FOOD LAW ENFORCEMENT SERVICE PLAN 2022/2023

04/07/2022

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# 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 published on the Council’s website. The layout of the plan is dictated by the Framework Agreement between the Food Standards Agency and Local Authorities.

The plan sets out the aims and objectives of the Environmental Health & Trading Standards (EHTS) Service’s Food 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 2020/21 and our programme of work for 2022/23.

## Inspection Plan

In 2021/22, the Food Team carried out 56% of all Food Hygiene inspections due in the higher bands of A-C (100% A, 82% B and 51%C) and 57% of all food standards inspections rated A - C (100% of A rated, and 46% & 99% of B and C rated premises). Food Standards inspections are seen as a second priority to that of food hygiene as this area of work crosses local authority boundaries.

In 2020/21 & 2021/22 the Covid-19 pandemic and the Government restrictions/lockdowns, impacted on the work of Local Authorities across the country. In response to this, the Food Standards Agency put into place a Recovery Plan which directed Local Authorities on the priorities and the timescales for the completion of programmed inspections. In essence, Local Authorities were advised to focus on high risk programmed inspections, service requests, approved premises, and new food businesses (to be prioritised on risk). To clear the backlog of inspections, all outstanding A rated premises were to be completed by the end of 2021/22, B rated by the end of June 2022, C rated by the end of September 2022 and D rated by the end of 2022/23. This Food Law Enforcement Service plan is prepared in line with the requirements on the FSA Recovery Plan.

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 inspections are undertaken if the next inspection date from the risk rating assessment score falls during the same year that the food hygiene inspection is due. This therefore results in a lower percentage of food standards inspection being undertaken.

## Enforcement

In 21/22, 11 premises were closed using emergency prohibitions. The premises closures were for pest infestations. A total of **£78,241** fines/costs were issued by the court from **4** completedcourt cases taken during the year (£82,318.08from 5 cases in 20/21)

## Food Hygiene Rating Scheme

We currently have 89.46% of our food premises broadly compliant with food hygiene law; this excludes those new premises yet to be inspected. The backlog of inspections of new food businesses accounts for a considerable number of the not broadly compliant premises as they are listed as unrated on the database when they commence trading; if they remain uninspected, we have potentially a significant number of non-broadly compliant premises counting against us. We have sourced funding to triage new registrations and specifically the determination of their risk in line with the FSA recovery programme. Inspections are prioritised accordingly. Food businesses are only listed on the database as unrated when they start trading.

## Food for Health

The Service has continued to receive external funding to continue with the Food for Health Award which aims to create a culture of healthy food choices for residents/workers in the Borough. Whilst a separate Team has been tasked with delivering this initiative the Food Team still raises awareness of the scheme by briefing businesses during inspections. In 21/22 **67** Food for Health visits were carried out at food businesses. As businesses are only allowed to take part in the scheme if they are broadly compliant, the Food Team has a direct impact on who can and who cannot be included. Briefing work will continue into this year as we have secured funding until April 2023. In 21/22 the Healthy Eating Award scheme resulted in **14** Bronze awards **(1** Bronze renewal)**, 9** silver awards and **2** gold awards (in 20/21 there were 4 unique premises awards).

## Reducing Inspection Burdens

We have reviewed our services to determine if the inspection burden can be lifted on local businesses but ensuring that hazards 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.

As stated above, food hygiene work takes priority over standards work. “A” rated standards inspections are the only standards work that is built into the inspection programme as a priority 100% of the premises rated A for standards will be inspected. B and C rated standards inspections are accounted for in the programme but are largely picked up where hygiene inspections are due. There are 1,077 standards inspections due (as of 01/04/22), plus 305 standards unrated premises. 7 are “A” rated and so will have to be inspected for standards only. B and C standards inspections that are due outside the hygiene programme and are unlikely to be inspected unless for example a complaint is received, or officers carry out sampling at the premises.

# Service aims and objectives

## Aims and objectives

* + 1. To promote and regulate food safety, food standards, health and safety in food premises.
		2. To provide advice and education to all sectors of the community on food safety matters. The promotion of Food for Health award in conjunction with Public Health in the fast food outlets with the aim to reduce obesity in children.
		3. To prevent the spread of infectious disease and food poisoning and investigate outbreaks.
		4. Health and Safety including smoke free enforcement and advice and accident investigation.
		5. Animal welfare and the control of zoonotic diseases.

## 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:

* + - * Council’s Strategic Plan
			* Divisional Service Plan
			* Council’s Enforcement Policy
		1. The activities of the Environmental Health & Trading Standards (EHTS) - Food 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 also has 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 Public Health England.
1. The aim of the EHTS Food Team is to protect residents, visitors and businesses by:
	* + - *The enforcement of consumer legislation by way of inspection, audit, complaint investigation, awards, training/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 both in the workplace and at public events in the Borough*
			- *Preventing the spread of infectious disease and food poisoning, and the investigation of outbreaks*
			- *Issue and enforcement of “approvals” covering a range of activities concerning products of animal origin (POAO) in manufacturing premises.*
			- *Developing partnerships with businesses, regeneration initiatives and other organisations in the Borough*
			- *Involving ourselves in national strategies i.e. Obesity Strategy*
			- *Promotion of business awards for smoke free and healthy eating in conjunction with public health services*
			- *Animal welfare and the control of zoonotic infections (infections that pass from animals to humans)*
			- *Allowing members of the public to make an informed decision on which establishments they eat in/buy food from by informing them of the general hygiene standard of premises via the FHRS and the affiliated website, window stickers and certificates.*
		1. The Food Law Enforcement Plan links in with the detailed activities that have been developed as part of the Team Plan and individual officer performance, development and review plans. It also reflects the priorities in the FSA recovery plan.

# Background

## Profile of Tower Hamlets

* + 1. 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, Gouman, 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)
			- 125 schools & colleges
			- Billingsgate – London’s major Wholesale & Retail Fish Market
			- World famous street markets at Petticoat Lane, Whitechapel, Brick Lane, Columbia Road and Roman Road
			- London Guildhall University, Queen Mary University of London and The Royal London Hospital Medical Schools
			- The Royal London, Mile End and London Independent Hospitals
			- 1 poultry slaughterhouse
			- 3 City Farms
			- Numerous night clubs & other venues
			- Many community events such as concerts in Victoria Park and festivals in Brick Lane.

