



Appendix 1

LONDON BOROUGH OF TOWER HAMLETS

FOOD LAW ENFORCEMENT SERVICE PLAN

2010/2011

CONTENTS

	Executive Summary
1.0	Service Aims and Objectives
2.0	Background
3.0	Service Delivery
4.0	Resources
5.0	Quality Assessment
6.0	Review
7.0	Annexes

Executive Summary

This is the Council's mandatory annual plan for the effective enforcement of food safety legislation. This plan fulfils the Council's obligations under the Framework Agreement on Local Authority Food Law Enforcement with the Food Standards Agency (FSA). The objective of this plan is to ensure that a programme of food enforcement activity is carried out, providing public confidence that food is produced without risk and sold under hygienic and safe conditions in Tower Hamlets. This plan is a public document and will be publicised on the Council's website.

The plan sets out the aims and objectives of the Environmental Health Commercial Team and links team priorities to the Council's core themes. The plan also gives an up to date profile of the Borough, a review of our activities in 2009/10 and our programme of work for 2010/11.

The Commercial Team carried out 97.6% of all Food Hygiene inspections due and 44% of all food standards inspections due. Food Standards inspections are seen as a second priority to that of food hygiene. Food Hygiene examines the businesses processes and procedures in the preparation and service of food. Food Standards examines issues around labelling, composition components of the food and date marking. The inspection programme for both inspection types are led by food hygiene, as the risks are under local control and deemed to be greater. Food Standards inspection are undertaken if the next inspection date from the risk rating assessment score falls due the same year that the food hygiene inspection is due. This therefore results in a lower percentage of food standards inspection being undertaken. However, we have undertaken 100% of all high risk, A band, food standards inspections.

Enforcement activity was far greater this year with 17 food premises closed for pest infestations and a total of £30,455 fines and costs being issued by the Courts. The rate of broadly compliant premises was raised from 74.4% to 81%, this enabled us to concentrate our resources on the highest risk premises in the Borough.

There has been a significant increase in illegal imported food into the Borough and we are working with neighbouring Boroughs to identify supply chains and take remedial action. The food product of choice for illegal importation is fish. We work with neighbouring authorities to close down supply chains, the amount of illegally imported food that we are now seizing is reducing.

We also carried out a specific project examining the supply of Halal Food. Guidance was given to businesses regarding supplier checks and food labelling to ensure the consumer was not being misled. We also gave advice via the Newsletter that we publish three times a year on the need for food businesses to ensure their food was traceable as to its origin.

The National Performance Indicator – 184- which measures food establishments in the Borough which are broadly compliant with food hygiene law. We currently have 81% of food premises broadly compliant. The greater gains were made in 2009/10 so the remaining premises are more difficult to deal with and we are creating broader strategies to deal with these premises which will include more re-inspections to check compliance.

The Service also feeds into the National Performance Indicator 182 – Satisfaction of businesses with local authority regulation services, mechanisms were introduced to capture this data.

We have received funding from the Healthy Cities initiative and the Primary Care Trust Obesity Strategy to develop a Healthy Eating Award, which aims to create a culture of healthy food choices for residents/workers in the Borough. A separate Team has been developed to deliver this initiative within the Environmental Health Commercial Team, we have issued 38 Awards, with the aspiration to reach 100 awards by the end of this year.

A national Score on the Doors scheme is likely to be announced by the FSA at the end of the year. This scheme will allow Local Authorities to publish a food premises risk rating in line with national criteria. We will report back with recommendations when the national scheme is announced.

A review by central government (Rogers Review) into priorities for environmental health and trading standards within local government placed food safety/standards and health and safety within the top 5 priorities within the scope of environmental health.

Following on from the Hampton review into local regulation we have reviewed our services to determine if the inspection burden can be lifted on local businesses but ensuring that risks are controlled to ensure public health is not at risk. We have done this where the risk rating indicates that the business is broadly compliant. This has enabled extra focus on the higher risk premises, to reduce the risk of inadequate food safety management.

1 **SERVICE AIMS AND OBJECTIVES**

1.1 Aims and objectives

1.1.1 To promote and regulate food safety, food standards, health and safety in food premises.

1.1.2 To provide advice and education to all sectors of the community on food safety matters. Promotion of Healthy Eating Award in conjunction with the Primary Care Trust in the fast food outlets with the aim to reduce obesity in children.

1.1.3 To prevent the spread of infectious disease and food poisoning and investigate outbreaks.

1.1.4 Health and Safety enforcement and advice, accident investigation.

1.1.5 Animal welfare and the control of zoonotic diseases.

1.1.6 Business compliance in readiness for the Olympic Games.

1.2 Links to Corporate objectives and plans

1.2.1 The Food Law Enforcement Service Plan is designed to meet customer needs and our services are provided with reference to the:

- Community Plan
- Council's Strategic Plan
- Directorate's Annual Plan
- Divisional Service Plan

1.2.2 The activities of the Environmental Health Commercial Team are linked where possible to these strategies, policies and objectives. These are set out in the Team Plan which details amongst other issues, the Food Enforcement objectives for the year and defines the performance that has been set to meet these targets. The Team is also a statutory function and is linked through to the Food Standards Agency, Health and Safety Executive, Department of Food and Rural Affairs, Animal Health Agency and the Health Protection Agency

1.2.3 The Vision Statement of the Council is:

To improve the quality of life for everyone living and working in Tower Hamlets.

1.2.4 The Council will realise its overall Vision for the Borough through four core themes, underpinning these themes is the commitment to One Tower Hamlets:

- **A great place to live**
- **A Prosperous Community**
- **A Safe and Supportive Community**
- **A Healthy Community**

1.2.5 The aim of the Environmental Health Commercial Team is to protect residents, visitors and businesses by:

- *The enforcement of consumer legislation by way of inspection, complaint investigation, awards, training and advice and enforcement.*
- *Advising consumers on the resolution of civil disputes with traders.*
- *Promoting and regulating food hygiene/safety and standards of health and safety in the workplace and at public events in the borough*
- *Preventing the spread of infectious disease and food poisoning, including the investigation of outbreaks*
- *Issue and enforcement of approvals (manufacturing premises) covering a range of activities*
- *Developing partnerships with businesses, regeneration initiatives and other organisations in the Borough*
- *Involving ourselves in national strategies i.e. Obesity Strategy, fast food outlets around schools.*
- *Promotion of business awards for smoke free and healthy eating in conjunction with the primary Care Trust*
- *Animal welfare and the control of zoonotic infections*

1.2.6 The Food Law Enforcement Plan links in with the detailed activities that have been developed as part of the Team plan and individual Officers Performance, Development and Review Plans.

