

Midlothian Council

Food Safety Service Plan 2018-2019



Food Safety Service Plan 2018-2019

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 described properly to the consumer and is safe to eat.
- 1.2 The Food Safety Service carries out the statutory duties required of Midlothian Council as a Food Authority. The Food Safety Service is part of the Environmental Health Service.
- 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 the service carries out its work. These indicators are:
 - the percentage of planned food premises inspections achieved; and
 - as an outcome measure, the percentages 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 2018 to 31st March 2019.

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 now pro rata, the fastest expanding area of Scotland for population growth and housing development with consequent pressures on Council services. The Council is one of the smallest in Scotland covering a geographical area of 35,527 hectares. It 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. 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 centres of population are currently around Dalkeith, Bonnyrigg and Penicuik with much of the area rural in nature with small towns and villages.

2.2 Scope of the Food Safety Service

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

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- The regular inspection of food premises for food hygiene and food standards.
- The approval and licensing of certain premises.
- The sampling of food to check on hygiene, composition and labelling.
- 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.

The Food and Safety team also undertakes:

- enforcement of Health and Safety legislation in many workplaces in the Midlothian area, including the investigation of accidents and incidents;
- enforcement of the Public Health (Scotland) Act in partnership with Lothian NHS for certain infection control matters; and
- the licensing and regulation of a variety of premises and activities, including caravan sites, zoos and places of public entertainment.

The Food Service is based at Fairfield House 8 Lothian Road, Dalkeith, EH22 3ZN - Tel 0131 271 3559. Email foodandsafety@midlothian.gov.uk

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

Outwith core hours contact for emergency purposes is on an ad-hoc "whom-failing" response via the Midlothian Contact Centre - Telephone number 0131 663 7211.

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

2.3 Staffing Allocation

To carry out all the food work described in this plan requires the equivalent of 3.5 full time staff (FTE). At April 2018 the team had a complement of four staff and two vacancies to complete the full work of the team. The Midlothian Council Financial Strategy identified required savings which could mean that one or both the vacant posts are permanently removed. The current 33% reduction in inspectors is being considered as part of the Environmental Health service review.

In addition to conducting planned work the food team must maintain some capability to deal with unplanned work, which by its nature, often takes priority over the planned elements. Taking account of this and the other demands on the

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team means there will be pressure on capacity to undertake scheduled food safety work; the extent and priorities of which will need to be conducted on a risk assessment basis.

Until the service review is completed adjustments in service delivery are detailed in this Plan.

2.4 Financial Allocation for Food and Safety Team*

Direct Staffing costs	158145
Inspection Services equipment and maintenance costs	3708
Provision for scientific services	35400
Total	197253

* proportion of annual budget of £323799 attributed to 3.5 FTE for food service

2.5 Staff Development

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. Food Safety service staff are subject to the Council's appraisal process – Making Performance Matter. This sets and monitors individual performance targets and identifies training and development needs.

2.6 Service User Profile

As of 1 April 2018, there were 815 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). Many of these businesses rely on regular contact from the food safety team for advice and guidance on food safety and legal requirements. There are eight premises located in the area approved for the manufacture and supply of food to national and international markets. A small number of businesses export to non-EU countries.

2.7 Safe Food and Compliance with the Law

Environmental Health, Food & Safety team regulate the activities of food businesses through a mix of enforcement and advisory action. Central to the regulation of food businesses is the assessment by inspectors of the risk of harm the business present to consumers. Higher risk businesses receive more regular "Official Controls" in the way of inspections and food sampling. Available staff resources are therefore directed at those businesses first with lower risk premises subject to inspections if resources allow for it or they come to our attention, e.g. through complaints or major changes to the sorts of food activity.

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Risk rating of food businesses also underpins the Food Hygiene Information Scheme (FHIS). This non-statutory scheme allows consumers to find out how inspectors assessed food hygiene at the last inspection and rates them as a PASS or IMPROVEMENT REQUIRED.

The public can see the results for all businesses subject to the scheme on the Food Standards Scotland website
(<http://www.foodstandards.gov.scot/consumers/food-safety/buying-food-eating-out/food-hygiene-information-scheme>)

Certificates are provided to food businesses to display at their premises at the discretion of the food business operator. As of April 2018, about 87% of Midlothian food businesses in the scheme had a PASS status.

