



# **Food Service Plan 2021-2022**

## **1.0 Introduction**

Broxtowe Borough Council (the Council) is committed to ensuring that food produced, sold or consumed in the district is safe to eat and does not pose a risk to public health.

This Food Service Plan sets out how the Council will deliver the elements of food safety and hygiene for which the Council has enforcement responsibility.

The requirement to have a Food Service Plan is laid down by the Food Standards Agency (FSA) in its Framework Agreement on Local Authority Food Law Enforcement. The FSA was established in April 2000 as an independent monitoring and advisory body and is the central competent authority responsible for food safety in the UK.

2020-2021 was an unprecedented year. All of the food safety team were involved in the COVID-19 pandemic response. The closure of many businesses and the adaptation of businesses to work in different ways significantly impacted the food safety interventions carried out. The guidance produced by the Food Standards Agency in prioritising interventions during this time was implemented as appropriate. It was not possible to record every intervention carried out by the various teams, but at every restriction change relevant businesses were contacted and where information about new businesses or changes in how a business operated (e.g. to takeaway) was available, contact was made and advice was issued. Investigations into workplace and community cases of COVID 19, supporting contact tracing, participation in outbreak management teams, daily outbreak cells and other daily emergency planning cells such as the excess deaths cell at the height of the pandemic, enforcement of the rules on businesses closures and the increase in complaints dealt with by the wider team – such as noise, bonfires etc. affecting people staying at home placed additional demands on the service.

## **2.0 Food Safety Service Aims and Objectives**

### **2.1 Aim**

To maintain, and where possible improve, the health and wellbeing of residents and visitors to the borough of Broxtowe and the success of local food businesses by ensuring the safe production, processing, handling, storage, distribution and sale of food in the district.

### **2.2 Objectives**

- To meet the standard set out in the Framework Agreement issued by the Food Standards Agency
- To ensure that food is safe to eat and free from extraneous matter

- To keep accurate records of all food enforcement activities and maintain an accurate register of food businesses in the district
- To carry out food hygiene interventions in accordance with the minimum inspection frequencies and to standards determined by the Food Standards Agency
- To encourage standards of hygiene higher than the minimum acceptable in law
- To increase the knowledge of food handlers and the general public about the principles and practice of food hygiene
- To deal with food alerts in accordance with Food Standards Agency guidance
- To investigate complaints relating to food premises or food sold in the borough of Broxtowe
- To investigate notified cases of food and water borne illness and take effective action to control the spread of infection
- To sample and risk-assess private water supplies
- To effectively and efficiently meet the needs of the public and businesses using our service and to respond positively to challenges
- To respond to planning and licensing consultations as a statutory consultee.
- To support and promote schemes and initiatives which improve the health of customers of food businesses (e.g. Healthy Options Takeaway (HOT))
- To undertake surveillance, inspection and sampling of foods and food contact materials including imported food
- To provide appropriate responses to public health emergencies

### 3.0 Links to Broxtowe's Corporate Plan

The Council's priorities are detailed in the Corporate Plan 2020-24

The Food Service Plan accords with the Council's Vision which is: *"A greener, safer healthier Broxtowe where everyone prospers"*

The Food Service Plan contributes directly to the Business Growth and Health priorities in the Corporate Plan which are: *"Invest in our towns and our people"* and *"Support people to live well."*

## **4.0 Organisation structure and staffing**

The food safety service is currently contained in the Environmental Health section within the Public Protection Division. All officers and the service are directly managed by the Chief Environmental Health Officer resulting in a flat management structure. The Chief Environmental Health Officer currently reports to the Head of Public Protection, and following a restructure in 2021/22 will report directly to the Chief Executive. The Environmental Health remit also includes environmental protection, animal and skin piercing licensing and registrations and private sector housing, and the Licensing function comes under the Chief Environmental Health Officer's management

The establishment provides for seven suitably qualified officers who are able to undertake food safety, occupational health and safety, licensing, registrations, private water supply and infectious disease investigation duties. This comprises of the Chief Environmental Health Officer, five Environmental Health Officers (including one-part time officer) and one part-time Environmental Health Technical Officer (who is qualified to the Higher Certificate in Food and Food Premises Inspection standard).

