



# NOTICE OF MEETING

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## **CABINET MEMBER FOR COMMUNITY SAFETY**

**WEDNESDAY, 31 JULY 2019 AT 4.00 PM**

**THE EXECUTIVE MEETING ROOM - THIRD FLOOR, THE GUILDHALL**

Telephone enquiries to Jane Di Dino - Tel 023 9283 4060

Email: [democratic.services@portsmouthcc.gov.uk](mailto:democratic.services@portsmouthcc.gov.uk)

If any member of the public wishing to attend the meeting has access requirements, please notify the contact named above.

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### **Membership**

Councillor Lee Hunt (Cabinet Member)

Opposition spokespersons

Councillor Cal Corkery

Councillor Gemma New

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(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](http://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.**

### **AGENDA**

- 1 Apologies for absence**
- 2 Declarations of interest**

**3 Independent Sexual Violence Advocate funding (Pages 5 - 14)**

The purpose of the report by the Head of Harm & Exploitation is to seek approval from the Cabinet Member for Community Safety to commit £10,000 from portfolio reserves to contribute to a year's extension to the jointly commissioned Hampshire and Portsmouth Independent Sexual Violence Advisor (ISVA) service.

**RECOMMENDED** that the Cabinet Member

- 1) approves a one year extension to the ISVA Contract with Hampshire County Council and that the £10,000 cost of the 1 year extension be met from the Environment & Community Safety Portfolio Reserve.
- 2) thanks Yellow Door and Aurora New Dawn for their commitment and support to victims of sexual violence.

**4 Food Safety Operating Plan 2019/2020 (Pages 15 - 56)**

The purpose of the report by the Director of Culture, Leisure & Regulatory Services is to provide clarity in respect to Portsmouth City Council's (the Council) Food Safety Operating Plan (the Plan) for 2019 / 2020 by providing:

- a profile of food businesses in Portsmouth
- the scope of the Food Safety Service and demands made on it
- the delivery of the service in terms of food premises inspections
- operational procedures to ensure compliance with legislative requirements and consistency of approach
- a review of performance in 2018 / 2019 and a summary of key activities identified for 2019 / 2020.

**RECOMMENDED** that the Cabinet Member approves the 2019-2020 Food Safety Operating Plan.

**5 Community Wardens (Pages 57 - 64)**

The purpose of the report for information by the Director of Housing, Neighbourhood and Building Services is to understand the impact of the provision of additional community wardens and to update the Cabinet Member on the funding situation.

**6 CCTV in Stamshaw Park (Pages 65 - 66)**

**The purpose of the report for information by the Community Safety Manager is to provide the Cabinet Member for Community Safety with an update of the CCTV cameras system installed at Stamshaw Adventure Playground covering parts of Stamshaw Park.**

**7 Dates of future meetings**

Dates of future meetings are to be confirmed.

Members of the public are permitted to use both audio visual recording devices and social media during this meeting, on the understanding that it neither disrupts the meeting nor records those stating explicitly that they do not wish to be recorded. Guidance on the use of devices at meetings open to the public is available on the Council's website and posters on the wall of the meeting's venue.

Whilst every effort will be made to webcast this meeting, should technical or other difficulties occur, the meeting will continue without being webcast via the Council's website.

This meeting is webcast (videoed), viewable via the Council's livestream account at <https://livestream.com/accounts/14063785>

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<b>Title of meeting:</b>	Community Safety decision meeting
<b>Date of meeting:</b>	31 <sup>st</sup> July 2019
<b>Subject:</b>	Independent Sexual Violence Advocate funding
<b>Report by:</b>	Bruce Marr. Head Harm and Exploitation
<b>Wards affected:</b>	All
<b>Key decision:</b>	No
<b>Full Council decision:</b>	No

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## **1. Purpose of report**

- 1.1 To seek approval from the Cabinet Member for Community Safety to commit £10,000 from portfolio reserves to contribute to a year's extension to the jointly commissioned Hampshire and Portsmouth Independent Sexual Violence Advisor (ISVA) service.

## **2. Recommendations**

- 2.1 That a one year extension to the ISVA Contract with Hampshire County Council be approved and that the £10,000 cost of the 1 year extension be met from the Environment & Community Safety Portfolio Reserve.
- 2.2 For the Cabinet Member for Community Safety thank Yellow Door and Aurora New Dawn for their commitment and support to victims of sexual violence.

## **3. Background**

- 3.1 There is no legal requirement to provide ISVA provision however supporting victims of sexual violence is considered good practice and is a priority for the Safer Portsmouth Partnership. The strategic assessment identified that "there has been an increase in police recordings of sexual offences and rape, however there has been a decrease in the proportion resulting in a formal outcome. Police analysis has found that the main driver has been victim disengagement particularly for victims who were reluctant to report in the first place. The most common complaint from victims was that the process is too long." The most common types of offence reported were sexual assault 26%, rape 24% and distribution/take/make or publish indecent photos of a child 12%.<sup>1</sup>

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<sup>1</sup> <http://www.saferportsmouth.org.uk/sexual-offences/>

- 3.2 ISVA's provide specialist tailored support to victims and survivors of sexual violence and works with people who have experienced rape and sexual assault, irrespective of whether they have reported to the police.
- 3.2 Prior to April 2017 Portsmouth residents had access to 1 full time equivalent ISVA however due to funding this was provided by 2 separate agencies. 18.5 hours was funded and delivered by Portsmouth City Council and 18.5 hours was delivered by the voluntary Sector (Aurora New Dawn) and funded by the Home Office. From April 2017 Home Office funding was diverted through the Office of the Police Crime Commissioner (OPCC).
- 3.3 In October 2016 the Cabinet Member for Environment and Community Safety agreed to contribute £30,000 (£10,000 per year) from portfolio reserves to a jointly commissioned ISVA provision for Hampshire and Portsmouth from April 2017 to March 2020. Provision would be funded between Hampshire County Council (£16,800 per year), the OPCC (£92,108 per year) and Portsmouth City Council (£10,000 per year)
- 3.4 After a competitive process the contract was awarded to Yellow Door which included working in partnership with Aurora New Dawn who would deliver ISVA provision for Portsmouth, Fareham, Gosport, Havant and East Hampshire area.
- 3.5 The current tender is due to end in March 2020. Hampshire are the lead agency and their legal department has agreed to extend the contract for a further year to align with other commissioned sexual violence contracts and then re-tender for a further 3 years (April 2021 to March 2024)
- 3.6 Future funding options for the City Councils contribution will be considered including identifying this from the cash limit.
- 3.7 Demand for provision has been consistently high across the area but specifically more in the more densely populated areas. For March 2017/18 there were 170 referrals in Portsmouth, 582 across Hampshire and 223 in Southampton (numbers provided for comparison only and not part of this contract) and in 2018/19 there were 128 referrals in Portsmouth, 595 in Hampshire and 243 in Southampton<sup>2</sup>.

#### **4. Reasons for recommendations**

- 4.1 A partnership commissioning arrangement with Hampshire County Council and the Office of the Police and Crime Commissioner represents exceptional value for money and efficiencies. The significant contribution from the Office of the Police and Crime Commissioner increases the resource capacity and one contract provides the flexibility to prioritise need across all areas within the Hampshire County Council and Portsmouth City Council area.

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<sup>2</sup> Per 100,000 population this would equate to 2017/18 - 81.7 for Portsmouth, 54.9 Hampshire and 91.8 Southampton and 2018/19 - 61.5 Portsmouth, 54.4 Hampshire and 100 Southampton

- 4.2 Portsmouth City Council is committed to identifying sustainable funding options and in light of this contract proving successful a year's extension will provide an opportunity to consider this.

## **5. Equality impact assessment**

- 5.1 A preliminary EIA has been completed which identified there was no need to undertake a full assessment.

## **6. Legal implications**

- 6.1 There are no immediate legal implications arising from this report.

## **7. Director of Finance's comments**

- 7.1 At this stage there is no contractual commitment to incur expenditure beyond 2020/21. In the event that a later report recommends the re-letting of the ISVA contract then ongoing funding from within the Community Safety Cash Limit will need to be identified.

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Signed by: Alison Jeffery

**Director of Children, Families and Education**

## **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:

<b>Title of document</b>	<b>Location</b>

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

.....  
Signed by: Cllr Lee Hunt

**Cabinet Member for Community Safety**



# Equality Impact Assessment

Preliminary assessment form 2018

[www.portsmouthccg.nhs.uk](http://www.portsmouthccg.nhs.uk)

[www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

The preliminary impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies which require a full EIA by looking at:
  - negative, positive or no impact on any of the equality groups
  - How are going to mitigate or remove any potential negative impacts
  - opportunity to promote equality for the equality groups
  - data / feedback
- prioritise if and when a full EIA should be completed
- justify reasons for why a full EIA is not going to be completed

**Directorate:**

Children's social care

**Service, function:**

Independent Sexual Violence Advisor

**Title of policy, service, function, project or strategy (new or old) :**

To provide specialist tailored support to victims and survivors of sexual violence

**Type of policy, service, function, project or strategy:**

- ☒ Existing
- ☐ New / proposed
- ☐ Changed

### Q1 - What is the aim of your policy, service, function, project or strategy?

To re-tender the Hampshire and Portsmouth ISVA provision

### Q2 - Who is this policy, service, function, project or strategy going to benefit or have a detrimental effect on and how?

The function is to provide support for both female and male adult victims and survivors of sexual violence.

Supporting victims of sexual violence is considered good practice and is a priority for the Safer Portsmouth Partnership. The Safer Portsmouth Partnership strategic assessment identified that "there has been an increase in police recordings of sexual offences and rape, however there has been a decrease in the proportion resulting in a formal outcome. Police analysis has found that the main driver has been victim disengagement particularly for victims who were reluctant to report in the first place. The most common complaint from victims was that the process is too long." The most common types of offence reported were sexual assault 26%, rape 24% and distribution/take/make or publish indecent photos of a child 12%.

The current tender was awarded to Yellow Door for a 3 year period (April 2017 to March 2020) who are working in partnership with Aurora New Dawn and Basingstoke Rape and Sexual Abuse Crisis Centre (BRASAC) to provide a service to all residents of Hampshire County Council and Portsmouth City Council areas. The tender was facilitated by Hampshire CC who are proposing to extend the contract by 1 year to align with other sexual violence commissioned services and go out to tender for a further 3 years (April 2021 to March 2024)

### Q3 - Thinking about each group below, does, or could the policy, service, function, project or strategy have a negative impact on members of the equality groups below?

Group	Negative	Positive / no impact	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Other excluded groups

☐☐☐

**Note:**Other excluded groups examples includes,Homeless, rough sleeper and unpaid carers. Many forms of exclusion are linked to financial disadvantage. How will this change affect people on low incomes, in financial crisis or living in areas of greater deprivation?

