



NOTICE OF MEETING

CABINET MEMBER FOR ENVIRONMENT & COMMUNITY SAFETY DECISION MEETING

WEDNESDAY, 9 JULY 2014 AT 10.00 AM

THE EXECUTIVE MEETING ROOM - THIRD FLOOR, THE GUILDHALL

Telephone enquiries to Jane Di Dino 023 9283 4060

Email: jane.didino@portsmouthcc.gov.uk

CABINET MEMBER FOR ENVIRONMENT & COMMUNITY SAFETY DECISION MEETING

Councillor Robert New (Conservative)

Group Spokespersons

Councillor Sandra Stockdale, Liberal Democrat

Councillor John Ferrett, Labour

Councillor Steve Hastings, UK Independence Party

(NB This agenda should be retained for future reference with the minutes of this meeting).

Please note that the agenda, minutes and non-exempt reports are available to view online on the Portsmouth City Council website: www.portsmouth.gov.uk

Deputations by members of the public may be made on any item where a decision is going to be taken. The request should be made in writing to the contact officer (above) by 12 noon of the working day before the meeting, and must include the purpose of the deputation (for example, for or against the recommendations). Email requests are accepted.

A G E N D A

- 1 Apologies for Absence**

- 2 Declaration of Members' Interests**

3 Project Integra (Pages 1 - 16)

Purpose.

This report concerns the city council's membership with Project Integra and the proposed Action Plan for 2014-17.

RECOMMENDATIONS

- 1. For the city council portfolio holder for Environment & Community Safety to remain a member of the Project Integra Strategic Board.**
- 2. For the city council to accept the 2014-17 Action Plan (Appendix 2) but with the stated reservations and withdraw from any item for which it has not provided financial support. This would include the Recycle for Hampshire campaign, although it should be recognised that this does not lessen the council's commitment to recycling and positive resource management.**
- 3. That the annual subscription be funded from existing cash limits with the balance of £13,465 being funded from the carry-forward of underspend from the portfolio's 2013/14 revenue budget.**

4 Inspection plan for food business operators 2014 / 2015 (Pages 17 - 76)

Purpose

The purpose of this report is to update the Cabinet Member on the current level of food business hygiene compliance in Portsmouth and to set out the programme of inspection during 2014 / 2015.

RECOMMENDATION

That the Cabinet Member for Environment and Community Safety:

- a) Approve the continuation of the risk-based approach to the statutory and regulatory inspection and enforcement of food business operators.**
- b) Acknowledge the level of hygiene compliance in food businesses in Portsmouth and the public health importance of this service.**
- c) Approve the Food Operating Plan 2014 / 2015 as described in Appendix 1 of this report**

5 The Health and Safety Intervention Plan 2014 / 2015 (Pages 77 - 82)

Purpose.

This report is an expression of the Council's commitment to its health and safety role and responsibilities to develop a Health and Safety Delivery Team. It sets out the manner in which health & safety inspections, initiatives and activities designed to meet local needs and requirements of the Health and Safety Executive (HSE) will be delivered over the forthcoming year.

The HSE require a Health and Safety Intervention Plan to be submitted annually for Member approval to ensure local transparency and accountability.

This plan is based upon the following key priorities:

- i. Controlling real risks – those which arise more often and those with serious consequences;
- ii. Ensuring that those who create risks manage them responsibly and understand that failure to manage real risks responsibly will lead to robust action.

Upon approval, the plan will be effective for a period of 1 year.

RECOMMENDATION

That the Cabinet Member for Environment & Community Safety approve the Health and Safety Intervention Plan for 2014 / 2015

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Agenda Item 3



Portsmouth
CITY COUNCIL

Agenda item:

Title of meeting: Environment & Community Safety Decision meeting

Date of meeting: 9th July 2014

Subject: Project Integra

Report by: Head of Transport & Environment

Wards affected: All

Key decision: No

Full Council decision: No

1. Purpose of report

- 1.1. This report concerns the city council's membership with Project Integra, and the proposed Action Plan for 2014-17.

2. Recommendations

- 2.1. For the city council portfolio holder for Environment & Community Safety to remain a member of the Project Integra Strategic Board (PISB).
- 2.2. For the city council to accept the 2014-17 Action Plan (Appendix 2) but with the stated reservations and withdraw from any item for which it has not provided financial support. This would include the Recycle for Hampshire campaign, although it should be recognised that this does not lessen the council's commitment to recycling and positive resource management.
- 2.3. That the annual subscription be funded from existing cash limits with the balance of £13,465 being funded from the carry-forward of underspend from the portfolio's 2013/14 revenue budget.

3. Background

- 3.1. Previous reports have identified the historic importance of Project Integra (PI) and the city council's place within it. These are highlighted as background documents.
- 3.2. It should be recognised that whilst the term 'Project Integra' covers the whole waste partnership in Hampshire, there is a distinction between the contractual issues and relationships surrounding the waste disposal contract; and the functions and benefits provided by the PI Executive, Recycle for Hampshire and Materials Analysis Facility (MAF) and its focus on waste collection and partnerships. This paper does not propose a change in how we work regarding the waste disposal contract or our related interaction with Hampshire County Council (HCC) and

Southampton City Council (SCC). This report focusses on the PI Executive and related functions.

- 3.3. Previous reports have also identified the cessation of on-going revenue payments for the executive and the communications campaign (Recycle for Hampshire). In the report of 10th April 2013 it was stated that PI be asked to demonstrate value for money of the partnership. Information to this effect was received in November 2013 and is attached as Appendix 1.
- 3.4. The current membership subscription costs (2014/15) for the city council are identified in the Action Plan 2014-17. This is to be funded from underspend within the portfolio's revenue budget carried over from 2013/14. Officers believe that this represents value for money when compared to the work which would be required if not part of PI.
- 3.5. Funding for the work undertaken by the MAF remains within the revenue budget.

4. PI Action Plan

- 4.1. The PISB, in January 2014, agreed that the Action Plan for 2014-17 be finalised by strategy officers. This is then for each partner authority to accept, partial or wholly reject, or to accept with reservations.
- 4.2. The final draft of the Action Plan is in Appendix 2.
- 4.3. It is proposed that this action plan is accepted, with the reservation that the city council does not take part in the Recycle for Hampshire campaign, and does not vote at the strategic board on issues relating to it.

5. Reasons for recommendations

- 5.1. Officers reviewed the value for money statement, and the Action Plan for 2014-17, and recommend that membership of the partnership is retained for 2014/15 as it offers the best value for money for the city council for the following reasons:
 - 5.1.1. There is a requirement for local authorities to have a waste prevention plan which details how they are going to support a reduction in the amount of waste being produced. PI is producing a county-wide plan which the city council can use and buy-in to as it requires.
 - 5.1.2. To raise recycling rates, and offer better customer satisfaction, it is recognised that there is a need to be able to recycle more materials in the kerbside recycling bins. PI is undertaking an in-depth review of what more can be recycled.
 - 5.1.3. Waste Regulations require that authorities are compliant with how waste is collected and disposed of and need to show how its operations meet the demands of being Technically, Economically and Environmentally Practical (TEEP). This work is being progressed by PI.

- 5.2. These are all tasks that the city council would be required to undertake, and therefore being part of PI enables that work to be undertaken at a lower cost. All of these benefits can only be achieved if part of Project Integra.

6. Equality Impact Assessment (EIA)

- 6.1. This report does not require an equalities impact assessment as the recommendations proposed in the report will not have a disproportionately negative impact on any specific equality groups.

7. Head of legal, licensing & registrars' comments

- 7.1. Project Integra is a partnership of the 14 waste disposal/collection authorities in Hampshire together with the main waste disposal contractor.
- 7.2. The partnership is embodied in the Project Integra Strategic Board, which has legal status as a joint committee constituted by the partner authorities and operates in accordance with an agreed formal written Constitution.
- 7.3. It is considered that the proposal for the City Council's approval of the 2014/17 Action Plan as outlined in paragraph 4 and for the reasons set out in paragraph 5 of this report is capable of implementation within the existing terms of the Project Integra Constitution.
- 7.4. Under Part 2, Section 3 of the City Council's Constitution (responsibilities of the Cabinet) and further in accordance with the Scheme of Delegations at Appendix A to the Executive Procedure Rules in Part 3 of the Constitution, the Portfolio Holder for Environment and Community Safety has the authority to approve the recommendations set out in this report

8. Head of Finance's comments

- 8.1. The subscription payment to maintain membership to PI for 2014/15 is £28,423 (2013/14 was £29,058). This payment supports two areas within PI being the MAF for £15,233 and the PI Executive for £13,190 and will be met from within existing cash limits and the balance of £13,465 being proposed to be funded from the carry-forward of underspend from the portfolio's 2013/14 revenue budget.
- 8.2. The recommendation for the city council to continue to contribute to the PI Executive follows review of the Summary of key benefits of PI membership document (appendix 1) which details plans to increase material sales, reduce procurement costs and achieve further savings within the PI Executive.
- 8.3. It is noted within the Project Integra Action Plan 2014 - 2017 paragraph 5.4 "During 14-15, work will begin on designing a model for PI that will enable it to become self-funding in the future."

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Signed by:

Appendices:

Appendix 1 - Demonstration of the value for money of project Integra from the Head of Project Integra

Appendix 2 - Project Integra Action Plan 2014-17

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Report to portfolio 28 th September 2011	http://democracy.portsmouth.gov.uk/Data/Environment/20110928/Agenda/e20110928r5.pdf
Report to Portfolio 4 th July 2012	http://democracy.portsmouth.gov.uk/Data/Environment/20120704/Agenda/env20120704_A14.pdf
Report to Portfolio 10 th April 2013	http://democracy.portsmouth.gov.uk/Data/Cabinet%20Member%20for%20Environment%20&%20Community%20Safety%20Decision%20Meeting/20130410/Agenda/ecs20130410r3.pdf

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

.....
Signed by:

Project Integra – briefing

Report for	Portsmouth City Council
Date	June 2014
Title of report	Appendix 1 - Summary of key benefits of PI membership

Introduction

Project Integra (PI) is a partnership of all 14 local authorities in Hampshire, plus Veolia Environmental Services. The partnership works to reduce costs across the whole waste system by, among other things, reducing waste, decreasing waste to landfill, increasing recycling, and partner collaboration and joint procurement. Partners contribute financially to a maximum of three areas – Recycle for Hampshire (R4H), the PI Executive, and the Materials Analysis Facility (MAF). Several authorities, including PCC, have recently withdrawn from the R4H programme. The MAF provides data to all partners on the composition of waste, contamination, and the success of recycling schemes. PCC have stated their intention to continue funding for the MAF, but early in 2013 announced a decision to withdraw funding for the PI Executive unless PI can demonstrate a value for money mode of operation.

The PI Executive

The PI Executive consists of the Head of PI and a Project Assistant. The officers support the running of the PI constitution, committee meetings and officer meetings that comprise the decision making elements of the partnership. The Executive also project manages the PI Action Plan, and carries out other activity as described in this document. The Executive's costs comprise officer salaries and on costs, a SLA with HCC which provides data and financial support to the Executive, and support costs including printing and IT. In 12/13, PCC's contribution to the PI Executive was £22,500. As a result of a reorganisation within the Executive during 2012, and further savings identified by the Head of PI this will be reduced to £13,190 in 14/15 (41% reduction).

Glass Recycling

The PI contract (managed by HCC on behalf of the partnership) for recycling of glass collected from bring sites is currently delivering significant income for PCC. Market reports show that PI is earning an income above the top end of the price range evident nationally. If PCC were not part of the PI glass contract and were earning an average income as reported by the Waste and Resources Action Programme (WRAP), income for PCC in 13-14 would have been down by £12,919. This contract is due for renewal or extension in 2016. Future glass contracts will be available to PI member authorities only, who will benefit from the increased income available to such a large consortium, as well as the reduced procurement costs.

Dry Mixed Recycling (DMR), new materials and MRF upgrades

PCC income from DMR in 13/14 was £358,331. In 2014, the PI Executive will be leading and project managing work to review the potential for adding to the materials collected via DMR. This will for example include consideration of business cases for collection of cartons and additional plastics. If collection of additional materials is agreed, this could lead to increased income and reduced disposal costs for PCC. In the case of PCC, a 70% capture rate of cartons would yield an additional income of £2,000.

Being a member of PI allows partners to benefit from initiatives to increase DMR income by making changes at the MRFs. An example of this is a current proposal to install a baler at Alton MRF, to enable access to higher income for mixed paper. It is estimated that the investment will lead to additional income for PCC of £13,500 in 15-16 and beyond.

Waste Prevention

In 2014/15, PI will be implementing a Waste Prevention Plan. As well as identifying ways to positively affect consumer behaviour, the plan will also include cross-departmental activities within PI local authorities and regional bodies to make waste prevention a far reaching principle. Waste prevention leads to savings via avoided disposal costs – a modest 0.5% reduction in PCC residual waste would lead to a disposal saving of £8,250.

Procurement

The framework contract for textile bank collections which is in the 2013-16 PI Action Plan will lead to an income of £100k for PCC. Future framework contracts are planned for 2014, including collection banks for small items of WEEE. Procurement exercises will be managed by the PI Executive and frameworks may only be available to PI authorities. The small WEEE collection banks may lead to a small income but will be accompanied by a saving on waste disposal – reasonable estimates of tonnage would lead to savings of around £850, but there may be added benefits of increased use of other material banks and reductions in contamination at MRFs. Other procurement exercises for bins, bags, boxes and vehicles are also planned.

MAF funding

PCC funding for the MAF contributes to the operational cost of running the facility. It does not cover the following:

- Project management of MAF programme
- Contract management of MAF
- Methodology testing

Waste Regulations and TEEP

The revised Waste Framework Directive (2008/98/EC) places particular emphasis on need to move materials up the waste hierarchy, and to maximise “high quality” recycling. *"Member States shall take measures to encourage the options that deliver the best overall environmental outcome. This may require specific waste streams departing from the hierarchy where this is justified by life-cycle thinking on the overall impacts of the generation and management of such waste. Member States shall take into account the general environmental protection principles of precaution and sustainability, technical feasibility and economic viability, protection of resources as well as the overall environmental, human health, economic and social impacts."*

Following legal challenge by a group who believe that this can only be achieved by kerbside separation of recyclables, local authorities are advised that they review their operations to ensure that justify that their practices are technically, economically, environmentally practicable.

This work is being led by Project Integra.

Additional Benefits

The following are more difficult to quantify financially but they do provide support to PCC officers and consideration needs to be given to PCC officer time that may be needed if PCC withdraw from PI:

- Officer time available to develop and manage joint projects
- Technical advice on waste issues, central source of expertise on waste issues, legislation etc.
- External representation for the partnership with government & agencies, industry bodies, partners etc.
- Response to consultations, FOI requests & technical issues
- Officer time available to develop appropriate & consistent approaches to issues.
- Joint Municipal Waste Management Strategy development.

1 Introduction

1.1 The Project Integra Review and the refresh of the Joint Municipal Waste Management Strategy led to development of a focused action plan covering the period 2013-2016. Some of these actions have now been completed, and some will remain on the next action plan. In addition there are some new actions added. This Action Plan sets out the:

- Proposed key actions for the Project Integra Partnership in 2014/15 with longer term actions through to 2016/17;
- Budget for the proposed activities and the contributions of each partner.

2 Purpose

2.1 To set out a Draft Action Plan for the Project Integra Partnership for 2014 – 2017 for consideration and approval by the Partner Authorities.

3 Approach

3.1 This Action Plan covers the collective actions of Project Integra partners to deliver the Joint Municipal Waste Management Strategy (JMWMS). Actions involving two or more Partner Authorities are included – actions by individual authorities are not.

3.2 The Action Plan is a 3 year rolling plan in recognition of the fact that some actions will take longer than a year to complete. However, most detail is for 2014/15.

