

London Borough of Enfield

Portfolio Report

Report of: Doug Wilkinson – Director of Environment and Operational Services

Subject: Approval of the Food Service Plan 2022/23

Cabinet Member: Cllr Susan Erbil

Executive Director: Sarah Cary – Executive Director Place

Ward: All wards

Key Decision: KD 5475

Purpose of Report

1. The Food Standards Agency Framework Agreement on Official Feed and Food Controls by Local Authorities (The Framework Agreement) sets out mandatory guidance on Local Authority Food Safety performance and service planning. It recommends that the Food Service Plan be submitted annually to Members for approval.

Proposal(s)

2. Recommendation that the Cabinet Member agree the Food Service Plan 2022/23 (Appendix c)

Reason for Proposal(s)

3. It is a statutory requirement to produce an annual food service plan for Member approval.

Relevance to the Council Plan

4. The Consumer Protection Team directly contribute to two of the three priorities identified in, "A lifetime of opportunities for everyone – Enfield Council Plan 2020-2022."

Safe, healthy and confident communities

- The service is committed to ensuring that all food stored, manufactured and/or sold within the Borough is safe and without risk to health.
- Through the work that the team deliver they empower consumers to make informed choices in relation to the food they purchase and consume through the promotion of the Food Standards Agency Food Hygiene Ratings Scheme.

An economy that works for everyone

- The Team is dedicated to working with businesses and partners to create a fair and equitable trading environment and to ensure the safe storage, manufacture, production, and sale of food. Thereby ensuring the protection of public health through the absence of food borne disease and/or food adulteration/fraud.
- The Team support businesses through a variety of education, advice, and targeted enforcement. Enforcement is applied having regard to the Council's enforcement policy. Legally compliant businesses will grow, develop, and provide economic benefits that will hopefully result in increased employment of local residents.

Background

5. The delivery of these functions is the responsibility of food officers within the Consumer Protection and Waste Enforcement Team.
6. The team are responsible for the delivery of several statutory duties including food hygiene, food standards, health and safety, infectious disease control, food sampling, water quality, animal feeding-stuffs and animal health. The work is varied and involves undertaking inspections; investigating complaints; accidents and enforcement action which includes the service of formal notices and or instigation of legal proceedings.
7. The team will aim to achieve 100% of the high-risk inspection programme for food hygiene categories A to C and food standards category A. However, in recognition of the impact of the covid pandemic on Food Safety teams, the Food Standards Agency (FSA) developed a Recovery Plan to be delivered over a period from July 2021 to 2023/2024.
8. This FSA recovery plan aims to ensure that during the period of recovery from the impact of COVID-19, local authority resources are targeted where they add greatest value in providing safeguards for public health and consumer protection in relation to food. It also aims to safeguard the credibility of the Food Hygiene Rating Scheme (FHRS).
9. Enfield's Food Service Plan 2022/23 (Appendix C) reflects the FSA Recovery Plan.

Main Considerations for the Council

10. The submission of the annual Food Service Plan for appropriate Member approval is a recommendation of the Framework Agreement on Local Authority Food Law Enforcement issued by the Food Standards Agency pursuant to the Food Standards Act 1999. Once approved, the plan will form the basis on which the Council delivers its statutory functions.

11. The Authority will adhere to the FSA Recovery Plan (July 2021 to 2023/24) which provides a framework for re-starting the delivery system in line with the Code of Practice for new food establishments and for higher risk and/or non-compliant establishments. The Plan provides flexibility for lower risk establishments.

12. We will ensure that we achieve the deadlines set out in the FSA recovery plan for the inspection of overdue food hygiene and food standards inspections.

- **Food Hygiene (inspections to ensure food businesses operate effective food safety management procedures, that food is safe and hygienically handled)**

Cat A = Inspect all due in financial year

Cat B = Inspect all overdue by 30/6/22

Cat C = Inspect all overdue and non-compliant by 30/9/22

Cat D= Inspect all non-compliant by 31/12/22

- **Food Standards (inspections to establish whether legal requirements covering quality, composition, labelling, presentation and advertising of food are being met)**

Cat A = Inspect all overdue by 30/6/22

13. The most significant ongoing risk to the resources required to deliver the FSA Recovery Plan and Enfield's Food Service Plan 2022/23 is staffing. There is significant shortfall in the marketplace for trained and competent food officers. Should a member of staff leave this will have an impact on the delivery of the plan. Recruitment into any vacant post is likely, based on previous experience, to be difficult.

14. Other service pressures, if realised, may include unforeseen major incidents (e.g., Covid or other infectious disease outbreaks); major food alerts/incidents; major health and safety accidents/incidents. These risks are moderately likely to occur, and the work programme and staffing will be adjusted to deal with such emergencies if they arise.

Safeguarding Implications

15. None

Public Health Implications

16. The work of the Food Safety Team contributes significantly towards the health of Enfield's residents and visitors. The Food team inspect businesses to ensure that food is prepared safely through a managed programme of risk rated inspections and investigation of complaints that may arise. This protects public health through prevention of food poisoning incidents and outbreaks.
17. Where possible the food team also undertake activities, for example the London wide Healthier Catering Commitment, to improve the nutritional quality of food offered for sale to help address obesity and cardiovascular disease.

Equalities Impact of the Proposal

18. An Equalities Impact Assessment is included in the report at Appendix F.

Environmental and Climate Change Considerations

19. The primary carbon emissions impact of the proposal is in respect of the use of private vehicles for work business. Actions in the Council's Climate Action Plan should address this over time, including supporting the transition to electric vehicles for essential users, as well as work to review the approach to staff mileage claims.
20. This report does not cover the carbon impact on food production.

Risks that may arise if the proposed decision and related work is not taken

21. Audit/intervention by the Food Standards Agency and risk to public health through unregulated food businesses.

Risks that may arise if the proposed decision is taken and actions that will be taken to manage these risks

22. The main risk is maintaining adequate resources to deliver the food inspection programme especially should there be any future need to resume to contact tracing for Covid 19.

Financial Implications

23. This report seeks to agree the Food Service Plan 2022/23, which meets the mandatory guidance on Local Authority Food Safety performance and service planning. These costs will be met from the existing Food Safety Team budget (£378 Expenditure, £13K income making a £365K net budget).

Legal Implications

24. The submission of the annual Food Service Plan for appropriate Member approval is a recommendation of the Framework Agreement on Local Authority Food Law Enforcement issued by the Food Standards Agency

pursuant to the Food Standards Act 1999. Once approved the plan will form the basis on which the Council carries out food safety services.

Workforce Implications

25. There are no additional workforce requirements. The service is delivered by the existing staff.

Property Implications

26. There are no property implications.

Other Implications

27. None

Options Considered

28. Not applicable. It is a statutory requirement to deliver a food safety Service.

Conclusions

29. Deliver the food safety programme as detailed in Appendix C.

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Date of report 6/6/22

Appendices

- Appendix A - E: 2022/2023 Framework Agreement
- Appendix F: Equalities Impact Assessment

Background Papers

The following documents have been relied on in the preparation of this report:

None.