

Food Service Plan 2016-2017

1. Service Aims and Objectives

- 1.1 The main aim of the Food Safety Service is to protect public health by ensuring that food produced or consumed in Midlothian is safe to eat. We also check that food is described in a way that allows the consumer to make informed choices about what they eat.
- 1.2 The Service carries out the statutory duties which are required of Midlothian Council as a Food Authority.
- 1.3 A mapping of how the Service contributes to the Midlothian Single Plan priorities is given at Table 1.
- 1.4 The Council has adopted local performance indicators to measure how well the service carries out its work. These indicators are:
 - the percentage of planned food premises inspections achieved
 - as an outcome measure, the percentage of businesses deemed to be broadly compliant with food legislation.
- 1.5 The Food Safety Service Plan has been prepared in accordance with the requirements of the Food Standards Agency Framework Agreement on Official Food and Feed Controls by Local Authorities issued in April 2010. It covers the financial year from 1st April 2016 to 31st March 2017.

2. Background

2.1 Profile of Local Authority

Midlothian Council is located to the south of Scotland's capital city Edinburgh and serves a growing population currently of about 86,200. Midlothian is experiencing higher than the Scottish average for population growth and housing development. The Council is one of the smallest in Scotland covering a geographical area of 35,527 hectares. Midlothian shares its borders with East Lothian, Edinburgh City and Scottish Borders. Public services, including local government, education and the health service, comprise 31% of Midlothian's employment. Rates of unemployment are higher than in other parts of Scotland. The food and retail industry sectors account for about 28% of the workforce – more than 99% of these being small or medium sized enterprises. The main population centres are Dalkeith, Bonnyrigg and Penicuik but much of the area is rural in nature with small towns and villages.

2.2 Scope of the Food Safety Service

The Environmental Health Food and Safety team carry out a range of activities to meet the requirements of the Service plan. These include regulating food businesses through:

- The regular inspection of food premises for food hygiene and food standards.
- The approval and licensing of certain premises.
- The sampling of food and animal feedstuffs to check on microbiological quality and composition.
- Investigation of complaints from the public about food, food labelling and food premises.
- Investigation of food related cases of infectious diseases.
- Investigation of food related fraud.
- Enforcement of the legislation in relation to the above activities.
- Providing advice and assistance to new or existing food business operators and to the public.

In addition the Food and Safety team has responsibility for the enforcement of the Health and Safety legislation in many premises in the Midlothian area and contributes to the licensing and regulation of other premises and activities.

The food hygiene and standards elements of the service are delivered by Environmental Health Officers and Food Safety Officers supported by dedicated service administrators. The feeding stuffs element is dealt with by Trading Standards Officers.

The field staff of the Food Service are based at Fairfield House 8 Lothian Road, Dalkeith, EH22 3ZN - Tel 0131 271 3559.

Midlothian Council office hours are: 9-5pm Monday to Thursday and 9-3.45pm Friday. However, the service carries out a significant amount of inspection work “out of hours” in order to access businesses which open in the early mornings, evenings or at weekends.

Outwith these hours contact for emergency purposes is on an ad-hoc “whom-failing” response commencing with the Head of Communities and Economy via the Midlothian Contact Centre - Telephone number 0131 663 7211. Fax Number 0131 271 3246.

The organisational structure, lines of responsibility and establishment of the Environmental Health and Trading Standards sections are illustrated in Figure 1 below.

2.3 Staffing Allocation

The amount of time spent by the current number of staff in the Food and Safety Team directly on food law enforcement and related matters equates to approximately 3 full time equivalents (FTE).

2.4 Financial Allocation for Food and Safety Team*

Direct Staffing costs	130570
Inspection Services equipment and maintenance costs	3329
Provision for scientific services	34500
Total	168399

* *proportion of total budget attributed to 3 FTE for food service*

2.5 Staff Development

Food Safety service staff are subject to the Council's appraisal process – Making Performance Matter -which sets and monitors individual performance targets and identifies training and development needs. Food Standards Scotland (FSS) Code of Practice requires all food enforcement officers to obtain at least 10 hours of update training in food related matters during the year to maintain their competency.

