

Agenda



Cabinet Member for Regulatory Functions

Date: Tuesday, 20 September 2016

Time: Not required

Venue: Not required

To: Councillor R Poole

Item		Wards Affected
1	<u>Public Protection: Environmental Health Fees & Charges 2016/17</u> (Pages 3 - 8)	All Wards
2	<u>Public Protection: Food Law Service Plan 2016/17</u> (Pages 9 - 52)	All Wards

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Report

Cabinet Member for Regulatory Functions

Part 1

Date 20 September 2016

Item 01

Subject **Public Protection: Environmental Health Fees and Charges 2016-2017**

Purpose To seek the approval of the Cabinet Member on a number of fees and charges to be levied in respect of various services provided by Environmental Health for the remainder of 2016-2017.

Author Environmental Health Manager

Ward All

Summary Internal Audit recommended that all fees and charges be re-calculated to ensure that they continued to be appropriate and a number now require adjustment. In addition some fee levels were altered by external agencies after the Council-wide fees and charges report was approved for 2016-2017 and this report seeks approval of those amended fees and charges. Where appropriate, fees and charges approved by this report take precedence over those approved by the Council-wide fees and charges report for 2016-2017.

Proposal To agree the fees and charges set out in the Appendix to this report.

Action by Head of Law and Regulation

Timetable Immediate

This report was prepared after consultation with:

- Head of Law and Regulation
- Head of Finance
- Public Protection Manager
- Principal Environmental Health Officers (team leaders)

Signed

1. Background

- 1.1 The fees and charges levied for a number of activities provided by Environmental Health have been reviewed so as to ensure full cost recovery for the services provided but also to ensure that a surplus is not generated, as required by legislation.
- 1.2 Internal Audit has recommended that all of the approved fees and charges for Environmental Health are reviewed and some now require adjustment.
- 1.3 In addition some agencies external to the Council have recommended fees and charges after the Council-wide fees and charges report for 2016-2017 was approved. Therefore some fees and charges require approval at this stage.
- 1.4 Where appropriate, fees and charges approved by this report will take precedence over those previously approved. All other fees and charges remain as approved.
- 1.5 Hourly rates for officers that include all 'on-costs' and indirect costs have also recently been agreed by Finance and approval of those is sought. These are also included in the Appendix and will be used for **individual case** cost recovery charges, that are purely based on officer time used on that particular case, for example charging for officer time spent on supervising the destruction of unfit food following a Court Order.

2 Proposed Fees & Charges Financial Summary

- 2.1 The Appendix outlines the proposed fees and charges for the services mentioned.
- 2.2 The changes to these fees will have very little impact on overall Environmental Health income during the year, possibly resulting in a very small overall increase of no more than £1000.

3. Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
Risk of not making charges	H	L	Planning to make appropriate charges to ensure that budgets we have are used as effectively as possible	Environmental Health Manager
Risk of a customer appealing the basis of the amount of our charges	L	L	Proposed charges have been calculated carefully to ensure that they are reasonable and no "profit" is made	Environmental Health Manager

* Taking account of proposed mitigation measures

4. Links to Council Policies and Priorities

Ensuring that this work is completed as required will support the following Council Policies and Strategies:

- Newport City Council's Corporate Plan "Standing Up for Newport" 2012-2017 (Relevant priorities: "A Working City" "A Safer City" "A Healthier City").
- The Wellbeing of Future Generations (Wales) Act, which is about improving the social, economic, environmental and cultural wellbeing of Wales, and places a duty on public bodies to improve wellbeing in accordance with the sustainable development principle.

5. Options Available

Option1

That the Fees and Charges, and the Officer hourly rates set out in the Appendix are approved. This will allow the correct charges to be made for services and will ensure that income is maximised.

Option 2

That the Fees and Charges, and the Officer hourly rates set out in the Appendix are not approved. This will leave the Council open to challenge and/or unable to make appropriate charges to maximise income to offset the cost of providing services.

6. Preferred Option and Why

Option 1 above

Approval of the Fees and Charges and the Officer hourly rates set out in the Appendix in order that the correct charges can be made for services

Comments of Chief Financial Officer

The amendment of the fees and charges stated within the report is following recommendations from both Internal Audit and external agencies and will allow full cost recovery and income to be maximised where applicable. It is expected that there will be no impact on the Medium Term Financial Plan going forward as the various changes to the proposed fees will make little difference to the income generation within the service.

Comments of Monitoring Officer

The proposed action is in accordance with the Council's statutory powers to set fees and charges for a range of regulatory functions, based on cost-recovery. The proposed level of fees and charges is considered to be reasonable having regard to the nature of the work and the total costs to the Council of carrying out the work. In accordance with good practice and audit requirements, the costs of the service have been reviewed and, where appropriate, some fees have been reduced to reflect the actual staffing and on-costs incurred. Other charges have been increased, in accordance with recommendations from external agencies. Therefore, these revised charges should not have any significant impact on the current year's income and budget targets.

Staffing Implications: Comments of Head of People and Business Change

There are no direct staffing implications contained within this report, the revised hourly rates for Officers is the external charge and does not alter their internal substantive grade.

Services provided by Environmental Health support the requirements of the Wellbeing of Future Generations Act, by improving the social, economic, environmental and cultural wellbeing of the city. The services also contribute to the priorities within the Single Integrated Plan, notably the Safe and Cohesive Communities theme and Health and Wellbeing theme. It is therefore crucial that these services are maintained and delivered as required.

Equalities Impact Assessment N/A

Consultation N/A

Dated: 20 September 2016

Appendix

Fees and Charges 2016/2017:

Service Description	Current Charge	Proposed Charge	Note
Food Hygiene Rating Scheme – Rescore Fee	£150	£160	As recommended by the Wales Heads of Environmental Health Group – Food Safety Expert Panel
Export Health Certificate (Food Safety)	£127 per certificate £83 per visit for up to three certificates plus £43 for each additional certificate	£104 per certificate	
Port Health - Contribution from Cardiff Council (Precept Charge)	Not previously set	£4,819	
Ship Sanitation Certificate	As recommended by the Association of Port Health Authorities to local authorities	Gross Tonnage: Up to 1,000: £80 1,001 – 3,000: £115 3,001 – 10,000: £175 10,001 – 20,000: £230 20,001 – 30,000: £295 Over 30,000: £350 With the exception of: - Vessels with the capacity to carry between 50 and 1000 persons: £350 - Vessels with the capacity to carry more than 1000 persons: £600 Issuance of Extension Certificates: £50 Extra charges , based on actual costs, may be added for exceptional costs such as launch hire, out-of-hours duty, travel and re-inspections of ships subject to control measures.	As recommended by the Association of Port Health Authorities to local authorities and already advised to shipping agencies by APHA
Port Health Water Sampling	Drinking water microbiological (first sample): £52 (plus VAT) Drinking water microbiological (each subsequent sample): £23 (plus VAT) Legionella water sample (first sample): £69 (plus VAT) Legionella water sample (each subsequent	Drinking water microbiological (first sample): £87.95 (plus VAT) Drinking water microbiological (each subsequent sample): £61.95 (plus VAT) Legionella water sample (first sample): £104.33 (plus VAT) Legionella water sample	

Service Description	Current Charge	Proposed Charge	Note
	sample): £37 (plus VAT)	(each subsequent sample): £78.33 (plus VAT)	
Ear Piercing, Acupuncture, Electrolysis & Tattooing Registration	Reviewed	Premises: £88 Practitioners: £88 Replacement Certificates: £22	
Land Searches/Information Requests (other than those under the Local Land Charges Act – CON 29 Searches)	Reviewed	£52 for the first hour plus £52 per each additional hour or part thereof.	
Private Water Supplies	Risk Assessment (each assessment): £125 Sampling (each visit): £80 Investigation (each investigation): N/A (proposed new charge Granting an authorisation (each authorisation): £100* Analysing a sample: <ul style="list-style-type: none"> ▪ taken under regulation 10: £25* ▪ taken during check monitoring: £100* ▪ taken during audit monitoring: £500* * Maximum fee set by regulations	Risk Assessment (each assessment): £156 for up to 3 hours plus £52 for each additional hour or part thereof, up to a maximum of £500* Sampling (each visit): £100* Investigation (each investigation): £100* plus the analysis cost Granting an authorisation (each authorisation): £100* Analysing a sample: <ul style="list-style-type: none"> ▪ taken under regulation 10: £25* ▪ taken during check monitoring: Analysis cost up to £100* ▪ taken during audit monitoring: Analysis cost up to £500* * Maximum fee set by regulations	
UK Entrance Clearance – Residential Premises Inspection	£127	£165	
Housing Act 2004 – Notice Fees	£385 Each additional notice charged at 35%	£385 £52 per each additional identical notice served on another recipient at the same time	
Works in Default – Administration Fee	Fee charged by the contractor (ex. VAT) plus 20% *Fee charged by contractor	Fee charged by the contractor (ex. VAT) plus: <ul style="list-style-type: none"> ▪ 20% for fees up to £1,000 ▪ 10% for fees £1,001+ *Fee charged by contractor plus “officer time” charge (up to a max. of the above charge) where EH Manager agrees defaulter has special circumstances.	

