

# Food Service Plan

## 2008/2009



*Directorate of the Urban Environment*

**Planning and Environmental Health Division**

## **Introduction**

In 2001 the Food Standards Agency issued a document titled the Framework Agreement on Local Authority Food Law Enforcement. This requires an authority to produce a service plan and stipulates what information must be contained in it. The plan forms part of the Environmental Health and Trading Standards Service Plan and must be approved by members.

It is recommended that the service plan should contain details concerning the authority's area and the organisation of the authority and associated council and community plans. Information relating to these areas is contained in appendix 1.

The Food Service within Dudley is provided by the Food and Occupational Safety (FOS) Service and Trading Standards Service. Both are part of the Directorate of the Urban Environment (DUE). To enable a seamless service to be provided the division of responsibilities and referral procedures have been developed and contained in quality procedures.

## Service Aims and Objectives

The Authority's aim, through the Community Strategy and Council Plan, is to make Dudley Borough a high quality place to live, work and spend leisure time for all of our residents and visitors by promoting the general prosperity and well being of the Borough as a whole while working together to progress a fairer society.

This document forms part of the Service Plan of the Environmental Health and Trading Standards Service of the Directorate of the Urban Environment

Aims	Objectives
<ul style="list-style-type: none"> <li>• To enforce and ensure compliance with Food Safety legislation.</li> <li>• To improve and sustain the health of the local people in the borough by contributing to the reduction of the health inequalities gap via the Health Inequalities Strategy.</li> <li>• To monitor the quality and availability of food and water and reduce avoidable illness and disease.</li> <li>• To work to prevent avoidable illness and reduce the spread of communicable disease within the Borough.</li> <li>• To ensure food offered or exposed for sale is fit for human consumption and to expedite the removal of hazardous/risk product from the food chain</li> </ul>	<ul style="list-style-type: none"> <li>• To carry out a programme of routine inspection of food premises to provide advice and assistance in complying with legislation.</li> <li>• To ensure food offered or exposed for sale is fit for human consumption and to expedite the removal of hazardous/risk product from the food chain.</li> <li>• To investigate where appropriate cases of communicable disease, including the investigation of practices and processes identified as sources of infection at commercial premises.</li> <li>• To investigate service requests relating to food and the conditions of food premises and where appropriate prepare reports for prosecution</li> <li>• To implement procedures to ensure compliance with the Food Standards Agency Framework Agreement.</li> <li>• To produce and undertake a food sampling programme and to undertake reactive sampling as required in connection with outbreaks/service requests.</li> <li>• To ensure that all food service work is carried out in accordance with relevant codes of practice, quality systems and the division's enforcement policy.</li> <li>• To encourage food businesses to apply for and gain the Dudley Food for Health Award.</li> <li>• To respond to requests for advice, and where appropriate liaise and advise businesses in accordance with The LACORS home authority principle.</li> </ul>

## Scope of the Food service

The food service is provided by officers of Food and Occupation Safety Service (FOS) and Trading Standards Service (TS). Structures of both services are detailed in the Operational Plans for each service.

	Food and Occupational Safety	Trading Standards
Total Establishment	<ul style="list-style-type: none"> <li>• 17.5 Environmental Health Officers</li> <li>• 2.5 Technical Officers</li> <li>• Health Promotion Officer</li> <li>• Home Safety Officer</li> <li>• Smoke Free Officer (temporary post)</li> <li>• Animal health and welfare officer (temporary post)</li> </ul>	<ul style="list-style-type: none"> <li>• 8 Trading Standards Officers</li> <li>• 4 Enforcement Officers.</li> <li>• 3 Technical Officers</li> <li>• 5 Fair Trading Officers</li> <li>• 1 Education and Enterprise Officer</li> <li>• 1 Trainee TSO</li> </ul>
Food Establishment	<ul style="list-style-type: none"> <li>• 9 FTE Environmental Health Officers</li> <li>• 1.5 Technical Officer</li> <li>• Health Promotion Officer (part)</li> </ul>	<ul style="list-style-type: none"> <li>• 8 Trading Standards Officers</li> <li>• 1 Enforcement Officer</li> </ul>
Responsibilities of Service	<ul style="list-style-type: none"> <li>• Food legislation enforcement</li> <li>• Health and safety relating to local authority enforced premises.</li> <li>• Animal health and welfare</li> <li>• Public health legislation</li> <li>• Noise control in commercial premises</li> <li>• Smoke free legislation compliance and enforcement</li> <li>• Health promotion</li> </ul>	<ul style="list-style-type: none"> <li>• Food legislation enforcement</li> <li>• Weight and measures legislation</li> <li>• Consumer protection legislation</li> <li>• Underage sales legislation</li> <li>• Civil law advice service</li> <li>• Consumer education.</li> <li>• Business advice</li> <li>• Community Safety.</li> </ul>
Responsibilities relating to food legislation	<ul style="list-style-type: none"> <li>• Issues relating to food which fails to meet the requirements of Section 8 of the Food Safety Act 1990 and Article 14 of General Food Regulations 2004 in relation to unfit food. Issues relating to food which fails to meet the requirements of Section 14 of the Food Safety Act in respect of substance or quality including extrinsic foreign bodies.</li> </ul>	<ul style="list-style-type: none"> <li>• Issues relating to food which fails to meet the requirements of Section 14 of the Food Safety Act 1990. It must be noted that the Food &amp; Occupational Safety section investigates issues relating to the contamination of food by extrinsic foreign bodies.</li> <li>• Issues relating to food that is falsely described or presented in contravention of Section 15 of The Food</li> </ul>