3.3 The Action Plan is prepared annually by Strategy Officers and presented for agreement by the Project Integra Strategic Board (PISB) and then for approval by each authority.

3.4 In the case of the Recycle for Hampshire education campaign, it is proposed that a notice period of at least 6 months is required should any of the 10 funding authorities not wish to partake in this action. This is to reflect the fact that there are three Education Officers whom may be affected by such a withdrawal.

3.5 An outline proposal for the action plan was presented at PISB in November 2013, and this has been used to develop this Draft Action Plan.

4 Partnership Objectives

4.1 The Project Integra Strategic Board is constituted as a Joint Committee of the 14 local authorities with responsibility for waste management in Hampshire, Portsmouth and Southampton. The long term waste disposal contractor Veolia Environmental Services (VES) is a non-voting member of the Partnership.

4.2 As part of the review the PISB reaffirmed Project Integra's overall objective as follows:
To provide a sustainable solution for dealing with Hampshire's municipal waste¹ in an environmentally sound, cost effective and reliable way. Success in achieving this depends on joint working between all the parties in the best interests of our communities.

4.3 The PISB also agreed the operational focus for its activities through a number of work streams as follows.

Working to reduce costs across the whole system through:

1. Communication and behaviour change.
2. Waste prevention including reuse.
3. Recycling and performance improvements - for instance through reducing contamination, increasing capture of materials, improving income for materials, changing management arrangements.
4. Reducing landfill.
5. Joint working arrangements and activities.
6. Improve efficiency and effectiveness of services through collaboration with neighbouring authorities including SE7.

4.4 Identified below is a table of key actions for the Partnership together with timescales and those responsible for delivery.

¹ This refers to the waste streams local authorities have responsibility for (mainly waste from households with small amounts of waste from businesses). Government now refers this as 'Local Authority Collected Municipal Waste'.

Table 1: Key Actions for Project Integra 2014 – 2017

Action 1	Recycle for Hampshire (R4H) Programme	Workstream Contribution
Detail	<p>Deliver the approved R4H programme in accordance with the agreed timescale. Programme delivered on budget to time with all actions complete.</p> <p>To include:</p> <ul style="list-style-type: none"> • Campaigns to: <ul style="list-style-type: none"> ○ increase capture of specific materials for recycling ○ Reduce contamination (including implementing contamination compact) • Recycle Week events • Promotion of reduced price compost bins and accessories 	<ul style="list-style-type: none"> • Communication and behaviour change • Waste prevention including reuse • Recycling and performance improvements • Reducing landfill • Joint working arrangements and activities • Whole system costs
Targets	<ul style="list-style-type: none"> • Demonstrable increase in material capture and reduction in contamination in areas engaged • Recycle Week events delivered • Continued sales of compost bins and accessories across Hampshire 	
How will this be measured?	<ul style="list-style-type: none"> • Monitoring capture rate and contamination rates via the Materials Analysis Facility • Monitoring of marketing metrics 	
Responsibility	<ul style="list-style-type: none"> • Lead Head of Project Integra • Recycle for Hampshire team (delivery) • PI Communications Sub Committee oversees this work 	
Resources	R4H budget – significantly reduced in 14-15 compared with previous years. Detail in section 5 of this action plan.	
Timescale	Annual Programme with specific objectives	

Action 2	Schools Recycling Programme	Workstream Contribution
Detail	To deliver the Schools Recycling Programme to 60 schools per annum across 9 district areas. To maximise the benefit of the Schools Recycling Programme and with R4H ensure that resources, (including web based), are used as widely and effectively as possible. (Secondary schools/ Brownies/charities etc)	<ul style="list-style-type: none"> • Communication and behaviour change • Waste prevention including reuse • Recycling and performance improvements • Reducing landfill • Joint working arrangements and activities • Whole system costs
Targets	Improved awareness of waste & resource management among the population as a result of the education programme.	
How will this be measured?	<ul style="list-style-type: none"> • Parent surveys • Monitoring of recycling rates school catchment areas 	
Responsibility	<ul style="list-style-type: none"> • Lead Head of Project Integra • Recycle for Hampshire team (delivery) • PI Communications Sub Committee oversees this work 	
Resources	R4H budget	
Timescale	Annual Programme with specific objectives, to tie in with R4H campaigns.	

Action 3	Waste Prevention Plan	Workstream Contribution
Detail	Implementation of PI Waste Prevention Plan, focusing on a reduction in residual waste collected and disposed of in PI.	<ul style="list-style-type: none"> • Communication and behaviour change • Waste prevention including reuse • Recycling and performance improvements • Reducing landfill • Joint working arrangements and activities • Whole system costs
Targets	<ul style="list-style-type: none"> • Finalise plan for implementation by June 14 • To perform better than national household waste arisings trends • Other metrics to be included in implementation plan 	
Responsibility	Lead Head of Project Integra All Project Integra authorities (WDA lead)	
Resources	To be determined in implementation plan	
Timescale	Implementation programme to be finalised by June 2014 and implemented up to March 2017.	

Action 4	Resource Capture and Treatment Review	Workstream Contribution
Detail	Carry out a review of existing and potential new capture methods and treatment options for waste collected in PI. Demonstrate PI compliance with the requirement for "Separate Collection" under the Waste Regulations 2011.	<ul style="list-style-type: none"> Recycling and performance improvements Reducing landfill Joint working arrangements and activities Whole system costs
Targets	<ul style="list-style-type: none"> Present detailed report and a range of options for change to PISB for consideration. Options to be presented on a cost-benefit basis. Where approved by PISB, devise implementation plan for changes to capture and /or treatment methods. 	
How will this be measured?	<ul style="list-style-type: none"> Regular updates on review to PISB and individual partners Delivery of final report and recommendations 	
Responsibility	<ul style="list-style-type: none"> Lead Head of Project Integra Project scope will set out governance arrangements, but a project team and review steering group will be required All partners will be required to engage in the review in order to complete project 	
Resources	Project Integra budgets – exact staff resourcing TBC.	
Timescale	Initial report on plastic composition by April 2014. Interim review report with initial findings at Oct 2014 PISB, final report with recommendations and draft implementation plan for January 2015 PISB.	

Action 5	Joint Working outside of PI	Workstream Contribution
Detail	Ensure engagement with further developments of the SE7 waste workstream and the waste partnerships in the south east region, to increase lobbying power and identify opportunities for closer working together.	<ul style="list-style-type: none"> All
Target	Increased opportunities for performance improvement and reduced costs.	
Responsibility	Lead Head of Project Integra in conjunction with HCC SE7 lead	
Resources	Project Integra Budget	
Timescale	2014-2017	

Action 6	Joint Procurement	Workstream Contribution
Detail	Carry out joint procurement exercises where feasible, including: <ul style="list-style-type: none"> • Waste containers (bins, boxes, bags) • Vehicles • Small WEEE recycling banks • Training and work placements 	<ul style="list-style-type: none"> • Joint working arrangements and activities • Whole system costs • Recycling and performance improvements • Reducing landfill
Targets	<ul style="list-style-type: none"> • Achieve better value for money and significant savings for Project Integra partners. • Produce annual report on progress. 	
Responsibility	Lead Head of Project Integra With procurement advice from a lead individual authority when required	
Resources	Project Integra Budget	
Timescale	2014/15 and onwards if appropriate	

Action 7	Health and Safety	Workstream Contribution
Detail	Through the PI group Common Approach to Safety and Health (CASH) ensure best practice shared and projects delivered by task and finish groups, including: <ul style="list-style-type: none"> • Noise impact of glass collections • Organising a CASH conference 	<ul style="list-style-type: none"> • Joint working arrangements and activities
Target	<ul style="list-style-type: none"> • Reduction in lost-time incidents in Hampshire • Produce annual report for PISB on the progress made by the group • Influence national H&S debate through multi-agency H&S forums 	
Responsibility	Head of Project Integra and chair of CASH	
Resources	Project Integra Budget	
Timescale	Annual Report June 2014 and June 2015.	

Action 8	Glass Recycling Contract	Workstream Contribution
<i>Detail</i>	Current PI glass contract ends in 2016. Review of existing contract and options for future glass processing to be developed.	<ul style="list-style-type: none"> • All
<i>Target</i>	To secure a value for money outlet for PI glass from 2016 onwards, either buy extending or re-procuring.	
<i>Responsibility</i>	Lead Head of Project Integra in partnership with a lead authority for procurement - TBC	
<i>Resources</i>	To be determined	
<i>Timescale</i>	Review existing arrangements during 2015, current contract ends 2016	

5 Resources

5.1 The forecast for each main element of the Partnership are set out in Appendix 1:

- Executive £117,200 (-40% change from 2012/13 budget). This is an estimate – in Jan 2015, the final cost of the executive will be split between partners as described in 5.3 below. This forecast assumes that all 15 current partners remain in PI.
- Recycle for Hampshire £138,200;
- Materials Analysis Facility £239,845 (+2.9% change from 2012/13).

5.2 In addition there is £90,000 in the PI holding account, to be used for projects benefitting all partners. £7,000 has been allocated to a research project for plastic waste. It is anticipated that further funding will be required for the Resource Capture and Treatment Review. The review will require full engagement from all partners to ensure its aims and objectives are achieved.

5.3 Authority contributions are based on:

- Executive - total number of households with elements for collection (80%) and disposal (20%);
- Recycle for Hampshire – total number of households (9 WCAs) plus HCC £50,000;
- Materials Analysis Facility – one third WCAs (evenly split), one third WDAs (split by tonnage), one third VES.

The contributions for each authority are set out in Appendix 2

5.4 During 14-15, work will begin on designing a model for PI that will enable it to become self funding in the future.

APPENDIX 1
Budgets
Executive

Activities	Costs
Staff Costs	72,500
Events & Activities	1,000
HCC SLA	42,000
Printing, Stationery, Legal costs	1,700
Gross Expenditure	£117,200
Total Income	£117,200

Recycle for Hampshire (exact split of budget TBC)

Activities	Costs
Staffing Costs	60,000
Schools Recycling Programme Education Officers x 3	45,000
Schools Recycling Programme Resources	4,000
Home Composting (leaflets to promote bins)	1,000
Campaign activity	28,200
Total Expenditure	£138,200

Materials Analysis Facility

	Costs
Total Expenditure	£239,845

APPENDIX 1
Authority Contributions

Partner Contributions 2014/15									

Notes - Differences from budget figures are due to rounding and interest on balances held during the year. Dwelling Figures are taken from Waste Data Flow.

Title of meeting: Environment and Community Safety Portfolio Decision Meeting

Date of meeting 9th July 2014

Subject: Inspection plan for food business operators 2014 / 2015

Report by: Alan Cufley, Head of Corporate Assets, Business and Standards

Wards affected: ALL

Key decision: No

1. Purpose of report

- 1.1. The propose of this report is to update the Cabinet Member on the current level food business hygiene compliance in Portsmouth and to set out the programme of inspection during 2014 / 2015.

2. Recommendation

2.1. That the Cabinet Member for Environment and Community Safety:

- a) approves the continuation of the risk-based approach to the statutory and regulatory inspection and enforcement of food business operators**
- b) acknowledges the level of hygiene compliance in food businesses in Portsmouth and the public health importance of this service**
- c) approves the Food Operating Plan 2014 / 2015 as described in Appendix 1 of this report**

3. Background

- 3.1 In October 2011 the Cabinet Member endorsed the city council working in partnership with the Food Standards Agency (FSA) and for the Environment Health's Business Support Team (BST) to adopt the 'Food Hygiene Rating Scheme' (FHRS) which requires a rating to be assigned to all food business operators.
- 1.2. In March 2012 the Cabinet Member endorsed a revised risk based inspection and enforcement plan to target resources upon businesses where the lowest acceptable level of hygiene was being maintained.
- 3.1. In November 2013 the FSA audited the feed and food law enforcement services performed by the BST to ensure its arrangements to improve consumer protection and confidence in relation to food and feed are consistent with the requirements of the Food Law Code of Practice (FLCofP).

4. Explanation of the Food Hygiene Rating Scheme and Food Law Code of Practice and results of the audit

- 4.1. The FHRS is intended to offer guidance to consumers in choosing where to eat out or shop for food by giving them an enhanced level of information about the hygiene standards in restaurants, cafés, takeaways, hotels and food shops. The FHRS is also intended to actively encourage businesses to improve their hygiene standards.
- 4.2. Under the FHRS, officers from the BST inspect food businesses to ensure that they meet the requirements of food hygiene law. Subsequently these officers rate the hygiene standards found at the time of inspection. At the bottom of the scale is '0' which requires urgent improvement. At the top of the scale is '5' which means the hygiene standards are very good.
- 4.3. The FLCofP sets out the framework under which the BST must carry out its statutory functions to protect the public in respect to food hygiene and food safety. It requires every local authority to have a Food Operating Plan and prescribes the manner in which it is formatted.
- 4.4. The BST is required under legislation to have regard to this Code when discharging its duties. Should the BST fail to have regard to relevant provisions of this Code, decisions and actions of the team are likely to be successfully challenged, and evidence gathered during a criminal investigation being ruled inadmissible by a court and formal action being instigated against the city council by the FSA.
- 4.5. The FSA audit of the Council's approach to Food and Feed Law enforcement in November 2013 was a generally positive experience for the Business Support team. It provided for the BST to reassess its procedures and operating processes to ensure compliance with the FLCofP. The auditors recommended 3 primary areas where the authority should refocus its attention. These were focused on, 1) the regulation of businesses which require approval to operate, 2) the authorisation and training of officers, and 3), the management of our database / record keeping. In total 12 recommendations were made of which all have been actioned.

5. Analysis of service delivery

- 5.1. The number and type of Food Business Operators (FBO) on the 1st April 2014 is shown in table 1 below.

Primary Producer	0	Restaurant / Caterers	
Manufacturer and Packer	9	Hotel/Guest House	52
Importer / Exporter	1	Mobile Food Unit	48
Distributor / Transporter	19	Caring Premises	236
Retailers:		Restaurant and Caterer	306
Supermarket / Hypermarket	29	Pub/Club	207
Small Retailer	316	Restaurant / Café / Caterer	370
Retailer Other	20	School / College	65
		Takeaway	216
Total Premises - 1894			

- 5.2. The total number of inspections carried in last three years is shown in **table 2** below.

Table 2.

Year	Inspections
2011 / 2012	740
2012 / 2013	839
2013 / 2014	646

- 5.3 In 2013 / 2014 the inspection rate was lower than that achieved in previous years but in line with that projected. Estimates, based on the level of resource available, made in April 2013 however suggested that 600 could be delivered so this was an increase on that projection.
- 5.4. This level of inspection performance was based around the number of full time equivalent (FTE) officers available at that time (3.35) and the number of food business operators in the city (approximately 1900). These figures have slightly changed in 2014 / 2015 as the staff engaged in this specific activity in April 2014 reduced by 0.5 FTE.
- 5.5. The numbers of premises rated '0', '1', '2', '3', '4', or '5' as of February / August 2012, March 2013 and March 2014 are highlighted in **table 3** below.

Table 3.

Rating	Feb 2012	August 2012	March 2013	March 2014
0	27	20	43	4
1	40	46	52	81
2	55	73	44	52
3	475	389	322	252
4	334	360	358	343
5	842	965	1023	1074

- 5.6. Each time a business is inspected a new rating is provided with the level of improvement or decline in hygiene standard dictating the new rating score. The frequency of inspection is determined by the risk to people's health. The greater the risk to health, the more frequent the inspection.
- 5.7. As the rating of each of the inspected premises may have changed (positively or negatively) following inspection it is difficult to provide direct comparisons with the level of improvement or decline in the quality of food being offered by the businesses in the city. All current food business ratings are reported on the FSA's website which is freely available to the public and business alike - no indication of the previous performance is necessary within the scheme.
- 5.8. Businesses rated '0', '1' or '2' are given priority for action to secure improvement in hygiene standards. Irrespective of the original rating, if during inspection hygiene standards are very poor, or there is an imminent risk to health, appropriate

enforcement action is taken to make sure that consumers are protected. This can include agreeing with the proprietor to voluntarily close the premises.

