



**OPEN REPORT
COMMUNITY AND ENVIRONMENT COMMITTEE**

Community and Environment Committee – 8 September 2022

Environmental Health Commercial Team Service Plan – Food Hygiene and Health and Safety at Work

Report of Director of Regulatory Services

Report Author and Contact Details

Amanda Goodwill, Environmental Health Manager
01629 761316 or amanda.goodwill@derbyshiredales.gov.uk

David Cowley, Principal Environmental Health Officer
01629 761249 or david.cowley@derbyshiredales.gov.uk

Wards Affected

District-wide

Report Summary

This report informs Committee of the official interventions for food hygiene and health and safety at work undertaken by the Council's Environmental Health service during 2021/22 and predicts service demands for 2022/23.

Recommendations

1. That the service plan for the delivery of official controls detailed at Appendix 1 to this report be approved;
2. That the operational sampling procedure contained within the service plan be approved.

List of Appendices

Appendix 1 Commercial Team service plan

Background Papers

None

Consideration of report by Council or other committee

N/A

Council Approval Required

No

Exempt from Press or Public

No

Environmental Health Commercial Team Service Plan – Food Hygiene and Health and Safety at Work

1. Background

- 1.1 The District Council is required under the Food Law Code of Practice to submit a Service Plan to cover all areas of food law the Competent Authority has a duty to enforce. The plan must set out how the Competent Authority intends to deliver and resource official food controls and other official activities in its area. A performance review must be carried out at least once per year. This performance review occurs on 1 April every year, and the findings are also directly provided to the Food Standards Agency
- 1.2 Service plans are an important part of the process to ensure that national priorities and standards are addressed and delivered locally. Service plans also help ‘competent authorities’ to:
 - Focus on the principles of good regulation;
 - Focus on key delivery issues and outcomes;
 - Provide an essential link with corporate and financial planning;
 - Set objectives for the future and identify major issues that cross service boundaries;
 - Provide a means of managing performance and making performance comparisons;
 - Provide information on an authority’s service delivery to stakeholders, including businesses and consumers.
- 1.3 The service plan is drafted in accordance with guidelines issued by the Food Standards Agency, following a structured, common format, with chapters and subject headings specified and flexibility for competent authorities to include additional items under specific headings.
- 1.4 The service plan is required to review the qualitative and quantitative performance of delivery against the plan, at least once per year.
- 1.5 The Environmental Health service is also required to submit the service plan for approval by Members and to make the information contained within the plan available to the public.

2. Key Issues

- 2.1 In line with the Food Standards Agency recovery plan, no service plan was published for 2021/22, taking into account the impacts that the Covid 19 pandemic had on service delivery in this area. However, a service plan is required for 2022/23.
- 2.2 The Commercial Team Service Plan for 2022/23 is attached as appendix 1 to this report for consideration and approval. The plan confirms the key activities of the Authority during the Covid 19 pandemic and its plans for the future in line with Food Standards Agency criteria. All the data within the plan is taken from and correct at 1 April 2022.

- 2.3 Some points to note include the tables detailing Establishment Profile by Risk Score Category and Food Hygiene Rating, which provide an overview of the food businesses within the Derbyshire Dales (page 6). The Interventions at Food Establishments table shows the number of interventions achieved by the team during 2021/22 and the work allocation projections for 2022/23 (page 8). The table of Health and Safety Demands for Service (page 15) shows a significant increase in service demand for 2020/21 and 2021/22, which reflects the level of service demand in this area during the pandemic.
- 2.4 The service plan also sets out the varying activities and demands upon the service due to the pandemic and summarises a number of complex investigations undertaken by the team.
- 2.5 The service plan highlights that the Council is on-target to exceed the Food Standards Agency expectations for post-pandemic recovery.
- 2.6 Pages 10 to 11 of the service plan set out the operational sampling procedure to which the team proposes to work. This procedure has been drafted in accordance with Food Standards Agency criteria and makes it clear that sampling decisions will be based on risk, in that any site that demonstrates poor performance during a routine intervention may be selected for sampling activities, or that sampling may be undertaken in response to a situation such as a food poisoning outbreak which requires that sampling in order to determine the level of risk to the public.

3. Options Considered and Recommended Proposal

- 3.1 Food Standards Agency guidance to 'competent authorities' is that service plans of this type should be developed annually and submitted to Members for approval. It is considered that the service plan attached as Appendix 1 to this report is a proportionate response to these guidelines.

4. Consultation

- 4.1 As outlined above, production of this service plan is a requirement of Food Standards Agency guidance and the draft plan has been developed in accordance with the specified template. It sets out how the authority will deliver its statutory requirements in relation to food safety and health and safety at work. Once approved the service plan will be published and made available to all stakeholders.

5. Timetable for Implementation

- 5.1 The service plan sets out the broad programme of food safety and health and safety at work activity for 2022/23 and will be implemented immediately.

6. Policy Implications

- 6.1 The production of this service plan is intended to address the District Council's responsibilities in respect of food safety and health and safety at work. As such it directly contributes towards the corporate Place priority to keep the District clean, green and safe.

7. Financial and Resource Implications

- 7.1 In considering this report and approving the service plan, the Committee will ensure that the authority's statutory obligations are met. Demand for the service is expected to return to pre-pandemic levels. The financial risk of this report is assessed as low.

8. Legal Advice and Implications

- 8.1 In considering this report and approving the service plan, the Committee will ensure that the authority's statutory obligations are met. Assuming that the proposals are approved, the legal risk in respect of this report is considered to be low.

9. Equalities Implications

- 9.1 The service plan addresses the District Council's statutory obligations in respect of food safety and health and safety at work and there are no perceived equality impacts in relation to protected groups. Copies of the service plan will be available in languages other than English upon request, or where officers identify situations in which expertise in languages other than English would be appropriate.

10. Climate Change Implications

- 10.1 The service plan sets out the District Council's statutory obligations in respect of food safety and health and safety at work and no positive or negative impacts upon climate change have been identified by comparison with previous years.

11. Risk Management

- 11.1 The District Council has a statutory responsibility to undertake the duties outlined in the service plan. Failure to conform to the Food Standards Agency's expectations could result in censure or, in extreme cases, intervention by the Agency.
- 11.2 Progress against the service plan will be monitored throughout the year to ensure that the expectations of the Food Standards Agency and of the District Council are being met.

Report Authorisation

Approvals obtained from:-

	Named Officer	Date
Chief Executive	Paul Wilson	31/08/2022
Director of Resources/ S.151 Officer (or Financial Services Manager)	Alison Wood	31/08/2022
Monitoring Officer (or Legal Services Manager)	James McLaughlin	31/08/2022