

# Report



## Cabinet Member for Licensing & Regulation

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### Part 1

Date: 22 January 2018

Item No: 03

**Subject** Regulatory Services Food Plan Approval

**Purpose** To seek the approval of the Cabinet Member for the 2017-18 Food Plan

**Author** Matthew Cridland and Jonathan Keen

**Ward** All

**Summary** The Food Plan outlines the work planned by the various teams within Newport City Council in relation to food law enforcement. The plan explains the enforcement challenge faced by Newport City Council as well as the response by its officers. The Framework Agreement published by the Food Standards Agency requires formal approval of the plan each year.

**Proposal** Approve the Food Plan

**Action by** Head of Law and Regulation

**Timetable** Immediate

**Signed**

## 1. Background

Within Newport City Council food enforcement is undertaken by officers in a number of teams across both Regulatory Services (Environment & Community and Commercial Standards)

Food officers carry out a wide range of enforcement initiatives, including prosecution, inspections, sampling, complaints, business advice and projects.

**Food Safety:** Within Environment & Community Regulatory Services, sits the responsibility to ensure food available in Newport is safe to eat; and businesses are registered and rated.

**Food Standards:** Within Commercial Standards Regulatory Services, sits the responsibility to ensure that products and services available in Newport are described truthfully and adhere to any controls in terms of how a product/service is put-together. This applies to food composition in the same way as it applies to fair trading/descriptions and product safety.

## 2. Requirement for Approval of Service Plans (also known as Intervention Plans)

The Food Standards Agency, via the “Framework Agreement on Official Feed and Food Controls by Local Authorities” require each local authority’s Food Plan to be approved by a Member, member forum, or suitably delegated senior officer, whichever is most appropriate to ensure the plan contributes to the authority’s corporate plans. A written record of the approval should be maintained. At Newport City Council, a good vehicle for this approval process is a Cabinet Member Report and Decision.

## 3. Specific issues for Food Safety in 2017/2018

The Food Law Code of Practice Wales requires that all High Risk Food Premises inspections are undertaken in the financial year in which they are due. Food Premises are risk-rated to determine inspection frequencies, with A-rated premises being those with the highest risk. This financial year the following numbers of inspections are due:

- A-rated premises: 4
- B-rated premises: 81
- C-rated premises: 315

In addition to these initial inspections, based on data from previous years, it is likely that 200 revisits would be required to deal with areas of non-compliance with legislation by food businesses. These revisits are essential to deal with issues that could jeopardise public health.

This approach is extremely resource intensive and leaves very little flexibility to respond to other local priorities within the resources that are available in Newport. In order to utilise these resources as effectively as possible, this financial year the Food Safety Team wishes to reduce the number of inspections of the C-rated premises (the lowest risk of the ‘high risk’ premises) to 268 (85%). This would not meet the requirements of the Food Law Code of Practice Wales, but would allow sufficient resources to deliver other work. In particular the Food Safety Team would aim to improve the speed with which new businesses receive their first inspection and therefore receive face-to-face advice and support. The Food Law Code of Practice Wales requires such inspections to be delivered within 28 days of the business starting to trade. The team currently fails to meet this requirement in the majority of cases but this strategy would aim to achieve this target for 80% of new businesses in 2017/2018.

This report therefore seeks approval of this strategy as well as the Service Plan as a whole. Such a strategy was approved for the 2016/2017 plan.

#### 4. Specific issues for Food Standards in 2017/2018

Food chain integrity remains a priority for Commercial Standards Regulatory Services. The Food Law Code of Practice Wales provides a Food Standards inspection regime. All high risk premises should be inspected on an annual basis (within a year of the premises' previous inspection); whilst premises carrying a medium risk should be inspected once every two years; and those with a low risk once every five years.

There are 20 High Risk Premises; 133 Medium Risk Premises; and 821 lower risk premises. There are also 200 new businesses opening each year and the receipt of approximately 100 service requests each year. There are also 460 businesses in need of a risk rating assessment. There is also a resources commitment on sampling and training.

Commercial Standards Regulatory Services do not have the resources to meet these standards. In order to comply with the Code of Practice the Section would need £94,915. The Section currently devotes £57,307 towards the function.

In order to deliver the food standards function Commercial Standards Regulatory Services will adopt a policy of visiting each high risk premises (20) and then identifying evidence and intelligence which will assist the planning of further surveillance work. This will include targeted and focussed interventions aimed at the area of most risk for the business, rather than the formal 'full programmed inspections'. This approach will produce a compromise between scarce resources and public protection.

This report therefore seeks approval of this strategy as well as the Service Plan as a whole. Such a strategy was approved for the 2016/2017 plan.

#### 5. Specific issues for Animal Feed Standards in 2017/2018

The Commercial Standards Regulatory Service has the responsibility for delivering Animal Feed Standards Enforcement.

For the forthcoming year the service plan and the funding will be provided by Welsh Government Grant via Food Standards Agency Wales. The service plan will direct officers to complete a work programme of inspections and sampling; and also conduct official samples at the port. For this reason, there is no need to include the animal feed service delivery plan within this report.

#### 6. Risks

Risk	Impact of Risk if it occurs (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
The plan is not scrutinised and sanctioned as required and the Council is criticised by external agency/agencies.	Medium	Low	This report seeks to ensure that plans are given appropriate oversight and support.	Matthew Cridland and Jonathan Keen
That the Council is criticised for not delivering all High Risk Food Hygiene inspections as required by the Food	Low	Medium	This report explains that resources are limited and other essential work (which is also required by legislation and the Code of Practice) will be delivered	Jonathan Keen

Risk	Impact of Risk if it occurs (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Law Code of Practice Wales.			<p>as a consequence of reallocating the resources for the year.</p> <p>Resources will be reallocated following the risk assessment that has been undertaken i.e. reallocated away from lower risk work.</p>	
The Council is criticised for not delivering all Food Standards inspections as required by the Food Law Code of Practice Wales.	Low	Medium	<p>This report explains that resources are limited and other essential work (which is also required by legislation and the Code of Practice) will be delivered as a consequence of reallocating the resources for the year.</p> <p>Resources will be reallocated following the risk assessment that has been undertaken i.e. reallocated away from lower risk work.</p>	Matthew Cridland

## 7. Links to Council Policies and Priorities

The draft Corporate Plan is due to be put to council later in November 2017.

Food Law Enforcement and the Food Plan have clear links and contributions to the aims and objectives within the Corporate Plan.

Enforcement and planning to ensure food is safe to eat and is, what it says it is; helps the council deliver a thriving city (a key theme to the Corporate Plan)

Ensuring Newport's citizens face a much reduced risk from unsafe food; whether this is due to the presence of undeclared allergenic ingredients or the food's preparation in dangerously unhygienic kitchens; all this helps the council improve the lives of residents (a key element to the Council's Mission within the Corporate Plan)

Ensuring that this work is planned correctly and need is balanced against resources available, also demonstrates the services are acting on the 'Be Responsible' value outlined within the Corporate Plan.

The Food Plan also includes a commitment to officers' professional development which links to the commitment to a motivated, capable and engaged workforce.

The Wellbeing of Future Generations (Wales) Act, which is about improving the social, economic, environmental and cultural wellbeing of Wales, and places a duty on public bodies to improve wellbeing in accordance with the sustainable development principle. This work-stream will assist the council to promote economic growth and regeneration.

## **8. Options Available**

**Option 1:** Approve the Food Plan

**Option 2:** Not approve the Food Plan

## **9. Preferred Option and Why**

**Option 1:** Approve the Food Plan; the plan is a responsible and considered methodology for ensuring the council delivers its duty to enforce food law controls.

### **Comments of Chief Financial Officer**

There are no direct financial implications coming from this report – the implementation of the Public Protection Food Law Service Plan will have to be completed within the overall Public Protection budget.