	<ul style="list-style-type: none"> <li>• Issues relating to the premises, practices and conditions under which food is prepared, stored and handled.</li> <li>• The investigation of cases of food borne infectious disease, to identify its source and prevent further cases.</li> <li>• To register or approve food premises as legislation requires.</li> </ul>	<p>presented in contravention of Section 15 of The Food Safety Act 1990.</p> <ul style="list-style-type: none"> <li>• All regulations relating to the manner of marking and labelling of food. Principally this will be the Food Labelling Regulations 1996 but will also include labelling requirements of regulations relating to specific foods.</li> <li>• All regulations relating to compositional requirements.</li> <li>• The Agricultural Act and associated regulation relating to the labelling and sale of feeding stuffs.</li> </ul>
<b>Enforcement Policy</b>	<ul style="list-style-type: none"> <li>• An Enforcement Policy has been produced which was consulted on and endorsed by the Executive of the Council on the 11<sup>th</sup> February 2004 (currently under review).</li> </ul>	<ul style="list-style-type: none"> <li>• An Enforcement Policy has been produced which was consulted on and endorsed by the Executive of the Council on the 11<sup>th</sup> February 2004 (currently under review).</li> </ul>
<b>Number of Food Premises by Risk.</b>	<ul style="list-style-type: none"> <li>• Category A           23</li> <li>• Category B           314</li> <li>• Category C           1059</li> <li>• Category D           343</li> <li>• Category E           426</li> <li>• Total                   2165</li> </ul>	<ul style="list-style-type: none"> <li>• High     33</li> <li>• Medium 655</li> <li>• Low     712</li> </ul>
<b>Details of Risk Assessment</b>	<ul style="list-style-type: none"> <li>• Each food premises is risked in accordance with the FSA Code of Practice risk assessment. Frequency of inspection:</li> <li>• Category A: 6 months</li> <li>• Category B: 12 months</li> <li>• Category C: 18 months</li> <li>• Category D: 2 years</li> <li>• Category E: 3 years or can be subjected to alternative enforcement strategy</li> </ul>	<ul style="list-style-type: none"> <li>• Each food premises is risked in accordance with LACORS risk assessment.. Low risk premises may be visited by Alternative Enforcement Activity. Frequency of inspection:</li> <li>• High: 12 months</li> <li>• Medium: 24 months</li> <li>• Low: 60 months</li> </ul>

Service Delivery points	<ul style="list-style-type: none"> <li>• Claughton House Blowers Green Road Dudley DY2 8UZ</li> </ul>	<ul style="list-style-type: none"> <li>• 3 St James Road Dudley DY1 1HZ</li> </ul>
Hours of Opening	<ul style="list-style-type: none"> <li>• Monday to Thursday 9.00am to 5.00pm</li> <li>• Friday 9.00am to 4.00pm</li> </ul>	<ul style="list-style-type: none"> <li>• Monday to Thursday 9.00am to 4.30pm</li> <li>• Friday 9.00am to 4.00pm</li> </ul>
Telephone numbers	<ul style="list-style-type: none"> <li>• 01384 814685 (Service desk)</li> <li>• 01384 818182 (out of hours)</li> </ul>	<ul style="list-style-type: none"> <li>• 01384 814673</li> <li>• 01384 818182 (out of hours)</li> </ul>
E mail	<ul style="list-style-type: none"> <li>• Food_OccSafety.DUE@dudley.gov.uk</li> </ul>	<ul style="list-style-type: none"> <li>• tsonline@dudley.gov.uk</li> </ul>
website	<ul style="list-style-type: none"> <li>• <a href="http://www.dudley.gov.uk/council/du/duindex.htm">www.dudley.gov.uk/council/du/duindex.htm</a></li> </ul>	<ul style="list-style-type: none"> <li>• <a href="http://www.dudley.gov.uk">www.dudley.gov.uk</a></li> <li>• <a href="http://www.consumercomplaints.org.uk">www.consumercomplaints.org.uk</a></li> </ul>

## Service Delivery 2008/2009

Detailed below are the planned activities for the Food Service in 2008/2009

Activity	Food and Occupational Safety	Trading Standards	Comments
<p>Routine inspection</p>	<ul style="list-style-type: none"> <li>• Target is to visit 100% of Cat A-E premises due for inspection</li> <li>• The number of inspections due in 08-09 is 1279, 1011 high risk (Cat A-C) and 268 low risk (Cat D-E).</li> <li>• Premises are risk assessed in compliance with the FSA system and are split into categories ranging from A to E</li> <li>• Inspections are split between categories as follows:            Category A: 46            Category B: 314            Category C: 651            Category D: 192            Category E: 76</li> <li>• Based on 07/08 it is anticipated that 150 revisits will be undertaken in 08/09</li> <li>• Priorities:               <ol style="list-style-type: none"> <li>1. Continuing to support food business proprietors to produce documented food safety management systems such as Safer Food Better Business (SFBB) to enable them to comply with The Food Hygiene (England) Regulations 2006.*</li> <li>2. Increasing food enforcement activity to target non-compliant premises,</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>• TS use the LACORS risk assessment system. Premises are risked either high, medium or low. The latter may be visited using alternative enforcement actions.</li> <li>• Target is to inspect 100% of high and medium risk premises due in that financial year.</li> <li>• 385 premises are due for inspection in 07/08, 33 high and 352 medium</li> <li>• Based on 07/08 it is anticipated that 25 revisits will be undertaken in 08/09.</li> <li>• Priorities               <ol style="list-style-type: none"> <li>1. Review how visits are allocated and conducted</li> <li>2. Project looking at compliance with Food Standards legislation in caterers and cafes.</li> <li>3. Review and expand education initiatives re understanding food labelling and in particular nutritional labelling. Enabling</li> </ol> </li> </ul>	<p>Revisits are undertaken where statutory notices have been served or where conditions warrant re-visit</p> <p>N.B. Visits due do not include newly opened food businesses which fall outside the programme. These businesses require both food and health &amp; safety inspections (if LA enforced)</p> <p>*Funding from the FSA to deliver SFBB to small food businesses through seminars and coaching visits has now ceased, hence continued delivery will depend on charging for this service.</p>

