

Food Service Plan 2011/2012



Directorate of the Urban Environment

Planning and Environmental Health Division

Introduction

The Food Standards Agency's Framework Agreement on Local Authority Food Law Enforcement requires a local authority to produce a food service plan and stipulates what information must be contained in it. This document forms part of the Delivery Plans of the Environmental Health and Trading Standards Service within the Directorate of the Urban Environment (DUE) and must be approved by senior managers and/or 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 and 2.

The Food Service within Dudley is provided by the Food and Occupational Safety (FOS) Service and the 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.

The Food Service Plan is presented annually to elected members of the Select Committee for the Environment for endorsement, followed by referral to Cabinet and full Council for approval. A half yearly report on progress is made to the Select Committee for the Environment. Performance against the Plan is monitored quarterly by section managers and reported to senior management.

Service Aims and Objectives

The Authority's aim, through the Sustainable 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 supporting a thriving local enterprise economy through effective regulation and ensuring access to safe food.

Aims	Objectives
<ul style="list-style-type: none"> • To enforce and ensure compliance with Food Safety and Food Standards legislation. • To monitor the quality and availability of food and water and reduce avoidable illness and disease. • To work to prevent avoidable illness and reduce the spread of communicable disease within the Borough. • 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. • To improve and sustain the health of the local people in the borough by contributing to the prevention of obesity by supporting actions in the Obesity Strategy. • To contribute to the key aims of the Government's "Food 2030" Strategy by protecting food safety, promoting healthy eating, promoting high standards of animal health & welfare and promoting sustainability in food production. • To contribute to the Food Standards Agency Strategy 2010-15 key aims of: <ul style="list-style-type: none"> ❑ ensuring imported food and food produced in the UK is safe to eat, ❑ providing consumers with information about safe food and healthy eating and encouraging the production of healthier food products and catering meals, ❑ carrying out risk based and proportionate regulation which ensures food business proprietors (FBOs) are clear about their responsibilities and protects customers from fraud & other risks. 	<ul style="list-style-type: none"> • To carry out a programme of routine inspection of food premises to provide advice and assistance in complying with legislation. • 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. • To investigate where appropriate cases of communicable disease, including the investigation of practices and processes identified as sources of infection at commercial premises. • To investigate service requests relating to food and the conditions of food premises and where appropriate prepare reports for prosecution. • To implement procedures to ensure compliance with the Food Standards Agency Framework Agreement. • To produce and undertake a food sampling programme and to undertake reactive sampling as required in connection with outbreaks/service requests. • 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. • To encourage food businesses to apply for and gain the Dudley Food for Health Award. • To respond to requests for advice, and where appropriate liaise and advise businesses in accordance with the Primary Authority scheme.

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 Delivery Plans for each service.

	Food and Occupational Safety	Trading Standards
Total Establishment	<ul style="list-style-type: none"> • 17.3 Environmental Health Officers • 2.5 Technical Officer • Animal health and welfare officer (0.6 FTE) • One Student EHO post 	<ul style="list-style-type: none"> • 6.8 FTE Trading Standards Officers • 3 Enforcement Officers. • 1.8 Technical Officers • 2 FTE Fair Trading Officers • 1 Education and Enterprise Officer
Food Establishment	<ul style="list-style-type: none"> • 9.5 FTE Environmental Health Officers (EHOs), including Principal EHO with lead for Food Safety • 1.5 Technical Officer 	<ul style="list-style-type: none"> • 4.3 FTE Trading Standards Officers (TSOs) including Principal TSO with lead for Food Standards
Responsibilities of Service	<ul style="list-style-type: none"> • Food safety and hygiene legislation enforcement • Health and safety relating to local authority enforced premises. • Animal health and welfare • Public health legislation • Noise control in commercial premises • Smoke free legislation compliance and enforcement 	<ul style="list-style-type: none"> • Food standards legislation enforcement • Weights and measures legislation • Consumer protection legislation • Underage sales legislation • Civil law advice service • Consumer education. • Business advice • Community Safety.
Responsibilities relating to food legislation	<ul style="list-style-type: none"> • 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 unsafe 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. 	<ul style="list-style-type: none"> • 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 & Occupational Safety section investigates issues relating to the contamination of food by extrinsic foreign bodies. • Issues relating to food that is falsely described or presented in contravention of Section 15 of The Food

	<ul style="list-style-type: none"> • Issues relating to the premises, practices and conditions under which food is prepared, stored and handled. • The investigation of cases of food borne infectious disease, to identify its source and prevent further cases. • To register or approve food premises as legislation requires. 	<ul style="list-style-type: none"> • 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. • All regulations relating to compositional requirements. • The Agricultural Act and associated regulation relating to the labelling and sale of feeding stuffs.
Enforcement Policy	<ul style="list-style-type: none"> • An Enforcement Policy has been produced which was consulted on and endorsed by the Executive of the Council in February 2004. Regular reviews of the policy are carried out with the most current review dated August 2009. A further review is due early in 2011-12. 	<ul style="list-style-type: none"> • An Enforcement Policy has been produced which was consulted on and endorsed by the Executive of the Council in February 2004. Regular reviews of the policy are carried out with the most current review dated August 2009. A further review is due early in 2011-12.
Number of Food Premises by Risk.	<p>The number of premises in each category as of 1st April 2011 is as follows:</p> <ul style="list-style-type: none"> • Category A 9 • Category B 138 • Category C 1061 • Category D 462 • Category E 562 • Unrated 56 • Total 2288 	<ul style="list-style-type: none"> • The number of premises in each category as of 1st April 2011 is as follows: • High 23 • Medium 546 • Low 747
Details of Food Premises Risk Assessment	<ul style="list-style-type: none"> • Each food premises is risked in accordance with the FSA Code of Practice risk assessment. • Category A: 6 months • Category B: 12 months • Category C: 18 months • Category D: 2 years • Category E: 3 years or can be subjected to alternative enforcement strategy (AES). 	<ul style="list-style-type: none"> • Each food premises is risked in accordance with LACORS risk assessment. • High: 12 months • Medium: 24 months • Low: 60 months or can be subjected to alternative enforcement strategy