**If the answer is "negative" or "unclear" consider doing a full EIA**

**If there are any potential negative impacts on any of the protected characteristics, What have you put in place to mitigate or remove the negative impacts/barriers?**

**Q4 - Does, or could the policy, service, function, project or strategy help to promote equality for members of the equality groups? e.g. A new service has been created for people with a disability to help them gain employment this would mean that this helps promote equality for the protected characteristic of disability only.**

Group	Yes	No	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sex	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy or maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marriage & civil partnership	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other excluded groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**If the answer is "no" or "unclear" consider doing a full EIA**

**Q5 - Do you have any feedback data from the equality groups that influences, affects or shapes this policy, service, function, project or strategy?**

Please add in the text boxes below what feedback / meetings you have attended for each specific protected characteristic

Group	Positive or negative feedback
Age	No specific information was gathered about the commissioning of the service
Disability	No specific information was gathered about the commissioning of the service
Race	No specific information was gathered about the commissioning of the service
Sex	No specific information was gathered about the commissioning of the service
Gender reassignment	No specific information was gathered about the commissioning of the service
Sexual orientation	No specific information was gathered about the commissioning of the service
Religion or belief	No specific information was gathered about the commissioning of the service
Pregnancy and maternity	No specific information was gathered about the commissioning of the service
Marriage & civil partnership	No specific information was gathered about the commissioning of the service
Other excluded groups	No specific information was gathered about the commissioning of the service

**Q6 - Using the assessments in questions 3, 4 and 5 should a full assessment be carried out on this policy, service, function or strategy?**

☐ yes ☒ No

**PCC staff**-If you have to complete a full EIA please contact the Equalities and diversity team if you require help Tel: 023 9283 4789 or email: [equalities@portsmouthcc.gov.uk](mailto:equalities@portsmouthcc.gov.uk)

**CCG staff**-If you have to complete a full EIA please email: [sehccg.equalityanddiveristy@nhs.net](mailto:sehccg.equalityanddiveristy@nhs.net) if you require help

**Q7 - How have you come to this decision? Summarise your findings and conclusion below**

The provision will be available to any adult over the age of 18 who has been a victim or survivor of sexual violence. Within current contract arrangements reporting includes age, gender, ethnicity, disability and sexuality of those who access the service.

In the first 2 years of contract delivery the service has received 298 referrals of which:  
The majority were white British (214) however 54 were recorded as unknown or not stated. African/ Caribbean/Black were the next represented group (11)

The age break down of referrals over the 2 years are:

18 to 25 -136

26 to 64 -141

65 + or not stated - 4

Disabilities and vulnerabilities of clients referred include:

Physical - 7  
Learning - 5  
Mental health - 124  
Domestic abuse - 77  
Drugs/alcohol - 18  
Trafficked/refuge - 1

The service has received referrals for 272 females, 25 males and 1 other. Of which 88 reported to be heterosexual, 2 gay male, 1 lesbian, 4 bisexual and 177 did not advise.

A full EIA is not required. Local data is provided and we know that the majority of clients will be female and will access the service to support them to either separate from a violent sexual relationship or manage their recovery from sexual violence.

#### Q8 - Who was involved in the EIA?

Bruce Marr

This EIA has been approved by: Gail Hancock

Contact number: Extn 8230

Date: 27th June 2019

**PCC staff**-Please email a copy of your completed EIA to the Equality and diversity team. We will contact you with any comments or queries about your preliminary EIA.

Telephone: 023 9283 4789, Email: [equalities@portsmouthcc.gov.uk](mailto:equalities@portsmouthcc.gov.uk)

**CCG staff**-Please email a copy of your completed EIA to the Equality lead who will contact you with any comments or queries about your preliminary . Email: [sehccg.equalityanddiversity@nhs.net](mailto:sehccg.equalityanddiversity@nhs.net)

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# Agenda Item 4



<b>Title of meeting:</b>	Community Safety Portfolio Decision Meeting
<b>Date of meeting:</b>	31 <sup>st</sup> July 2019
<b>Subject:</b>	Food Safety Operating Plan 2019 / 2020
<b>Report by:</b>	Director of Culture, Leisure and Regulatory Services
<b>Wards affected:</b>	All
<b>Key decision:</b>	No
<b>Full Council decision:</b>	No

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## 1 Purpose of report

- 1.1 To provide clarity in respect to Portsmouth City Council's (the Council) Food Safety Operating Plan (the Plan) for 2019 / 2020 by providing:
- a profile of food businesses in Portsmouth
  - the scope of the Food Safety Service and demands made on it
  - the delivery of the service in terms of food premises inspections
  - operational procedures to ensure compliance with legislative requirements and consistency of approach
  - a review of performance in 2018 / 2019 and a summary of key activities identified for 2019 / 2020.

## 2 Recommendations

### 2.1 RECOMMENDED that the Cabinet Member for Community Safety:

**Approves the 2019 / 2020 Food Operating Plan attached as Appendix 1.**

## 3 Reasons for recommendations

- 3.1 To protect public health and contribute to a healthy community in Portsmouth by ensuring the safety, wholesomeness and quality of food through education and appropriate intervention.

## 4 Legal background - the Council

- 4.1 This Food Safety Operating Plan has been produced in accordance with the Food Standards Agency (FSA) 'Framework Agreement on Official Feed and Food Controls by Local Authorities'. Its purpose is to demonstrate that the Council, as the designated 'Competent Authority', has in place adequate and effective arrangements to meet its statutory obligations in respect of food safety.

- 4.2 There is a wide range of EU-derived legislation that governs the safety of food in the UK at all stages of the production and distribution chain including a number of general principles of food safety and food law which food businesses must comply with.
- 4.3 The Plan sets out how business are regulated and advised and how relevant legislation is enforced to minimise the food safety risks to the health and well-being of those living and working in Portsmouth and also visitors to the City.
- 4.4 The FSA continues to consult on its 'Regulating Our Future' (ROF) programme which is the future national delivery model intended to modernise how food businesses are regulated by introducing a system that is fit for purpose in a global market and can adapt as circumstances change and technology develops in the future. The full impact of the changes and when they will be introduced remain to be confirmed but the principal changes are likely to concern:
- A new digital food business registration scheme which includes the provision of online advice tailored to a particular business type
  - Changes to how businesses are risk assessed to determine the nature and frequency of regulatory interventions
  - Making the display of Food Hygiene Rating Scheme (FHRS) scores mandatory.
- 4.5 Although the UK will be leaving the EU during 2019, it is anticipated that all relevant food safety law will remain consolidated into UK law by enabling legislation. It is not anticipated that EU exit will immediately change the legal requirements relating to food safety or the Council's enforcement priorities. However, the extent of the checks and controls delivered at the Port may be significantly increased depending on the terms of the exit and its impact on the trading relationship between the UK and the rest of the EU.

## **5 Service Objectives**

- 5.1 The aim of the service is to ensure that food and drink that is produced, stored, distributed and consumed in Portsmouth is safe. To support this aim, there are several key service objectives:
- i. Ensure by education and enforcement that food intended for human consumption which is produced and / or sold in Portsmouth is safe to eat and complies with food safety requirements
  - ii. Deliver a programme of inspections and interventions in relation to primary producers and food businesses, on a risk-based frequency
  - iii. Provide support to help businesses comply with their legal obligations



- iv. Investigate and take appropriate action concerning complaints about food and food premises to protect public health
- v. Take enforcement action when necessary in a consistent, transparent and proportionate basis
- vi. Carry out targeted and reactive environmental and food microbiological sampling
- vii. Prevent the spread of specified infectious and food borne diseases
- viii. Advise and educate consumers and service users on food safety matters
- ix. Deliver Port Health Authority functions, including those relating to the sanitary condition of vessels, food imports or exports and the monitoring of shellfish / harvesting within the Council's area of jurisdiction
- x. Maintain and improve dialogue with stakeholders and customers to improve the manner in which the service is delivered to them
- xi. Provide appropriate business support through Primary Authority relationships.

## **6 Legal background - food businesses operators**

6.1 Food businesses must ensure that they comply with the Act by not:

- rendering food injurious to health
- selling food which is not of the nature or substance or quality demanded to the purchasers prejudice
- falsely describing or presenting food.

6.2 Anyone who prepares and sells food is required to make sure the food they supply is safe to eat. The ingredients used, the premises in which the products are made, the method of production and the person making the food all have an impact on the safety and quality of the final product.

6.3 The law requires all businesses to have a food safety management system based on the principles of HACCP (Hazard Analysis and Critical Control Point). This is a way of managing food safety 'hazards'. Procedures and records need to be appropriate for the nature and size of businesses and must be kept up to date.

## **7 The food hygiene rating scheme**

7.1 Through a preplanned inspection program the Council administers the FSAs FHRS. Ratings are a snapshot of the standards of food hygiene found at the time of inspection. It is the responsibility of the business to comply with food hygiene law at all times. This includes:

- handling of food
- how food is stored
- how food is prepared
- cleanliness of facilities
- how food safety is managed.

- 7.2 The scheme gives businesses a rating from 5 to 0 which is displayed at their premises and online so you can make more informed choices about where to buy and eat food:

- 5 – hygiene standards are very good
- 4 – hygiene standards are good
- 3 – hygiene standards are generally satisfactory
- 2 – some improvement is necessary
- 1 – major improvement is necessary
- 0 – urgent improvement is required.

## **8 Understanding the ratings**

- 8.1 The rating shows how well the business is doing overall, based on standards found at the time of inspection. The ratings can be found online and on stickers which may be displayed at business premises. The back of the sticker and the online rating will also show the date of the inspection by the local authority's food safety officer.
- 8.2 A food safety officer from Regulatory Services inspects a business to check that it follows food hygiene law so that the food is safe to eat. At the inspection, the officer will check the following three elements:
- how hygienically the food is handled - how it is prepared, cooked, re-heated, cooled and stored
  - the physical condition of the business - including cleanliness, layout, lighting, ventilation, pest control and other facilities
  - how the business manages ways of keeping food safe, looking at processes, training and systems to ensure good hygiene is maintained. The officer can then assess the level of confidence in standards being maintained in the future.

## **9 Service demand and delivery**

- 9.1 Demands on the service continued to be high in 2018 / 2019 with 1046 interventions achieved in food businesses and 188 reactive service requests dealt with. The priority remains on poorly performing and high risk food businesses which leads to significant enforcement activity year on year.
- 9.2 Portsmouth has a number of food business owners whose first language is not English. A specialist translation and interpretation service is used to assist food business operators by providing access to appropriate verbal and written advice in the appropriate language. This includes providing information on legal requirements and supporting proprietors at formal interviews when criminal investigations have been commenced.
- 9.3 Food businesses are risk-rated according to prescribed criteria relating food type, method of processing, customers at risk and level of compliance. Businesses are then inspected on the basis of an intervention risk rating which determines the frequency of inspection. These frequencies are set out in the "Food Law Code of Practice" (FLCoP).