2.6 Service User Profile

As of 1 April 2016 there were 762 registered and operating, food premises in Midlothian. The majority of the food premises in the area are small to medium enterprises employing less than ten people (see Table 2). There are 7 premises located in the area Approved for the manufacture and supply of food to national and international markets. Currently the non-English speaking population is relatively small but regular use is made of a translation service (particularly for the Chinese food business community) and guidance and information in other languages is provided whenever possible.

2.7 Policy on Enforcement

The Authority has a documented food enforcement policy (last reviewed March 2015) that sets out how the food service will deal with infringements of the legislation and will intervene to bring the operation back into compliance. We regulate the activities of food businesses through a mix of enforcement and advisory action. Our efforts are targeted at those of the food business community who present the greatest risk to consumers.

2.8 Safe Food and Compliance with the Law

Central to the regulation of food businesses is the concept that the activities of the business are assessed on the basis of the risk they present to consumers. We are required to subject higher risk premises to regular "Official Controls". The greater the risk, or potential risk, the more resources the Service directs to those operations. This means those premises are inspected or audited at more frequent intervals and may have their food products sampled. Lower risk premises may be subject to inspections if resources allow for it or they come to our attention, e.g. through complaint.

The Food Hygiene Information Scheme (FHIS) has been running in Midlothian since October 2010. The Scheme uses our assessment of the risk of the food operations in a business to classify it as having PASSED the last inspection or needing

IMPROVEMENT. To obtain a PASS classification a business must be broadly compliant with the law. Broad compliance measures the parameters from the risk assessment which look at hygiene practices, physical structure and confidence in management. Since these are areas where we can intervene to improve matters we use the percentage of businesses that are broadly compliant as one measure of our effectiveness.

Food business operators are given a certificate to display on their premises informing the consumer of their FHIS status. Display is at the discretion of the food business operator. The results for all businesses subject to the scheme are published on the Food Standards Agency Website (<http://www.foodstandards.gov.scot/fhis/search>)

A PASS classification has been adopted as one of the criteria for a business to be listed in the Midlothian Food and Drink Directory.

About 83% of Midlothian food businesses are part of the scheme and of those 84% have a PASS status.

2.9 Food Standards Scotland

Food Standards Scotland(FSS) has now been established for 12 months. It is currently developing its strategic priorities which it proposes will deliver the outcomes;

“Food is safe and authentic; consumers have healthier diets; responsible food businesses flourish; FSS is seen as a trusted organisation which is efficient and effective”

FSS is developing capacity in relation to tackling large scale food fraud and closer working with local food regulators is anticipated. FSS will also revise the Food Law Code of Practice – the document which Local Authority food regulators use as a basis for decision making when enforcing food law. The nature of the audits of local authorities by FSS is likely to change possibly with a greater emphasis being placed on “reality” checking – that is auditors may make more visits to businesses previously inspected. Further tools for securing compliance are also being considered. The FHIS may move to a mandatory basis and the effectiveness of licensing food businesses and of having fixed penalty notices for contraventions are all being actively reviewed.

3 Service Objectives

3.1 Inspection work

At the end of March 2016 81.7% of premises were broadly compliant with Food Hygiene legislation. For this plan it remains the intention of the Service to increase the percentage of broadly compliant premises as follows:

Objective 1 Improve the % of premises which are broadly compliant for Hygiene to 84%

Objective 2 Improve the % of premises which are broadly compliant for Food Standards to 75%

The Service will carry out the following planned inspection work;

Objective 3 Complete programmed Food Hygiene inspections or audits

Planned Food Hygiene Inspections		
Premises Risk Rating	Inspection Target	Number of planned inspections
A	100% of High risk	12
B		72
C	95% of Medium risk	133
D	70% of low risk	103
New premises	100%	30
Outstanding missed inspections high and medium risk		7
Total		357

Objective 4 Complete programmed Food Standards inspections or audits

Planned Food Standards Inspections		
Premises risk rating	Inspection Target	Number of planned inspections
A	100% of High	2
B	100% of Medium	40
New premises	100%	30
Outstanding missed inspections medium risk		5
Total		77

Objective 5 Carry out Alternative Intervention at low risk food premises

Where a premises presents a very low risk to the consumer i.e. those rated as “E” for food hygiene and “C” for Food Standards we will not normally carry out a routine inspection. This reduces the regulatory burden on the business and allows us to direct resources to higher risk operations. Self-assessment questionnaires are sent to premises as an alternative to carrying out an inspection. Where self assessment questionnaires

indicate a significant change in the food operations at the premises or assessments are not returned, the premises is likely to receive an inspection. We may also inspect if we receive a complaint about a premises.