### **Comments of Monitoring Officer**

There are no legal implications. At a higher strategic level, the key performance measures and service objectives for Public Protection are set out in the Law and Regulation Service Plan, which is approved annually by the Cabinet Member and is subject to monitoring by Scrutiny in accordance with the Council's performance management framework. The Service Plan is supplemented, where necessary, by individual Business Plans for each of the service areas, which deal with operational service delivery. These operational business plans are not generally subject to formal Member approval. However, in accordance with the FSA Framework Agreement, the Council is required to produce annual service plans for Food Safety, Communicable Disease, Feed Standards and Food Standards and to have them formally approved at an appropriate level within the organisation. Therefore, the Cabinet Member is required to formally consider and approve the composite Food Plan which covers all of these areas. Although the Plan identifies certain areas where the Council is not meeting strict Code of Practice standards and requirements in relation to numbers and frequencies of inspections, this type of regulatory and enforcement work is always subject to available resources and budgetary constraints and it has been necessary to prioritise the inspection work, according to risk. The Report is also recommending a further reduction in the numbers of inspections carried out in relation to C-rated, low-risk food premises, and to focus more resource on earlier inspections of new food businesses.

### **Comments of Head of People and Business Change**

There are no direct HR implications contained within this report. However, it is noted that both Environment & Community Regulatory Services and Commercial Standards Regulatory Services advise that they have limited resource to undertake the requirements of the Code of Practice. Should this result in any HR related changes, these may be required to be considered via a further report or business case.

The implementation of the Food Law Service Plan supports the requirements of the Wellbeing of Future Generations Act, which is about improving the social, economic, environmental and cultural wellbeing of Wales. The actions within the plan contribute to improving wellbeing across the city and ensuring public protection and safety. Ensuring the safety and quality of Newport's food offer will also contribute to Newport's overall offer as a place to live, work, visit and invest, which is a key proposed intervention in One Newport PSB's draft Local Well-being Plan.

Comments in the Wellbeing of Future Generations Act paragraph below outline how the proposal takes account of the sustainable development principle.

## **Local issues**

Not Applicable-city wide.

## **Scrutiny Committees**

Not applicable

## **Equalities Impact Assessment**

Not applicable

## **Children and Families (Wales) Measure**

Not applicable

## **Wellbeing of Future Generations (Wales) Act 2015**

The Wellbeing of Future Generations (Wales) Act, which is about improving the social, economic, environmental and cultural wellbeing of Wales, and places a duty on public bodies to improve wellbeing in accordance with the sustainable development principle. This work-stream will also assist the council promote economic growth and regeneration.

Consideration of the five ways of working under the sustainable development principle has been taken account in the development of this proposal as follows:

- Long term: The food plan ensures that the way in which food is made and sold in Newport is regulated and compliant; compliant businesses are more likely to succeed and add to the long term prosperity of the city.
- Prevention: The food plan places an emphasis on a number of preventative measures such as rating; inspection; and sampling. Such activities often stop problems occurring and causing major harm, both physical and economic.
- Integration: The food plan contributes to the Council's Well-being Objective "To promote economic growth and regeneration whilst protecting the environment". In particular it delivers on step 12 of the Council's well-being statement, which is to "Support compliance within reputable businesses and investigate rogue traders to maintain a fair and safe trading environment"
- Collaboration: The food plan references a whole host of activities where collaboration and co-production are key; examples include working with other teams in Regulatory Services. other councils and businesses
- Involvement: The food plan delivers an enforcement regime in which our key customers (residents and businesses) are actively considered. More often than not businesses are supported into compliance to help them flourish; and residents are dealt with professionally when they have cause to make a complaint regarding malpractice.

## **Crime and Disorder Act 1998**

Not applicable

## **Consultation**

Not applicable

## **Background Papers**

Food Plan 2017-18

Dated: 22 January 2018

**Newport City Council  
Public Protection**

**Food Service Delivery Plan**

**2017-2018**

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## **1. SERVICE AIMS AND OBJECTIVES**

### **1.1 Aims and Objectives**

For **Food Safety**; there is a commitment to improving the safety of the food chain leading to the adoption of the following aims and objectives.

- Safeguard the health, welfare and safety of those living, visiting or working in Newport;
- Provide health protection and promotion, through advice, assistance, persuasion and enforcement; and
- Promote and ensure a fair, safe and equitable trading environment by encouraging good business practice and protecting consumers.

For **Food Standards**; there is a similar commitment to consumer protection and a fair trading environment and an aim to complete the following activities:

- Tackling Fraudulent Trading Practices
- Supporting Reputable Business
- Protecting Vulnerable Consumers
- Maintaining Food Chain Integrity
- Supporting Policies aimed at Health Improvement
- Protecting Newport's Environment

### **1.2 Links to Corporate Objectives and Plans**

Newport City Council's Corporate Plan "Standing Up for Newport" 2012-2017 sets out the local authority's priorities for the 5 year period for the delivery of services to the people of Newport; it sets out aims towards Newport becoming a Caring City, a Fairer City, A Learning and Working City, a Safer City and a Greener and Healthier City.

Law and Regulation through its core business activities supports the Corporate Plan by contributing directly to a number of outcomes. The contribution to the corporate and community objectives is delivered through the diverse range of services supplied by the Service. The work carried out by officers delivering official controls in the whole area of food law directly contribute to a number of these objectives; namely a Fairer City; a Greener City; a Healthier City; a Working City; and a Safer City.

## **2. Background**

### **2.1. Profile of Newport City Council and the Port**

Newport is a unitary authority in south-east Wales located within a few miles of the second Severn crossing along the M4 corridor. As Wales' newest city it forms the gateway between Wales and England.

Newport covers a geographical area of just over 73.5 square miles, with a population of approximately 145,700 and the second largest number of people from a non-white background of the local authorities in Wales.

Newport is ranked as the fourth most deprived local authority in Wales. After losing some of its core industries the city is re-establishing and adapting itself as a centre of modern industry and commerce.

The Port of Newport is a general cargo port and handles approximately 1 million tonnes of cargo per annum. Main imports include coal, steel, timber and timber products. The remainder includes clay products, agribulks and animal feed.

The agricultural base that tends to concentrate on livestock, primarily beef and sheep with some dairy farming

In common with other cities in the UK, demands on the food services in Newport are diverse and high, for example the increasing number of food businesses is currently 1400, which have a high turnover.

There are a variety of food businesses in Newport, around thirty of which are manufacturers, packers, processors or importers. There are also a wide variety of retailers and caterers; some of which are well resourced and part of the recently opened Friars Walk development and part of a national business; and many others who are much less resourced and independent; such businesses regularly encounter food law problems which are difficult to resolve in the areas of food hygiene; labelling; composition and description.

## **2.2. Organisational Structure**

The Public Protection Service at Newport has recently reorganised into two services. One is the Environmental & Community Regulatory Service and the other is the Commercial Standards Regulatory Service. These services operate within Law & Regulation. The Food Safety (Hygiene) function is managed by the Regulatory Services Manager [Environmental & Community] and the Food Standards function is managed by the Regulatory Services Manager [Commercial Standards].

Within the Environmental & Community Regulatory Service the Food Safety Team is led by the Principal Environmental Health Officer (Food Safety). 6.5 FTEs deliver official controls relating to food hygiene including the Principal. The Principal Environmental Health Officer (Food Safety) is the designated lead officer for the function. 0.5 FTE delivers investigations of Outbreaks and Food Related Infectious Disease and this function is managed by the Principal Environmental Health Officer (Environment and Health & Safety).

Within the Commercial Standards Regulatory Service the food standards function is not delivered by a single team; but forms part of the duties of a number of officers across three teams. There are three team leaders within the Section and six Trading Standards professionals all of whom are authorised to carry out Food Standards Enforcement. The Regulatory Services Manager [Commercial Standards] is the lead officer for Food Standards. High Risk Food Inspections and Official Controls are carried out only by officers who have attained the appropriate additional training and assessment. Other Food Standards Official Controls (which are risk based and/or intelligence led) are undertaken by Food Officers who meet the qualification and competency requirements of the Food Law Code of Practice for Wales.

NB: The Feed Standards function is managed by the Regulatory Services Manager [Commercial Standards]; but has received a dispensation from the requirements to be part of the Service Plan as this is delivered through an All Wales/Food Standards Agency endorsed service plan.