Service Description	Current Charge	Proposed Charge	Note
	plus "officer time" charge (up to a max. of the above charge) where EH Manager agrees defaulter has special circumstances.		

Officer Hourly Rates recommended by Finance 2016/17

Post Title	Grade	Hourly Rate
Principal Environmental Health Officer/Principal Trading Standards Officer/Trading Standards Team Leader/Licensing Manager	10	£56
Environmental Health Officer/Senior Scientific Officer/Trading Standards Officer/Financial Investigator/Senior Licensing Officer	9	£52
Senior Technical Officer/Food Safety Officer/Pollution Control Officer/Fair Trading Officer/Senior Animal Health Inspector/Licensing Officer	7	£47
Admin Officer	3	£34

Report



Cabinet Member for Regulatory Functions

Part 1

Date 20 September 2016

Item 02

Subject **Public Protection Food Law Service Plan 2016/2017**

Purpose To advise the Cabinet Member of the Food Law Service Plan and to seek approval of the Food Law Service plan for the financial year 2016/2017.

Author Environmental Health Manager and Trading Standards Manager

Ward City Wide

Summary Some of the Service Plans used to programme, drive and monitor Public Protection activities for the financial year must be approved formally. Notably: Food Safety, Communicable Disease, Feed Standards and Food Standards.

“The Framework Agreement on Official Feed and Food Controls by Local Authorities” issued by the Food Standards Agency requires the Council’s Food/ Feed etc. plans to be approved.

These have been combined into one Food Law Service Plan- Appendix.

Proposal That the Cabinet Member formally approves the Food Law Service Plan for 2016/2017.

Action by Head of law and Regulation

Timetable Immediate

This report was prepared after consultation with:

- Head of Law and Regulation
- Public Protection Manager
- Head of Finance
- Head of People and Transformation
- Env Health and Trading Standards Officers

Signed

1 Background

- 1.1 The Public Protection Service has a wide remit, taking the many and diverse statutory functions of Trading Standards, Animal Health, Environmental Health, Licensing and Community Safety.
- 1.2 Public Protection carries out a wide range of enforcement initiatives, including a number of high profile prosecutions, but balances this with an education programme for businesses' legal obligations, and for consumers' rights.
- 1.3 We work to protect the rights and the safety of the City's residents, workers, visitors and the local environment. Our services interact with everyone who comes into Newport and with people from much further afield who buy or use goods and services originating from the City.
- 1.4 The Service Aims are to:
 - Create and maintain a fair and safe (trading) environment and community for Newport's residents, visitors and responsible businesses.
 - Bring businesses into a state of being broadly compliant with Public Protection legislation and alleviate anti-social behaviour.
- 1.5 Work to be completed by Public Protection in any given financial year is set out in Business Unit Plans and Service Plans. Plans include targets and/or Performance Indicators that are reported on throughout the year. Plans are essential to provide structure to the work of the teams, even though much of the work is required by statute, and therefore the content also forms an important part of employees' annual reviews.

2 Requirement for Approval of Service Plans (also known as Intervention Plans)

- 2.1 For Food Safety, Communicable Disease, Feed Standards and Food Standards it is required that local authorities produce service plans and to help to ensure local transparency and accountability, and to show their contribution to the authority's corporate plan, that "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."
- 2.2 "Records should be kept to show that service plans have received appropriate approval"
- 2.3 This is set out in "The Framework Agreement on Official Feed and Food Controls by Local Authorities" issued by the Food Standards Agency.
- 2.4 Powers enabling the Agency to monitor and audit local authorities are contained in the Food Standards Act 1999 and in the Official Feed and Food Controls Regulations.
- 2.5 It is always possible that one or more teams within Public Protection could be subject to an External Audit during a financial year. Should the relevant Service Plans not have been approved, then the organisation completing the audit is likely to be highly critical of

the situation and may suggest that the activities set out in the Plans are not sufficiently supported or given oversight at a suitable level within the Council.

3 Specific issues for Environmental Health Food Safety in 2016/2017

3.1 The Food Law Code of Practice Wales requires that all High Risk Food Premises inspections are undertaken in the financial year in which they are due. Food Premises are risk-rated to determine inspection frequencies, with A-rated premises being those with the highest risk. This financial year the following numbers of inspections are due:

- A-rated premises: 4
- B-rated premises: 58
- C-rated premises: 345

In addition to these initial inspections, based on data from previous years, it is likely that 200 revisits would be required to deal with areas of non-compliance with legislation by food businesses. These revisits are essential to deal with issues that could jeopardise public health.

3.2 This approach is extremely resource intensive and leaves very little flexibility to respond to other local priorities within the resources that are available in Newport. In order to utilise these resources as effectively as possible, this financial year Environmental Health wishes to reduce the number of inspections of the C-rated premises (the lowest risk of the 'high risk' premises) to 294 (85%). This would not meet the requirements of the Food Law Code of Practice Wales, but would allow sufficient resources to deliver other work. In particular Environmental Health would aim to:

- improve the speed with which new businesses receive their first inspection and therefore receive face-to-face advice and support. The Food Law Code of Practice Wales requires such inspections to be delivered within 28 days of the business starting to trade. We currently fail to meet this requirement in the majority of cases but this strategy would aim to achieve this for 80% of new businesses in 2016/2017.

This report therefore seeks approval of this strategy as well as the Service Plan as a whole. This Plan is to be found at Part 1 of the Appendix.

4 Specific issues for Trading Standards Food Standards in 2016/2017

4.1 The Trading Standards Service Plan makes reference to the fact that food chain integrity is a priority for the Section and describes the various methods the Trading Standards Section will use in order to ensure the food chain is robust. This will include proactive inspections; project work; sampling; investigating complaints; and completing investigations where offences have been noted. This approach is described more fully in the Trading Standards Service Plan which is available on request; but due to its size is not included in this report.

4.2 The Food Law Code of Practice Wales requires Trading Standards to inspect each high risk premises on an annual basis (within a year of the premises' previous inspection) and also 50% of medium risk businesses and 20% of other businesses. There is also a requirement to visit each new business within a month of the date it starts to trade. There are 29 High Risk Premises; 109 Medium Risk Premises; and 833 lower risk premises.

There are also 200 new businesses opening each year and the receipt of approximately 100 service requests each year. There are also 330 businesses in need of a risk rating assessment. There is also a resources commitment on sampling and training.

- 4.3 The Trading Standards Section does not have the requisite resources to meet these standards. In order to comply with the Code of Practice the Section would need £72,334. The Section currently devotes £38,163 towards the function. It is likely that through the year resources will need to be redirected from other areas into food standards.
- 4.4 In order to deliver the food standards function Trading Standards will adopt a policy of visiting each high risk premises (29) and then identifying evidence and intelligence which will assist the planning of further surveillance work. This will include targeted and focussed interventions aimed at the area of most risk for the business, rather than the formal 'full programmed inspections'. This approach will produce a compromise between scarce resources and public protection. This report therefore seeks approval of this approach as well as the Service Plan as a whole.

5 Specific issues for Trading Standards Animal Feed in 2016/2017

- 5.1 Trading Standards has the responsibility for delivering Animal Feed Legislation Enforcement. For the forthcoming year the service plan and the funding will be provided by the Food Standards Agency Wales. The service plan will direct officers to complete a work programme of inspections and sampling; and also conduct official samples at the port. For this reason, there is no need to include the animal feed service delivery plan within this report.

6. Financial Summary

Whilst not having the full requisite budget for work that the Food Law Codes of Practice would wish to see actioned, service management will ensure the current budget is used to maximum effect by targeting the areas/businesses which present the highest risk to the public.

7. Risks

Risk	Impact of Risk if it occurs* (H/M/L)	Probability of risk occurring (H/M/L)	What is the Council doing or what has it done to avoid the risk or reduce its effect	Who is responsible for dealing with the risk?
That relevant Plans are not scrutinised and sanctioned as required and the Council is criticised by external agency/agencies.	Medium	Low	This report seeks to ensure that Plans are given appropriate oversight and support.	Environmental Health Manager, Trading Standards Manager, Public Protection Manager
That the Council is criticised for not	Low	High	This report explains that resources are limited and	Environmental Health

delivering all High Risk Food Hygiene inspections as required by the Food Law Code of Practice Wales			other essential work (which is also required by legislation and the Code of Practice) will be delivered as a consequence of reallocating the resources for the year. Resources will be reallocated following the risk assessment that has been undertaken i.e. reallocated away from lower risk work.	Manager, Public Protection Manager
That the Council is criticised for not delivering all Food Standards inspections as required by the Food Law Code of Practice Wales.	Low	High	This report explains that resources are limited and other essential work (which is also required by legislation and the Code of Practice) will be delivered as a consequence of reallocating the resources for the year. Resources will be reallocated following the risk assessment that has been undertaken i.e. reallocated away from lower risk work.	Trading Standards Manager, Public Protection Manager

* Taking account of proposed mitigation measures

8. Links to Council Policies and Priorities

- 8.1 Ensuring that this work is completed as required will support the following Council Policies and Strategies:
- 8.2 Newport City Council's Corporate Plan "Standing Up for Newport" 2012-2017 (Relevant priorities: "A Greener & Healthier City"; "A Safer City").
- 8.3 Newport's Single Integrated Plan (SIP) 2013-2016 'Feeling Good About Newport' (Relevant priorities: Health and Wellbeing, Safe and Cohesive Communities).
- 8.4 The Wellbeing of Future Generations (Wales) Act, which is about improving the social, economic, environmental and cultural wellbeing of Wales, and places a duty on public bodies to improve wellbeing in accordance with the sustainable development principle.