	<p>e.g. those businesses achieving no star or one star ratings on the “Scores on the Doors” food hygiene inspection publication scheme on the Council’s website.</p> <ol style="list-style-type: none"> <li>3. Publishing the results of food hygiene inspections on the website from April 2008 in the “Scores on the Doors” scheme**</li> <li>4. Continuing surveillance for premises requiring approval under Regulation (EC) NO. 853/2004, e.g. meat products manufacturers.</li> <li>5. Continuing surveillance for Imported Food.</li> <li>6. Increasing the number of outlets receiving the Dudley Food for Health Award (a Local Area Agreement target)</li> </ol>	<p>consumers to make an informed choice.</p>	<p>** 5 star (6 tier) Scores on the Doors scheme to be launched in April 2008. FSA expected to consult during year before making final recommendation as to a national scheme.</p> <p>Scheme expected to drive up standards in businesses and give information to the public allowing informed choices of where to eat or purchase food.</p>
<p>Complaints</p>	<ul style="list-style-type: none"> <li>• Using previous years as a guide it is anticipated that the service will receive approx. 200 food complaints and 200 complaints relating to hygiene or condition of food premises.</li> </ul>	<ul style="list-style-type: none"> <li>• Using previous years as a guide it is anticipated that the service will receive 170 complaints on issues relating to food. This is assuming a 10% increase which is half the increase experienced in 07/08.</li> </ul>	<p>All complaints will be investigated in compliance with current quality procedures and enforcement policy</p> <p>Anonymous complaints will be dealt with on a risk assessment basis.</p>
<p>Home Authority Principle</p>	<ul style="list-style-type: none"> <li>• Home Authority (HA) principle operated for all referrals from other authorities. Current resources to date have not permitted the division to act as national policy advisor to locally based business other than in an unofficial capacity. The</li> </ul>	<ul style="list-style-type: none"> <li>• Trading Standards deal with HA referral from other authorities and where necessary will advise on national policy issues.</li> </ul>	



	<p>impact of the draft Regulatory Enforcement and Sanctions Bill in relation to the role of the new Local Better Regulation Office (LBRO) and the creation of Primary Authorities will need to be considered during 2008-09.</p>		
Advice to Business	<ul style="list-style-type: none"> <li>FOS are projected to receive approx 250 food advice requests</li> <li>All requests for advice /assistance received via business questionnaires are responded to.</li> <li>The Food Standards Agency SFBB packs are available and offered to small catering and retail businesses as appropriate.</li> <li>There is an ample range of leaflets on food safety available to businesses in a range of languages</li> </ul>	<ul style="list-style-type: none"> <li>TS respond to approx 20 requests for advice on food matters</li> <li>In 06/07 the service carried out a self assessment, this was reviewed by Coventry Trading Standards. An action plan has been prepared to drive service improvement. Improving service to business is part of the action plan.</li> </ul>	<p>The authority will respond to all requests for advice from businesses.</p> <p>Businesses will be given advice by both services as part of a routine inspection.</p>
Food and Feeding Stuff Inspection and sampling	<ul style="list-style-type: none"> <li>An annual sampling programme is produced for microbiological food samples to be taken for examination.</li> <li>312 microbiological examinations will be carried out under the free allocation from the Health Protection Agency(HPA). In June 2008 this service will transfer from the Royal Shrewsbury Hospital NHS Trust laboratory to the HPA laboratory at Heartlands Hospital, Birmingham</li> </ul>	<ul style="list-style-type: none"> <li>An annual sampling programme and plan is produced with a target of 250</li> <li>Samples will be analysed by Scientific Services, Worcester council</li> </ul>	<p>Samples taken will include samples taken as part of regional and national sampling projects led by the FSA and/or LACORS.</p> <p>The food standards sampling target has been increased due to funding from the FSA for imported food sampling.</p> <p>The microbiological sampling target has been reduced due to increased costs but at no risk to public health due to prioritised programme</p>
Control and Investigation of out breaks and food related infectious diseases.	<ul style="list-style-type: none"> <li>The estimated number of notified cases of illnesses that may occur is 500 approx., including 250 campylobacters</li> <li>Salmonella, E.Coli, Shigella, Typhoid and Paratyphoid cases responded to within</li> </ul>	N/A	<p>Infectious disease protocol and procedure laid down in conjunction with the Consultant in Health Protection. Reviewed and updated in 2007/08.</p>

	<p>24 hours. Hepatitis A within 2 days.</p> <ul style="list-style-type: none"> <li>• Campylobacter cases now contacted by letter rather than questionnaire. This is in line with HPA guidance and other LAs. All risk groups continue to be appropriately advised and all outbreaks investigated.</li> </ul>		<p>Outbreaks are difficult to predict so figures may vary. Outbreak Control plan and procedure in place in conjunction with HPA.</p>
Food Alerts	<ul style="list-style-type: none"> <li>• It is anticipated that 50 food alerts will be notified in 08/09 with approx 10 requiring action.</li> <li>• Food Alerts are now received via ehcnet.</li> </ul>	<ul style="list-style-type: none"> <li>• It is anticipated that 50 food alerts will be notified in 08/09 with approx 10 requiring action.</li> <li>• Notification of food alerts are received via E Mail from FOS.</li> </ul>	<p>Food Alert procedure reviewed and updated during 2007-08</p>
Liaison with other organisations	<p>FOS actively participates in and works with various groups including</p> <ul style="list-style-type: none"> <li>• West Midlands Food Liaison Group</li> <li>• Food for Health Steering Group (chaired by Dudley PCT)</li> <li>• Shrewsbury and Telford Hospital NHS Lab User Group (SATH)</li> <li>• The Food Standards Agency (FSA)</li> <li>• The Health Protection Agency</li> <li>• Infection Control Committee (Dudley PCT and Hospital NHS Trust)</li> <li>• Inter-agency meetings, e.g. PCT, Commission for Social Care Inspection. Officers are in regular communication with:</li> <li>• The Consultant in Health Protection (CCDC)</li> <li>• Community Infection Control Nurses</li> <li>• Water companies supplying Dudley borough</li> </ul>	<p>TS actively participates in and works with the following groups</p> <ul style="list-style-type: none"> <li>• CEnTSA quality standards group</li> <li>• Food for Health Steering group</li> </ul>	
Promotion and education	<ul style="list-style-type: none"> <li>• In conjunction with Public health team in Dudley PCT, the Dudley Food for Health Award (DFFH) encourages premises to provide a healthy eating choice whilst complying with food hygiene regulations.</li> </ul>	<ul style="list-style-type: none"> <li>• The majority of TS education and promotional work is targeted at other enforcement areas such as underage sales and distraction burglary. As part of their work</li> </ul>	<p>Promoting a Joint Food Policy with Dudley PCT and Dudley Group of Hospitals (DGOH) is an objective of the Dudley Food for Health Action Plan and will be progressed during</p>