- 5.9. All FBOs are provided feedback following an inspection. Officers will provide improvement advice and how any problems identified can be avoided and rectified. Where improvements are required inspectors will issue a comprehensive written report clearly explaining precisely what is required to comply with the law. Where problems are acute or persistent, appropriate enforcement action is taken.
- 5.10. The number of enforcement actions taken in 2009 / 2010, 2010 / 2011, 2011 / 2012, 2012 / 2013 and 2013 / 2014 is recorded in **table 4** below.

Table 4.

Enforcement Type	09 / 10	10 / 11	11 / 12	12 / 13	13 / 14
Improvement Notice	4	3	12	47	60
Closure	1	1	2	8	5
Prosecutions	0	0	0	2	5

- 5.11. Since the introduction of the revised risk based inspection programme in 2012, the number of Improvement Notices served upon premises requiring a prompt, timetabled, improvement in standards has continued to increase. In addition, 13 premises have closed pending improvement, reopening only when officers have been satisfied when the necessary works have been completed and poor hygiene standards in 7 premises have necessitated prosecution in the Magistrates' Court.
- 5.12. As a result of the increased detection of poor hygiene performance, the numbers of businesses rated '0' has significantly decreased. Conversely the number of '5' rated premises has significantly increased. The numbers of '0' and '5' rated premises are the best they have been since the scheme was introduced and are a reflection of its success.
- 5.13. We encourage customers to take an active role in reporting food businesses within Portsmouth that have poor food safety practices and investigate issues raised by them in the appropriate manner. Complaints are typically received in relation to:
- Sighting of vermin or pests on food premises.
 - Poor levels of cleanliness in kitchens, store rooms or preparation rooms.
 - Poor food handling practices.
 - Contaminated food e.g. food containing foreign bodies, or that is out of date.
- 5.14. The number of complaints received is consistent with the significant reduction (50%) achieved in 2012 / 2013 and is a further reflection of how standards of food businesses have improved in the last two years. The number of complaints relating to food business operators is shown in **table 5** below.

Table 5.

Year	Number
2009 / 2010	537
2010 / 2011	541

2011 / 2012	469
2012 / 2013	211
2013 / 2014	270

- 5.15. In 2013 / 2014 a higher number of 'interventions' were carried out. The number of interventions instigated and the number outstanding is set out in **table 6** below. As expected, maximising the resources available, the service was unable to deliver all inspections in accordance with the prescriptive timetable as required by the FLCofP. However **81%** of interventions were delivered on time. For clarity interventions include: inspections; monitoring; surveillance; verification; audit; and sampling where the analysis/examination is to be carried out by an Official Laboratory.

Table 6.

Number of interventions that should have been achieved	1294
Number of interventions actually achieved	1067
Due interventions outstanding	227

- 5.16. This level of performance is described as 'broadly compliant' and is an outcome measure which the FSA has developed to monitor the effectiveness of our regulatory function. It is based on a numerical scoring system which is used by officers to assess premises which pose the greatest risk to consumers.
- 5.17. In 2013 / 2014 the interventions compliance rating was **87%** as calculated from the figure provided within **table 7** below.

Table 7.

Number of broadly compliant premises	1691
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- 5.18. Following the 2013 FSA audit some minor changes have been made to the BST intervention programme and its delivery. As the BST is required to inspect all registered food premises within Portsmouth as part of a planned programme, how frequently officers routinely inspect will depend on the type of business and its previous record. The better the record the greater the period between inspections.
- 5.19. The rating given to premises after each inspection determines the length of time until the premises is inspected again.
- 5.20. Premises are then rated and inspected according to the following **table 8** below.

Table 8.

Rating Category	Inspection Rating	Minimum Inspection frequency
A	92 - 196	At least every 6 months
B	72 - 91	At least every 12 months
C	52 - 71	At least every 18 months
D	31 - 51	At least every 2 years
E	0 - 30/td>	Alternative enforcement strategy

- 5.21. The risk rating system considers the type and size of business, the level of food safety management and conditions noted during the inspection. In addition, premises providing food to vulnerable groups, for example children or the elderly, are subject to an additional weighting which will result in more frequent visits.
- 5.22. Whilst it is not normal practice to give prior notification of inspection, some visits will be carried out by appointment, particularly if the visit is primarily to look at documentation, or if discussions are required with a specific employee or the business proprietor. Officers have the right to enter and inspect food premises at all reasonable hours.
- 5.23. The appropriate control for each premise will be considered on an individual basis by an appropriately qualified officer. The officer may decide to reclassify any premises that were the subject of an alternative enforcement strategy for a full inspection. For example, premises where the operation has changed significantly or catering is undertaken.
- 5.24. As highlighted in table 8, low risk category E business will be subject to an alternative enforcement strategy. When these premises are due for inspection the FBO will be sent an appropriate initial letter together with a low risk self-assessment questionnaire to complete. On receipt of completed questionnaires the information will be reviewed to determine whether there have been any changes to the business since the last inspection which may present an increased risk to food safety.
- 5.25. If the questionnaire has not been returned within the 28-day period, the outstanding premises will be contacted with a reminder to establish if a further copy of the questionnaire needs to be dispatched. If the questionnaire has not been received after a further 14 days, the food business may be subject to a food hygiene inspection.
- 5.26. The number of 'A' 'B' 'C' 'D' and 'E' rated premises as of the 1st April 2014 in Portsmouth is shown in **table 9** below.

Table 9.

Risk Category	Number of Premises
A	3
B	101
C	732
D	299
E	683
Awaiting rating	76

6. Equality impact assessment

- 6.1. The inspection criteria from 2014 / 2015 have been subject to a provisional equality impact assessment. Implementation will not affect the concept of fairness established under the adoption of the FHRS in 2011, which ensures that all food

establishments are being inspected and enforced equally in all premises regardless of race or cuisine type.

7. City Solicitor's comments

- 7.1. Legal Services has previously confirmed that the requirement to carry out periodic food inspections of food premises using a risk-based approach is derived from and in accordance with 'EC Regulation 882/2004' and the 'Framework Agreement on Food Law Enforcement' in respect of legislation relating to England and Wales.
- 7.2. Legal Services has also previously confirmed that the 'Food Law Code of Practice (England)' enables the replacement of the inspection focussed approach to food law enforcement with a more flexible one whereby local authorities can use a wider range of interventions to monitor support and increase business compliance. The Food Standards Agency has acknowledged that the aim of this revision was to partly ensure that resources are directed at those food businesses that present the greatest risk to public health and consumer protection.

8. Head of Finance comments

- 8.1. Financial Services has been consulted on the financial implications of continuing to carry out the statutory function of inspecting food businesses for food hygiene standards and has confirmed that the service cash limit in 2014 / 2015 is sufficient to resource the staff and activities identified within the 2014 / 2015 inspection plan.

.....
Signed by: Alan Cufley, Head of Corporate Assets, Business and Standards

Appendix 1: Food Operating Plan 2014 / 2015

Background list of documents: The following list of documents discloses facts or matters, which have relied upon to a material extent by the author in preparing this report:

Title of Document	Location
NIL	NIL

The recommendation set out above in 2.1. above were approved/ approved as amended/ deferred/ rejected by the Cabinet Member for the Environment and Community Safety on

.....
Signed by: Councillor Robert New, Cabinet Member for Environment and Community Safety

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Corporate Assets Business & Standards

Environmental Health

Business Support Team

Food Operating Plan 2014 / 2015

Portsmouth City Council



Corporate Assets Business & Standards

Environmental Health

Business Support Team

Food Operating Plan 2014 / 2015



Prepared by

Richard Lee, Environmental Health Manager



Approved by

Alan Cufley, Head of Corporate Assets Business and Standards

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**Corporate Assets Business & Standards (CABS)
Business Support Team (BST)
Food Operating Plan 2014 / 2015**

1. Introduction

1.1. This Operating Plan has been produced as required by and in accordance with the Food Standards Agency (FSA) Framework Agreement on Local Authority Food Law enforcement.

1.2. It has been developed in broad accordance as prescribed by the FSA, its purpose being to demonstrate that Portsmouth City Council (PCC) in its role as the designated authority has in place adequate and effective arrangements to meet its statutory obligations in respect of Food Safety.

1.3. The Business Support Team (BST) within PCC is designated as the competent food authority under the European Communities Act 1972, the Food Safety and Hygiene (England) Regulations 2013 and the Food Safety Act 1990.

1.4. This places a statutory duty on the BST to enforce the Acts. The delegated Authority to do this lies with the Head of Service of Corporate Assets Business and Standards (CABS), who has further delegated authority to staff within the BST.

1.5. This plan covers the following:

- An outline of Portsmouth and the organisational structure and business plans relating to PCC and BST;
- A profile of the BST and its resources;
- The responsibilities and objectives of the BST Food Service;
- The inspection of food businesses and enforcement of food law;
- The sampling of food to ensure compliance with food standards law;
- Safeguarding protocols to ensure compliance with legislative requirements and consistency of approach.

2. Description of Portsmouth

2.1. Portsmouth is the 'great waterfront city' situated within the South Hampshire / Solent region of the South East of England and is undergoing a major transformation.

2.2. Its south coast location has made it a UK and European gateway city. The Portsmouth International Port is Britain's best connected port, providing eight freight and passenger routes to France, Spain and the Channel Islands and receiving food imports from the European Union (EU) and countries such as the Dominican Republic, Costa Rica, Morocco, Trinidad and Tobago, Granada and Jamaica.

2.3. Gunwharf Quays, situated at the mouth of Portsmouth Harbour, is a £200 million, 500,000 sq ft mixed use development which has re-launched Portsmouth as one of the most significant waterfront retail and leisure destinations in Europe. The

Spinnaker Tower at 170 metres tall is taller than the London Eye and Blackpool Tower and as a national icon for Britain has successfully raised the city's profile, both nationally and internationally as a place to visit, live and work, acting as a catalyst for further investment and development.

2.4. Alongside 90 retail stores Gunwharf has 30 bars and restaurants serving tens of thousands of meals per week. Other high concentrations of food operators can be found in Palmerston Road, Osborne Road, Albert Road, Commercial Road, Kingston Road, Fratton Road, London Road and the High Street Cosham.

2.5. World renowned as the home of the Royal Navy and a tourist visitor destination, Portsmouth is also home to a number of high profile UK and multinational companies such as BAE Systems, EADS Astrium, IBM and the Pall Corporation.

2.6. Tourism is a significant sector of the local economy. The city has a long established national and international profile, with its Historic Dockyard and other attractions, complemented by hosting world class events such as the International Festival of the Sea, Volvo Ocean Race and Great South Run. The city has been recognised as an Attract Brand by Visit England which recognises the visitor numbers to the city (considering both holiday and business visitors) and other criteria such as consumer choice when asked to name destinations associated with English holiday and perception as a short break destination.

2.7. With almost 50kms of waterfront Portsmouth has always provided a unique quality of life and a diverse range of attractions and amenities for its businesses and residents. The offering as a place to live has been significantly enhanced by penthouse, town house and apartment developments at Port Solent Marina, Gunwharf Quays and a number of ex-Navy sites.

2.8 Portsmouth is an ambitious waterfront city, with a vision to be a successful European city break destination, unique in the region for its cultural heritage, innovation and dynamism.

3. A Snapshot of Portsmouth

Population: Estimated 208,900 residents. GPs serve 217,562 registered patients living within 88,000 properties
Area: 15.5 square miles
Population density: Highly urbanised city. 52 people per hectare (most densely populated local authority outside London)
Food Business Operators (FBO): 1900
Business premises: >8000

4. Portsmouth City Council - Organisational Structure and Corporate Priorities

4.1. PCC is run by an Executive, supported by a Scrutiny Board and review panels.

4.2. The Council is composed of 42 Councillors with one-third elected three years in four. All Councillors meet together as the Council to decide the Council's overall policies and set the budget each year.

4.3. The Council appoints the Leader of the Council and the Executive Members (together known as the Cabinet), upon recommendation from the Leader.

4.4. Decisions in the Executive may be collective or they may be taken by individual Executive members with a specific remit. The Executive is the part of the Council which is responsible for most day-to-day decisions.

4.5 The Executive is made up of a Cabinet of not more than 9 Councillors including the Leader of the Council. The Executive has to make decisions which are in line with the Council's overall policies and budget. If it wishes to make a decision which is outside the budget or policy framework, this must be referred to the Council as a whole to decide.

4.6. There are two standing and other ad hoc overview and scrutiny committees (known as Policy and Review Panels) who support the work of the Executive and the Council as a whole. These allow citizens to have a greater say in Council matters by examining in detail matters of local concern. They lead to reports and recommendations which advise the Executive and the Council as a whole on its policies, budget and service delivery.

4.7. The Policy and Review Panels also monitor the decisions of the Executive. They can 'call-in' a decision which has been made by the Executive but not yet implemented. This enables them to consider whether the decision is appropriate. They may recommend that the Executive reconsider the decision. They may also be consulted by the Executive or the Council on forthcoming decisions and the development of policy.

4.8. The political make-up of the council at June 2014 is:

- 19 Liberal Democrat
- 1 non-aligned Liberal Democrat
- 12 Conservative
- 6 UKIP
- 4 Labour

4.9. The Environmental Health team of the CABS service falls under the responsibilities of the Cabinet Member for Environment and Community Safety. The Food Safety function is undertaken by the BST. The CABS Head of Service (HofS) is the officer responsible for the Food Safety Service delivery, with the Environmental Health Manager (EHM) responsible for the day to day management of the team and the service, supported by a Team Leader and various Lead Officers. The CABS HofS reports directly to the Strategic Director for Regeneration who reports to the Chief Executive Officer.

4.10. PCC has eight priorities that are driven by the needs of the city and the desire to improve. These are shared goals for the organisation that help to focus services' work and resources.

4.11. The eight priorities are:

- i. Increase availability, affordability and quality of housing
- ii. Protect and support our most vulnerable residents
- iii. Improve efficiency and encourage involvement
- iv. Raise standards in English and maths
- v. Regenerate the city
- vi. A cleaner and greener city
- vii. Improve public transport

4.11. The CABS service contributes to these priorities in various ways particularly with regard to priority v. and vi.

5. CABS - An explanation of Service and its contribution to the Corporate Priorities

5.1. CABS brings together the Community Housing, Corporate Assets, Employment & Skills, Community Learning, Town Centre Management, Trading Standards and Environmental Health teams. It offers a wide variety of services and strategic functions that together support Portsmouth's residents, businesses and enterprises in many ways.

5.2. The following illustrates the range of services provided by CABS:

- Property related services to home-owners, tenants and landlords for example, housing standards, home improvements and safety
- Personal services such as alarms for older people or housing-related support to vulnerable residents
- Strategic housing services, for example working with housing associations, commercial developers and other agencies to increase the supply of new affordable housing
- Corporate Asset management, involving strategic real estate advice, investment portfolio, disposal, acquisitions and lease renewal services
- Learning services that help increase the skills and qualifications of the city's residents helping them, where appropriate, into employment
- Business support services, including trading advice, high street regeneration and attractions that between them create a growing local economy helping local growth, prosperity and creating jobs.
- Consumer support services helping residents shop and do business in the city with confidence
- Providing support and regulation on environmental health matters including air quality, food safety and noise nuisance

6. CABS Business Plan 2014 / 2015 Summary

6.1. The aim of the CABS service is to use our strategic and enabling role, and service delivery capability to provide an environment where people and businesses thrive.