2.0 **BACKGROUND**

2.1 Profile of Tower Hamlets

2.1.2 Tower Hamlets has a wide range of commercial food businesses located across different parts of the borough. Some of the key businesses include:

- Major supermarkets (Tesco, Asda, Sainsbury, Lidl, Marks and Spencer & Waitrose)
- Office developments occupied by blue chip companies, newspaper publishers, with large scale catering
- Several major hotels, including Britannia, Four Seasons, Thistle Tower, Holiday Inn, Hilton, Radisson and Marriott
- There is a diverse range of restaurants and cafes in the borough, including Italian, French, Greek, Turkish, Somali, Spanish, Chinese, Japanese, Thai and those from the Indian sub-continent (India, Bangladesh, and Pakistan).
- 94 schools
- Billingsgate – London’s major Wholesale Fish Market
- World famous street markets at Petticoat Lane, Whitechapel, Brick Lane and Roman Road.
- London Guildhall University, Queen Mary University of London and The Royal London Hospital Medical Schools
- The Royal London, St Andrews, Mile End, London Chest and London Independent Hospitals
- 2 poultry slaughterhouse
- 3 City Farms
- numerous night clubs & other venues
- Many community events such as concerts in Victoria Park and festivals in Brick Lane.

2.2 Organisational Structure

2.2.1 The Team is located within the Trading Standards and Environmental Health (Commercial) Division. This division is part of the Environmental Control Group, which includes Environmental Health Protection, Markets Services and Parking Control. Environmental Control is part of the Directorate of Communities Localities and Culture. The Council’s administrative committee structure is set out in Annexe B and structure showing where the service sits in the overall council organisation is in Annexe C.

2.2.2 Food Safety falls within the portfolio of the Lead Member for Environment who reports food safety matters to Cabinet.

2.3 Scope of the Food Service

2.3.1 The Environmental Health Commercial Team is responsible for the following functions in all commercial premises.

- food hygiene
- food standards
- health and safety
- infectious disease control
- public health activities

2.3.2 Nuisance and Pollution control issues related to commercial premises are dealt with by the Environmental Protection service. The Trading Standards Team deals with animal feeding-stuffs and fraudulent activities covered by the Food Safety Act.

2.3.3 A proactive and reactive service in relation to food hygiene and food standards is provided primarily through the programmed inspection of food businesses and by responding to service requests including comments on planning and licensing applications. We are a responsible authority under the Licensing Act. An electronic response system has been created to reduce the time in responding.

2.4 Demands on the Food Service

2.4.1 Premises Profile

2.4.2 The tables below show the number of food businesses in each risk category classified by type of activity and risk rating. Some premises, where the risk is negligible are discounted from the inspection programme.

Table 1

The number of food businesses and their inspection rating for food hygiene (10/5/10)

Usage	A Band	B Band	C Band	D Band	E Band	Outside	Unrated	Total
Producers			2					2
Slaughterhouse						2		2
Manufacturers	2	7	18	6	4	2	5	44
Packers			1					1
Importers EC						2		2
Importers 3rd						7	1	8
Transporters		3	53	22	7	1	2	88
Retailers		3	22	17	71	5		118
Restaurants	1	5	24	5	4	2	1	42
Articles in contact with food						4		4
Mfr selling by retail		5	19	7	2		2	35
Supermarket			16	8	3		3	30
Small Retailer	2	6	265	160	100	1	21	555

Café/Canteen	5	98	614	45	28		43	833
Pub/Club		8	104	76	43		8	239
Takeaway	4	56	178	14	8		51	311
Caring premises			3	11	57		24	95
School/College		45	91	9	7			152
Mobile food unit			2	1				3
Others		2	9				5	16
Hotel/Guest House			7	4				11
Total	14	238	1428	385	334	26	166	2591

Total 2591 premises

The frequency of inspection is:

Category A, every 6 months; B, every 12 months; C, every 18 months, D, every 2 Yrs; and E, every 3 Yrs. The Category of Unrated premises is determined on the first visit and can be A-E. Category E premises may be dealt with using an alternative enforcement strategy.

Table 2

The number of food businesses and their inspection rating for food standards (10/5/10)

Usage	A Band	B Band	C Band	Outside	Unrated	Total
Producers		2				2
Slaughterhouse		1	1			2
Manufacturers	6	20	7		12	45
Packers	1					1
Importers EC				2		2

Importers 3rd		4	2		3	9
Transporters	3	68	11	1	5	88
Retailers		20	72	20	6	118
Restaurants		19	16	2	5	42
Articles in contact with food			2	2		4
Mfr selling by retail		19	12		4	35
Supermarket		8	17		5	30
Small Retailer	2	221	277	2	54	556
Café/Canteen	2	368	380	1	81	832
Pub/Club		55	165		19	239
Takeaway	1	147	71		92	311
Caring premises		1	13		81	95
School/College		27	120	4	1	152
Mobile food unit			3			3
Others		7	3		6	16
Hotel/Guest House		3	7		1	11
Total	15	990	1179	34	375	2593

Total premises 2593

The frequency of inspection is:

A, every 12 months; B, every 2 years; C, every 5 years. Category C premises may be dealt with using an alternative enforcement strategy.

2.4.3 As at April 2010 the following establishments were approved by the Council to produce and manufacturer food for the domestic market: -

- 5 fishery manufacturer products establishments
- 49 wholesale fishery products and live shellfish

- 1 Fish wholesale/retail market
- 4 dairy producers
- 2 meat products establishments
- 1 sandwich manufacturer
- 1 general food manufacturer

2.4.4 Tower Hamlets' food businesses are primarily caterers and retailers.

2.4.5 There has been a rise in the proportion of imported foods (from non EC Countries) entering the borough, either directly imported by businesses or by third parties located elsewhere. Some of these foods can be illegal (i.e. banned from importation) or do not comply with compositional or labelling requirements. This area of work is continually increasing due to cheap imports and consumer demand. However, this food gives rise to a risk to human health and we offer advice to importers.

2.4.6 With continual development and regeneration taking place in the borough, there is an increase in the number of food businesses. We are already working in partnership with our neighbouring Boroughs through the Joint Local Authority Regulatory Services in preparation for the Olympic Games.

2.4.7 When carrying out a food hygiene or food standards inspection, officers may also carry out a health & safety inspection where the council is the enforcing authority for the relevant legislation. For 2010/11 these inspections will be on a project basis. The projects will look at machine guarding, gas safety and falls through cellar hatches, these are continuing themes through the years.

2.4.8 One third of the population is of Bangladeshi origin and over half the population are from ethnic minorities. The make up of food businesses reflects this profile, although demand for translation and materials in other languages is not high. Ethnic minority food business proprietors generally prefer written information to be provided in English. A translation and interpreting service is available if required and a number of our staff are multi lingual.

2.4.9 Reception and Information Service

2.4.10 The reception and information point for the Trading Standards and Environmental Health (Commercial) Department is located at:

Anchorage House
 Clove Crescent
 London E14

2.4.11 We operate an out-of-hours emergency call-out service, which operates from 5pm to 8am on a weekday and 24hrs at weekends and Bank Holidays. This service operates only for food poisoning outbreaks or major food safety incidents and other non-food safety related emergencies.

2.4.12 Tower Hamlets also has a website at www.towerhamlets.gov.uk and the Environmental Health Commercial Team have an E-mail address, namely: foodsafety@towerhamlets.gov.uk and healthandsafety@towerhamlets.gov.uk This address is also used for the national electronic communication system for Environmental Health Departments, known as EHCNet.

2.5 Enforcement Policy

2.5.1 The current enforcement policy is documented and outlines all enforcement action carried out by officers. It seeks to ensure that formal enforcement is focused where there is a real risk to public health and that officers carry out action in a fair, practical and consistent manner.