	<p>From 2007-08 and beyond the number of premises issued with DFFH Award has been a target of the Local Area Agreement (LAA). Target for 2008-09 is 58 premises.</p> <ul style="list-style-type: none"> <li>• Food Safety Week is participated in each year.</li> <li>• A Christmas Food Safety campaign is carried out each year.</li> <li>• Following the end of FSA funding to deliver SFBB training to small food businesses, continuation of this area of work will depend on demand from businesses and recovering the cost of delivery through charging.</li> <li>• Various talks are given upon request each year to groups such as school children, college groups, caterers, church groups etc.</li> </ul>	<p>talks are given on the general work of the service. These will cover food standards. It is anticipated that 36 talks will be presented to a range of community groups and schools.</p> <ul style="list-style-type: none"> <li>• In 07/08 Trading Standards began to run food labelling lessons in secondary and primary schools. The aim was to give pupils an understanding of the information on food labels. It involves a presentation then pupils create a label for a product based on an ingredients list. These lessons have been very successful and the project is included in the FSA food vision website as an example of good practice.</li> <li>• Due to the popularity of these lessons a second lesson has been developed on nutritional labelling. The aim being to ensure that pupils gain an understanding of nutritional labelling and can make an informed choice when purchasing food. Lessons have been piloted in a primary school and will be offered to other schools within the borough in 08/09.</li> <li>• The service aims to participate in the Consumer Challenge Quiz. This is a national run quiz and is</li> </ul>	<p>2008-09 when it is intended that DUE will trial a Food Policy ensuring that whenever food is served as hospitality, direct sale or through vending that healthier choices are available and promoted. This will depend on achieving the support of Dudley Catering Services to the trial Food Policy.</p> <p>Both services will participate in Survive Alive. This event is designed to raise schools children's awareness of safety issues.</p> <p>A bid has been submitted to the FSA to fund Nutritional labelling lessons run by Trading Standards.</p> <p>A project group has been formed in trading standards to review and expand food education work</p>
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<p>Promotion and Education (continued)</p>		<p>This is a national run quiz and is aimed at special schools. A series of talks are presented in the schools before a local heat is held. In 06/07 Briar School reached the final and came second. Feedback from the schools was that it was very beneficial for the students.</p> <ul style="list-style-type: none"> <li>• Participate in young consumer of the year quiz. Again this is a quiz aimed at schools. Crestwood School went through to the regional final.</li> <li>• In 07/08 the service purchased talking shop. This is an interactive educational system. It includes several different scenarios. Currently a general scenario based on individual rights is used. The system does include a scenario on food. We will look to promote this scenario in 08/09</li> </ul>	
<p>Communication and Liaison</p>	<ul style="list-style-type: none"> <li>• The activities of all the groups detailed above will be participated in during the year.</li> <li>• Regular communication is held with the Food Standards Agency via the EHCnet system.</li> <li>• Consultation processes via the Food Standards Agency and LACORS will be responded to either independently or as part of WM Food Liaison Group</li> <li>• Consultation with food business</li> </ul>	<ul style="list-style-type: none"> <li>• The activities of all the groups detailed above will be participated in during the year.</li> <li>• Representatives from CEnTSA group will attend the FSA enforcement liaison group, and attend LACORS specialist panels</li> <li>• Consultation with FSA and LACORS will be through the CEnTSA group</li> <li>• Consultation is carried out with</li> </ul>	

	<p>proprietors and complainants will continue, exact details are not yet known as consideration is being given to the new draft National Performance Indicator (NI 182) on consultation.</p> <ul style="list-style-type: none"> <li>• Press releases will be issued to support campaigns, e.g. Food Safety Week and to report on public interest information, e.g. outcomes of prosecutions.</li> <li>• The Food Service Plan will, as in previous years, be published on the Council's website.</li> </ul>	<p>traders twice annually. A consultation review document is prepared annually.</p>	
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### Challenges for 2008-09

- Funding from the Food Standards Agency to deliver Safer Food Better Business (SFBB) training to food business proprietors in 2 projects was fully spent during 2007-08. Over the 2 years 2006-07 and 2007-08, 208 Dudley businesses have benefited from free SFBB training. Of those businesses trained, 158 were re-visited for evaluation purposes and 102 (65%) were deemed to have mostly of fully adopted SFBB. Increasing enforcement activity to target the 35% of businesses who failed to implement a satisfactory system following training and other businesses that did not avail of the training, particularly ethnic minority businesses, will be a challenge during 2008-09. Now that the SFBB project and funding has ceased, officers will need to spend additional time during inspections explaining the requirements to Food Business Operators (FBOs).
- The Retail Enforcement Pilot Project , whereby a lead agency takes responsibility for carrying out food safety, health and safety, trading standards and fire safety inspections in specific types of premises, was extended nationally in 2007-08 with a view to extending the scheme nationwide at some future point. This implements the recommendations of the Hampton Review and is aimed at reducing the total number of regulatory visits to businesses. Should this be introduced nationwide, this will require new ways of working within Food and Occupational Safety and Trading Standards and require closer liaison with other enforcement agencies. Similarly, new ways of working will be required by the current draft Regulatory Enforcement and Sanctions Bill in relation to the role of the new Local Better Regulation Office (LBRO), the use of alternative regulatory sanctions and the role of Primary Authorities. It is expected that the LBRO will be able to nominate a

local authority to act as a Primary Authority but it is unclear at the current time how, or if, this would be funded. Current resources to date have not permitted the Food and Occupational Safety service to act as national policy advisor to locally based business other than in an unofficial capacity.