9. Options Available

Option1

To approve the Public Protection Food Law Service Plan.

Option 2

Not to approve the Public Protection Food Law Service Plan.

10. Preferred Option and Why

Option 1 above

To approve the Food Law Service Plan.

It is important that the Council gives this Plan appropriate scrutiny and support. This would be assessed as part of external audits.

Comments of Chief Financial Officer

There are no direct financial implications coming from this report – the implementation of the Public Protection Food Law Service Plan will have to be completed within the overall Public Protection budget as stated within the report and this, common with other areas of the Council, will require careful targeting of key, high risk areas, requiring professional judgements from colleagues.

Comments of Monitoring Officer

There are no legal implications. At a higher strategic level, the key performance measures and service objectives for Public Protection are set out in the Law and Regulation Service Plan, which is approved annually by the Cabinet Member and is subject to monitoring by Scrutiny in accordance with the Council's performance management framework. The Service Plan is supplemented by individual Business Plans for each of the service areas, which deal with operational service delivery. These operational business plans are not generally subject to formal Member approval. However, in accordance with the FSA Framework Agreement, the Council is required to produce annual service plans for Food Safety, Communicable Disease, Feed Standards and Food Standards and to have them formally approved at an appropriate level within the organisation. Therefore, the Cabinet Member is required to formally consider and approve the composite Food Law Service Plan which covers all of these areas. Although the Plan identifies certain areas where the Council is not meeting strict Code of Practice standards and requirements, this type of regulatory and enforcement work is always subject to available resources and budgetary constraints and there will be a need to prioritise future work of this nature.

Staffing Implications: Comments of Head of People and Business Change

There are no direct HR implications contained within this report. However, it is noted that both Environmental Health and Trading Standards advise that they have limited resource to undertake the requirements of the Code of Practice. Should this result in any HR related changes, these may be required to be considered via a further report or business case.

The implementation of the Food Law Service Plan supports the requirements of the Wellbeing of Future Generations Act, which is about improving the social, economic, environmental and cultural wellbeing of Wales. The actions within the plan contribute to improving wellbeing across the city and ensuring public protection and safety. The plan also contributes to the priorities within the Safe and Cohesive Communities theme of the Single Integrated Plan.

Equalities Impact Assessment N/A

Consultation

Background Papers

Food Safety, Communicable Disease, Feed Standards and Food Standards.
“The Framework Agreement on Official Feed and Food Controls by Local Authorities” issued by the Food Standards Agency

Appendix – Food Law Plan 16/17

Dated: 20 September 2016

Newport City Council

Public Protection

Food Service Delivery Plan

2016-2017

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1. SERVICE AIMS AND OBJECTIVES

1.1 Aims and Objectives

For **Food Safety**; there is a commitment to improving the safety of the food chain leading to the adoption of the following aims and objectives.

- Safeguard the health, welfare and safety of those living, visiting or working in Newport;
- Provide health protection and promotion, through advice, assistance, persuasion and enforcement; and
- Promote and ensure a fair, safe and equitable trading environment by encouraging good business practice and protecting consumers.

For **Food Standards**; there is a similar commitment to consumer protection and a fair trading environment and an aim to complete the following activities:

- Tackling Fraudulent Trading Practices
- Supporting Reputable Business
- Protecting Vulnerable Consumers
- Maintaining Food Chain Integrity
- Supporting Policies aimed at Health Improvement
- Protecting Newport's Environment

1.2 Links to Corporate Objectives and Plans

Newport City Council's Corporate Plan "Standing Up for Newport" 2012-2017 sets out the local authority's priorities for the 5 year period for the delivery of services to the people of Newport; it sets out aims towards Newport becoming a Caring City, a Fairer City, A Learning and Working City, a Safer City and a Greener and Healthier City.

Law and Regulation through its core business activities supports the Corporate Plan by contributing directly to a number of outcomes. The contribution to the corporate and community objectives is delivered through the diverse range of services supplied by the Service. The work carried out by officers delivering official controls in the whole area of food law directly contribute to a number of these objectives; namely a Fairer City; a Greener City; a Healthier City; a Working City; and a Safer City.

2. Background

2.1. Profile of Newport City Council and the Port

Newport is a unitary authority in south-east Wales located within a few miles of the second Severn crossing along the M4 corridor. As Wales' newest city it forms the gateway between Wales and England.

Newport covers a geographical area of just over 73.5 square miles, with a population of approximately 145,700 and the second largest number of people from a non-white background of the local authorities in Wales.

Newport is ranked as the fourth most deprived local authority in Wales. After losing some of its core industries the city is re-establishing and adapting itself as a centre of modern industry and commerce.

The Port of Newport is a general cargo port and handles approximately 1 million tonnes of cargo per annum. Main imports include coal, steel, timber and timber products. The remainder includes clay products, agribulks and animal feed.

The agricultural base that tends to concentrate on livestock, primarily beef and sheep with some dairy farming

In common with other cities in the UK, demands on the food services in Newport are diverse and high, for example the increasing number of food businesses is currently 1400, which have a high turnover.

There are a variety of food businesses in Newport, around thirty of which are manufacturers, packers, processors or importers. There are also a wide variety of retailers and caterers; some of which are well resourced and part of the recently opened Friars Walk development and part of a national business; and many others who are much less resourced and independent; such businesses regularly encounter food law problems which are difficult to resolve in the areas of food hygiene; labelling; composition and description.

2.2. Organisational Structure

The Public Protection Service is one of the services within Law & Regulation. The Food Safety (Hygiene) function is managed by the Environmental Health Manager and the Food Standards function is managed by the Trading Standards Manager.

Within the Environmental Health Section the Food Safety team is led by the Principal Environmental Health Officer (Food Safety). 6.5 FTEs deliver official controls relating to food hygiene including the Principal. The Principal Environmental Health Officer (Food Safety) is the designated lead officer for the function. 0.5 FTE deliver investigations of Outbreaks and Food Related Infectious Disease and this function is managed by the Principal Environmental Health Officer (Health & Safety and Port Health).

Within the Trading Standards Section the food standards function is not delivered by a single team; but forms part of the duties of a number of officers across three teams. There are three team leaders within the Section and six Trading Standards professionals all of whom are authorised to carry out Food Standards Enforcement. The Trading Standards Manager is the lead officer for Food Standards. High Risk Food Inspections and Official Controls are carried out only by officers who have attained the appropriate additional training and assessment. Other Food Standards Official Controls (which are mostly intelligence led) are undertaken by Food Officers who meet the qualification and competency requirements of the Food Law Code of Practice for Wales.

NB: The Feed Standards function is managed by the Trading Standards Manager; but has received a dispensation from the requirements to be part of the Service Plan as this is delivered through an All Wales/Food Standards Agency endorsed service plan.

2.3. The Scope of Food Service

The following functions are undertaken:

- Programmed inspections and follow up compliance visits to both new and existing businesses
- Investigation of complaints and allegations of food fraud
- Investigation of FSA food incidents, alerts and hazard warnings
- Food sampling to assess microbiological quality and for accuracy in relation to composition, labelling and chemical contamination
- Advice to both existing and new food businesses
- Reactive / targeted Food sampling
- Delivery of food hygiene courses for council employees and the private sector
- Responding to requests for service and advice
- Carrying out appropriate and proportionate enforcement actions where necessary
- Implementation and promotion of the Mandatory Food Hygiene Rating Scheme
- Control and investigation of sporadic and outbreak cases of food poisoning and food related infectious disease
- Liaison with other food authorities and professional bodies to ensure consistency of food safety enforcement

2.4 Demands on the Service

Food produced, processed, packed or imported in Newport is varied and the resource required is continually increasing as new business open or the existing businesses change to meet the demands of consumers in the present economic climate. The Food Industry traditionally has low margins and in an effort to cut costs the technical part of the businesses is being reduced, but the demand for diversification has increased. Subsequently, surveillance of the Food Industry needs to be undertaken to ensure compliance and Trading Standards are increasingly being asked for advice.

There are 1387 food premises presently approved/registered by Newport City Council. The profile of these is described below:

For Food Hygiene

Establishment Type	Risk Category					Total
	A	B	C	D	E	
Primary Producer	0	0	0	1	2	3
Distributor/Transporter	0	2	3	8	10	23
Slaughterhouse	0	0	0	0	0	0
Manufacturer/Packer	1	9	24	8	6	48
Importer/Exporter	0	0	0	2	0	2

Establishment Type	Risk Category					Total
Retailer	0	5	45	97	133	280
Restaurant/Caterer	6	84	473	216	252	1031
Total	7	100	545	332	403	1387

11 of the above premises are approved under EC Regulation 853/2004 comprising cold stores, meat processing and re-wrapping establishments.

