

**Public Protection
Partnership**

Bracknell Forest
West Berkshire
Wokingham

**PUBLIC PROTECTION PARTNERSHIP
TRADING STANDARDS SERVICE**

**FOOD STANDARDS AND ANIMAL FEED SAFETY AND STANDARDS
DELIVERY PLAN**

2017 - 2018

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1.0 Aims and Objectives

1.1 Aims and Objectives

The annual Food Law Enforcement Plan is designed to deliver the Public Protection Partnership aims and priorities in respect of promoting and protecting health and supporting reputable businesses. This plan covers the local authority areas of Bracknell Forest, West Berkshire and Wokingham. Specifically it sets out how these authorities regulate and protect the food chain from 'farm to fork' in respect of food and feed quality, standards and labelling. This includes protection from contamination.

The annual Food Law Enforcement Plan seeks to deliver a focussed approach through the successful use of information and intelligence.

It is the responsibility of food and feed business operators to ensure they comply with relevant standards and legislative requirements. It is the role of the Public Protection Partnership to ensure that food produced and sold in Bracknell, West Berkshire and Wokingham meets legal standards and is labelled and marketed in such a manner as to allow consumers to make informed choices. This compliments the educational approach taken to allow consumer information to be used.

The regulation of animal feed operators is needed to protect the health of animals and ultimately the food chain.

Failures in regulation, nationally and internationally, has led to injuries to health, damage to markets and loss of consumer confidence e.g. BSE, Foot and Mouth and various food standards and safety alerts including contaminated alcohol and meat products.

The programme is structured to ensure that national and local priorities are incorporated within it.

Key Objectives

- To ensure that we inspect our High and Medium Risk food businesses on a risk based frequency. This includes the provision of legal and practical advice at the time of the visit to improve compliance rates.
- Assess unrated and new premises to bring them into the risk based audit programme.
- To identify where current quality standards are not being met or areas of consumer risk exists e.g. undeclared allergens through the use of targeted sampling and intelligence led focused audits.
- To respond to customer complaints and requests for our service as well as requests for advice from businesses.

- In line with national priorities to visit relevant primary producers and feed business operators to ensure compliance with the Food and Feed hygiene requirements.
- To provide information to consumers (including a comprehensive school nutrition programme) to allow them to make informed choices.

1.2 Local Priorities

The relevant Public Protection Partnership priorities are:

- 1) Community Protection including tackling the issues that cause the greatest harm to individuals.
- 2) Protecting and Improving Health including allowing residents to make informed choices and delivering initiatives designed to improve and enhance health.
- 3) Supporting Prosperity and Economic Growth including the provision of advice to businesses and protecting them from unfair trading.

2.0 Background

2.1 Organisational Structure

On 9th January 2017 Bracknell Forest, West Berkshire and Wokingham councils entered into a joint service agreement for Trading Standards, Environmental Health and Licensing. This function is provided by the Public Protection Partnership. The food and feed enforcement functions in their entirety fall under the remit of the Public Protection Manager for trading standards, commercial and response.

2.2 Scope of the Feed and Food Service

The Trading Standards Service has responsibility for the following areas of food chain and animal feed enforcement and education:

- Ensuring the accuracy of food labels and descriptions that are applied to food
- Ensuring claims made in the course of the marketing of food are accurate and legal
- Ensuring food standards are maintained
- Enforcement of Food Alerts relating to food standards or chemical contamination are responded to as appropriate
- Ensuring that legally required food hygiene standards are met at primary production (farms and growers) premises
- Ensuring that legally required feed hygiene and compositional required standards are met throughout the supply chain and on farm
- Ensuring that animal feed is appropriately labelled and marketed
- Ensuring businesses are appropriately advised in line with the advice policy

- Ensuring that consumers have the required knowledge base to make informed choices when purchasing food or feed
- Ensuring complaints from consumers relating to food or feed issues are assessed and assigned to an officer for action or are recorded for intelligence purposes
- Deliver part of the regional feed programme on behalf of a number of South East feed enforcement authorities

If appropriate, other relevant inspections (eg product safety, weights & measures, pricing, animal health) will be carried out at the time of the food or feed standards inspection. This is dependant on the premise type, risk assessment and resource level. With limited resource we aim to target our interventions at the most critical points.

2.3 Demands on the Feed and Food Service

The Service offers confidential and impartial advice for businesses of Bracknell, West Berkshire and Wokingham to ensure compliance with law. Dealing with complex and technical enquiries along with inspecting and monitoring activities are essential parts of the workload.

In line with the Hampton principles the Food Standards Agency has allowed local authorities to adopt a more flexible and varied approach in developing a suitable strategy to maintain compliance. As a result the team will continue to visit a number of high and medium risk food premises but look to alternative enforcement strategies to keep under review low and non inspectable risk food premises. Audits and sampling will continue to be targeted at nationally or locally recognised areas of concern.

