



**HERTFORDSHIRE  
COUNTY COUNCIL**

**TRADING STANDARDS SERVICE**

**SERVICE PLAN FOR  
FOOD LAW ENFORCEMENT**

**2003/2004**

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## **Introduction**

- 0.1 This is the Service Plan dedicated to the food law enforcement function that is the responsibility of the Trading Standards Service by virtue of the provisions of the Food Safety Act 1990 and the Agriculture Act 1970. Other activities relating to consumer law enforcement form part of the Service Delivery Plan, to which this is appended.
- 0.2 The County Council is responsible for food standards and descriptions together with controls on animal feedingstuffs. District Councils in Hertfordshire deal with food hygiene matters.
- 0.3 This Service plan is a comprehensive document covering the entire food standards enforcement function set out in accordance with the requirements contained within the Framework Agreement on Local Authority Food Law Enforcement, published by the Food Standards Agency.
- 0.4 Food Service Plans are to be submitted to the relevant Member forum for approval to ensure local transparency and accountability. When approved, they are to be published in the public arena. This plan will appear on the County Council website, HertsDirect.
- 0.5 The Food Standards Agency has set out its agenda to make food law enforcement more effective and to be undertaken by the various agencies in a more effective, comprehensive and collaborative manner. This Service Plan sets out to achieve these objectives, within the County of Hertfordshire.

## **Section 1. Service Aims and Objectives**

### **1.1 Aims and objectives of the Trading Standards Department**

1.1.1 The overall aim of the Trading Standards Service is to:-

- contribute to the economic, physical and mental wellbeing of consumers.
- contribute to the economic prosperity and competitiveness of Hertfordshire businesses
- ensure individuals have accurate information on which to base purchasing decisions and to
- prevent consumers and business suffering loss through unfair trading practices.

It seeks to pursue this through a number of key objectives, which include:

- The provision of services to advise and educate consumers of their rights as purchasers of goods and services.
- The provision of advice and home authority services to help businesses comply with their legal obligations.

- The regulation of the marketplace and enforcement of the law, by means of targeted inspections, audits, sampling programmes, complaint investigations and prosecution where necessary and appropriate.
- 1.1.2 Food law enforcement forms one part of a co-ordinated range of consumer protection and fair-trading measures undertaken by the Trading Standards Service.
- 1.2 Links to Corporate Objectives and Plans**
- 1.2.1 The Service works to the core values and objectives of the County Council, which are outlined in the Local Performance Plan, and include the four promises made to the people of Hertfordshire:
- To make Hertfordshire a better place to work and live
  - To offer children a better future
  - To help people help themselves
  - To give the public value for money by getting more cost efficient
- 1.2.2 This Food Service Plan and the Trading Standards Service Delivery Plan form part of the wider Community Information Service Plan, and the policy framework of the County Council.

## **Section 2 Background**

### **2.1 Profile of Hertfordshire**

- 2.1.1 Hertfordshire has a relatively stable population of just over one million people, and provides both busy towns and rural qualities, whilst being in close proximity to London. It is one of the largest County Authorities in terms of population, but among the smallest in land area, with an area of 163,780 hectares.
- 2.1.2 There is no single centre or focus point in the county, but a complex network of towns and villages. It also has some of the busiest roads in the UK including the A1, M1 and M25.
- 2.1.3 The nature of the road links, and the proximity to London and the airports of Heathrow, Luton and Stansted means that many companies have relocated into the county. Consequently there are a disproportionately high number of large companies based in Hertfordshire compared to other similar areas. These include the Dixons and Comet groups of companies. In terms of food, large companies such as Tesco and Cereal Partners (Shredded Wheat) are Hertfordshire based.
- 2.1.4 There are also many other smaller food manufacturing premises in Hertfordshire including numerous butchers and bakers, together with a high proportion of salad and vegetable producers in the south of the County along the Lea Valley.
- 2.1.5 The diverse nature of the population throughout the County, along with relative prosperity in a number of areas, gives rise to a very high number of restaurants, public houses and take-away premises spread across the county.

## **2.2 Organisational Structure**

- 2.2.1 Hertfordshire Trading Standards Service is a part of the County Council's Community Information Department. It operates under the direction of the Head and Deputy Head of Trading Standards, who are accountable to the Director of Community Information.
- 2.2.2 The range of regulatory duties undertaken by the Service is extensive, covering a multitude of trade, industry and commerce related activities. A fully developed consumer advice service is provided through the gateway of the County Council's Customer Service Centre.
- 2.2.3 The Service structure and County Council committee structure can be found in Appendix 1 to this plan.
- 2.2.4 All three Service operational teams are 'multi-functional' and between them share the responsibility for the delivery of this Food Service Plan. Each Team Manager is responsible for their own team's work, but the overall co-ordination of the Service's food and feeding stuffs work is the responsibility of the nominated Team Manager whose responsibilities include being the lead food officer for the Department.
- 2.2.5 Specialist analytical services are provided by the appointed Public Analysts (found in Appendix 2 to this plan), along with ancillary services provided on request by other United Kingdom Accreditation Service (UKAS) laboratories, which include that provided by Bedfordshire County Council.