<p>Type of Food Premises</p>	<p>Categorisation of food premises according to Food Standards Agency (FSA) type is as follows:</p> <ul style="list-style-type: none"> 43 Manufacturers/Producers 35 Distributors/Transporters 645 Retailers 481 Restaurants & Cafes, other Caterers 352 Pubs/Clubs 14 Hotels/Guest Houses 272 Takeaways 129 Schools/Colleges 227 Caring establishments 87 Mobile traders 3 Packers <p>There are currently 18 premises approved under Regulation EC No. 853/2004, i.e. meat products manufacturers, cold stores.</p>	
<p>Service Delivery points</p>	<ul style="list-style-type: none"> • Cloughton House Blowers Green Road Dudley DY2 8UZ 	<ul style="list-style-type: none"> • 3 St James Road Dudley DY1 1HZ
<p>Hours of Opening</p>	<ul style="list-style-type: none"> • Monday to Thursday 9.00am to 5.00pm • Friday 9.00am to 4.00pm 	<ul style="list-style-type: none"> • Monday to Thursday 9.00am to 5.00 pm • Friday 9.00am to 4.00pm
<p>Telephone numbers</p>	<ul style="list-style-type: none"> • 01384 814685 (Service desk) • 0300 555 2345 (out of hours) 	<ul style="list-style-type: none"> • 01384 814673 • 0300 555 2345 (out of hours)
<p>E mail</p>	<ul style="list-style-type: none"> • Food_OccSafety.DUE@dudley.gov.uk 	<ul style="list-style-type: none"> • tsonline@dudley.gov.uk
<p>website</p>	<ul style="list-style-type: none"> • www.dudley.gov.uk 	<ul style="list-style-type: none"> • www.dudley.gov.uk

Service Delivery 2011/2012

Detailed below are the planned activities for the Food Service in 2011/2012

Activity	Food and Occupational Safety (FOS)	Trading Standards (TS)	Comments
Planned Interventions Programme	<ul style="list-style-type: none"> • Target is to visit 100% of Cat A-C premises and 50% Cat D premises due for inspection. • 50% (105) Cat D food premises will be dealt with by an alternative enforcement strategy by using information and intelligence gathering questionnaires. See comment (i). Those premises which fail to respond will be visited for an inspection. • The number of planned interventions in 2011-12 is 941*, 836 high risk (Cat A-C) and 105 low risk (Cat D). • 100% of low risk due Cat E premises to be subject to alternative enforcement strategy, involving contact by telephone and questionnaires. See comment (ii). • Premises are risk assessed in compliance with the FSA system and are split into categories ranging from A to E • Inspections due are split between categories as follows: Category A: 18 Category B: 138 Category C: 680 Category D: 105 (50%) 	<ul style="list-style-type: none"> • TS use the LACORS risk assessment system. Premises are risked either high, medium or low. The latter may be visited using alternative enforcement actions. • Target is to inspect 100% (23) high risk and 50% (161) medium risk premises due for inspection. • Based on 10/11 it is anticipated that approximately 30 revisits will be undertaken in 11/12. • Priorities for 2011-12: 1. Contribute to the following Worcestershire Scientific Services Food Projects. <ul style="list-style-type: none"> ○ Artificial Colours. Presence/levels whether new label warning is present. ○ Post- Mix Drinks dilution ratios, substitution of diet for full sugar. ○ Allergens in food from caterers, new test for mustard and hazelnut 	<p>* This figure does not include new businesses which are not part of the planned interventions programme until after initial inspection.</p> <p>(i) The FSA Food Code of Practice permits Cat D premises to alternate between inspections and non-official controls, including information and intelligence gathering. Premises selected for a non official control intervention will be those not handling open high risk foods and not serving vulnerable customers (the elderly and under 5's)</p> <p>(ii) Strategy for Category E low risk food establishments. On an annual basis during service planning, a decision is made, taking into account resources and priorities, as to whether to include in the planned interventions programme or whether to use an alternative enforcement strategy (AES). In 2011-12, AES will be used for 100% Cat E's involving contact with proprietor by telephone</p>

Activity	Food and Occupational Safety (FOS)		Comments
Planned Interventions Programme	<ul style="list-style-type: none"> • For premises which operate outside of normal office hours, inspections or interventions will be carried out when the business is trading. See comment (iii). • Based on 2010/11 it is anticipated that 200 revisits will be undertaken in 11/12. See comment (iv) • Priorities for 2011-12: <ol style="list-style-type: none"> 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. See comment (v) 2. Continuing to use the alternative interventions strategy in the revised Food Code of Practice to give greater focus on no star and 1* premises. 2* to 5* premises may receive themed or partial inspections See comment (vi). Officers to work closely with a small number of high risk no star premises to improve standards over a short time period. 3. Continuing to publish the results of food hygiene inspections on the "Scores on the Doors" scheme on the Council's website. 	<p>available.</p> <ul style="list-style-type: none"> ○ Meat Species in takeaway and/or prepacked meat products, as Halal survey in 10/11 identified high level of substitution. <p>2. Contribute to the following Centsa Projects.</p> <ul style="list-style-type: none"> ○ Truckers Tucker. ○ Counterfeit Spirit Drink ○ Imported Food FSA sampling survey. <p>3. Project in conjunction with Food for Health Steering group to encourage butchers to use less salt in sausages.</p> <p>4. Making the statutory return to the FSA using the Local Authority Enforcement Monitoring System (LAEMS) web based scheme.</p>	<p>survey or postal questionnaire followed by updating of risk rating. Those Cat E's which fail to respond to the AES will be subject to inspection.</p> <p>(iii) Planned interventions of premises which trade outside normal office hours (e.g. evening opening restaurants and takeaways, weekend markets) routinely take place out of normal office hours when these food businesses are trading.</p> <p>(iv) Re-visits are carried out in all cases where statutory notices are served or where conditions warrant it, e.g. high risk and/or no star premises. Food hygiene ratings are not revised at re-visit inspections; hence Scores on the Doors star ratings are not revised at re-visit inspections.</p> <p>(v) Funding was available from the FSA in 2006-08 to deliver SFBB to small food businesses through seminars and coaching visits. As this has now ceased, additional time needs to be taken during inspections to assist proprietors to comply. A pack has been developed to assist low risk businesses not covered by</p>