## **2.3. The Scope of Food Service**

The following functions are undertaken:

- Programmed inspections and follow up compliance visits to both new and existing businesses
- Investigation of complaints and allegations of food fraud
- Investigation of FSA food incidents, alerts and hazard warnings
- Food sampling to assess microbiological quality and for accuracy in relation to composition, labelling and chemical contamination
- Advice to both existing and new food businesses
- Reactive / targeted Food sampling
- Delivery of food hygiene courses for council employees and the private sector
- Responding to requests for service and advice
- Carrying out appropriate and proportionate enforcement actions where necessary
- Implementation and promotion of the Mandatory Food Hygiene Rating Scheme

- Control and investigation of sporadic and outbreak cases of food poisoning and food related infectious disease
- Liaison with other food authorities and professional bodies to ensure consistency of food safety enforcement

## 2.4 Demands on the Service

Food produced, processed, packed or imported in Newport is varied and the resource required is continually increasing as new business open or the existing businesses change to meet the demands of consumers in the present economic climate. The Food Industry traditionally has low margins and in an effort to cut costs the technical part of the businesses is being reduced, but the demand for diversification has increased. Subsequently, surveillance of the Food Industry needs to be undertaken to ensure compliance and officers are increasingly being asked for advice.

There are 1447 food premises presently approved/registered by Newport City Council. The profile of these is described below:

### Food Safety (Hygiene)

Establishment Type	Risk Category					Total
	A	B	C	D	E	
Primary Producer	0	0	0	1	2	3
Distributor/Transporter	0	2	3	7	15	27
Slaughterhouse	0	0	0	0	0	0
Manufacturer/Packer	1	3	21	12	4	41
Importer/Exporter	0	0	0	0	0	0
Retailer	0	5	31	84	166	286
Restaurant/Caterer	3	71	443	244	329	1090
<b>Total</b>	<b>4</b>	<b>81</b>	<b>498</b>	<b>348</b>	<b>516</b>	<b>1447</b>

11 of the above premises are approved under EC Regulation 853/2004 comprising cold stores, meat processing and re-wrapping establishments.

## Food Standards

Establishment Type	Risk Category			Total
	A	B	C	
Primary Producer	0	1	0	1
Distributor/Transporter	2	12	2	16
Slaughterhouse	0	0	0	0
Manufacturer/Packer	5	12	2	19
Importer/Exporter	3	0	0	3
Retailer	3	61	161	225
Restaurant/Caterer	2	31	597	630
<b>Total</b>	15	117	762	<b>894</b>

### 2.5 Service Delivery Points

Both the Food Safety and Food Standards Services are delivered from the Civic Centre in Newport. Appointments can be made to see an officer at the Civic Centre, Information Station or at the food business if requested. The service mainly operates within office hours from Mondays to Fridays; and weekend and out of business hours duties are carried out as the need arises.

Food Related Service Delivery Points	
Location	Office Hours
<b>Civic Centre</b> Godfrey Road Newport South Wales NP20 4UR	Mon - Thurs 08:30 - 17:00 Friday 08:30 - 16:30 Appointments only no direct public access
<b>Information Station</b> Old Station Building Queensway Newport NP20 4AX	Opening hours: Monday – Friday, 8.30am – 5.00pm Meeting rooms available on the request of complainant.

## 2.6 External Factors Impacting on the Service

### 2.6.1 Ethnic Mix of Food Businesses

Newport has a very diverse mix of businesses including a high proportion of ethnic businesses which do not use English as their first language. A high turnover of businesses in this sector present significant challenge in achieving the required frequency of inspection and sustained improvement in the hygiene standards is difficult to achieve. Such businesses also struggle to comply with the complex labelling, marketing and compositional rules required by Food Standards Legislation.

### 2.6.2 Events

Significant additional resources are required to ensure the highest standards of food safety are maintained at special events. A number of seasonal events run in the city requiring monitoring and inspection over and above the programmed inspections.

## 2.7 Enforcement Policy

An Enforcement Policy has been published which follows the Enforcement Concordat and Code for Crown Prosecutors. This aims to consider the impact of the regulatory intervention on businesses by adopting a positive, proactive and balanced approach to ensure compliance. This will be achieved through a combination of: advice, information, help and support for businesses which reflects individual business needs and expectations; and intelligence-led, targeted and proportionate interventions where regulatory breaches are identified.

## 3. SERVICE DELIVERY

### 3.1 Programmed Interventions at Food Establishments

The **Food Hygiene Interventions** in 2017-18 required to comply with the Food Safety Act Food Law Code of Practice are shown below.

2017-18 Food Hygiene Programme Required by the Code of Practice	
Category and Inspection Frequency	Number of Premises
A (6 Monthly)	4
B (12 Monthly)	81
C (18 Monthly)	315
D (24 Monthly)	72
E (Subject to Alternative Enforcement Strategy)	66
<b>Total</b>	<b>538</b>

The Food Law Code of Practice requires food authorities to follow a programme of food interventions that are applied in a risk-based manner. This allows intensive regulation to be directed at those food businesses that present the greatest risk. The authority is also required to appropriately resource their interventions programme.

In accordance with these requirements the focus of food hygiene inspections will be on premises that are risk rated as A, B and C, but with a proportion of C-rated premises being subject to alternative enforcement as described in **Appendix 1A - Alternative Enforcement Strategy**.

The planned programme for **Food Standards Interventions** in 2017-18 that are required to comply with the Food Safety Act Food Law Code of Practice is shown below.

<b>2016-17 Food Standards Programme Required by the Code of Practice</b>	
<b>Category and Inspection Frequency</b>	<b>Number of Premises</b>
A (12 Monthly)	20
B (24 Monthly)	133
C (60 Monthly)	821
Unrated	460
<b>Total</b>	<b>1434</b>

Food Standards official controls will be carried out following the Intelligence Operating Model that will aid the allocation of resources that will be targeted towards the more significant hazards and higher risk premises. Traditionally, this is achieved by employing the national inspection rating systems that ensures more frequent inspections to premises where the hazards are greatest, standards are poor and the confidence in management is low. This approach will mean that the Section concentrates its efforts where there is greatest scope to raise standards. With finite resources available, there also has to be a reasoned choice of the best mix of different techniques having regard to what will have the greatest impact and what provides best value for money. Commercial Standards aims to complete a number of targeted interventions whereby a number of premises are visited; not as a 'comprehensive visit' but a visit looking at a particular risk; it is hoped this approach will ensure that the issues of greatest risk are still scrutinised; even where resources do not permit the time intensive full programmed inspections. Resources will also be made available to other regulatory colleagues to assist with intelligence gathering and problem spotting.

## **3.2 Food Complaints**

### **3.2.1 Food Hygiene Complaints**

Our policy is to investigate food complaints concerning extraneous matter, chemical or microbiological contamination, unfitness and food alleged to have caused food poisoning, provided that the food was purchased within Newport. We will also investigate allegations concerning poor hygiene including alleged pest infestations and notification of water disconnections in food premises located within the City. Where we receive food complaints relating to food purchased in premises under the jurisdiction of other authorities we will pass the details to them for investigation.

The purpose of investigating food stuff complaints is to:-

- Resolve problems which pose a risk to public health and/or check compliance with food/feeding stuff standards and labelling requirements.
- Provide information to the food industry in order to maintain and improve standards.
- Fulfil the duty of enforcement.
- Prevent future complaints.

Based on previous year's data we would expect to receive approximately 440 complaints linked to food premises or purchase of food in a year, requiring approximately 2,640 hours of officer time.

### **3.2.2 Food Standards Service Requests**

Inspectors will fully investigate complaints relating to food premises where the conditions:

- may present a significant risk to public and animal health, and/or
- are a persistent concern to the public, and/or
- the business has a poor history of compliance
- a legal contravention has been identified which is likely to continue or recur, and/or
- the type of contravention is widespread and/or
- the contravention might be due to a deliberate act e.g. for financial gain

Complaints will be actioned in line with the section's procedures.

Service Requests also encompass 'Additional Visits to Businesses Linked to a Service Request' and 'Business Advice'

Based on the previous year's data we would expect to receive approximately 100 service requests in a year, requiring approximately 600 hours of officer time.

### **3.3 Additional Inspections Required**

In addition to the above programmed Food Hygiene Interventions it is anticipated that, based on previous year's data, 120 revisits will be required to follow-up areas of non-compliance. It is estimated that this would increase to 200 revisits if all inspections required by the Code of Practice were undertaken. This would equate to 1,000 hours of officer time.

In relation to Food Standards Additional Visits; the time estimate for this activity has been counted within the 'Food Standards Complaints' data, as it is the practice of Food Standards Officers to 'raise a complaint' following Programmed Visits where there is a need to return to check warnings have been heeded.