## **2.3 Scope of the food enforcement service**

- 2.3.1 Food standards law is enforced in Hertfordshire through advice to businesses; programmed inspections of risk assessed premises; sampling of food and food ingredients at manufacturers, importers, wholesalers and retailers, and responding to complaints received from any source.
- 2.3.2 Food Inspections are often undertaken at the same time as other duties, typically but not exclusively, those relating to metrology. In this way, there is less duplication of effort, and businesses receive one inspection rather than a number throughout the year.
- 2.3.3 To achieve our targets on food inspections we occasionally engage suitably qualified staff from a specialist agency. In the year 2000/2001 this was the equivalent of 0.30 of a person, and in the year 2001/2002 this was the equivalent of 0.13 of a person. The shortfalls are commonly caused by staff on maternity leave, and leaving partway through the year. No specialist agency staff were used for food law enforcement for the year 2002/2003.

## **2.4 Demands on the Food Service**

- 2.4.1 There are currently in excess of 5400 premises in the County that are liable to food or feeding stuffs inspections. Such inspections involve matters relating to composition, labelling, and description.

- 2.4.2 These are divided approximately in the proportions of 1.0% being of a high inspection risk; 24.0% being of medium inspection risk, and 75% being of a low inspection risk. The risk rating used is that adopted and approved by LACORS. (Local Authority Co-ordinators of Regulatory Services). The risk rating for each premises is assessed at each and every visit. Consequently the proportions of high, medium and low risk premises vary across any given time period, with such variations actually reflecting the true nature of the work at any given time.
- 2.4.3 The food service is delivered from a single office base in St Albans via the peripatetic enforcement officer work force.
- 2.4.4 Telephone advice to consumers and businesses on food legislation and related issues is provided between the hours of 0800 to 2000 (weekdays), and 0900 – 1600 (Saturdays) via the County Council's Customer Service Centre. E-mail contact is possible via the County Councils website. Detailed specialist advice is given by the Department's own officers between the hours of 0900 to 1700 (Monday to Friday).
- 2.4.5 The food service provided is specific to the needs of the County. Consequently a high proportion of time is spent on home authority responsibilities, which include Tesco, the leading food retailer in the country. Additional requirements placed upon the service are the need to provide detailed advice on imported food and highly specific labelling criteria such as QUID (Quantative Ingredient Declaration), beef labelling and those relating to genetically modified organisms (GMOs).

## **2.5 Enforcement Policy**

- 2.5.1 The County Council has adopted the Enforcement Concordat at corporate level. The Trading Standards Service together with other County Council regulators follows the principles of the Concordat at all levels of enforcement action, which in Hertfordshire is given as our 'Business Pledge'.
- 2.5.2 Enforcement action covers a wide spectrum of activities, all of which may be appropriate given the circumstances of the case. Advice and persuasion is the Department's preferred method of ensuring compliance but it reserves the right to take other measures, including prosecution as the situation demands. Officers of the Department have a degree of flexibility as to how to deal with each case, subject to the following limitations;
- Minor transgressions found during programmed or other routine inspections may be dealt with at the officer's discretion. Business advice, information, clarification of the law and business information leaflets are all options available to the officer.
  - Verbal warnings may be given where repeat minor transgressions or more serious offences discovered.
  - Officers may give instructions to food businesses to be implemented within a specified time limit.
  - On every food visit a written report form is left at the premises giving full details of the inspection carried out together with any actions required.

- 2.5.3. The policy within the business pledge is based on the principles of the Concordat and has regard to the Crown Prosecution guidelines on court action. It has been endorsed by members of the County Council.

## **Section 3 Service Delivery**

### **3.1 Food and Feedingstuffs Premises Inspection**

- 3.1.1 Inspection of food and feeding stuffs premises will be targeted in accordance with risk assessment, complaints received; local, regional and national food audits, and advice proffered by the Food Standards Agency.
- 3.1.2 The inspection process adopted is that as laid down in the Food Standards Agency Code of Practice No. 8: Food Standards Inspections.
- 3.1.3 All officers undertaking inspections, detailed business advice and sampling meet the qualifications and experience requirements as detailed by the Food Standards Agency Code of Practice No. 19: Qualifications and Experience of Authorised Officers (Revised October 2000) (see also 5.1.2.).
- 3.1.4 The premises profile, inspection programme and an estimation of the associated staffing resources required is given in Appendix 3 to this plan.
- 3.1.5 Inspection priorities for the year 2003/2004 will be tailored according to the risk assessment given to each premises. Priority will also be given to food and feedingstuff businesses based or manufacturing within Hertfordshire.
- 3.1.6 There are currently 99 premises registered with the County for the mixing of animal feeds.
- 3.1.7 The total number of premises in the County that are liable to food law enforcement visits is 4,981. These premises are all risk assessed and (at the time of writing) 42 premises were considered to be of a higher risk, 1,272 medium risk, and 3,667 low risk. 431 premises fall outside the risk categories, and are not included in the inspection programme.
- 3.1.8 The Food Standards Agency requires all authorities that carry out food standards work, to categorise premises in terms of risk. It is acknowledged that certain premises may fall outside of a five-year inspection programme, on food standards, whilst retaining a place in terms of hygiene inspection. The decision for excluding premises from such a programme, is one for each authority, guided by the Agency.
- 3.1.9 The frequency of visiting premises is determined by the guidelines from the Food Standards Agency and is currently every 12 months for high-risk premises; every 24 months for medium risk premises, and every 60 months for low risk premises. For the year 2003/2004 relevant high and medium risk premises will be visited according to their assigned risk.