Premises risk rating		Number of premises
Food Hygiene	E	41
Food Standards	C	81

3.2 Food Sampling

The sampling of food for microbiological and chemical contamination and for analysis of the ingredients forms an important part of the work of the Service. It provides “end point” monitoring of food safety and the standards of food production. Samples submitted for analysis of their ingredients are often also assessed on the legality of their labeling. There has been increasing emphasis nationally on surveillance for meat and fish species substitution and of alcohol. There are areas where organised criminals are operating more frequently. The Service samples food from outlets within the district and participates in local and nationally organised food sampling campaigns whenever resources allow.

Food sampling is targeted at high risk premises and products and is carried out in line with the Authority’s documented procedure. Food samples are submitted to Edinburgh Scientific Services who employ the Authority’s appointed Food Examiner, Public Analyst and Agricultural Analyst.

The Service contributes to sampling surveys organized by Food Standards Scotland, Lothian and Borders Food Liaison Group and the Scottish Food Enforcement Liaison Committee.

Food Standards Scotland have been working more closely with local food authorities on sampling directed at priorities identified by its intelligence gathering activities. This work is resourced by FSS and organised in collaboration with the Public Analyst. At the time of writing surveys had not been finalised.

The Service plans to take the following samples provided resources allow for it;

Objective 6 Complete Sampling from Approved Premises

Sampling from Approved premises		
Food Sampled	Samples for Microbiological Examination	Samples for Chemical Analysis
Processed Milk	6	6
Cream	2	2
Meat Products	3	3
Pizzas and Ready Made Meals	5	5
Savoury dumplings	3	6
Haggis/Savoury Puddings	3	3
Fish	3	3
Pate	1	1
Water used as an ingredient	5	5
Raw milk from production holdings	4	4
Total	35	38

Objective 7 Complete other targeted sampling

Food Sampled	No samples	
	Microbial contamination	Chemical Contamination or composition
Cooked sliced meats from manufacturing butchers	4	4
Fresh Cream products from manufacturing bakers and retailers	4	4
Pre-packed sandwiches from Supermarkets	4	4
Sandwiches from sandwich makers	10	6
Ready to eat foods including meals from takeaway premises	20	10
Meals from care premises	10	6
Following Food Complaints	8	8
Packed on premises Vacuum packed foods	10	10
Curry sauce from Chinese style takeaways	10	10
Total	80	62

Objective 8 Complete contributions to National sampling surveys

Foodstuff proposed for sampling	Reason
Non pre-packed fruit and vegetables	Microbiological contamination 20 samples
Noodles and rice dishes	
Unpasteurised cheese	
Ready to eat fish and shellfish	
Grated cheese	
Fruit and vegetable smoothies	
Herbs and spices	Undeclared allergens, colours or preservations species substitution 32 samples
Ethnic breads	
Cakes and tray bakes	
Burgers and sausages	
Meat pies	
Sauces, batters and rice dishes	
Curries, kebabs, meals containing meat	
Fish	

3.3 Reactive work

A proportion of the Service's work relates to dealing with requests for service about matters relating to food safety. Approximately 400 requests are received each year.

Requests may relate to such things as;

- Complaints about food that people have bought or consumed
- Food premises which appear to be being run unhygienically
- Requests for advice about starting food businesses, legal requirements, food hygiene training or the layout and fittings of proposed premises
- Licensing of street traders or premises selling alcohol
- Scrutinising planning applications and building warrants received by the Council relating to food premises and offering advice to applicants regarding premises layout, fittings and so on
- Investigating cases and outbreaks of infectious disease in partnership with NHS Lothian associated with the consumption of food or water ("food poisoning")
- Responding to notifications of incidents of public health significance
- Responding to intelligence concerning food or alcohol fraud

Objective 9 Commence investigation of 100% of requests for service made to the service about food and food premises within target working days

3.4 Liaison with Other Organisations

As all Food Service Officers are appointed as investigators under the Public Health etc. (Scotland) Act 2008 they may be involved in dealing with outbreaks of food poisoning and other public health emergencies in partnership with the NHS Lothian Health Protection team. The service may be required to act in partnership with the Food Standards Scotland to ensure food which is regionally or nationally distributed and has some problem associated with it is removed from sale by food businesses in Midlothian.