6.2. The following support the corporate aim of making Portsmouth a great waterfront city:

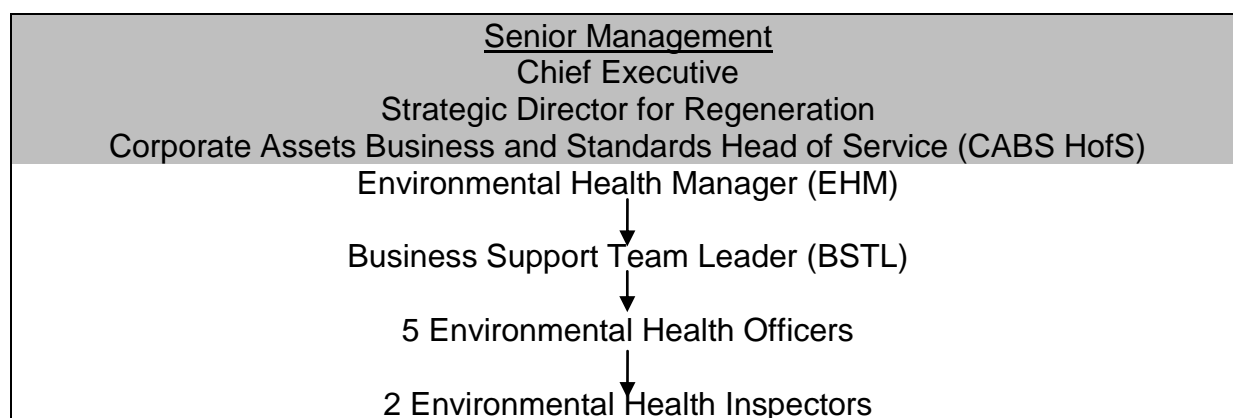
- Make best use of the City's property assets and retail centres to maximise income, regenerate the city and enable businesses to thrive.
- Deliver high quality homes that meet the needs of the whole community; and housing services that promote health, safety and independence.
- Provide employment, learning and skills services to enable local people to achieve their potential and participate fully in the regeneration of the City.
- Provide environmental health and trading standards services to protect people and the environment from harm, and support businesses to trade in a safe and fair manner.

In order to provide environmental health services to protect people and support businesses to trade in a safe and fair manner CABS will:

- Protect the health of residents, visitors and workers through inspection, intervention and support, in food and other commercial premises.
- Provide advice and guidance and establish Primary Authority Agreements with businesses to assist them to comply with trading legislation.

7. Structure and Financial Position of the BST 2014 / 2015

7.1. The BST team structure is as follows:



7.2 Sufficient budgetary provisions have been made available in 2014 / 2015 to maintain this level of staffing provision.

8. An Introduction to the BST

8.1. The BST is structured so that each core service function is led by an officer with specialist knowledge, the appropriate level of qualification and a technical understanding of the designated function.

8.2. It is expected, along with our team partners in the pollution and pest control teams, that we will provide a single 'Environmental Health Service' to our diverse customer base, which is effective, efficient and professional. The structure of the team aids the delivery of such a service, taking advantage of the team's experience and competency across the wide range of responsibilities and functions.

8.3. The 2014 / 2015 Operating Plan will continue to advance the excellent work which has taken place in previous years. The BST management team will continue to take a strong enforcement stance to breaches of food law and develop a more consistent approach to inspection protocols and enforcement actions, supporting a tougher more robust attitude to serious or persistent failings.

8.4. Reviews with respect to process have been implemented to address the weaknesses identified within existing policies particularly with regard to inspection regimes, monitoring and reporting and succession planning.

8.5. BST officers in leading roles, constructed to ensure that resources and expertise are shared or combined to strengthen officer and team development, distribute knowledge and promote best practice, will continue to ensure service delivery is effective and delivered in accordance with the FLCofP.

8.6. Despite the officer lead designations, all officers continue to develop their skills and expertise and take an active role in all service functions. This is supported by a continuing development programme - See Section 31.

9. BST Service Functions

9.1. The BST, in addition to undertaking the Food Safety function, also has a wide range of other responsibilities particularly for Health and Safety, Infectious Disease Control, Health Act, Licensing enforcement and Port Health.

9.2. Therefore, as well as the various diverse responsibilities detailed in **Table 1A**, officers have a designated Responsible Authority role for the purposes of the Licensing Act 2003. The team are required to make relevant representations regarding licence applications and this additional work, together with licensing inspections to check compliance with conditions impacts upon the team's normal food duties.

9.3. The team is also responsible for licensing all of the following: riding establishments, pet shops, dangerous wild animals and the licensing of people and premises where skin piercing, tattooing, acupuncture and electrolysis is carried out.

9.4. The introduction of smoke free legislation under the Health Act 2006 is enforced by BST, as are the responsibilities to sample the shellfish beds located in the Portsmouth and Langstone Harbours. The BST also assists the Environment Agency in the monitoring and compliance with the Bathing Water Directive.

9.5. Following the inspection of FBOs, the second most resource-intensive area for which the BST is responsible is the Continental Ferry Port where we have a significant range of responsibilities with respect to disease control, ship sanitation certificates, foodborne diseases, ship disinfestation, potable water supplies, norovirus controls on vessels, food import control and the importation of animals.

9.6. The BST also currently regulates two premises which are required to be formally approved under specific EU legislation due to the increased risk posed by their particular food activities.

9.7. A list of the enactments for which the BST is responsible can be found in **Appendix 1**.

10. BST Lead Officers and Food Law Enforcement Officers

10.1. The BST operates a computer based management system. This system, called APP, has been utilised by CABS since 2008.

10.2. Although a time recording system is available within APP, BST has yet to gain benefit of the system's abilities to monitor officer time. Our anecdotal analysis suggests however that approximately 50% of total officer time in 2013 / 2014 was spent on food safety. This equates to 3.5 Full-Time Equivalent (FTE) members of the team.

10.3. Lead officer roles and FTE time is detailed within **Table 1A**.

Table 1A.

Roles Requiring Lead	Equivalent FTE in area
Food Safety*	3.15
Food Standards	0.25
H&S	0.9
Port Health	0.5
Infectious Disease / Animal Welfare	0.5
Primary Authority / Approved Premises	0.3
Policy, Business Planning, Management	0.6
Shellfish / Sea Water	0.3
Sampling	0.1
APP super-user	0.4
Total Resource	7.0**

*Food safety includes dealing with food hygiene complaints as well as food complaints and food premises inspections.

**Total does not include 0.3 FTE for the Environmental Health Manager

10.4. 2 officers (1.4 FTE) are not currently in a lead position included in the equivalent FTE in each area).

10.5. Officers with specific responsibilities for respect to Food Law Enforcement are detailed within **Table 1B**.

Table 1B.

Name and Job Title	Date Appointed	No. of years Food Law Enforcement Experience	FTE on Food Enforcement 2013 / 2014	Qualifications	Details of Authorisation
			Total FTE 3.4.		
Richard Lee EH Manager	1 st July 2010	-	Management only	-	-
Steven Bell BSTL	1 st July 2010	20+	0.5	Diploma in Consumer Affairs (DCA) inc Food paper Diploma in Trading Standards (DTS) Higher Certificate in Food Premises Inspection (Pending)	All areas relating to Food Standards
Christopher Larkin EHO	1 st September 2012	6+	0.7	Diploma in Environmental Health. Masters Degree in Environmental Health Law	All Areas
Donna Harvey EHO	1 st May 2013	9+	0.7	Degree in Environmental Health	All Areas
David Jones EHO (Port Health)	4 th January 1977	30+	0.5	Diploma In Environmental Health	All Areas
Aimee Cartwright EHO	2 nd August 2004	10+	0.0	Degree In Environmental Health	All areas
Tina Dowell-Lucas EHO	4 th October 2004	10+	0.2	Degree In Environmental Health	All areas
Debra Jones EH Inspector	30 th November 1981	20+	0.3	Ordinary Certificate In Food Premises Inspection	Food Safety as per Food Code of Practice
Stephen Lucking EH Inspector	24 th February 1992	20+	0.5	Higher Certificate In Food Premises Inspection	Food Safety as per Food Code of Practice

11. BST Lead Officer Responsibilities (Food Related)

11.1. Business Support Team Leader is responsible for coordinating:

- the feasibility, implementation, delivery, monitoring, review and assessment of operational and business plans, service delivery policies and strategies with respect to the core service functions; food, health and safety, port operations, sampling, infectious disease and animal welfare;
- the development and execution of robust, consistent approaches to service delivery;
- the appraisal of, and compliance with the requirements of the Food Standards Agency, the Health Protection Agency and the Health and Safety Executive and other governmental regulators/consultants/partners;
- the team's judicial arrangements, inspection/intervention and enforcement protocols;
- our statutory obligations including evaluation and adoption of legislative changes, and the authorisation of enforcement actions;
- service liaison, engagement and involvement with local, regional and national stakeholders where possible in parallel with lead officer responsibilities;
- the delivery of 'primary authority' relationships (overseeing / monitoring);
- the administration and delivery of statutory returns, audits and operational frameworks (Memorandums of Understanding/Service levels Agreements);
- the management of income streams;
- data collection and data storage;
- equipment needs, staff training/safety and support, succession development and contingency planning.

11.2. Food Standards Lead is responsible for coordinating the:

- legal requirements covering service enforcement responsibilities in terms of assessing compliance with the relevant legislation in regard to the quality, composition, labelling and presentation of food and the advertising of food materials and articles in contact with food;
- activities involving animal feed including sampling and post sampling procedures.

11.3. Food Safety/Hygiene Lead is responsible for coordinating:

- service delivery with respect to food businesses and their compliance with food hygiene regulations;
- organising the delivery and overseeing/monitoring inspection and interventions of food businesses in accordance with service plans and in accordance with FLCofP requirements;
- the provision of best practice advice and information to fellow officers and food business operators;
- the investigation of food poisoning and food complaints;
- the promotion of good hygiene practices in commercial and domestic premises;
- food business operators compliance with their legal obligation to provide the general public with food products that are safe to eat;
- the consistency and quality of inspection protocols.

11.4. Port Operations Lead is responsible for coordinating:

- ship inspections on board cruise liners, ferries, merchant vessels, small passenger vessels and pleasure craft to ensure compliance with UK and international standards for food safety, hygiene and sanitation;
- infectious disease control on incoming vessels and partnership ship inspections with the Consultant in Communicable Diseases Control and the Health Protection Agency;
- the investigation and control of food poisoning incidents on incoming vessels and from food premises located within the port;
- the monitoring of the quality of water supplies supplied to vessels;
- the inspection of vessels for rodent activity and the issue of certificates;
- the monitoring and compliant disposal of waste foodstuffs from vessels;
- the monitoring and maintenance of a system of imported food surveillance through the pre-notification of imported foods not of animal origin from third countries by forwarding agents and partnership working with Her Majesty's Revenues & Customs;
- physical examinations of products not of animal origin imported from third countries and checking authenticity of mandatory papers of those classified under specific Emergency Controls to ensure compliance;
- the monitoring of imports of food not of animal origin from third countries and inspect and take samples of new, unusual, suspect, incorrectly labelled and/or controlled foodstuffs;
- the verification of certificates of organic produce;
- the response to and notification of Rapid Alerts to interested parties to ensure suspect foodstuffs to be adequately controlled;
- the sampling programme of imported foods to ensure that is safe and wholesome and of the quality and composition demanded;
- the sampling of food products to ensure consumers are protected in accordance with the requirements of the FFA (surveys, identification of poor hygiene practices, verifying food safety management systems).

11.5. Sampling Lead is responsible for coordinating the:

- preparation of a sampling programme and devising our intended food sampling priorities;
- sampling concerned with the investigation of complaints about food and in response to local or national food hazard warnings or incidents;
- delivery of effective monitoring and enforcement of standards relating to the safety, composition and quality of foods;
- actions necessary to ensure that foods meet the relevant legal requirements and comply with relevant legislation.

11.6. Infectious Diseases Lead is responsible for coordinating the:

- investigating outbreaks of infectious diseases and food poisoning;
- collection of samples and their analysis;

- delivery of general advice on infectious disease control, in particular the precautions to be taken to prevent further spread of infectious disease;
- investigation complaints about the fitness of food linked to infectious disease cases;
- communication, liaison and investigation with G.P.s and the Consultant in Communicable Disease Control with regard to food-borne infections and resultant actions.

11.7. Shellfish Control and Seawater Sampling Lead is responsible for coordinating the:

- collection and analysis of shellfish to ensure bivalves meet the appropriate food safety standards for processing;
- classification, opening and closure of beds (and notification of such) as necessary;
- monitoring of shellfish movement documents issued to fisher persons harvesting bivalves as necessary;
- delivery of an on-going sampling programme to monitor the condition of bathing water and assessment of potential contamination streams.

11.8. Primary Authority Relationship Lead is responsible for coordinating the:

- advice and guidance to the business in respect of the regulated functions within the scope of any partnership;
- advice and guidance to other local authorities in relation to how the other authorities should exercise their enforcement functions in respect of that business.

12. Scope of the BST Food Service

12.1 The food service consists of the following elements:

- Ensuring that all food premises are identified and inspected on a risk-assessed basis and any necessary action is taken to secure the required food safety standards;
- Implementing and maintaining the National Food Hygiene Rating Scheme (FHRS).
- Reviewing planning and building control applications to ensure that food hygiene requirements are considered at the design and build stages of development;
- Providing advice to food businesses and members of the public on issues relating to food safety;
- Investigating all complaints relating to food and food safety and taking appropriate enforcement action to prevent potential outbreaks of food poisoning;
- Undertaking sampling in order to determine the quality and fitness of food and to inform proactive initiatives to secure food safety;

- Minimising the spread of incidents of infectious diseases, including incidents of food poisoning by investigating relevant cases and taking action to control the spread of disease.

13. Demands on the Food Service

13.1 The demand over the last 4 years remains relatively steady at approximately 1900 registered food premises (marginally up in 2013/2014 by 5%).

13.2. As the minimum number of officers involved in the inspection of food premises is considered to be 1 per 500 the resource levels currently available to the BST are considered to be acceptable. This figure has been devised from informal advice obtained from the FSA.

13.3. The current ratio is approximately 1 per 600 premises so it is anticipated that the Service will not meet precisely the prescriptive requirements of the FLCofP in terms of inspection frequency during the 2014 / 2015 period.

13.4 The 1900 registered premises are mainly composed of restaurants, takeaways and retailers (a detailed breakdown can be found in **Table 2**, page 15.

13.5. Inevitably, as a result of the high number of FBOs registered in the City, there is a significant level of 'churn' as these change hands, open and close.

13.6. Although there is a slight increase in demand for registrations during the summer due to tourism or large events there are no specific unusual or seasonable demands on the food safety service.

14. BST Food Service - Priorities

14.1. Our foremost priorities in 2014 and 2015 are:

- our relationship the FSA, compliance with the Food Law Code of Practice (FLCofP)
- fulfilling the requirements of the 2013 FSA audit
- delivery of our statutory duty to enforce legislation relating to food
- maintaining political and customer awareness of food standards and food safety issues.

14.2. The FLCofP sets out the framework under which the BST must carry out its statutory functions to protect the public in respect to food hygiene and food safety. It is the FLCofP which requires this Food Operating Plan to be created and the manner in which it is formatted.

14.3. The BST is required under legislation to have regard to the FLCofP when discharging its duties. Should the BST fail to have regard to relevant provisions of this Code we are likely to find our decisions or actions successfully challenged, and evidence gathered during a criminal investigation being ruled inadmissible by a court and formal action being instigated against us by the FSA.