## **3.2 Food and Feedingstuffs Complaints**

- 3.2.1 Food complaints received by the service are assessed, placed into one of three categories and passed to an operational enforcement team as appropriate.
- 3.2.2 Complaints are categorised into 'Immediate', 'Priority' or 'Routine', in accordance with the Service's documented policies for the advice line, and investigated as specified. This ranges from immediate enforcement action (where for instance health or safety is deemed to be at risk), to routinely monitoring the information for input into future inspection/sampling programmes. For food issues this could range from immediate action where the risk of BSE infected material is suspected of entering the food chain, to routinely advising traders of minor labelling problems.
- 3.2.3 740 food complaints were received for the year 2002/2003. It is expected that a similar amount will be received during 2003/2004, requiring an estimated staffing resource of FTE 0.4 officers.

## **3.3 Home Authority Principle**

- 3.3.1 The Service supports the updated LACORS Home Authority Principle and gives advice to companies on either a Home Authority or Originating Authority basis.
- 3.3.2 It is estimated that this will require FTE's of 2 Officers in relation to the food businesses in the County, which includes responding to other enforcing authority enquiries (currently in excess of 500 per year).

## **3.4 Advice to Business**

- 3.4.1 The Service works with businesses to help them comply with the law and to encourage the use of best practice. This is achieved through a range of activities including:
- Advice given during the course of inspections and other visits.
  - The provision of advice leaflets in paper form or through the County Council's website.
  - Responding to queries
- 3.4.2 It is estimated that in excess of 900 food business enquiries will be made to the Authority during the year 2003/2004 which will require ( FTE) resources of 1.25 officers.

## **3.5 Food and Feedingstuffs Inspection and Sampling**

- 3.5.1 The Service will target its food and feedingstuffs sampling towards products/ingredients from companies that manufacture, are based in or import into Hertfordshire, which currently is in excess of 250 premises.
- 3.5.2 All sampling undertaken by officers will be in accordance and compliance with relevant legislation, and all formal food samples will also be taken in accordance with the Food Standards Agency Code of Practice No.7: Sampling and Analysis.

- 3.5.3 The Service's sampling programme will also include relevant regional sampling through the EETSA (East of England Region Co-ordination on Food and Trading Standards) group of Authorities.
- 3.5.4 The Service aims to sample at a minimum level of one sample per thousand head of population (approximately 1000 samples) per year. This will include an estimated 25 samples submitted in relation to food related complaints.
- 3.5.5 The sampling budget for the year 2003/2004 will be £60,000. Staffing resources in relation to this are given in paragraph 4.2.3.
- 3.5.6 Samples will be analysed and/or examined by the Service's authorised laboratories (see Appendix 2 and 2.2.4) in accordance with the procedures laid down in the Food Safety (Sampling and Qualifications) Regulations 1990 and the Food Standards Agency Code of Practice No.7: Sampling and Analysis.
- 3.5.7 The Public Analysts appointed by the Authority can be found in Appendix 2.

### **3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease**

- 3.6.1 Food poisoning notifications do not usually fall within the responsibility of the County Council or the Trading Standards Service. The Service will, however support the aims of other enforcement or health authorities whenever appropriate, and does so in particular by its participation in a Food Liaison Group with the Environmental Health Departments from the ten District Councils in Hertfordshire.
- 3.6.2 In cases where the Service receives reports of chemical contamination of food and there is a subsequent threat to human health, it will liaise with the appropriate local Environmental Health Department, with a view to taking over responsibility of the case, or for undertaking a joint investigation, as the situation demands.
- 3.6.3 Should the service become aware of any incident of food poisoning or infectious disease, the facts will be reported to the appropriate authority immediately.

### **3.7 Food Safety Incidents**

- 3.7.1 On receipt of any food hazard warning, the Trading Standards Department will respond as appropriate and in accordance with the relevant statutory Code of Practice issued under the Food Safety Act 1990. A 24 hour, 7 days/week, 365 days per year out of hours contact number and officer call-out facility is operated by the service, which links in with such warnings as appropriate.
- 3.7.2 The Service receives details of food hazard warnings through the liaison arrangements with the Environmental Health Departments of the local District Councils. Additionally, information is also received via an electronic link with the Trading Standards Institute.

3.7.3 Food hazard warnings are actioned through the Team Managers managing the three operational teams. It is the responsibility of the Lead Food Officer of the Service to assess the response to any food hazard warning.

3.7.4 In most cases, food hazard warnings state that the Environmental Health Departments should respond. Instances where the Trading Standards Service has had to take action are few and have not required much more than an estimated 25 staff hours to resolve.

### **3.8 Liaison with Other Organisations**

3.8.1 The Service liaises with a wide range of organisations in varying degrees of formality in carrying out its food law enforcement function, and these include, LACORS, EETSA (the regional grouping of Trading Standards departments), Environmental Health Departments and others.

3.8.2 The Department has a strong commitment to EETSA, and via quarterly meetings and a regional intranet, aims to ensure that food and feedingstuffs enforcement is consistent with neighbouring authorities.

3.8.3 The Department also ensures co-ordination with Environmental Health Departments through a local Food Liaison Group, set up to co ordinate activities as per the Food Standards Agency Code of Practice No 1 : Responsibility for Enforcement of the Food Safety Act 1990.

3.8.4 The estimated total resources to be allocated to liaison work during the year are 10 officer days. (FTE of 0.05).

### **3.9 Food and Feedingstuffs Safety and Standards Promotion.**

3.9.1 Food safety promotional work for the year will be to relevant prosecutions, to information provided through the County Council's Internet site, and to leaflets/information displayed in libraries and County Hall. Such promotional work will also include regular press releases both locally, regionally and nationally.