For Food Standards

Establishment Type	Risk Category			Total
	A	B	C	
Primary Producer	0	1	0	1
Distributor/Transporter	5	13	1	19
Slaughterhouse	0	0	0	0
Manufacturer/Packer	12	8	1	21
Importer/Exporter	3	0	0	3
Small Retailer	4	34	133	171
Supermarket	0	23	2	25
Retailer Other	1	7	44	52
Restaurant/Cafe/Canteen	2	2	190	194
Restaurant/Caterer/Other	1	12	47	60
Take Away Restaurant	1	7	75	83
Pubs/Clubs	0	0	100	100

Establishment Type	Risk Category			Total
	A	B	C	
Hotel/Guest House	0	0	38	38
Caring Establishments	0	0	149	149
School College	0	0	18	18
Mobile Food Unit	0	2	35	37
Total	29	109	833	971

2.5 Service Delivery Points

Both the Food Safety and Food Standards Services are delivered from the Civic Centre in Newport. Appointments can be made to see an officer at the Civic Centre, Information Station or at the food business if requested. The service mainly operates within office hours from Mondays to Fridays; and weekend and out of business hours duties are carried out as the need arises.

Food Related Service Delivery Points	
Location	Office Hours
Civic Centre Godfrey Road Newport South Wales NP20 4UR	Mon - Thurs 08:30 - 17:00 Friday 08:30 - 16:30 Appointments only no direct public access
Information Station Old Station Building Queensway Newport NP20 4AX	Opening hours: Monday – Friday, 8.30am – 5.00pm Meeting rooms available on the request of complainant.

2.6 External Factors Impacting on the Service

2.6.1 Ethnic Mix of Food Businesses

Newport has a very diverse mix of businesses including a high proportion of ethnic businesses which do not use English as their first language. A high turnover of businesses in this sector present significant challenge in achieving the required frequency of inspection and sustained improvement in the hygiene standards is difficult to achieve. Such businesses also struggle to

comply with the complex labelling, marketing and compositional rules required by Food Standards Legislation.

2.6.2 High Profile Events

Newport has hosted a number of high profile events both in the sporting world (such as the Ryder Cup in 2010) and other major non-sporting events such as the NATO Summit in 2014. The scrutiny placed on the area in terms of the hygiene standards of the food businesses for those visiting the area is particularly high. Significant additional resources are required to ensure the highest standards of food safety are maintained at such events. A number of seasonal events also run in the city requiring monitoring and inspection over and above the programmed inspections.

2.7 Enforcement Policy

The Public Protection Service has a published Enforcement Policy which follows the Enforcement Concordat and Code for Crown Prosecutors. This aims to consider the impact of the regulatory intervention on businesses by adopting a positive, proactive and balanced approach to ensure compliance. This will be achieved through a combination of: advice, information, help and support for businesses which reflects individual business needs and expectations; and intelligence-led, targeted and proportionate interventions where regulatory breaches are identified.

3. SERVICE DELIVERY

3.1 Programmed Interventions at Food Establishments

The **Food Hygiene Interventions** in 2016-17 that should be programmed to comply with the Food Safety Act Food Law Code of Practice are shown below.

2016-17 Food Hygiene Programme Required by the Code of Practice	
Category and Inspection Frequency	Number of Premises
A (6 Monthly)	4
B (12 Monthly)	58
C (18 Monthly)	345
D (24 Monthly)	111
E (Subject to Alternative Enforcement Strategy)	49
Total	567

The planned programme for **Food Standards Interventions** in 2016-17 that are required to comply with the Food Safety Act Food Law Code of Practice is shown below.

2016-17 Food Standards Programme Required by the Code of Practice	
Category and Inspection Frequency	Number of Premises
A (12 Monthly)	29
B (24 Monthly)	109
C (60 Monthly)	833
Unrated	330
Total	1301

Food Standards official controls will be carried out following the Intelligence Operating Model that will aid the allocation of resources that will be targeted towards the more significant hazards and higher risk premises.

Traditionally, this is achieved by employing the national inspection rating systems that ensures more frequent inspections to premises where the hazards are greatest, standards are poor and the confidence in management is low. This approach will mean that the Section concentrates its efforts where there is greatest scope to raise standards. With finite resources available, there also has to be a reasoned choice of the best mix of different techniques having regard to what will have the greatest impact and what provides best value for money. Trading Standards aims to complete a number of targeted interventions whereby a number of premises are visited; not as a 'comprehensive visit' but a visit looking at a particular risk; it is hoped this approach will ensure that the issues of greatest risk are still scrutinised; even where resources do not permit the time intensive full programmed inspections. Resources will also be made available to other regulatory colleagues to assist with intelligence gathering and problem spotting.

3.2 Food Complaints

3.2.1 Food Hygiene Complaints

Our policy is to investigate food complaints concerning extraneous matter, chemical or microbiological contamination, unfitness and food alleged to have caused food poisoning, provided that the food was purchased within Newport. We will also investigate allegations concerning poor hygiene including alleged pest infestations and notification of water disconnections in food premises located within the City. Where we receive food complaints relating to food purchased in premises under the jurisdiction of other authorities we will pass the details to them for investigation.

The purpose of investigating food stuff complaints is to:-

- Resolve problems which pose a risk to public health and/or check compliance with food/feeding stuff standards and labelling requirements.
- Provide information to the food industry in order to maintain and improve standards.
- Fulfil the duty of enforcement.
- Prevent future complaints.

Based on previous year's data we would expect to receive approximately 440 complaints linked to food premises or purchase of food in a year, requiring approximately 2,640 hours of officer time.

3.2.2 Food Standards Complaints

Inspectors will fully investigate complaints relating to food premises where the conditions:

- may present a significant risk to public and animal health, and/or
- are a persistent concern to the public, and/or
- the business has a poor history of compliance
- a legal contravention has been identified which is likely to continue or recur, and/or
- the type of contravention is widespread and/or
- the contravention might be due to a deliberate act e.g. for financial gain

Complaints will be actioned in line with the section's procedures.

Based on previous year's data we would expect to receive approximately 150 complaints in a year, requiring approximately 150 hours of officer time.

3.3 Additional Inspections Required

In addition to the above programmed Food Hygiene Interventions it is anticipated that, based on previous year's data, 120 revisits will be required to follow-up areas of non-compliance. It is estimated that this would increase to 200 revisits if all inspections required by the Code of Practice were undertaken. This would equate to 1,000 hours of officer time.

3.3 Inspection of New Food Businesses

A significant number of enquiries are received each year from people seeking advice who are looking to set up a new food business. These can initially involve considerable time in tailoring appropriate advice and on-site visits where necessary.

The Food Safety Act Code of Practice requires that all food establishments should receive an initial inspection. This should normally take place within 28 days of registration or from when the authority becomes aware that the establishment is in operation.

Typically the Public Protection Service receives approximately 200 new business registrations each year. This equates to 1,200 officer hours.

Where new registrations are received for establishments that are due for inspection within the current Food Hygiene Intervention programme the programmed intervention is replaced with one that applies to the new business. This may involve a re-prioritisation of the intervention to ensure the 28 day target for inspection is achieved.

For Trading Standards approximately there should also be approximately 200 inspections to risk rate the new businesses. In reality about 50 inspections are carried out whilst carrying out survey or complaint work. Resources required to respond and inspect new businesses: 450 officer hours.

3.4 Food Hygiene Rating Scheme

The Food Hygiene (Wales) Act 2013 established a statutory Food Hygiene Rating Scheme (FHRS) in Wales which came into force on the 28 November 2013. This replaced the previous voluntary scheme operated in Wales and across the UK since 2011. Much of the work in implementing the scheme, e.g. issuing a rating based on the score given during an inspection is linked with the inspection activities described in 3.1 above. However additional responsibilities under the Act include:

- The local authority is required to send the food business operator notification of their rating within 14 days of the inspection along with the reasons for the rating and an appropriate FHRS sticker.
- Requests for appeals are received from food business operators where they feel the rating has been wrongly applied. These must be determined and the decision communicated within 21 days of receipt of the appeal.
- Where a food business operator requests a re-rating this must be paid for in advance of the re-rating inspection taking place. Once the payment has been received a new inspection is carried out (within 3 months) to re-assess the premises. A further report and sticker is issued following the inspection.
- The display of the rating in the form of a window sticker is a mandatory part of the scheme. The Food Safety service will use a range of enforcement options to respond to notifications of non-display including warning letters, fixed penalty notices and where appropriate, legal proceedings.
- Consistent determination of the ratings across the Authority, Wales and the UK is an important part of ensuring the scheme is fair and correctly applied. The food safety officers involved in inspections under the scheme must receive regular training to promote consistency in order to apply the ratings correctly.

The estimated resources required to fulfil the Authority's obligations under the Food Hygiene Rating Scheme are as follows:

Activity	Number Activities Per Year	Estimated Hours Involved
Appeals	12	30
Re-rating Requests	Not calculated as costs covered by fees	
Officer Training	2 Events Per Year	40
Allegations of Non-display	20	60
Totals	34	130 (Hours Required)

3.5 Home Authority and Primary Authority

In accordance with the Home Authority Principle, the Council will respond to requests for appropriate information from other local authorities about locally produced foods that have been sold outside Newport and are the subject of a complaint. Consideration will also be seriously given to Primary Authority relationships in the year. Further the requirements of the Home Authority and Primary Authority Principles are taken into account when conducting interventions and enforcement activity at premises operating under these arrangements.