The Food Service is represented at the Lothian and Borders Food Liaison group which meets at approximately two monthly intervals. The group has representation from the Public Analyst and members who attend the Scottish Food Enforcement Liaison Committee (SFELC). Regular liaison also takes place with NHS Lothian's Health Protection Team and Scottish Water on matters of infection control and with the Care Inspectorate.

3.5 Enforcement Activity

Food inspectors authorised by the Council have a wide variety of powers to secure compliance with the food safety legislation and to investigate disease related matters. These powers include the service of legal notices, reporting businesses to the Procurator Fiscal and issuing Approvals to manufacturers.

3.6 Quality Assessment

The Service relies on the professional skills of its authorised officers for the delivery of the service plan. In order to maintain the quality of work we;

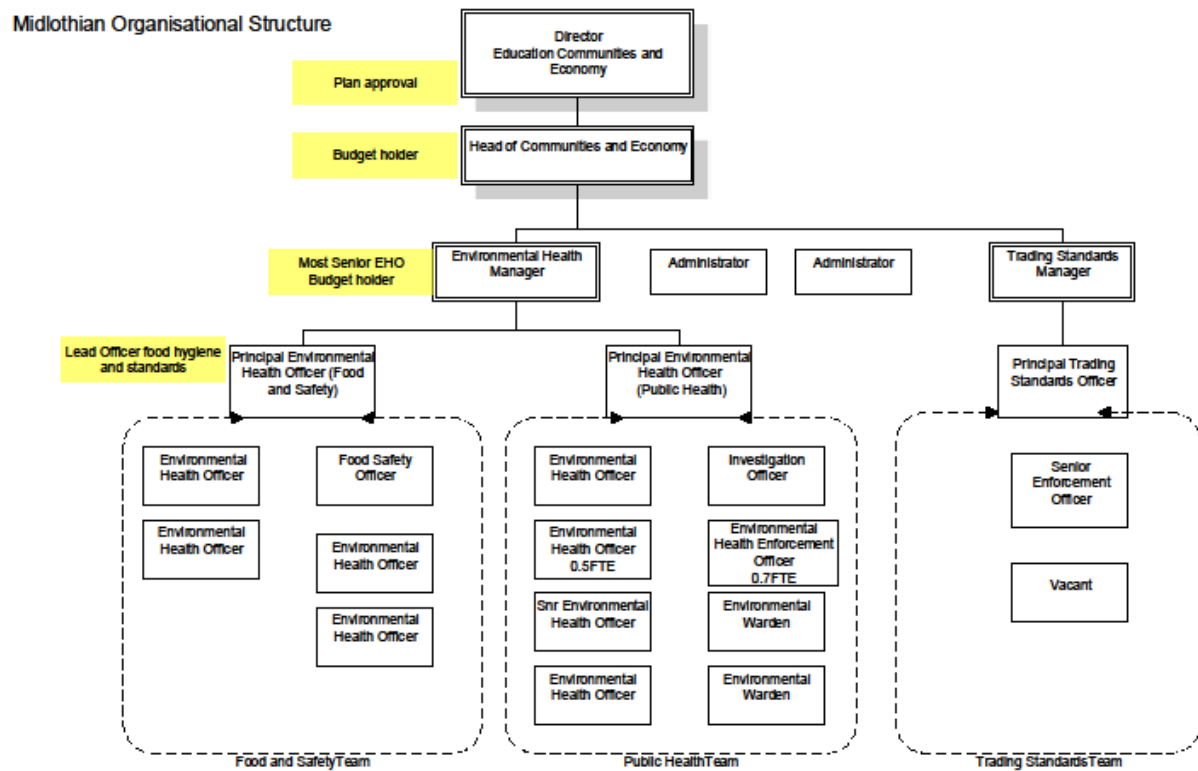
- Continually review our operational procedures to improve our service delivery and to take into account legislative and practice changes.
- Evaluate the consistency of our inspections against our procedures through activities such as accompanied inspections by senior inspectors, team meetings and review of inspection reports to ensure consistency in the work of the Service.
- Ensure that Officers appointed as food inspectors complete at least 10 hours food related training each year as part of the maintaining of their competency.
- Are subject to periodic independent audit by the Food Standards Scotland.
- Survey businesses which have been inspected to find out what they thought of the experience.
- Report the performance of a number of our planned objectives to elected members at regular intervals.