Activity	Food and Occupational Safety (FOS)	Trading Standards (TS)	Comments
Planned Interventions Programme (continued)	<ol style="list-style-type: none"> 4. Sustaining the proportion of food premises broadly compliant with food hygiene legislation at the high level of almost 90% (up from 75% in April 2008). Target for 2011-12 is 90%. 5. Keeping the business case and options for migration of Dudley Scores on the Doors scheme to the new national Food Hygiene Rating Scheme under review. See comment (vii). 6. Continuing surveillance for premises requiring approval under Regulation (EC) NO. 853/2004, e.g. meat products manufacturers. 7. Continuing surveillance for Imported Food. 8. Surveillance for new food businesses that require registration and inspection. Minimum one exercise to be carried out identifying unregistered food businesses. See comment (viii). 9. Sustaining the increase in the number of outlets receiving the Dudley Food for Health Award and further increasing the number of small, independent food businesses achieving the award. 10. Implementing the DUE Food Policy and progressing Council wide implementation of Food Policy. See 		<p>the FSA's SFBB system.</p> <p>(vi) Planned interventions strategy for 2011-12. 5 * premises to receive themed inspection. 3* & 4* premises-partial inspections to cover elements of previous visit which did not score in top 2 bands of rating for structure, food hygiene compliance or management assessment. 2* premises – will focus on all issues from previous inspection N.B. If new proprietor or any fall in standards from previous inspection, then full inspection will be carried out. New business proprietors, no star and 1* premises to receive full inspections.</p> <p>(vii) Business case prepared in 2010-11 decided that Dudley's local Scores on the Doors scheme should remain for the time being as considered superior to new national scheme. However, should national scheme receive sufficient support from other local authorities, this decision will need to be reviewed.</p> <p>(viii) Unregistered businesses are detected through intelligence and surveillance and through information from other council services, such as</p>

Activity	Food and Occupational Safety (FOS)	Trading Standards (TS)	Comments
Planned Interventions Programme (continued)	<p>comment (ix).</p> <p>11. Continue to share best practice in relation to food enforcement matters between FOS and Trading Standards through an established quarterly meeting involving managers and food lead posts.</p>		<p>planning and building control. Surveillance in 2011-12 to include at least one exercise to identify unregistered businesses. At initial inspection, new businesses are rated in accordance with the Code of Practice and included in the planned intervention programme.</p> <p>(ix) The Food Policy lays down commitment to provide healthy food choices whenever food is offered for direct sale, hospitality or vending. Implementation within DUE in April 2011. Longer term aim is Council wide implementation and combined Food Policy with NHS Dudley and Dudley Group of Hospitals (DGOH).</p>
Complaints	<ul style="list-style-type: none"> Using previous years as a guide it is anticipated that the service will receive approx. 150 food complaints and 200 complaints relating to hygiene or condition of food premises. 	<ul style="list-style-type: none"> Using previous years as a guide it is anticipated that the service will receive 150 complaints on issues relating to food. 	<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>
Primary Authority Principle	<ul style="list-style-type: none"> The Home Authority (HA) principle, previously operated under LACORS (now LG REG) is 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 impact for Dudley of the Primary Authority Scheme under the 	<ul style="list-style-type: none"> Trading Standards deal with HA referral from other authorities and where necessary will advise on national policy issues. 	<p>To date, no food businesses have requested a Primary Authority arrangement with Dudley for food safety and hygiene enforcement or for Trading Standards. The Local Better Regulation Office (LBRO) is able to direct a LA to become a Primary Authority. This could have a significant impact on resources.</p>

Activity		Trading Standards (TS)	Comments
	Regulatory Enforcement and Sanctions (RES) Act 2008 from April 2009 has been limited so far. See comments		From April 2009, there have been conditions on LAs implementing enforcement action against companies with a Primary Authority agreement which requires a notification to seek agreement from the Primary Authority.
Advice to Business	<ul style="list-style-type: none"> • FOS are projected to receive approx 250 food advice requests • All requests for advice /assistance received via business questionnaires are responded to. • The Food Standards Agency SFBB packs are available and offered to small catering and retail businesses as appropriate. • Safer Food Better Business (SFBB) packs are available in Cantonese and other languages. The SFBB DVDs are available in 16 languages. 	<ul style="list-style-type: none"> • TS respond to 100% requests for advice on food matters 	<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"> • An annual sampling programme is produced for microbiological food samples to be taken for examination. • Approx. 312 microbiological examinations will be carried out under the free allocation from the Health Protection Agency (HPA) at Good Hope Hospital, Sutton Coldfield. • Sampling in relation to food complaints will be carried out as necessary via an arrangement with the public analyst at Worcester Scientific Services (approx 10 	<ul style="list-style-type: none"> • An annual sampling programme and plan is produced with a target of 125 samples. • Samples will be analysed by Scientific Services, Worcestershire County Council 	<p>Samples taken will include samples taken as part of regional and national sampling projects led by the FSA and/or LACORS.</p> <p>All unsatisfactory samples are followed up with advice and re-sampled as necessary.</p>

Activity		Trading Standards (TS)	Comments
	<p>complaints a year sent for analysis).</p> <ul style="list-style-type: none"> Sampling work is also completed on behalf of Dudley Group of Hospitals with approximately 50 water samples being analysed annually. 		
Control and Investigation of out breaks and food related infectious diseases.	<ul style="list-style-type: none"> The estimated number of notified cases of illnesses that may occur is 550 approx, including 350 campylobacters Salmonella, E.Coli, Shigella, Typhoid and Paratyphoid cases responded to within 24 hours. Hepatitis A within 2 days. Campylobacter cases 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. The service will use as appropriate new powers contained in Health Protection Regulations to deal with health risks associated with an “all hazards” approach, not just disease* 	N/A	<p>Infectious disease protocol and procedure laid down in conjunction with the Health Protection Agency.</p> <p>Outbreaks are difficult to predict so figures may vary.</p> <p>*new Health Protection legislation can be used to deal with chemical and radiological hazards as well as a range of diseases, not just food poisoning. LA powers include the exclusion of children from school (previously a CCDC power) and power to apply to a JP for a Part 2A order for wide ranging health protection measures.</p>
Food Alerts	<ul style="list-style-type: none"> It is anticipated that approx. 50 food alerts will be notified in 11/12 with approx 10 requiring action. Food Alerts are now received via ehcnnet. 	<ul style="list-style-type: none"> It is anticipated that approx. 50 food alerts will be notified in 11/12 with approx 10 requiring action. Notification of food alerts are received via E Mail from FOS. 	Food Alert procedure in place.
Liaison with other organisations	<p>FOS actively participates in and works with various groups including</p> <ul style="list-style-type: none"> West Midlands Food Liaison Group 	<p>TS actively participates in and works with the following groups</p> <ul style="list-style-type: none"> CEnTSA quality standards group 	