3.9.2 Attendance at promotional events by the Department will be assessed considering the likely impact of the event, and the client groups and number of potential people who will be subject to the event.

3.9.3 The estimated total resources to be allocated to promotional work during the year are 10 officer days. (FTE of 0.05 officers)

## **Section 4 Resources**

### **4.1 Financial Allocation**

4.1.1 The cost to the Service of providing food law enforcement is spread amongst, and found within the total approved budget for any financial year.

- 4.1.2 Food law enforcement is not an exclusive activity for officers of the department (see 2.3.2.) and consequently a specific budget in terms of staffing, ICT, travelling etc. is not allocated to the area.
- 4.1.3 In terms of percentage in comparison to the service's total work it is estimated that the relevant officers (see Appendix 4) spend 25% of their time on food law enforcement.
- 4.1.4 Considering the above, a summary of the financial cost of the food law enforcement element of the budget for the years 2002/2003 and 2003/2004 is produced below (food law enforcement figures given in brackets):

	<b>2002/2003</b> £	Projection <b>2003/2004</b> £
Staffing	1,525,209 (234,882)	1,732,650 (266,828)
Sampling budget	60,000	60,000
Subsistence	5,569 (858)	5,719 (881)
Car Allowances & travelling	31,496 (4,850)	31,896 (4,912)

- 4.1.5 For the year 2003/2004 we will continue to examine more efficient ways of sampling, and more cost effective analytical services, which will serve to enhance the sampling budget in real terms.
- 4.1.6 The Service has embraced modern ICT, and officers have access to mobile phones and laptop computers for database access. It is intended to enhance ICT further in the forthcoming years and this will improve efficiency further within enforcement in general (including food law enforcement). The Service budget provides for this with an annual provision for ICT purchasing and leasing costs.
- 4.1.7 If legal action before the courts needs to be taken by the Service this is catered for within the overall approved budget. Food law enforcement action is always considered on its merits and the Service's enforcement policy, in line with other enforcement action.

## **4.2 Staffing Allocation**

- 4.2.1 For operational reasons, the department is divided into three enforcement teams plus a Service Support team. The three enforcement teams are all multi-functional and officers within each team provide home authority advice, business and civil advice and trading standards law enforcement (including food law enforcement).
- 4.2.2 The teams carry out targeted inspections at premises supplying goods or services where there is a reference to safety, quality, description or price. The range of duties includes weights and measures, general safety of consumer

products, inspection of registered and licensed explosives stores, animal health matters and other fair trading matters.

4.2.3 When the time taken for the enforcement of other duties is removed, the estimated staffing profile (in full time equivalents) for all these having a direct food law enforcement role is as follows:-

Authorised Officers	-	7.75
Team Managers	-	0.15
Fair Trading Officers (Advice)	-	0.10
		<hr/>
TOTAL FTE's		8.00

4.2.4 The F.T.E. for the department (including 4 current vacancies) is 51.9 (as of March 2003). Therefore the percentage FTE of Food Law Enforcement staff in terms of the department as a whole is 15.4%.

4.2.5 The competency profile of the authorised Food Law Enforcement Officers within the department is given in Appendix 4. The figures given are in terms of number of officers so authorised (not FTE's).

### **4.3 Staff Development Plan**

4.3.1. It is the intention of the Service that there will be sufficient numbers of suitably qualified officers to undertake all aspects of food law enforcement for the 2003/2004 municipal year.

4.3.2 The training structure comprises;

- The employment of Enforcement Officers capable of food law enforcement.
- Formal qualification of other officers via the Diploma of Consumer Affairs (including the Food and Agriculture papers)
- In house documented competency-based training.
- Regular review against the Service's own Performance and Development Scheme.

## **Section 5 Quality Assessment**

5.1.1 The Service's food law enforcement is subject to the normal monitoring and line management review procedures existing within the structure (see Appendix 1).

5.1.2 In addition to the above the competency of each authorised food law enforcement officer is regularly assessed and reviewed within accordance with the Food Standards Agency Code of Practice No.19: Qualifications and Experience of Authorised officers (revised October 2000) see 4.2.5

5.1.3 It is intended for the year 2003/2004 to complete documented procedures started in 2002/2003, being those procedures required within the Food

Standards Agency's Framework Agreement on Local Authority Food Law Enforcement (Chapter 2). The Service also intends to participate in peer reviews within the EETSA region to assess each authority's activities against the standard. A detailed inter-authority project is planned for 2003/2004.

- 5.1.4 The department was awarded the Investors in People (IIP) award in February 2002. Internal self-assessment and external accreditation of certain areas of the food law enforcement work will continue in 2003/2004 in line with the principles of IIP.

## **Section 6 Review**

### **6.1 Review against the Service Plan**

- 6.1.1 The number of food visits made, and samples taken are indicators contained in the County Councils Local Performance Plan, which is subject to quarterly review both by the Cabinet and the authorities senior management board.
- 6.1.2 At the end of the period covered by this Service Plan, the Department will undertake a full Annual Review of all activities and operations carried out under the food law enforcement responsibilities given to the authority.
- 6.1.3 An Annual Review shall be carried out by the Deputy Head of Service in conjunction with the relevant managers and officers as necessary having responsibility for the implementation of this Service Plan. It will be carried out by the end of May following the end of the Year in question.
- 6.1.4 The Annual Review shall take into account all aspects of the Service Plan in a methodical way. A review agenda shall be drawn up to facilitate the process.
- 6.1.5 The Annual Review for 2001/2002 is found in Appendix 5.