- The commitments of Food and Occupational Safety to the Dudley Local Area Agreement (LAA) will have to be delivered in order to secure Government funding for priority work in a large range of activities across the Council and with partners. Targets relating to increasing the number of premises achieving the Dudley Food for Health Award will give this area of work increased importance for delivery.
- Project work in relation to launching a “Scores on the Doors” scheme, which publishes the results of all food hygiene inspections on the Council’s website and at premises through the issue and display of certificates, was carried out in 2007-08 with a view to implementing a scheme in Dudley from April 2008. Once launched, it is expected that the scheme will drive up standards of food hygiene in Dudley food businesses as proprietors strive to improve their public rating by ensuring premises comply before inspection, rather than waiting for an inspector to call and risk a lower rating. A particular challenge for the FOS service, once the scheme is launched, will be to target enforcement resources at underperforming businesses achieving the lowest hygiene ratings. It is expected that approximately 22% of food businesses in Dudley would fall into this category.
- Meeting the requirements of the new National Indicator based on the FSA outcome measure of broad compliance for food premises with food hygiene legislation ( NI 184) will need to be considered during 2008-09. It was not clear at the time of writing this plan what the target indicator will be.
- Compliance with the newly issued Food Standards Agency Code of Practice (CoP), due in April 2008, will have to be achieved. In particular, understanding how the new suite of interventions alternative to inspections could be utilised to increase efficiency and target resources more appropriately.
- Gaining familiarity and competence in the new Local Authority Enforcement Monitoring System (LAEMS) to enable web based reporting to the FSA will be a challenge during 2008-09. A major upgrade of the software system was required early in 2008 to prepare for the new reporting system, with the final old style FSA return being completed for the 9 month period April

to December 2007. New methods of recording food enforcement activities are required and trialling of the new system will take place during the year to ensure readiness to make the required report for 2008-09.

- The officers in Food and Occupational Safety, who carry out all the food hygiene and safety related work, are also responsible for a range of other non-food activities. Consequently there is a risk that increasing work in other areas may impact upon food work. Particular areas which may impact in 2008-09 include:
  - (i) The impact of longer trading hours for licensed premises, extended entertainment in premises not previously holding entertainment licenses and the provision of external smoking areas has increased the noise complaint work at commercial premises during the summer months. As noise investigation work is carried out by food officers, often out of hours, there will be time off in lieu implications which may affect operational food work. However, during 2008-09 it is hoped to trial the use of the Council's out of hours anti-social behaviour prevention team to monitor some commercial noise out of hours, although a budget for this work still needs to be identified.
  - (ii) Should animal health emergencies, e.g Avian influenza or Foot and Mouth Disease, affect areas in or near to Dudley, environmental health officers from the food teams would be required to assist in carrying out actions in the Animal Health Contingency Plans.
  - (iii) Officers carrying out food inspections are expected to assess compliance with smoke free legislation which does impact on the time spent at premises.
- As with FOS, Trading Standards deal with a wide range of duties. The demand on the service has grown with the introduction of Consumer Direct with a 30% increase in complaints received in 2007-08. The highest increase in complaints has related to the work carried out by the Fair Trading team. At times officers from other teams have taken on fair trading complaints. The service is increasingly involved with work relating to doorstep crime and intellectual property. These areas of work have been identified by the Rogers and Gowers Reviews respectively as national priorities. Funding has been made available from central government to address the issue of counterfeiting and copyright infringement and Trading Standards Services will be expected to account for the way in which funds have been used. Other pressures on resources include the duty to enforce the new Unfair Commercial Practices Directive from May 2008 for which no new resources are available and the targets imposed by the next generation Local Area Agreements in relation to the impact of regulatory services on the fair trading environment, satisfaction with the Service and the impact of age restricted products such as alcohol cigarettes and intoxicating substances upon anti-social behavior. This increase in demand from other areas of work currently do not impact

on the Food Standards work as it is seen as a priority, however the service has to respond to external issues and emerging threats that may impact on ability to commit the current level of resources in this area.

## Resources

**Detailed below are the financial and staffing resources of the food service**

### Financial Resources

	Food And Occupational Safety>	Trading Standards
Staffing	£434,250	£581,800 *
Travel	£16,850	£21,100*
Furniture and Equipment	£1,600	£19,200 *
Sampling Budget	£ 4,300 **	£30,000 **
Staff Training	£3,350	£5,400 *
Insurance	£5,350	£8,800 *
Departmental Service Charge	£135,400	£124,900 *
Central Est. Charge	£53,900	£67,100
<b>Total Food Budget</b>	<b>£655,000</b>	<b>£1,009,300 *</b>

>NB Costs in Food & Occupational Safety have been calculated taking into account “productive time” with 50% of the services personnel calculated as being engaged in Food Enforcement work.

\*Figures for Trading Standards, apart from sampling, represent the total sectional budget. Currently it is not possible with any accuracy to determine the number of full time equivalents required to provide the food service. Hence it is also not possible to determine the percentage of the section’s budget allocated to food enforcement.

\*\* Figures for sampling, the figure quoted for Food & Occupational Safety is 100% of their budget whereas the figure for Trading Standards is an estimated cost of analysis for samples to be purchased as per the sampling programme



## Staffing Allocation

The information detailed below outlines the staffing arrangements for the food service and associated qualifications. The Food Standards Agency issued Code of practice stipulates the qualifications that food officers must possess to carry out food enforcement.

Officers in FOS are split into 3 teams. 2 teams are multidisciplinary, the third leading on health and safety. Officers on the latter team will occasionally assist on food matters to ensure flexibility and adequate cover.

Within TS officers are split into 2 teams nominally on a geographical basis. To achieve efficient working officers are encouraged to specialise and will work across the borough.

Food and Occupational Safety		Trading Standards	
Post	Level of Competency	Post	Level of Competency
1 Service Manager	Registered with EHORB	Service manager	Diploma in Trading Standards (lead assessor qualified)
3 Principal Officers	Registered with EHORB	2 Principal Officers	Diploma in Trading Standards (1 lead assessor qualified)
13.5 Environmental Health Officers	Registered with EHORB	5 Trading Standards Officers	Diploma in Trading Standards (4.5 lead assessor qualified)
1 Technical Officer	Higher certificate	1 Enforcement Officer	Diploma in consumer affairs
1 Technical Assistant			

The Framework agreement on Local Authority Food Law Enforcement requires that Full time Equivalents (FTE) to be calculated for all areas of food enforcement. The following figures have been produced based on a time keeping exercise undertaken in November/December 2007.