2.5.2 A generic Enforcement Policy for all of the Council's enforcement and regulatory services is currently being developed under the stewardship of the Council's Legal Services department. This policy will be agreed and approved by Members and will supersede the current service enforcement policy

3.0 **Service Delivery**

3.1 Inspection Programmes

3.1.1 The performance indicator 184 – Food establishments in the area that are broadly compliant with food hygiene law is a measured used internally and by the Food Standards Agency. This indicator covers all the food premises in the Borough, not just those that are due for inspection this year. A risk score of 10 points or below in the compliance of premises structure and hygiene laws and the confidence in management determine if the premise is broadly compliant.

3.1.2 The Food Standard Agency code of practice that compliments the NI 184 permits shorter inspections to be undertaken on those businesses that are deemed broadly compliant in the lower risk categories of C and D for food hygiene and questionnaires for those in category E

3.1.3 We use a hazard spotting approach for those premises that are deemed to be broadly compliant. This reduces the burden on business and concentrates our resources on the non compliant businesses. However, a full inspection will be carried out if these compliant businesses are not in control of the risks or a public health risk is identified.

- 3.1.4 A significant number of businesses will continually move between broadly compliant and not broadly compliant. A significant number of re-inspections will be undertaken to ensure that we keep the upward trend towards broadly compliant.
- 3.1.5 We have determined that we have 81% of all food premises currently broadly compliant.
- 3.1.6 The Food Safety Officers carry out programmed food hygiene/standards inspections at frequencies determined by the Food Standards Agency. A programmed food safety inspection will therefore cover food hygiene and food standards, where this falls due (although some premises will fall due for food standards inspection only) and we will also deal with issues relating to enforcement and advice under health and safety law, either in very broad terms or as part of a focused health & safety project. The inspection programme is dictated by the food hygiene inspection rating allocated to a business because this generally leads to more frequent inspections. This therefore builds in efficiency into the inspection programme by only inspecting for food standards in the year that food hygiene is due. However, Category A – high risk food standards inspection due dates are checked to ensure that these are inspected in the current year. Some premises such as importers who do not actually handle or store food are subject only to food standards inspections.
- 3.1.7 Category E food hygiene and Category C food standards inspections will be addressed by using alternative enforcement strategies, such as a self audit questionnaire. These questionnaires will be sent to all Category E and C rated premises. Verification follow up will be carried out on 5% of these premises.
- 3.1.8 For 2010/11 the number of food hygiene inspections due is shown in Table 3 and the number of food standards inspections due is shown in Table 4:

Table 3

The number of food hygiene inspections due to be carried out in 2010/11.

Inspection Rating	Number of food hygiene inspections due
A	13 x 2 = 26
B Broadly compliant	78
B not Broadly compliant	139
C Broadly compliant	813
C not Broadly compliant	98
D Broadly compliant	192
D not broadly compliant	5
E (verification)	6
Unrated	161
Total Inspections	435
Total Surveillance visits	1083
Total Interventions	1518

Table 4

The number of food standards inspections due in 2010/11 and the inspection targets.

Inspection Rating	Number of food standards inspections due
A	15
B	587
C (verification)	8
Unrated	291
Total	901

- 3.1.9 Most food standards inspections will be carried out at the same time as a food hygiene inspection. It is the teams' target to achieve 100% of all A-C hygiene inspections and A standards inspections due.
- 3.1.10 Where possible new premises identified will be added to the work programme to be inspected during the year. These 'unrated' businesses will count against the NI 184, hence resources will be allocated to carry out inspections on the unrated businesses.
- 3.1.11 Food hygiene and food standards inspection procedures detail the steps to be followed by officers. They take account of relevant Codes of Practice, LACORS and FSA guidance and relevant Industry Guides.
- 3.1.12 Hygiene re-inspections will be carried out where enforcement notices have been issued, there is a significant public health risk or the premises in not broadly compliant.
- 3.1.13 Food Standards re-inspections are of a lower priority and not required as often as for food hygiene.
- 3.1.14 The resource estimated for programmed inspections, including alternative enforcement strategies for lower risk premises is **3.2 Full Time Equivalent (FTE)**. Re inspections allocation to be **1.7 FTE**. **Annex A** gives details of the assessment of resources for all functions within the plan.
- 3.1.15 Additional priorities have been identified for action including: -
- Inspections will be carried out at major festivals.
 - Routine attendance at Billingsgate Market.
 - All premises subject to approval will require additional attention and inspection time due to the risk they present.
 - Food Standards will be combined with Food Hygiene inspections.
 - Illegal importation of food will be targeted as priority
 - Health & Safety inspections will be on a themed basis.
 - Closure and follow-up enforcement action, including prosecution of businesses as appropriate.
 - We will specifically target A risk premises and Higher B's with advice and enforcement
 - We will use alternative enforcement strategies in low risk premises.

3.2 Food Complaints/Requests for Service

- 3.2.1 The Environmental Health Commercial Team will record, assess, prioritise and deal appropriately with all requests for service. Requests for service will be classed as higher risk issues or lower risk issues. The target response time for service requests are:

- *To give a 1st response to 99% of service requests within 3 working days*
- *To respond to 100% of higher risk issue service requests within 24 hours.*
- *To register all new operating premises within 28 days of receipt of application form.*

3.2.2 The number of service requests for 2009/10 was 861.

3.2.3 The resource estimated for dealing with service requests is **2 FTE**.

3.3 Home Authority Principle

3.3.1 The Council formally adopted the Local Authority Co-ordinating Body on Regulatory Services (LACORS) Home Authority Principle at the Planning and Environmental Services Committee meeting of 13th June 1995. A Home Authority is the local authority where the decision making base of an enterprise is situated. The local authority provides advice to the enterprise and deals with enquiries from other councils in relation to the business. An Originating Authority premises is one where the food is manufactured, stored or first imported to, but to which the definition of Home Authority does not apply. The new concept of Priority Authority Partnerships that has recently been introduced by the Government may affect work plans for companies where the company trades across two or more Local Authority areas. This will enable one Authority to be a Primary Authority that will guide the business on compliance issues.

3.3.2 Approximately 200 businesses have been identified as probable Home or Originating Authority premises. Enquiries for advice from local businesses or other enforcement authorities will be treated as requests for service and will be prioritised accordingly.

3.3.3 The resource estimated for this area of work is **0.25 FTE**.

3.4 Advice to business

3.4.1 Advice is freely available to food businesses and is provided during visits and upon request. Business information packs have been produced for people considering setting up a food business and are sent to relevant applicants for planning permission. A variety of information leaflets, in community languages, are also available.

3.4.2 A business newsletter (Food and Drink) was established in 2003/4, published 3 times a year. This has been well received and will continue in 2010/11.

3.4.3 The resource required for this work is estimated to be **0.5 FTE**.

3.5 Food Inspection and Sampling

3.5.1 Food is inspected in accordance with UK and EU legislation. A documented sampling programme is produced each financial year covering planned microbiological and chemical sampling. Our sampling policy is at Annex F

3.5.2 The programme includes participation in co-ordinated projects organised by the Food Standards Agency, Health Protection Agency (HPA), Local Authority Coordinating Body on Regulatory Services (LACORS), EU, London Food Co-ordinating Group and North East London Food Liaison Group. Planned local projects and Home Authority sampling are also included.