Activity	Food and Occupational Safety (FOS)	Trading Standards (TS)	Comments
	<ul style="list-style-type: none"> • Food for Health Steering Group (chaired by NHS Dudley) • The Food Standards Agency (FSA) • The Health Protection Agency Officers are in regular communication with: • The Consultant in Health Protection /Consultant in Communicable Disease Control (CCDC) • Community Infection Control Nurses • Water companies supplying Dudley borough. 	<ul style="list-style-type: none"> • Food for Health Steering group • Food Standards Agency 	
Promotion and education	<ul style="list-style-type: none"> • 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. Local target for 2011-12 is 100 premises. • No specific educational work is intended to be carried out in 2011-12 due to a reduction in capacity within FOS for educative and promotional work from 2011-12. 	<ul style="list-style-type: none"> • 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 talks are given on the general work of the service. These will cover food standards. See comment (ii). • The service participates in the Consumer Challenge Quiz. 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. For 2011 the Brier School are due to represent the borough at the national final. Feedback from the schools is that it is very beneficial for the students. • Participate in young consumer of 	

Activity	Food and Occupational Safety (FOS)		Comments
		the year quiz. In 2010 The Kingswinford School got to the regional final.	
Communication and Liaison	<ul style="list-style-type: none"> • The activities of all the groups detailed above will be participated in during the year. • Regular communication is held with the Food Standards Agency via the EHCnet system. • The statutory return to the Food Standards Agency (LAEMS) is made annually • Consultation processes via the Food Standards Agency and other agencies (e.g. Defra) will be responded to either independently or as part of WM Food Liaison Group. See comment (i) • Consultation with food business proprietors and complainants will continue in the form of satisfaction questionnaires. See also comment (ii) • Press releases will continue to be issued to report on public interest information, e.g. outcomes of prosecutions. • The Food Service Plan will, as in previous years, be reported to members and published on the Council's website. 	<ul style="list-style-type: none"> • The activities of all the groups detailed above will be participated in during the year. • Representatives from CEnTSA group will attend the FSA enforcement liaison group, and attend LACORs specialist panels • Consultation with FSA and LACORs will be through the CEnTSA group • Consultation is carried out with traders twice annually. A consultation review document is prepared annually. 	<p>(i) Consultation in respect of the FSA's review of the enforcement of official food controls will need to be responded to. A paper is intended to be presented to the FSA Board in July 2011 drawing up options for future delivery, including delivery by a national agency as opposed to local authorities.</p> <p>(ii) The Regulatory Services Peer Review process carried out in 2009-10 showed that a key improvement area is the need to increase knowledge and intelligence regarding customers and non users and to improve consultation and engagement with service users and non users. During 2011-12, improved methods of consulting stakeholders are to be considered and included in a revised consultation strategy for Environmental Health and Trading Standards.</p>

Challenges for Dudley MBC Food Law Enforcement Service in 2011-12

- It will be essential to closely follow progress in the transfer of public health functions from PCTs to local authorities from 2012 as FOS and Trading Standards already have close links through partnership working with public health professionals in the areas of obesity prevention and healthy eating.
- The FSA review of official food control delivery needs to be followed and any consultation participated in, with options including a transfer of functions from local authorities to a national agency being considered.
- The new powers for local authorities contained in health protection regulations made under the amended Part 2A of the Public Health (Control of Disease) Act 1984 include the exclusion of children from school (previously only a power of the proper officer or Consultant in Communicable Disease Control (CCDC)) and the power to apply to a JP for a Part 2A order for wide ranging health protection measures. The new legislation can be used to deal with chemical and radiological hazards as well as a range of diseases, not just food poisoning, hence this may impose additional workload within FOS. The local authority is required to make the application for a Part 2A order, even if the measures are sought by other agencies, e.g. PCT/HPA in relation to diseases such as TB.
- Continuing with the delivery of the Environmental Health and Trading Standards Regulatory Services Peer Review Improvement Plan is a priority in 2011-12 and beyond. In particular, moving towards more outcome focused performance measures, through the use of the Local Authority Regulatory Services (LARS) Impact and Outcomes Toolkit, and to improving engagement with and knowledge of customers through improved consultation methods.
- As the Primary Authority Scheme (whereby any business or regulated entity which operates across more than one local authority boundary is eligible to apply for a nominated local authority to act as the primary advisor on regulatory matters)

- Progress with the FSA's intention to introduce legislation requiring local authorities to use the new national Food Hygiene Rating Scheme will be followed. A decision to stay with Dudley's local scheme for the time being has already been made based on an options report, but this decision may need to be reviewed should there be sufficient support for the new scheme from enough local authorities. There is a concern about the need to carry out re-visits for re-rating upon request as this may detract resources from dealing with higher risk premises.
- Finding increasing ways to be more efficient will be even more important during the current and future lean years caused by the reduction in local government funding and the reduced capacity within the food service for educative and promotional work. Evaluation of the use of alternative interventions to food inspections will need to continue to ensure that all interventions are thorough enough to detect hazards which could give rise to public health risks.
- 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 such as health and safety enforcement, smoke free enforcement and animal health emergencies may impact upon food work.

Resources

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

Financial Resources

	Food And Occupational Safety>	Trading Standards
Staffing	£473,241	£542,000 *
Travel	£19,402	£21,800*
Phones & Equipment	£2,083	£14,300 *
Sampling Budget	£ 2,900 **	£30,000 **
Staff Training	£3,727	£5,500 *
Departmental Service Charge	£122,934	£103,200 *
Central Est. Charge	£69,113	£78,400
Total Food Budget	£693,400	£795,200*

>NB Costs in Food & Occupational Safety have been calculated based on 55% (approx 11.4 FTE) total establishment EHOs/Technical Officers being engaged on 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 and includes non food samples

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 Trading Standards officers are split into 2 functional teams one of which specialises in business and consumer support, including food standards enforcement.

Food and Occupational Safety		Trading Standards	
Post	Level of Competency	Post	Level of Competency
1 Service Manager	Degree in Environmental Health Registered with EHRB*	1 Service manager	Diploma in Trading Standards (lead assessor qualified)
3 Principal Officers	Degree or Diploma in Environmental Health Registered with EHRB	2 Principal Officers	Diploma in Trading Standards (1 lead assessor qualified)
13.3 Environmental Health Officers	Degree or Diploma in Environmental Health Registered with EHRB	6.8 FTE Trading Standards Officers	Diploma in Trading Standards (4 lead assessor qualified)
1 Technical Officer	Higher Certificate in Food Premises Inspection	1 Enforcement Officer	Diploma in consumer affairs
2 Technical Assistants	One working towards Higher Certificate level		

* Environmental Health Officers Registration Board

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 between June and November 2010.