14.4. The FLCofP provides guidance to local authorities on their approach to official controls at food business establishments. The Code was last updated on the 6 April 2014. The changes included:

- clarification of the descriptors used to rate and assign intervention frequencies at food establishments
- greater focus on businesses with persistent or serious non compliances by reducing the frequency of interventions in those businesses with good management controls in place
- a reduction in dual enforcement in a small number of establishments currently subject to both FSA and local authority control

14.5. In November 2013 the FSA undertook an audit of the environmental health service. This was a positive experience. During this process the BST embraced the opportunity to further assess its procedures and policies to ensure compliance with the FLCofP. The auditors recommended 3 primary areas where the authority should refocus its attention.

14.6. These were centred on the regulation of businesses which require specific approval to operate, the authorisation and training of officers and the management of our database / record keeping. In total 12 recommendations were made. The executive summary of the audit report is available in **Appendix 2**.

14.7. The steps necessary to address the issues raised within the recommendations have been put in place and the recommendations and resultant actions are likely to be fully implemented by April 2015. The BST implementation audit plan is contained within **Appendix 3**.

14.8. The FSA and the FLCofP does however provide some flexibility to introduce a mixture of interventions and encourages the BST to provide a greater focus on the outcomes of activities rather than the traditional approach of reporting on activity alone.

14.9. In improving and developing our strong enforcement priorities it is incumbent upon us to have regard to the Framework Agreement on Local Authority Food Law Enforcement. This Framework Agreement sets out what the FSA expects from us in our delivery of official controls on feed and food law.

14.10. Certain governmental reviews such Hampton and legislation such as the Regulatory Enforcement and Sanctions Act 2008 have placed responsibilities upon us to ensure that our inspections tackle key issues but reduce administrative burdens.

14.11. The BST has considered such recommendations to devise effective inspection protocols for high risk groups.

14.12. The inspection of all food businesses has regard to current FSA guidance (reference inspection protocol). With respect to enforcement the BST is mindful of the Regulators' Compliance Code 4 and the Legislative and Regulatory Reform

(Regulatory Functions) Order 2007. This Code is a central part of the Government's Better Regulation agenda as it aims to embed a risk-based, proportionate and targeted approach to regulatory inspection and enforcement and is reflected in the decision making process when formal action is considered against FBOs.

14.13. Full compliance with the FLCofP requirements will remain the objective and failure to achieve these will be reported periodically to the HofS and Cabinet through the corporate quarterly performance reporting scheme and the risk identification register.

15. BST - Food Service Interventions Programme 2014 / 2015

15.1 In October 2011 the Cabinet Member endorsed the city council working in partnership with the FSA and the BST to adopt the FHRS which requires the *rating* and *inspection* of all food business operators in accordance with the FLCofP.

15.2. In March 2012 the Cabinet Member endorsed a revised *risk* based inspection, *intervention* and *enforcement* plan to target resources upon businesses where the lowest acceptable level of hygiene was being maintained.

15.3. Inspections are rated on a number of areas from which the risk is determined:

- Type of Food and Method of Handling;
- Method of Processing;
- Consumers at risk;
- Vulnerable Groups;
- Significant risk;
- Hygiene and Structure;
- Confidence in Management / Food Safety Management Systems.

15.4. Interventions are defined as activities that are designed to monitor, support and increase food law compliance within a food establishment. Our intervention programme is central to our local regulatory and enforcement regime. The FLCofP requires us to ensure that our programme is appropriately resourced.

15.5. The FHRS provides greater help to consumers in choosing where to eat out or shop for food by giving them an enhanced level of information about the hygiene standards in restaurants, cafés, takeaways, hotels and food shops. The FHRS is also intended to encourage businesses to improve their hygiene standards.

15.6. Under the FHRS officers from the BST inspect food businesses to ensure that they meet the requirements of food hygiene law. Subsequently these officers rate the hygiene standards found at the time of inspection. At the bottom of the scale is '0' which requires urgent improvement. At the top of the scale is '5' which means the hygiene standards are very good.

15.7. The number and type of FBO on the 1st April 2014 is shown in **table 2** below.

Table 2.

Primary Producer	0	Restaurant / Caterers	
Manufacturer and Packer	9	Hotel/Guest House	52
Importer / Exporter	1	Mobile Food Unit	48
Distributor / Transporter	19	Caring Premises	236
Retailers:		Restaurant and Caterer	306
Supermarket / Hypermarket	29	Pub/Club	207
Small Retailer	316	Restaurant / Café / Caterer	370
Retailer Other	20	School / College	65
		Takeaway	216
Total Premises 1894			

15.8. The total number of inspections carried in last three years is shown in **table 3** below.

Table 3.

Year	Inspections
2011 / 2012	740
2012 / 2013	839
2013 / 2014	646

15.9. Due to the availability of food officers, the 2013 / 2014 inspection rate was lower than that achieved in previous years but in line with that projected. Estimates made in April 2013 suggested that 600 could be delivered each year. This level of inspection performance was based around the number of FTE officers available at that time (3.35) and the number of food business operators in the city (approximately 1900). These figures have slightly changed for 2014 / 2015 due to a reduction in the FTE available (April 2014 by 0.5 FTE). The number of inspections in 2014 / 2015 is therefore expected to be less than achieved in 2013 / 2014.

15.10. The number of premises rated '0', '1', '2', '3', '4', or '5' as of February / August 2012, March 2013 and March 2014 are highlighted in **table 4** below.

Table 4.

Rating	Feb 2012	August 2012	March 2013	March 2014
0	27	20	43	4
1	40	46	52	81
2	55	73	44	52
3	475	389	322	252
4	334	360	358	343
5	842	965	1023	1074

15.11. Each time a business is inspected a new rating is provided, the level of improvement or decline in hygiene standard dictating the new rating score. The frequency of inspection is determined by the risk to people's health. The greater the risk, the more frequent the inspection.

15.12. As the rating of each of the inspected premises may have changed (positively or negatively) following inspection it is difficult to provide direct comparisons with the level of improvement or decline in the quality of food being offered by the businesses in the city. All current food business ratings are reported on the FSA's website which is freely available to the public and business alike - no indication of the previous performance is necessary within the scheme.

15.13. Businesses rated '0', '1' or '2' are given priority for action to improve. Irrespective of the original rating, if during inspection hygiene standards were very poor, or there was an imminent risk to health, appropriate enforcement activity is taken to make sure that consumers are protected.

15.14. All FBOs are provided feedback following an inspection. Officers will provide improvement advice and how any problems identified can be avoided and rectified. Where improvements are required inspectors will issue a comprehensive written report clearly explaining precisely what is required to comply with the law. Where problems are acute or persistent, appropriate enforcement action is taken.

15.15. The number of enforcement actions taken in 2009 / 2010, 2010 / 2011, 2011 / 2012, 2012 / 2013 and 2013 / 2014 are recorded in **table 5** below.

Table 5.

Enforcement Type	09 / 10	10 / 11	11 / 12	12 / 13	13 / 14
Improvement Notice	4	3	12	47	60
Closure	1	1	2	8	5
Prosecutions	0	0	0	2	5

15.16. Since the introduction of the revised risk based inspection programme in 2012, the number of Improvement Notices served upon premises requiring a prompt timetabled improvement in standards has continued to increase. In addition, 13 premises have closed pending improvement, reopening only when officers have been satisfied when the necessary works have been completed and poor hygiene standards in 7 premises have necessitated prosecutions in the Magistrates' Court.

15.17. As a result of the increased detection of poor hygiene performance, the numbers of businesses rated '0' has significantly decreased. Conversely the number of '5' rated premises has significantly increased. The numbers of '0' and '5' rated premises are the best they have been since the scheme was introduced and are a reflection of its success.

15.18. We encourage customers to take an active role in reporting food business within Portsmouth that have poor food safety practices and investigate issues raised by members of the public. The number of complaints received is consistent with the significant reduction (50%) achieved in 2012 / 2013 and is a further reflection of how standards of food businesses have improved in the last two years. Complaints are typically received in relation to:

- Sighting of vermin or pests on food premises.
- Poor levels of cleanliness in kitchens, store rooms or preparation rooms.
- Poor food handling practices.

- Contaminated food e.g. food containing foreign bodies, or that is out of date.

15.19. The number of complaints relating to food business operators is listed in **table 6** below.

Table 6.

Year	Number
2009 / 2010	537
2010 / 2011	541
2011 / 2012	469
2012 / 2013	211
2013 / 2014	270

15.20. In 2013 / 2014 a high number of interventions were carried out. The number of interventions instigated and the number of interventions outstanding is set out in **table 7** below. As expected, due to the levels of suitability qualified officers available, the service was unable to deliver all inspections in accordance with the prescriptive timetable as required by the FLCofP. However **81%** of interventions were delivered on time.

Table 7.

Number of interventions that should have been achieved	1294
Number of interventions actually achieved	1067
Due interventions outstanding	227

15.21. 'Broadly compliant' is an outcome measure which the FSA has developed to monitor the effectiveness of our regulatory function. It is based on a numerical scoring system which is used by officers to assess premises which pose the greatest risk to consumers.

15.22. In 2013 / 2014 the interventions compliance rating was **87%** as calculated from the figure provided within **table 8** below.

Table 8.

Number of broadly compliant premises	1691
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15.23. Following the 2013 FSA audit some minor changes have been made to the BST intervention programme and its delivery. The BST is required to inspect all registered food premises within Portsmouth as part of a planned programme. How often officers routinely inspect will depend on the type of business and its previous record. The better the record the greater the period between inspections.

15.24. The rating given to premises after each inspection determines the length of time until the premises is inspected again.

15.25. Premises are then rated and inspected according to the following **table 9** below.

Table 9.

Rating Category	Inspection Rating	Minimum Inspection frequency
A	92 - 196	At least every 6 months
B	72 - 91	At least every 12 months
C	52 - 71	At least every 18 months
D	31 - 51	At least every 2 years
E	0 - 30	Alternative enforcement strategy

15.26. The risk rating system considers the type and size of business, the level of food safety management and conditions noted during the inspection. In addition, premises providing food to vulnerable groups, for example children or the elderly, are subject to an additional weighting which will result in more frequent visits.

15.27. It is not normal practice to give prior notification of inspection, some visits will be carried out by appointment, particularly if the visit is primarily to look at documentation, or if discussions are required with a specific employee or the business proprietor. Officers have the right to enter and inspect food premises at all reasonable hours.

15.28. The appropriate control for each premise will be considered on an individual basis by an appropriately qualified officer. The officer may decide to reclassify any premises that were the subject of an alternative enforcement strategy for a full inspection. For e.g. premises where the operation has changed significantly or catering is undertaken.

15.29. As highlighted in table 8, low risk category E business will be subject to an alternative enforcement strategy. When these premises are due for inspection the FBO will be sent an appropriate initial letter together with a low risk self-assessment questionnaire to complete. On receipt of completed questionnaires the information will be reviewed to determine whether there have been any changes to the business since the last inspection which may present an increased risk to food safety.

15.30. If the questionnaire has not been returned within the 28-day period, the outstanding premises will be contacted with a reminder to establish if a further copy of the questionnaire needs to be dispatched. If the questionnaire has not been received after a further 14 days, the food business may be subject to a food hygiene inspection.

15.31. The number of 'A' 'B' 'C' 'D' and 'E' rated premises as of the 1st April 2014 in Portsmouth is shown in **table 10** below.

Table10.

Risk Category	Number of Premises
A	3
B	101
C	732

D	299
E	683
Awaiting rating	76

15.32. The statistics generated within this document have been obtained from the BST Civica APP premises management system and database which provides full functionality for food business registrations, service requests, inspection analysis and scheduling, business performance, sampling recording and enforcement action profiling and documenting.

15.33. All staff are trained in the use of APP data input which contains a fully integrated reporting suite that saves vast amounts of time compared to systems that use external tools to extract and report management information for formal FSA returns and corporate service delivery scrutiny.

15.34. The BST data is managed in service by the App Super User and corporately by a specialised lead license support manager.

16. BST Officer Qualification / Delegated Authority

16.1. Officer qualifications / authorities within the BST are shown in **table 11** below. It should be noted that the table demonstrates the numbers of each type of qualification held and is not representative of the number of officers. Table 1B, page 8 provides details of officer numbers.

Table 11.

Number of qualifications held in the BST	Qualification / Delegated Authority
5	Diploma / Degree in Environmental Health
1	Diploma in Trading Standards (Inc Food Standards Paper)
1	Higher Certificate in Food Premises Inspection
1	Ordinary Certificate in Food Premises Inspection
1	Diploma In Consumer Affairs (Inc Food Standards paper)
7	Service of Hygiene Improvement Notices
7	Service of Improvement Notices
5	Service of Hygiene Emergency Prohibition Notices / Emergency Prohibition Notices
5	Service of Remedial Action Notices / Detention Notices

17. Qualifications and Experience

17.1. Qualification and training provisions are set out within Regulation (EC) No. 882/2004 on official controls (Regulation 882/2004). It should be noted that these requirements do not directly apply to the EHM as this officer has only indirect managerial responsibility for food law enforcement.

18. Sampling - Qualifications and Experience

18.1 Samples for microbiological examination or chemical analysis are only taken by authorised officers who are properly trained in the appropriate techniques and competent to carry out the duties assigned to them. Sampling in accordance with the provisions of the Food Hygiene (England) Regulations 2006 or the Food Safety (Sampling and Qualifications) Regulations 1990 and this Code of Practice are only undertaken by officers meeting the relevant requirements. These requirements do not however not apply where no formal action would be taken following sampling.

19. Food hygiene and Safety - Qualifications and Experience

19.1. Food hygiene and safety after primary production / at primary production, and those associated operations listed in Annex 1 of Regulation 852/2004 are undertaken by suitably qualified and experienced EHO. Any EHO can take any necessary enforcement action in respect of the establishments in which these processes are carried out.

20. Specific Qualification and Experience Requirements

20.1 Officers authorised to undertake food hygiene and safety official controls, with the exception of sampling will hold one of following:

- Certificate of Registration of the Environmental Health Registration Board (EHRB) or Diploma in Environmental Health (or its antecedents) awarded by EHRB or the Royal Environmental Health Institute of Scotland (REHIS) or The Higher or Ordinary Certificate in Food Premises Inspection.

20.2. Officers inspecting food business operators' procedures based upon HACCP principles will be able to demonstrate the following competencies.

- To identify, through the conduct of an audit, the need for improved food safety control in establishments having regard to the nature and size of the business.
- Assess the quality of food safety hazard identification in a food business.
- Assess the quality of CCP identification in a food business.
- Assess the suitability of controls in place and their monitoring at CCPs.
- Assess the verification and review by business operators of procedures based on HACCP principles.
- To promote and support the implementation of procedures based on HACCP principles appropriate to the nature and size of the business.
- Explain the principles of hazard analysis to food business operators or managers in terms appropriate to the nature and size of the business.
- Specify targets for improved control of food safety hazards.
- Provide advice on carrying out hazard analysis and implementing controls in terms appropriate to the nature and size of the business.

- Explain where appropriate, the relationship between HACCP systems (based on Codex) and other procedures based on HACCP principles.
- To secure compliance with procedures based upon HACCP principles as required in legislation, appropriate to the nature and size of the business.
- Explain the legal requirements in relation to procedures based on HACCP principles.
- Secure progress towards compliance by discussion and persuasion.
- Secure compliance by the issue of notices. Secure compliance through the courts (and gather and preserve evidence in a form usable in court).

20.3. The following establishments should be inspected only by an EHO holding the Higher Certificate in Food Premises Inspection:

- All establishments which attract a minimum intervention frequency in accordance with the FLCofP .

21. Authorisation / Delegated Authority – EHM responsibilities

21.1. Under PCC Standard Orders the HofS for CABS has the authority to authorise staff in accordance with this procedure on the recommendation of the EHM.

21.2. In view of the various staff changes and the high level of enforcement action taken in 2012 / 2013 a review of the necessary authorisations has recently been completed and this will be periodically reviewed in the future.