### **3.3 Inspection of New Food Businesses**

A significant number of enquiries are received each year from people seeking advice who are looking to set up a new food business. These can initially involve considerable time in tailoring appropriate advice and on-site visits where necessary.

The Food Safety Act Code of Practice requires that all food establishments should receive an initial inspection. This should normally take place within 28 days of registration or from when the authority becomes aware that the establishment is in operation.

Regulatory Services receive approximately 200 new business registrations each year. This equates to 1,200 officer hours.

Where new registrations are received for establishments that are due for inspection within the current Food Hygiene Intervention programme the programmed intervention is replaced with one that applies to the new business. This may involve a re-prioritisation of the intervention to ensure the 28 day target for inspection is achieved.

For Food Standards approximately there should also be approximately 200 inspections to risk rate the new businesses. In reality the service aims to carry out about 50 such inspections are carried out each year whilst carrying out survey or complaint work. This equates to 150 officer hours.

### **3.4 Food Hygiene Rating Scheme**

The Food Hygiene (Wales) Act 2013 established a statutory Food Hygiene Rating Scheme (FHRS) in Wales which came into force on the 28 November 2013. This replaced the previous voluntary scheme operated in Wales and across the UK since 2011. Much of the work in implementing the scheme, e.g. issuing a rating

based on the score given during an inspection is linked with the inspection activities described in 3.1 above. However additional responsibilities under the Act include:

- The local authority is required to send the food business operator notification of their rating within 14 days of the inspection along with the reasons for the rating and an appropriate FHRs sticker.
- Requests for appeals are received from food business operators where they feel the rating has been wrongly applied. These must be determined and the decision communicated within 21 days of receipt of the appeal.
- Where a food business operator requests a re-rating this must be paid for in advance of the re-rating inspection taking place. Once the payment has been received a new inspection is carried out (within 3 months) to re-assess the premises. A further report and sticker is issued following the inspection.
- The display of the rating in the form of a window sticker is a mandatory part of the scheme. The Food Safety service will use a range of enforcement options to respond to notifications of non-display including warning letters, fixed penalty notices and where appropriate, legal proceedings.
- Consistent determination of the ratings across the Authority, Wales and the UK is an important part of ensuring the scheme is fair and correctly applied. The food safety officers involved in inspections under the scheme must receive regular training to promote consistency in order to apply the ratings correctly.

The estimated resources required to fulfil the Authority's obligations under the Food Hygiene Rating Scheme are as follows:

Activity	Number Activities Per Year	Estimated Hours Involved
Appeals	9	20
Re-rating Requests	Not calculated as costs covered by fees	
Officer Training	2 Events Per Year	40
Allegations of Non-display	34	90
<b>Totals</b>		150 (Hours Required)

### 3.5 Home Authority and Primary Authority

In accordance with the Home Authority Principle, the Council will respond to requests for appropriate information from other local authorities about locally produced foods that have been sold outside Newport and are the subject of a complaint. Consideration will also be seriously given to Primary Authority relationships in the year. Further the requirements of the Home Authority and Primary Authority Principles are taken into account when conducting interventions and enforcement activity at premises operating under these arrangements.

### 3.6 Advice to Business

The Authority recognises the importance of responding positively to all reasonable requests for advice or assistance from food businesses as this:

- proactively assists compliance
- encourages the adoption of best practice
- helps avoid unnecessary expenditure by businesses
- reduces the need for formal enforcement



- raises the profile of the Authority in supporting the development of businesses
- helps to build a positive working relationship and trust between enforcement officers and businesses

In practice, advice can range from responding to telephone requests for information, to the provision of guidance leaflets, site visits and the preparation of advisory letters.

Wherever possible, to ensure the most efficient use of resources, advice will be provided over the telephone and through the provision of relevant advisory leaflets. However, advisory visits will be made upon request to existing businesses undergoing refurbishment and or development. Where a new business is registered with the authority information will be provided including leaflets, information sheets and appropriate links to websites, including the Council's website and that of the Food Standards Agency.

Where more detailed advice or support is required businesses will be directed to relevant trade associations, consultants, or other experts, as appropriate or we may contact those bodies on their behalf. The availability of this advice is dependent upon the level of resource within the department.

With Food Hygiene matters and in order to assist businesses in meeting their obligation to operate a food safety management system based on the principles of HACCP (Hazard Analysis Critical Control Point) officers will distribute the Food Standards Agency's Safer Food Better Business pack, but may also issue a copy of the Newport Guide to Managing Food Safety if that is more appropriate to the needs of the business.

The number of requests for advice each year is approximately 240 requiring approximately 480 hours of officer time.

With Food Standards matters businesses often require complex advice in relation to labelling, compositional and marketing matters which require detailed enquiry from highly qualified officers. Many businesses are still to fully understand the requirements of changes to marketing and labelling rules for allergenic ingredients; and there is due to be a change in the law in relation to nutrition labelling.

In April 2016 it was decided that decided that Food Standards would cease to be free to traders who proactively contact the service for advice; but instead a fee will be charged in order for the service to cover its costs. In relation to Food Hygiene such a change in service delivery remained under consideration.

For both services advice remains free; due to the need to embed the recent restructure. From 1 January 2018 it is the intention that both services will commence charging for such advice.

## **3.7 Sampling**

### **3.7.1 Sampling for Food Standards**

Sampling for Food Standards purposes will be carried out as part of the Annual Sampling Plan; and also as a result of complaints or where officers take samples from food businesses as part of a routine inspection.

Sampling can be taken to ensure that businesses are offering food that is:

- safe
- nutritionally and compositionally correct
- correctly labelled
- altered or adulterated with a detriment effect to the consumer

The proposed sampling activities for Food Standards purposes are set out in an annual sampling plan and will include coordinated projects involving Food Standards Agency Wales, National Public Health Service, Wales Heads of Trading Standards, and the Gwent Food Standards Group; as well as local projects. These

may include local establishments with particular problems to address, approved premises or imported food sold in the area. Each year the Service takes approximately 60 Food Standards Samples

Follow up work where unsatisfactory results are obtained (typically 40%) may involve additional advisory or enforcement activity. The time required is included within the service request data.

### **3.7.2 Sampling for Food Hygiene**

Due to a reduction in staff resource from 16/17 onwards the level of sampling for microbiological purposes (food hygiene) has been reduced. Programmed sampling of food will no longer be undertaken; however sampling activities will be targeted towards poor performing premises (environmental sampling) and used to investigate serious food complaints. As sampling will only be used as an enforcement and investigation tool, the Authority will no longer produce a formal Sampling Plan. It is anticipated that approximately 30 hours of officer time will be needed for this reduced level of sampling activity.

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

The Food Safety Team in conjunction with the Environment and Health and Safety Team investigate all notifications of food poisoning, suspected food poisoning and laboratory notifications of gastrointestinal infections such as cryptosporidium and giardia, in accordance with relevant central guidance.

The objective is to identify the source, to control and prevent further cases from the source if the suspected source is within the City, and to prevent spread from the primary case (e.g. if the case is a food handler, health worker or young child). This also requires the Lead Officer to work closely with their counterparts in neighbouring authorities.

In addition to the investigation of sporadic cases of infectious disease, the Council will also investigate outbreaks of infectious disease, such as food poisoning, in accordance with the Communicable Disease Outbreak Plan for Wales. The plan identifies action to be taken in order to manage infectious disease control in an outbreak situation and describes the roles and responsibilities of the various agencies concerned, including the Council.

Demand for the service for the upcoming year is impossible to predict, however should a major outbreak occur, staff will be taken from other Food Safety duties to assist as appropriate. Approximately 625 officer hours may be required for this aspect of the service, based on figures from 15/16.

## **3.9 Food Incidents**

Both Regulatory Services will, on receipt of any food or allergy alert, respond in accordance with the Food Safety Act Food Law Code and Practice and Practice Guidance.

A Product Withdrawal Information Notice or a Product Recall Information Notice is issued where a solution to the problem has been put in place – the product has been, or is being, withdrawn from sale or recalled from consumers, for example. A Food Alert for Action is issued where intervention by enforcement authorities is required.

Alerts requiring substantial reactive action will occur occasionally and irregularly. Sufficient resources will be allocated to deal with each warning as it arises, although this may require diversion from the planned programme of inspection.