### FTE for Food and Occupational safety

Activity	FTE	Activity	FTE
Routine inspection	7.0	Service requests	1.8
Advice	Inc in service requests	Sampling	0.3
Investigate food poisoning	1.0	Promotion	0.5

### Miscellaneous Resources for provision of service

	Food and Occupational Safety	Trading Standards	Comments
Database (accurate and up to date)	MVM software system (M3 version) MVM user group 1 officer (previously 2) authorised to administer system in addition to IT support. Since move to Claughton, officers have been trained in some inputting, e.g. updating work sheets and actions. There is a full audit trail within MVM for all data entry.	MVM software system (M3 version) MVM user group 2 officers authorised to administer system in addition to IT support.	Food registrations enable data bases to be kept up to date. Food registrations are copied to Trading Standards to ensure both MVM systems updated. Accuracy is ascertained through quality procedures

Up to date legislation	Subscription to Butterworths Law of Food and Drugs with regular updates	Subscription to Butterworths Law of Food and Drugs with regular updates	
Admin Support	No dedicated support within the division. Business support provided by admin support team at Cloughton House who also support Leisure Services	3 Technical Assistants based within trading standards provide some admin support, in particular data entry and typing. Further support is provided by business support based in 3 ST James Road.	
IT support	Directorate IT team provide support	Directorate IT team provide support	
Technical Equipment	Range of equipment available, e.g. calibrated thermometers, data loggers etc. Reference thermometers and data loggers calibrated annually		FOS documented procedure for maintenance of equipment.

### Staff Development

The department has been awarded Investors in People (IIP). Both services operate a staff development programme, which includes the use of annual Personal Review and Development interviews with six monthly reviews. A training plan is completed for each service from the information gathered. In addition Food & Occupational Safety operates a competency monitoring programme as laid out in the Food & Occupational Safety procedures manual Vol 1.

A copy of the annual training plan for FOS is located in the Food and Occupational Safety Manager's office. The training plan for the Trading Standards section is in a training file located in the Section Managers office.

Food and Occupational Safety has, additionally, introduced quarterly formal in-house training sessions, available to all Officers of the service which provides a minimum ongoing/update training consisting of at least 10 hours per year based on the principles of continuing professional development to ensure compliance with the Food Standards Agency issued Code of Practice. New or returning officers receive a minimum of 15 hours CPD training and monthly monitoring visits before being considered for formal enforcement powers. There is a career progression scheme whereby officers with a minimum of 2 years post qualification experience can apply for assessment and authorisation to serve Hygiene Emergency Prohibition Notices under The Food Hygiene (England) Regulations 2006. On satisfactory completion officers are designated Senior EHOs.

Trading Standards have introduced regular update sessions on food legislation. These are in addition to an annual update training session provided by Trading Standards Institute (Midland Branch) and CenTSA.

### **Quality Assessment**

The department is committed to quality and uses a variety of mechanisms to monitor the work of Officers.

#### ***Food and Occupational Safety***

The Food and Occupational Safety Service utilises the following methods to assess its performance against the standard and against the work of other West Midland Authorities. The monitoring of officers is included in the Authorisation and Monitoring of Officers documented procedure (revised September 2006).

All officers partake in annual monitoring of one food hygiene inspection (monthly for new or returning officers), one food complaint, one food hygiene premises complaint, one sampling visit and one infectious disease investigation. Monitoring includes assessment against the appropriate documented procedure as well as routine checks of paperwork, completed premises sheets and accuracy of data entry. In addition, there is 100% checking of all formal notices served, an annual PRD and service standardisation exercises as arranged (including training).

Officers also participate in regional standardisation exercises and peer reviews visits as organised.

The Manager undertakes a quarterly assessment of the Service's work.

An internal audit of the food safety service was carried out in FOS during 2007-08. The auditors rated the service as good or very good in most areas and highlighted just two minor improvements to be actioned, relating to ensuring that re-visits are properly scheduled and carried out on time and that letters to closed premises advising of removal of registration within 28 days were sent out in all cases.

### ***Trading Standards***

The Principal Officer in Trading Standards with responsibility for the monitoring and organization of food work conducts checks on 100% of completed visit forms and a representative sample of notices and other paperwork. A system of standardised visits and monitoring procedures for investigations and service requests has been developed.

The Trading Standards service has gone through the DTI funded peer assessment process. An action plan has been agreed and this will be delivered over the next 3 years to improve the service provided.

### Service Review 2007/2008

On an annual basis the services' performance is reviewed against last years plan.

Activity	Food and Occupational Safety		Trading Standards		Comments
	Target	Achievement	Target	Achievements	
Routine Inspection	100% high risk food premises 100% low risk food premises  Carry out alternative enforcement strategy for 90% (81) Category E food premises  Ensure that primary producers comply with food safety legislation.  To register approx 210 childminders and determine a strategy to ensure that childminders comply with food safety legislation,	100% (1056)  100% (137)  Achieved. 116 Category Es contacted by telephone and survey conducted. 7 Cat E's inspected (for verification purposes)  5 primary producers indemnified and inspected.  Still awaiting lists of childminders following FSA/OFSTED/NCMA discussions	100% of high risk food premises  100% of medium risk food premises	100% (57)  98.7% (387)	N.B. target does not include newly opened food businesses which fall outside the FSA programme. 86 extra food safety inspections and 260 extra food standards done in 07-08.   It is envisaged that most childminders would be removed from the inspection programme and contacted via an alternative strategy. However FSA have yet to issue guidance.