3.5.3 The target for 2010/11 is approximately 118 samples to be taken by the end of the financial year. The budget for sampling is £12,000.

3.5.4 The total number of samples taken for 2009/10 was 129 of which 17 failed and follow up action was required.

3.5.5 The Laboratories to which samples are sent are subject to the appropriate accreditation. Analysis is undertaken by the Council's nominated Public Analysts:-

Duncan Arthur
Jeremy Wooten
Eurofins Scientific Laboratories, 445 New Cross Road, London, SE14

Microbiological examination is undertaken by:-

Susan Surman (Food Examiner)

Health Protection Agency, Food, Water & Environmental Microbiology Unit (London), Food Safety Microbiology Laboratory, Central Public Health Laboratory, 61, Colindale Avenue, London, NW9 5HT.

On occasions, samples for microbiological examination will be sent to Eurofins Scientific Laboratories.

3.5.6 The resource required for food sampling is estimated to be **0.4FTE**

3.6 Outbreak Control and Infectious Disease Control

3.6.1 We will investigate all suspected and confirmed outbreaks of food poisoning and the Outbreak Control Plan will be implemented in the case of a major outbreak (i.e. 4 or more cases).

3.6.2 Individual allegations of food poisoning caused from consumption of food within the borough, but which are not supported by medical evidence will be treated as service requests. The level of resource is estimated at **0.3 FTE**

3.7 Food Safety Incidents

3.7.1 We deal with Food Alerts in accordance with the Code of Practice and guidance issued by the Food Standards Agency. Alerts requiring action by the department will take priority over all other work. The out-of-hours emergency service will notify the duty officer in the event that the Food Standards Agency notifies them of a major incident of food contamination which occurs outside normal office hours.

3.7.2 There is a policy document and procedure note on dealing with Food Hazard Warnings.

3.7.3 Resources for this work are dependent on the demand. In 2009/10 there were 34 Food Hazard Warnings and 41 Allergy Alerts issued by the Food Standards Agency. Resources are therefore estimated at **0.17 FTE**. (Included in Service Requests above)

3.8 Liaison with Other Organisations

3.8.1 Liaison arrangements are in place to ensure that enforcement action in Tower Hamlets is consistent with neighbouring authorities and in particular: -

- Tower Hamlets is a member of the North East London Food Liaison Group which meets every eight weeks.
- A PEHO attends regular sub-group meetings to discuss and arrange co-ordinated sampling activities.
- Tower Hamlets is a key member of a further sub-group on approved premises.
- Planned liaison meetings take place between the Health Protection Agency.
- We are an active member of the Olympic Boroughs network for Environmental Health

3.8.2 The resource required for these activities is estimated at **0.2 FTE**.

3.9 Food Safety Promotion

3.9.1 The Food Safety Officers will, subject to available resources, carry out food safety promotional work through participation in certain national campaigns and local projects, more specifically:

- It is intended to examine opportunities to participate in appropriate schemes, deliver talks, and provide displays for suitable groups or at events or locations throughout the year.

- National Obesity Strategy working with the PCT.
- Seeking small grants from the Food Standards Agency to carry out bespoke projects

3.9.2 The resource required for these activities is estimated at **0.6 FTE**.

3.10 Administration

3.10.1 The Service's central Admin team provides administration support.

3.11 Management

3.11.1 The Environmental Health Commercial Services Manager provides management, with support from the 3 PEHO's who also have fieldwork duties. Management accounts for approximately **1.25 FTE**.

4.0 Resources

4.1 Financial Allocation

4.1.1 The Food Safety financial allocation is part of the Environmental Health (Commercial) cost centre.

4.1.2 Training costs are included in the Employee related expenses. We are currently supporting a Trainee Environmental Health Officer to enable us to deal with recruitment difficulties by 'growing our own' staff.

4.1.3 Provision of other central, directorate support services which includes legal services is added at the end of the financial year to service costs. This recharge is on a divisional basis and not broken down into individual teams.

4.2 Staffing Allocation

4.2.1 The staffing for food safety work, is as follows:

0.5 x Environmental Health Commercial Service Manager
 3 x Principal Environmental Health Officer (PEHO)
 3 x Senior Environmental Health Officer (SEHO)
 4 x Environmental Health Officer (EHO)
 2 x Food Safety Officer (FSO)
 (Total Technical Staff for work identified in plan = **12.5 FTE**)

4.2.3 Additional resources located outside of the Environmental Health Commercial Team are as follows:

TSO/CSO –Animal Feeding-stuffs – resources allocated as required

Environmental Health Commercial & Trading Standards Teams share administration Resources:

Food Safety allocation is approximately:

1 x Administration Team Leader (0.3 FTE)
1 x Senior Administration Officer (0.3 FTE)
4 x Administration Officers (1.2 FTE)
(Total Admin staff = **1.8 FTE**)

4.2.4 Healthy Eating Award: 1 x Project Manager, 1.25 x Technical Staff

4.2.5 Authorisation and competencies

Environmental Health Commercial Services Manager/PEHOs/EHOs:

- Fully qualified to Diploma/Degree level
- Authorised to inspect all categories (with the exception of any officers who have not been qualified for 6 months or have insufficient experience)
- Take all levels of enforcement action (with the exception of any officers who have not been qualified for 2 years)

4.3 Staff Development Plan

4.3.1 The Council uses its Performance Development and Review Scheme to:

- Set individual aims and objectives for staff.
- Monitor and appraise performance.
- Assess the development needs of all staff.

At the start of the performance year all staff will have their own Personal Plan, which will comprise of their main objectives with targets and their own development plan.

4.3.2 Individual and Team training plans reflect the following

- Common training issues for the service
- Training issues linked to Corporate and Directorate priorities
- Training linked to new legislation, professional developments
- Training relating to organisational matters (IT, systems and procedures)

4.3.3 Training for the financial year 2010/11 is prioritised as follows:-

Food Issues

Imported Food – increase in illegally imported food being brought into the Borough, a need to ensure staff is aware of current legislation

Hazard Analysis Critical Control Point Auditing - as a response to the recent Pennington Enquiry into E.coli 0157

Update Seminars – providing technical information on food safety topics

Labelling Update – a training need identified through the Team Away Day

General Issues

Equalities – to ensure equal Treatment and access by all service users

Investigation techniques – general training for successful investigations, due to the increase in enforcement

Interviewing under caution – aimed at newly qualified staff to enable they feel confident in undertaking such legal processes

4.4 Allocation of Resources

4.4.1 **Table 5** in **Annex A** sets out the total resources available (i.e. **14.75 FTE** officers) and how the resources identified to complete the plan in 2009/10 were allocated. The table also sets out the resources required to fulfil the plan for 2010/11.