3.6 Advice to Business

The Authority recognises the importance of responding positively to all reasonable requests for advice or assistance from food businesses as this:

- proactively assists compliance
- encourages the adoption of best practice
- helps avoid unnecessary expenditure by businesses
- reduces the need for formal enforcement
- raises the profile of the Authority in supporting the development of businesses
- helps to build a positive working relationship and trust between enforcement officers and businesses

In practice, advice can range from responding to telephone requests for information, to the provision of guidance leaflets, site visits and the preparation of advisory letters.

Wherever possible, to ensure the most efficient use of resources, advice will be provided over the telephone and through the provision of relevant advisory leaflets. However, advisory visits will be made upon request to existing businesses undergoing refurbishment and or development. Where a new business is registered with the authority information will be provided including leaflets, information sheets and appropriate links to websites, including the Council's website and that of the Food Standards Agency.

Where more detailed advice or support is required businesses will be directed to relevant trade associations, consultants, or other experts, as appropriate or we may contact those bodies on their behalf. The availability of this advice is dependent upon the level of resource within the department.

With Food Hygiene matters and in order to assist businesses in meeting their obligation to operate a food safety management system based on the principles of HACCP (Hazard Analysis Critical Control Point) officers will distribute the Food Standards Agency's Safer Food Better Business pack, but may also issue a copy of the Newport Guide to Managing Food Safely if that is more appropriate to the needs of the business.

The number of requests for advice each year is approximately 240 requiring approximately 480 hours of officer time.

With Food Standards matters businesses often require complex advice in relation to labelling, compositional and marketing matters which require detailed enquiry from highly qualified officers. Many businesses are still to fully understand the requirements of changes to marketing and labelling rules for allergenic ingredients; and there is due to be a change in the law in relation to nutrition labelling. The number of requests for advice each year is approximately 120

requiring approximately 250 hours of officer time. In addition advice is given whilst already carrying out food hygiene inspections or investigating complaints – this time is not separately recorded.

The Public Protection Service is currently undergoing a project entitled 'New Ways of Working'. One of the work-streams of the project is to maximise income revenue for the Service. In April 2016 it was decided that Trading Standards would cease its free advice to traders who proactively contact the service for advice; but instead a fee will be charged in order for the service to cover its costs. In relation to Food Hygiene such a change in service delivery is under consideration; and a decision will be made during the year.

3.7 Sampling

3.7.1 Sampling for Food Standards

Sampling for Food Standards purposes will be carried out as part of the Annual Sampling Plan; and also as a result of complaints or where officers take samples from food businesses as part of a routine inspection.

Sampling can be taken to ensure that businesses are offering food that is:

- safe
- nutritionally and compositionally correct
- correctly labelled
- altered or adulterated with a detriment effect to the consumer

The proposed sampling activities for Food Standards purposes are set out in an annual sampling plan and will include coordinated projects involving Food Standards Agency Wales, National Public Health Service, Wales Heads of Trading Standards, and the Gwent Food Standards Group; as well as local projects. These may include local establishments with particular problems to address, approved premises or imported food sold in the area. Each year the Service takes approximately 180 Food Standards Samples

Follow up work where unsatisfactory results are obtained (typically 40%) may involve additional advisory or enforcement activity. This requires approximately 70 hours of officer time for Food Standards work.

Sampling Plan

Sampling focuses on food produced in Newport, imported food and complaints

Sampling will also follow participation in regional projects.

Where food fails to comply with legal standards, follow up visits will be made to investigate possible reasons for failure, if there has been gross negligence enforcement action may be taken and the premises will be targeted during subsequent sampling programmes.

The plan is set out at Appendix 9

3.7.2 Sampling for Food Hygiene

Due to a reduction in staff resource from 16/17 onwards the level of sampling for microbiological purposes (food hygiene) has been reduced. Programmed sampling of food will no longer be undertaken; however sampling activities will be targeted towards poor performing premises (environmental sampling) and used to investigate serious food complaints. As sampling will only be used as an enforcement and investigation tool, the Authority will no longer produce a formal Sampling Plan. It is anticipated that approximately 30 hours of officer time will be needed for this reduced level of sampling activity.

3.8 Control and Investigation of Outbreaks and Food Related Infectious Disease

The Food Safety Team in conjunction with the Health and Safety Team investigate all notifications of food poisoning, suspected food poisoning and laboratory notifications of gastrointestinal infections such as cryptosporidium and giardia, in accordance with relevant central guidance.

The objective is to identify the source, to control and prevent further cases from the source if the suspected source is within the City, and to prevent spread from the primary case (e.g. if the case is a food handler, health worker or young child). This also requires the Lead Officer to work closely with their counterparts in neighbouring authorities.

In addition to the investigation of sporadic cases of infectious disease, the Council will also investigate outbreaks of infectious disease, such as food poisoning, in accordance with the Communicable Disease Outbreak Plan for Wales. The plan identifies action to be taken in order to manage infectious disease control in an outbreak situation and describes the roles and responsibilities of the various agencies concerned, including the Council. Demand for the service for the upcoming year is impossible to predict, however should a major outbreak occur, staff will be taken from other Environmental Health duties to assist as appropriate. Approximately 625 officer hours may be required for this aspect of the service, based on figures from 15/16.

3.9 Food Incidents

The Public Protection Service will, on receipt of any food alert, respond in accordance with the Food Safety Act Food Law Code and Practice and Practice Guidance.

A Product Withdrawal Information Notice or a Product Recall Information Notice is issued where a solution to the problem has been put in place – the product has been, or is being, withdrawn from sale or recalled from consumers, for example. A Food Alert for Action is issued where intervention by enforcement authorities is required.

Alerts requiring substantial reactive action will occur occasionally and irregularly. Sufficient resources will be allocated to deal with each warning as it arises, although this may require diversion from the planned programme of inspection.

3.10 Port Health Overview

Newport City Council acts as the Port Health Authority for the Port of Newport, as well as wharfs on the River Usk, including Bird Port and Liberty Steel. The port is a general cargo port mainly handling products such as coal, steel, timber and animal feed.

The work of the Health and Safety and Port Health team encompasses the following:

- Close monitoring of ship (vessel) movements within the port authority for purposes preventing the spread of infectious human and animal disease, ship inspection and imported food controls.
- Responding to reports of food poisoning and infectious disease and implementing required control measures to safeguard public health.
- Protecting animal health by ensuring vessels correctly dispose of International Catering waste.
- Inspecting the Port Health Authority area and boarding ships to check on sanitary conditions and take action in accordance with the International Health Regulations and domestic legislation.
- Making sure that controls on importing or landing animals that may carry rabies are strictly observed;
- Issuing Sanitation control or exemption certificates following a thorough inspection of a ship and extending a ship sanitation certificate if appropriate.
- Checking the water quality on board vessels to ensure there are no risks to health.
- Undertaking food hygiene inspections of the galley and implementing any required measures to safeguard food safety.
- Checking the water quality standards of quayside water supplies used by ships.
- Act as Category 1 responders under the Civil Contingencies Act 2004.
- Liaising with other port health authorities, Food Standards Agency; Maritime & Coastguard Agency; Border Agency; Welsh Government; port operator and shipping agents to ensure the efficiency of the service.
- The provision of information and advice concerning EU & UK legislation and controls

3.11 *Liaison with Partners*

Liaison and collaborative working is an appropriate mechanism for ensuring consistency between enforcers, for sharing good practice, for sharing information and for informing other enforcers of potential difficult situations. The main liaison arrangements are as follows:-

- Liaison with the Food Standards Agency
- Wales Heads of Trading Standards Group (WHOTS)
- Wales Heads of Environmental Health Group (WHOEHG)
- Wales Food Safety Technical Panel
- Wales Food Standards Group
- All Wales Communicable Disease Technical Panels,
- South East Wales Communicable Disease Task Group,
- South East Wales Communicable Disease Liaison Group,
- Water Health Partnership (Welsh Water)
- Commitment to the Welsh Food Microbiological Forum;
- South East Wales Food Safety Task Group
- Member of the Association of Port Health Authorities and the Ports Liaison Network;

- All Wales Port Health Expert Panel
- Care and Social Services Inspectorate Wales (CSSIW)
- Greater Gwent Food Standards Panel
- Gwent Police
- Government Agency Intelligence Network
- Wales Food Fraud Co-ordination Unit (Ceredigion County Council)
- Regional Intelligence Network

For Food Hygiene attendance at liaison, task group and technical panels meetings involve an estimated 55 hours of officer time per year.

For Food Standards attendance at liaison, task group and technical panels meetings involve an estimated 55 hours of officer time per year.

The Public Protection Service will endeavour to work closely with other organisations in order to strengthen our position and build closer relationships with the relevant parties particularly those involved with food.