## Organisational Structure

* + 1. The Team is located within the Environmental Health & Trading Standards Service (EHTS). EHTS is part of the Public Realm Division which is part of the Place Directorate. A Team resource analysis has been undertaken at Annex A, the Council’s administrative committee structure is set out in Annex B and the structure showing where the service sits in the overall council organisation is in Annex C.
		2. Food Safety falls within the portfolio of **Cllr Asma Islam** as Cabinet Member for the Environment

## Scope of the Food Service

* + 1. The Environmental Health & Trading Standards Food Team is responsible for the following functions in all commercial premises.
			- food hygiene – food preparation and handling
			- food standards – food labelling and composition
			- health and safety
			- infectious disease control
			- public health activities
			- importing and exporting of food
		2. Nuisance and Pollution control issues related to commercial premises are dealt with by the Pollution Team. The Trading Standards Team deals with animal feeding-stuffs and fraudulent activities covered by the Food Safety Act 1990.
		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.

## Demands on the Food Service

Premises Profile

* + 1. 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.
		2. Food Standards legislation sets out specific requirements for the labelling, composition and safety parameters of food stuffs which are potentially at risk of being misleadingly substituted with lower quality alternatives. The legislation makes sure consumers are not misled as to the nature of food products when it is sold to them. Premises that are inspected included importers and exporters who may not even hold food on their premises – this accounts for the difference in total numbers in Table 1 and Table 2 below.
		3. The Food Code of Practice details how premises should be scored for Food Standards, the following criteria are used,
			- Risks to consumers/businesses
			- Hazardous processes
			- Ease of compliance
			- Consumers at risk
			- Current compliance
			- Confidence in management systems

The above criteria are used to score food standards activities as A – C, with A being high risk. It is at this category that we undertake separate inspections; the remainder of the inspections for food standards are carried out when the necessary food hygiene inspection is due. The criteria are weighted, and the Officer undertakes the scoring during the routine inspection, and from the calculated score, an overall risk rating is achieved.

* + 1. Food Hygiene is vital to prevent food poisoning. Our inspections cover food safety management procedures, cleaning, storing of food, pest control, preparation, cooking, the delivery and supplying of food, training of staff and the physical structure of the food premises. Inspections are mainly carried out at higher risk premises (A-C). The Food Law Code of Practice, the guidance document that must be followed by Local Authorities, classifies food premises by risk in several key criteria:
			- Type of Food/Method of handling
			- Method of processing
			- Consumers at risk
			- Vulnerable Groups
			- Food Hygiene and Safety
			- Structural Compliance
			- Confidence in management systems
			- Significance of risk/likely contamination
		2. The above criteria have weighted scores and the total score is calculated by officers during their routine inspections to give an overall risk rating. ‘A’ being high risk and ‘E’ being low risk. The inspection frequencies are assigned nationally to each risk rating.
		3. D/E rated premises are lower risk premises. They do not constitute zero risk however. The food law code of practice provides some concession for dealing with D rated premises. Whilst these premises still present a risk, we are duty bound to inspect them. They can, however, be put on a schedule of alternative enforcement i.e. self-audit questionnaire by the business. That would mean that they would alternate between an inspection and an alternative enforcement strategy each time they were due for inspection. This would reduce the burden on resources required to inspect D rated premises.

**Table 1: Hygiene: Food businesses 22/23 and their inspection category for food hygiene**

**Inspection frequency**

**A: Every 6 months**

**B: Every 12 months**

**C: Every 18 months**

**D: Every 2 years**

**E: Every 3 years**

**The category for unrated & blank premises is determined at the first visit and can be A – E**

**Premises can move across the risk bands after inspection**

**Category D/E premises may be dealt with using an alternative enforcement strategy (AES)**

**Premises in the “outside” category are premises for Food Standards only as there is (i) no hygiene involved (i.e. it is an importers office or (ii) hygiene is the responsibility of the FSA (i.e. FSA approved slaughterhouses)**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Type** | **A** | **B** | **C** | **D** | **E** | **Unrated** | **outside the programme** | **Grand Total** |
| 02 Slaughterhouse | - | - | - | - | - | - | 1 | 1 |
| L03 Manufacturers/packers | 1 | 1 | 10 | 7 | 17 | 1 | 0 | 37 |
| L05 Import/Export | 0 | 0 | 1 | 0 | 5 | 2 | 5 | 13 |
| L06 Importers (3rd countries) | 1 | 0 | 1 | 1 | 2 | 0 | 1 | 6 |
| L07 Distributors/Transporters | 0 | 0 | 2 | 27 | 45 | 3 | 5 | 81 |
| L08 Retailers | 0 | 0 | 0 | 0 | 3 | 0 | 0 | 3 |
| L11 Manufacturer selling by retail | 0 | 0 | 2 | 7 | 4 | 3 | 1 | 17 |
| L12 Supermarket/hypermarket | 0 | 0 | 1 | 18 | 38 | 2 | 0 | 59 |
| L13 Small retailer | 0 | 6 | 31 | 157 | 300 | 24 | 0 | 518 |
| L14 Retailer - other | 0 | 0 | 1 | 7 | 59 | 2 | 0 | 69 |
| L15 Restaurant/cafe/canteen | 3 | 34 | 277 | 616 | 75 | 72 | 0 | 1077 |
| L16 Pub/club | 0 | 2 | 17 | 74 | 77 | 4 | 0 | 174 |
| L17 Takeaway | 1 | 10 | 142 | 236 | 35 | 59 | 0 | 483 |
| L18 Caring premises | 0 | 6 | 38 | 18 | 43 | 0 | 0 | 105 |
| L19 School/college | 1 | 4 | 58 | 52 | 9 | 1 | 0 | 125 |
| L20 Mobile Food Unit | 0 | 0 | 3 | 20 | 3 | 8 | 0 | 34 |
| L21 Restaurant & caterers - other | 0 | 6 | 71 | 204 | 100 | 19 | 1 | 401 |
| L22 Hotel/Guest house | 0 | 0 | 10 | 14 | 9 | 0 | 0 | 33 |
| L99 Enforced by Port Health | - | - | - | - | - | - | 39 | 39 |
| Miscellaneous | 0 | 1 | 4 | 9 | 14 | 8 | 2 | 38 |
| **Grand Total** | **7** | **70** | **669** | **1467** | **838** | **208** | **53** | **-** |