4.4.2 Section **6.0** of this Plan sets out the achievements of the team in 2009/10

4.4.3 The areas of work which were not completed were:

- Primary Authority Partnerships – no formal agreements were established. There was no demand from businesses to sign up to a formal agreement. However we have continued to provide informal agreements and advice to businesses.
- Programmed inspections were 97.6% of those planned for hygiene and 44% for standards. Excluding the E and C surveys. The Team concentrated on the higher risk premises to ensure food safety, therefore 4% businesses where hygiene was due was not carried out this year, These inspections will be carried forward into 2010/11. The Standards inspections were lead

by the due date of the hygiene inspections. In some cases Standards inspections fall due when hygiene is not due hence they are carried forward to the next inspection date.

5.0 Quality Assessment

5.1 The measures to be taken by the Environmental Health Commercial management to assess quality and promote consistency include: -

- Desktop reviews of proactive and reactive case paperwork and files will be undertaken by a PEHO.
- New or Agency staff will be inducted into the departments procedures and shadowed on inspections to ensure competency and consistency.
- All staff will have a 6 weekly 1 to 1 with their immediate supervisor to discuss casework.
- Accompanied inspections will be carried out with each member of staff.
- Documented procedures
- Bi -monthly documented team meeting
- Occasional training sessions and other exercises which are organised to aid consistency, staff appraisals and 6 month reviews.
- Monthly monitoring reports will be produced using the FLARE software system.

6.0 Review

6.1 Review against the Service Plan

6.1.1 The Environmental Health Commercial Service Manager presents reports to the Service Management Team on performance of the food safety inspections against performance targets detailed in the Service Plan.

6.1.2 At the end of the financial year, a performance review is carried out by the Environmental Health Commercial Service Manager with input from team members, which will include information on the past year's performance and progress on any specified performance targets, service improvements and targeted outcomes. It will also identify service priorities for the coming year. The review of 2009/10 is set out in 6.4 below.

6.2 Identification of any variance from the Service Plan.

6.2.1 Any variance in meeting the Food Law Enforcement Service Plan is identified in the review in 6.4 together with any reasons for the variance. Where necessary any variance will be addressed in this years plan.

6.3 Areas of Improvement

6.3.1 Where a service improvement or a service development is identified as part of the review process or through quality assessments, it will be incorporated into this years plan. Key areas for improvement identified from the review are detailed in paragraph 6.17.

6.4 Inspection Programmes

6.4.1 97.6% of all food hygiene premises that were due for inspection had a food hygiene intervention. For the higher risk premises this was 100%. All overdue premises have been carried forward to the 2010/11 programme.

6.4.2 We carried out 500 re-inspections, this is a slight increase from the previous year, as the new National Performance Indicator led us to maintain broad compliance, hence further interventions to attain this level. This equates to 1 in 3 premises receiving a re-inspection.

6.4.3 44% of the food standards programme was carried out, food standards inspections that fall due along side food hygiene inspections. The remaining 66% were not carried as hygiene inspections were not due or the premises had been assessed as low risk.

6.5 Enforcement

6.5.1 10 (12 in the previous year) businesses or individuals were prosecuted as a result of either programmed inspections or complaint inspections. This resulted in total fines and costs awarded of £30,455. (£16,390 in the previous year) 3 (15 in the previous year) Simple Cautions were issued which negated the need for Court proceedings but the business recognised its failings.

6.5.2 98 (111 in the previous year) formal improvement notices were issued and 2194 (2184 in the previous year) warning letters or hand written warnings were given to businesses throughout the year.

6.5.3 9 (7 in the previous year) premises were closed by Emergency Prohibition Notices and 8 (6 in the previous year) voluntary closed, mainly for uncontrolled pest infestation, this was an increase on the previous year. This is a result of concentrating resources on the higher risk premises.

6.6 Additional Priorities

6.6.1 Regular early morning inspections were carried out at Billingsgate Market. Programmed inspections were carried out as well as general supervision of the market. The Corporation of London were also issued with their approval to run the Market. All Traders have now received their approval to trade at the market.

6.7 Food Complaints/Requests for Service

6.7.1 A total of 861 service requests were received. The level of service in response to Service Requests was in line with service priorities.

6.7.2 The main types of complaints received were: 79 complaints alleged food poisoning due to eating out in Tower Hamlets (down by 25%). 34 complaints were about dirty premises (up by 30%), 79 about unhygienic practices (down by 6%), 59 about pest infestations (down by 33%) and 86 complaints were received about food standards issues, such as food labelling (Use by dates).

6.8 Home Authority Principle

6.8.1 No formal Home Authority Partnerships were established during the year. Minimal work was done on developing Home Authority relationships with businesses, due to the demands of other areas of work. However a number of the contacts from outside bodies were Home Authority enquiries from other authorities. Each of these was dealt with as appropriate and in line with the Home Authority Principle.

6.9 Advice to Business

6.9.1 Business packs for new businesses continued to be issued, along with a booklet giving advice on carrying out a hazard analysis.

6.9.2 The business newsletter "Food and Drink" was published 3 times during the year and sent to all businesses.

6.10 Food Inspection & Sampling

6.10.1 129 Food samples were taken, from a planned estimate of 200 samples, of which there were 17 failures. These were subsequently followed up. The reduction in samples taken was due to an increase in cost of the analytical techniques.

6.10.2 A full Sampling Plan has been produced for 2010/11 and it is proposed to ensure that every effort is made to fulfil it, as food sampling is seen as an important part of the work for food safety. The Sampling Policy is detailed in Annex D and is a required to be approved as part of the Food Law Plan.

6.11 Outbreak Control & Infectious Disease Control

6.11.1 Some 79 service requests alleged food poisoning originating from food consumed in the borough but no firm links were established. There is still a number of Typhoid and Paratyphoid infections that are reported via the Health Protection Unit, considerable contact tracing is undertaken to avoid outbreaks.

6.12 Food Alerts

6.12.1 75 Food Alerts were received from the Food Standards Agency, most of these did not require any action, however a number did result in the issue of Press Releases to notify the public and some required a large number of businesses to be notified in writing.

6.12.2 Food Alerts attract a high priority and immediate response. Significant resources were spent on responding to these Alerts, which could otherwise have been spent on other significant activities.

6.13 Liaison with Other Organisations

6.13.1 The food safety unit fulfilled all of its liaison activities in the 2009/10 Plan.

6.14 Food Safety Promotion

6.14.1 Local campaigns took place within the Newsletter to highlight issues of concern to Food Business Operators e.g. cleaning, cross contamination of vacuum packing machines.

6.14.2 We conducted promotional activities on listeria control for elderly people.

6.15 Staffing

6.15.1 The team has become fully staffed during the year.

6.16 Training

6.16.1 The food safety officers undertook a wide range of training activities during the year, these included:

- Imported Foods

- HPA Food Update Training Day
- Flare User Group Annual Seminar
- Food Standards Regional Sampling Meeting
- London Food Study Group
- HACCP auditing

6.16.2 Quality Assessment

6.16.3 Documented team meetings took place.

6.16.4 Monthly monitoring reports are now produced on a regular basis

6.17 Key areas for Improvement/Development

6.17.1 Development of newly qualified staff

6.17.2 We are working with the private markets to control the hazards produced by stall holders.

6.17.3 Procedures are systematically reviewed and completed and kept up to date.

6.17.4 Quality monitoring is continuing.

6.17.5 Development of alternative enforcement strategies for low risk premises.

6.17.6 Training of food businesses under the host Olympic Boroughs grant monies for food management control systems

6.17.7 To review the FSA guidance to Local Authorities on the Scores on the Doors scheme when it is released at the end of this year.