3.12 Promotion

By working closely with other organisations, it will help the service and the other organisations to provide a provision to businesses to ensure the safety and high standards demanded by consumers. The service will constantly aim to improve with the help from other organisations and the adequate financial resources.

Environmental Health provides Food Hygiene Training for other council departments such as the carers that work for the Social Services. An average of 10 courses are delivered across the year involving an estimated 60 hours of officer time.

4. Resources

4.1. Financial Resources

4.1.1 Financial Allocation Required

In order for the Public Protection Service to fully meet the needs of the Code of Practice and the demands of the service, consumers and businesses; the following is required:

Activity		Food Hygiene	Food Standards
Programmed Interventions at Food Establishments	Risk Ratings A - C	£56,545	£36,290
	Risk Ratings D & E	£14,675	
Service Requests (Complaints)		£60,535	£14,100
Advice to Business (outside inspection programme)		£11,006	[See Service Requests]
<i>Additional Inspections (Revisits after</i>		£22,930	[See Service

Activity	Food Hygiene	Food Standards
<i>inspections)</i>		Requests]
<i>Inspection of New Food Businesses</i>	£28,716	£10,769
<i>Food Hygiene Rating Scheme enforcement</i>	£2,978	N/A
<i>Sampling</i>	£5,000 [Analyst Cost] £687 [Officer Time]	£8,000 [Analyst Cost] £1,800 [Officer Time]
<i>Training</i>	£3,500	£4,500
<i>Outbreaks and Food Related Infectious Disease</i>	£14,331	N/A
<i>Food Incidents</i>	[See Service Requests]	[See Service Requests]
<i>Liaison with Partners</i>	£1,375	£1,375
<i>Promotion</i>	£1,380	Nominal
<i>Legal Proceedings</i>	£4,127	
<i>Management activity by team leader</i>	£25,477	
Total	£248,265	£72,334

4.2. Actual Allocation

Activity	Food Hygiene	Food Standards
Salaries (based on hours available to work p.a.)	£139,739	£28,163
Sampling Analyst Fees	£5,000	£8,000
<i>Training</i>	£1,500	£2,000
Total	£146,239	£38,163

4.3. Resource Sufficiency

The resource allocation set out above is not sufficient to complete the full range of work required to meet the Food Safety Act Code of Practice. It is necessary therefore to ensure that resources are targeted to high risk activities. The prioritised work programmes with performance targets are set out in the appendices to this document.

4.4. Staff Development Plan

All officers receive a review and their allocated work and training programmes are agreed in line with Newport City Council's Review Policy and procedure.

5. Quality Assessment

The Food Law Code of Practice requires authorities to maintain documented monitoring procedures.

5.1. Internal Monitoring

A management system will monitor and ensure consistent inspections and the quality and nature of work carried out, to make sure as far as practicable that work is undertaken competently and to a uniform standard. Monitoring should be undertaken in accordance with this procedure.

The procedure includes measures to monitor:

- adherence to the section plans
- that priority is given to inspecting the higher risk premises
- compliance with Food Standards Agency Codes of Practice, Practice Guidance and central government guidance
- compliance with internal procedures and policies
- that inspection ratings allocated are appropriate
- that the interpretation of legislation, and action taken by officers following inspections/investigations, are consistent within the authority and with central government guidance.

The procedure is composed of three elements:

- Performance review.
- Monitoring of records and service requests.
- When appropriate - Accompanied inspections. A senior officer and inspecting officer will visit the premises at the same time, one to undertake the inspection, the other to monitor the officer's approach, judgements, thoroughness, etc. A minimum of one visit will be made with each officer during the year.

In addition to the monitoring systems describe above, the following arrangements are in place to promote quality and consistency:

- A document control system has been established to ensure that officers have access to current policies, procedures, legislation and official guidance.
- Regular Team meetings are held during which issues of interpretation and enforcement is considered.
- All files presented for formal action (caution or prosecution) are reviewed by the Trading Standards Manager/Environmental Health Manager.

6. Review

6.1. Performance against this Service Plan

This will be reviewed at the end of 2017. The feedback given will include information on levels of compliance with all aspects of the Plan, including specified performance targets and standards, and other stated outcomes.

6.2. Identification of any Variation in the Service Plan

If there is a variation from the Plan this will be discussed at Management meetings for action.

6.3. Areas for Improvement

The service was subjected to an external audit in January 2014 by the Food Standards Agency. An Action Plan now exists; all recommendations will be completed in line with the agreed timescales.

Appendices

1. Food Safety Performance Measures
2. Food Safety Key Plans and Projects
3. Communicable Disease Performance Measures
4. Communicable Disease Key Plans and Projects
5. Port Health Performance Measures
6. Port Health Disease Key Plans and Projects
7. Trading Standards Key Activities
8. Trading Standards Performance Management
9. Sampling Plan for 2016/17
10. Food Standards Premises Profile

1. Food Safety Performance Measures

	Indicator/Measure	What does it aim to show?	14/15 Target	14/15 Result	15/16 Target	15/16 Result	16/17 Target
1	% of higher risk food HYGIENE premises due for inspection (A, B,C) that were inspected	To provide data as to the percentage of primary visits the local authority has carried out to premises assessed as high risk.	100%	100%	100%	Discontinued and replaced with PIs 1 a, b and c	n/a
1a	% of higher risk food HYGIENE premises due for inspection (A-rated premises) that were inspected	To provide data as to the percentage of primary visits the local authority has carried out to premises assessed as high risk.	n/a	n/a	100%	100%	100%
1b	% of higher risk food HYGIENE premises due for inspection (B-rated premises) that were inspected	To provide data as to the percentage of primary visits the local authority has carried out to premises assessed as high risk.	n/a	n/a	100%	100%	100%
1c	% of higher risk food HYGIENE premises due for inspection (C-rated premises) that were inspected	To provide data as to the percentage of primary visits the local authority has carried out to premises assessed as high risk.	n/a	n/a	85%	85%	85%
2	The % of new businesses identified which either returned a self-assessment questionnaire for Food Hygiene during the year or were inspected		65%	Discontinued and replaced with PI 4	n/a	n/a	n/a
3	% of food businesses that are broadly compliant with food safety legal requirements as defined in the Food Safety Code of Practice.	The broad compliance score reflects standards under 3 parameters: a)premises structure b) food hygiene and safety c) (our) confidence in the management of the business	83%	93%	91%	95%	96%
4	The number and % of new food businesses inspected within 28 days of starting to trade.	Extent to which the new businesses are inspected after registering with the authority.	n/a	n/a	85%	73%	80%

5	The number of significant issues identified and the percentage resolved by officer intervention (with 6 month delay)	Monitoring of progress and completion of enforcement activity.	95%	98%	95%	100%	95%
6	Percentage of Notices complied with	Monitoring of progression and completion of enforcement action	94%	100%	94%	80%	94%

2. Food Safety Project Plan

Our New Key Plans and Projects for 2016-2017 Overall responsibility – Environmental Health Manager & Principal EHO (Food Safety)				
Lead officer Initials	Tasks/project	Description	Target Dates For completion	Outcomes and targets (SMART)
ALL	New ways of Working	Investigate opportunities to generate income. . Seek to establish Primary Authority partnerships. Improve communications with customers to increase efficiency	Mar 2017	A formal decision made on the approach to generate income, including whether to charge for all advice. Establish at least 3 Primary Authority relationships where Food Safety advice is a key factor. Improvements made to aid communication with customers.
FTP	Food Hygiene Rating (Promotion of Rating) (Wales) Regulations	Implement provisions of the new Food Hygiene Rating (Promotion of Rating) (Wales) Regs	Deadline to be set by Welsh Gov't once Regs come into force (end of Nov 2016)	Adapt arrangements for Fixed Penalty Notices to cover new Regs.
FTP	FSA Poor Performers Project Re-evaluation	Reassess businesses that participated in the 15/16 project and report on their performance 1 year on	Jan 2017	Follow-up report produced and shared with Cabinet Member and Food Standards Agency
FTP	Poor Performing Food Businesses 16/17 Project	Deliver further targeted support to non-Broadly Compliant businesses where budgets allow	Mar 2017	Project delivered and results reported to EHM
FTP	E. Coli Guidance	Provision of advice to businesses on compliance with E Coli Guidance and its implication for the Food Hygiene Rating Scheme	Dec 2016	Hold business briefing / workshop event to provide business support. Target level of participants -20 businesses' representatives participating.

