



**OPEN REPORT  
COMMUNITY AND ENVIRONMENT COMMITTEE**

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**Community and Environment Committee – 13 July 2023**

**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**

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**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 2022/23 and predicts service demands for 2023/24.

**Recommendation**

That the service plan for the delivery of official controls detailed at Appendix 1 to this report be approved.

**List of Appendices**

Appendix 1 Commercial Team service plan 2023-2024

**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 Since the 1 April 2023 the Food Standards Agency have confirmed that all temporary flexibility from the Food Law Approved Code of Practice have been removed. The service must therefore follow the requirements of the Code.
- 2.2 The service visited / inspected all food establishments with a risk rating of **A / B** and **C** which is in-line with the Food Standards Agency expectations. The service undertook a significant amount of work on lower risk **D** and **E** establishments.

- 2.3 The Food Standards Agency are consulting on changes to the Food Hygiene Delivery Model, and this will have consequences for the service. The aim of the new approach is targeting responses towards higher risk establishments.
- 2.4 The new hygiene delivery model is likely to involve a computer system update / configuration and officer training.
- 2.5 The implications for Officer time for the new delivery model is difficult to assess now as the current delivery model and proposed model use slightly different information. The FSA have confirmed that a slight reduction in official visits is required however for areas with lots of poor performance the number of interventions will increase. So, on this basis an increase in Officer time is unlikely. The implications should become clear as the computer system provider update their application.
- 2.6 The service has confirmed to NEC / Assure (the computer software supplier) the service would be capable of piloting the new delivery model with the Food Standards Agency and NEC, if another Local Authority using the same database is not involved with the Pilot.
- 2.7 The Food Standards Agency are considering introducing Key Performance Indicators (KPI's). Once the service starts to receive further information on this area of monitoring / reporting, the service will review service planning and delivery inline with these measures.
- 2.8 The School Foods Standards Pilot with the Food Standards Agency is due to complete on the close of this school year. A report into the study will be published in due course. The service trialled using Partial Inspections during the study to improve efficiency and reverted to a full inspection if areas of concern were noted during the visit.
- 2.9 Register a Food Business is now operational on-line, and all food and health and safety work activities are now operational on our Assure Database, including other functions of the wider service. The only areas left for configuration are Private Water Supplies and Environmental Permits and this work will continue in 2023 with completion in late 2023/early 2024.
- 2.10 The service plan confirms a slight change in the demographic of food hygiene rating within the district. This includes businesses which are closing or changing ownership.
- 2.11 The service plan includes details for regulating Health and Safety within the district, including projects on un-supervised swimming pools, and large events.
- 2.12 Each table with the report confirms matters of significance

Table 1 page 5 – shows the demographic of businesses by risk rating and shows a change in risk ratings generally – fewer **D & E** risk premises and

slightly more **C** risk establishments but also closure of a lot of records / business.

Table 2 page 5 – shows the premises which are subject to a hygiene score and the changes in demographic from last year. The total number of establishments.

Table 3 page 8 confirms the outstanding interventions from 2022/23 which includes 44 **D** risk premises and 62 **E** risk premises, and projects the number of official controls needed for the 2023/24.

Table 4 page 9 confirms the trends of complaints and enquires to the service. With the changes to Assure the way enquiries are recorded is slightly different and now in-line with the Food Standards Agency categories (concerns about a premises / food product concerns)

Table 5 page 13 includes details on staff allocation calculations

Table 6 provides details on Health and Safety interventions

- 2.13 The service has recruited and appointed an Environmental Health Officer to a vacant post and the Graduate programme for 2021/23 has been a great success generally for the service, with both graduates eventually securing permanent posts at the Council. We are also reviewing our recruitment approach for another graduate officer on an 18-month temporary contract. This has been advertised once without any suitable applications which was disappointing.

### **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 2023/24 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. It is expected that costs (mainly employee costs) can be contained within existing budgets. Therefore, 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 Statutory Officers:-

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Steve Capes (on behalf of Paul Wilson)	30/06/2023
S.151 Officer (or Financial Services Manager)	Karen Henriksen	28/06/2023
Monitoring Officer (or Legal Services Manager)	James McLaughlin	05/07/2023