- 9.4 The risk profile of food businesses in Portsmouth, as at 1<sup>st</sup> April 2019, is shown in **Table 1**. The total number of food businesses remains fairly stable although the risk profile has changed since 2018 / 2019 chiefly by an increase in B-rated premises arising from better targeting of intervention activity on poorly performing businesses and the use of a contractor to reduce the number of lower risk businesses that required inspection.
- 9.5 This change in risk rate profile has placed an additional pressure on Regulatory Services as more inspections are required in respect to the "same number of premises".

**Table 1**

Rating category	Intervention risk rating	Minimum inspection frequency	Number	+/- change since 2018/19
<b>A</b>	92 or higher	6 monthly	1	-
<b>B</b>	72-91	12 monthly	75	+20%
<b>C</b>	52-71	18 monthly	373	-3%
<b>D</b>	31-51	2 yearly	729	-17%
<b>E</b>	0-30	3 yearly or Alternative Enforcement Strategy	578	-45%
<b>Unrated</b>		Awaiting inspection	85	-10%
<b>Total</b>			<b>1844</b>	<b>-1%</b>

- 9.6 E-rated low or minimal risk food businesses are dealt with through an Alternative Enforcement Strategy (self-assessment or inspection on an alternate cycle). Follow-up inspections following self-assessment will only be carried out if deemed necessary i.e. the risk profile of the business has increased since the last assessment.

## **10 Food Hygiene Rating profile**

- 10.1 After each inspection a food business is rated under the national Food Hygiene Rating Scheme (FHRS).
- 10.2 The FHRS profile of the registered and rated food businesses in Portsmouth as at 4<sup>th</sup> June 2019 is shown in **Table 2**. 94% of rated premises were broadly compliant (those premises rated 3, 4 or 5) which is largely unchanged from 2018 / 2019. A total of 78 businesses were awaiting an inspection and rating assessment.

**Table 2**

FH Rating	Descriptor	Number of businesses (% of rated premises)
<b>0</b>	Urgent improvement necessary	<b>3 (1%)</b>
<b>1</b>	Major improvement necessary	<b>53 (3%)</b>
<b>2</b>	Improvement necessary	<b>48 (3%)</b>
<b>3</b>	Generally satisfactory	<b>154 (9%)</b>

<b>4</b>	Good	<b>277 (15%)</b>
<b>5</b>	Very good	<b>1244 (70%)</b>
<b>Not yet rated</b>		<b>78</b>
<b>Total number of rated premises</b>		<b>1857</b>

- 10.3 Any businesses whose rating falls below 3 receives an appropriate intervention to ensure necessary improvements are made to ensure compliance with food safety requirements.
- 10.4 The FHRS contains several safeguards for businesses which include an appeal provision and a 'right to reply' in which the proprietor can give an explanation why the condition of the business might have been unsatisfactory at the time of the inspection and what measures have been undertaken since to address any issues of concern.
- 10.5 A business can also request a re-visit to reassess the rating, subject to certain conditions being met. In November 2018, in common with many Hampshire local authorities, the Council introduced a charge of £205 to recover the cost of these inspections. Between 19<sup>th</sup> November 2018 and 5<sup>th</sup> April 2019, 13 businesses applied to have their rating re-assessed after improving their performance and all achieved a new rating of 4 'good' or 5 'very good'.

## **11 Food safety enforcement**

- 11.1 Food safety enforcement is undertaken in a graduated manner and in accordance with the Council's Corporate Enforcement Policy and FSA guidance. Informal action, advice and persuasion are the preferred methods of achieving compliance but other enforcement measures are taken if the circumstances demand this. Any enforcement action likely to lead to court proceedings is subject to a formal process and scrutiny by senior officers.
- 11.2 It is PCC policy that proportionate action will be taken against any business with a rating below 3 ('generally satisfactory') to ensure it improves its compliance with food law. The action taken depends on the issue identified and the risk it presents to the public.
- 11.3 In 2018 / 2019, 86 food safety warning letters and 29 Hygiene Improvement Notices were issued, 8 premises were closed due to imminent health risk concerns (mainly infestation issues) and 7 businesses were prosecuted for food safety offences. This level of enforcement activity, whilst significant, represents less than 1% of the total number of registered food businesses in the City.

## **12 Food premises inspections**

- 12.1 Food safety inspections and interventions are carried out in accordance with the FLCoP and the relevant Food Safety Inspection Standard Operating Procedures, and undertaken in accordance with frequencies described in section 9.5.
- 12.2 'Interventions' are defined in the FLCoP as activities intended to monitor, support and increase food law compliance within a food establishment. Of the food hygiene interventions achieved in 2018 / 2019, 912 were premises inspections and

enforcement re-visits, 3 were surveillance visits, 120 related to information / intelligence gathering and 11 involved education and business support. During the majority of these, a food standards assessment was also made.

- 12.3 The number of food hygiene interventions achieved and outstanding at the end of 2018 / 2019 are shown in **Table 3**.
- 12.4 Resource constraints prevented the completion of all 'due inspections' by the year end. Priority was given to the highest risk businesses (A, B and non-compliant Cs). Due interventions outstanding (as assessed under the FLCoP) at the year-end was 135 which represents an ongoing reduction achieved over the last six years.

**Table 3**

Interventions	Achieved	Due and outstanding
A	1	1
B	68	0
C	228	23
D	312	63
E	195	48
Unrated	242	0
<b>Total</b>	<b>1046</b>	<b>135</b>

### **13 Food complaints**

- 13.1 Service requests are dealt with under the Standard Operating Procedure for complaints concerning food items or food premises.
- 13.2 In 2018 / 2019, 188 complaints about food items and food premises were investigated. The majority were found to be justified and action was taken on the basis of risk presented to the public.

### **14 Key activities during 2019 / 2020**

- 14.1 Key activities scheduled for 2019 / 2020 are to:
- Target inspection resources to food businesses that present the highest risk to public safety.
  - Take appropriate action against poorly performing businesses (FH rated 0, 1 or 2) including proportionate enforcement measures in line with EH and corporate enforcement policies.
  - Manage the planned food business inspection programme to achieve a 100% inspection rate for higher risk Category A, B and non-compliant C premises that are due an intervention during the year.

- Ensure that requests for service are subject to an initial assessment and response within 3 working days or sooner depending on the risk presented to the public.
- Ensure that all applications for premises approval under EC 853/2004 are determined within 28 days of receipt.
- Inspect lower risk Category D and E premises at a rate determined by available resource levels and by alternative interventions where appropriate
- Ensure business requests for FHRs re-visits are carried out within 6 weeks unless where a longer intervention period is deemed appropriate (subject to the FHR Brand Standard requirements)
- Review and update all food service policies and procedures as necessary to reflect any changes in legislation, FSA policy, FLCoP to ensure they remain fit for purpose.
- Track and consider the impact of proposals to change food law delivery currently under review by the FSA in its 'ROF' strategy. Examine the implications of EU exit for the delivery of the food safety controls at the Port.
- Identify additional means to promote food safety standards and requirements to local businesses to improve compliance in key areas.
- Continue to participate in the Hants and IOW Food Advisory Group and TSSEL work programmes and meetings.
- Continue to participate in local, regional and national food sampling surveys concerning microbiological quality and food standards matters.
- Ensure that staff continue to receive appropriate and sufficient up to date training to meet the 20 hour CPD and competency requirements as defined in the FLCoP. Priority will be given to that CPD necessary to deliver the service priorities, to meet statutory and procedural requirements, and any training needs of new members of the team.
- Review and update as necessary competency assessments (hygiene and standards) for all staff engaged in food safety regulation.
- Engage with the organisers of key outdoor events to ensure that mobile food businesses trading in the City meet the necessary hygiene standards when trading.
- Continue to engage with organisations supporting minority ethnic groups to support food business operators whose first language is not English.

- Continue the shellfish sampling programme in consultation with CEFAS / FSA with ongoing review of bed classifications in Portsmouth and Langstone harbours.

## **15 Equality impact assessment**

- 15.1 The inspection criteria have been subject to an equality impact assessment, attached as **Appendix 2**.
- 15.2 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 ethnicity or cuisine type.
- 15.3 The way in which the service operates is largely determined by legislation and the standards and practices set by the FSA, which also controls training and provides much of the information given to customer, including explanatory documents in other languages. Where language difficulties do exist officers will provide assistance, translate documents or accept key documents in another language.
- 15.4 As a regulatory function of the Council the service's primary task is to ensure that food premises and the food they produce are safe for those who eat and work there and must apply the legislation to all food businesses. There is no evidence that food businesses owned or operated by people from any group are discriminated against (i.e. treated differently and unfairly) or that they are disadvantaged in any way which cannot be objectively justified by the need to enforce the legislation to protect the public and workers. Officers are, however, aware of the need for cultural sensitivity and the need to provide additional help to customers for whom English is not their first language.

## **16 Legal implications**

- 16.1 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.
- 16.2 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 FSA has acknowledged that the aim of this revision is partly to ensure that resources are directed at those food businesses that present the greatest risk to public health and consumer protection.

## **17 Director of Finance's comments**

- 17.1 The activities proposed within the Food Operating Plan 2019 / 2020 and summarised in this report will be funded from the existing service portfolio budgets, as approved by Full Council.

**18 Service Director remarks**

- 18.1 The Food Operating Plan is an expression of the Councils' continuing commitment to the delivery of food safety in Portsmouth.
- 18.2 Ensuring that food is prepared and served in a manner which protects the public, supports businesses and seeks to ensure that the safety criteria applied in Portsmouth delivers food of a 'high' or 'very high' hygiene standard remains critical. Additionally, ensuring that food contains the ingredients demanded by the consumer is crucial, particularly as a severe food allergy can cause a life-threatening reaction.
- 18.3 Our officers continue to work extremely hard to support FBOs in maintaining and improving their hygiene rating and developing their businesses so contributing to the success of Portsmouth. Generally businesses understand that improving and maintaining high standards of food safety is not a particularly difficult task and that our officers are there to help providing guidance and assistance to support businesses achieve basic standards of food hygiene.
- 18.4 While businesses in England do not have to display their ratings, those with good ratings do want to advertise it. Validating a high hygiene rating on the door of the business demonstrates the requirements of food hygiene law. A high rating is very good for business. Those with poor ratings are not helping their businesses but they cannot conceal the fact that they need to raise their standards, as ratings for every inspected establishment are available online. The food hygiene rating system allows customers to make an informed choice about where they eat or from where they order their food for home delivery.
- 18.5 During 2019 / 2020 Regulatory Services has identified significant service risks relating the range, depth and number of demands placed upon it and the resources assigned to it. Whilst the food safety team develop appropriate protocols to maintain the level of skills needed within the team to deliver our responsibilities in the future the levels of resourcing assigned to it remains a significant concern.
- 18.6 Resources are particularly problematic when considering the minimum requirements currently prescribed by the government. We continue to predict that the implementation of the ROF programme and dealing with the uncertainties of border impacts as a result of Brexit discussions will impact upon the service in the next 12 months and that the current resources assigned to the service will continue to be stretched as a result.