**Table 2 : Standards: Food businesses 22/23 and their inspection category for food standards**

**Inspection frequency**

**A: Every 12 months**

**B: Every 2 years**

**C: Every 5 years**

**The category for unrated and blank premises is determined at the first visit and can be A – C**

**Premises can move across the risk bands after inspection**

**Category C premises may be dealt with using an alternative enforcement strategy (AES)**

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Row Labels** | **A** | **B** | **C** | **Unrated** | **Outside the programme** | **Grand Total** |
| X02 Slaughterhouses | 0 | 0 | 1 | 0 | 0 | 1 |
| X03 Manufacturers | 1 | 20 | 8 | 4 | 0 | 33 |
| X04 Packers | 0 | 3 | 0 | 0 | 0 | 3 |
| X05 Importers (EC) | 0 | 7 | 2 | 4 | 0 | 13 |
| X06 Importers (3rd) | 0 | 5 | 0 | 1 | 0 | 6 |
| X07 Distributors/Transporters | 0 | 56 | 17 | 7 | 0 | 80 |
| X08 Retailers | 0 | 0 | 3 | 0 | 0 | 3 |
| X11 Manufacturer Selling by Retail | 0 | 4 | 9 | 4 | 0 | 17 |
| X12 Supermarket/Hypermarket | 0 | 7 | 49 | 3 | 0 | 59 |
| X13 Small retailer | 2 | 239 | 242 | 34 | 1 | 518 |
| X14 Retailer - other | 0 | 3 | 59 | 3 | 3 | 68 |
| X15 Restaurant/cafe/canteen | 0 | 563 | 420 | 90 | 0 | 1073 |
| X16 Pub/club | 0 | 68 | 101 | 5 | 0 | 174 |
| X17 Takeaway | 1 | 246 | 151 | 85 | 0 | 483 |
| X18 Caring premises | 0 | 21 | 83 | 1 | 0 | 105 |
| X19 School/college | 0 | 38 | 84 | 3 | 0 | 125 |
| X20 Mobile food unit | 0 | 9 | 14 | 11 | 0 | 34 |
| X21 Restaurant & caterers - other | 2 | 130 | 216 | 44 | 1 | 393 |
| X22 Hotel/Guest house | 0 | 8 | 25 | 0 | 0 | 33 |
| X99 Enforced by Port Health | - | - | - | 1 | - | 1 |
| Miscellaneous | 0 | 17 | 11 | 10 | 4 | 42 |
| **Grand Total** | **6** | **1444** | **1497** | **310** | **10** | **3264** |

**Note:** The premises category relates to the main food activity and is unitised in larger premises, so a restaurant or bar in a hotel will be shown under restaurants or bar, not as a hotel. A hotel may have several restaurants and these are therefore counted as individual restaurants as they may have varying risks. The food usage is only counted as a hotel if the central kitchen supplies the whole hotel.

* + 1. As of April 2022, there 62 establishments were approved by the Council to handle, produce and manufacture food incorporating Products of Animal Origin (POAO) for wholesale purposes.

**Table 3: Approved Establishments**

|  |  |
| --- | --- |
| **Type** | **Total** |
| Cold Stores | 4 |
| Food Broker | 1 |
| Fish Processing  | 49 |
| Meat processing | 6 |
| Manufacturer | 1 |
| Distributor | 1 |

* + 1. Tower Hamlets’ food businesses are primarily caterers and retailers.
		2. There is a high level of imported foods (from non-EU 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, processed in a way that contravenes EU legislation, or they do not comply with compositional or labelling requirements). This area of work is continually high due to low costs of cheap imports and high consumer demand. This food however gives rise to a risk to human health and we remove it from sale/enforce as necessary and offer advice to importers.
		3. In December 2020 at the end of the transition period following Brexit, legislation was introduced to control the export of food from the UK to the EU and vice versa. This has had a significant impact on the food business in the Borough wishing to transfer goods in and out of the EU. Food has to be rigorously checked and certified by officers before it can cross the “border” to the EU.
		4. 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.
		5. 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 members are multilingual.
		6. Reception and Information Service
		7. In 2021/22 the EHTS Food Team relocated to Mulberry Place from John Onslow House. The reception and information point for the EHTS Food Team is now located at:

Mulberry Place

2nd Floor

5 Clove Crescent London E14 2BG

* + 1. 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. Tower Hamlets also has a website at [www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk/) and the EHTS Food Team have an E-mail address, namely: foodsafety@towerhamlets.gov.uk. This address is also used for the national electronic communication system for Environmental Health Departments, known as EHCNet.

## Enforcement Policy

* + 1. The current enforcement procedure is documented and outlines all enforcement action carried out by officers; it reflects the Council’s Enforcement Policy. 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. The Council’s Enforcement Policy is considered by the Team during all enforcement matters and is specifically referenced to when commencing a prosecution by the Council Legal Services.
		3. Legal Services review all evidence in matters sent for enforcement by officers. Legislation and regulations are considered alongside the Council’s Enforcement Policy when a case is considered for prosecution; this includes proportionality in

applying the law and securing compliance, being consistent in its approach to prosecutions, transparency and being targeted in its enforcement action.

# Service Delivery

## Inspection Programmes

* + 1. Food establishments in the Borough are risk rated by the Food Law Code of Practice for England, which we must follow. A risk score of 10 points or below in the Officers scoring criteria with the compliance to regulations in relation to i) structure ii) hygiene preparation and iii) confidence in management determine if the premise is broadly compliant with food hygiene law. The indicator of broadly compliant with food hygiene law is 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.
		2. The Food Law Code of Practice for England (that guides our inspection programme) permits shorter inspections on those businesses that are deemed broadly compliant i.e. in the lower risk categories of C and D for food hygiene. It also permits the use of posted questionnaires for those premises in category E and alternate enforcement strategies premises i.e. a formal inspection is not always required every time they fall due.
		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.
		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.
		5. We have determined that we have 89.46% of all food premises currently broadly compliant with food hygiene legislation.
		6. The Food Safety Officers carry out programmed food hygiene/standards inspections at frequencies determined by the Food Standards Agency and the Food Law Code of Practice. (The frequencies of inspections are shown in Tables 1 and 2). 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.