Our Key Plans and Projects Rolled forward into 2016/2017					
Overall responsibility – Environmental Health Manager & Principal EHO (Food Safety)					
Lead officer Initials	Tasks/project	Description		Target Dates For completion	Outcomes and targets (SMART)
ALL	Inspect High Risk Premises (Categories A, B, & C)	Category	Number of inspections required under Code of Practice Wales	March 2017	All planned inspections completed
		A			
		B			
		C			
ALL	Low Risk Inspections for purposes of FHRS (Category D / E)	Carry out an inspection of 170 D/E premises to ensure a new FHRS rating is applied.		March 2017	All inspected
ALL	New businesses	Inspect new businesses within 28 days of starting to trade		March 2017	80% of premises inspected within 28 days of business opening
ALL	Ensure follow through of significant non-compliance.	Revisit, and where appropriate, issue Statutory Notice /instigate legal proceeding in keeping with the food safety enforcement policy.		March 2017	All significant non compliances followed up.
ALL	Investigate where appropriate complaints which allege criminal activity	Investigate and process in accordance with enforcement policy		March 2017	All complaints investigated
Trainees	Provision of food hygiene training courses for social services care staff	Deliver 12 food hygiene courses (Level 2 equivalent) according to agreed timetable		Monthly to March 2017	Courses delivered
ALL	Food Safety Alerts issued by the Food Standards Agency	Respond as appropriate to all alerts according to the requirements of Code of Practice Wales.		March 2016	Respond as appropriate to all alerts

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Our Key Plans and Projects Rolled forward into 2016/2017				
Overall responsibility – Environmental Health Manager & Principal EHO (Food Safety)				
Lead officer Initials	Tasks/project	Description	Target Dates For completion	Outcomes and targets (SMART)
PEHO	Performance Indicators	Complete performance indicator self-assessment forms as required by Internal Audit Complete Performance Indicator Returns. (Core indicator/Public Accountability Measure/etc.) for Internal Audit and/or Welsh Government	March 2016	Self-assessment forms completed. All Performance Indicator returns completed.

3. Communicable Disease Performance Measures

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	Indicator/Measure	What does it aim to show?	14/15 Target	14/15 Result	15/16 Target	15/16 Result	16/17 Target
1	% of notifications (cases) requiring investigation that have had an initial response in 3 working days	Speed of initial response To assess the efficiency of the service	100%	98%	100%	99%	100%
2	% of declared outbreaks* investigated	To provide data as to the number of outbreaks investigated	100%	N/A-None declared	100%	N/A-None declared	100%
3	% of communicable disease incidents# investigated	To provide data as to the number of outbreaks investigated	100%	100%	100%	100%	100%
4	% of notifications investigated that are resolved within 2 months	To assess the efficiency of the service	90%	95%	90%	84%	90%
5	% of investigated notifications, which are completed within 4 months	To assess the efficiency of the service	95%	95%	95%	89%	95%

6	The number of significant issues identified and the % resolved by officer intervention (with 6 month delay)	Monitoring of progress and completion of enforcement activity	75%	100%	95%	100%	95%
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* 'Declared Outbreak'- formal declaration of Outbreak and convening of Outbreak Control Team (OCT)

'Communicable Disease Incident'- minor outbreak or cluster of disease without the formal declaration of an outbreak and the convening of an OCT

4. Communicable Disease Function- Key Plans and Projects

Our Key Plans and Projects Rolled forward into 2016-2017 Overall responsibility – Environmental Health Manager & Principal EHO (Health & Safety)				
Lead officer Initials	Tasks/project	Description	Target Dates For completion	Outcomes and targets (SMART)
ALL	Investigation of infectious disease notifications	Investigate all notifications in accordance with the Notification Guidelines. <i>(These guidelines specify which notifiable diseases the Local Authority are required to investigate and target responses. Some notifications, such as Measles, Mumps etc are not investigated by the LA)</i>	On Going	Contact made to 100% of notifications requiring further investigation Provision of advice/guidance on suitable effective control measures to prevent spread of Communicable Disease to: a) Case b) Business (if applicable) c) EH Teams
PEHO	Service Standards and Procedures	Review existing policies and procedures and revise where necessary	March 2017	Review undertaken and action plan completed Action Plan implemented New/revised Standards and Procedures communicated to team
ALL	Investigation of infectious disease notifications	Investigate all declared outbreaks and infectious disease incidents in	On Going	Investigate 100% notifications in accordance with the joint Health Authority

Our Key Plans and Projects Rolled forward into 2016-2017				
Overall responsibility – Environmental Health Manager & Principal EHO (Health & Safety)				
Lead officer Initials	Tasks/project	Description	Target Dates For completion	Outcomes and targets (SMART)
	during outbreaks	accordance with the Communicable Disease Outbreak Control Plan for Wales		and Outbreak Control Plan Provision of advice/guidance on suitable effective control measures to prevent spread of Communicable Disease to: a) Case b) Business (if applicable) c) EH Teams Lead Officer to be active member any formal Outbreak Control Team Internal 'Incident Response Team' to be formed to co-ordinate activities of EH department during communicable disease 'incidents' or 'declared' outbreaks Contribute to Outbreak Control Team report findings
PEHO / LH	Collaborative working with EH during Outbreaks	Increased use of resources within EH during Outbreaks of Infectious Disease	September 2016 January 2017	Briefing session to be devised and presented to Clerks to increase knowledge of Infectious Disease Briefing session to be devised and presented to all non-food Officers relating to Infectious Disease function and outbreak arrangements
PEHO	Lead Officer Review	Review of Lead Officer (and Deputy) roles and responsibilities within EH	September 2016 2017	Review undertaken Roles and responsibilities clearly defined and communicated to EH staff
ALL	Development of Uniform Software	Continue to develop on Uniform: a) Use of Infectious Diseases Module b) Inputting of Infectious Disease	On Going	Notifications of communicable disease requiring further investigation by Section and actions completed inputted on Uniform

Our Key Plans and Projects Rolled forward into 2016-2017				
Overall responsibility – Environmental Health Manager & Principal EHO (Health & Safety)				
Lead officer Initials	Tasks/project	Description	Target Dates For completion	Outcomes and targets (SMART)
		notifications c) Correspondence logging d) Use of standard letters etc		
PEHO	Competence improvement and maintenance	Identify training needs from formal Reviews, legislative changes and service developments	On Going	Training organised and undertaken Internal cascade training undertaken
LH	Competence improvement and maintenance	To be an active representative on the Lead Officer Steering Group	On Going	Attendance at Steering Group meetings to plan Lead Officer training events for upcoming year.
KL	Communicable Disease Webpages	Website content to be revised to provide comprehensive information relating to Communicable Disease	End of June 2015	Specific Communicable Disease Webpages set up on NCC website Website content reviewed and updated

5. Port Health Performance Measures

	Indicator/Measure	What does it aim to show?	14/15 Target	14/15 Result	15/16 Target	15/16 Result	16/17 Target
1	% of requests for service that have had an initial response in 3 working days	Speed of initial response	100%	100%	100%	100%	100%
2	% of requests for service (inc. enforcement complaints) that are resolved within 2 months	To assess the efficiency of the service	100%	100%	100%	100%	100%
3	% of requests for service (inc. enforcement complaints) that are resolved 4 months	To assess the efficiency of the service	100%	100%	100%	100%	100%
5	The number of significant issues identified and the percentage resolved by officer intervention (with 6 month delay)	Monitoring of progress and completion of enforcement activity.	75%	100%	95%	100%	100%

6. Port Health Key Plans and Projects

Our Key Plans and Projects Rolled Forward into 2016-2017 Overall responsibility – Environmental Health Manager & Principal EHO (Health & Safety/Port Health)				
Lead officer Initials	Tasks/project	Description	Target Dates for completion	Outcomes and targets (SMART)
ALL	Issuing Ship Sanitation Control/Exemption Certificates	Respond to requests for SSCEC by inspecting vessels and issuing appropriate certification, taking enforcement action where necessary	On going	100% of requests visited and a certificate or extension issued
ALL	Water Sampling (on board)	Respond to requests for water samples from vessels and provide prompt feedback on results to shipping agents/ship owners, taking appropriate action in cases of poor results	On going	Action taken to improve water quality in all cases where unsatisfactory results are received
PEHO	Competence improvement and maintenance	Identify training needs from formal Reviews, legislative changes and service developments.	On going	Training organised and undertaken. Shadow visits undertaken. (1 per officer per year) Internal CPD briefings undertaken (at least 4 per year)
PEHO	Service Standards and Procedures	Review existing procedures and targets and re-establish where appropriate	End of September 2016	Review completed. Action Plan implemented and new/revised Standards and Procedures communicated to team.
PEHO	Improved awareness of service	Improve stakeholder awareness of port health requirements by preparing and disseminating an information leaflet for shipping agents.	September 2016	Leaflet produced and distributed
PEHO	Enforcement policy	Promote a consistent approach to port health enforcement by introducing a Port Health Enforcement Policy	March 2017	Enforcement policy produced, ratified and implemented
LH	Vessel Movement Log	Vessel movement log completed for all vessels arriving/departing at Port of	On Going	Vessel movement log completed

Our Key Plans and Projects Rolled Forward into 2016-2017

Overall responsibility – Environmental Health Manager & Principal EHO (Health & Safety/Port Health)

Lead officer Initials	Tasks/project	Description	Target Dates for completion	Outcomes and targets (SMART)
		Newport		
ALL	Routine, unannounced ship inspections undertaken	Unannounced inspection of High Risk Vessels arriving at the Port of Newport and associated Wharfs	On Going	80% vessels identified as high risk inspected following introduction of inspection programme
ALL	International catering waste	Monitor arrangements in place at Port of Newport and associated Wharfs for International Catering Waste Assess compliance with International Catering Waste requirements on every vessel inspected	On Going On Going	International Catering Waste facilities for each Port Operator identified and waste receptacles checked on a monthly basis Compliance assessed at 100% of vessels subject to inspection.
ALL	Port Invasive Mosquito Surveillance	Strategically placed Gravid Aedes Traps at ABP, Newport to monitor invasive Aedes species in conjunction with Public Health England	March 2017	Weekly inspection of Gravid Aedes traps at ABP, Newport Samples submitted to Public Health England of any insects found during weekly inspection

7. Trading Standards Key Activities

‘Food Chain Integrity’ is identified as one of the **priorities** for Trading Standards within the main Trading Standards Service Plan. This is very relevant to this Food Plan. The main Service Plan also identifies a number of **key activities** relevant to the Food Plan, they are:

- **Criminal Investigations:** In order to work towards the priorities officers carry out criminal investigations into rogue trading activities of traders.
- **Business Interventions (Inspections and Advice):** The Section carries out business inspections on a risk-based and intelligence-led model. The principle is ‘no inspection without reason’. Routine inspections are carried out where the business or farm is due for an intervention following the LACORS (for Trading Standards) and DEFRA (FOR Animal Health) Risk Assessment Schemes. Depending on the type of business and its individual compliance history; it will be rated high, medium or low. Each high risk business is visited at least once a year; each medium risk business at least once every two years; whilst low risk businesses are nominally visited once every five years.