.....  
Signed by: Stephen Baily, Director of Culture, Leisure and Regulatory Services  
Development

**Appendices:****Appendix 1: Food Operating Plan 2019 / 2020****Appendix 2: Equalities Impact Assessment**



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

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

<b>Title of Document</b>	<b>Location</b>
Food Law Code of Practice	<a href="https://www.food.gov.uk/about-us/food-and-feed-codes-of-practice">https://www.food.gov.uk/about-us/food-and-feed-codes-of-practice</a>
FSA's Regulating Our Future' strategy	<a href="https://www.food.gov.uk/regulating-our-future-key-documents">https://www.food.gov.uk/regulating-our-future-key-documents</a>

The recommendations set out in 2.1 above were approved/ approved as amended/ deferred/ rejected by the Cabinet Member for Community Safety on 31<sup>st</sup> July 2019

.....  
Signed by: Councillor Lee Hunt, Cabinet Member for Community Safety

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# Food Safety Operating Plan 2019 / 2020

Regulatory Services

Published July 2019

Portsmouth City Council

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## **1. Introduction**

- 1.1 This Food Safety Operating Plan has been produced in accordance with the Food Standards Agency (FSA) 'Framework Agreement on Official Feed and Food Controls by Local Authorities'. Its purpose is to demonstrate that Portsmouth City Council (PCC), as the designated 'Competent Authority', has in place adequate and effective arrangements to meet its statutory obligations in respect of food safety.
- 1.2 The plan is subject to approval by the Elected Portfolio holder for Community Safety to ensure local transparency and accountability. When approved, it is published on the Council's website.
- 1.3 Delivery of the plan and the enforcement of the legal requirements relating to food standards, safety and hygiene is the responsibility of the Regulatory Services Team which forms part of the Culture Leisure and Regulatory Services Directorate.
- 1.4 There is a wide range of EU-derived legislation that governs the safety of food in the UK at all stages of the production and distribution chain including a number of general principles of food safety and food law which food businesses must comply with. The plan sets out how business are regulated and advised and how relevant legislation is enforced to minimise the food safety risks to the health and well-being of those living and working in Portsmouth and also visitors to the City.
- 1.5 The FSA continues to consult on its 'Regulating Our Future' (ROF) programme which is the future national delivery model intended to modernise how food businesses are regulated by introducing a system that is fit for purpose in a global market and can adapt as circumstances change and technology develops in the future. The full impact of the changes and when they will be introduced remain to be confirmed but the principal changes are likely to concern
  - A new digital food business registration scheme which includes the provision of online advice tailored to a particular business type
  - Changes to how businesses are risk assessed to determine the nature and frequency of regulatory interventions
  - Making the display of Food Hygiene Rating Scheme scores mandatory.
- 1.6 Although the UK will be leaving the EU during 2019, it is anticipated that all relevant food safety law will remain consolidated into UK law by enabling legislation. It is not anticipated that EU exit will immediately change the legal requirements relating to food safety or the Council's enforcement priorities. However, the extent of the checks and controls delivered at the Port may be increased depending on the terms of the exit and its impact on the trading relationship between the UK and the rest of the EU.
- 1.7 This plan covers the following:
  - A profile of food businesses in Portsmouth
  - The organisational structure and business priorities of PCC and Environmental Health relating to food safety

- The scope of the Food Safety Service and demands made on it
- The delivery of the service in terms of food premises inspections and the sampling of food
- Operational procedures to ensure compliance with legislative requirements and consistency of approach
- A review of performance in 2018/19 and a summary of key activities identified for 2019/20.

## **2. Aims, Objectives and Auditing of the Food Safety Service**

- 2.1 Portsmouth's Food Safety Service is delivered in accordance with the Food Law Code of Practice (FLCoP), the latest version of which was released in March 2017. The Code is issued by the FSA and governs the manner in which a Competent Authority enforces relevant food safety legislation and delivers 'official controls' to secure food law compliance. It is issued under the Food Safety Act 1990 and has statutory force.
- 2.2 The aim of the service is to ensure that food and drink that is produced, stored, distributed and consumed in Portsmouth is safe. To support this aim, there are several key service objectives:
- Ensure by education and enforcement that food intended for human consumption which is produced and/or sold in Portsmouth is safe to eat and complies with food safety requirements
  - Deliver a programme of inspections and interventions in relation to primary producers and food businesses, on a risk-based frequency
  - Provide support to help businesses comply with their legal obligations
  - Investigate and take appropriate action concerning complaints about food and food premises to protect public health
  - Take enforcement action when necessary in a consistent, transparent and proportionate basis
  - Carry out targeted and reactive environmental and food microbiological sampling
  - Prevent the spread of specified infectious and food borne diseases
  - Advise and educate consumers and service users on food safety matters
  - Deliver Port Health Authority functions, including those relating to the sanitary condition of vessels, food imports or exports and the monitoring of shellfish / harvesting within the Council's area of jurisdiction
  - Maintain and improve dialogue with stakeholders and customers to improve the manner in which the service is delivered to them
  - Provide appropriate business support through Primary Authority relationships.
- 2.3 The FSA audits local authority food and feed enforcement activities against the feed and food law standard in the Framework Agreement, a document which sets out the minimum standards of performance required from local authorities across the full range of their feed and food law enforcement activities.

- 2.4 The service was last formally audited five years ago and deemed to meet the basic standards in this agreement. A service improvement plan was then implemented which was signed off by the agency in November 2014. All aspects of the service are subject to ongoing review in the light of operational need, available resource and legislative change.
- 2.5 The service, and the manner in which it is delivered, contributes to three key priorities as set out in the Council's Corporate Plan, which was updated in October 2018.
1. Make Portsmouth a city that works together, enabling communities to thrive and people to live healthy, safe and independent lives.
  2. Make our city cleaner, safer and greener.
  3. Make sure our council is a caring, competent and collaborative organisation that puts people at the heart of everything we do.

### **3. Background**

#### **3.1 Profile of the Food Businesses in Portsmouth**

- 3.1.1 PCC is a Unitary Authority with a total area of 40 square kilometres and a population of approximately 207,000. It is a dense, highly urbanised city with approximately 6,800 business premises of which around 1,900 are food businesses.
- 3.1.2 The food industry in Portsmouth contributes significantly to the local economy. There are several concentrations of food businesses in the City (mainly food retail, caterers and takeaways), including Gunwharf Quays, Port Solent, Palmerston Road, Albert Road, Osborne Road, Kingston Road, Fratton Road and the High Street, Cosham. There are significant numbers of home caterers and childminders distributed throughout the City and a growing number of mobile traders operating at fixed pitches or in specific public events.
- 3.1.3 There are also several businesses which handle high risk foods such as meat and shellfish which are distributed nationally and internationally and are required by food law to be approved by the Council. These premises require an enhanced level of supervision and inspection by Council officers.
- 3.1.4 The profile of the registered food businesses in Portsmouth by category, as at 1<sup>st</sup> April 2019, is shown in **Table 1**. The city is characterised by a high level of food business 'churn', ie the rate at which businesses open and others cease trading. In 2018/19, 261 food businesses registered that they had started trading and 293 were known to have closed. This is likely to be an underestimate as intelligence received suggests that a significant number of food businesses start trading without registering.
- 3.1.5 The number of known new businesses represented a churn rate of 14% in the year, which although being a 3% reduction from 2018/19, is significant for the Council as it introduces an additional inspection burden to the programmed inspections of existing businesses prescribed by the FLCOP.

**Table 1**

<b>Category</b>	<b>No of premises</b>
Primary producers	0
Manufacturers and packers	18
Importers / exporters	1
Distributors / transporters	13
Retailers	391
Restaurants and caterers	1421
<b>Total</b>	<b>1844</b>

3.1.6 There is significant food business activity associated with the port:

- Portsmouth International Port serves freight and ferry routes to France, Spain and the Channel Islands and, as a 'Designated Point of Entry', receives food imports from the European Union (EU) and third countries. A key importer of bananas from the Caribbean was lost from the port during 2018, however fruit imports and organic consignments still represent a significant inspection commitment for the service
- The naval base contains several large food businesses catering for naval personnel and civilian trade
- A significant number of cruise vessels are subject to boarding and sanitation inspections which include a food safety assessment. Over 40 cruise ships are expected in Portsmouth in 2019.

3.1.7 There are a growing number of events being held in the city which attract a significant number of mobile traders, many of which are registered by other local authorities. Many events are regular such as Victorious, Southsea common events and street markets; others are occasional such as the Americas Cup and D Day commemoration events. Intervention activity is targeted on the basis of risk and any intelligence received.

3.1.8 PCC also has responsibility for monitoring the live bivalve mollusc shellfish beds in Portsmouth and Langstone harbours for microbiological and bio-toxin contamination. As a result of the regular monitoring programme, two additional beds were classified in 2018 as being suitable for the long term harvesting of shellfish.



## **3.2 Organisational Structure**

- 3.2.1 The political structure of the Council is based on an executive Cabinet, comprising the Council Leader, Deputy and Portfolio Holders. The Portfolio Holder for Environmental Health is the Cabinet Member for Environment and Community Safety.
- 3.2.2 There are overview and scrutiny committees (known as Policy and Review Panels) which support the work of the Council members and provide some oversight of the decisions made by the Executive.
- 3.2.3 The food safety function was reorganised into the Regulatory Services Team in May 2019. The Regulatory Services Manager has responsibility for operational matters supported by Lead Officers whose roles are to ensure the service is delivered in accordance with statutory requirements and the FLCoP. Food safety interventions are carried out by a team of field-based regulatory services officers who have demonstrated competency in the delivery of food safety controls.
- 3.2.4 There is additional support to the service from several partners including:
- Public Health England (PHE) which examines food samples for bacterial and viral contamination at its accredited laboratory in Colindale
  - Hampshire Scientific Services which is an accredited Public Analyst and food examiner for food hygiene and standards matters including labelling and compositional issues
  - A Consultant in Communicable Disease Control at PHE who is appointed as the 'Proper Officer' under the Public Health (Control of Disease) Act 1984 and Health Protection Regulations 2011, with regard to food poisoning and food borne infectious disease incidents.

## **3.3 Scope of the Food Safety Service**

- 3.3.1 Food safety activities currently undertaken include:
- Programmed inspections and interventions at food businesses (fixed or mobile) at a frequency set out in the FLCoP risk rating scheme
  - Revisits to premises following programmed inspections to secure compliance with legal requirements
  - Assessing food hygiene and food standards issues (e.g. food allergens and 'use by' date labelling) during premises inspections
  - Carrying out assessments and updating data for the National Food Hygiene Rating Scheme
  - Food microbiological and compositional sampling which is either intelligence-led or forms part of national sampling programmes
  - Investigating complaints about the standard of hygiene in food businesses in Portsmouth
  - Investigating complaints about food that has been produced and/or sold in Portsmouth

- Monitoring of live bivalve molluscs and water for microbiological and bio-toxin contamination
- Investigating food poisoning and food borne infectious disease cases
- Responding to national Food Safety Alerts and Incidents issued by the FSA
- Promoting food safety by education, training and business support and working with other organisations to assist food business operators
- Carrying out documentary and identity checks of consignments of imported food
- Providing Health Certificates for food to be exported and, where appropriate, certificates confirming imported fruit is of organic origin
- Issuing specific approvals to high risk food businesses subject to that requirement.
- Issuing Ship Sanitation Certificates
- Sampling of potable water supplies on vessels and at supply points in the Port.