* + 1. Category E food hygiene and Category C food standards inspections will be addressed by using alternative enforcement strategies (AES), such as a self-audit questionnaire. These questionnaires will be sent to all Category E and C rated premises. All completed questionnaires will be verified and follow up action taken where it apparent that the risk rating has changed. Category D food premises could fall into an alternative enforcement strategy at alternative years.
		2. For 2022/23 the number of food hygiene inspections that fall due is shown in Table 4 and the number of food standards inspections due is shown in Table 5:

**Table 4**

The number of food hygiene inspections tagged at 1 April 2022 and due to be carried out in 2022/23

**(the data includes the inspections carried over from 21/22)**

|  |  |
| --- | --- |
| **Inspection Rating *needs a report running to confirm figures*** | **Number of food hygiene inspections due** |
| **A** | 7 x 2 = 14 |
| **B** Broadly compliant | 33 |
| **B** *not Broadly compliant* | 35 |
| **C** Broadly compliant | 496 |
| **C** *not Broadly compliant* | 35 |
| **D** Broadly compliant | 898 |
| **D** *not broadly compliant* | 9 |
| **E** (verification) | 598 |
| **Unrated**  | 197 |
| **Total Full Inspections (i)** | 290 |
| **Total Surveillance inspections (s)** | 1427 |
| **Total Interventions (i) + (s) + verification** | 2315 |

**Table 5**

The number of food standards inspections due in 2022/23 and the inspection targets.

**(The data includes the inspections carried over from 21/22)**

|  |  |
| --- | --- |
| **Inspection Rating** | **Number of food standards inspections due** |
| A | 7 |
| B | 617 |
| C (verification) | 437 |
| Unrated | 310 |
| Total | **1371** |

* + 1. 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 standards inspections due.
		2. 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 broadly compliant score and hence resources will be allocated to carry out inspections on the unrated businesses.
		3. Food hygiene and food standards inspection procedures detail the steps to be followed by officers. They take account of relevant Codes of Practice, Local Government Regulation and FSA guidance and relevant Industry Guides.
		4. Hygiene re-inspections (called verification visits) will be carried out where enforcement notices have been issued, where there is a significant public health risk, or the premises are not broadly compliant. Premises will not be re-rated at a verification visit.
		5. Since the introduction of the Food Hygiene Rating Scheme food businesses scoring less than 5 can request a re- inspection in an attempt to improve their rating score. On 1 April 2019 a cost recovery charging system was introduced for re-inspections. The three-month standstill period has been removed and requests for re-inspection can be made immediately after an officer’s visit. Request for re-inspections must be supported by evidence to demonstrate the improvements carried out. During the Pandemic many businesses utilise online delivery portals. These portals dictate a minimum rating of “3” before they will accept a fond business onto their system. Businesses scoring less that a “3” are therefore financially pressured into sourcing a re-score inspection to improve on their ratings. There were 106 requests for re-inspection during 2021/22 compared to 41 the previous year.
		6. Food Standards re-inspections are of a lower priority and not required as often as for food hygiene.
		7. The resource estimated for programmed hygiene inspections, including alternative enforcement strategies (AES) for lower risk premises for 22/23 is **3.73 Full Time Equivalent** (**FTE**), and **1.13 FTE** for programmed standards inspections. The resource for re-inspections for food hygiene and standards is estimated to be **1.56 FTE. Annex A** gives details of the assessment of resources for all functions within the plan. The shortfall stands at **5.9 FTE for 22/23**. The shortfall will be dealt with by not inspecting all the premises that fall due where low risk pre-packed food is offered or other inspection regimes which deliver a similar inspection function, namely off- licences, newsagents and chemists.
		8. Additional priorities have been identified for action in 2021/22 including:
			- Clearing the backlog of inspections from 21/22 including the inspection of all newly registered food businesses
			- Export Health Certificates for the export of food from the UK to the EU and Norther Ireland
			- Inspections will be carried out at major festivals once Covid restrictions are eased
			- Sampling plan involving microbiological & environmental sampling
* 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 and sampling products at the point of sale
* Health & safety issues will be dealt with via hazard spotting during food hygiene visits
* Focus on speciation sampling to verify that foods are what they are purported to be
* Sampling plan involving chemical analysis, authenticity, traceability, and labelling
* Focus on allergens during food hygiene visits and specifically Natasha’s Law & the labelling of products
* Closures and follow-up enforcement action, including prosecution of businesses as appropriate
* Specific targeting of A risk premises and Higher B’s with advice and enforcement
* Use of alternative enforcement strategies in low-risk premises and consideration of not inspecting some if reactive demands are increased.

## Food Complaints/Requests for Service

* + 1. The Environmental Health & Trading Standards 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 to100% of higher risk issue service requests within 24 hours.*
* *To register all new operating premises within 28 days of receipt of application form.*
	+ 1. The number of service requests for 2021/22 was 3131 with 2951 for the previous year.
		2. The resource estimated for dealing with service requests is **0.6 FTE.**

## Home Authority Principle

* + 1. The Council formally adopted the Home Authority Principle at the Planning and Environmental Services Committee meeting of 13 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 Primary 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.
		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. The resource estimated for this area of work is **0.26 FTE**.

## Advice to business

* + 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. A variety of information leaflets, in community languages, are also available.