6.17.8 To review our data capture systems to reflect the national performance indicators and data required by the FSA

6.17.9 Development of hand held computer IT systems

6.17.10 To recognise the Primary Authority Partnership scheme from the Better Regulation Executive

7.0

Annexes

Annex A: Assessment of resources

Annex B: Current Council Administrative Structure

Annex C: Current Council Corporate Structure

Annex D: Food Sampling Policy 2009/2010

Annex A
Assessment of Resources

Resources for 2009/2010

Table 5
Estimation of Full Time Equivalent (FTE)

1 year	365 days
Annual Leave	31 days
Training / team meetings	24 days
Bank Holidays/Statutory leave	12 days
Sick leave/dependency/Special leave etc	5 days
Weekends	104 days
Downtime – reading, research etc.	18 days
Officer Administration	10 days
Number of working days	161 days
1 FTE	161 days (1127 hours)

Programmed Inspections

High risk premises (Cat A,B and not broadly compliant premises) = 435 inspections due (Table 3 as Total Inspections), at 3 ½ hours per inspection (this is in line with the average London authority – LFGG bench marking exercise carried out in September 1999), therefore 1522 hours to inspect 100%.

Broadly compliant premises = 1083 inspections (Table 3 as Surveillance Inspections) due at 1.5 hours per inspection, therefore 1624 hours to inspect 100%.

Total for inspections/surveillance therefore = 3137 hours (449 days)

Low risk (E hygiene and C standards) premises are likely to be subject to alternative enforcement strategies:

Allow 10 hrs for management of scheme. Allow 0.25 hrs per premises (366) for implementation of scheme = 91.5 hours

Allow 5% will require inspection, i.e. 19 premises at 1.5 hrs each = 20.5 hrs

Total for Alternative Enforcement Strategies = 112 hrs (16 days)

Food Standards Inspections A rated: 15 premises due for food standards only @ 2 ½ hrs each = 37.5 hrs (5.5 days) Efficiency is gained as medium to low risk food standard inspections are undertaken in the year that the food hygiene is due.

Approval inspection an processes of HACCP 20 premises @ 14 hours = 280 hrs (40 days)

Resource required to achieve 100% inspection rate = **3.2 FTE**.

Re inspections following programmed inspections

All Category A premises will require a revisit as will premises that fall out of the broadly compliant range.

A = 13 @ 3.5hrs = 45.5 hrs (6.5 days)

Premises falling out of broadly compliant category 500@ 3.5 hours = 1750 hours (250 days)

Resource required for re inspections = 256 days = **1.6 FTE**

Food standards inspections revisits 50 @ 2hrs = 100 hrs (14days)

Resources required for food standard revisits = **0.1FTE**

Service requests

It is expected that some 900 food safety related service requests will be received during the year. It is estimated that each will take an average of 1.5 hrs, therefore 1350 hrs will be required to deal with these.

Total for Service Requests 1350 hours (193 days)

In addition:

100 Planning Applications @ 1 hr each = 100 hrs

Total time for Planning Applications = 100 hrs (14 days)

80 Premises Licence Applications @ 1 hr each = 80 hrs

Total time for Premises Licence Applications = 80 hrs (11 days)

75 food alerts @ 1 hr each = 75 hrs

10% approx will require extensive investigations etc.8 @ approx. 14 hrs each = 112 hrs

Total time for Food Alerts = 187 hrs (27 days)

Approximately 150 new premises to open during year @ 3 ½ hrs each = 525 hrs

Total time for New Premises = 525 hrs (75 days)

Total for Service Requests = 320 days = **2 FTE**

Home Authority Premises

There are approximately 200 premises considered to be either Home or Originating Authority. Most of these will simply be dealt with during routine inspections. However it is estimated that approximately 15 premises will require greater attention.

15 premises @ 7 hrs each = 105 hrs

185 premises @ 1 hr each = 185 hrs

Total time for Home Authority = 290 hrs (41.4 days) = **0.25 FTE**

Advice to Businesses

As well as ongoing advice throughout the year on an ad-hoc basis, a Business Newsletter Produced. Business seminars will be run for the non broadly compliant premises

Newsletter – 3 @ 35 hrs = 245 hrs

Ad-hoc support & advice = 250 hrs

Business seminars = 35 hrs

Total for Business Advice & Support = 530 hrs (76 days) = **0.5 FTE**

Food Sampling

Sampling will be based on the Sampling Plan - which consists of a number of projects co-ordinated, by either: EU, LACORS/HPA or the NE Sector Liaison Group, plus a number of local projects and home authority sampling.

118 samples @ average of 3.5 hrs per sample = 413 hours

Follow up to adverse results 13% = 16 @ 4 hours per sample = 64 hours

Total for Sampling = 477 hrs (68 days) = **0.4 FTE**

Outbreak Control

The resource required to deal with an outbreak will depend on the size and complexity of the incident. Estimated **0.3 FTE**.

Liaison

Attendance at Sector Group meetings, study groups etc and follow-up work = 25 days

Planned liaison meetings with trading standards, legal services etc = 10 days

Total resource required is = **0.2 FTE**

Food Safety Promotion

A number of initiatives are planned, as follows:

- Food Safety Week @ 140 hrs (20 days)
- Miscellaneous press releases and events @ 35 hrs (5 days)

Total time for Health Promotion = 175 hrs (25 days) = **0.6 FTE**

Other Activities

Inspections will be carried out at major festivals and outside events such as the Brick Lane Festival and events in Victoria Park.

Total for festivals 200hrs (28 days)

Billingsgate Market:

Allow 4 hrs per week for Proactive visits, including dealing with service requests.

Allow 125 hours for auditing approval standards

Total for Billingsgate Market = 333 hrs (47 days)

Imported Food Projects/Surveillance allow 300 hrs

Total for Imported Food Control = 300 hrs (43 days)

Approved Premises:

Allow 70 hrs for processing additional premises identified during year

Total for approved = 70 hrs (10 days)

Food Standards Projects:

Allow 140 hrs for Food Standards Projects

Total for Food Standards Projects = 140 hrs (20 days)

Approximately 12 closures @ up to 50 hrs each (inc of legal action) = 600 hrs

Total time for Closures = 600hrs (86 days)

Total for other activities = 234 days= **1.5 FTE**

Healthy Eating Funding

The Tower Hamlets PCT has grant funded the Food Service to the sum of £126,000 to deliver a Healthy Food Choices Award with the aim to reduce obesity within the Borough. This funding has enabled us to employ 2.5 FTE to work on this project.

Technical Support

The Food Safety Officers are responsible for supporting officers in their activities and for maintaining back-up systems and equipment and other resources. Along with their own inspection targets **0.5FTE**

Admin Support

The existing admin support of 5 staff is shared between 3 teams and the FTE for food safety is 1.8, A substantial part of the Admin teams work is for food safety. Various administrative functions such as inputting data onto the FLARE system, preparing correspondence etc. will be carried out by technical staff at the expense of fieldwork due to the increased demands on the Admin team.