### **3.4 Service demand and delivery**

- 3.4.1 Regulatory Services is based at the Civic Offices, Guildhall Square, Portsmouth and has an office base in the Port. The public has access to the service by direct contact through City Helpdesk, an office reception, by e-mail and, for certain functions, through the Council's website.
- 3.4.2 Inspections of food businesses are normally undertaken when they are trading to ensure food handling practices can be assessed. The inspection of vessels is undertaken on a flexible basis and is governed by advance notification of vessel movements in and out of the Port. Inspection activity for premises and vessels is therefore frequently undertaken outside normal office hours.
- 3.4.3 There is no routine out of hours or emergency service for food safety matters; service requests are triaged each working day and prioritised for action on the basis of public health risk.
- 3.4.4 Demands on the service continued to be high in 2018/19 with 1046 interventions achieved in food businesses and 188 reactive service requests dealt with. The priority remains on poorly performing and high risk food businesses which leads to significant enforcement activity year on year.
- 3.4.5 Portsmouth has a significant number of food business owners whose first language is not English. A specialist translation and interpretation service is used to assist food business operators by providing access to appropriate verbal and written advice in the appropriate language. This includes providing information on legal requirements and supporting proprietors at formal interviews when criminal investigations have been commenced.
- 3.4.7 Food businesses are risk-rated according to prescribed criteria relating food type, method of processing, customers at risk and level of compliance. Businesses are then

inspected on the basis of an intervention risk rating which determines the frequency of inspection. These frequencies are set out in the FLCoP.

- 3.4.8 The risk profile of food businesses in Portsmouth, as at 1<sup>st</sup> April 2019, is shown in **Table 2**. The total number of food businesses remains fairly stable although the risk profile has changed since 2018/19 chiefly by an increase in B-rated premises arising from better targeting of intervention activity on poorly performing businesses and the use of a contractor to reduce the number of lower risk businesses that required inspection.

**Table 2**

Rating category	Intervention risk rating	Minimum inspection frequency	Number	+/- change since 2018/19
<b>A</b>	92 or higher	6 monthly	1	-
<b>B</b>	72-91	12 monthly	75	+20%
<b>C</b>	52-71	18 monthly	373	-3%
<b>D</b>	31-51	2 yearly	729	-17%
<b>E</b>	0-30	3 yearly or Alternative Enforcement Strategy	578	-45%
<b>Unrated</b>		Awaiting inspection	85	-10%
<b>Total</b>			<b>1844</b>	<b>-1%</b>

- 3.4.9 E-rated low or minimal risk food businesses are dealt with through an Alternative Enforcement Strategy (self-assessment or inspection on an alternate cycle). Follow-up inspections following self-assessment will only be carried out if deemed necessary i.e. the risk profile of the business has increased since the last assessment.

### **3.5 Food Hygiene Rating profile**

- 3.5.1 After each inspection a food business is rated under the national Food Hygiene Rating Scheme (FHRS) which gives a measure of legal compliance against three key criteria: hygiene practice, premises structure and food safety management. The rating scale

ranges from 5 ('very good') to zero ('urgent improvement necessary'). Most food businesses are included in the scheme but those that do not supply food directly to members of the public are exempted.

3.5.2 The FHRS profile of the registered and rated food businesses in Portsmouth as at 4<sup>th</sup> June 2019 is shown in **Table 3**. 94% of rated premises were broadly compliant (those premises rated 3, 4 or 5) which is largely unchanged from 2018/19. A total of 78 businesses were awaiting an inspection and rating assessment.

**Table 3**

<b>FH Rating</b>	<b>Descriptor</b>	<b>Number of businesses (% of rated premises)</b>
<b>0</b>	Urgent improvement necessary	<b>3 (1%)</b>
<b>1</b>	Major improvement necessary	<b>53 (3%)</b>
<b>2</b>	Improvement necessary	<b>48 (3%)</b>
<b>3</b>	Generally satisfactory	<b>154 (9%)</b>
<b>4</b>	Good	<b>277 (15%)</b>
<b>5</b>	Very good	<b>1244 (70%)</b>
	<b>Not yet rated</b>	<b>78</b>
	<b>Total number of rated premises</b>	<b>1857</b>

3.5.3 Any businesses whose rating falls below 3 receives an appropriate intervention to ensure necessary improvements are made to ensure compliance with food safety requirements.

3.5.4 The Food Hygiene Rating scheme contains several safeguards for businesses which include an appeal provision and a 'right to reply' in which the proprietor can give an explanation why the condition of the business might have been unsatisfactory at the time of the inspection and what measures have been undertaken since to address any issues of concern. A business can also request a re-visit to reassess the rating, subject to certain conditions being met. In November 2018, in common with many Hampshire

local authorities, the Council introduced a charge of £205 to recover the cost of these inspections. Between 19<sup>th</sup> November 2018 and 5<sup>th</sup> April 2019, 13 businesses applied to have their rating re-assessed after improving their performance and all achieved a new rating of 4 'good' or 5 'very good'.

### **3.6 Food safety enforcement**

- 3.6.1 Food safety enforcement is undertaken in a graduated manner and in accordance with the Council's Corporate Enforcement Policy and FSA guidance. Informal action, advice and persuasion are the preferred methods of achieving compliance but other enforcement measures are taken if the circumstances demand this. Any enforcement action likely to lead to court proceedings is subject to a formal process and scrutiny by senior officers.
- 3.6.2 It is PCC policy that proportionate action will be taken against any business with a rating below 3 ('generally satisfactory') to ensure it improves its compliance with food law. The action taken depends on the issue identified and the risk it presents to the public. In 2018/19, 86 food safety warning letters and 29 Hygiene Improvement Notices were issued, 8 premises were closed due to imminent health risk concerns (mainly infestation issues) and 7 businesses were prosecuted for food safety offences. This level of enforcement activity, whilst significant, represents less than 1% of the total number of registered food businesses in the City.

## **4. Service Delivery**

### **4.1 Food premises inspections**

- 4.1.1 Food safety inspections and interventions are carried out in accordance with the FLCoP and the relevant Food Safety Inspection Standard Operating Procedures and undertaken in accordance with frequencies described in para 3.4.8.
- 4.1.2 'Interventions' are defined in the FLCoP as activities intended to monitor, support and increase food law compliance within a food establishment. Of the food hygiene interventions achieved in 2018/2019, 912 were premises inspections and enforcement re-visits, 3 were surveillance visits, 120 related to information / intelligence gathering and 11 involved education and business support. During the majority of these, a food standards assessment was also made.
- 4.1.2 The number of food hygiene interventions achieved and outstanding at the end of 2018/19 are shown in **Table 4**. Resource constraints prevented the completion of all 'due inspections' by the year end. Priority was given to the highest risk businesses (A, B and non-compliant Cs). Due interventions outstanding (as assessed under the FLCoP) at the year-end was 135 which represents an ongoing reduction achieved over the last six years.

**Table 4**

<b>Interventions</b>	<b>Achieved</b>	<b>Due and outstanding</b>
A	1	1
B	68	0
C	228	23
D	312	63
E	195	48
Unrated	242	0
<b>Total</b>	<b>1046</b>	<b>135</b>

## **4.2 Food complaints**

- 4.2.1 Service requests are dealt with under the Standard Operating Procedure for complaints concerning food items or food premises.
- 4.2.2 In 2018/19, 188 complaints about food items and food premises were investigated. The majority were found to be justified and action was taken on the basis of risk presented to the public.

## **4.3 Primary Authority Partnerships**

- 4.3.1 PCC supports the operation of the Primary Authority Scheme and within Regulatory Services is seeking to establish new partnerships across a range of food safety and trading standards regulatory areas and also improve the way it works with its existing partners. The service currently has 8 Primary Authority Partnerships with businesses including the Southern Co-operative and the Royal Navy covering the regulatory area of food safety. These will continue into 2019/20. The Southern Co-operative's food safety management system gained 'assured advice' status in 2018/19.

## **4.4 Advice to Businesses**

- 4.4.1 A significant element of PCC's regulatory strategy is the offering of advice to businesses to assist them in achieving a satisfactory standard of food safety and compliance with the law.
- 4.4.2 Examples of activities undertaken include:

- Carrying out assessments and publishing National Food Hygiene Rating Scheme scores
- Leaving a written report after each inspection detailing any breaches in food safety law and giving advice about how a proprietor might improve the Rating score
- Promoting the Food Standards Agency 'Safer Food Better Business' pack and other written food safety management information to improve a business's food safety diligence
- Giving new businesses “start-up” advice prior to their first inspection
- Advising business proprietors during inspections and other visits
- Providing advice in leaflets or on the Council's website
- Responding to individual queries and complaints
- Giving advice to organisers planning high profile events in the city likely to be attended by large numbers of people
- Signposting to translated literature and interpreting services when proprietors, managers or staff do not have English as their first language
- Offering Level 2 Chartered Institute of Environmental Health Food Safety training courses (through the Independence and Wellbeing Team).

## **4.5 Food Sampling**

- 4.5.1 Formal and informal food sampling provides useful information about composition and the microbiological fitness of food for sale. PCC participates in the regional food sampling programme (Wessex Environmental Monitoring Service User Group) which targets particular foods according to FSA guidance or other local priorities.
- 4.5.2 In 2018/19, the Port received a significant number of food consignments, mainly bananas and citrus fruits. Interventions were undertaken to ensure food imported from the EU and third countries did not present a safety risk. Of the 16,424 consignments entering, 100% of vessel manifests were checked, 136 specific documentary checks were made, 41 physical checks and 34 identity checks were carried out based on intelligence received. Seven consignments were condemned as being unfit for human consumption and voluntarily surrendered by the importer.
- 4.5.3 At the present time, there is significant uncertainty about the impact of the UK leaving the EU in 2019, the absence of clarity on the nature of any future customs relationship and what it will mean in operational terms for the Port. It is likely that if new customs duties, tariffs or other controls are to be imposed, this could present a significant logistical problem for the Port and present additional inspection and sampling burdens for the service. The cost implications of this cannot be quantified at present and will only be known when the negotiations are complete and the exit conditions finalised. Additional funding will be sought from the FSA should significant additional resource be required to deliver enhanced port functions.
- 4.5.4 PCC retains the responsibility for monitoring the classification and bacteriological quality of the shellfish beds in Portsmouth and Langstone Harbours and also the bio-toxin

levels in marine waters. Although the ongoing costs of bio-toxin analysis are met by the FSA, the sampling of shellfish and associated analytical costs are delivered within the service budget. In 2018/19, 120 shellfish samples were taken.