FTE for Food and Occupational Safety

Activity	FTE	Activity	FTE
Routine inspection	7.3	Service requests	0.8
Advice	Inc in service requests	Sampling	0.3
Investigate food poisoning	0.3	Promotion	0.5
Officer training/development	0.6	Management/miscellaneous	1.6

Miscellaneous Resources for provision of service

	Food and Occupational Safety	Trading Standards	Comments
Database (accurate and up to date)	<p>M3 Northgate software system in use. M3 user group attended. 1 officer authorised to administer system in addition to limited IT support. All officers have been trained in updating work sheets and actions and to input inspections. Project to more fully exploit potential of M3 on-going, with a view to all paperwork being stored electronically with signatures within M3, removing the need for paper copies. There is a full audit trail within M3 for all data entry.</p>	<p>M3 Northgate software system in use. M3 user group attended as necessary. 2 officers authorised to administer system in addition to IT support.</p>	<p>From April 2011, the 2 separate M3 software systems in Environmental Health and Trading Standards will be brought together.</p> <p>Reduction in admin and IT support to FOS has resulted in Principal officer (Food) taking more responsibility for development and management of M3 system and training of officers. In addition, officers are now inputting majority of data in FOS. The Peer Review Improvement Plan contains actions to more fully exploit</p>

			the full potential of the M3 Northgate software system in FOS and Trading Standards
Up to date legislation	Subscription to Butterworths Law of Food and Drugs with regular updates. Access to legislation also available through corporate subscription to TI Indices.	Subscription to Butterworths Law of Food and Drugs with regular updates. Access to legislation also available through corporate subscription to TI Indices.	
Admin Support	No dedicated support within the division. Business support provided by admin support team at Cloughton House who also support Leisure Services	2 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 limited support	Directorate IT team provide limited 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 Directorate has been awarded Investors in People (IIP). Both services operate a staff development programme, which includes the use of annual Performance Review and Development (PRD) 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 also deliver 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 (CPD) 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. 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 service 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.

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, a check of 10% of all inspections on the M3 database, and an annual food standardisation exercise.

Officers also participate in regional standardisation exercises and peer review visits as organised through the West Midland Food Liaison Group.

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

Trading Standards

The Principal Officer in Trading Standards with responsibility for the monitoring and organisation of food work conducts checks on 20% 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. This includes an annual PRD (Performance, Review & Development) meeting with 6 month review and monthly one to one meetings to assess performance against agreed targets. The Principal Officer also ensures that all food officers maintain the required CPD hours by attending external/internal training courses and updates. Progress against key performance targets is monitored monthly at Trading Standards management meetings and is a standing agenda item at staff meetings.

The Regulatory Services Peer Challenge process was carried out within Environmental Health and Trading Standards during 2009-10. This is part of a national programme of challenges for Regulatory Services. The purpose of this programme is to challenge how well regulatory services are performing and to help them identify improvements. The peer challenge process has two key elements. Firstly, a self-assessment carried out against twelve criteria in a Regulatory Service-specific framework of excellence. Secondly, a follow-up peer challenge visit by a team of senior staff from other regulatory services and an elected member appointed by the Improvement and Development Agency's Peer Clearing House. The external team praised the way in which the internal self assessment had been carried out and agreed with the majority of the priorities identified within the improvement plan. The external team's report said "The team considers that the service has carried out a self assessment process that was both challenging and robust. Good evidence was found to confirm the self assessment and this was used effectively to challenge how well the service performs in respect to all four areas contained within the framework". The external team also identified a number of areas of excellence or innovation, particularly in relation to partnership working. Implementing the improvements detailed in the improvement plan was commenced in 2010-11 and will be continued into 2011-12.

Service Review 2010/2011

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

Activity	Food and Occupational Safety		Trading Standards		Comments
	Target	Achievement	Target	Achievement	
Planned Interventions Programme	100% high risk food premises	100% (777)	100% of high risk food premises	100% (23)	<p>N.B. target does not include newly opened food businesses which fall outside the FSA programme. 258 extra food safety inspections and 49 extra food standards inspections were carried out in 2010-11.</p> <p>*Sampling is an official intervention under FSA Code of Practice if aimed to verify compliance through analysis. Samples taken included cleaning cloths and swabs of high risk equipment to verify cleaning processes. 6 premises required follow up sampling or visits.</p> <p>* Central England Trading Standards Authorities</p>
	90% low risk food premises	89% (233)	85% of medium risk food premises	85% (249)	
	10% Cat D premises by food sampling*	10% (19 premises) 93 samples taken, 82 satisfactory. 11 unsatisfactory (6 premises)	Contribute to the following CEnTSA projects	Across 14 authorities 97 food products were examined giving 142 claims. 70% of claims made were verified leaving 30% as not justified or insufficient evidence to support.	
	Contact 90% Cat E food premises via questionnaires, either postal or by telephone (alternative enforcement strategy)	113 premises contacted; and risk rated. 26 Cat E premises inspected.	<ul style="list-style-type: none"> Too good to be true "Lifestyle Claims" made on eggs, dairy and meat products. 	Visit to The Earls High School. Final toolkit document now available on SFT site as a result of feedback provided following pilot visits.	
Ensure that primary producers comply with food safety legislation.	Small number of new premises identified and inspected (livestock and arable)	<ul style="list-style-type: none"> School Food Trust Nutritional Standards in Secondary & Special Schools pilot. Imported food 	Four samples of soy sauce obtained. 1		

Activity	Food and Occupational Safety		Trading Standards		Comments
	Target	Achievement	Target	Achievement	
Planned Interventions Programme (continued)	Carry out exercise to identify unregistered food businesses from business directories	Trawl of business directories identified several unregistered businesses and all followed up.	project	contained MCPD* but well within tolerance	*monochloropropane (i) includes all premises in borough, including unrated and those outside the inspection programme. Annual statistics for 2009-10 published by the Food Standards Agency in March 2011 show that the proportion of broadly compliant food premises in the 37 Metropolitan boroughs in England to range from 62.3% to 93.3% with Dudley at 88.89%. Dudley's figure is the highest in the West Midlands and 7 th out of 37 Metropolitan boroughs.
	Continue to publish results of food hygiene inspections on "Scores on the Doors".	Completed monthly. 1936 food hygiene inspections listed by March 2011. 5*- 371 premises 4*- 459 premises 3*- 660 premises 2*- 245 premises 1*- 157 premises no star- 44 premises.		Cooked Chicken products outside EU. Four samples obtained. All four samples declared in ingredient list. Minor labelling issues concerning meat content declaration	
	Aim to achieve minimum 89% businesses broadly compliant with food hygiene law (ex- NI 184).	88.66% of food premises in the borough broadly complaint with food hygiene legislation. See comment (i)		6 samples obtained; 4 correct. 1 failure ref meat species in chicken sausage trader advised. 1 failure concerning lamb Mousel Kubba not lamb present all beef. Ongoing investigation. See comment (ii)	
	Review all food procedures not reviewed in 2009-10	Completed	• Halal claims project		(ii) National intelligence indicated that there may be problems in the area of contamination and/or substitution of incorrect species in meat products. This issue is not only important with regard to applying the correct description to food stuffs but also with regard to ethnic and religious beliefs and preferences.