2.8 Policy on Enforcement

The Authority has a documented food enforcement policy (last reviewed April 2018) that sets out how the food service will deal with law breaking and how we intervene to bring businesses back into compliance.

3 Service Objectives

3.1 Inspection work

At the end of March 2018, broad compliance with the food hygiene legislation, across all food businesses, was at 82%. Although it has been the intention of the Service to work to continue to increase the percentage of broadly compliant* businesses the current resource restrictions mean we will seek to maintain this level. An increase in the percentage is considered unlikely:

Objective 1 Maintain the % of premises which are broadly compliant for Food Hygiene at 82%

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

*Broadly compliant means the food business had satisfactory risk scores at the last inspection for confidence in the food safety or standards management of the business and other factors such as structure and cleanliness of the premises

The Service has the following planned food safety inspection work to carry out based on previous risk ratings.

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Objective 3 Complete programmed Food Hygiene inspections or audits

Planned Food Hygiene Inspections		
Premises Risk Rating	Inspection Target	Number of planned inspections
A (at least at every 6 months)	100% of High risk	10
B (at least every 12 months)		77
C (at least every 18 months)	95% of Medium risk	136
As resources allow		
D (at least every 24 months)		109
New premises		32
Outstanding missed inspections medium risk		25
Total		389

Objective 4 Complete programmed Food Standards inspections or audits

Planned Food Standards Inspections		
Premises risk rating	Inspection Target	Number of planned inspections
A (at least every 12 months)	100% of High	7
B (at least every 24 months)	100% of Medium	50
As resources allow		
New premises		32
Outstanding missed inspections medium risk		0
Total		89

Objective 5 Carry out Alternative Intervention at low risk food premises

Where a business was rated as a very low risk to the consumer i.e. those rated as "E" for food hygiene and "C" for Food Standards we do not normally carry out a routine inspection at every programmed interval. This reduces the regulatory burden on the business and allows us to direct resources to higher risk operations. We can send Self-assessment questionnaires to these premises as an alternative and aim to carry out an inspection every second inspection cycle. We may also inspect where questionnaires are not returned or indicate a significant change in the food operations at the premises or if we receive a complaint about a premises.

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Premises risk rating		Number of premises
Food Hygiene	E	55
Food Standards	C	25

3.2 Food Sampling

The sampling of food is integral part of the work of the Service. Food “sampling” involves assessing both ingredients and final products. Food sample microbiology gives an indication of the hygiene or cleanliness of the food, where it is produced and the people producing it. Food standards sample analysis tells what the food has been made from. Food submitted for analysis of their ingredients is also assessed on the legality of their labeling. Sampling programmes can cover local outlets and manufacturers and nationally organised campaigns.

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 (SFELC).

Sampling programmes and priorities may be identified by Food Standards Scotland or the Scottish Food Enforcement Liaison Committee as issues affecting food in Scotland. Sampling is carried out by local food safety teams across Scotland and the results collated centrally. This work may be resourced by FSS and is co-ordinated by SFELC in collaboration with the Public Analyst. It is delivered by local authority food enforcement services. An indicative list of the FSS sampling projects is given at Objective 8 below.

Given the reduced resources available, the Service will prioritise sample taking as follows:

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Objective 6 Priority 1 Sampling from manufacturing premises in Midlothian

These are businesses that make and package food that is supplied to other businesses and have a distribution of their products beyond the Midlothian area.

Sampling from Approved premises		
Food Sampled	Samples for Microbiological Examination	Samples for Chemical Analysis
Processed Milk	6	6
Cream	2	2
Meat Products	6	6
Pizzas and Ready Made Meals	5	5
Savoury dumplings/pasta	5	5
Haggis/Savoury Puddings	3	3
Fish	0	2
Pate	1	1
Total	27	30

Objective 7 Priority 2 Sampling from Producers of High risk foods in Midlothian

These are businesses that produce and sell high risk* foods to consumers in Midlothian.