## Food Inspection and Sampling

* + 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 D
		2. The programme includes participation in co-ordinated projects organised by UK Health Security Agency (UKHSA) (formerly Public Health England), EU, London Food Co-ordinating Group and North East London Food Liaison Group. Planned local projects and Home Authority sampling are also included.
		3. The target for 2022/23 is approximately 180 (Proactive sampling in conjunction with NE sector, planned internal sampling and HPA; Reactive Sampling: a contingency sampling quota of 32 is set aside for internal samples from closures, seizures, outbreaks etc.). All samples to be taken by the end of the financial year. The budget for sampling is £12,000.
		4. Due to the Covid-19 pandemic and in accordance with the FSA Recovery Programme and the prioritisation high risk interventions/controls, sampling was significantly curtailed during 21/22. Consequently, no samples were taken in 21/22.
		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

Public Analyst Scientific Services Limited. i54 Business Park

Valiant Way Wolverhampton WV9 5GB

Microbiological examination is undertaken by: Nicola Elviss (Food Examiner)

UK Health Security 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 Public Analyst Scientific Services Laboratories.

* + 1. The resource required for food sampling is estimated to be **0.6 FTE**

## Outbreak Control and Infectious Disease Control

* + 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).
		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 number of allegations of food poisoning amounted to **230** in 2021/22. The level of resource is estimated at **0.02 FTE**

## Food Safety Incidents

* + 1. We deal with Food Alerts in accordance with the Code of Practice and guidance issued by the Food Standards Agency. Food Alerts: For Action 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.
		2. There is a policy document and procedure note on dealing with Food Hazard Warnings.
		3. Resources for this work are dependent on the demand. In 2021/22, there were 40 Food Alerts and 102 Food Alerts: Allergy Alerts issued by the Food Standards Agency. Resources are therefore estimated at **0.1 FTE**  (Included in Service Requests above)

## Liaison with Other Organisations

* + 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 to twelve weeks.
			- A PEHO attends regular sub-group meetings to discuss and arrange co-ordinated Approval processes.
			- Planned liaison meetings take place with UK Health Security Agency
		2. The resource required for these activities is estimated at **0.03 FTE**.

## Food Safety Promotion

* + 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 Public Health
			- Seeking small grants from the Food Standards Agency to carry out bespoke projects
		2. The resource required for these activities is estimated at **0.03 FTE**.

## Administration

* + 1. The Service’s central Support Services team provides administration support.

## Management

* + 1. The Head of Environmental Health & Trading Standards Service provides overall management of all services in EHTS. The Food Team is managed by the Food Team Leader. The Food Team Leader is assisted in the management of the team by the Principal Environmental Health Officer. Management accounts for approximately **0.6 FTE**.

# Resources

## Financial Allocation

* + 1. The Food Safety financial allocation is part of the EHTS Food Team cost centre.
		2. Training costs are included in the Employee related expenses.
		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.

## Staffing Allocation

* + 1. The staffing for food safety work is as follows:

0.2 x Head of Environmental Health & Trading Standards Service 1 x Food Team Leader

1 x Principal Environmental Health Officer (PEHO)

1. x Senior Environmental Health Officers (SEHO) 4 x Environmental Health Officers (EHO)

2 x Food Safety Officer (FSO)

1x Health Promotion Officer

(Total Technical Staff as of 22/23 = **11.2 FTE**)

**(Total Technical Staff required for work identified in plan = 17.1 FTE)**

4.2.3 Additional resources located outside of the EHTS Food Team are as follows: TSO/CSO –Animal Feeding-stuffs – resources allocated as required

Environmental Health & Trading Standards Food & Trading Standards Teams share administration resources: Food Safety allocation is approximately: (This is split between hygiene and standards as part of the LAEMS return).

**1 x Senior Support Services Manager (0.1 FTE)**

**1 x Support Services Manager (0.25 FTE)**

**3 x Administration Officers (0.75 FTE)**

**(Total Admin staff = 1.1 FTE)**

* + 1. Authorisation and competencies

Head of Environmental Health & Trading Standards Service /PEHOs/EHOs:

* + - * Fully qualified to Diploma/Degree level
			* Authorised to inspect all categories (with the exception of any officers who have insufficient experience and competencies)
			* Take all levels of enforcement action (with the exception of any officers who do not have the required competencies or are Food Safety Officers)
			* Competencies are assessed in line with the FSA Food Law Code of Practice Competency Matrix

## Staff Development Plan

* + 1. The Council uses its Performance Development and Review Scheme (PDR) 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 their main objectives with targets and their own development plan.

* + 1. 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 and in line with the FSA Competency Matrix
			- Training relating to organisational matters (IT, systems and procedures)
		2. An online training facility has been made available to the officers for the financial year 2022/23 to ensure that the competencies of the experienced officers are maintained and to develop the competencies of newly qualified officers. The training is prioritised as follows:

Food Issues

Food law updates

Exportation & importation of food

Approved premises

Allergens

General Issues

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

## Allocation of Resources

* + 1. **able 5** in **Annex A** sets out the total resources available (i.e. **11.2 FTE** officers) and how these resources were allocated to complete the plan in 2021/22. The table also sets out the resources required to fulfil the plan for 2022/23.
		2. Section **6.0** of this Plan sets out the achievements of the team in 2021/22
		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 48%% of those due inspections for hygiene banded A-E and Unrated and 100% for due standards inspections rated A and 46% & 99% for premises rated B & C.
* The Team concentrated on the higher risk premises to ensure food safety (i.e. 56% in total, 100% (A), 46% (B) & 99% (C) inspection rates for higher risked premises (A-C) (due for hygiene). The inspections that have not been done will be carried forward into 2022/23.
* Standards inspections were led by the due date of the hygiene inspections. In some cases, Standards inspections fall due when hygiene is not due, and since they are a secondary concern, they are sometimes carried forward to the next inspection date.

# Quality Assessment

## Measures

The measures to be taken by the EHTS Food Team Management to assess quality and promote consistency include:

* + - Desktop reviews of proactive and reactive case paperwork and files will be undertaken by the Food Team Leader
		- 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 6-8 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 CIVICA software system.

# Review

## Review against the Service Plan

* + 1. The Head of Environmental Health & Trading Standards Service presents reports to the Service Management Team on performance of the food safety inspections against performance targets detailed in the Service Plan.
		2. At the end of the financial year, a performance review is carried out by the Food Team Leader 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 2021/22 is set out in 6.17 below.

## Identification of any variance from the Service Plan.

* + 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 year’s plan.

## Areas of Improvement

* + 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 year’s plan. Key areas for improvement identified from the review are detailed in paragraph 6.17.