### **3.10 Port Health Overview**

Newport City Council acts as the Port Health Authority for the Port of Newport, as well as wharfs on the River Usk, including Bird Port and Liberty Steel. The port is a general cargo port mainly handling products such as coal, steel, timber and animal feed.

The work of the Health and Safety and Port Health team encompasses the following:

- Close monitoring of ship (vessel) movements within the port authority for purposes preventing the spread of infectious human and animal disease, ship inspection and imported food controls.
- Responding to reports of food poisoning and infectious disease and implementing required control measures to safeguard public health.
- Protecting animal health by ensuring vessels correctly dispose of International Catering waste.
- Inspecting the Port Health Authority area and boarding ships to check on sanitary conditions and take action in accordance with the International Health Regulations and domestic legislation.
- Making sure that controls on importing or landing animals that may carry rabies are strictly observed;
- Issuing Sanitation control or exemption certificates following a thorough inspection of a ship and extending a ship sanitation certificate if appropriate.
- Checking the water quality on board vessels to ensure there are no risks to health.
- Undertaking food hygiene inspections of the galley and implementing any required measures to safeguard food safety.
- Checking the water quality standards of quayside water supplies used by ships.
- Act as Category 1 responders under the Civil Contingencies Act 2004.
- Liaising with other port health authorities, Food Standards Agency; Maritime & Coastguard Agency; Border Agency; Welsh Government; port operator and shipping agents to ensure the efficiency of the service.
- The provision of information and advice concerning EU & UK legislation and controls

### **3.11 Liaison with Partners**

Liaison and collaborative working is an appropriate mechanism for ensuring consistency between enforcers, for sharing good practice, for sharing information and for informing other enforcers of potential difficult situations. The main liaison arrangements are as follows:-

- Liaison with the Food Standards Agency
- Wales Food Fraud Co-ordination Unit (Ceredigion County Council)
- Wales Heads of Trading Standards Group (WHOTS)
- Wales Heads of Environmental Health Group (WHOEHG)
- Wales Food Safety Technical Panel
- Wales Food Standards Group
- All Wales Communicable Disease Technical Panels,
- South East Wales Communicable Disease Task Group,
- South East Wales Communicable Disease Liaison Group,
- Water Health Partnership (Welsh Water)
- Commitment to the Welsh Food Microbiological Forum;
- South East Wales Food Safety Task Group
- Member of the Association of Port Health Authorities and the Ports Liaison Network;
- All Wales Port Health Expert Panel
- Care and Social Services Inspectorate Wales (CSSIW)
- Greater Gwent Food Standards Panel
- Gwent Police

- Government Agency Intelligence Network
- Regional Intelligence Network

For Food Hygiene attendance at liaison, task group and technical panels meetings involve an estimated 55 hours of officer time per year.

For Food Standards attendance at liaison, task groups and technical panels meetings involve an estimated 55 hours of officer time per year.

Both Regulatory Services will endeavour to work closely with other organisations in order to strengthen our position and build closer relationships with the relevant parties particularly those involved with food.

### 3.12 Promotion

By working closely with other organisations, it will help the service and the other organisations to provide a provision to businesses to ensure the safety and high standards demanded by consumers. The service will constantly aim to improve with the help from other organisations and the adequate financial resources.

The Food Safety Team provides Food Hygiene Training for other council departments such as the carers that work for the Social Services. An average of 10 courses is delivered across the year involving an estimated 60 hours of officer time.

## 4. Resources

### 4.1. Financial Resources

#### 4.1.1 Financial Allocation Required

In order for the Public Protection Service to fully meet the needs of the Code of Practice and the demands of the service, consumers and businesses; the following is required:

Activity		Food Hygiene	Food Standards
Programmed Interventions at Food Establishments	Risk Ratings A - C	£56,545	£37,240
	Risk Ratings D & E	£14,675	
Service Requests (Complaints)		£60,535	£21,000
Advice to Business (outside inspection programme)		£11,006	[See Service Requests]
<i>Additional Inspections (Revisits after inspections)</i>		£22,930	[See Service Requests]
<i>Inspection of New Food Businesses</i>		£28,716	£21,000
<i>Food Hygiene Rating Scheme enforcement</i>		£2,978	N/A
<i>Sampling</i>		£5,000 [Analyst Cost] £687 [Officer Time]	£8,000 [Analyst Cost] £1,800 [Officer Time]
<i>Training</i>		£3,500	£4,500
Outbreaks and Food Related Infectious Disease		£14,331	N/A
<i>Food Incidents</i>		[See Service	[See Service Requests]

	Requests]	
<i>Liaison with Partners</i>	£1,375	£1,375
<i>Promotion</i>	£1,380	Nominal
<i>Legal Proceedings</i>	£4,127	
<i>Management activity by team leader</i>	£25,477	
<b>Total</b>	<b>£248,265</b>	<b>£94,915</b>

#### 4.2. Actual Allocation

Activity	Food Hygiene	Food Standards
Salaries (based on hours available to work p.a.)	£139,739	£47,307
Sampling Analyst Fees	£5,000	£8,000
Training	£1,500	£2,000
<b>Total</b>	<b>£146,239</b>	<b>£57,307</b>

#### 4.3. Resource Sufficiency

The resource allocation set out above is not sufficient to complete the full range of work required to meet the Food Safety Act Code of Practice. It is necessary therefore to ensure that resources are targeted to high risk activities. The prioritised work programmes with performance targets are set out in the appendices to this document.

#### 4.4. Staff Development Plan

All officers receive a review and their allocated work and training programmes are and agreed in line with Newport City Council's Review Policy and procedure.

### 5. Quality Assessment

The Food Law Code of Practice requires authorities to maintain documented monitoring procedures.

#### 5.1. Internal Monitoring

A management system will monitor and ensure consistent inspections and the quality and nature of work carried out, to make sure as far as practicable that work is undertaken competently and to a uniform standard. Monitoring should be undertaken in accordance with this procedure.

The procedure includes measures to monitor:

- adherence to the section plans
- that priority is given to inspecting the higher risk premises
- compliance with Food Standards Agency Codes of Practice, Practice Guidance and central government guidance
- compliance with internal procedures and policies
- that inspection ratings allocated are appropriate
- that the interpretation of legislation, and action taken by officers following inspections/investigations, are consistent within the authority and with central government guidance.

The procedure is composed of three elements:

- Performance review.

- Monitoring of records and service requests.
- When appropriate - Accompanied inspections. A senior officer and inspecting officer will visit the premises at the same time, one to undertake the inspection, the other to monitor the officer's approach, judgements, thoroughness, etc. A minimum of one visit will be made with each officer during the year.

In addition to the monitoring systems describe above, the following arrangements are in place to promote quality and consistency:

- A document control system has been established to ensure that officers have access to current policies, procedures, legislation and official guidance.
- Regular Team meetings are held during which issues of interpretation and enforcement is considered.
- All files presented for formal action (caution or prosecution) are reviewed by the senior managers

## **6. Review**

### **6.1. Performance against this Service Plan**

This will be reviewed at the end of 2017/18. The feedback given will include information on levels of compliance with all aspects of the Plan, including specified performance targets and standards, and other stated outcomes.

### **6.2. Identification of any Variation in the Service Plan**

If there is a variation from the Plan this will be discussed at management meetings for action.