### **6.2 Identification of any variation from the Service Plan.**

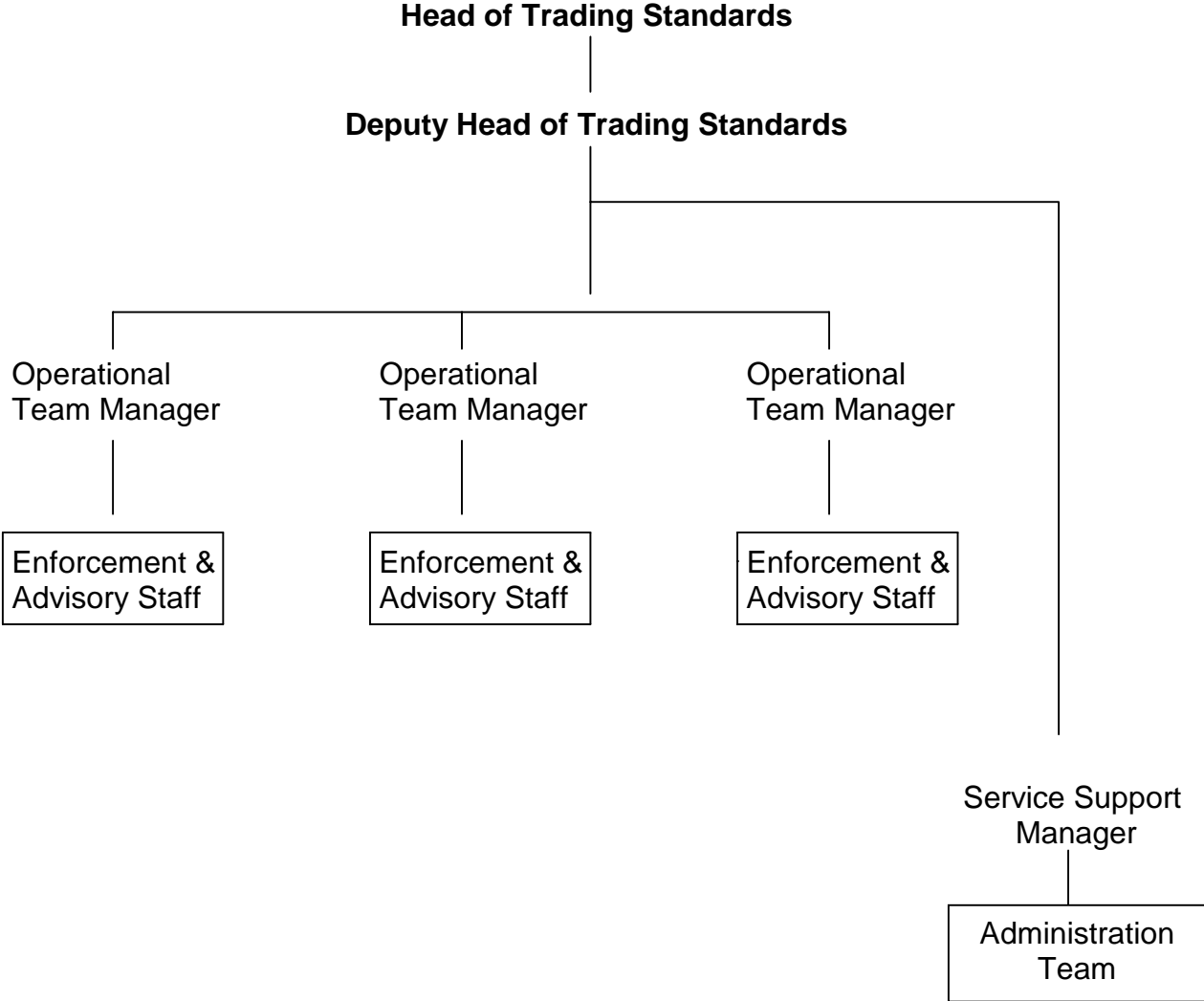
- 6.2.1 The annual Review will look for areas where there has been variation in performance other than that laid out in the Service Plan. If the variation has been significant, a report will be made giving reasons for the variation, and recommendations made for further or remedial action. Reviews in accordance with 6.1.1 will also be taken into account.
- 6.2.2 If it can be shown that any additional activities other than direct enforcement action have taken place achieving the same objective as enforcement action, these will be identified and taken into account during the Annual Review.
- 6.2.3 The annual review of the 2002/2003-service plan will be undertaken in April/May 2003.
- 6.2.4 The review will look in detail at the tasks and achievements met, against those proposed, in the plan.