Currently the Partnership has approximately 3950 food businesses on its databases showing as liable for food standards work. Of those premises 36 are classified as high risk, approximately 600 medium risk, approximately 1000 low risk and approximately 850 as being outside of the scope of the programme. The remainder is made up of unrated premises. This presents the biggest challenge for the service as these need to be brought back into the audit programme. This figure changes on a yearly basis.

In terms of feed premises there are 428 primary producers (including livestock farms) and 75 inland premises.

The risk rating for each premise is assessed at each visit and by reference to events such as levels of compliance, local risk and the category of individual businesses. In addition the Service will have regard to the principles of the Hampton Review, ensuring that no inspection is conducted without a reason and local risk factoring is applied.

The Food and Feed Service provided is specific to the needs and nature of the area. As a consequence time is spent on Primary and Home Authority responsibilities, this includes allocating time to our major food producers.

We will also advise and seek compliance on highly specific labeling criteria. This will include the traceability of foods and feeding stuffs and the declaration of foods which contain allergens.

2.4 Service Contact Details

Email:

tsadvice@westberks.gov.uk

Telephone:

01635 519930 (Out of hours 01635 42161)

Located at:

Council Offices, Market Street, Newbury, Berkshire. RG14 5LD

Civic Offices, Shute End, Wokingham, Berkshire RG40 1WW.

Council Offices, Time Square, Market Street, Bracknell RG12 1JD

Opening hours are 9am-5pm Monday to Thursday and 9am to 4.30pm Friday.

2.5 Regulation Policy

The Enforcement policy for the Public Protection Partnership (PPP):

- 1) The Regulators Code forms the guidelines that PPP uses for the basis for general enforcement work,
- 2) The Code for Crown Prosecutors is used as the basis for decisions to prosecute in all criminal matters;

In the context of this policy PPP consists of those matters enforced by the Trading Standards, Environmental Health and Licensing Services

For the Code for Crown Prosecutors see:

http://www.cps.gov.uk/publications/docs/code_2013_accessible_english.pdf

Regulators Code:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/300126/14-705-regulators-code.pdf

3.0 Service Delivery

3.1 Interventions at Food and Feeding stuffs establishments

Each local authority is required by the Food Standards Agency's Codes of Practice to document, maintain and implement an interventions programme for those premises for which they have enforcement responsibility.

There is a risk based approach in relation to food and feed advice and enforcement. Resources dedicated to food and feed related activities are balanced against the demands of other regulatory activities. This risk based approach allows more intensive regulation to be directed at those businesses presenting the greatest risk.

Official controls include – inspection, audit, surveillance, verification, sampling and monitoring and other interventions which can effectively support businesses to achieve compliance with legislative requirements include – education, advice, information and intelligence gathering. The different interventions allow the authority to choose the most appropriate action to be take to increase levels of compliance.

The proposed 2017- 2018 intervention programme of work is detailed below:

Category	Minimum intervention rating	Intervention Type	Number of premises due	Target
HIGH	At least every 12 months	Inspection, partial inspection, audit or sampling	36	100%
MEDIUM	At least every 24 months	Inspection, partial inspection, audit or sampling	309	100%
LOW	At least every 60 months	Alternative Intervention Strategy, inspection, partial inspection, audit or sampling		In response to complaints, request by the business or as part of identified projects
UNRATED	Not known until risking	Inspection /desktop for premise outside the scope of programme	875	Action plan to be introduced to address outstanding unrated list

During this financial year we are working on categorizing and risk assessing our feed and food hygiene premise at primary production in line with the Codes of Practice.

We aim to carry out interventions to those premises in line with the Food Standards Agency profiling.

As part of regional feed work we will be carrying out 8 Inland Feed inspections and 39 Primary Production inspections.

Where appropriate Animal Health Inspectors will carry out some of the Food and Feed Hygiene inspections alongside their routine Animal Health visits.

#3.2 Feed and Food Complaints

Food and feed complaints are investigated by the service in line with departmental procedures.

In responding to complaints we aim to ensure that:

- the composition of food meets legal requirements
- action is taken as necessary under Food Safety Act and/ or relevant legislation
- food is accurately labelled and advertised
- feed is wholesome and correctly described
- action under Animal Feed (England) Regulations and / or other relevant regulations is taken appropriately
- the risk of recurrence is reduced

3.3 Primary Authority Scheme

The concept of Primary Authority was formalised under the Regulatory Enforcement and Sanctions Act 2008. Under this legally recognised scheme (overseen by the Regulatory Delivery), any business operating across more than one Local Authority can form a legally recognised partnership, effectively creating a focus for consistent advice. It is the gateway to simpler, more successful local regulation, and previous changes to the scheme has meant a significant expansion to the range of businesses that can participate, to now include so-called 'Co-ordinated Partnerships', such as franchise operations, trade associations and other business groups.