### **6.3. Areas for Improvement**

The service was subjected to an external audit in January 2014 by the Food Standards Agency and re-audited during 2017

An Action Plan remains in existence with a much reduced number of outstanding matters. The auditors were pleased with the response by Newport City Council

## **Appendices**

1. Food Safety Performance Measures
  - 1A Alternative Enforcement Strategy for Food Hygiene
2. Food Safety Key Plans and Projects
3. Communicable Disease Performance Measures
4. Communicable Disease Key Plans and Projects
5. Port Health Performance Measures
6. Port Health Disease Key Plans and Projects
7. Regulatory Services Commercial Standards Key Activities
8. Regulatory Services Commercial Standards Performance Management
9. Sampling Plan for 2016/17

## 1. Food Safety Performance Measures

	Indicator/Measure	What does it aim to show?	15/16 Target	15/16 Result	16/17 Target	16/17 Result	17/18 Target
4a	% of higher risk food HYGIENE premises due for inspection (A-rated premises) that were inspected	To provide data as to the percentage of primary visits the local authority has carried out to premises assessed as high risk.	n/a	n/a	100%	100%	100%
4b	% of higher risk food HYGIENE premises due for inspection (B-rated premises) that were inspected	To provide data as to the percentage of primary visits the local authority has carried out to premises assessed as high risk.	n/a	n/a	100%	100%	100%
4c	% of higher risk food HYGIENE premises due for inspection (C-rated premises) that were inspected	To provide data as to the percentage of primary visits the local authority has carried out to premises assessed as high risk.	n/a	n/a	85%	100%	85%
6	% of food businesses that are broadly compliant with food safety legal requirements as defined in the Food Safety Code of Practice.	The broad compliance score reflects standards under 3 parameters: a) premises structure b) food hygiene and safety c) (our) confidence in the management of the business	91%	95%	96%	95%	96%
7	The number and % of new food businesses inspected within 28 days of starting to trade.	Extent to which the new businesses are inspected after registering with the authority.	85%	73%	80%	80%	80%
9	The number of significant issues identified and the percentage resolved by officer intervention (with 6 month delay)	Monitoring of progress and completion of enforcement activity.	95%	100%	95%	100%	95%
10	Percentage of Notices complied with	Monitoring of progression and completion of enforcement action	94%	100%	94%	75%	94%



## Appendix 1A

### **Alternative Enforcement Strategy for Food Hygiene**

#### **Introduction**

The Food Law Code of Practice requires food authorities to follow a programme of food interventions that are applied in a risk-based manner. This allows intensive regulation to be directed at those food businesses that present the greatest risk. The authority is also required to appropriately resource their interventions programme.

In accordance with these requirements the Food Service Plan 2017-18 sets out the programme of food hygiene inspections which focuses on premises that are risk rated as A, B and C (higher risk premises). The performance measures for these premises are set out in Appendix 1.

Where food premises with a risk score of C have achieved “broad compliance” planned interventions can be alternated between inspections, partial inspections or audits and other official controls.

A proportion of C-rated premises not subject to an inspection will be subject to alternative enforcement as described below.

#### **Approach**

The following types of **broadly compliant** C’s **will** be inspected according to the usual frequencies as set out in the Food Law Code of Practice annex 5:

- Schools
- Nurseries
- Out of school clubs operating from a school (where food offered is of high risk nature)
- C-rated premises that are unable rely on a history of broad compliance of more than 2 consecutive interventions (these may be new businesses or have had varying levels of compliance)

A proportion of broadly compliant C-rated food businesses, not included in the above categories, will be targeted to receive the agreed alternative enforcement interventions in 2017-18. The proportion is set out in Appendix 1. These interventions will be alternated between other official controls and inspections/audits as described in the Food Law Code of Practice 4.1.5.2.2

#### **Aim of alternative enforcement strategy**

The aim of the approach used will be to gather targeted information on which to carry out verification on the premises including during follow up visits. This will enable a more focussed approach allowing officers to verify specific information and assess significant food safety risks.

### **Method of alternative enforcement**

Targeted questionnaires will be used to gather information from food business operators. A mixture of postal and face to face questionnaires will be used and assessed by a food officer to verify the information supplied and update the data currently held on the business in question. Follow-up verification visits will be undertaken by an authorised officer to check on the accuracy of the information supplied .This will be recorded as an official control as per the Food Law Code of Practice however no change will be made to the food hygiene rating of the business as a result of this official control.

### **Outcomes from the alternative enforcement activities**

If, during a verification visit, it is evident that the information supplied varies significantly from that supplied in the questionnaire or there are other serious food safety issues found the officer will determine whether an inspection or audit is required and make arrangements for this to be carried out without undue delay. In this case the business will receive an updated risk rating.

### **Review of the alternative enforcement strategy**

The results of the alternative enforcement interventions will be assessed after a period of three months to establish whether the approach has achieved the expected outcomes. Changes as required will be made to the approach to ensure its ongoing effectiveness.

## 2. Food Safety Key Plans and Projects

<b>Our New Key Plans and Projects for 2017-2018</b> <b>Overall responsibility – Regulatory Services Manager [Environment &amp; Community] &amp; Principal EHO (Food Safety)</b>				
<b>Lead officer Initials</b>	<b>Tasks/project</b>	<b>Description</b>	<b>Target Dates For completion</b>	<b>Outcomes and targets (SMART)</b>
<b>FTP</b>	Food Hygiene Rating (Promotion of Rating) (Wales) Regulations	Implement provisions of the new Food Hygiene Rating (Promotion of Rating) (Wales) Reg's Regulations	ongoing	Develop and implement new business processes to be able to enforce new legislation.
<b>FTP</b>	FSA Poor Performers Project Re-evaluation	Reassess businesses that participated in the 16/17 project and report on their performance 1 year on	Oct 2017	Complete report of current levels of compliance where advisory interventions have taken place.
<b>FTP</b>	Alternative Enforcement Strategies for broadly compliant C risk premises	Develop appropriate targeted and proportionate intervention strategies that comply with the Food Law Code of Practice	Sept 2017	Appropriate alternative interventions developed to apply to a proportion of broadly compliant C risk premises.
<b>FTP</b>	Poor Performing Food Businesses 17/18 Project	Deliver further targeted support to non-Broadly Compliant businesses where budgets allow	Mar 2018	Project delivered and results reported to EHM
<b>FTP</b>	Website content review and revision	Review and amend web page content to ensure user friendly and supports channel-shift objectives	ongoing	Web content to be up to date and compliant with corporate objectives

<b>FTP</b>	Customer services A to Z scripts	Review and revise all food safety / hygiene related pages of A to Z to assist customer services staff in signposting customers effectively and efficiently	June 2017	A to Z pages are up to date and in use to provide helpful signposting of enquiries.
<b>FTP</b>	Safety Advisory Group Support	Develop and implement matrix to evaluate food safety risks associated with events that follow the SAG process	July 2017	Complete the drafting and fully implement the new matrix to ensure effective use of resources in dealing with SAG events
<b>FTP</b>	Low risk food premises interventions	Identify and implement appropriate enforcement intervention strategies to apply to low risk premises (broadly compliant C, D and E risk categories)	June 2017	Apply appropriate interventions based on risk whilst complying with the legal requirements set out in the Food Safety Code of Practice.

<b>Our Key Plans and Projects Rolled forward into 2017/2018</b>				
<b>Overall responsibility – Regulatory Services Manager [Environment &amp; Community] &amp; Principal EHO (Food Safety)</b>				
<b>Lead officer Initials</b>	<b>Tasks/project</b>	<b>Description</b>	<b>Target Dates For completion</b>	<b>Outcomes and targets (SMART)</b>
ALL	Deliver food hygiene inspection programme	Ensure risk-based inspection programme of food inspections is carried out as described in Appendix 1	March 2018	All planned inspections completed
ALL	New businesses	Inspect new businesses within 28 days of starting to trade	March 2018	80% of premises inspected within 28 days of business opening
ALL	Implement an alternative enforcement strategy	Utilise the flexibilities offered under the Food Law Code of Practice to alternate interventions at appropriate businesses	March 2018	Deliver a range of interventions based on criteria set out in Alternative Enforcement Strategy (Appendix 1A)
ALL	Ensure follow through of significant non-compliance.	Revisit, and where appropriate, issue Statutory Notice /instigate legal proceeding in keeping with the food safety enforcement policy.	March 2018	All significant non compliances followed up.
ALL	Investigate where appropriate complaints which allege criminal activity	Investigate and process in accordance with enforcement policy	March 2018	All complaints investigated
Trainers	Provision of food hygiene training courses for social services care staff	Deliver food hygiene courses (Level 2 equivalent) according to agreed timetable	Monthly to March 2018	Programme of Courses delivered
ALL	Food Safety Alerts issued by the Food Standards Agency	Respond as appropriate to all alerts according to the requirements of Code of Practice Wales.	March 2018	Respond as appropriate to all alerts
PEHO	Performance Indicators	Complete performance indicator self-assessment forms as required by Internal Audit  Complete Performance Indicator Returns. (Core indicator/Public Accountability Measure/etc.) for Internal Audit and/or Welsh Government	March 2018	Self-assessment forms completed.  All Performance Indicator returns completed.