The following table is an excerpt of the relevant activities from the main Trading Standards Service Plan:

Control Strategy Priority	Activity Description	Activity Detail	SMART Targets	Anticipated Date of Activity
Supporting Reputable Business	Primary Authority Scheme	The Section will actively pursue partnerships with businesses	Production of a plan	All Year
Supporting Reputable Business	Business Guidance	Examine the issue of providing ‘paid for advice’	Consideration of new scheme	All Year
Health Improvement	Enforcement Partners	Build partnerships with relevant enforcement agencies; notably Gwent Police, the Licensing Team and the Community Safety Wardens	Continued membership of the ever changing relevant partnership groups	All Year
Supporting Reputable Business	Local Business Sampling	From local producers and importers and other businesses governed by Food Standards Law and Feed Law samples will be taken; appropriate enforcement action will then be taken. This activity will be outside of the national campaigns.	Visit each high risk business at least once.	All year

Control Strategy Priority	Activity Description	Activity Detail	SMART Targets	Anticipated Date of Activity
Food Chain Integrity	Food Manufacturers Process Assessments	Each Food Manufacturer will receive a process assessment on either traceability or average weight to ensure systems remain robust for the maintenance of the safety and quality of the food produced	12 Visits and a Report	All year
Food Chain Integrity	Feed at Newport Docks	Continue enhanced Surveillance Activity for Incoming Feed at Newport Docks. Complete appropriate checks on each shipment.	Surveillance carried out in line with procedure	All year
All Areas	WHOTS and Gwent Projects	The Section will participate in all WHOTS and Greater Gwent TS Surveys looking at key areas of concern for Wales and Gwent	The Section will identify each survey and take part	All year
Tackling Fraudulent Trading	Proceeds of Crime Act	The Section will use the Proceeds of Crime Act as an enforcement tool to all traders engaged in criminal lifestyles and other traders that fall within the remit of the Act. For each case that seems likely to result in formal activity there will be an assessment made to test whether or not a financial investigation is warranted.	Respond to each request in line with protocol	All Year
Health Improvement	Illegal Products	Undertake visits to premises suspected of selling illicit tobacco and other illegal products. This work will encompass Operation Opson (Illegal Food) and Operation Jasper (Counterfeit Goods Social Media)	Visit 100 premises	All year
Food Chain Integrity	Food Fraud Audits	Intelligence Led Proactive Interventions highlighting specific areas of food law compliance that lends itself to food fraud	Produce a project plan and deliver the project	Quarter 3
Food Chain Integrity	Fast Food Compliance Survey	Undertake further visits to independent fast food businesses selling meat products; 10 businesses were visited in Newport last year and all of them were found to be selling falsely described meat. There needs to be an assessment of all such premises (Kebab and Pizza Shops etc.) in Newport	Visit 50 premises	Quarter 4
Food Chain Integrity	Imported Feed Surveillance	Using FSA Funding carry out imported feed sampling	Complete the sampling programme	All year

Control Strategy Priority	Activity Description	Activity Detail	SMART Targets	Anticipated Date of Activity
Tackling Fraudulent Trading	Cold Store Project	Complete surveillance activities at such premises in an attempt to find illegal consumer goods	Liaison with Regional Intelligence Resource Production of Operational Plan. Completion of plan	Quarter 3
All areas	New Ways of Working	Continue to work proactively with the NWW Project Team	On-going work	All Year
All areas	Regular Meetings	Each month the Section will meet as one where corporate, sectional, operational and health and safety issues affecting Trading Standards will be discussed. Each month the Teams will meet to discuss more local issues. Each month the Team Leaders will meet with the TSM	Meetings Schedule	All Year
All areas	Media Opportunities	The Section will fully utilise media opportunities to ensure that the messages from the Section are put into the public domain; this activity would include; deterrent messages where traders have been prosecuted; precautionary stories where consumers have been disadvantaged by a trader; stories about the good work of the officers; and messages to educate the trade and consumers.	The Section will seek to increase the media messages and endeavour to ensure 25 releases are covered in the media	All Year
All areas	Database	The Section will look to ways to improve its use of databases to support the work of the Section	On-going work	All Year
All areas	NCC Web Site	The Section will continue its improvement of the corporate web site and will use it as a method to provide a portal of help and guidance to citizens and businesses and a method of promotion of the good work of the Section's officers.	Two Reviews to occur during the year.	All Year
All areas	Service Satisfaction	The Section will seek to question the views of users of our service regarding their experience when dealing with us; questionnaires will be sent out to consumers and businesses and where negative feedback is provided, in each case an investigation will be carried out.	The Section will seek to obtain a 90% user satisfaction rate	All Year

Control Strategy Priority	Activity Description	Activity Detail	SMART Targets	Anticipated Date of Activity
All areas	Regional Enforcement Projects	The Section will fully participate in the regional enforcement initiatives such as the Wales Illegal Money Lending Unit and the Scam Busters Team. Wherever there are regional enforcement jobs recognised by the Section a request for regional assistance will be submitted.	On-going work	All Year
All areas	Intelligence Operating Model	The Section will seek compliance with the IOM	Carry out Audit of compliance by Christmas	All Year
Food Chain	Food and Feed Competency Requirement	Food Standards and Feeding Stuffs Enforcement require competent officers to satisfy statutory competency requirements; the levels of training will be monitored and controlled	Each Food and Feed Officer to receive training as set out in Codes	All Year
All Areas	Partner Engagement	The Section will fully participate with key partners and attend best practice forums and meetings . Officers from the Section currently attend the WHOTS Fair Trading Group, the Regional Intelligence Group, the WHOTS IP Group, the WHOTS CACS User Group, the All Wales Doorstep Crime Group, the Stop Newport Smoking Group, Safer Newport Groups, and the Wales Heads of Trading Standards Group. At the national level officers attend the Scam Busters UK Governance Group and the Scam Busters Managers Group.	Attendance at all appropriate meetings and groups	All Year
Food Chain and Fair and Safe Trading	FSA, section 70 NMO and Hallmarking Return	There are statutory returns required from the Food Standards Agency, the National Measurement Office and the Assay Office regarding their spheres of interest. The Section will ensure that these returns are sent to these agencies promptly.	Timely submission of returns	Various dates
Food Chain	National Sampling Database	The Section will ensure that its procedures for the recording of food samples that are intended for analysis are compliant with the UKFSS National Sampling Database Procedure and that samples are recorded in this manner	All food samples that are sent to the Public Analyst are uploaded onto the National Sampling Database	All Year

8. Trading Standards Performance Management

Name of Indicator	2013-2014	2014-2015	2015-2016	2016-2017 Target
<p>Percentage of significant breaches brought into compliance or malpractice ended</p> <p>The purpose of this measure is to demonstrate how successful the officers are in the area of solving significant problems. The measure first of all measures the number of each 'significant breach' identified by officers (and these are those matters that are so important that officers will take action in order to make sure the matter is sorted out). Then once the breach has been identified, an assessment is made as to whether it has been sorted out within the following 6 months</p>	83%	78%	90%	90%
<p>Percentage of high risk businesses inspected</p> <p>There are a number of schemes which measure the risk posed by each business. Where a business is shown to be high risk to consumers; there is a requirement to visit once a year.</p>	100%	100%	100%	100%

9. Sampling Plan for 2016/17

Objective

The objective of this sampling programme is to ensure that food businesses are compliant with the relevant requirements that apply to them with regards to food.

We will primarily be sampling for compositional compliance chemical contaminants or for undesirable substances.

Sampling will prioritise food produced in Newport

Food Standards

- The Section will take samples from its 'home authority' businesses during key visits
- The Section will participate in the various projects of the regional groups; where sampling is required there will be full participation
- The Section will take samples for meat speciation
- The Section will take samples for labelling compliance

Budget £8,000

Public Analyst

The Public Analyst that will be used for conducting the formal and informal samples procured during the course of the year will be decided depending upon the test required but generally will be Alistair Low.

The details on samples taken will be inputted using UK FSS.

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