Management

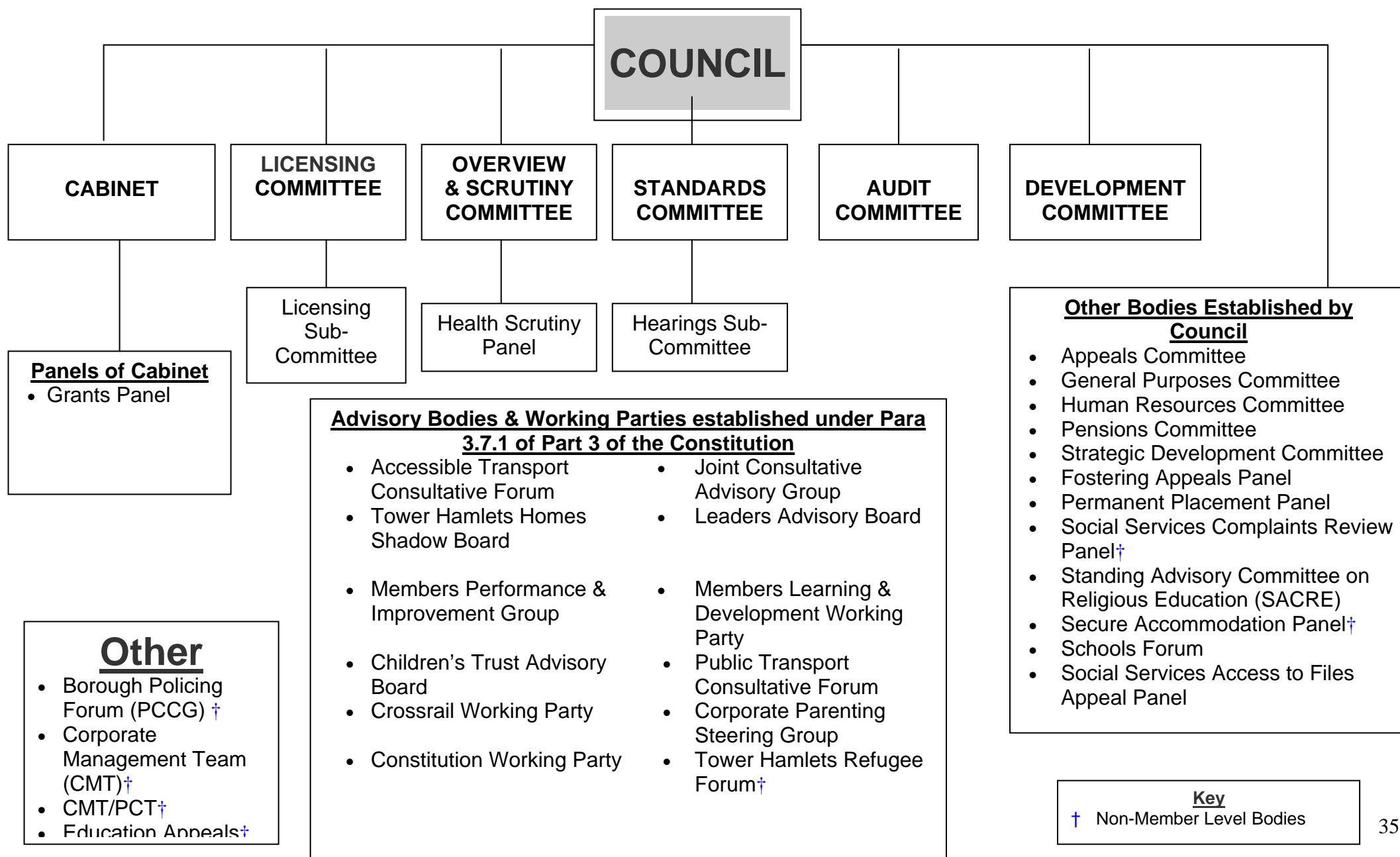
The Environmental Health Commercial Service Manager is responsible full time for management functions and approximately 0.25 FTE of the 3 PEHO's is accounted for in management functions. Total for management is therefore **1.25FTE**

A summary of resources required to meet the requirements of the service plan for 2010/11, allowing Tower Hamlets to obtain a position in the top quartile of high performing councils in relation to the number of high risk inspections carried out that are due to be carried out is shown in Table 6:

Table 6

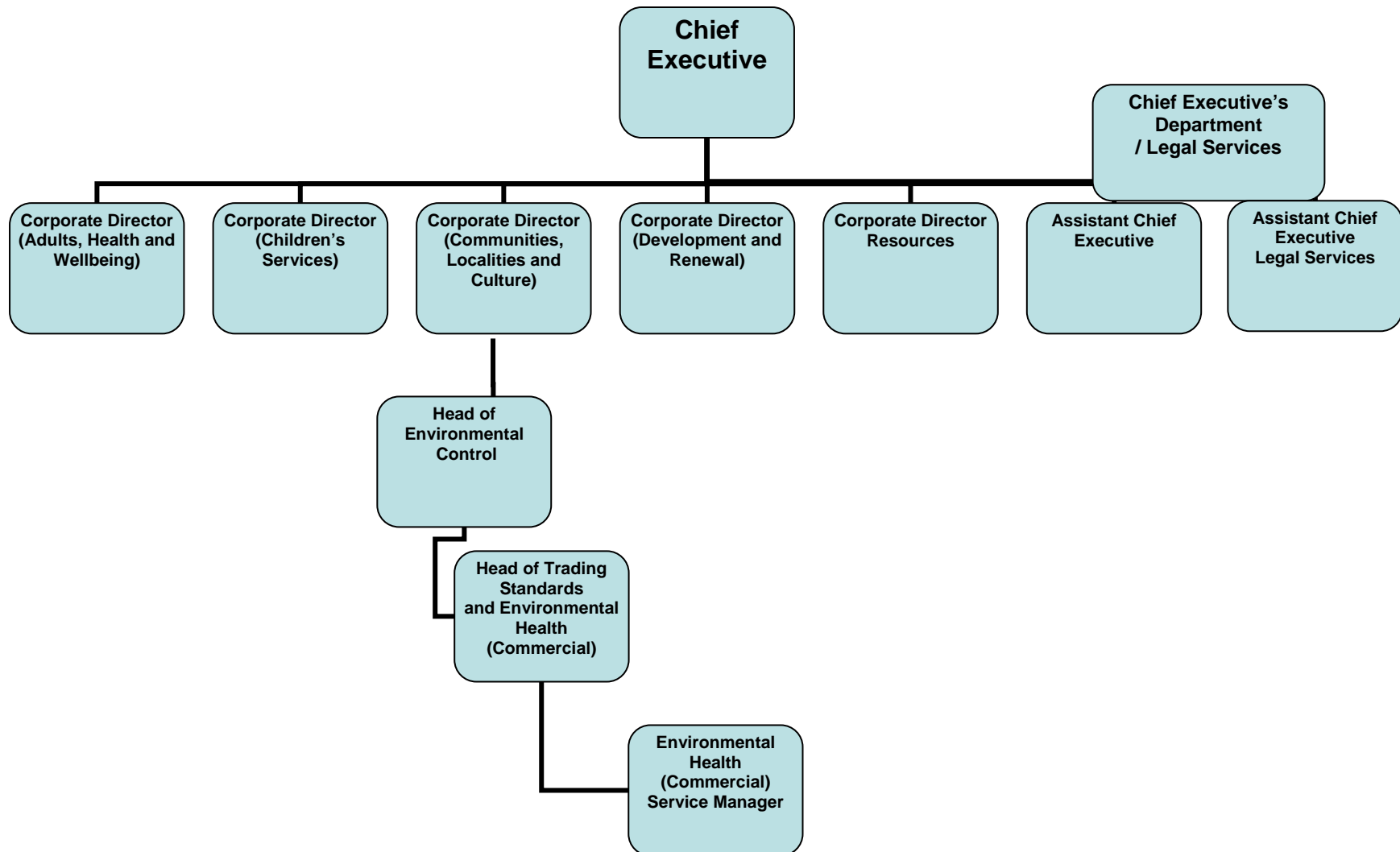
Activity	Time identified to complete work in Service Plan (2010/2011)	Time identified to complete work in Service Plan (2009/2010)
Programmed Inspections	3.2	3.5
Re-inspection	1.7	1.4
Food standards	0.1	0.1
Service Requests	2	2.2
Home Authority	0.25	0.25
Advice to businesses	0.5	0.5
Food sampling	0.4	0.7
Liaison	0.2	0.2
Food Safety Promotion	0.6	0.6
Food Poisoning outbreaks	0.3	0.3
Other Activities	1.5	1.5
Management	1.25	1.25
Technical Officer Support	0.5	0.5
Healthy Eating Award	2.25	2.25
Total	14.75	15.25 (Actual available 14.75)