## Inspection Programmes

* + 1. 56% of all food hygiene premises (Bands A-C) that were due for inspection had a food hygiene intervention. For the highest risk premises this was 100% A risk and 82% B risk. All overdue premises (15 x B rated & 271 x C rated premises) have been carried forward to the 2022/23 programme.
		2. 134 revisits were carried out; this is an increase from 35 the previous year. Considering that 1056 programmed inspections were carried out this loosely equates to 13% of inspections had a revisit. Revisits are often combined with FHRS inspections (106 in 21/22) which this therefore equates to 23% of premises require revisits.
		3. 100% of the A rated (46% of the B rated) food standards inspection programme were carried out – most were food standards inspections that fall due alongside food hygiene inspections. The remaining outstanding standards inspections have been carried forward to the 2022/23 programme.

## Enforcement

* + 1. **4** (5 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 **£78,241** (£82,318.08 in the previous year)
		2. **17** (7 in the previous year) formal improvement notices were issued.
		3. There were **8** Hygiene Emergency Prohibition Notices served in 2021/22 and **3** voluntary closures. The closures were for uncontrolled pest infestations. In 2020/21 there were 2 emergency prohibitions or voluntary closures.

## Additional Priorities

* + 1. Regular early morning inspections were carried out at Billingsgate Market. Programmed inspections were carried out as well as general supervision of the market. All Traders have now received their approval to trade at the market.

## Food Complaints/Requests for Service

* + 1. A total of 3131 service requests were received in 2021/22 (2951 in 20/21 & 2615 in 19/20). 1117 or the service requests were for New Food Business Registrations
		2. The main types of complaints received were: were 230 with regards to food poisoning complaints concerning food premises in the Borough (a slight increase from 188 last year), 72 pest infestations (an increase from 46 last year), 60 for poor hygiene practices (a decrease from 80 last year), 28 for cleanliness of premises (a slight decrease from 29 last year), and 119 complaints were received about food standards issues, e.g.food labelling, allergens etc. (a decrease from 180 last year)
		3. There was a significant increase in the number of requests that have been received from food business operators who wish to have their premises re-inspected in accordance with the provisions of the Food Hygiene Rating Scheme, in order to attempt to improve their score. In 2018/19 it was 82, 104 in 2019/20 and a drop to 41 in 2020/21. In 2021/22 there was however, 106 requests for a rating inspection to be carried out for new food businesses. In 2021/22 there were 5 Appeals against FHRS scores and 141 requests for FHRS advice, including requests to be listed as Awaiting Inspection to enable businesses to be listed on the online delivery portals.
		4. A re-inspection can be requested when a food business operator provides evidence that sufficient works have been carried out to comply with the legislation they were lacking on the original inspection. Once Officers are satisfied by the evidence provided that works have been progressed then an inspection will take place. From 1 April 2019 a cost recovery charging system was introduced for re-inspections. The standstill period of 3 months has been removed. Officers are required to carry out the re-inspection within 3 months of the receipt of the application. The implementation of a fee has not had a detrimental effect on the numbers requiring a re-score visit.

## Home Authority Principle

* + 1. No formal Home Authority or Primary Authority Partnerships were established during the year 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.

## Advice to Business

* + 1. Advice for new businesses continues to be issued, along with signposting to relevant websites for further information.

## Food Inspection & Sampling

* + 1. No food samples were taken in 2021/22.
		2. A Sampling Plan is to be produced for 2022/23. The Sampling Policy is detailed in Annex D and is a required to be approved as part of the Food Law Plan.

## Outbreak Control & Infectious Disease Control

* + 1. Some 230 service requests were investigated specific to incidents of alleged food poisoning originating from food consumed in the borough. This in an increase from 188 in 20/21.

## Food Alerts

* + 1. 40 Food Alerts and 102 Food Alerts (allergy alert) were received from the Food Standards Agency. A Food Alert is a national alert on certain food stuffs i.e., contamination, food labelling deficiency. Most of these did not require any action.
		2. Food Alerts: For Action attract a high priority and immediate response. When they happen, resources have to be diverted from other food enforcement functions to facilitate the necessary action. This can impact on the target outputs of the Plan. There were no Food alerts for Action in 21/22.

## Liaison with Other Organisations

* + 1. The food safety unit fulfilled all of its liaison activities in the 2021/22 Plan and carried out benchmarking each quarter to assess our performance against neighbouring Authorities.

## Food Safety Promotion

* + 1. Food hygiene coaching visits were carried out at non broadly compliant premises in Town Teams areas.
		2. Prosecutions were publicised via press releases.
		3. Prosecutions are uploaded onto the FSA website where they are mapped out according to the LA, offences and fines levied.

## Staffing

* + 1. The team was fully staffed during most of the year. Two vacant Environmental Health Officer posts was recruited to in Q3 of 2021/22.

## Training

* + 1. The food safety officers undertook a range of training activities during the year, these included:
			- Allergens
			- Labelling
			- Consistency
			- Legal updates
		2. Quality Assessment
		3. Documented team meetings took place.
		4. Monthly monitoring reports are produced on a regular basis

## Key areas for Improvement/Development

* + 1. The competency levels of Environmental Health Officers and Food Safety Officers are now defined in the revised/updated Code of Practice. The Local Authority is now under an obligation to ensure that the competency of experienced officers is maintained and that newly qualified officers develop their competency before exercising official control. Procedures are to be implemented and recorded to develop training plans, review the levels of competency and the need for refresher training. This will be reviewed in 1 to 1 meetings with the officers.
		2. Priorities and deadlines in the FSA Recovery Plan are to be adhered to
		3. Procedures are implemented and systematically reviewed. Nonconformities are addressed.
		4. Development of expertise, competency & training in the processing of Export Health Certificates post Brexit
		5. Development of enforcement strategies for low-risk premises such as D & E rated food safety premises.
		6. Consistency training for staff in relation to the Food Hygiene Rating Scheme
		7. Development of our database with regards to facilitate better reporting to the FSA
		8. Development of handheld/tablet computer IT systems
		9. Revisits are to continue as this has resulted in enforcement action being taken when advice has not been followed.
		10. Implementation of the new registration system introduced by the Food Standards Agency’s Regulating Our Future system.
		11. The use of alternatives strategies and inspection techniques for broadly compliant premises

# Annexes

Annex A: Assessment of resources

Annex B: Current Council Decision Making Structure Annex C: Current Council Corporate Structure Annex D: Food Sampling Policy 2022/23

**Annex A: Assessment of Resources for 2022/2023**

**Table 5**

Estimation of Full Time Equivalent (FTE)

|  |  |
| --- | --- |
| **Type** | **Number of days** |
| 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 (HYGIENE)**

High risk premises (Cat A, unrated/blank and not broadly compliant premises (Category B, C and D)) = **290** inspections due (Table 4 as Total Inspections), at 3 ½ hours per inspection (this is in line with the average London authority – LFGG bench marking exercise ), therefore **1015** hours to inspect 100%.