There is currently a vacancy for a full time Environmental Health Officer which will be recruited to in 2021/2022 after a review of the team has taken place.

Administration support is provided by another department which also supports other teams. In 2020/21 the staffing allocation equated to 3.4 Full Time Equivalent (FTE) for food safety duties.

In 2020/2021 all of the food team were involved in the COVID 19 pandemic response. Liaison with other partners (County Council Trading Standards, Public Health in the City and County, Nottinghamshire Police and the Health and Safety Executive, Local Resilience Forums) took place specifically in relation to the emerging issues and enforcement of restrictions. Additional Staff in the form of COVID marshals were directly managed by the Environmental Health Team. Additional authority resource including in case identification and management, communications, emergency planning responses including the humanitarian response, licensing resource, environmental protection resource and the COVID information officers employed by Town Centre team is not included and additional to the above.

## **5.0 Staff Development and Competency**

All officers are subject to regular appraisal and participation in competency assessments and authorisation frameworks for the relevant service areas. Specific Continuing Professional Development (CPD) requirements as required by the Food Law Code of Practice, membership of the Chartered Institute of Environmental

Health or equivalent professional bodies are also adhered to. It is essential that Officers are up to date in legislation and enforcement issues and the service utilises free and low cost training courses available in addition to completing specific job training as required and utilising tools such as the Regulators Development Needs Assessment (RDNA) and cascade training through the team as appropriate.

The Environmental Health section is responsible for all aspects of food hygiene and safety, private water supplies and infectious disease control, as well as a wide range of other duties including occupational health and safety, animal activity licensing and the registration of skin piercing activities.

In terms of food safety services, responsibilities include:

- Inspection of food premises in accordance with the Food Law Code of Practice
- Registration of food businesses
- Approval and inspection of businesses producing foods of animal origin
- Investigation of complaints about food and hygiene at food premises
- Promotion of documented food safety systems
- Promotion of the National Food Hygiene Rating Scheme
- Sampling of food for microbiological examination
- Investigation of food borne infection
- Investigation of food poisoning outbreaks
- Imported food control
- Sampling
- Food alerts (food hazard warnings)
- Provision of advice and guidance including participation in events that promote food safety and supporting new and proposed food businesses
- Food hygiene training courses

As part of the provision of a complete service, the section works in conjunction with the following partner organisations:

- The Food Standards Agency
- Department for Environment Food and Rural Affairs (DEFRA)
- The Health and Safety Executive
- Public Health England
- Other local authorities including Trading Standards as appropriate
- Public Analyst

The Council is also represented on the following working groups:

- Nottinghamshire Food Liaison Group
- Nottinghamshire Food Sampling group
- Nottinghamshire Licensing and Registration Sub Group
- Nottinghamshire Health and Safety Group
- Infection Liaison Committee

- Nottinghamshire Regulatory Managers Group
- Health Protection Strategy Group
- Local Health Resilience Forum
- Midland Health and Safety Group
- East Midlands Work Related Deaths Forum

These groups also contribute to wider regional and national working groups.

This year the Council were actively involved in developing Nottinghamshire wide Incident Management Plans for specific sectors during the COVID 19 pandemic as well as local, regional and national forums to ensure co-ordinated and consistent enforcement of the Lockdown legislation as well as participating in local emergency planning cells such as the excess deaths cell, additional police liaison and the LRF activities.

## 6.0 Enforcement Protocol

The enforcement protocol has been approved by the Council and reflects the intention of the service to meet the requirements of criminal investigation laws and the Regulators Compliance Code.

## 7.0 Demands on the Food Service

The following paragraphs outline the various demands on the service.

### 7.1 Number of Premises

As at 31 March 2021, there were 974 food premises on the Broxtowe food data base. The table below shows the number of each type of food business in each category.

Premises category	Total number of premises in category
<b>Producers</b>	1
<b>Manufacturers/Packers</b>	23
<b>Importers</b>	3
<b>Distributors</b>	6
<b>Retailers</b>	222
<b>Restaurants and Caterers</b>	719
	974

### 7.2 Interventions at Food Establishments

The Council uses the Food Hygiene Intervention Rating Scheme as detailed in the Brand Standard for the National Food Hygiene Rating Scheme and the Food Law Code of Practice to determine the frequency that food premises should be inspected. This ensures that all premises are inspected at an appropriate minimum interval determined by their individual risk rating. The risk rating is based on the nature of

food handling undertaken, the level of compliance with legal requirements and confidence in food safety management systems. The minimum frequency varies from six monthly to three years depending on the assessed risk category.