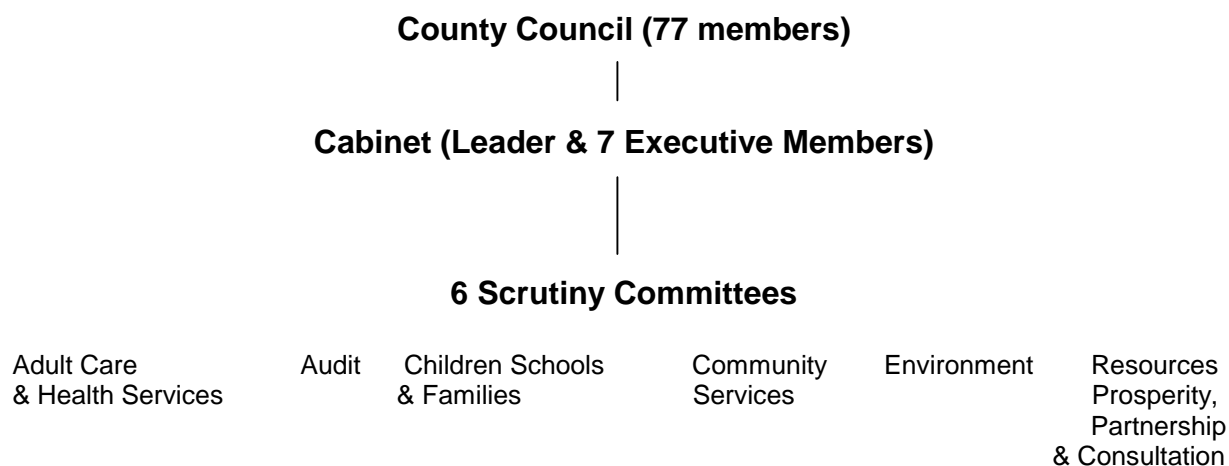
## **6.3 Areas of Improvement**

6.3.1 Although advancements in the delivery of food law enforcement have been made in the recent past, particularly in the field of the EETSA co-ordinated sampling programme and the officer-training programme, there are a number of areas identified where improvements can still be made. These include:

- Documented procedures and guidelines in areas where they do not exist or can be bettered.
- Increasing the on-going competency and professional development of staff involved with food law enforcement to facilitate higher quality inspections.
- Improved targeting of food standards and promotional work, in particular directing the areas of work to those highlighted as being important by users of the service.
- Improved reporting and dissemination mechanisms, particularly the use of technology, to give officers, consumers and food businesses up to date, accurate information.

**Departmental Structure**





**Scrutiny Committees:**

- review or scrutinise decisions made by Cabinet, or officers.
- consider matters referred from County Council and make recommendations on them to the Council, Cabinet or Chief Officer.
- scrutinise and make recommendations to Council, Cabinet or Chief Officers on any particular area of policy or service they have chosen to investigate

The Community Services Scrutiny Committee (10 members) includes Trading Standards and Consumer Protection within its remit and may scrutinise the Food Service Plan, or any other activity of the Department.

**Public Analysts appointed by the Department**

**Eurofins Scientific Limited**

R. Ennion M.ChemA. C.Chem. FRSC \*\*  
D.K.Arthur M.ChemA. C.Chem. FRSC. MIFST \*  
A Parker M.ChemA. C.Chem. FRSC. FIFST \*\*  
J.Wootten M.A. M.ChemA. C.Chem. FRSC \*\*  
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\* Denotes Agriculture Analyst for the County of Hertfordshire.

\*\* Denotes Deputy Agriculture Analyst for the County of Hertfordshire.

**Kent Scientific Services**

I.J.Hampton BSc (Hons), MChemA, CChem, FRSC  
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S.G.J.Dyer MChemA, CChem, MRSC, DMS  
P.H. Stanley, M.ChemA. C.Chem. MRSC

**Food Premises Profile**

Total number of premises with a Quality Standards (food or feedingstuffs) risk assessment.	4,981
Total number of above with a higher risk	42
Total number of above with a medium risk	1,272
Total number of above with a low risk	3,667
No inspectable risk	431

**Inspections programmed for the year 2003/2004**

Higher risk premises	42
Medium risk premises	636
Low risk premises	733

**Estimated staffing resources required for the Enforcement programme 2003/2004**

Programmed inspections	- Higher risk visits	46 days
	- medium risk visits	350 days
	- low risk visits	403 days
		<hr/>
		799 days
		(FTE of 4.0 officers)
Food and Feedingstuffs Projects and Samples	-	200 days
		(FTE of 1.00 officers)
Home authority enquiries	-	400 days
		(FTE of 2.0 officers)
Food and Feedingstuffs complaints	-	80 days
		(FTE of 0.4 officers)
Business enquiries	-	250 days
		(FTE of 1.25 officers)
Liaison and Food Promotion	-	10 days
		(FTE of 0.1 officers)

**The above figures indicate an overall estimated staffing resource of 8.75 FTE Officers required by the service to perform its Food Law Enforcement Function for the year 2003/2004.**

## **Officer Competency Profile**

### **Key to authorised duties**

<b><u>Code</u></b>	<b><u>Authorised Duties</u></b>
<b>1</b>	Inspection of High Risk Manufacture/Processing premises
<b>2</b>	Inspection of Non High Risk Manufacture/Processing premises
<b>3</b>	Inspection of Importers/Head Offices
<b>4</b>	Inspection of Warehouses/Cold Stores
<b>5</b>	Inspection of Retailers
<b>6</b>	Inspection of Catering Establishments
<b>7</b>	Inspection of Farms/Small Holdings/P.Y.O's
<b>8</b>	Taking of formal samples
<b>9</b>	Taking of informal samples
<b>10</b>	Dealing with food complaints – Routine advisory action
<b>11</b>	Dealing with food complaints – Investigations (with potential for legal proceedings)

**Number of Officers authorised for each duty**

<b><u>Duty</u></b>	<b><u>Number of Officers</u></b>
1	17
2	23
3	24
4	24
5	24
6	24
7	24
8	24
9	33
10	30
11	24

The above figures reflect a total of 33 Authorised Food Officers in the Department, which gives the Food Law Enforcement function flexibility around the actual estimated 8.0 FTE's (see 4.2.3.) employed on such duties.

