

Environmental Health Food Service Plans 2018/19

Report by Ian Johnson, Head of Communities and Economy

1 Purpose of Report

- 1.1 To advise Council of the Environmental Health Food Service Plans for 2018/2019 and to recommend approval of the
- Food Service Plan 2018/19 and the review of 2017/18 Plan,
 - Food Sampling Plan, and
 - Food Enforcement Policy.

2 Background

- 2.1 The Food Standards Agency (FSA) Framework Agreement on Official Feed and Food Controls provides Food Standards Scotland with a mechanism for implementing its powers under the Food Standards Act to influence and oversee local authority enforcement activity. It also defines a Local Authority's responsibilities in delivering the food enforcement service.
- 2.2 The Framework Agreement states that the Council has a duty to provide an up to date food service plan and stipulates that *"To help to ensure local transparency and accountability, and to show their contribution to the authority's corporate plan, feed and food service plans and performance reviews should be approved at the relevant level established for that local authority, whether that is Member, Member forum, or suitably delegated senior officer level."*
- 2.3 The draft documents, which are requirements of Food Standards Scotland, are available on the Committee Management Information System (CMIS). The documents comprise:
- Food Service Plan, which details the expected demands regards inspection, sampling and enforcement work planned for the year April 2018 – March 2019,
 - Food service plan 2017/18 review, which details the nature of activities carried out by the EH food service during year April 2017- March 2018 and reports on performance against the service plan for that year,
 - Food enforcement policy, which documents how inspectors make decisions about the enforcement of food safety law and the nature and levels of enforcement that can be taken, and
 - Food sampling policy, which documents the reasons for taking food samples, the role food sampling plays in food safety regulation and the situations in which inspectors will take samples
- All documents are requirements of Food Standards Scotland.

3 Report Implications

3.1 Resource

Due to vacancies there is currently a 33% shortfall in the full time equivalent (FTE) environmental health enforcement officers required to deliver the work of the Food & Safety Team. It is likely that some or all of this temporary reduction will be made permanent in order to achieve savings within the Environmental Health Service as required by the terms of the Council's Financial Strategy.

The programme of work in the draft Food Service Plan has been prioritised to seek to take account of this expected permanent reduction in staffing capacity.

3.2 Risk

Environmental Health is a statutory function and the Food Service and Sampling Plans and the Enforcement Policy are produced in pursuance of these functions. Failure to produce and implement a food service plan leaves the local authority open to both the challenge of failing in its statutory duty and increased reputational risk. Operating with reduced staff capacity will put pressure on performance and it needs to be accepted that the resultant decreased levels of activity will increase the level of risk to public health.

3.3 Single Midlothian Plan and Business Transformation

Themes addressed in this report:

- ☒ Community safety
- ☐ Adult health, care and housing
- ☐ Getting it right for every Midlothian child
- ☐ Improving opportunities in Midlothian
- ☐ Sustainable growth
- ☒ Business transformation and Best Value
- ☐ None of the above

3.4 Key Priorities within the Single Midlothian Plan

The adoption of the Environmental Health Food Service Plans, contributes to economic growth, business support, and community safety.

Business intervention occurs on a pre-determined risk based approach which is transparent, consistent and open to scrutiny.

3.5 Impact on Performance and Outcomes

As noted above, the Food Service Plan has been drafted to account for the reduction in resource (staff) capacity. This will translate into a lower level of impact on outcomes than that achieved in previous years.

3.6 Adopting a Preventative Approach

Through the implementation of the Food Service Plans Midlothian Council delivers a statutory function and ensures that services are targeted and focused to the most high risk food premises thereby aiming to prevent crises through timely intervention.

3.7 Involving Communities and Other Stakeholders

Consultation with the Public Analyst service takes place as part of the preparation of the plans. A copy of the Food Service Plan is published on the Council's website for business, public information and comment.

3.8 Ensuring Equalities

An equalities impact assessment, a copy of which is appended to this report, indicates there are no known equality issues arising from the provisions of the Plans.

3.9 Supporting Sustainable Development

There are no identified sustainability issues arising from this report.

3.10 IT Issues

There are no identified IT implications arising from this report.

4. Recommendations

It is recommended that Council ;

- i) notes the Review of Performance of the Food Service 2017-18; and
- ii) approves the
 - Environmental Health Food Service Plan 2018/19
 - Revised Food Enforcement Policy
 - Revised Food Sampling Policy.

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Enclosures:

Equality Impact Assessment

Background Papers:

Food Standards Agency Framework Agreement on Official Feed and Food Controls by Local Authorities