Activity	Food and Occupational Safety		Trading Standards		Comments
	Target	Achievement	Target	Achievement	
Complaints	100% food complaints responded to appropriately	93 food complaints dealt with	Respond to all complaints appropriately.	Dealt with 160 complaints.	Procedures in place to ensure that complaints dealt with appropriately and timely.
	100% food premises complaints responded to appropriately	211 food premises complaints dealt with			
Advice to business and others on food hygiene matters	100% advice requests responded to appropriately	311 food hygiene advice requests dealt with	Respond to requests for advice	23 requests for advice received. All responded to.	
Food and Feeding Stuff Inspection and sampling	312 samples taken for microbiological examination	310 samples taken	175 samples	175 (100%) samples taken	All unsatisfactory sample results followed up with advice and re-sampled where necessary.
	Undertake water sampling as required	46 water samples taken			
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	168 infectious disease notifications requiring 24 hour response and 1 Hep A responded to.	N/A		
	100% campylobacters within 5 days	433 campylobacter notifications responded to			

Activity	Food and Occupational Safety		Trading Standards		Comments
	Target	Achievement	Target	Achievement	
Control and Investigation of outbreak and food related infectious diseases (continued)	Respond to potential outbreaks of food borne related illness in conjunction with CCDC and in line with Outbreak Plan In light of new Health Protection Regulations from April 2010, further update Proper Officer authorisations to discharge specific functions on behalf of the local authority in relation to communicable disease control.	100%. Small number of viral outbreaks in residential homes dealt with in conjunction with HPA Proper Officer powers updated in line with new legislation. Infectious Disease procedure reviewed and updated to incorporate new powers.			
Food Alerts	100% Food Alerts responded to appropriately	21 Food Alerts received, all actioned as necessary	Respond to all food alerts appropriately	All alerts responded to appropriately.	
Liaison with other Organisations Liaison with other Organisations	Attend meetings of WMFL Group Attend Food for Health Steering Group	All meetings attended (6) All meetings attended	Attend all meetings of relevant organisations	All meetings attended.	All activities of the groups participated in, e.g. the Food Retail Project, Delivery of Dudley Food for Health Award

Activity	Food and Occupational Safety		Trading Standards		Comments
	Target	Achievement	Target	Achievement	
Promotion and education	Continue to support FBOs to produce documented food safety management systems, such as SFBB.	Covered on all inspections.	Participate in Survive Alive	Survive Alive undertaken over 10 days	
	Provide on site interpretation and assistance prior to formal enforcement for FBOs whose first language is not English, (unless situation is serious or urgent or there is a lack of co-operation).	Interpreters used on several occasions during inspections and PACE interviews.	Deliver talks on the work of Trading Standards	Talks delivered to approximately 200 pupils.	
	Work in partnership with Dudley College to pilot a retail diploma for food business proprietors (subject to progress by Dudley College)	Project not implemented by Dudley College due to lack of funding	Participate in Consumer Challenge Quiz.	Completed	
	Take part in FSA pilot trial "Healthier Food in Catering" Project	FSA did not progress project due to nutritional work being transferred from FSA to Dept of Health	Participate in Young Consumer of the Year Quiz	Completed	
			Continue to deliver food labelling lessons in schools	7 lessons delivered (approximately 200 students)	

Activity	Food and Occupational Safety		Trading Standards		Comments
	Target	Achievement	Target	Achievement	
Promotion and education (continued)	Progress the Dudley Healthy Food Retail project in conjunction with NHS Dudley	Project started May 2009 and completed November 2010. Exit strategy in place to sustain increased supply of fruit and vegetables in the Hawbush area.			Project based in the Hawbush area and was led by NHS Dudley. Aim was to improve access to fruit and vegetables and overcome barriers that parents of primary school children face in increasing their consumption of fruit and vegetables. Used social marketing techniques, i.e. encourages sustained behaviour change.
	Implement actions arising from the Equality Impact Assessment: (i) Engage with ethnic groups having members who may be food business proprietors, e.g. Dudley Chinese Association, Bangladeshi Restaurateurs Association, Dudley Muslim Association	Attended events at Dudley Mosque and Dudley Chinese Association. Invite sent to Bangladeshi Restaurateurs Association. Talk given to DACHS interpreters and information presentation provided to interpreters.			
	Participate in Food Safety Week (June 10). Theme was prevention of campylobacter food poisoning.	Menu cards for chicken meals focusing on safe handling of raw chicken were distributed to libraries.			

Activity	Food and Occupational Safety		Trading Standards		Comments
	Target	Achievement	Target	Achievement	
Promotion and education (continued)	Deliver Xmas Food Safety Campaign	Xmas food safety information given on website pages			All awards are now published on the Council's website. Media adverts publishing awards to small independent businesses in March 2011 (via NHS Dudley). The Food Policy lays down commitment to provide healthy food choices whenever food is offered for direct sale, hospitality or vending. Contributes to Obesity Strategy
	To contribute to Food Hygiene presentations, training sessions careers seminars etc	Talks on food safety given to several community groups			
	Promote and deliver Dudley Food for Health Award	4 Platinum, 84 Gold, 39 Silver, 15 Bronze, 7 Healthier Takeaway Awards made. Total 149			
	Increase the number of small, independent food businesses achieving the award, in conjunction with Food for Health Advisors.	43 Awards given to small independent food businesses (included in total award figure of 149)			
Progress implementation of Food Policy within DUE	DUE vending contract renewed with healthy eating criteria within contract specification				