Additional interventions and officer time are directed at those businesses which fail to meet basic compliance with food safety. Ratings of businesses meeting the criteria contained in the Brand Standard are published on the Broxtowe and Food Standards Agency websites as part of the National Food Hygiene Rating scheme.

As at 31 March 2021, the breakdown of food businesses by category in the district was as follows:

<b>Priority</b>	<b>Premises category</b>	<b>Premises Score</b>	<b>Frequency of Inspection</b>	<b>Total number of Premises in Category</b>
<b>A</b>	<b>High</b>	92 or higher	6 months	7
<b>B</b>	<b>High</b>	72 to 91	12 months	55
<b>C</b>	<b>High</b>	52 to 71	18 months	170
<b>D</b>	<b>Low</b>	31 to 51	24 months	272
<b>E</b>	<b>Low</b>	0 to 30	Alternative Interventions (36 months)	327
<b>Unrated</b>	<b>Other</b>		New premises within 28 days of registration	124
<b>Outside Programme</b>	<b>Other</b>			19
<b>Total</b>				974

A specific database is used to generate and record interventions. This database is also used to extract data to upload to the national Food Hygiene Rating Scheme website, the Local Authority Enforcement Monitoring System (LAEMS) annual data return to the FSA, the Health and Safety Executive/Local Authority Enforcement Liaison Committee (HELA) return to the Health and Safety Executive (HSE) and other statutory returns (e.g. Drinking Water returns to DEFRA)

The premises score includes weightings for complex processes, type of food handled, number of consumers, vulnerable groups, condition of the structure of the premises and confidence in management etc. Category A premises are usually manufacturers or premises with a poor compliance history. Category E premises are usually retailers of packaged ambient food or wet sales pubs etc.

Inspections with a Hygiene Rating of 0, 1 and 2 (on a scale of 0 - Requires Urgent Improvement to 5 – Very Good) and businesses in categories A and B usually generate a revisit. Additional revisits are generated at the request of the food business operator to review their food hygiene rating, where there are customer complaints, for new business start-ups and where major alterations or refurbishments are planned.

### **7.3 Food and Water Sampling**

Sampling of food, including imported food, water, and materials in contact with food is carried out as part of a county, regional and national sampling programme. Food samples for microbiological examination are sent to the Public Health Laboratory at York. Other food samples and private water supplies are sent to the Public Analyst in Leeds. Reduced sampling was carried out in 2020-21, partly due to laboratory capacity in dealing with the COVID 19 response and partly due to the fact many food businesses were not accessible due to business closure restrictions.

### **7.4 Control and Investigation of outbreaks and infectious diseases related to food, water, travel or recreational activities and COVID 19.**

The service has a policy to investigate any suspected cases of infectious disease to minimise spread of infection. A matrix exists regarding the cases to be investigated and liaison takes place with Public Health England (PHE). Samples are currently sent to the laboratory at Birmingham for analysis.

### **7.5 Food Safety Alerts, Product Recall Information and Allergy Alerts.**

The policy of this service is to respond appropriately to food alerts and intelligence, to investigate food safety incidents and generate food alerts as necessary in accordance with the requirements of the Food Safety Code of Practice and associated Practice Guidance.

### **7.6 Health and Food Safety Education and Promotion**

The service participates, where resources permit, in targeted local and national activities and interventions. 100's of contacts were carried out at the various legislative step changes to advise businesses of requirements and support compliance. Over the course of the pandemic contact with businesses has been made by letter, email, telephone calls and visits and social media communications from wider teams.