## **Review of Service Plan for Food Law Enforcement 2001 / 2002**

# **This is the first review of the initial service plan for Food Law Enforcement for Hertfordshire County Council Trading Standards.**

The plan was formulated and written following the guidelines published by the Food Standards Agency (FSA), and this review considers the whole plan referring to relevant sections where appropriate.

The Food Standards Agency guidance for planning, management and delivery of local authority food law enforcement services imposes a requirement upon food authorities to carry out a review:-

(Ref: The Standard 3.2)

The Authority shall carry out a performance review at least once a year based on the service plan.

The year was particularly difficult for the service as the national outbreak of Foot and Mouth disease occurred in February 2001. This had enormous resource implications for Hertfordshire (being very much a rural county in parts, with a large farming community) and consequently, one particular area of the plan was unable to be met in full, namely part 3.9: Food and Feedingstuffs Safety and Standards Promotion.

## **SECTION 2 OF FOOD PLAN - BACKGROUND**

### **2.2. Organisational Structure**

2.2.1 The structure was unchanged throughout the year, though the Head of Trading Standards has now taken on additional management responsibilities within Community Information which includes the Personnel, Training and Development Section as well as retaining his responsibilities as the Head of Trading Standards. He is now the Assistant Director of Community Information.

2.2.2 Additional statutory regulatory duties were conferred on the Trading Standards Service by the amendment of the Licensing Act 1964 by the Criminal Justice Act 2001 which gave the Service joint responsibility with the police for enforcing the law relating to underage sales of alcohol. However, these new duties did not impinge upon the plan during this year.

2.2.3 The co-ordination of the Service's food work was the responsibility of the nominated Lead Food Officer. To improve upon this first plan a change in work practices will be put into place. Rather than all enforcement staff working towards the performance indicators under the direction of the three team managers, discrete project teams will be set up under the direction

of the Lead Food Officer who would be responsible for monitoring the food sampling, food promotion and inspection targets.

2.2.4 The specialist analytical services provided by the groups of Public Analysts were sufficient for the department's needs. Using more than one Public Analyst Service means that Trading Standards has the flexibility which comes with choice, is able to call upon a wider expertise, and have the option of greater training facilities - all in all providing best value for money.

### **2.3 Scope Of The Food Enforcement Service**

2.3.3 It is particularly pleasing to note that the food targets for the year 2001/2002 were achieved without the use of Agency staff, despite the outbreak of Foot and Mouth.

In addition it is worth noting that the risk rating used is approved by LACORS, formerly LACOTS (The Local Authority Co-ordination on Regulatory Services). LACORS and the Food Standards Agency are currently reviewing the rating system.

### **2.4 Demands on the Food Service**

2.4.1 The work carried out during the year continued to ensure that our database more accurately reflected the food risk associated with different types of premises, this ensures that we target resources at the premises most in need of inspection and is reflected in the risk assessment of the premises. The risk reflects the likelihood of businesses failing to meet food standards requirements. Consequently, the premises associated with a food risk on the database, is constantly changing and being updated, and this will be reflected in the Food Plan for 2002 / 2003.

2.4.4. Advice to consumers and businesses on food legislation was provided during the hours of 0800 and 2000 (weekdays) and 0900-1600 (Saturdays) via the County Council's Customer Service Centre. Detailed specialist advice was available between 0900 – 1700 (Monday – Friday). No change is anticipated for 2002/2003. A standby service was offered 24 hours a day, 7 days a week which included emergency food related matters.

### **2.5 Enforcement Policy**

This remained constant throughout the year.

## **SECTION 3 SERVICE DELIVERY**

3.1.1 The performance indicators reflected those set down in the Food Safety Act 1990 Code of Practice number 8 and the Foods Standards Agency which give guidance on visiting premises according to the associated risk frequency. Visits were targeted during the year according to risk, using the software facilities provided within the department's trade database system.

3.1.3 All officers undertaking inspections met the qualifications criteria set down in the Food Standards Agency Code of Practice No 19. During the year 2002/2003 three enforcement officers will lose their right to undertake such inspections. Recruitment of new staff during 2002/2003 will be considered to redress this. The competency of officers is assessed and kept updated by training.

3.1.6. For the year 2002/2003 there will be 99 premises registered with the County for the mixing of animal feeds. (See comments under section 4.2.1. above for explanation.)

3.1.8. The frequency of visiting according to the Food Safety Act 1990 Code of Practice No. 8 is every 12 months for a high risk premises, every 24 months for a medium risk premises and every 60 months for a low risk premises.

For the year 2001/2002 inspections were proportionally targeted as per the risk assessment with 97% of the high-risk premises, 45.2% medium risk and 28.8% low risk premises being visited over the year.

### **3.2 Food and Feedingstuffs complaints**

3.2.3. 742 food complaints were received by the Service. It is anticipated that this number is likely to increase for the year 2002/2003.

### **3.3 Home Authority Principle**

3.3.2. The number of Home Authority enquiries related to food businesses in Herts for the year 2001/2002 was 443.

### **3.5 Food and Feedingstuffs Inspection and Sampling**

3.5.1 The Service targeted Food producers and importers in Hertfordshire by carrying out visits and sampling from these premises.