Food Sampled	No samples	
	Microbiological contamination	Chemical Contamination or composition
Cooked sliced meats from manufacturing butchers	4	4
Fresh Cream products from manufacturing bakers and retailers	4	4
Self serve lunch ingredients Supermarkets	3	3
Sandwiches from sandwich makers	6	6
Ready to eat foods including meals from takeaway premises	3	3
Baked goods	0	9
Meals from care premises	3	3
Following Food Complaints	5	5
Total	28	37

*A high risk food is food that is ready to eat and likely to support the growth of pathogenic bacteria if not cooked properly, stored at chilled temperature or eaten after the "use by" date if packaged. For food sampling purposes it may also be a low risk food manufactured in high volumes.

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Objective 8 Priority 3 Contribute to National sampling surveys if resources allow for it

Where this sampling corresponds with a higher sampling priority in Midlothian the team will contribute. Otherwise Priority 3 samples will only be taken if resources allow.

Microbial Examination			
Product	Food Industry sector	Analysis	Rationale
Raw, fresh meat from game birds (duck, pheasant, pigeon, grouse, etc.)	Retailers and/or caterers	Hygiene indicators, <i>E. coli</i> , <i>Listeria monocytogenes</i> Campylobacter and Salmonella	This data will help to identify risks in these meats and support risk assessment.
Raw, fresh pork meat	Retailers and/or caterers	Hygiene indicators, <i>E. coli</i> , Campylobacter and Salmonella	Recent increase in pork being served pink/rare. This data will help to identify risks and support risk assessment.
Breaded, raw, fresh, chicken goujons, breasts, fillets	Retailers	Hygiene indicators, <i>E. coli</i> Campylobacter and Salmonella	Issues in these kinds of products reported in Canada and the US. This data will help to identify risks in these products and support risk assessment.
Raw shell eggs and raw egg mixes	Caterers	Hygiene indicators, <i>E. coli</i> Salmonella	This was included in previous sampling recommendations, however more data is needed to inform risk assessment
Ready-to-eat bagged leafy salads	Retailers	Hygiene indicators, <i>E. coli</i> , <i>Listeria monocytogenes</i>	Bagged have been implicated in outbreaks over recent years and continued surveillance of this area is required to understand the risk
Soft and semi-soft ripen cheeses	Retailers	Hygiene indicators, <i>E.</i>	This will provide data to support development of a targeted survey and

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(pasteurised and unpasteurised)		<i>coli, Listeria monocytogenes</i> E. coli O157 in unpasteurised cheeses only	information on safety advice provided to consumers
Chemical Analysis			
Fried potato products and ethnic breads	Caterers	Acrylamide	Issues in these kinds of products were identified in previous years. On-going monitoring to help evaluate effectiveness of mitigation measures applied by industry to meet benchmark levels
Raw and cooked cured meats	Retailers	Nitrate/nitrite	On-going issue with preservatives in meats
Imported bivalve molluscs	Retailers	Marine biotoxins	To address existing gap in evidence base
Imported fish, cephalopods, shrimps, bivalve molluscs	Retailers	Cadmium, mercury lead	Issues identified by Horizon Scanning alerts
Cereals and cereal-based products	Retailers Distributors/ Transporters Importers/Exporters	Deoxynivalenol (DON) and its acetylated and modified forms	To address existing gap in evidence base
Labelling			
Lean minced meat and minced steak	Retailers	Composition	This data will help to assess compliance in relation to legal definition of 'lean' based on fat and also the ratio of meat protein to connective tissue
Pre-packed foods with 'reduced' nutritional claims	Retailers	Composition	This data will help to assess compliance with relevant legal requirements.

Topic	Analysis	Rationale
Non UK Manufactured Foods labelled as "Gluten –Free"	<u>Chemical</u> Gluten	Increasing market. Lack of data on compliance.
Cakes/Bakery Products from small independent catering establishments sold as "gluten- free" –	<u>Chemical</u> Gluten	Increasing market. More evidence of smaller operators making/selling these products. Some evidence of previous failures

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either made on the premises or bought in from small producers.		
Mayonnaise based sandwich fillings from independent catering establishments.	Micro E. coli, Listeria monocytogenes, Campylobacter and Salmonella, TVC30	Sandwiches continue to be a significant element of sample failures highlighted in annual report. Sampling targeted on fillings will allow focus to advice and future guidance.
Non UK manufactured cooked meats pre-packed or non-pre-packed	Micro E. coli, Listeria monocytogenes, Campylobacter and Salmonella, TVC30	Increasing market. Evidence of failures in previous reports

3.3 Unplanned work

A proportion of the Service's work relates to dealing with requests for service about matters relating to food safety. The team receives approximately 450 requests each year. All service requests, where we have a statutory function, must be investigated to some extent. Therefore, this work must take priority over planned inspection work.