## **8.0 Service Data for 2020/2021**

### **8.1 Food Hygiene Interventions in 2020/2021**

Interventions undertaken (by category of premises). Please note these relate to proactive inspections. Other interventions to food businesses such as talking through changes in business operation or remote review and assessment of food safety controls and contacting businesses that changed operating models – for example to



takeaway. Hundreds of visits were co-ordinated across different teams and authorities to assess businesses and review risk – both for food safety and wider COVID controls. All higher risk businesses that were due an intervention were contacted to discuss controls and practices. All newly registered food businesses were contacted to discuss proposals, documentation and controls in place. Interventions including review of documentation submitted by the business and photographs of layout and equipment were also used to give targeted advice.

<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>Unrated</b>	<b>TOTAL</b>	<b>Other Wider Interventions</b>
<b>0</b>	<b>3</b>	<b>7</b>	<b>0</b>	<b>1</b>	<b>24</b>	<b>35</b>	<b>580</b>

## 8.2 Number of revisits in 2020/2021

17 revisits

## 8.3 Requests for Service 2020/2021

Requests for service include concerns regarding the condition of the premises, or food with microbiological or physical contamination. In addition to the logged queries about starting businesses from home and changes in food preparation activities from existing premises we have seen an increase in the request for food export certificates for a local business who exports food products worldwide.

<b>Hygiene of Premises</b>	<b>Food Complaints</b>	<b>Other Food Related Enquiries</b>
<b>44</b>	<b>31</b>	<b>242</b>

## 8.4 Enforcement Action (Premises) 2020/2021

<b>Informal Warnings/emails</b>	<b>More than 600</b>
<b>Improvement Notices</b>	<b>0</b>
<b>Hygiene Emergency Prohibition Notices</b>	<b>0</b>
<b>Hygiene Emergency Prohibition Orders</b>	<b>0</b>
<b>Voluntary Closure</b>	<b>0</b>
<b>Seizure, Detention, Voluntary surrender of food</b>	<b>0</b>
<b>Simple Cautions</b>	<b>0</b>
<b>Prosecutions</b>	<b>0</b>

Hygiene Emergency Prohibition Notices are served where an imminent risk of injury to health has been identified and action is required to stop a food business or process from operating. Any notices served must be followed by an application to the Magistrates' Court within three working days for an Order confirming such action.

Additional informal warnings and fixed penalties were served in respect of breaches of the Coronavirus restrictions legislation. The fixed penalties were on close contact services (barbers) for continuing to carry out front of face treatments during the local plus restrictions. Additional action including applying for a Direction under public health legislation to close a premises (public house) that was not trading safely, ultimately resulting in a review of the Licence and associated community protection warnings and notices and health and safety improvement notices for related activities also took place. Over 400 service requests relating to restrictions in relation to non-food premises were dealt with. Joint working protocols with the Police, Nottinghamshire County Council Trading Standards and neighbouring authorities were adapted to deal with the additional enforcement and monitoring requirements. The HSE Spot check service was also utilised to target interventions into premises and specifically review COVID safety measures.

### 8.5 Food and Water Sampling

64 food and water samples were taken in 2021/2021

Type of sample	Number taken
Prepared/Ready to eat dishes including salads and herbs	44
Bakery Products – Flour and Cereal	1
Swabs – surfaces or equipment or materials in contact with food	19
<b>Total</b>	<b>64</b>

Samples included food which was manufactured at one of our approved premises and some imported food. The sampling programme included products identified through national and regional studies. Some adverse sampling results – including meat products and STEC in imported flour were identified and followed up with revisits, re-sampling or notification to the Food Standards agency for further action as appropriate.

### 8.6 Control and Investigation of outbreaks and infectious diseases related to food, water, travel or recreational activities in 2019/2020

28 reports of suspected or confirmed cases of infectious disease were notified to the service in 2020/2021 which required investigation.

Cases investigated comprised of salmonella, giardia, cryptosporidium, listeria, norovirus and suspected illness following consumption of food and water. An outbreak of *Clostridium perfringens* resulting in hospitalisation of a customer linked to takeaway meals from a local pub and prepared at a local butcher was investigated resulting outbreak control meetings with PHE and additional personal and premises sampling.

In 2020-21 the team supported the COVID 19 pandemic response. This included contact tracing, particularly related to workplace settings, high risk persons through occupation and venues where cases were later identified of having visited. Where outbreaks were identified relating to settings in the Borough, Outbreak Management Teams were put in place – sometimes daily to identify measures required to stop the spread of the disease.