3.5.3 The Service participated in regional sampling through ERCOTS (now EETSA, The East of England Trading Standards Authorities). More is planned for the year 2002/2003.

3.5.4 The Service took 1478 samples which more than achieved the target of 1300. (1300 samples is equivalent to one sample per head of thousand population.)

3.5.5 The food sampling budget for the year was £55,000. This was used for the departments food samples (see 3.5.4. above).

### **3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease**

3.6.1. There were no food poisoning notifications that required the intervention or action of the Department.

### **3.7 Food Safety Incidents**

3.7.1 Liaison with Environmental Health Departments occurred over the period as a result of several food hazard warnings issued by the Food Standards Agency. The vast majority of these warnings related to matters to which Environmental Health colleagues were responsible for under the Code of Practice 2 made under the Food Safety Act 1990. Trading Standards supported Environmental Health colleagues (represented by 10 City, Borough and District Authorities in Hertfordshire) and liaised as necessary to avoid duplication in addressing issues raised by food hazard warnings with businesses in the County of Hertfordshire. This was accomplished through regular Liaison meetings and direct contact as the need arose.

### **3.8 Liaison with other Organisations**

3.8.4 Food Liaison Meetings occurred bi-annually in accordance with the Food Safety Act 1990 Code of Practice 1 Responsibility for Enforcement

### **3.9 Food Feedingstuffs Safety and Standards Promotion**

3.9.1 Promotional work suffered during the year due to the outbreak of foot and mouth. This was recognised and highlighted with members early on, and the department will seek to rectify this in the 2002/2003 plan.

## **SECTION 4 RESOURCES**

### **4.1 Financial allocation**

4.1.6 For the year 2001/2002 it was decided that the Service would have the use of three Public Analyst Services for greater flexibility, expertise and training provision. From our positive experience during the year, this will continue through 2002/2003. In order to achieve the performance indicator set at 1300 samples a year, reflecting a sampling rate of 1.3 per head of population, a proportion of sampling was undertaken in-house by enforcement officers using relatively cheap screening methods. The budget makes no provision to ensure that every sample can be thoroughly analysed by a Public Analyst and so inevitably some samples were subjected to less rigorous testing than others although all samples are subject to appropriate tests.

### **4.2 Staffing Allocation**

4.2.3. There were sufficient numbers of suitably qualified officers to undertake all aspects of food law enforcement for the year 2001/2002. Further ongoing training is anticipated in the year 2002/2003 to ensure 10 hours update training is undertaken and more officers are trained to undertake high-risk food inspections.

### **5.1 Quality Assessment**

5.1.3. Work began during 2001/2002 on improving the Service's documented procedures required within the Food Standards Agency's Framework Agreement. This is a large area of work which is planned to continue through 2002/2003.

5.1.4 The Department achieved the Investors in People (IIP) award. Managers regularly meet with staff to assess and agree workload and business plan objectives as well as discussing developmental and training requirements which may be needed to achieve those objectives. Bi-annual staff days and regular team meetings also occurred to monitor progress and improve communications. Food work featured highly in these processes.

### **6.1 Ongoing Review Against the Service Plan**

6.1.1 The Trading Standards Performance indicator for 2001/2002 was to visit 40% of all food premises on the authority's database. This was achieved. The actual figure of 40.2% and this was reported to Members. Members were kept informed of progress quarterly with briefing notes prepared in July and October 2001 and January 2002 (see attached).

6.1.2 The Management Team undertook a review of the activities carried out under food law enforcement during a business planning meeting and decided the business plan for the year 2002/2003. The Team reviewed the target of visiting 40.2% of food premises yearly and members were briefed that in future the inspection target would be based solely on the Food Standards Agency and Food Safety Act 1990 Code of Practice requirements. This would look at concentrating on visiting all high risk and half of the medium risk premises each year. Additionally all low risk premises would be visited once every 5 years.

6.1.3 The review was carried out in May 2002.

## **6.2 Identification of any variation from the Service Plan**

6.2.1 Variations have been identified as recorded in this document, but notably so in the area of 3.9: Food and Feedingstuffs Safety and Standards Promotion. The Service did carry out small amounts of work in relation to proactive food promotion work and it should be recognised that much is done in the way of food promotion through targeted advice; responding to consumer and trader queries on the Service's advice line, leaflet distribution and advice during targeted inspections.

### **6.3.1 Areas of Improvement**

6.3.1 It is recognised that food promotional work could be improved further for the year 2002/2003. A project group focusing on food promotion will be set up to address this issue.

- Documented procedures. Procedures have been developed in relation to Food Hazard Warnings and Exchange of Information with Environmental Health Departments. This area of work is time consuming and takes staff away from inspection work but procedures are needed. A project group focusing on this area of work will be set up for year 2002/2003.
- During 2001/2002 a new team manager/lead food officer and two Trading Standards Officers were recruited. No authorised food officers left the Service during this period. Three Enforcement Officers who will no longer be able to carry out food inspections in accordance with the Code of Practice at the end of September 2002, and consideration will be given to further recruitment to address any identified shortfall in the department's food work.
- It is envisaged that training will be made available in Quality Assurance to ensure more officers are competent to carry out high-risk food inspections at manufacturing premises etc, in accordance with the Code of Practice. Although a large "bank" of staff will be available to do food inspection work whilst carrying out the Service's other statutory inspection duties, dedicated project teams will concentrate on achieving the food performance indicators.

..... Guy Pratt  
Deputy Head of Trading Standards

..... Gillian Turner  
Team Manager