Annex B: TOWER HAMLETS DECISION MAKING STRUCTURE



Annex C

Corporate Structure



Annex D

LONDON BOROUGH OF TOWER HAMLETS

FOOD SAMPLING POLICY 2010/11

It is a requirement of the Code of Practice, which outlines procedures for sampling made under the Food Safety Act 1990 and Food Hygiene (England) Regs 2006 that local authorities publish a sampling policy and outline programmes for each financial year.

In common with all London boroughs, Tower Hamlets is part of the London Food Co-ordinating Group (LFCG). This has been set up by ALEHM (Association of London Environmental Health Officers), previously the London Chief Environmental Health Officers' Association in association with LACORS to co-ordinate the food enforcement function of London Boroughs.

Membership of the Group includes Environmental Health Officers, Public Analysts and a representative of the Health Protection Agency. One of the key functions of the Group is the co-ordination of food sampling in London – this is achieved by dividing the 33 London Boroughs into 4 regional sectors, with each sector arranging sampling programmes in its own area only after proper liaison with the other 3 sectors. Tower Hamlets is in the NE sector.

FOOD SAMPLING OBJECTIVES AND PRIORITIES

The main objective of food sampling should be the protection of the consumer through the enforcement of food legislation and the encouragement of fair trading. In attempting to achieve this objective it is important that the Council considers the most effective use of limited resources. Therefore, the Council has identified its food sampling programmes in the following priority order:

- (i) Investigation of food poisoning outbreaks and food contamination incidents
- (ii) Complaints where sampling is necessary
- (iii) Imported food responsibilities
- (iv) Home authority responsibilities
- (v) EU co-ordinated sampling programme
- (vi) HPA/LACORS sampling programme
- (vii) Co-ordinated programmed sampling – with other London Boroughs
- (viii) Local projects in individual boroughs

TYPES OF SAMPLES

There is a need for a common approach to sampling in the Borough, and this is set out as follows:

Random informal samples

- (i) These should be avoided for both chemical and microbiological samples.
- (ii) There is, however, a place for informal samples but principally within a programmed sampling project concentrating on a particular food issue.
- (iii) There will also be occasions when informal samples will be justified when testing a new product or process on the market.

Microbiological samples

- (i) Formal samples being taken in accordance with the Regulations should be the normal procedure.
- (ii) There are no advantages in taking informal microbiological samples – the procedures laid down in the Regulations are in any case good sampling practice and the additional information gathering required is minimal. However, only samples taken with the intention of legal proceedings in the event of adverse results should be submitted to the HPA as Formal samples. In these cases the relevant HPA Formal Sample form should be used.

Chemical samples

- (i) In view of the resource and time implications of taking formal chemical samples it is accepted that a significant amount of chemical sampling will be informal – this is especially the case when project or programmed sampling is being carried out as a monitoring or fact finding exercise.
- (ii) Formal samples should, however, be taken when:
 - Problems and contraventions of legislation are suspected
 - Results are not thought repeatable, e.g. pesticide residues or aflatoxins in food
 - In response to food complaints
 - Repeat sampling following a previous unsatisfactory informal sample

Sampling in manufacturing premises

- (i) The level and type of samples taken at individual manufacturing premises will depend on a number of factors including:
 - The nature of the raw materials, intermediate and finished products
 - The existence or absence of Hazard Analysis Critical Control Points (HACCP) type procedures
 - The existence of in-house quality control systems
 - The level of in-house sampling and the quality of procedures and documentation
- (ii) It is important, however, to ensure that food sampling forms an integral part of routine inspections within the risk assessment system laid down in the relevant Code of Practice and LACORS guidance. Ad hoc samples taken without regard to the above and without set objectives and protocols should be avoided.

SAMPLING PROCEDURE

It is wasteful of resources to carry out sampling without first considering and agreeing the objectives – this is especially the case for any sampling project or programme carried out in conjunction with other London Boroughs.

A sampling and analytical protocol should be prepared in conjunction with the selected laboratory in order to ensure an agreed procedure and to encourage a uniform approach. Clearly the subsequent status of the sampling will depend upon the objectives and protocol agreed.

The results and conclusions from the sampling exercise should be collated and circulated through sector groups. It is recognised that on occasions individual local authorities, sectors or the LFCG will want to consider wider publication.

LEVEL OF SAMPLING

Local authority sampling levels are closely monitored by the Food Standards Agency through returns. This data will be aggregated and returned to Brussels in accordance with the Official Control of Foodstuffs Directive.

CO-ORDINATION

In order to achieve maximum effectiveness and the best use of scarce resources, the Council should ensure that food sampling, other than for reactive duties such as complaints, food poisoning and port health and home authority duties, is carried out in conjunction with the LFCG.

Proposed sampling projects should be cleared initially through the relevant sectors. Sector co-ordinators will be in a position to ensure that other sectors are not proposing to carry out similar surveys – this will avoid duplication.

Reports of surveys should be passed through sectors and ultimately through the LFCG in order to ensure a wide distribution and a sharing of information.

In cases where projects have implications for areas outside London, the completed reports will be submitted to the relevant Food Panel of LACORS.

SUMMARY

The aim of this Policy is to ensure that the Council protects the consumer, and in so doing follows good practice and uses scarce resources in the most effective way.

The Policy is intended only as a guide. It is flexible enough to allow initiative, but points the way forward to a more locally based approach to food sampling.

Nothing in the Food Sampling Policy is intended to preclude initiative on the part of individual enforcement officers – there will be occasion, in circumstances of constant market change, when ad hoc sampling will be necessary.