### **8.7 Food Safety Education and Promotion in 2019/2020**

The service participated in targeted local and national activities and interventions and the Healthy Options Takeaway (HOT) initiative with the 250<sup>th</sup> business in the scheme being based in Broxtowe Borough. The Council participated in proactive and targeted promotion of good hygiene practice and social distancing rules and changes in business operations resulting from COVID 19 and subsequent business restrictions.

## **9.0 Performance Monitoring**

9.1 The Food Service aspect of Environmental Health has a number of performance indicators which are monitored as part of the Community Safety Business Plan.

These are:

- Food Inspections – High Risk - Inspect all businesses due for inspection in accordance with a pre-planned programme based on risk. Target 100%
- Food Inspections – Low Risk - Inspect all businesses due for inspection in accordance with a pre-planned programme based on risk. Target 100%
- Food - Respond to specific complaints about practices procedures and conditions which may prejudice health in the short term within one working day of receipt, and non-urgent complaints / general requests for advice within five working days of receipt. Target 100%
- Infectious Disease - Respond to notifications within one working day and requests for advice and information as soon as practicable within five working days of receipt. Target 100%
- Satisfaction of businesses with local authority regulation service. Target 100%

Performance information in respect of these indicators for the last three years is given below.

## 9.2 Food Inspections 2020/2021

Category	Number of inspections due 2020/2021 (1)	No of inspections undertaken (2)	Percentage completion
A	16	0	0%
B	57	3	5%
C	129	7	1%
<b>Total High Risk</b>	<b>202</b>	<b>10</b>	<b>5%</b>
D	94	0	0%
E	184	1	0.5%
<b>Total Low Risk</b>	<b>278</b>	<b>1</b>	<b>0.4%</b>
<b>Uncategorised</b>	<b>33</b>	<b>24</b>	

1. This did not include the small number of premises previously carried forward and not physically inspected by the previous year end T = 16 premises which had not been accessible due to the first Lockdown.

2. All interventions carried out were in accordance with Food Standards Agency Guidance following lockdown due to COVID 19. Many premises could not be accessed because they were temporarily closed or restricting visitors – e.g. the B rated care homes. An intervention took place with any of these premises which were still operational even if this was not a full physical inspection.

Additional interventions were also carried out to any premises which varied its operating practices during the pandemic response to ensure they were operating in accordance with the Emergency Regulations and safe operating guidance for takeaways and social distancing rules.

In addition, 24 inspections of previously unrated premises were undertaken. Many new food premises registrations were received during Lockdown, particularly of groups providing food that had not done so previously and food operations being undertaken at domestic premises whilst people were home based. Physical inspections were only undertaken at premises where intelligence suggested a high residual risk. Every newly registered premises received an intervention which as a minimum signposted to relevant information and confirmation of operating procedures.

**2013/2014, 2014/15, 2015/16, 2016/17, 2017/18, 2018/19, 2019/2020, 2020-2021**

Year	Percentage of High Risk Inspections Completed	Percentage of Low Risk Inspections Completed
2013/14	91%	46%
2014/15	89%	34%

2015/16	82%	34%
2016/17	88%	61%
2017/18	100%	97%
2018/19	100%	69%
2019/2020	98%	96%
2020/2021	5%	0.5%

### 9.3 Response to Service Requests within Target Times

Service Type	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/2020	2020/2021
Food Safety	98%	96%	98%	99%	98%	97%	97%	97%
Infectious Disease Notifications	87%	100%	100%	84%	100%	91%	100%	100%
Consultations	93%	95%	95%	98%	97%	95%	94%	93%

Food safety service requests significantly increased due to the pandemic resulting in a reduced response times in some cases, though all service requests were assessed and prioritised to ensure urgent enquiries were dealt with more quickly.

## 10.0 Proposed Inspection Programme 2021/2022 (May Be Revised)

Local Authorities are currently in discussion with the Food Standards Agency about how to tackle the backlog of overdue inspections. Additional guidance on dealing with overdue inspections is expected in the summer. Where inspections have been missed – for example the A's which should have been inspected twice each last year, these cannot be pulled back.

