 2017/2018 inspection programme as feasible before the end of March,

Mar 2018

- These are the whole year Divisional performance levels for food law enforcement for 2017/2018:
- % of broadly compliant food establishments (inc unrated & outside programme), target: 82%, achieved: 84%
- % of satisfactorily rated food businesses supplying public in Leicester (rated three and above in FHRS), target: 85%, achieved: 89.56%
- % of food law compliance checks due and undertaken (cumulative), target: 95%, achieved: 98.26%
- After a transition period from her previous post in Public Safety Team, EHO Mina Jotangia became full time in the FST.
- Prosecuted in the Magistrates' Court, the food business operator of Spicy Style 39 Newark St was fined £3009 for 6 food hygiene offences [inc costs]