	following FSA advice				
Complaints	100% food complaints responded to appropriately 100% food premises complaints responded to appropriately	193 food complaints dealt with  167 food premises complaints dealt with	Respond to all complaints appropriately.	Dealt with 153 complaints. Procedures in place to ensure that complaints dealt with appropriately and timely.	
Advice to business and others on food hygiene matters	100% advice requests responded to appropriately	223 food hygiene advice requests dealt with	Respond to requests for advice	13 requests for advice received. All responded to.	
Food and Feeding Stuff Inspection and sampling	500 samples taken for microbiological examination	554 (110%) samples taken	200 samples	252 (126%) samples taken	All unsatisfactory sample results followed up appropriately.
Control and Investigation of outbreak and food related infectious diseases	100% food related illness notifications responded to within 24 hours 100% Hep A with 2 days 100% campyobacters within 5 days	231 infectious disease notifications inc. Hep A responded to  272 campyobacter notifications responded to	N/A		July 2007 saw the investigation of a major outbreak of Salmonella food poisoning arising from a restaurant in the borough. 37 positive cases were identified. The resources required to investigate this outbreak detracted from the achievement of food inspections in the second quarter.
Food Alerts	100% Food Alerts responded to appropriately	53 Food Alerts received, all actioned as necessary	Respond to all food alerts appropriately	All alerts responded to appropriately.	
Liaison with other Organisations	Attend meetings of WMFL Group Attend Food for	All but one meeting attended (5)	Attend all meetings of relevant organisations	Majority meetings attended.	

	Health Steering Group Attend Shrewsbury & Telford Hospital NHS Lab User Group (SATH)	All except 1 meeting attended			
Promotion and education	<p>Complete SFBB evaluation visits to businesses coached during 2<sup>nd</sup> tranche FSA funded pilot.</p> <p>Submit final report to FSA</p> <p>Participate in Food Safety Week (June 07)</p> <p>Xmas Food Safety Campaign</p> <p>Promote Dudley Food for Health Award</p>	<p>Evaluation visits completed (72 visits)</p> <p>Report submitted to FSA*</p> <p>Hand washing event held for visitors to Russells Hall Hospital</p> <p>Xmas food safety information published on the website</p> <p>3 Platinum, 27 Gold, 18 Silver, 8 Bronze and 3 Takeaway Awards made. Total 59</p>	<p>Participate in Survive Alive</p> <p>Deliver talks on the work of TS</p>	<p>Survive Alive undertaken over 10 days</p> <p>36 Talks delivered.</p>	<p>* Proportion of businesses mostly or fully implementing SFBB in 2<sup>nd</sup> tranche project was 49%, down from 77% in first tranche project. This is likely to be due to more businesses with lower confidence in management scores taking part in the second project; also to a disappointing outcome to the Cantonese SFBB training with none of the 12 businesses who were re-visited having made sufficient progress with SFBB at the time of evaluation.</p> <p>New Platinum and Takeaway levels of Dudley Food for Health Award were introduced in 2006-07</p>



### **Service Achievements of Note in 2007/2008**

- The FOS food hygiene inspection targets of 100% high and low risk premises were achieved again in 2007-08. This included up to 3 inspections each for all vertical directive approved premises.
- The second tranche SFBB project was completed and a final report submitted to the FSA. Although the proportion of businesses mostly or fully implementing SFBB in the second tranche project (49%) was lower than that in the first tranche project (77%), the overall rate was 65% of businesses which compares favourably with the 66% reported by the FSA in their evaluation report in December 2007.
- Trading Standards CPA target E32: Visits to high risk premises, the target of 100% was achieved in 2006/7. 99% of medium risk premises were also visited.
- Food sampling targets in both FOS and Trading Standards were exceeded. Trading Standards sampling projects have been conducted in partnership with CEnTSA partners.
- CenTSA prepare a quarterly newsletter. One newsletter in 07/08 highlighted food issues; this was distributed to traders within the Borough.
- Trading Standards Officers work closely with local manufacturers. It was highlighted in the peer review that working relationships were very productive. Officers have been working closely with a national company based within the area on their quality procedures and labelling in relation to allergens. This followed a complaint from the Coeliac society.
- 59 Dudley Food for Health Awards were made to catering and takeaway establishments in the borough, exceeding the LAA target in this area . This work also contributes to the delivery of the Health Inequalities Strategy.

- One food safety prosecution and 2 food standards prosecutions were concluded during the year. McDonalds were fined £13,500 in September 2007 for the sale of a meal containing a metal bolt from their Merry Hill branch. The two food standards prosecutions were in relation to contraventions of the Food Labelling Regulations in relation to use by dates.
- The Food Labelling Lessons introduced by Trading Standards have been recognised as best practice and included on the food vision website. A second lesson, dealing with nutritional labelling, has been prepared and this has been piloted in a local primary school. A bid for funding for this lesson has been submitted to the FSA. A local supermarket has been helping officers with the provision of labels to be used within the lesson.

## Appendix 1

### 1.0 Links to Community and Council Plans

The Food Service directly supports and contributes to the priorities in the Council Plan, the themes, values and objectives of the Community Strategy 2005-2020 “Dudley Borough Challenge” and the Health and Well Being Agenda by ensuring the provision of the following;

- clean, safe food and water, safe places of work and an environment free from statutory nuisances,
- a trading environment that is fair and equitable to the consumers and businesses of the Borough.

The Food Services contribute to many of the key themes of the Community Strategy and the Council Plan. The six themes of the Community Strategy are as follows:-

- Creating a prosperous borough
- Promoting a sense of well-being and good health for everyone
- Safeguarding and improving the environment
- Making Dudley a safe and peaceful place in which to live
- Promoting individual and community learning
- Celebrating our heritage and local cultural life