Food related requests 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
- Scrutinising planning applications and building warrants received by the Council relating to food premises and offering advice to applicants regarding premises layout, fittings etc.
- 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

Some requests may result in significant amounts of work being required to resolve them. For example, a complaint about an unhygienic premises which leads to enforcement action and a subsequent report to the Procurator Fiscal; a new food manufacturer requiring significant research into the processes involved; a fatal or serious workplace accident; a major infection control or public health incident. Previously we have responded to 95% of service requests within our

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target times (which range from 1 day to 14 days) but given the reduction in staffing it is unlikely that this response rate will be maintained.

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

3.4 Liaison with Other Organisations

The Food Service is represented at the Lothian and Borders Food Liaison group. The group has representatives from the LA Food teams, Food Standards Scotland and the Public Analyst. The Group meets at approximately two monthly intervals. Members attend the national Scottish Food Enforcement Liaison Committee (SFELC). The Scottish Food Enforcement Liaison Committee supports the work of FSS by providing information and expert advice in relation to food law enforcement. SFELC contributes to the development and implementation of FSS strategies and policies. It also provides a forum for the discussion of relevant topics, sharing best practice guidance, initiating surveys or projects and co-ordinating specific investigations.

<http://www.foodstandards.gov.scot/business-and-industry/safety-and-regulation/scottish-food-enforcement-liaison-committee>

Regular liaison also takes place with NHS Lothian's Health Protection Team and Scottish Water on matters of infection control.

All Food Service Officers are appointed as investigators under the Public Health etc. (Scotland) Act 2008 (the Act). 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. More senior EH staff are appointed as "Competent Persons" as defined by the Act. The service may be required to act in partnership with 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.

3.5 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;

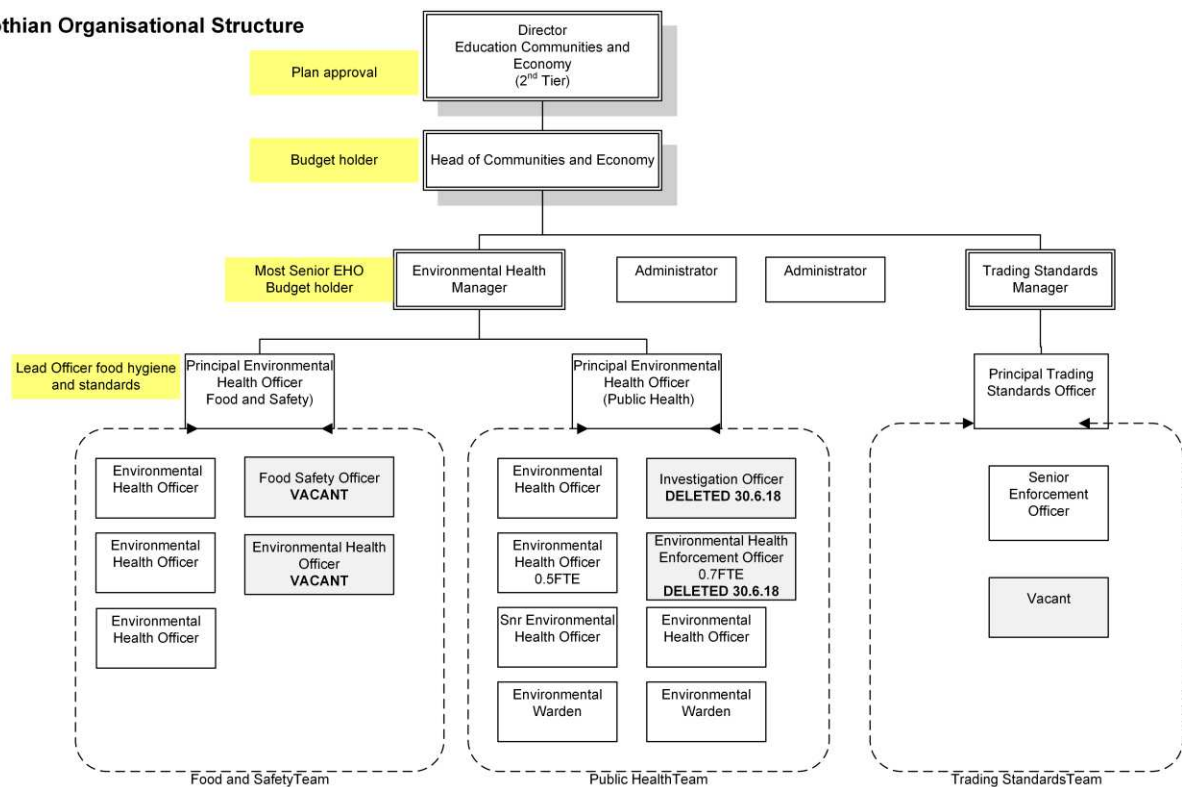
- Continually review our operational procedures to improve our service delivery and to take into account legislative and practice changes.
- Evaluate the consistency of our inspections through activities such as accompanied inspections by senior inspectors, team meetings and review of inspection reports 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 Food Standards Scotland.