Broadly compliant Category B, C and D premises = **1427** inspections (Table 4 as Surveillance Inspections) due at 1.5 hours per inspection, therefore **2140** hours to inspect 100%.

Total for inspections/surveillance therefore = **3155** hours (**451 days**) = **2.8 FTE**

Low risk (E hygiene) premises are likely to be subject to alternative enforcement strategies. There are 598 E rated premises requiring inspection in 22/23.

Allow 5 hrs for management of scheme. Allow 0.25 hrs per premises (**150**) for implementation of scheme

Total for Alternative Enforcement Strategies = **155** hours (**21.5 days**) **= 0.13 FTE**

Approval inspection on processes of HACCP **62** premises @ 14 hours = 868 hrs (124 days) **= 0.8 FTE**

Resource required to achieve 100% inspection rate **(**total 596.5 days = **3.73 FTE) Programmed Inspections (STANDARDS)**

High risk premises (Cat A) = 7 inspections due (Table 4). 3 of these will be inspected during hygiene inspections, at ½ hour per inspection (this is in line with the average London authority – LFGG bench marking exercise). 4 will be inspected as standards only as hygiene is not due at 2 ½ hour per inspection (this is in line with the average London authority – LFGG bench marking exercise). Therefore 1.5 hours to inspect the 3 A’s due alongside hygiene inspections,

10 hours to inspect 4 A’s due for standards only.

100% of A’s inspected = Total of 11.5 hours (1.6 days) = **0.01 FTE.**

As stated previously efficiency is gained as medium to low-risk food standard inspections are undertaken in the year that the food hygiene is due. 617 B’s due, but 221 due alongside hygiene. 437 C’s due, but 110 due alongside hygiene.

Programmed inspections (B and C) due with hygiene (331) = At ½ hour per inspection = 165.5 hours required = 24 days = **0.15 FTE**. B rated inspections where no hygiene due = 396. At 2½ hours per inspection 990 hours required = 141 days = **0.9 FTE.**

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

Allow 5 hrs for management of scheme. Allow 0.25 hrs per premises (327 C’s not due for hygiene) for implementation of scheme = 87 hours = 12.4 days = **0.07 FTE**

Resource required to achieve 100% inspection rate (standards) (total 179) days = **1.13 FTE**

**Re inspections following programmed hygiene inspections**

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

A = 7 x 2 @ 3.5hrs = 49 hrs (**0.3 days**)

Premises that fall out of the broadly compliant range = (35 B, 35 C & 9 D) @ 3.5hrs = 276.5 hours (**40 days**)

Resource required for re-inspections of not broadly compliant premises = 40.3 days = **0.25 FTE**

For the remaining broadly compliant premises and unrated premises (33 B, 496 C, 898 D & 197 unrated category premises), revisits will be required to 20% of those premises (estimation based on a 20% ratio for inspections/revisits in 2021/22)

20% of 1624 = 325 revisits @ 3.5 hours = 1137.5 hours (**162.5 days**) = **1 FTE**

Resource required for food hygiene revisits = 203 days = **1.3 FTE**

**Re inspections following programmed standards inspections**

Food standards inspections outside programmed food hygiene inspections = 742 (Revisits for standards inspections which are incorporated into food hygiene inspections will be accounted for under the food hygiene revisits estimation)

20% of standards inspections will require a revisit which equates to 148 @ 2hrs = 296 hrs (42 days) Resources required for food standard revisits = **0.26 FTE**

**Service requests**

It is expected that some 611 food safety related service requests will be received during the year (based on the figure for 21/22). It is estimated that each will take an average of 1.5 hrs, therefore 916.5 hrs will be required to deal with these.

Total for Service Requests 916.5 hours = 131 days = **0.8 FTE**

In addition:

1 **Planning Application** (21/22) @ 1 hr each = 1 hrs

Total time for Planning Applications = 1 hrs (0.15 day) = **0.001 FTE**

178 **Premises Licence Applications** (21/22) @ 0.5 hr each = 89 hrs

Total time for Premises Licence Applications = 89 hrs (12.7 days) = **0.08 FTE**

142 **food alerts & food allergy alerts** @ 0.5 hr each = 71 hrs

10 approx will require extensive investigations etc. @ approx. 3.5 hrs each = 35 hrs

Total time for Food Alerts = 106 hrs (15 days) = **0.1 FTE**

Approximately 1117 **new premises** to open during year (based on the 21/22 figure) @ 3 ½ hrs each = 3909.5hrs. 356 Food Premises Registration Forms are outstanding from 21/22 and are to be carried over to 22/23 which equates to 356 @ 3 ½ hrs each = 1,246 hours

Total time for New Premises = 5155.5 hrs (736.5 days) = **4.6 FTE**

Total for Service Requests = 159 days = **1 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) = **0.26 FTE**

 **Advice to Businesses**

Throughout the year advice to business forums etc will be given on an ad-hoc basis

Ad-hoc support & advice = 998 (based on 21/22 figures)

Total for Business Advice & Support = 998 hrs (143 days) = **0.9 FTE**

**Food Hygiene Rating Scheme – Re-score applications**

In 2021/22 there were 106 applications for a re-score inspection under the Food Hygiene Rating Scheme. A full inspection is carried out by the officer when assessing the FHRS score. The majority of the re-score applications are for non-broadly compliant premises.