### 3. Communicable Disease Performance Measures

\*

	Indicator/Measure	What does it aim to show?	14/15 Target	14/15 Result	15/16 Target	15/16 Result	16/17 Target	16/17 Result
1	% of notifications (cases) requiring investigation that have had an initial response in 3 working days	Speed of initial response To assess the efficiency of the service	100%	99%	100%	98%	100%	99%
2	% of declared outbreaks* investigated	To provide data as to the number of outbreaks investigated	100%	N/A- None declared	100%	100%	100%	100%
3	% of communicable disease incidents# investigated	To provide data as to the number of outbreaks investigated	100%	100%	100%	100%	100%	100%
4	% of notifications investigated that are resolved within 2 months	To assess the efficiency of the service	90%	84%	90%	89%	90%	99%
5	% of investigated notifications, which are completed within 4 months	To assess the efficiency of the service	95%	89%	95%	91%	95%	99%
6	The number of significant issues identified and the % resolved by officer intervention (with 6 month delay)	Monitoring of progress and completion of enforcement activity	95%	100%	95%	100%	100%	100%

'Declared Outbreak'- formal declaration of Outbreak and convening of Outbreak Control Team (OCT)

# 'Communicable Disease Incident'- minor outbreak or cluster of disease without the formal declaration of an outbreak and the convening of an OCT

#### 4. Communicable Disease Function- Key Plans and Projects

<b>Our Key Plans and Projects Rolled forward into 2017-18</b> <b>Overall responsibility – Regulatory Services Manager [Environment &amp; Community] &amp; Principal EHO (Health &amp; Safety)</b>				
Lead officer Initials	Tasks/project	Description	Target Dates For completion	Outcomes and targets (SMART)
ALL	Investigation of infectious disease notifications	Investigate all notifications in accordance with the Notification Guidelines. ( <i>These guidelines specify which notifiable diseases the Local Authority are required to investigate and target responses. Some notifications, such as Measles, Mumps etc are not investigated by the LA</i> )	On Going	Contact made to 100% of notifications requiring further investigation Provision of advice/guidance on suitable effective control measures to prevent spread of Communicable Disease to: a) Case b) Business (if applicable) c) EH Teams
PEHO	Service Standards and Procedures	Review existing policies and procedures and revise where necessary	March 2018	Review undertaken and action plan completed  Action Plan implemented  New/revised Standards and Procedures communicated to team
ALL	Investigation of infectious disease notifications during outbreaks	Investigate all declared outbreaks and infectious disease incidents in accordance with the Communicable Disease Outbreak Control Plan for Wales	On Going	Investigate 100% notifications in accordance with the joint Health Authority and Outbreak Control Plan  Provision of advice/guidance on suitable effective control measures to prevent spread of Communicable Disease to: a) Case b) Business (if applicable) c) EH Teams  Lead Officer to be active member any formal Outbreak Control Team  Internal 'Incident Response Team' to be

<b>Our Key Plans and Projects Rolled forward into 2017-18</b> <b>Overall responsibility – Regulatory Services Manager [Environment &amp; Community] &amp; Principal EHO (Health &amp; Safety)</b>				
Lead officer Initials	Tasks/project	Description	Target Dates For completion	Outcomes and targets (SMART)
				<p>formed to co-ordinate activities of EH department during communicable disease 'incidents' or 'declared' outbreaks</p> <p>Contribute to Outbreak Control Team report findings</p>
PEHO	Lead Officer Review	Review of Lead Officer (and Deputy) roles and responsibilities within EH	<p>September 2017</p> <p>January 2018</p>	<p>Review undertaken</p> <p>Roles and responsibilities clearly defined and communicated to EH staff</p>
ALL	Development of Uniform Software	<p>Continue to develop on Uniform:</p> <p>a) Use of Infectious Disease Module</p> <p>b) Inputting of Infectious Disease notifications</p> <p>c) Correspondence logging</p> <p>d) Use of standard letters etc</p>	On Going	Notifications of communicable disease requiring further investigation by Section and actions completed inputted on Uniform
PEHO	Competence improvement and maintenance	Identify training needs from formal Reviews, legislative changes and service developments	On Going	<p>Training organised and undertaken</p> <p>Internal cascade training undertaken</p>
EHO	Competence improvement and maintenance	To be an active representative on the Lead Officer Steering Group	On Going	Attendance at Steering Group meetings to plan Lead Officer training events for upcoming year.
ALL	Communicable Disease Webpages	Website content to be revised to provide signposting to relevant guidance and information on communicable disease	On Going	<p>NCC website communicable disease website signposts to relevant individual and business support for infectious disease control</p> <p>Online report form used to obtain information from alleged food poisoning cases</p>



<b>Our New Key Plans and Projects for 2017-2018</b>				
<b>Overall responsibility – Regulatory Services Manager [Environment &amp; Community] &amp; Principal EHO (Health &amp; Safety)</b>				
<b>Lead officer Initials</b>	<b>Tasks/project</b>	<b>Description</b>	<b>Target Dates For completion</b>	<b>Outcomes and targets (SMART)</b>
ALL	Collaborative working with EH during Outbreaks	Increased resilience within EH during Outbreaks of Infectious Disease	End of December 2017	Communicable Disease outbreak simulation exercise to be held for EHO's involved in investigating cases
PEHO	Implementation of Tarian notification database	Cases of confirmed infectious disease to be notified via Tarian online database	April 2017  May 2017  On Going  On Going	Lead Officer (LO) and Admin Team to attend PHW Tarian training session  LO to cascade training to ALL Officers required to update the Tarian database  Tarian database to be updated with relevant investigation notes  Feedback provided to PHW on use of Tarian

## 5. Port Health Performance Measures

	Indicator/Measure	What does it aim to show?	14/15 Target	14/15 Result	15/16 Target	15/16 Result	16/17 Target	16/17 Result
1	% of requests for service that have had an initial response in 3 working days	Speed of initial response	100%	100%	100%	100%	100%	100%
2	% of requests for service (inc. enforcement complaints) that are resolved within 2 months	To assess the efficiency of the service	100%	100%	100%	98%	100%	99%
3	% of requests for service (inc. enforcement complaints) that are resolved 4 months	To assess the efficiency of the service	100%	100%	100%	99%	100%	99%
5	The number of significant issues identified and the percentage resolved by officer intervention (with 6 month delay)	Monitoring of progress and completion of enforcement activity.	95%	100%	100%	100%	100%	100%

## 6. Port Health Key Plans and Projects

<b>Our Key Plans and Projects Rolled Forward into 2017-18</b>				
<b>Overall responsibility – Regulatory Services Manager [Environment &amp; Community] &amp; Principal EHO (Health &amp; Safety/Port Health)</b>				
<b>Lead officer Initials</b>	<b>Tasks/project</b>	<b>Description</b>	<b>Target Dates for completion</b>	<b>Outcomes and targets (SMART)</b>
ALL	Issuing Ship Sanitation Control/Exemption Certificates	Respond to requests for SSCEC by inspecting vessels and issuing appropriate certification, taking enforcement action where necessary	On going	100% of requests visited and a certificate or extension issued
ALL	Water Sampling (on board)	Respond to requests for water samples from vessels and provide prompt feedback on results to shipping agents/ship owners, taking appropriate action in cases of poor results	On going	Action taken to improve water quality in all cases where unsatisfactory results are received
PEHO	Competence improvement and maintenance	Identify training needs from formal Reviews, legislative changes and service developments.	On going	Training organised and undertaken. Shadow visits undertaken. (1 per officer per year) Internal CPD briefings undertaken (at least 4 per year)
PEHO	Service Standards and Procedures	Review existing procedures and targets and re-establish where appropriate	End of March 2018	Review completed. Action Plan implemented and new/revised Standards and Procedures communicated to team.
LH	Vessel Movement Log	Vessel movement log completed for all vessels arriving/departing at Port of Newport	On Going	Vessel movement log completed
ALL	Routine, unannounced ship inspections undertaken	Unannounced boarding inspection of High Risk Vessels arriving at the Port of Newport and associated Wharfs	On Going	80% vessels identified as high risk vessels boarded to identify whether full inspection is required
ALL	International catering waste	Monitor arrangements in place at Port of Newport and associated Wharfs for International Catering Waste  Assess compliance with International Catering Waste requirements on every vessel inspected	On Going  On Going	International Catering Waste facilities for each Port Operator identified and waste receptacles checked on a monthly basis  Compliance assessed at 100% of vessels subject to inspection.