- 4.5.5 It is anticipated that the level of sampling required in order to maintain the classification of our bivalve mollusc production areas will remain high in 2019/20 - consequently drawing significant levels of resource from other service delivery areas.

#### 4.6 Control and Investigation of Food Related Cases and Outbreaks

- 4.6.1 Over 500 infectious disease notifications were received by the City Council in 2018/19. It is generally recognised that the number of reported cases is a small proportion of the actual number of cases of food borne illness each year in the UK. A breakdown of confirmed cases notified during 2018/19 is shown in **Table 5**.

**Table 5**

Organism	No of cases
<i>Campylobacter</i>	324
Giardiasis	68
<i>Cryptosporidium</i>	30
Salmonellosis	25
<i>Escherichia coli</i> (VTEC and VTEC 0157)	16
Hepatitis B	19
Hepatitis C	4
Hepatitis E	2
<i>Staphylococcus</i>	6
Shigellosis D	3
<i>Mycobacterium tuberculosis complex</i>	9
Other food poisoning	4
<b>Total</b>	<b>510</b>

- 4.6.2 The total number of notifications remains largely unchanged from the previous year. Not all cases were confirmed as being food borne and/or caused by food businesses, but



the incidence of infection does highlight the importance of continued surveillance and timely interventions to prevent cases becoming more widespread and affecting a wider section of the community.

- 4.6.3 Infectious disease investigations are made in accordance with a Single Case Plan which was updated by PHE in October 2018 mainly in respect of updated national guidance relating to *E Coli* 0157 and the updated CIEH Health Protection Regulations 2010 Toolkit. This plan is made under the Local Agreement between Local Authority Environmental Health services of Hampshire and the Isle of Wight and the South East Centre Health Protection Unit (HIOW Office). It represents agreement between environmental health teams in Hampshire and PHE for the investigation of single cases of infectious diseases, many of which are food-borne. Priority is given to cases involving persons who work in the food industry or have contact with vulnerable groups.
- 4.6.4 The Council also works in partnership with PHE to prevent and control cases and investigate wider outbreaks of food related disease that fall outside the scope of the single case plan. It is a member of the Hampshire, Isle of Wight and Thames Valley Local Health Resilience Partnership and works under a Joint Health Protection Incident and Outbreak Control Plan used in the management of an outbreak or incident of infectious disease, or suspected infectious disease, in the community.
- 4.6.5 The plan describes how organisations respond to an infectious disease outbreak or other serious incident related to infectious diseases and describes arrangements for co-ordinated and prompt action in a suspected outbreak or incident, such as an infectious disease or environmental contamination, which has had, or may have, a significant impact on public health. The plan can be used partially or in its entirety depending on the incident and the response required. This plan is scalable and can be adapted to any given prevailing incident. There were no significant outbreaks in Portsmouth in 2018/19 that required the implementation of the plan.

#### **4.7 Food Safety Incidents and Alerts**

- 4.7.1 There is a documented Food Alert and Incident procedure covering the issue of warnings arising from a food related issue in the City and the response to warnings issued by the FSA.
- 4.7.2 Responses to Food Incidents and Alerts are determined by the Regulatory Services Manager and Food Lead Officer in consultation as necessary with the Food Standards Agency, Public Health England, and other relevant stakeholders.
- 4.7.3 In March 2018 the FSA updated its communication platform to improve the notification of incidents and food hazards / alerts to local authorities. Although very few notifications require any form of direct action on the part of the service, these continue to emphasise the value of food safety intelligence and 'horizon scanning' in reducing public health risks. It is difficult to predict the number of warnings likely to be received in 2019/20 and the effect this might have on the programmed work the team undertakes.

## **4.8 Food Standards interventions**

- 4.8.1 Food standards interventions are carried out on a routine basis by staff that are trained and competent in food law. All Food and Standards complaints received by the RS team are assessed and either assigned to an appropriate officer for appropriate action or recorded for intelligence purposes. Most relate to labelling and food composition queries.
- 4.8.2 In order to better understand the different ways in which food standards regulatory controls are being delivered, and to better appreciate the current pressures on Local Authorities in maintaining effective delivery, the FSA in 2018 conducted a baseline survey of all Local Authorities in England, Wales and Northern Ireland to assess the current delivery arrangements for food standards.
- 4.8.3 The data is currently being assessed to determine the particular strengths and weaknesses in the current delivery model and examples of best practice to be given further consideration. A report of the findings in the context of the RoF programme is expected to be published by the FSA later in the year.

## **4.9 Liaison with Other Organisations**

- 4.9.1 The Service is committed to formal inter-agency liaison relationships as set out in the FLCoP. Additional communication takes place at officer level during the process of investigating offences, sharing information and exchange of intelligence.
- 4.9.2 The Hampshire and IOW local authorities have established a Food Hygiene Advisory Committee to collaborate on food safety issues, produce common policies and procedures and promote consistency in food safety regulation. Portsmouth's Regulatory Food Lead officer regularly attends the meetings of this group. A regional Trading Standards forum, which specifically covers food standards issues, is also attended by a RS Lead Officer.
- 4.9.3 Officers from the service also attend similar county-wide forums covering health and safety at work, food sampling and infectious disease control which generally meet four times a year.
- 4.9.4 Officers also routinely liaise with Building Control, Planning and Licensing staff, particularly when new businesses are being established. There also is ongoing liaison with PCC's Private Sector Housing Team and Hampshire Fire and Rescue Service to deal with fire risks in mixed use premises that impact significantly on the safety of food businesses and their resident food handlers.
- 4.9.5 The service also works with Southern Water to explore additional measures that might be taken to prevent or reduce the frequency of sewage discharges into the harbours and also to assess the impact that these discharges are having upon the quality of the

shellfish production areas. Officers also undertake joint premises inspections with enforcement staff from Southern Water to reduce the amount of fat being discharged into shared sewers by commercial food businesses.

4.9.6 Meetings of voluntary organisations, such as the Portsmouth Chinese Association, have been attended with translation support, to improve the food safety message to food business operators whose first language is not English.

4.9.7 The service uses media such as The Portsmouth News and its web pages to deliver food safety messages and promote successful enforcement action taken in the courts.

#### **4.10 Promoting Food Safety**

4.10.1 Food Safety training, mainly CIEH Level 2 courses, is offered by the Council (through the Independence and Wellbeing Team).

4.10.2 Promotional work undertaken during 2018/19 included

- Continued support to the National Food Hygiene Rating Scheme to encourage businesses to improve and to inform consumers of standards being achieved
- Provision of advice and support to business with a poor track record of food hygiene compliance, specifically to raise the FH Rating score to 3 or above
- Improvement of communication and dialogue with local businesses and consumers to improve food safety standards.
- Updating our mobile food trader guidance.

#### **4.11 Team performance in 2018/19**

4.11.1 A summary of the key activities undertaken by the team last year is shown in Appendix A. Priority was given to the planned food premises inspection programme and taking formal action / providing business support depending on the issue(s) identified and the risk it presented to public health.

### **5. Resources**

#### **5.1 Financial Allocation**

5.1.1 The budget allocated for the BST in 2019/2020 is £212,000. This equates to the employment of 4.12 FTE.

5.1.2 The Regulatory Services Manager is responsible for the allocation and delegation of budgets allocated to food enforcement functions. This is carried out in collaboration with the management team. Budgetary resources are used flexibly to meet changing demands on the service.

5.1.3 No specific testing or inspection budget is available for 2019/2020 and therefore supplementary needs for sampling (except for our functions in respect to shellfish

classification) are available. Additionally no allocation for legal costs is given to food work. Where appropriate formal action is taken this will be paid for from the central budget for all Regulatory Services cases and prosecution costs will be reclaimed from proceedings where possible.

- 5.1.4 A comparison with 2018/2019 is not directly possible as during 2018/2019 a restructuring of Regulatory Services took place. It should however be noted that the staffing resources available to food operations has fallen by approximately 2.0 FTE as the availability of qualified food officers decreased during the review process.

## **5.2 Staffing Resources**

- 5.2.1 Food safety inspections are carried out by appropriately qualified and authorised environmental health practitioners. The officers deliver a single 'environmental health service' to a diverse customer base which, in addition to food safety, covers health and safety in the workplace, infectious disease control, animal health and port health. As a consequence, the maximum resource that is available to deal with food safety is approximately 4.1 FTE officers.

- 5.2.2 In 2018/19 a contractor was used to inspect / assess lower risk category D and E businesses to determine whether revision to their risk rating was appropriate or whether further action was necessary to improve compliance with food safety standards. Over 80 inspections were completed and formal action taken against 6 businesses. This work significantly reduced the number of due interventions that were outstanding at the end of the year.

## **5.3 Staff Development**

- 5.3.1 All members of staff have the opportunity to have 1 to 1 meetings as necessary with the Regulatory Services Manager or Lead Regulatory Services Officer (food) to consider and address personal development issues.
- 5.3.2 In 2016/17 competency assessments were completed for all officers undertaking food law enforcement duties which have formed the basis for future training and staff development activity. These will be reviewed and updated in 2019.
- 5.3.3 All officers are required to undertake a minimum of 20 hours CPD training each year on food safety related topics which this is achieved by the following:
- Structured in-house training for all food safety officers in bi-monthly meetings
  - Online training in relevant issues provided by an FSA-approved training provider
  - Cascade training sessions to pass on information or updates on specific issues or material considered by advisory committees (para 4.9.2)
  - Regular updates through staff briefings and circulation of relevant information and technical material

- 5.3.4 The service uses a range of training material provided by a range of organisations including the Chartered Institute of Environmental Health, FSA, PHE, Trading Standards South East Limited and also external providers (such as ABC Training) in areas of specialist expertise.

## **6. Quality assessment**

- 6.1 Officers authorised under food safety legislation are provided with Standard Operating Procedures describing how inspections are carried out, how complaints are investigated and how legal powers are enforced. This ensures that the service complies with the service standard set out in the FSA Framework Document.
- 6.2 The service was subject to a full FSA audit in 2013. The subsequent service improvement plan was actioned in 2014, which included the review of all Operating Procedures and quality measures. The plan was signed off by the Agency in 2014. The reviews will continue into 2019/20 to drive service improvements despite restrictions on available resources.
- 6.3 Activities which are used to monitor and maintain service quality include:
- Monthly team meetings with six each year being reserved for training
  - Random accompanied inspections of officers by Regulatory Food Lead to ensure risk rating is consistently applied
  - Review by the Regulatory Food Lead of any FHR inspection resulting in a rating of 0,1 or 2
  - Peer review of all statutory notices before service
  - Managerial review of any case likely to be subject to enforcement action in the Courts
  - Random post inspection checks by the Regulatory Food Lead of records and enforcement decisions made by team members
  - Benchmarking activities and information exchange between PCC and other Hampshire LAs co-ordinated by Hants and IOW Food Advisory Committee
  - Examination of any customer complaints made through the corporate procedure - 0 complaints about the food safety service were made in 2018/19
  - Monitoring appeals against enforcement notices - no appeal has been made against any Hygiene Improvement Notice served in the last 6 years
  - Monitoring appeals against Food Hygiene Ratings - one appeal was made against a rating issued in 2018/19 which was not found to be justified.