Total for FHRS applications (106) = 371 hrs (53 days) = **0.3 FTE**

**Food Sampling**

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

180 samples @ average of 3 hrs per sample = 540 hours

Follow up to adverse results 20% = 36 @ 4 hours per sample = 144 hours

Total for Sampling = 684 hrs (97 days) = **0.6 FTE**

 **Outbreak Control**

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

Estimated **0.02 FTE.**

**Liaison**

Attendance at Sector Group meetings, study groups etc and follow-up work = 5 days

Total resource required is = **0.03 FTE**

**Food Safety Promotion**

A number of initiatives are planned, as follows:

* Miscellaneous press releases and events @ 35 hrs (5 days)

Total time for Health Promotion = 35 hrs (5 days) = **0.03 FTE Other Activities**

Inspections will be carried out at major festivals and outside events in Victoria Park.

Total for festivals 200hrs (28 days) = **0.17 FTE**

**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 = 129 hrs (18 days) = **0.1 FTE**

**Imported Food Projects/Surveillance**:

Allow 300 hrs for Imported Food Control = 43 days = **0.27 FTE**

**Export Health Certificates (EHC’s) & Health Certificates (HC’s)**

In 21/22 there were 88 EHC’s and 58 HC’s

Allow 2 hours for each EHC (88) = 176 hours, and 0.5 hours for each HE (58) = 29 hours

Total for Certificates = 205 hrs (29.1 days) = 0.19 FTE (this is incorporated into the imported food projects/surveillance figure)

**Approved Premises:**

Allow 70 hrs for processing additional premises identified during year Total for approved = 70 hrs (10 days) = **0.06 FTE**

**Enforcement:**

Approximately 11 closures @ up to 50 hrs each (inc of legal action) = 550 hrs Total time for Closures = 550hrs (79 days) = **0.5 FTE**

Total for other activities = 178 days **= 1.1 FTE**

 **Healthy Eating Funding**

The Tower Hamlets Public Health grant funded the Food Service to the sum of £70,000 to deliver a Healthy Food Choices Award with the aim to reduce obesity within the Borough. This funding has enabled us to employ **1 FTE** to work on this project until March 2022.

**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 **0.25 FTE**

**Admin Support**

Admin support is provided by a generic admin function sitting within the Resources Division.

**Management**

The Head of Service for Environmental Health & Trading Standards is responsible management functions across EHTS (0.1 FTE). The Food Team Leader is responsible for management functions in the Food Team (0.5 FTE).

Total for management is therefore **0.6 FTE**

A summary of resources required to meet the requirements of the service plan for 2020/21, 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 below in Table 6: need to add in re-score visits for FHRS

**Table 6**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Activity** | **Time identified to complete work in Service Plan****(2019/20)** | **Time identified to complete work in Service Plan** **(2020/21)** | **Time identified to complete work in Service Plan** **(2021/22)** | **Time identified to complete work in Service Plan** **(2022/23)** |
| **Programmed Inspections (hyg)** | **3.77** | **2.9** | **4.12** | **3.73** |
| **Programmed Inspections (std)** | **0.7** | **1.4** | **1.1** | **1.13** |
| **Food hygiene revisits** | **1.7** | **1.3** | **1.8** | **1.3** |
| **Food std revisits** | **0.1** | **1.1** | **0.3** | **0.26** |
| **Service Requests** | **2.92** | **3.6** | **0.6** | **1** |
| **Home Authority** | **0.26** | **0.26** | **0.26** | **0.26** |
| **Advice to businesses** | **0.4** | **0.8** | **0.32** | **0.9** |
| **Food sampling** | **0.6** | **0.6** | **0.6** | **0.6** |
| **Food Poisoning outbreaks** | **0.02** | **0.02** | **0.02** | **0.02** |
| **Liaison** | **0.03** | **0.03** | **0.03** | **0.03** |
| **Food Safety Promotion** | **0.03** | **0.03** | **0.03** | **0.03** |
| **Other Activities** | **2.9** | **0.88** | **0.88** | **1.1** |
| **Technical Officer Support** | **0.25** | **0.25** | **0.25** | **0.25** |
| **Management** | **0.6** | **0.6** | **0.6** | **0.6** |
| **Healthy Eating Award** | **1** | **1** | **1** | **1** |
| **New Food Business Registrations** |  |  | **7.1** | **4.6** |
| **FHRS re-score inspections** |  | **0.3** | **0.11** | **0.3** |
| **Total** | **15.28** | **15.07** | **19.12** | **17.1** |
| **Actual** | **Actual availability** | **Actual availability** |  **Actual availability** |  **Actual availability** |
| **Total** | **12.2** | **12.2** | **11.2** | **11.2** |

**Annex B ; Decision Making Structure:**

 **Cabinet**

**Mayors Executive Decision Making**

**Grants Determination (Cabinet) Sub Committee**

**Council**

**Overview and Scrutiny**

**Overview and Scrutiny committee**

**Health Scrutiny Panel**

**Housing Scrutiny**

**Grants Scrutiny**

**Committees and Panels of Council**

**Audit Committee Development Committee**

**General Purposes Committee**

**Health & Wellbeing Board**

**King Georges Field Charity Board**

**Licensing Committee Licensing Sub Committee Pensions Committee**

**Standards (Advisory) Committee Strategic Development Committee**

**Annex C: Corporate Structure**



**Annex D**

**LONDON BOROUGH OF TOWER HAMLETS FOOD SAMPLING POLICY 2022/23**

It is a requirement of the Code of Practice, which outlines procedures for sampling made under the Food Safety Act 1990 and The Food Safety and Hygiene (England) Regulations 2013 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 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:

1. Investigation of food poisoning outbreaks and food contamination incidents
2. Complaints where sampling is necessary
3. Imported food responsibilities
4. Home authority responsibilities
5. EU co-ordinated sampling programme
6. PHE sampling programme
7. Co-ordinated programmed sampling – with other London Boroughs
8. 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

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

Microbiological samples

1. Formal samples being taken in accordance with the Regulations should be the normal procedure.
2. 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

1. 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.
2. 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

1. 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
2. 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. UKFSS implementation will aid with information sharing.

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.