21.3. The EHM has the responsibility to ensure staff are authorised in accordance with this procedure after establishing that the required qualifications and competencies have been met.

21.4. The EHM ensures that no member of staff is authorised to carry out food hygiene inspections, serve notices or inspect, detain or seize food unless they are competent, suitably qualified and have relevant experience as specified in the FLCofP.

21.5. The EHM also ensures that the authorisation documents held by the individual officers comply with current legislation. Where the EHM is satisfied that the member of staff meets the requirements of the FLCofP and other relevant guidance, he arranges for the necessary authorisation documents to be drafted and then signed by the Head of CABS.

21.6. The EHM ensures that officers will not be authorised to serve Hygiene Improvement Notices unless they can demonstrate a working knowledge of:

- the principles of HACCP.
- general inspection procedures.
- appropriate legislation.
- food safety act FLCofP.
- former LACORS advice on the drafting of notices.

- Departmental enforcement policy.
- Departmental procedure for the service, withdrawal and extensions of notices.
- PACE.

21.7. In addition, the EHM certifies that officers will not be authorised to serve Hygiene Emergency Prohibition Notices unless they can demonstrate they are able to:

- define 'imminent risk of injury to health
- explain the circumstances in which the prohibition notice may be appropriate.
- draft a Hygiene Emergency Prohibition Notice, Notice of application for Emergency Prohibition Order, Notice of Continuing Risk to Health and Certificate that there is no longer a risk to health.
- explain the correct procedure and sequence of events relating to the service and follow up action required for Notices, Applications and Orders as required by the legislation, FLCofP and departmental procedures.

21.8. The EHM has no direct managerial responsibility for the inspection of FBO in accordance with FLCofP. EHM is however responsible for all other aspects of service delivery.

21.9. EHM ensures that authorised officers receive relevant structured on-going training in accordance with FLCofP.

22. Approved Premises

22.1. Regulation (EC) No 853/2004 requires that food business establishments handling food of animal origin that fall under the categories for which Annex III lays down requirements must, with some limited exceptions, be approved by the competent authority.

22.2. Compliance with relevant requirements of Regulation 853/2004 is required in addition to full compliance with Regulation (EC) No. 852/2004. Registration under Article 6(2) of Regulation (EC) No. 852/2004 is not required for establishments that are subject to approval.

22.3. The BST currently regulates 2 Approved Premises. These are:

- Quattro Foods - 8 The Nelson Centre, Portfield Road, Portsmouth PO3 5SF;
- Viviers (UK) LTD - Shed 9 The Camber - White Hart Road, Portsmouth PO1 2JX.

23. Food Complaints

23.1 It is the responsibility of the BST to enforce the provisions of the Food Safety Act 1990 as far as food complaints concerning non-compliance with the food safety requirements i.e. food which is unfit; food which has been rendered injurious to health; or food which is so contaminated.

23.2. In 2012 / 2013 we investigated a number of complainants relating to food which has 'not been of the nature or substance demanded by the purchaser' which led to two criminal prosecutions against businesses failing in their responsibilities to ensure their customers have received precisely what they have ordered. In 2014 / 2015 we will continue to have high regard to such issues.

23.3. The BST also enforces the provision of the Food Labelling Regulations 1996, which relates to 'Use-by' date labelling and quality issues. The BST carries out this function rather than our colleagues within the trading standards authority.

23.4. All food complaints are investigated in accordance with guidance issued from Local Government Regulation 'Guidance on Food Complaints' and Codes of Practice.

23.5. Initial investigations into food complaints are given high priority, since these can give an indication of where the food supply chain has broken down. Such breakdowns may be one-offs or can indicate a problem that, if left unattended, could have serious consequences. Arrangements are in place to contact the FSA where food complaints may have wider implications.

23.6. Where companies involved are unable to provide a satisfactory defence that they take all reasonable precautions and exercise all due diligence to prevent such a complaint, legal proceedings may be instigated. The decision to prosecute is taken at the recommendation of the officer concerned, in consultation with the FL, through the BSTL, EHM and HofS.

23.7. Whether to prosecute is a formalised procedure which is followed in all cases where prosecution or formal cautions are recommended. Only when 'in service' approval has been obtained will the Council's legal representative being involved.

23.8. A 'ramped approach' to enforcement is taken unless the incident is so serious that an immediate prosecution is the only appropriate course of action. In all cases the company / business and complainant are kept informed as to the progress of the complaint.

24. Primary Authority

24.1. In April 2009 the Regulatory Enforcement and Sanctions Act introduced the Primary Authority Scheme. This is an arrangement where a Local Authority agrees to provide specialist advice to a company regarding its Food Safety arrangements and acts as a point of contact for other local authorities where its food may be sold.

24.2. The Primary Authority is usually where the head office for a company is situated. The Originating Authority is the Authority where the unit which manufactured a product is situated. In principle any Authority shall have regard to any information or advice it has received from any liaison with home and/or originating authorities and any Authority, having initiated liaison with any home and/or Originating Authority, shall notify that Authority of the outcome.

24.3. In 2012 / 2013 the BST entered into a Primary Authority agreement with the Southern Co-operative Limited and the Royal Navy. The relationship and all requirement protocols are managed by the FL in close supportive liaison with the BSTL.

24.4. Being the primary authority of any businesses is a significant responsibility and we work hard to ensure the partnership is a complete success. The BST is however particularly delighted to join partnership with Royal Navy.

25. Advice to Business

25.1. Although the BST is taking a stronger stance in relations to serious or persistent failings we, of course, realise that, where food businesses break the law, it is often due to ignorance rather than intentional acts or omissions.

25.2. As a consequence, it is our policy to provide advice to business as the first step to improvement. This is at the core of our function, so much so that in 2012 / 2013 we formally, with Cabinet approval, changed the team's name from the Commercial Team to the Business Support Team.

25.3. In addition the inspection regime, in 2014 / 2015 officers of the BST will visit areas of the City where large numbers of FBOs are concentrated to offer additional advice and assistance as to how FBOs can achieve the highest possible FHRS score. An example of the information to be provided can be found in **Appendix 4**.

25.4. It is the intention of the BST to provide greater information to FBOs particularly in relation to new and forthcoming changes in legislation. In 2014 / 2015 the BST therefore intends, subject to Member approval, to set up a FBO forum within which its members will be informed of, and be able to discuss, new initiatives and their implications.

25.5. The EU Food Information for Consumers Regulation has been published in the Official Journal of the European Union. This means that the transition process has begun to replace the current food labelling regulations. The transitional arrangements mean that most of the requirements do not apply until the end of 2014, with nutrition labelling becoming mandatory in 2016. Therefore, food businesses have time to get used to the arrangements and make sure they comply with new labelling requirements as they come in. The BST being aware of the confusion that these regulations may cause smaller food businesses intend to assist in the diffusion of suitable information to FBOs during their inspections and via other initiatives.

25.5. BST officers will also provide advice on an ad hoc basis for businesses depending on need.

25.6. Resources do not permit formal food hygiene training to be delivered by our officers. There are however many local providers. Advice is provided on training courses offered throughout Hampshire and the Isle of Wight, by other authorities and training centres and particularly for courses offered in ethnic languages.

25.7. All new food businesses are assessed and if appropriate will be inspected within 56 days of being identified. On registration an information pack containing advice on food standards, food safety and other relevant legislation will be supplied to the business offering a communication channel between the BST and the business. The initial visit will be undertaken to establish the scope of the businesses activity, identify its compliance with food standards legislation and to determine the level of support required. An intervention programme will then be designed to reflect the needs of the business and be reviewed after one year. Interventions will then be programmed based on the risk assessment in accordance with the adopted plan.

26. Food Sampling

26.1. The BST understands that a proactive, point of sale, food sampling programme provides useful information about the microbiological fitness of food for sale.

26.2. The Sampling Lead participates in the Portsmouth and South East Hampshire sampling group which has a co-ordinated food-sampling programme based on Food Standards Agency, Local Government Regulation and agreed local priorities.

26.3. In 2013 / 2014 a £20,000 budget pressure approval has ensured that our food sampling programme can continue.

26.4. Our sampling programme in 2014 / 2015 will consists of the following:

- Participation in Local Government Regulation/Public Health Laboratory Service sampling initiatives;
- Participation in the European Union initiatives, when they occur;
- Participation in local initiatives devised by the local sampling group (Wessex Environmental Monitoring Service (WEMS) User Group (East) or by problems highlighted within Portsmouth).

26.5. In 2013 / 2014 187 samples were taken. The results of which are contained within **Appendix 5**.

26.6. The provisions made for specialist services to assist with the analysis of our sampling regimes are:

- **Food Examiner:**
Hampshire Scientific Service, Hyde Park Road, Southsea, Hampshire, PO5 4LL
- **Food Analyst:**
HPA Microbiological Services, FW&E Microbiology Laboratory - Porton, Salisbury, Wiltshire, SP4 0JG

27. Control and Investigation of Outbreaks and Food Related Infectious Disease

27.1. The measures to be taken to control the spread of infectious diseases are contained in various Acts of Parliament and their associated Regulations. This legislation includes the control of food poisoning and food and water borne diseases.

27.2. Although the number of cases reported in Portsmouth is low, we acknowledge that the vast majority of cases are likely to go unreported. As a result of previous first-hand experiences we are extremely aware that a single case may lead to the discovery of an outbreak and could lead to a further outbreak if the person concerned is a food handler. We therefore give food poisoning cases the highest possible priority.

27.3. All investigations will follow those procedures laid out in the Hampshire and Isle of Wight Health Protection Unit Joint Outbreak Control Plan and associated procedures and guidance issued by the Health Protection Unit and the Communicable Disease Surveillance Centre.

27.4. All such investigations will be overseen by FL, BSTL and EHM and liaison will take place with the Public Health England (PHE) now based at our location in the Civic Offices.

27.5. The BST supports the Portsmouth and South East Hampshire Infectious Disease Forum and the Portsmouth Water Company Liaison Groups, which exist to promote best practice and consistency of approach between the neighbouring local authorities.

28. The Public Health Agenda

28.1. To ensure excellent liaison is maintained with PHE members of the BST continue to participate in the joint working group.

28.2. Factors such as education, employment, environment, transport, planning, housing, and leisure services are crucial determinants of people's physical and mental wellbeing and impact on their life expectancy and this is why the EHM and BSTL are members of the group.

28.3. These wider social factors generally lie outside of the NHS and fit more closely with the work of the Environmental Health Service, so it is logical that we have close associations with PHE.

28.4. The 2010 Marmot Review 'Fair Society Healthy Lives' gives more information about the impact of social factors on physical and mental wellbeing. Under the 2012 reforms, the Executive will work on the three key domains of public health: health improvement, health protection and health services.

28.5. In addition to having a general duty to improve local public health, PCC have taken on specific responsibilities for commissioning a list of services, some of which (such as initiatives to tackle smoking, alcohol and drug misuse, obesity, increase physical activity and improve nutrition) are already part of our collective work.

28.6. In 2014 / 2015 the BST will engage further with Public Health in the delivery of the new public health agenda. Much of the work of the BST is unseen, although it underpins the very fabric of public health it frequently only becomes visible when there is a problem. It is therefore necessary to maintain our capacity to effectively respond to real life threatening problems and our ability to respond to the growth agenda for business and the growing problem of health inequalities.

28.7. Working alongside PHE the BST will raise its profile and our importance to maintaining health. PHE has recently demonstrated a strong commitment to addressing many of the public health issues that we face in Portsmouth and to improving health and wellbeing.

28.8. In 2014 / 2015 we hope to be working particularly closely with our Public Health Partners in relation to the Sustainable Food Cities network. This network hopes to create cities where every school, hospital, restaurant and workplace canteen serves only healthy and sustainable meals. We will also hope to participate in the Portsmouth Food Awards initiative and raising awareness for independent, locally-owned stores and engages consumers to ensure that they become aware of what is produced in our local area and where they can go to access it.

29. Food Alerts

29.1. Food alerts are notified by EHCNET (national computer link), by a pager from the Food Standards Agency and directly to the BST by email.

29.2. The BST have a duty officer arrangement. It is the duty officer who decides upon the appropriate action in each case. Such actions may include mail shots, visits, local press releases, etc.

29.3. The resource implications for the BST is unknown, as it depends upon the nature and type of alerts, but existing resources usually perform this work as and when required.

30. Training Records

30.1. Officers keep copies of certificates of registration, qualifications and documents and record on-going and revision training undertaken. These are managed by BST Liaison Officer.

31. Staff Development Plan

31.1. Training has recently been centralised and a training plan for all employees has been developed by the centralised Learning & Development Team in consultation with each section. This plan recognises the need for Professional Officers to meet Continuing Professional Development (CPD) requirements.

31.2. The basic principles and ideals are:

- The BST has a duty to ensure that it is able to meet all the demands that are placed upon the team.

- The BST has an obligation to develop the potential of all its employees.
- Regular and continual training and updating of skills in order to undertake officer responsibilities as necessary.
- The BST is committed to continuous development of employees and services to ensure it is properly equipped to deal with future challenges.
- To ensure workforce and succession planning.
- To ensure all staff receive appropriate and mandatory customer service, governance and data protection training, to enable the Services to be designed and delivered to meet customer needs.

31.3. This training may be provided through attendance of externally organised courses and seminars or through in-house training activities.

31.4. The BST will carry out its own training of officers 6 times a year during 2 hour meetings to cover the latest development in legislative and regulatory advice. All training received will be documented as part of the Council's central training plan.

31.5. The BST is committed to providing ongoing CPD 10hrs per year as required by the FLCofP.

32. Quality Assessments

32.1. Food Safety Act Code of Practice on Food Hygiene Inspections requires the BST to have an internal monitoring systems. The BST therefore has developed a series of Food Safety Procedures aimed at meeting the requirements of the FLCofP and Official Guidance. This is reviewed periodically and is used to ensure consistency and improvements in service delivery. A list of the BST procedures can be found in **Appendix 6**.

32.2. The Hampshire and Isle of Wight Food Advisory Committee recently reinstated a system of Inter Authority Auditing (IAA). In October 2013 senior officers from East Hants District Council and Rushmore Borough Council reviewed the procedures and policies of the BST.

32.3. The IAA focused on 7 primary areas of service function and consequently raised 9 recommendations. These however were broadly in line with those raised by the FSA only weeks before and therefore these had already been considered within the BST FSA compliance action plan. **See Appendix 3**.

33. Service Delivery Monitoring

33.1. Together with the BSTL the FL monitors and assesses the BST to ensure a consistent approach to all service delivery tasks.

33.2. A revised protocol was devised in 2013 / 2014. In summary this comprised of the FL accompanying officers on inspections (3 per officer per year), devising a new food inspection programme 6 times per year. The APP super-user will design an FBO intervention spread sheet in accordance with 'Making Every Inspection Count'

FSA auditing advice, to scrutinise irregularities in scoring, registration, inspection rates etc. This protocol will continue in 2014 / 2015.

34. Quality Assurance Systems

34. These consist of:

- Daily support provided by Lead Officers / BSTL / EHM as required.
- Monitoring of Notices prior to service / counter signatures required except in agency situations.
- Further on-going review of 'standard' documentation. There is however no requirement for authorised officers to seek approval for such documents prior to delivery.
- Random post inspection checks of records and enforcement decisions by the FL and as necessary by the BSTL.
- Occasional '1 per month' accompanied inspections will be carried out by the FL with each member of staff. Details of such visits shall be recorded upon APP. Generally, unless there are specific H&S issues or enforcement action is imminent officers are expected not to carry out joint visits. All specific H&S issues / pending enforcement cases must be notified to FL / BSTL at the earliest opportunity.
- Weekly team meetings - alternating between 'case issues' and training for CPD processes; EHM to attend one per month.
- Yearly one-to-one work review/supervision meetings to discuss casework with BSTL;
- Yearly PDR Performance Management and Development review meetings EHM / BSTL;
- Attendance of training / seminars and other exercises, which are organised to aid consistency / cascade training and briefings to aid consistency (occasional). 10 hours per year.