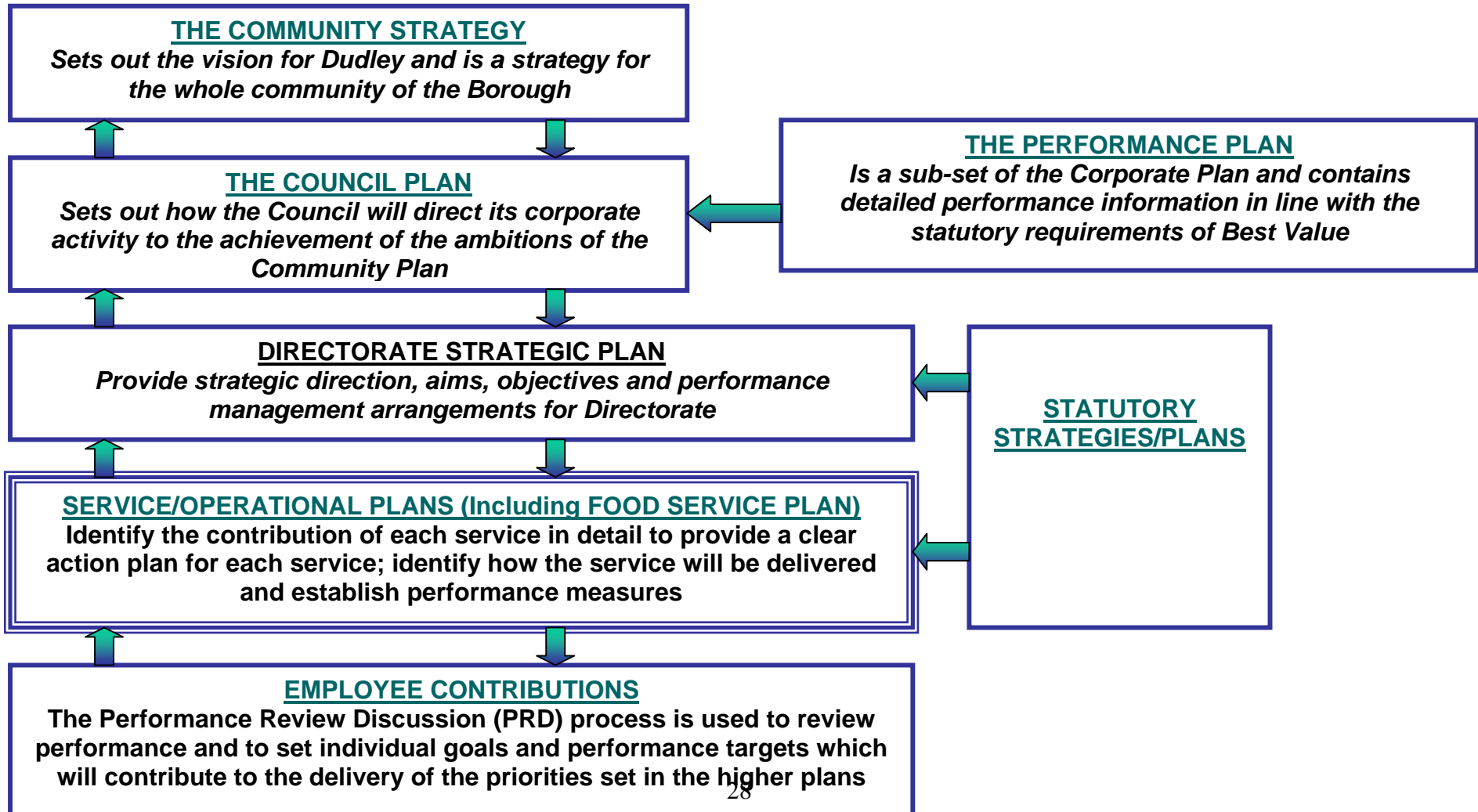
The six themes of the Council Plan are

- Safety Matters
- Environment Matters
- Caring Matters
- Regeneration Matters
- Learning Matters
- Quality Service Matters

Links with Community Strategy/ Council Plan (Summary)	Prosperous	Health	Environment	Community Safety	Learning	Heritage & Culture	Safety Matters	Environment Matters	Caring Matters	Regeneration Matters
Ensuring clean, safe food and water	#	#	#				#	#	#	

**HIERARCHY OF PLANS**  
LINKING TO THE BIGGER PICTURE

The Food Service planning process will take account of the need to establish clear links between the individual contributions of employees through to the high level strategic aspirations of the Borough's community strategy. The following diagram illustrates the hierarchy of plans.



## **2.0 Dudley M.B.C. Profile**

- Dudley is a large metropolitan borough council (38 square miles) located on the western part of the West Midlands conurbation, approximately 9 miles west of Birmingham and 6 miles south of Wolverhampton. To the west lies the urban fringe of South Staffordshire and the rural parts of Worcestershire.
- An estimated 25% of the Borough is open space (i.e. not built upon), including just less than 1700 hectares of Green Belt and Wedge.
- Dudley is composed of a number of small townships, each having its own identity and culture. The main town centres are: Dudley itself, Stourbridge in the southwest, Halesowen to the south and east, and Brierley Hill in the middle of the Borough. Adjacent to Brierley Hill is the Merry Hill Centre - one of the largest retail developments in Europe.
- Dudley was placed 7th out of 51 districts and cities in terms of job creation performance between 1985 and 1995 (Comparing Cities, Business Strategies Ltd.).
- Dudley is characterised by small companies: 82% of which employ less than 10 people; but this is only 20% of the total workforce (1996 Annual Employment Survey).
- The Merry Hill Shopping Centre supports over 4,000 retail jobs where 82.5% of employees are in full-time service sector work (Waterfront Impact Study, 1997). In 2001, 1.9 million people made 21.7 million visits to the Merry Hill centre, with up to 385,000 such visits being made per week (Dudley Trends 2001 Jobs). Merry Hill hosts more than 220 major stores and shops and comprises over 1,515,000 sq ft of retail and mall floor space.
- There are just under 2200 food premises in Dudley Borough
- Dudley's resident population was recorded by the 2001 Census as 305,155 dispersed within 124,988 households. However the resident population of Dudley was estimated as 312,049 for mid-2000 (Office for National Statistics).

- The population of Dudley has been rising steadily in the post-war period until the late 1990's. The number of households is expected to continue to rise over this period, but the most dramatic increase will be among single person households.
- The proportion of Dudley residents who are elderly is expected to continue to grow from 24% in 2006, an increase of 8% from 1996. Between 1996 and 2006, the number of children aged 0-4 was predicted to fall by 15% and aged 5-9 by 9% (Dudley Borough Trends 2001).
- Dudley's Black & Ethnic minority population accounts for 6.3% of the whole. The largest minority ethnic groups are identified as the Pakistani group which comprises 2% of the total population and the Indian group which accounts for 1.6% of the total population (2001 Census).