Activity	Food and Occupational Safety		Trading Standards		Comments
	Target	Achievement	Target	Achievement	
Communication and Liaison	Establish a regular meeting between FOS and TS with regard to sharing best practice in relation to food enforcement matters	FOS and Trading Standards Food Group established	Establish a regular meeting between FOS and TS with regard to sharing best practice in relation to food enforcement matters	FOS and Trading Standards Food Group established	
	Make annual statistical return to the FSA using LAEMS web based system	Completed June 2010	Make annual statistical return to the FSA using new LAEMS web based system	Completed June 2010	
	Publish Food Service Plan 2010-11 on website	Food Service Plan published on the website Sept 2010	Publish Food Service Plan 2010-11 on website	Food Service Plan published on the website Sept 2010	
	Report Food Service Plan to elected members for endorsement	Reported to Select Committee on the Environment June 2010. Cabinet report Sept 2010 Half year report to members Jan 2011.	Report Food Service Plan to elected members for endorsement	Reported to Select Committee on the Environment June 2010. Cabinet report Sept 2010 Half year report to members Jan 2011.	
	All food law enforcement cases progressed in accordance with the Enforcement Policy.	5 prosecutions concluded, 3 simple cautions given	All food law enforcement cases progressed in accordance with the Enforcement Policy.	No prosecutions completed, one ongoing current investigation	
				All prosecutions are published on the prosecutions register on the Council's website. Press releases are also issued in relation to prosecutions.	

Activity	Food and Occupational Safety		Trading Standards		Comments
	Target	Achievement	Target	Achievement	
Communication and Liaison (continued)	Assess whether to migrate Scores on the Doors scheme into FSA's new national food hygiene rating Scheme	New national scheme launched Nov 2010. Business case prepared for Dudley options. Decision to stay with local scheme for time being*.			* National scheme does not provide as much information as Dudley's local scheme. National scheme may become mandatory in due course
	Continue to consult with customers regarding satisfaction with the service	Questionnaires sent to 77 businesses receiving a food or health and safety inspections and to 133 service requesters.	Questionnaires to be adapted for the financial year 2011/2012.		
	Analyse responses and report annually Follow up all those requiring response/expressing dissatisfaction provided details given	No. of business satisfied or very satisfied was 95% (20/21). For service requests, no. of satisfied or very satisfied was 85% (23/27).			
	Improve range of general information on the website and ease of navigation of website.	On-going activity. FOS information on website greatly extended and updated, including food.			

Service Achievements of Note in 2010/2011

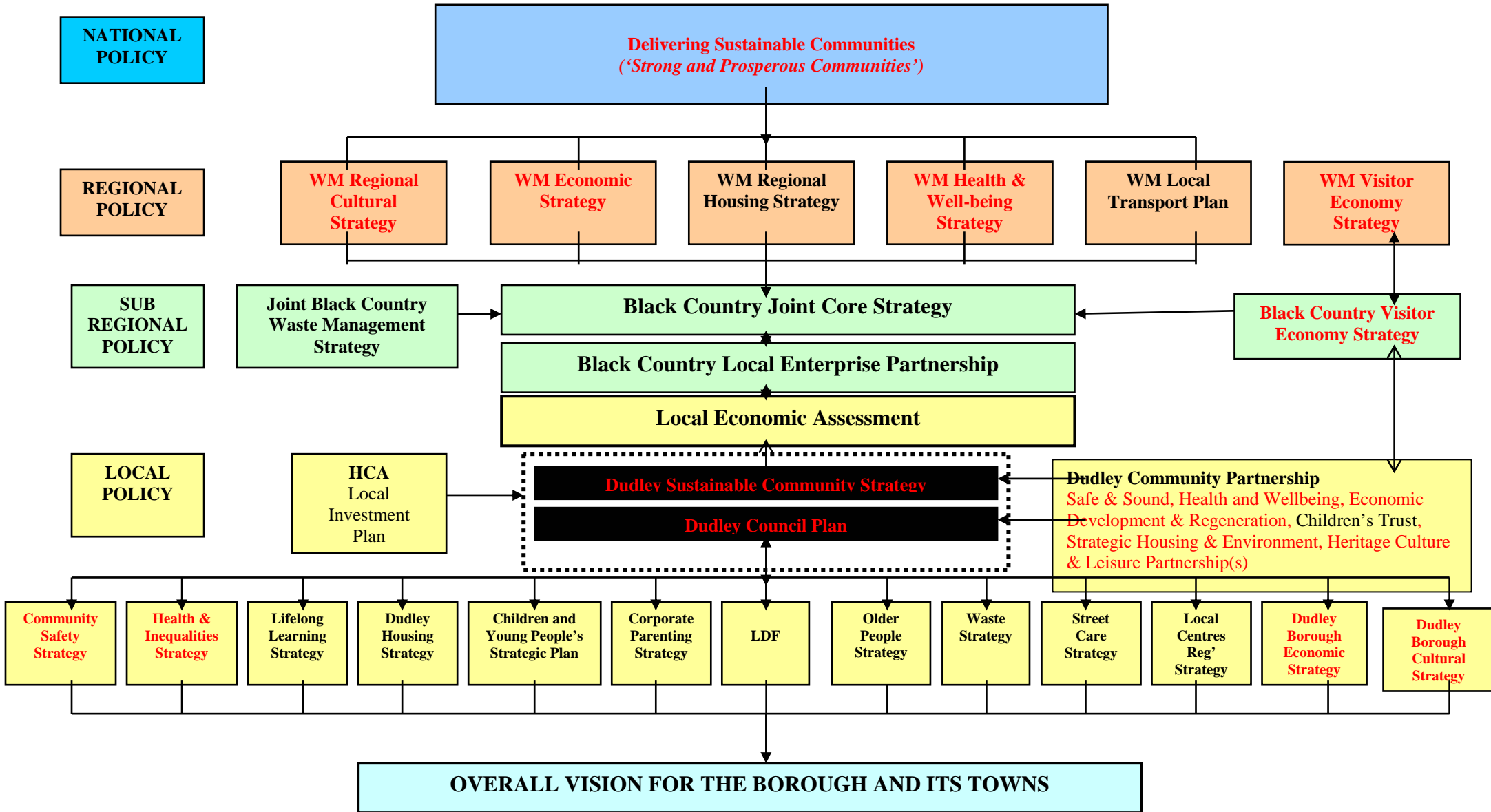
Food and Occupational Safety:

- The FOS food hygiene inspection target of 100% high risk premises was achieved again in 2010-11.
- The Scores on the Doors scheme publishing the results of food hygiene inspections on the website was updated monthly. The proportion of food premises published that were broadly compliant with food hygiene legislation has risen from 75% when the scheme was first launched in April 2008 nearly 89% at the year end 2010-11. In the latest statistics produced by the Food Standards Agency, Dudley has the highest proportion of broadly compliant food premises in the West Midlands.
- 149 Dudley Food for Health Awards were made to catering establishments in the borough, exceeding the DUE Strategic Plan target of 70. This work also contributes to the delivery of the Health Inequalities Strategy. Significant development of the award scheme was carried out during the year including targeted support for small independent food businesses from NHS Dudley which resulted in 43 such businesses gaining the award for the first time.