## **7. Key Performance Areas for 2019/20**

Key activities scheduled for 2019/20 are to

1. Target inspection resources to food businesses that present the highest risk to public safety.

2. Take appropriate action against poorly performing businesses (FH rated 0, 1 or 2) including proportionate enforcement measures in line with EH and corporate enforcement policies.
3. Manage the planned food business inspection programme to achieve a 100% inspection rate for higher risk Category A, B and non-compliant C premises that are due an intervention during the year.
4. Ensure that requests for service are subject to an initial assessment and response within 3 working days or sooner depending on the risk presented to the public.
5. Ensure that all applications for premises approval under EC 853/2004 are determined within 28 days of receipt.
6. Inspect lower risk Category D and E premises at a rate determined by available resource levels and by alternative interventions where appropriate
7. Ensure business requests for FHRS re-visits are carried out within 6 weeks unless where a longer intervention period is deemed appropriate (subject to the FHR Brand Standard requirements)
8. Review and update all food service policies and procedures as necessary to reflect any changes in legislation, FSA policy, FLCoP and FLPG to ensure they remain fit for purpose.
9. Track and consider the impact of proposals to change food law delivery currently under review by the FSA in its 'Regulating Our Future' strategy. Examine the implications of EU exit for the delivery of the food safety controls at the Port.
10. Identify additional means to promote food safety standards and requirements to local businesses to improve compliance in key areas.
11. Continue to participate in the Hants and IOW Food Advisory Group and TSSEL work programmes and meetings.
12. Continue to participate in local, regional and national food sampling surveys concerning microbiological quality and food standards matters.
13. Ensure that staff continue to receive appropriate and sufficient up to date training to meet the 20 hour CPD and competency requirements as defined in the FLCoP. Priority will be given to that CPD necessary to deliver the service priorities, to meet statutory and procedural requirements, and any training needs of new members of the team.
14. Review and update as necessary competency assessments (hygiene and standards) for all staff engaged in food safety regulation.

15. Engage with the organisers of key outdoor events to ensure that mobile food businesses trading in the City meet the necessary hygiene standards when trading.
16. Continue to engage with organisations supporting minority ethnic groups to support food business operators whose first language is not English.
17. Continue the shellfish sampling programme in consultation with CEFAS/FSA with ongoing review of bed classifications in Portsmouth and Langstone harbours.

## **8. Review**

- 8.1 The process of review of the Plan as a whole will be undertaken in March each year based on

- performance and resources available over the previous 12 months
- responses to feedback from local businesses and the community
- observations from members and the food safety team
- advice and guidance issued by the FSA and other agencies

The review of this document will then inform the development of the Food Safety Plan for 2020/21 which will be scheduled for member consideration in June 2020.

- 8.2 Review of officer workload and priorities will be done on an ongoing basis throughout the year.

## Appendix A - Team performance in 2018/19

Scheduled activity	Performance
Continue to target inspection resources to the premises of highest risk.	Achieved and ongoing.
Continue to take appropriate action against poorly performing businesses (FH rated 0, 1 or 2) including proportionate enforcement measures in line with EH and corporate enforcement policies.	Action was taken against any business which fell below FHR 3 or presented a public health risk, see para 3.5.2.
Continue to manage the planned inspection programme to achieve a 100% inspection rate for high risk Category A to C premises.	Achieved. 23 C-rated businesses were outstanding at the year-end, however these were 'broadly compliant' and were included in the 2019/20 inspection programme.
Ensure that requests for service are subject to an initial response within 3 working days or sooner depending on the seriousness of the issue.	Achieved.
Ensure that all applications for premises approval under EC 853/2004 are determined within 28 days of receipt of application.	No applications received in 2018/19 for new premises approval.
Continue to inspect Category D premises (lower risk) at a rate determined by available resource levels.	Achieved. 83% of D-rated premises due were inspected in the year, see para 4.1.2. Remainder prioritised for Q1 2018/19.
Continue to subject Category E premises (lowest risk) to an alternative enforcement strategy in lieu of inspections (which may include telephone surveys and questionnaires) to determine current activity and whether a PCC intervention is required.	Achieved. 48 E-rated premises were due an inspection at the year end, see para 4.1.2.
Introduce charging for FHRS re-visits when requested by business.	Charging introduced in November 2018.
Review and update all service policies and procedures as necessary to reflect any changes in legislation, FSA policy, FLCoP and FLPG to ensure they remain fit for purpose.	Certain port health procedures were reviewed and updated in 2018. No legislation or policy change requiring wider review.
Track and consider the impact of FSA 'Regulating Our Future' programme and EU exit.	Proposals not yet finalised, to be carried forward to 2019/20.
Continue to participate in the Hants and IOW Food Advisory Group work programmes and meetings.	All meetings in 2018/19 attended.
Continue to participate in local, regional and national food sampling surveys concerning microbiological quality and food standards matters.	All meetings in 2018/19 attended.



Ensure that staff receive appropriate and sufficient up to date training to meet the 20 hour CPD and competency requirements as defined in the FLCoP. Priority will be given to that CPD necessary to deliver the service priorities, to meet statutory and procedural requirements, and any training needs of new members of the team.	Achieved by most officers. Ongoing.
Carry out internal peer reviews to promote consistency in approach towards inspection, risk rating and enforcement of food law.	Achieved and ongoing.
Engage with the organisers of key outside events to ensure that food businesses that come to the City meet the necessary hygiene standards when trading.	Intelligence gained through PESAG, interventions based on intelligence received and risk of event. Ongoing.
Continue to engage with organisations supporting minority ethnic groups to support food business operators whose first language is not English.	Ongoing.
Continue the shellfish sampling programme in consultation with CEFAS/FSA with ongoing review of bed classifications in Portsmouth and Langstone harbours.	Ongoing. New beds classified, sampling achieved at rate necessary to maintain existing classifications, see para 4.5.5.
Review and update as necessary competency assessments (hygiene and standards) for all staff engaged in food safety regulation.	Now scheduled for Q2 2019/20.

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# Equality Impact Assessment

Preliminary assessment form v5 / 2013

[www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

The preliminary impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies which require a full EIA by looking at:
  - negative, positive or no impact on any of the equality groups
  - opportunity to promote equality for the equality groups
  - data / feedback
- prioritise if and when a full EIA should be completed
- justify reasons for why a full EIA is not going to be completed

**Directorate:**

Director of City Culture, Leisure and Regulatory Services

**Function e.g. HR,  
IS, carers:**

Regulatory Services

**Title of policy, service, function, project or strategy (new or old) :**

Food Safety Operating Plan 2019 / 2020

**Type of policy, service, function, project or strategy:**

- ☒ Existing
- ☐ New / proposed
- ☐ Changed

### Q1 - What is the aim of your policy, service, function, project or strategy?

The Plan provides:

- 1 - a profile of food businesses in Portsmouth
- 2 - the scope of the Food Safety Service and demands made on it
- 3 - the delivery of the service in terms of food premises inspections
- 4 - operational procedures to ensure compliance with legislative requirements and consistency of approach
- 5 - a review of performance in 2018 / 2019 and a summary of key activities identified for 2019 / 2020.

### Q2 - Who is this policy, service, function, project or strategy going to benefit or have a detrimental effect on and how?

All Portsmouth citizens, food businesses and visitors to the city

### Q3 - Thinking about each group below, does, or could the policy, service, function, project or strategy have a negative impact on members of the equality groups below?

Group	Negative	Positive / no impact	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transgender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other excluded groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If the answer is "negative" or "unclear" consider doing a full EIA

**Q4 - Does, or could the policy, service, function, project or strategy help to promote equality for members of the equality groups?**

Group	Yes	No	Unclear
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gender	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transgender	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pregnancy or maternity	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other excluded groups	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If the answer is "no" or "unclear" consider doing a full EIA

**Q5 - Do you have any feedback data from the equality groups that influences, affects or shapes this policy, service, function, project or strategy?**

Group	Yes	No	Unclear
Age	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Disability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Race	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Gender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Transgender	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Religion or belief	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Pregnancy and maternity	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other excluded groups	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If the answer is "no" or "unclear" consider doing a full EIA

**Q6 - Using the assessments in questions 3, 4 and 5 should a full assessment be carried out on this policy, service, function or strategy?**

☐ yes ☒ No

**Q7 - How have you come to this decision?**

Portsmouth City Council's food enforcement policy is part of the Food Standard's Agency's (FSA) national food safety framework agreement for the operation of food safety across all local authorities within the United Kingdom. Portsmouth delivers its local food policy / plan in accordance with a statutory Food Law Code of Practice provided by UK Government. The Code was last updated in March 2017. Through appropriate delivery the Code serves to protect all citizens and does not disproportionately affect any equality group. The FSA also controls training and provides much of the information given to customers, including explanatory documents in other languages. Where language difficulties do exist officers will provide assistance, translate documents or accept key documents in another language. As a regulatory function of the Council the service's primary task is to ensure that food premises and the food they produce are safe for those who eat and work there and must apply the legislation to all food businesses. There is no evidence that food businesses owned or operated by people from any group are discriminated against (i.e. treated differently and unfairly) or that they are disadvantaged in any way which cannot be objectively justified by the need to enforce the legislation to protect the public and workers. Officers are, however, aware of the need for cultural sensitivity and the need to provide additional help to customers for whom English is not their first language.

If you have to complete a full EIA please contact the Equalities and diversity team if you require help  
Tel: 023 9283 4789 or email:equalities@portsmouthcc.gov.uk

**Q8 - Who was involved in the EIA?**

Chris Larkin

**This EIA has been approved by:** Richard Lee

**Contact number:**

023 9283 4857

**Date:**

15 July 2019

Please email a copy of your completed EIA to the Equality and diversity team. We will contact you with any comments or queries about your preliminary EIA.

