

**BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL**

<b>From: Cabinet Member for the Environment</b>	<b>Report Number: <big>BCa/17/64</big></b>
<b>To: MSDC Cabinet BDC Cabinet</b>	<b>Date of meetings: 9 April 2018 12 April 2018</b>

**FOOD AND SAFETY SERVICE PLAN 2018/19**

**1. Purpose of Report**

- 1.1 To consider and approve the Mid Suffolk and Babergh Food and Safety service plan for 2018/19. This service plan incorporates the Food Safety and Health and Safety service plans which in previous years have been published as separate documents.

<b>2. Recommendations</b>
2.1 That Cabinet approves the Mid Suffolk and Babergh Food and Safety service plan 2018/19.
<b>Reason for decision:</b>
<b>To fulfil the requirements of the Food Standards Agency framework agreement and the Health and Safety Executive National Local Authority Enforcement Code.</b>

**3. Financial Implications**

- 3.1 The proposed plan is in line with the 2018/19 budget identified for the Food and Safety team.

**4. Legal Implications**

- 4.1 The service plan has been drafted in accordance with the Food Standards Agency framework agreement and the Health and Safety Executive National Local Authority Enforcement Code and fulfils local authority obligations under guidance issued by the FSA and HSE.

**5. Risk Management**

- 5.1 This report is most closely linked with the Council's Corporate / Significant Business Risks **2a** 'If we do not understand the needs and aspirations of our businesses we may not focus our interventions and resources in a way which will provide the right support' and **5c** 'If we do not have robust governance arrangements that enable good decisions to be taken that are appropriate for the environment that we are operating in, then we will be unable to operate effectively and will be at risk of potential legal challenge'. Key risks relating to these are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Inability to provide support and guidance to help businesses achieve compliance.	Unlikely - 2	Bad - 3	The allocation of sufficient Food and Safety resources enabling business support alongside appropriate enforcement.
Mandatory service plan(s) not in place	Unlikely - 2	Bad - 3	The service plans, that is the subject of this report, is a significant element of the governance mechanism for the Food and Safety service, and in combination with the corporate enforcement policy ensures that a risk-based approach to regulatory service delivery is followed and proportionate enforcement decision making is carried out.

## 6. Consultations

6.1 None.

## 7. Equality Analysis

7.1 Although combined, the type of content and broad structure of the 2018/19 plan does not deviate significantly from the plans of previous years. The conclusion from equality analysis screening is that the proposed service plan is neutral in terms of the elimination of discrimination, harassment or victimisation.

## 8. Shared Service / Partnership Implications

8.1 The service plan is written for a fully integrated service operating across Babergh and Mid Suffolk where the identified resources are planned to be utilised equally in both districts.

8.2 The Corporate Manager – Food and Safety is working with regulators in Norfolk and Suffolk and the New Anglia LEP in a partnership arrangement to help regulatory services support businesses, through a Better Business for All (BBfA) programme.

8.3 The BMSDC Food and Safety Team continues to work with the SCC Public Health team delivering a healthy catering award to Suffolk known as Eat Out Eat Well (EOEW) and should shortly be similarly involved in the launch of Take Out Eat Well (TOEW) aimed at the fast food element of catering.

## 9. Links to Joint Strategic Plan

9.1 The work of the Food and Safety service contributes to the strategic outcomes of Babergh and Mid Suffolk District Councils relating to 'Business Growth and Increased

Productivity' by engaging with and supporting businesses to thrive. The service also contributes to 'Community Capacity Building and Engagement' through support for Health and Well Being outcomes.

## **10. Key Information**

- 10.1 The Food Standards Agency (framework agreement) and Health and Safety Executive National Local Authority Enforcement Code mandate the production of service plans relating to food safety and health and safety respectively. Previously, they have been produced as two separate plans but for simplicity and in anticipation of all service areas of the Councils producing service plans following a new corporate format, this year they are combined.
- 10.2 The plan includes elements of review of the year just ended as well as setting out a work programme for the coming year.
- 10.3 To ensure local transparency and accountability the plan should be considered and approved by the appropriate member forum. Members are therefore asked to consider the draft plan at Appendix 1 of this report and offer any comments.
- 10.4 The following are a few points of note from 2017/18:
  - More than 1100 planned food safety inspections and initial food safety interventions were carried out.
  - The upward trend of broadly compliant food businesses (equating to a food hygiene rating of 3 or better) has continued to 96.93% from 96.05% in 2016/17.
  - 1018 food businesses currently hold a food hygiene rating of 5 which is approximately 60% of the total.
  - Formal enforcement action has included the service of four food hygiene and 3 health and safety statutory notices, the administering of five simple cautions for food hygiene failures and one prosecution of a food business which had previously received a simple caution.
- 10.5 Appendix 2 of this report provides some brief case studies to illustrate the work that the Food and Safety Team as been involved in during 2017/18.
- 10.6 The year ahead:
  - 788 planned food premises interventions including 471 food business inspections.
  - Development of a warehouse safety campaign.
  - Implementation of new animal welfare legislation in relation to breeders, boarders, pet shops, riding establishments and performing animals.
  - Introduction of Take Out Eat Well healthy catering award.
  - Continuing to develop improved support for businesses through the New Anglia Better Business for All programme.

Appendices:

Title	Location
(a) Food and Safety Service Plan 2018/19	Appendix 1
(b) Brief Illustrative Case Studies from 2017/18	Appendix 2

**11. Background Documents**

- 11.1 FSA Framework Agreement on Local Authority Food Law Enforcement; Food Standards Agency Food Law Code of Practice: <http://www.food.gov.uk/multimedia/pdfs/enforcement/frameworkagreementno5.pdf>
- 11.2 HSE National Local Authority (LA) Enforcement Code: <http://www.hse.gov.uk/lau/la-enforcement-code.htm>

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