Trading Standards:

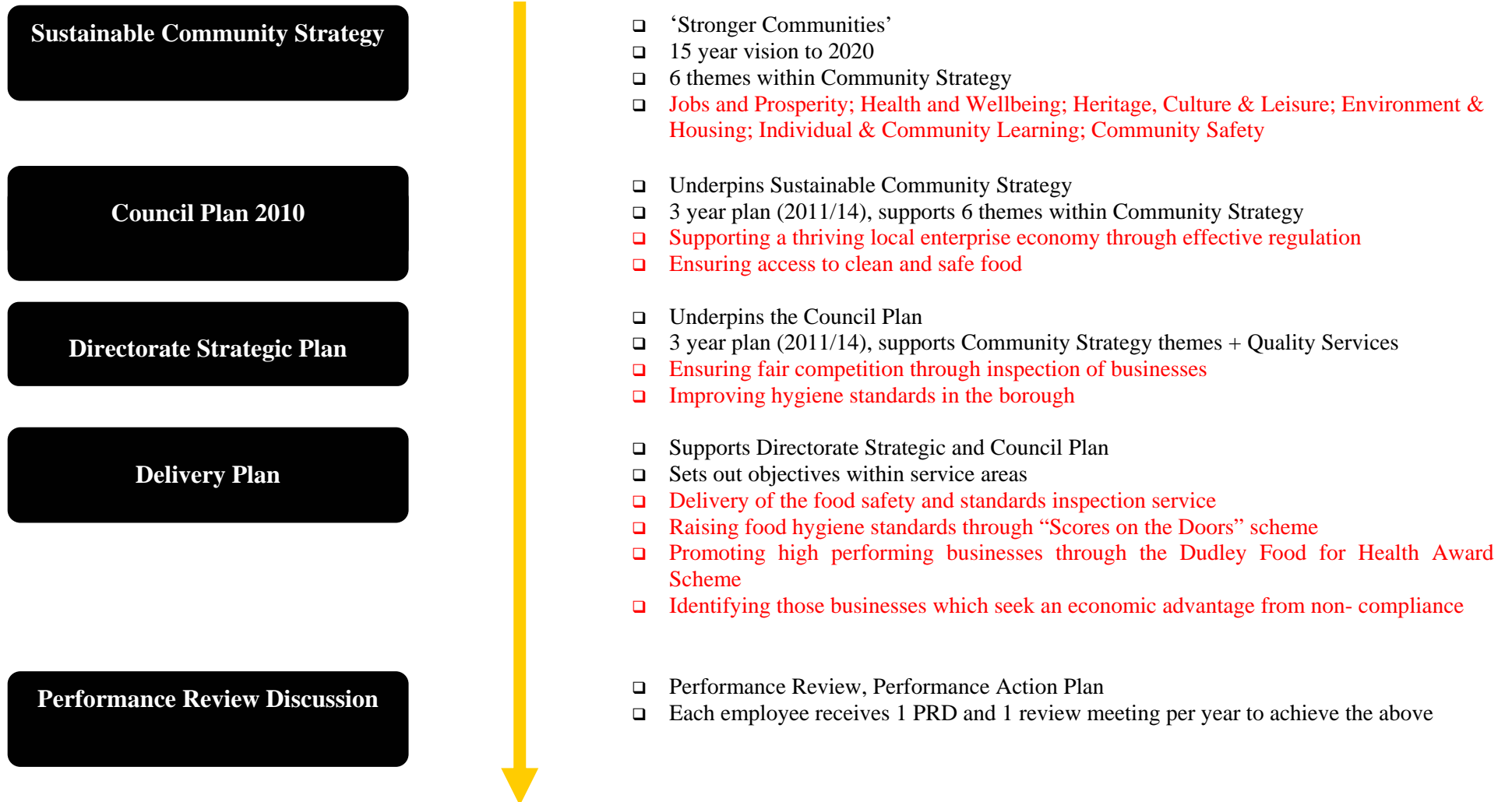
- Trading Standards inspection targets of 100% high risk and 85% medium risk due inspections were achieved.
- Food sampling targets in Trading Standards were met. Trading Standards sampling projects have been conducted in partnership with CenTSA partners.
- Trading Standards in conjunction with Centsa contributed to a “Too Good To Be True” survey looking into the validity of lifestyle claims for meat, eggs and dairy produce, paying particular attention to food produced within the Central England

APPENDIX 1: Food Service (FOS and Trading Standards) contributing to national, regional, sub regional and local priorities (shown in red text)



Hierarchy of Local Plans, showing delivery of the food service (FOS and TS) supports priorities (in red text)

Golden Thread



APPENDIX 2: Dudley M.B.C. Profile

- Dudley Borough covers 38 square miles or 98 square kilometres. The borough is made up of four main town centres, Brierley Hill (new strategic centre) Dudley, Halesowen and Stourbridge.
- Dudley has a population of 306,600 (*source: 2009 mid year population estimate*), a slight increase from the 2001 Census population which showed 305,155.
- The 2009 mid year population estimates show that a quarter of the population are aged sixty and over.
- In terms of ethnicity the 2007 mid-year ethnic group population estimates show that the percentage of White British people in the borough is 89.7% with the Pakistani and Indian community remaining the largest minority ethnic groups in Dudley at 2.6% and 1.7% respectively. However, the proportion of food business proprietors in the borough whose first language is not English is 25%, which presents significant challenges in assisting and supporting small businesses to comply with the law.
- In terms of deprivation the areas most affected are situated in close proximity to Dudley town centre, around Halesowen and Lye town centre(s) and Coseley, some of which are in the 10% most deprived areas in England. Norton is the least deprived area in the borough.
- Over the last 30 years the borough economy has been transformed; and whilst manufacturing continues to be important, the borough now boasts a strong and diverse service sector, including financial services, distribution and retail, all of which have the potential to impact on the authority's food service work in relation to inspections, service requests and incidents and has increased the regulatory workload for both FOS and Trading Standards.
- Dudley borough has strong transport links with the region via the M5 motorway, and by rail to Birmingham and Wolverhampton. Rural Staffordshire and Worcestershire lie in close proximity to the west and south.
- There are just under 2300 food premises in Dudley Borough.