We offer Primary Authority partnerships to businesses wishing to take advantage of the scheme.

3.4 Advice to Business

The Public Protection Partnership offers advice and guidance to food and feed businesses based in Bracknell, West Berkshire and Wokingham either if requested or as part of interventions and inspections.

We have implemented this principle by providing advice and information on the legality of product ranges, packaging, composition, labelling and advertising. This service is delivered pro-actively during the inspection of premises and reactively in response to requests from businesses and referrals from other agencies.

Resources to deliver business advice are drawn from across the competent officers identified in the service.

The Public Protection Joint Committee has agreed that we will continue to support the Home Authority Principle but that this work will become chargeable at the same rate as Primary Authority work. Small businesses will receive up to half an hour of free advice.

3.5 Food and Feed Sampling

The Partnership recognises the important contribution targeted sampling makes to the protection of the food chain including the health of farm animals. Analysis is undertaken for compositional quality and safety purposes as well as for determining compliance with labelling regulations.

The Service produces its own annual sampling programme to establish the effectiveness of the management of food and feed standards in local businesses. The programme reflects local, regional and national trends. The plan is sufficiently flexible to take account of any areas which require attention as they arise i.e. food incident warnings, consumer complaints.

We anticipate this will translate to approximately 150 food and feed samples being taken this year.

The Partnership partakes in regional and national sampling programmes and other national initiatives as appropriate. Regional sampling this year will include allergens, meat substitution, food supplements and adulteration and contamination of identified products

Local sampling will include samples taken from local importers and manufacturers as well as extending the sampling programme into areas where last years sampling results indicated there was a problem.

3.6 Feed/Food Safety Incidents

Food and Feed Alerts are issued by the Food Standards Agency (FSA) to all Food Authorities in the country when a national food or feed safety issue has arisen with a specific product.

Alerts are responded to as directed by the warning notification received from the FSA and in accordance with the Code of Practice. All warnings are received by email and any subsequent action taken is recorded and retained on file. This year we are going to examine the basis of our response particularly in relation to follow up action.

3.7 Liaison with Other Organisations

We work closely with a number of organisations and to avoid duplication of effort we have clear guidelines on who is responsible for what. Partners include:

- Sixteen other Trading Standards authorities in the South East Region that together make up Trading Standards South East Limited (TSSEL). Activities

include liaising on all key Trading Standards issues, co-ordinated inspection, sampling and advice projects and sharing of information and in particular the national feed programme delivered on behalf of the FSA.

- Environmental Health Teams across the Thames Valley.
- Bracknell, West Berkshire and Wokingham Public Health Teams - for preventative healthy eating initiatives and tackling obesity.
- Schools – for the delivery of the nutrition education programme (Key Stage 1 and 2).
- Food Standards Agency
- Members of Bracknell, West Berkshire and Wokingham Councils are consulted prior to the plan being approved
- The Public Protection Manager is a member of the National Feed Governance Group on behalf of National Trading Standards.

3.8 Feed and Food Safety and Standards promotional work and other non-official Controls and interventions

The promotion of food standards and feed safety will be achieved through local initiatives and publicity and by supporting national initiatives. The Partnership will aim to :

- contribute to the wider public health agenda through the promotion of healthier eating options.
- raise awareness of food issues to local food businesses and residents
- allocate 100 days a year (0.5FTE) to educational work.
- give advice to local business at the time of routine visits about upcoming changes to legislation.
- ensure that the effectiveness of promotional activities are evaluated via feedback from businesses and the public
- make use of the many guidance leaflets for business on feed and food topics that are available to download from www.businesscompanion.info and from the FSA

4.0 Resources

4.1 Financial and Staffing Allocation

Our primary resources are our staff. There is the equivalent of 3.0 FTE trading standards posts involved with food standards and feed enforcement. In total there are 16 officer posts of which this 3FTE is drawn from, whose work involves some aspect of food and /or feed enforcement as part of their day to day duties, consisting of:

- 1 x Team Manager
- 7 x Trading Standards Officers
- 7 x Trading Standards Enforcement Officers / Fair Trading Officers
- 1 x Lead Officer Health

The net total cost of the service for 2017/18 is estimated to be £87K

Staffing Costs (approx. including on costs)	£86K
Travel	£6K
Sampling & Analysis	£25K
Total gross service cost	£117K
Grant	£30K

This work often is conducted alongside other work including weights and measures and animal health and welfare.

The Trading Standards Team Manager is responsible for the allocation and delegation of budgets allocated to the feed and food enforcement functions.

The service also makes use of monies offered by the Food Standards Agency for carrying out specified food and feed work.

4.2 Staff Development Plan

Each of the staff involved with the delivery of this plan (with the exception of the educational aspect) are food and / or feed competent and have undergone an assessment of their competency via the competency framework laid down in the statutory Code of Practice.