35. Food Business Establishment Records

35.1. The BSTL, FL and the APP 'Super User' (SU) will maintain the database of food business establishments which have been registered and food business establishments which have been approved or conditionally approved.

35.2. In 2013 / 2014 it was necessary to review the manner in which records were kept and the transition from the paper to electronic filing system had never been undertaken. The transition remains incomplete but will continue in 2014 / 2015.

35.3. It is recognised that a complete, up-to-date and accurate database is essential in order to identify data inconsistencies and errors, and to enable inspection programmes to be delivered.

35.4. The BSTL, FL and APPSU will ensure the all premises are recorded, duplicates are removed, and the move from paper to electronic records is managed and recorded to ensure all necessary information is recorded and retrievable.

35.5. Routine monitoring and data management checks will be devised in order to maintain an effective system.

36. Proportionality and Consistency to Enforcement

36.1. The BST BSTL ensures that enforcement action taken by authorised officers is reasonable, proportionate, risk-based, and consistent with good practice and that account is given to the full range of enforcement options.

36.2. These includes educating food business operators, giving advice, informal action, sampling, detaining and seizing food, serving Hygiene Improvement Notices/Improvement Notices, Hygiene Prohibition Procedures/Prohibition Procedures and prosecution procedures.

36.3. Except where circumstances indicate a significant risk, officers are required to operate a graduated and educative approach (*the hierarchy of enforcement*) starting at the bottom of the pyramid i.e. advice/education and informal action and only move to more formal action where the informal action does not achieve the desired effect.

37. Food Law Enforcement Policy

37.1. The BST has reviewed our documented Food Law Enforcement Policy and have acknowledged that a more centralised consistent approach is required.

37.2. In 2013 / 2014 the BST Food Enforcement Policy Policy was last reviewed. Departures from this Policy will be exceptional and the reasons for any departure will be recorded.

37.3. In deciding the type of enforcement action to take, an authorised officer will have regard to:

- the nature of the breach and the history of compliance of the food business operator; or
- in the case of new businesses, an assessment of the food business operator's willingness to undertake the work identified by the officer.

37.4. It is important that the full range of enforcement options remains open to authorised officers. We have not adopted policies where the number of (hygiene) improvement notices served or the number of other legal processes, such as prosecution or formal caution, is an indicator of performance. All correspondence will continue to identify each contravention and the measures which, in the opinion of the officer, could be taken in order to secure compliance and will contain an indication of the time scale suggested for achieving compliance.

38. Operating Plan Review

38.1. As a result of changes made to the BST staff over the last 18 months and the likelihood updated advice from the FSA with respect to food interventions it is the

intention of the EHM that this 2014 / 2015 Operating Plan will be subject to reviewed in a year to 18 months.

Appendix 1 - List of Enactments - BST responsibilities

Public Health Act 1936 and 1961
Public Health (Ships) Regulations 1979 (as amended)
The Food and Environment Protection Act 1985
Public Health (Control of Disease) Act 1984
The Health Act 2006
Prevention of Damage by Pests Act 1949
Pet Animals Act 1951
Animal Boarding Establishments Act 1970
Riding Establishments Act 1970
Breeding of Dogs Acts 1973 and 1999
Local Government (Miscellaneous Provisions) Act 1976 and 1982
Dangerous Wild Animals Act 1976
Sunday Trading Act 1994
Zoo Licensing Act 1981
Food Safety Act 1990, Section 5
Section 9 - Authority to Inspect, Detain, Seize
Section 10 - Authority to Serve Improvement Notice
Section 12 - Authority to Serve Emergency Prohibition Notices
Section 29 - Authority to take Samples
Section 30 - Authority to Submit Samples for Analysis
Section 32 - Authority to Enter Premises at all Reasonable Hours, Detain and Seize Documents.
Any Regulations or Orders Made There under or Having Effect by Virtue of the European Communities Act 1972 Relating to Food Safety or Animal Feedstuff and any Amendment or Re-enactment of the Foregoing and including the Following:-
Food Hygiene (England) Regulations 2006 (as amended)
The Official Feed and Food Control (England) Regulations 2009
The Products of Animal Origin (Third Country Imports)(England) Regulations 2006 (as amended)
Animal By-Products Regulations 2005
The Products of Animal origin (Import and Export Regulations 1996 (as amended)
The Organic Products (Imports from Third Countries) Regulations 2003
All Applicable EU Emergency Control Regulations Currently in Force

Executive Summary

The Authority was selected for further audit following the findings from a previous one day visit in September 2013, arranged to discuss issues arising from the Authority's submission of enforcement data to the Food Standards Agency (FSA) for 2012/13 via the Local Authority Enforcement Monitoring System (LAEMS). Several key issues were discussed during the LAEMS visit which required further assessment by auditors. Based upon additional information received prior to this audit and discussions with senior managers it was clear that the Authority had already made progress in addressing some of the issues identified during the initial LAEMS visit.

Key areas for improvement:

Authorisation and training: The Authority needs to ensure that officers only undertake duties commensurate with their individual level of authorisation based upon their competence and experience in accordance with the Food Law Code of Practice (FLCoP). In addition the Authority needed to ensure that officers receive suitable training for all the types of premises they inspect, in particular the inspection of any establishments subject to approval under Regulation (EC) No 853/2004.

Database: The Authority needs to continue the process of reviewing its food premises database to improve its accuracy and to ensure that its data submissions to the FSA via LAEMS accurately reflect all the official controls carried out by the Service.

Interventions and inspections: The Authority needs to ensure that any official controls carried out at establishments subject to approval under Regulation (EC) No 853/2004 are only undertaken by suitably qualified and experienced officers in accordance with the FLCoP. As a priority, the two approved establishments in the area required further review to ensure that they had been appropriately approved and inspected against all the requirements of relevant food hygiene legislation and to ensure that they are inspected at the correct frequency as prescribed by the FLCoP.

Records: The lack of detailed and cohesive records made it difficult to ascertain the extent of officers' interventions at businesses, including approved establishments. There was a need to ensure that comprehensive, retrievable records were maintained of all food law enforcement activities, both on paper files and on the food premises database. Reliable records are essential to inform future officer interventions and a graduated approach to enforcement, and to enable effective internal monitoring.

Internal monitoring: Although evidence of some qualitative and quantitative internal monitoring was noted during the audit, this needed to be extended further to include risk-based and targeted monitoring of all aspects of the Service including officer training, approved establishment records and the interventions programme.

Appendix 3 - FSA Audit Compliance - Action Plan

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.1.6(i) Ensure that future Food Service Plans are drafted in full accordance with the Service Planning Guidance in the Framework Agreement, including a complete premises profile by risk category and an accurate and clear comparison of the resources required to carry out the full range of statutory food law enforcement activities against a reasoned estimate of the resources available to the Service. [The Standard – 3.1]	June 2014	<p>Review food service plan against framework agreement, including a premises profile by risk category and an assessment of resources required to fulfil the plan.</p> <p>Document procedure for reviewing the service plan. (Incorporate into existing monitoring procedures)</p> <p>Submit plan for member approval.</p>	Target date for next full member committee meeting.

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.1.6(ii) Ensure that a documented performance review is carried out by the Authority and that any variance in meeting the Service Delivery Plan is clearly addressed in the subsequent year's Plan.</p> <p>[The Standard – 3.2 and 3.3]</p>	April 2014	<p>Carry out a documented review of the service's performance against the service plan.</p> <p>Address any variance in the 2014-15 service plan.</p>	Service plan currently under review.
<p>3.1.14 Ensure that all authorised officers and appropriate support staff receive the training needed to be competent to deliver the technical and administrative aspects of the work in which they will be involved, in accordance with the Food Law Code of Practice. [The Standard – 5.4]</p>	December 2014	Deliver specialist training for all service team members. Including approved premises training and appropriate refresher training for existing and returning staff.	<p>Training contract in place with ABC training for all team members.</p> <p>Bi-monthly CPD training meetings in place for all team members.</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.2.7 Ensure that enforcement data submitted annually to the FSA via LAEMS accurately reflects the food law enforcement activities undertaken by the Service.</p> <p>[The Standard – 6.3]</p>	Completed	<p>Data recording anomalies already corrected.</p> <p>Database monitoring procedures in place.</p>	-
<p>3.3.15(i) Carry out food hygiene interventions/inspections at a frequency which is not less than that determined by the Food Law Code of Practice. [The Standard – 7.1]</p>	April 2015	Maintain procedure for allocation and monitoring of inspections, interventions and alternative enforcement actions.	<p>Internal monitoring procedure in place.</p> <p>Bi-monthly inspection allocation meetings in place.</p> <p>Food lead officer database and physical checks in place.</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.3.15(ii) Carry out intervention/inspections and approve or register in accordance with the relevant legislation, the Food Law Code of Practice and centrally issued guidance and the Authority's policies and procedures.</p> <p>[The Standard – 7.2]</p>	April 2015	<p>Produce interventions programme for 2014-15</p> <p>Review procedure for broadly complaint 'C' premises</p> <p>Risk assess and prioritise new business registrations</p>	<p>All Inspection records now scanned onto the database.</p> <p>100% consistency checks of inspections and interventions carried out by food lead.</p> <p>Joint and monitoring inspections carried out where necessary.</p> <p>Bi-monthly spread sheet monitoring checks of inspections carried out by food lead and management.</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.3.15(iii) Assess the compliance of establishments and systems to the legally prescribed standards and take appropriate and timely action on any non-compliance found in accordance with the Authority's enforcement policy, the Food Law Code of Practice and centrally issued guidance. The reasons for any departure from its enforcement policy should be documented. [The Standard – 7.3]	April 2014	<p>Develop enforcement policy on revisits to ensure timely business compliance</p> <p>Review and update Approved premises files</p> <p>Obtain up to date approval records for approved premises where required</p> <p>Inspect approved premises businesses with appropriately trained, qualified and competent staff.</p>	<p>Specialist training programme in place.</p> <p>New Approved premises procedures in place incorporating product specific aide-memoirs.</p> <p>Monitoring procedures in place.</p>
3.4.4(i) Review the Food Enforcement Policy in accordance with the Food Law Code of Practice and centrally issued guidance. [The Standard – 15.1]	April 2014	<p>Review the food enforcement policy with regard to the Regulator's compliance code.</p> <p>Update procedural and legal references</p>	On going

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.4.4 (ii) Carry out food law enforcement in accordance with the relevant Codes of Practice and centrally issued guidance.</p> <p>[The Standard – 15.3]</p>	Completed	Internal monitoring procedure in place to ensure all enforcement and intervention action carried out by appropriately qualified and authorised officers.	-
<p>3.5.2 (i) Further review and implement its documented internal monitoring procedure in accordance with Article 8 of Regulation (EC) No 882/2004, the Food Law Code of Practice and centrally issued guidance. The procedure should include arrangements for risk-based monitoring of all aspects of the Service, including reviews of inspection records and risk scoring, follow-up actions, approved establishments, complaints and sampling.</p> <p>[The Standard – 19.1]</p>	April 2014	<p>Review Internal monitoring procedures and implement more detailed and targeted monitoring of all food law enforcement/intervention actions.</p> <p>Including: Intervention records for all types of food business including approved premises.</p> <p>The intervention programme.</p>	On going

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.5.2 (ii) Verify the conformance of the Service with the Standard in the Framework Agreement, the Food Law Code of Practice, relevant centrally issued guidance and the Authority's own documented policies and procedures. [The Standard – 19.2]	April 2014	As above. Review food service plan. Review all procedures against Food law code of practice. Document review procedure.	On-going
3.5.9 Maintain up to date and accurate records in retrievable form on all food law enforcement activity in accordance with the Food Law Code of Practice and centrally issued guidance. [The Standard – 16.1]	Completed	Procedure in place for file maintenance. Legible scanning of all intervention/enforcement documents into the database on-going	-



Portsmouth
CITY COUNCIL

Good food hygiene is good for business

The Food Hygiene Rating Scheme has been operating in Portsmouth since October 2011. It is run by the city council in partnership with the Food Standards Agency. Ratings range from 0 to 5. The top rating is '5' – this means hygiene standards in the business are very good. The bottom is '0' – urgent improvement is required.

A rating is awarded after an inspection by a Food Safety Officer who will check:

- how hygienically the food is handled – how it is prepared, cooked, re-heated, cooled and stored
- the condition of the structure of the buildings – the cleanliness, layout, lighting, ventilation and other facilities
- how the business manages what it does to make sure food is safe and so that the officer can be confident standards will be maintained in the future

If the top rating is not given, the officer will explain what improvements need to be made and what action the business can take to improve its hygiene rating.

All businesses should display their rating sticker in a place where customers can easily see it, for example, in a window or on the door. This immediately informs customers about the business's hygiene standards.

More food businesses say that displaying their hygiene rating has resulted in greater customer confidence, better reputation among customers and, most importantly, more trade.

Top tips to improve a food hygiene rating

Keep the kitchen and store room walls, ceilings, floors, windows and doors in **good repair** and in a condition that can be cleaned.

Keep the premises **clean**. Pay particular attention to surfaces and equipment that come into direct contact with food and hands.

Observe good hygiene practice and remember the '**4 C's**'

- **Cross-contamination** risks between raw food and ready-to-eat food, equipment or surfaces. This can be avoided by keeping raw and ready-to-eat food apart at all times, washing hands and equipment thoroughly, effective cleaning and properly training staff

- **Cleaning** gets rid of bacteria on hands, equipment and surfaces. Make sure that all your staff wash and dry their hands thoroughly before handling food. Clean and disinfect food areas and equipment between different tasks, especially after handling raw food
- **Chilling** food properly helps to stop harmful bacteria from growing. Put food that needs to be kept chilled in the fridge straight away. Cool cooked food as quickly as possible and then put it in the fridge
- **Cooking** kills harmful bacteria in food. When cooking or reheating food, always check that it is steaming hot all the way through.

Keep a look out for **pests** and take prompt action if you notice any activity in areas where food is prepared or stored.

Ensure all staff are appropriately **trained and supervised** in good food hygiene practice.

Keep your **documented food safety management system** up to date and on the premises.