Objective 10 Ensure all Authorised Officers receive a minimum of 10 hours food related competency training

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Figure 1 Organisational Structure



April 2016

Table 1 Mapping of Food Service activity to Midlothian Single Plan outcomes

Food Service activity	Single Plan Outcome		
	<i>Reducing inequalities in the health of our population</i>	<i>Reducing inequalities in the outcomes of learning in our population</i>	<i>Reducing inequalities in the economic circumstances of our population</i>
The regular inspection of food premises for food hygiene and food standards	✓		✓
The sampling of food and animal feedstuffs to check on microbiological quality and composition	✓		✓
Investigation of food related cases of infectious diseases	✓		✓
Investigation of food related fraud			✓
Investigation of complaints from the public about food, food labelling and food premises.	✓		✓
Enforcement of the legislation in relation to the above activities	✓		✓
Providing advice and assistance to new or existing food business operators and to the public.	✓	✓	✓

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Table 2 Midlothian Food Businesses

Type of food business	No of businesses
Ancient monument/visitor attraction	1
Army Barracks / Premises	1
Bakehouse	2
Bakehouse - Manufacturing	1
Bakehouse-Manufacturing	3
Bed and Breakfast	4
Bingo Hall	1
Bookmaker with food	1
Bowling Club	1
Brewery	2
Builders Merchant	1
Butcher - Manufacturing	5
Butterfly Farm	1
Cafe	30
Cake decorator/retailer	2
Care Home - Nursing	8
Care Home - Residential	19
Care in the Community Premises	5
Cash and Carry	1
Caterer	11
Childcare, playgroup, nursery - private	30
Childcare, playgroup, nursery -LA	31
Childminder	37
Church with food	23
Club	3
Community Building/Church Hall	13
Confectionery manufacturer	2
Dairy - Pasteurising	1
Day Care - Elderly / Disabled	3
Distribution - Food	10
Domestic Premises based food business	23
Educational Establishment kitchen	2
Factory Kitchen/Staff Canteen	2
Farm - Arable	1
Farm - Milk production holding	5
Farm shop	2
Fishmonger (other than retail)	5
food basket/sandwich retail	1
food distributor - water	1
Food Manufacturer	7
Food Packer or repacker	1
Golf - Driving Range	1
Golf Course	5
Haulier	1
High School kitchen	5
HMO with food	6
Hospital Kitchen	2
Hotel/Guest House	17
Importer	1

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Kitchen	4
Licensed Club	34
Market Garden / Pick your own	1
Market trader	5
Materials and Articles Manufacturer/ Sup	1
Midlothian Council Cafe	2
Midlothian Council Community Centre	3
Midlothian Council Day Care for Elderly	2
Midlothian Council Leisure Centre	3
Midlothian Council Residential Care Home	5
Mini market	1
Mobile Shop - Caterer	26
Mobile Shop - Food Retailer	23
Offices - Large with staff canteen	1
Off-Sales	2
Outside Caterer	4
Park pavilion	2
Petrol Station with food	6
Post Office with food	2
Primary school kitchen	30
Private Leisure Centre	1
Public House - Full Catering	17
Public House - Snacks	19
Removals/Haulage	2
Restaurant	39
Retail - Baker	10
Retail - Butcher	2
Retail - Clothes Shop	1
Retail - Craft Shop	1
Retail - Deli	1
Retail - Fishmonger	1
Retail - Food	46
Retail - Freezer Shop	2
Retail - Greengrocer	3
Retail - Haberdashery	1
Retail - Miscellaneous	6
Retail - Newsagent, Confectionery/snacks	14
Retail - Pharmacy/Chemist	17
Retail - Stationery	1
Sheltered Housing with food	2
Sports Ground	3
Supermarket	15
Takeaway Asian style	5
Takeaway Chinese style	20
Takeaway Fish and Chips only	5
Take-Away mixed styles	26
Theatre, Museum, Galleries	1
Warehouse - Food	3
Grand Total	762