- Survey businesses that 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

Figure 1 Organisational Structure and Establishment

Midlothian Organisational Structure



April 2018 FTE

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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: Types and location of Midlothian Businesses registered for the provision of food

Location of food business	Number of businesses
Army Barracks / Premises	2
Bakehouse	3
Bakehouse-Manufacturing	3
Bed and Breakfast	1
Bingo Hall	1
Bookmaker with food	1
Bowling Club	4
Brewery	5
Butcher - Manufacturing	5
Cafe	38
Care Home - Nursing	8
Care Home - Residential	15
Care Home - Residential Midlothian	7
Care in the Community Premises	4
Cash and Carry	1
Caterer	10
Childcare, playgroup, nursery - private	38
Childcare, playgroup, nursery -LA	33
Childminder	45
Church with food	23
Club	2
Community Building/Church Hall	13
Confectionery manufacturer	1
Dairy - Pasteurising	1
Day Care - Elderly / Disabled	3
Distribution - Food	10
Distribution food Cold Store	3
Distribution Foodbank	2
Domestic Premises based food business	36
Educational Establishment kitchen	2
Egg Packing Centre	1
Events/Venue Management	1
Factory Kitchen/Staff Canteen	5
Farm - Milk production holding	3
Farm shop	2
Fishery Products	1
Fishmonger Mobile	5
food basket/sandwich retail	1
Food Haulier	2
Food Manufacturer	9

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Food Packer or repacker	1
Game larder/dealer	1
Golf - Driving Range	1
Golf Course	5
High School kitchen	5
HMO with food	3
Holiday let/self-catering	1
Hospital Kitchen	2
Hotel/Guest House	14
House in multiple occupation	6
Importer	1
Indoor activity centre	1
internet food sales	1
Licensed Club	32
Market Garden / Pick your own	1
Market trader	4
Materials and Articles Manufacturer/ Sup	1
Midlothian Council Cafe	4
Midlothian Council Community Centre	1
Midlothian Council Day Care- Elderly/Dis	2
Midlothian Council Leisure Centre	3
Mini market	2
Mobile Shop - Caterer	22
Mobile Shop - Food Retailer	30
Offices - Large with staff canteen	1
Offices - Small	1
Off-Sales	1
Outside/peripatetic Caterer	5
Park pavilion	1
Pasta Manufacturer	1
Petrol Station with food	6
Post Office with food	2
Primary school kitchen	31
Private Leisure Centre	1
Public House - Full Catering	17
Public House - Snacks	18
Removals/Haulage	1
Restaurant	39
Retail - Baker	9
Retail - Butcher	3
Retail - Clothing	2
Retail - Craft Shop	1
Retail - Deli	2
Retail - Food	46

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Retail - Freezer Shop	2
Retail - Greengrocer	1
Retail - Miscellaneous	7
Retail - Newsagent, Confectionery/snacks	16
Retail - Pharmacy/Chemist	17
Retail - Stationery	1
Sheltered Housing with food	2
Sports Ground	3
Street Market	2
Supermarket	16
Takeaway Asian style	5
Takeaway Chinese style	23
Takeaway Fish and Chips only	2
Take-Away mixed comestibles	31
Theatre, Museum, Galleries	1
Warehouse - Food	3
Zoo licensed premises	1
(blank)	
Grand Total	815