Individual training needs are identified via the appraisal and 1:1 process and is linked to operational and resource.

In line with the Code of Practice authorised officers must undertake 20 hours training per year with at least 10 hours in the core subject to maintain competency in food law and 10 hours for feed officers.

5.0 Quality Assessment

5.1 Quality assessment and internal monitoring

- Ensuring sample analysis is carried out only by laboratories that are accredited and appointed for the purpose of the various statutes.
- Following inspections and complaint / service request completion the department has a system of sending “Satisfaction Survey” questionnaires. These are sent to every food premises visited by officers and to a proportion of service requests. Feedback received is then recorded, the results for 2016/17 was –
 - Customer satisfaction – 89%
 - Business satisfaction – 90%
 - Business & customer satisfaction (combined) – 89%
- Internal monitoring is conducted every quarter to assess performance against the plan.

6.0 Review

6.1 Review of Delivery Plan

- The objectives are regularly reviewed by the Lead Officer for Food and Feed and the Trading Standards Manager to ascertain whether objectives are being achieved and any variations highlighted.
- The Feed and Food Delivery Plan is set against the Public Protection Partnership priorities as well as local and national reporting frameworks. These include:
 - Interventions to High and Medium Risk food premises against target
 - Response to food and feed complaints
 - Number of samples against target
 - Outcomes of campaigns and promotional activities - nutritional work
 - Interventions to feed premises against target set by the National Feed Programme
 - Prosecutions and other legal actions

Case by case resource requirements are reviewed by the Tactical Tasking and Co-ordination Group as part of the weekly tasking process.

We will review the plan, at the end of the financial year, as part of the service planning process, led by the Trading Standards Manager, to ensure it continues to meet the needs of our customers.

6.2 Identification of any variation from the Delivery Plan

- At the monthly internal Strategic Tasking and Co-ordinating Group meetings any variance in the plan will be examined and reasons considered.

- Variances will be documented.
- If changes are made they would be subject to final agreement by the Public Protection Manager under delegated authority.

6.3 Areas of Improvement

- Areas for improvement are incorporated into the following year's objectives, or dealt with as soon as possible if there are no additional financial implications.
- Identified areas:
 - Ensuring the national Food Sampling Surveillance System (FSS) is embedded in our everyday approach to food and feed law enforcement
 - Ensuring that intelligence reports from the FSA and other sources eg. Public Analyst , direct our audit programme
 - Continue to improve quality of data held on the database – including ensuring that feed premise coding is in line with the Code of Practice, and matching of EH and TS food premises
 - Prioritising potential High and Medium risk unrated premises
 - Development of Alternative Enforcement Strategies for Low risk premise interventions
 - Develop further the process / procedure for the internal monitoring of food and feed work in line with the Code of Practice.

7. Our Performance Out-turn for 2016-17

In producing our Food Law Plan we reflect on the previous years activities. This process provides the opportunity to identify what went well and what went less well, and identify trends or key areas for focus moving forward. The food law enforcement activity undertaken during 2016/17 is summarised as follows:

- **Inspected 383** food businesses and carried out approximately **40** other related visits
- Dealt with **74** complaints
- **Prosecuted 2** food operators
- Issued **102 written notifications and/or warnings** on how businesses can comply with the law
- Undertook **approximately 250** food samples and screening tests for composition
- Provided **approximately 100** hours of advice and support for businesses in relation to food matters
- Carried out **109** visits to primary production premises and **13** inland feed visits

Areas of concern identified as a result of audits, sampling or other interventions included:

- Un-declared allergens
- Food unfit for human consumption (past use by date)
- Inappropriate use of additives
- Undeclared meat species / substitution
- Imported food labelling and standards

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APPENDIX: Relevant Officers

Officer	Role Food	Role Feed
Sean Murphy	Public Protection Manager	Public Protection Manager
John Nash	Trading Standards Manager / Competent Officer	Trading Standards Manager
Tammie Hambridge	Lead Officer / Competent Officer	Lead Officer / Competent Officer
Lisa Brown	Trading Standards Officer / Competent	
Allyson Bartram	Trading Standards Officer / Competent	
Vicky Lister	Trading Standards Officer / Competent	
Toby Green	Trading Standards Officer / Competent	
Heather Parson	Trading Standards Officer / Competent	
Robert Charlton	Trading Standards Officer / Competent	
Glenda Cameron-Lloyd	Enforcement Officer / Competent	
Heather Flemming	Regulatory Services Officer / Competent	
Elizabeth Brewster	Enforcement Officer / Competent	
Jacqui Turner	Fair Trading Officer / Competent	
Joel Theobald		Fair Trading Officer / Competent
David Hillier		Enforcement Officer / Competent
Joanne Withey		Regional Feed Officer / Competent