**Our Key Plans and Projects Rolled Forward into 2017-18**

**Overall responsibility – Regulatory Services Manager [Environment & Community] & Principal EHO (Health & Safety/Port Health)**

<b>Lead officer Initials</b>	<b>Tasks/project</b>	<b>Description</b>	<b>Target Dates for completion</b>	<b>Outcomes and targets (SMART)</b>
ALL	Port Invasive Mosquito Surveillance	Strategically placed Gravid Aedes Traps at ABP, Newport to monitor invasive Aedes species in conjunction with Public Health England	March 2018	Weekly inspection of Gravid Aedes traps at ABP, Newport  Samples submitted to Public Health England of any insects found during weekly inspection

## 7. Regulatory Services Commercial Standards Key Activities

The main key activities are:

Control Strategy Priority	Activity Description	Activity Detail	SMART Targets	Anticipated Date of Activity	Responsible Officer
Supporting Reputable Business	Primary Authority Scheme	The Section will actively pursue partnerships with businesses	Production of a plan	All Year	Matthew Cridland
Supporting Reputable Business	Business Guidance	Examine the issue of providing 'paid for advice'	Consideration of new scheme	All Year	Matthew Cridland
Health Improvement	Enforcement Partners	Build partnerships with relevant enforcement agencies; notably Gwent Police, the Licensing Team and the Community Safety Wardens	Continued membership of the ever changing relevant partnership groups	All Year	Matthew Cridland
Supporting Reputable Business	Local Business Sampling	From local producers and importers and other businesses governed by Food Standards Law and Feed Law samples will be taken; appropriate enforcement action will then be taken. This activity will be outside of the national campaigns.	Visit each high risk business at least once.	All year	Matthew Cridland
Food Chain Integrity	Food Manufacturers Process Assessments	Each Food Manufacturer will receive a process assessment on either traceability or average weight to ensure systems remain robust for the maintenance of the safety and quality of the food produced	12 Visits and a Report	All year	Matthew Cridland
Food Chain Integrity	Feed at Newport Docks	Continue enhanced Surveillance Activity for Incoming Feed at Newport Docks. Complete appropriate checks on each shipment.	Surveillance carried out in line with procedure	All year	Matthew Cridland
All Areas	WHOTS and Gwent	The Section will participate in all WHOTS and Greater Gwent TS Surveys looking at key areas	The Section will identify each survey	All year	Matthew Cridland

Control Strategy Priority	Activity Description	Activity Detail	SMART Targets	Anticipated Date of Activity	Responsible Officer
	<b>Projects</b>	of concern for Wales and Gwent	and take part		
<b>Tackling Fraudulent Trading</b>	<b>Proceeds of Crime Act</b>	The Section will use the <b>Proceeds of Crime Act</b> as an enforcement tool to all traders engaged in criminal lifestyles and other traders that fall within the remit of the Act. For each case that seems likely to result in formal activity there will be an assessment made to test whether or not a financial investigation is warranted.	Respond to each request in line with protocol	All Year	<b>Matthew Cridland</b>
<b>Health Improvement</b>	<b>Illegal Products</b>	Undertake visits to premises suspected of selling illicit tobacco and other illegal products. This work will encompass Operation Opson (Illegal Food) and Operation Jasper (Counterfeit Goods Social Media)	Visit 100 premises	All year	<b>Matthew Cridland</b>
<b>Food Chain Integrity</b>	<b>Food Fraud Audits</b>	Intelligence Led Proactive Interventions highlighting specific areas of food law compliance that lends itself to food fraud	Produce a project plan and deliver the project	Quarter 3	<b>Matthew Cridland</b>
<b>Food Chain Integrity</b>	<b>Fast Food Compliance Survey</b>	Sampling at fast food take away establishments will be undertaken in relation to: <ul style="list-style-type: none"> <li>Allergens in Chinese Takeaways (presence of egg in special fried rice dishes).</li> <li>Colours in Indian Takeaways (presence/levels of colours (Ponceau 4R and Sunset Yellow) in sauces).</li> <li>Speciation - British Takeaway dishes (fish).</li> <li>Analogue Cheese – Kebab shops serving Takeaway Pizzas</li> </ul>	Visit 40 premises	Quarter 3	<b>Matthew Cridland</b>

Control Strategy Priority	Activity Description	Activity Detail	SMART Targets	Anticipated Date of Activity	Responsible Officer
Food Chain Integrity	Spirit Authenticity Sampling	Sampling of vodka for authenticity/substitution at on-licence/off-licence premises as appropriate.	Visit 12 premises	Quarter 4	Matthew Cridland
Food Chain Integrity	Imported Feed Surveillance	Using FSA Funding to carry out imported feed sampling	Complete the sampling programme	All year	Matthew Cridland
All areas	Media Opportunities	The Section will fully utilise <b>media opportunities</b> to ensure that the messages from the Section are put into the public domain; this activity would include; deterrent messages where traders have been prosecuted; precautionary stories where consumers have been disadvantaged by a trader; stories about the good work of the officers; and messages to educate the trade and consumers.	The Section will seek to increase the media messages and endeavour to ensure 25 releases are covered in the media	All Year	Matthew Cridland
All areas	Database	The Section will look to ways to improve its use of databases to support the work of the Section	On-going work	All Year	Matthew Cridland
All areas	NCC Web Site	The Section will continue its improvement of the corporate <b>web site</b> and will use it as a method to provide a portal of help and guidance to citizens and businesses and a method of promotion of the good work of the Section's officers.	Two Reviews to occur during the year.	All Year	Matthew Cridland
All areas	Regional Enforcement Projects	The Section will fully participate in the <b>regional enforcement</b> initiatives such as the Wales Illegal Money Lending Unit and the Scam Busters Team. Wherever there are regional enforcement jobs recognised by the Section a request for regional assistance will be submitted.	On-going work	All Year	Matthew Cridland
All areas	Intelligence Operating Model	The Section will seek compliance with the IOM	Carry out Audit of compliance by Christmas	All Year	Matthew Cridland

Control Strategy Priority	Activity Description	Activity Detail	SMART Targets	Anticipated Date of Activity	Responsible Officer
Food Chain	Food and Feed Competency Requirement	Food Standards and Feeding Stuffs Enforcement require competent officers to satisfy statutory competency requirements; the levels of training will be monitored and controlled	Each Food and Feed Officer to receive training as set out in Codes	All Year	Matthew Cridland
Food Chain and Fair and Safe Trading	FSA, section 70 NMO and Hallmarking Return	There are statutory returns required from the Food Standards Agency, the National Measurement Office and the Assay Office regarding their spheres of interest. The Section will ensure that these returns are sent to these agencies promptly.	Timely submission of returns	Various dates	Matthew Cridland
Food Chain	National Sampling Database	The Section will ensure that its procedures for the recording of food samples that are intended for analysis are compliant with the UKFSS <b>National Sampling Database Procedure</b> and that samples are recorded in this manner	All food samples that are sent to the Public Analyst are uploaded onto the <b>National Sampling Database</b>	All Year	Lindsay Horth

#### 8. Regulatory Services Commercial Standards Performance Management

Name of Indicator	2013-2014	2014-2015	2015-2016	2016-2017	2017-2018
Percentage of high risk businesses inspected	100%	100%	100%	100%	100%



## **9. Sampling Plan for 2017/18**

### **Objective**

The objective of this sampling programme is to ensure that food businesses are compliant with the relevant requirements that apply to them with regards to food. We will primarily be sampling for compositional compliance chemical contaminants or for undesirable substances. Sampling will prioritise food produced in Newport

### **Food Standards**

- The Section will take samples from its 'Home/Primary Authority' businesses during key visits
- The Section will participate in the various projects of the regional groups; where sampling is required there will be full participation
- The Section will take samples for fish speciation
- The Section will take samples for allergens in Chinese Takeaways
- The Section will take samples for non-permitted colours in Indian Takeaways
- The Section will take samples for analogue cheese at kebab shops serving Takeaway pizzas
- The Section will take samples of vodka for authenticity/substitution at on-licence/off-licence premises
- The Section will take samples for labelling compliance

### **Budget**

£8,000

### **Public Analyst**

The Public Analyst that will be used for conducting the formal and informal samples procured during the course of the year will be decided depending upon the test required but generally will be Alistair Low. The details on samples taken will be inputted using UK FSS.