Safer Food Better Business (SFBB)

The Food Standards Agency has developed a 'Safer Food, Better Business' pack to help most food businesses put safety procedures in place when they trade. It is likely that you are already using it as evidence that you are handling food safely. The whole pack, or sections from it, including the diary refill, can be downloaded at <http://www.food.gov.uk/business-industry/caterers>

It is very important that you maintain up to date records. **Failure to do so will affect your Food Hygiene Rating.**

More information

The Food Standards Agency provides general advice on good hygiene practice in restaurants, cafés and other catering businesses. It can be found at <http://www.food.gov.uk/business-industry/caterers/food-hygiene/#.U2-9DDZwbIU>

Distributed by Portsmouth City Council, Environmental Health team

Appendix 5 - Sampling 2013 / 2014

Date	Brand
15-Apr-13	Oyster
15-Apr-13	Oyster
15-Apr-13	Oyster
15-Apr-13	Oyster
15-Apr-13	Oyster
15-Apr-13	Oyster
15-Apr-13	Oyster
07-May-13	Fresh Mangoes
08-May-13	Fresh Pears
16-May-13	oyster
16-May-13	Oyster
16-May-13	Oyster
16-May-13	Oyster
16-May-13	Oyster
16-May-13	Oyster
16-May-13	Oyster
10-Jun-13	Oyster
10-Jun-13	Oyster
10-Jun-13	Oyster
10-Jun-13	Oyster
10-Jun-13	Oyster
10-Jun-13	Oyster
18-Jun-13	Oyster
01-Jul-13	Oyster
01-Jul-13	Oyster
01-Jul-13	Oyster
01-Jul-13	Oyster
01-Jul-13	Oyster
01-Jul-13	Oyster
01-Jul-13	Oyster
08-Jul-13	Fresh Hot Peppers
05-Aug-13	Oyster
05-Aug-13	Oyster
05-Aug-13	Oyster
05-Aug-13	Oyster
05-Aug-13	Oyster
05-Aug-13	Oyster
05-Aug-13	Oyster
31-Jul-13	Swab from fridge handle- hand contact surface
07-Aug-13	Swab from front servery counter- hand contact surface
07-Aug-13	Swab from sink drainer in rear kitchen
07-Aug-13	Swab from freezer handle

07-Aug-13	Swab from fridge handle
07-Aug-13	In- use cleaning cloth
07-Aug-13	Swab from front server counter
07-Aug-13	Swab from microwave handle in kitchen
07-Aug-13	Swab from food contact surface in kitchen
07-Aug-13	Swab from fridge handle
07-Aug-13	Swab from microwave handle
07-Aug-13	Swab from fridge handle
07-Aug-13	Swab from food contact surface in kitchen
31-Jul-13	Blue cleaning cloth in use.- re-usable
31-Jul-13	In- use cleaning cloth
31-Jul-13	Cleaning sponge
13-Aug-13	Potable water
29-Aug-13	Winfresh
02-Sep-13	Oyster
02-Sep-13	Oyster
02-Sep-13	Oyster
02-Sep-13	Oyster
02-Sep-13	Oyster
02-Sep-13	Oyster
02-Sep-13	Oyster
09-Sep-13	Mince Beef 95VL (RAW)
19-Sep-13	Chiltern Ice-cream strawberry flavour
11-Sep-13	Marshfield Farm vanilla scoop ice cream
11-Sep-13	Marshfield farm strawberry flavour scoop ice cream
11-Sep-13	Vanilla new forest soft scoop ice cream
11-Sep-13	New forest soft scoop ice cream - banana flavour
11-Sep-13	Lovingtons soft scoop ice cream
11-Sep-13	Lovingtons soft scoop ice cream- vanilla flavour
11-Sep-13	Marshfield Farm soft scoop ice cream- Clotted Cream Flavour
11-Sep-13	Marshfield Farm soft scoop ice cream - strawberry flavour
11-Sep-13	Scoop ice cream sample- chocolate flavour
11-Sep-13	Soft scoop ice cream
11-Sep-13	Kellys soft scoop ice cream
26-Sep-13	Viochona soft scoop ice cream
11-Sep-13	Kellys soft scoop ice cream
11-Sep-13	Viochona soft scoop ice cream
11-Sep-13	Joe Deluccis soft scoop ice cream
01-Oct-13	Fresh Chow Chow
01-Oct-13	Fresh coco yams
07-Oct-13	oyster
07-Oct-13	Oyster
07-Oct-13	Oyster
07-Oct-13	Oyster
07-Oct-13	Oyster
07-Oct-13	Oyster

07-Oct-13	Oyster
25-Sep-13	Soda water from drinks dispenser
25-Sep-13	Soda water from drinks dispenser
25-Sep-13	Soda water from drinks dispenser
25-Sep-13	Soda water from drinks dispenser
25-Sep-13	Soda water from drinks dispenser
25-Sep-13	Soda water from drinks dispenser
25-Sep-13	Soda Water from drinks dispenser
12-Nov-13	Oyster
12-Nov-13	Oyster
12-Nov-13	Oyster
12-Nov-13	Oyster
12-Nov-13	Oyster
12-Nov-13	Oyster
12-Nov-13	Oyster
28-Nov-13	Fresh Red Peppers
28-Nov-13	Fresh Hot Green Peppers
17-Dec-13	Clams
17-Dec-13	Clams
17-Dec-13	Clams
17-Dec-13	Clams
13-Jan-14	Fresh Eddoes
08-Jan-14	Fresh Nadcotts
16-Jan-14	Canned Soursop Pulp
16-Jan-14	Canned Sugarcane Juice
14-Jan-14	HARD CLAMS
14-Jan-14	TAPES spp
20-Jan-14	Hard Clams
20-Jan-14	TAPES Spp
14-Jan-14	Hard Clams
14-Jan-14	Tapes spp
20-Jan-14	Hard Clams
14-Jan-14	TAPES spp
29-Jan-14	Cod in Batter
29-Jan-14	Portion of Chips
29-Jan-14	Cod in Batter
29-Jan-14	Portion of Chips
29-Jan-14	Cod in Batter
29-Jan-14	Portion of Chips
29-Jan-14	Cod in Batter
29-Jan-14	Portion of Chips
29-Jan-14	Cod in Batter
29-Jan-14	Portion of Chips
30-Jan-14	Cod in Batter
30-Jan-14	Portion of Chips
30-Jan-14	Cod in Batter

30-Jan-14	Portion of Chips
30-Jan-14	Cod in Batter
30-Jan-14	Portion of Chips
30-Jan-14	Portion of Chips
30-Jan-14	Portion of Chips
03-Feb-14	Fresh eddoes
03-Feb-14	Basmati Rice Laila Brand
03-Feb-14	Basmati Rice Maya's Brand
03-Feb-14	Basmati Rice Akash Brand
03-Feb-14	Basmati Rice Damak Brand
03-Feb-14	Basmati Rice Badshah Brand
03-Feb-14	Basmati Rice Risona Brand
28-Jan-14	Pann Leaves
28-Jan-14	Pann Leaves
28-Jan-14	Pann Leaves
03-Feb-14	Ricotta Village Soft Cheese
03-Feb-14	Twarog Extra Cheese
03-Feb-14	Twarog Churdy Curd Cheese
03-Feb-14	Twarog Muzurski Smak Cheese
03-Feb-14	Tuluna Peyniri Cheese
10-Feb-14	Oysters
10-Feb-14	Tapes spp
10-Feb-14	Hard clams
10-Feb-14	Hard Clams
11-Feb-14	Fresh eddoes
17-Feb-14	Fresh eddoes
10-Feb-14	Tapes spp
11-Feb-14	Hard clams
11-Feb-14	Oysters
11-Feb-14	Hard Clams
11-Feb-14	Tapes spp
19-Feb-14	Oysters
11-Feb-14	Tapes spp
11-Feb-14	oysters
24-Feb-14	Fresh Eddoes
03-Mar-14	Fresh eddoes
04-Mar-14	Hard Clams
04-Mar-14	Tapes spp
04-Mar-14	Hard Clams
04-Mar-14	Tapes spp
04-Mar-14	Hard Clams
04-Mar-14	Tapes spp
04-Mar-14	Hard Clams
04-Mar-14	Tapes Spp
07-Mar-14	Fresh Nadorcotts
10-Mar-14	Fresh capsicums

31-Mar-14	Hard Clams
31-Mar-14	Tapes spp
31-Mar-14	Hard Clams
31-Mar-14	Tapes spp
31-Mar-14	Hard Clams
31-Mar-14	Tapes Spp

Appendix 6 - Procedures

Doc Ref	Title	Date of Issue
EHS1	Authorising Officers	July 2011
CTS 01	Food Enforcement Procedures for Prosecution and Cautioning	July 2011
FH01	Food Hygiene Inspections	June 2011
FH02	Food Hygiene Improvement Notices	August 2009
FH03	Food Hygiene Prohibition Procedures	August 2010
FS3	High Risk Food Standards Inspection	June 2011
FS7	Food Hazards Warnings and Food Safety Incidents	June 2011
FH05	Food Alerts	August 2009
FH07	Inspection, Detention and Surrender of Food	August 2009
FH11	Registration of Food Premises	August 2009
FS4	Food Complaints	June 2011
FH13	Infectious Disease Control	July 2009
FS9	Internal Monitoring	June 2011
FS6	Formal Food Sampling	June 2011
FS5	Accuracy of Database	June 2011

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Agenda Item 5

Title of meeting:	Cabinet Member for Environment and Community Safety Decision Meeting
Date of meeting:	9 th July 2014
Subject:	The Health and Safety Intervention Plan 2014 / 2015
Report by:	Alan Cufley, Head of Corporate Assets Business and Standards
Wards affected:	All
Key decision:	No

1. Purpose of report

- 1.1. This report is an expression of the Council's commitment to its health and safety role and responsibilities to develop a Health and Safety Delivery Team. It sets out the manner in which health & safety inspections, initiatives and activities designed to meet local needs and requirements of the Health and Safety Executive (HSE) will be delivered over the forthcoming year.
- 1.2. The HSE require a Health and Safety Intervention Plan to be submitted annually for Member approval to ensure local transparency and accountability.
- 1.3. This plan is based upon the following key priorities:
 - i. Controlling real risks – those which arise more often and those with serious consequences;
 - ii. Ensuring that those who create risks manage them responsibly and understand that failure to manage real risks responsibly will lead to robust action.
- 1.4. Upon approval, the plan will be effective for a period of 1 year.

2. Recommendation

- 2.1. **That the Cabinet Member for Environment & Community Safety approves the Health and Safety Intervention Plan for 2014 / 2015**

3. Background - a consistent approach

- 3.1. The Environmental Health Business Support Team (BST) has statutory jurisdiction for enforcing health and safety legislation for a significant number of types of businesses and premises, including shops, hotels, warehouses, pubs and clubs. The HSE remain the lead authority for health and safety enforcement.

- 3.2. The Lofstedt report, commissioned by the Minister of Employment in 2011, reviewed the manner in which Health and Safety legislation is enforced. One of the conclusions was the potential for conflict between the methods of enforcement used by the two regulators. Consequently, the Lofstedt report recommended that the HSE take a stronger role in directing the manner in which local authorities carry out their enforcement responsibilities.
- 3.3. The government has consequently reviewed its position and developed a National Local Authority Enforcement Code in response to this recommendation and as an outcome of the Red Tape Challenge on Health and Safety. The Code is designed to ensure that Local Authorities take a more consistent and proportionate approach to enforcement.
- 3.4. Whilst the primary responsibility for managing health and safety risks lies with the business that creates the risk, the BST have an important role in ensuring the effective and proportionate management of risks, supporting business, protecting communities and contributing to a wider public health agenda.
- 3.5. In fulfilling these functions it is vital that the city council's regulatory resource in terms of health and safety is used consistently and to the best effect by targeting specific risks or focussing on specific outcomes.
- 3.6. To do this, the BST will use the full range of regulatory interventions available to influence behaviours and the management of risk. This will mean proactive inspections are utilised only for premises with higher risks or where intelligence suggests that risks are not being effectively managed.

4. The key priorities for the 2014 / 2015 plan

- 4.1. The National Code sets out what is required of the BST. It replaces our existing mandatory regulatory responsibilities and concentrates on the following four objectives:
 - i. Clarification of the roles and responsibilities of business, regulators and professional bodies to ensure a shared understanding on the management of risk;
 - ii. Outlining the risk-based regulatory approach that should be adopted with reference to the Regulator's Compliance Code, HSE's Enforcement Policy Statement and the need to target relevant and effective interventions that focus on influencing behaviours and improving the management of risk;
 - iii. Setting out the need for the training and competence of our own staff linked to the authorisation and use of Health and Safety at Work Act powers; and
 - iv. Explaining the arrangements for collection and publication of our actions and peer review to give an assurance on meeting the requirements of the Code.

- 4.2. In 2014 / 2015 the BST will continue to develop our processes to ensure compliance with these governmental guidelines.

5. Risk based approach to regulation

- 5.1 The BST will continue to target interventions on those activities that give rise to the most serious risks or where the hazards are least well controlled.
- 5.2. We will reserve unannounced proactive inspection only for the activities and sectors published by HSE or where intelligence suggests risks are not being effectively managed.
- 5.3. Interventions and enforcement will be proportionate relative to the level of health and safety risk, including the potential for or actual harm, or to the seriousness of any breach of the law.
- 5.4. We will take similar approaches, in similar circumstances to achieve similar ends, so that business can expect to receive a consistent approach to targeting, enforcement, decisions to prosecute and response to incidents

6. Targeted interventions

- 6.1 One of the interventions used will be a proactive inspection. Proactive inspection is effective if used in the right circumstances. This will however only be where individual site-specific contact with a duty holder is necessary to influence the management of risk.
- 6.2. Proactive inspection is the most resource intensive intervention and will therefore be limited to the highest risk premises.
- 6.3. Alongside the National Code, the HSE has published a list of higher risk activities falling into specific enforced sectors.
- 6.4. The "high risk" activities includes the following limited list of **hazards**: legionella, LPG explosions, e.coli infections, falls from height, occupational asthma and deafness, crowd control, carbon monoxide poisoning and violence at work.
- 6.5. The list of "high risk" **sectors** is similarly limited: premises with cooling towers and evaporative condensers, premises with buried LPG pipework (especially caravan parks), open farms, tyre fitters, motor vehicle repair, high volume warehousing and distribution, industrial retail and wholesale premises, large scale public events, commercial catering establishments using solid fuel equipment and premises with vulnerable working conditions.
- 6.6. Under the Code, proactive inspection will only be used for the activities on this list and within the sectors or types of organisations listed, or where there is intelligence showing that risks are not being effectively managed.
- 6.7. If a business carries out an activity on this higher risk list, it does not mean that it must be proactively inspected as we still have discretion as to whether or not that type of inspection is the right intervention.

- 6.8 It is also highly likely that the BST will rate premises based on the health and safety performance of a business in order to determine the relevant intervention priority.
- 6.9. There will however be other reasons that the BST undertake site visits to businesses, for example food hygiene, and there will be circumstances when we may become aware of a significant health and safety issue. We will deal with such matters at the time of the initial visit wherever possible and factor it into our assessment of how the company is managing its risks, rating the premises accordingly.
- 6.10. Where the intelligence of poor performance relates to a business within a Primary Authority arrangement then the first point of contact will be with the relevant Primary Authority.

7. Reactive Interventions

- 7.1. Investigations in response to information from a single complaint, RIDDOR report or adverse insurance report where the nature of the information indicate poor duty holder performance and / or potential significant breaches of health and safety law will be assessed using ***incident selection criteria***.
- 7.2. Incident selection criteria includes all fatalities as a result of an incident arising out of or in connection with work activities, major injuries arising from working in a confined space or an electrical incident, all reports of occupational disease and injuries to all persons, including non-employees, irrespective of cause that meet certain conditions.
- 7.2. During visits for another primary purpose, for example a food safety inspections, where evident concern and / or significant breaches of health and safety law are identified these will be dealt with at the same time.

8. The necessity to adopt the 2014 / 2015 plan

- 8.1. To ensure that there is an agreed, transparent programme of health and safety inspection and investigation for the city of Portsmouth for the forthcoming year.
- 8.2. To demonstrate that the local authority is complying with its statutory duties, following national guidance and is supporting businesses in an effort to reduce the incidence of accidents.

9. Equality Impact Assessment

- 9.1. The intervention and inspection criteria have been subject to a provisional equality impact assessment. There are unlikely to be any equality impacts as a result of this proposal as it will not result in a change to the level of service currently provided.

10. City Solicitor's comments

- 10.1. Legal Services have confirmed that it is within the Cabinet Member's powers to approve adoption of the Health & Safety Intervention Plan 2014 / 2015 as contained within this report.

11. Head of Finance's comments

- 11.1. The activities proposed within the Health and Safety Intervention Plan 2014 / 2015 and summarised in this report, will be funded from existing service budgets, as approved by Full Council.

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Signed by: Alan Cufley, Head of Corporate Assets, Business and Standards

Appendices:

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document and location of document
Nil

The recommendation set out in 2.1 above were approved/ approved as amended/ deferred/ rejected by the Cabinet Member for Community Safety on

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Signed by: Councillor Robert New, Cabinet Member for Environment and Community Safety

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