Due to the maximum intervention frequency being 3 years and that most of last year's programme was not complete, this means that nearly all of the food premises in the Borough will require intervention this financial year. Some premises will still not be fully operational until later stages in the Lockdown easing affecting when they can be accessed for physical inspection. Practical considerations of sites to ensure social distancing during interventions will be needed. Inspections will need to continue to prioritise the higher risk premises and activities, operations we have intelligence for and poorer performers to minimise risk to consumers.

<b>Priority</b>	<b>Premises category</b>	<b>Total number of Premises in Category</b>	<b>Inspections due 2021/2022</b>	<b>Overdue Inspections Carried forward</b>
<b>A</b>	High	7	<b>14</b>	0* all due again
<b>B</b>	High	55	<b>55</b>	0* all due again
<b>C</b>	High	170	<b>43</b>	<b>122</b>
<b>D</b>	Low	272	<b>178</b>	<b>94</b>
<b>E</b>	Low	327	<b>68</b>	<b>183</b>
<b>Unrated</b>	Other	124	<b>124</b>	
<b>Total</b>		955	<b>485</b>	<b>399</b>
<b>Outside Programme</b>	Other	19	<b>0</b>	
<b>Total including Outside Programme and Carried Forward</b>			<b>884</b>	

There has been a significant number of new business premises registrations being submitted to the Council and which require intervention within 28 days.

## 11.0 Issues for 2021/2022

- The COVID 19 situation affected the completion of the proactive inspection programme and will continue to have a significant impact on the delivery of programmed interventions. Alternative contact and review of practices and procedures was undertaken at these premises instead in line with the direction of the Food Standards Agency.
- Restricted access and trading of some of the premises requiring programmed inspections will continue to be the case into 2021
- The backlog of inspections will need to be managed and addressed in risk based way. Use of alternative interventions, contractors to complete food hygiene interventions and implementation of new inspection priorities will be considered. On-going response to the pandemic will be required.
- To ensure implementation of the Food Standards Agency 'Regulating Our Futures' programme to modernise food safety enforcement and ensure it is sustainable for the future
- To continue to monitor the resource provided to food safety enforcement to ensure it is adequate to meet the demands of the service, including new food business interventions in a timely manner. To review the structure of the team and initiate recruitment to fill the

vacant post. To consider the use of a contractor in the short and medium term to reduce the backlog of interventions.

- To continue to provide effective food and registration interventions prioritising high-risk and non-compliant premises
- To continue to carry out follow up interventions to 0,1 and 2 rated premises to secure improvements
- To continue to provide a competent team to deal with these areas of service delivery
- To continue to use the full range of enforcement tools available to protect the safety, health and welfare of visitors, residents and workers within the borough and to support compliant businesses
- To continue to promote the HOT (Healthy Options Takeaway) Award
- To continue to participate in the National Food Hygiene Rating Scheme
- To continue to implement changes to animal licensing activities.
- To reconsider whether charges for Food hygiene re-visits to review food hygiene ratings should be introduced.
- To continue to support businesses importing and exporting food products.

## **12.0 Identification of variation from the Service Plan**

Failure to complete the food hygiene inspection programme due to the COVID 19 pandemic response – though revised guidance on interventions issued by the Food Standards Agency was followed. Managing the backlog whilst continuing to deal and enforce the Step changes of Lockdown easing will be a challenge in 2021/2022.

A large number of new premises registrations (over 100 per year) have been received which require on-going intervention. Resource must be continued to be allocated to monitoring premises with a Food Hygiene Rating of 0, 1 or 2 to ensure improvements in standards is achieved.

Animal Licensing continues to be resource intensive, implementing the new legislation and assessing premises which may now require licensing.

We continue to participate in the Nottinghamshire Healthy Options Takeaway Scheme.

Continued priority of reactive work and occupational safety interventions is also necessary.

### **13. Further Information**

Local Authority food enforcement statistics are published at

<https://data.food.gov.uk/catalog/datasets/069c7353-4fdd-4b4f-9c13-ec525753fb2c>

There will be no requirement to submit a full return for 2020/2021 with information on outstanding interventions and premises profiles being submitted by authorities to determine the future priorities in dealing with the backlog of interventions built up during the COVID 19 pandemic. Further guidance is expected from the FSA in the summer of 2021 in respect of targeting future work.