Telephone: 023 9283 4789

Email: [equalities@portsmouthcc.gov.uk](mailto:equalities@portsmouthcc.gov.uk)

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# Agenda Item 5

## THIS ITEM IS FOR INFORMATION ONLY

(Please note that "Information Only" reports do not require Equality Impact Assessments, Legal or Finance Comments as no decision is being taken)



Portsmouth  
CITY COUNCIL

<b>Title of meeting:</b>	Cabinet Member for Community Safety
<b>Subject:</b>	Update on the provision of additional Community Wardens
<b>Date of meeting:</b>	31 July 2019
<b>Report by:</b>	Director of Housing, Neighbourhood and Building Services
<b>Wards affected:</b>	All

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1. **Requested by** Cllr Lee Hunt - Cabinet Member for Community Safety

2. **Purpose** - to understand the impact of the provision of additional community wardens and to update the Cabinet Member on the funding situation

### 3. Information Requested

#### Background

- 3.1. The council has 8 full-time equivalent (FTE) permanent community warden (CW) posts who provide a City wide service working shifts from 10am-10pm all year except for Christmas Day, Boxing Day, New Year's Day.
- 3.2. Additionally, the council employs a team of 8 FTE Community Wardens who have been in post since early 2019 and is fully funded until 31 March 2020. This team costs £312000 per annum and is funded from Environment and Community Safety (ECS) reserves, Flexible Supported Housing Grant (FSHG) and the Housing Revenue (HRA) account. As this is a revenue cost, the reserve funding element can only be funded in this way for 1 year. The FSHG grant will also end in March 2020. This team works shifts from 8am - 2am Mon- Fri and 9am-2am at weekends, all year except for Christmas Day, Boxing Day and New Year's Day. These posts replaced the 4 x High Street Warden posts which were in place from early 2018 to early 2019. Their work also includes evening and weekend patrolling of local authority housing estates.

- 3.3. Both of these shift patterns work together as a team to 'help keep the City safe, clean and tidy and to provide support and advice when needed'. This service is provided for 120 hours per week.
- 3.4. The team deal with a wide variety of demands from waste and fly tipping issues, to anti-social behaviour, rough sleepers, and unauthorised encampments.
- 3.5. The team is managed by 2 permanent Community Warden Managers (CWM).
- 3.6. Since the introduction of the additional 8 community warden posts, demand dealt with by the service has increased substantially (appendix a). Demand comes from reports from members of the public as well as that which is seen when on patrol by the team.
- 3.7. The team carry out targeted patrols across the City and on Housing estates based on demands that they receive and ongoing issues.
- 3.8. The team are part of the Neighbourhoods team and work closely with the waste management and environmental enforcement teams as well as the Housing options, area housing office, environmental health, parks and parking teams.
- 3.9. Additionally, they work with other agencies such as the Police, Society of St. James' and other outreach services to resolve issues together.
- 3.10. The team provide support and advice to try and resolve issues such as rough sleeping, ASB, waste issues, unauthorised encampments etc.
- 3.11. The team may also take enforcement action where necessary. This can be in the form of warning and banning letters, possession action, fixed penalty notices and community protection notices, etc.

#### **4. Impact of having additional resources.**

- 4.1. Since the introduction of the additional 8 community warden posts, demand dealt with by the service has increased substantially (appendix A). Demand comes from reports from members of the public as well as that which is seen when on patrol by the team. The team use the data gathered to understand where to place their resources most effectively.
- 4.2. Demand has increased because the size of the team has increased. This is because the team are able to carry out more proactive patrols to target known issues and monitor areas where issues have been resolved or are reported to be increasing. They also respond to reports made by members of the public.

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**require Equality Impact Assessments, Legal or**  
**Finance Comments as no decision is being taken)**



About two thirds of demands are picked up when proactively patrolling or attending to incidences of reported demands. 24% of demands jobs were passed to other departments such as Highways PFI, Recycling and Refuse, Housing, Parks etc. as well as external agencies such as the Police. As well as giving advice and support, the team gave out warning letters, fixed penalty notices and community protection notices.

- 4.3. The extended hours have enabled the team to direct resources to issues that were previously difficult to monitor and this has made the team more flexible and responsive.
- 4.4. In 25% of cases, the team find that on attendance to a reported incident or targeted patrol, that the area is clear. This data is continually analysed and targeted patrols are adjusted in line with the outcome of visits. This amount is up since the Housing Patrols began in April but is reducing as the team learn about what each area needs.
- 4.5. It is worth noting that 86.1% of the reported demand (i.e not found on patrol) is responded to on the same day with a further 11.1% being responded to the next day.

## **5. Future revenue cost**

- 5.1. The cost of continuing to provide the additional community warden team would be £312000 per annum. This cost includes staffing, uniforms and equipment and vehicle costs.
- 5.2. Based on the nature of the work the funding would need to be a combination of Housing Revenue Account, and General Fund or grant funding (see appendix B for current breakdown)

## **6. Conclusion**

- 6.1. The team has already been able to demonstrate an impact in terms of the volume of work that they are able to respond to, and find, as they patrol the City. Further funding is needed to secure this cover going forward.
- 6.2. If the team is not able to continue this means capacity to deal with the demands will also be reduced. Currently every community warden (16 CW +2 CWM) deals with an average of just over 1000 demands per year.

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- 6.3. A decision report will be completed for the October community safety decision meeting setting out the options to continue to provide an expanded community warden team.

.....  
Signed by James Hill - Director for Housing, Neighbourhood and Building Services

**Appendices:**

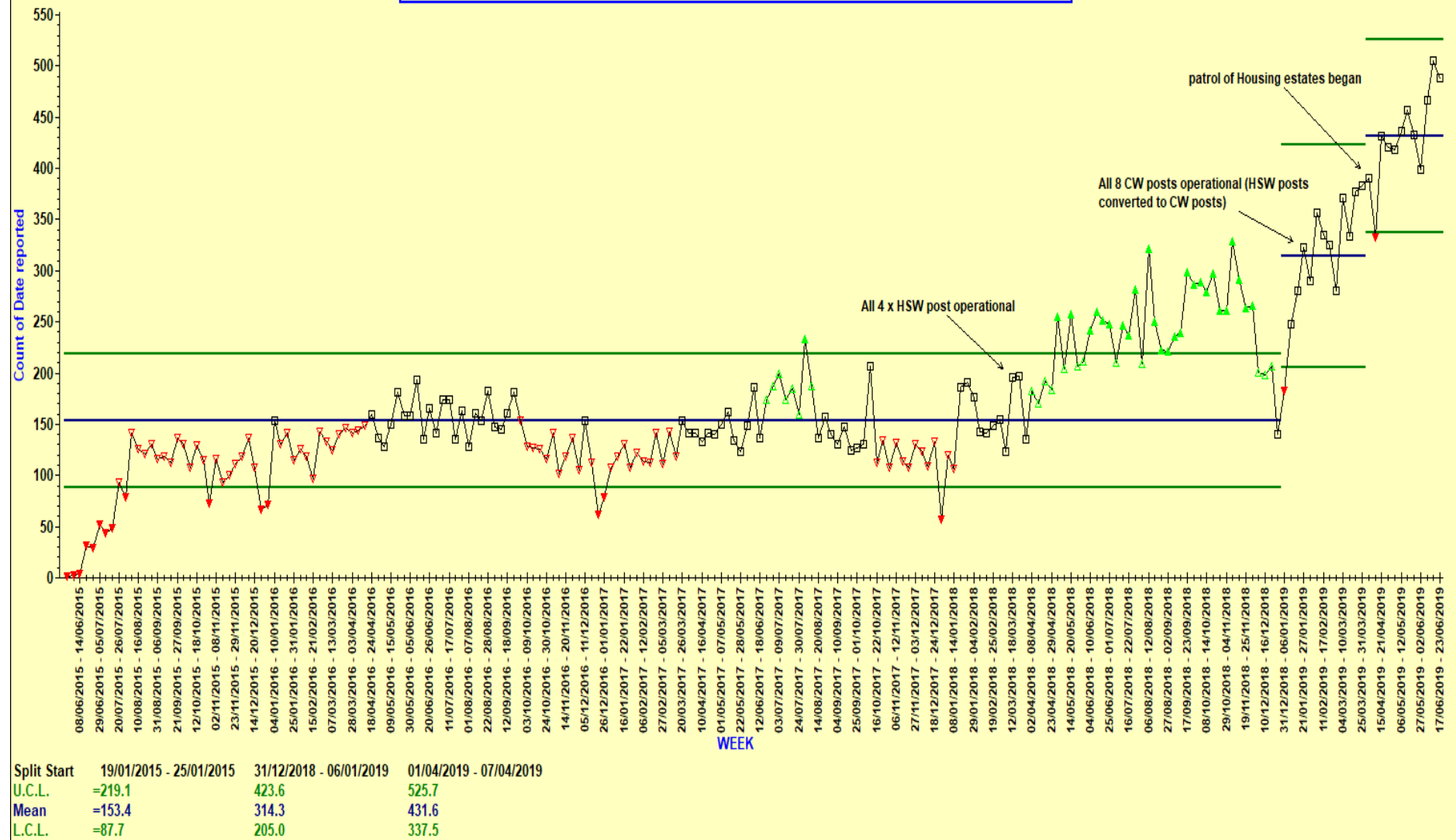
Appendix a - Demands  
Appendix b - Current funding split

**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

### Community Warden Demands - Demands per week - Count of Date reported



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Appendix B - current funding streams (up until 31 March 2020)

	Source Of Funding			
	HRA (56%)	GF (22%)	FHSG (22%)	Total Cost
8 x Community Wardens	£ 164,100	£ 64,500	£ 64,500	£ 293,100

HRA = Housing Revenue Account

GF = Portfolio Reserve

FHSG = Flexible Homelessness Support Grant

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# Agenda Item 6

## THIS ITEM IS FOR INFORMATION ONLY

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Portsmouth  
CITY COUNCIL

**Title of meeting:** Community Safety Decision Meeting

**Subject:** Stamshaw Park CCTV

**Date of meeting:** 31 July 2019

**Report by:** Roy Goulding, Community Safety Manager

**Wards affected:** Nelson Ward

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### 1. Requested by

- 1.1 Councillor Lee Hunt, Cabinet Member for Community Safety

### 2. Purpose

- 2.1 To provide the Cabinet Member for Community Safety with an update of the CCTV cameras system installed at Stamshaw Adventure Playground covering parts of Stamshaw Park.

### 3. Background

- 3.1 A review of CCTV cameras was undertaken at Stamshaw Park following a police officer being stabbed on the 21 February 2019 close to the Adventure Playground. There had also been reports of anti-social behaviour occurring in the area. A redeployable camera was installed whilst works to upgrade the system in the park was undertaken. Hampshire Constabulary had identified Stamshaw Park as a priority to them due to these incidents taking place and requested support for the installation of CCTV cameras.

### 4. Information Requested

- 4.1 There is a bespoke CCTV system installed at Stamshaw Adventure Playground with capacity to view and record images. There is currently 8 CCTV cameras operational on the site. These cameras cover the playground and also some of the surrounding park area. There are four additional cameras to be installed in the Playground pending the installation of a permanent power supply to two lamp posts.
- 4.2 There are five cameras are installed on the youth centre main building covering the playground site and park area/path to the east side of the park.

- 4.3 There are four additional cameras to be installed on lamp posts within the playground area to view some areas of the playground and park land to the north. These cameras are due to be installed as per 4.1
- 4.4 Three cameras are installed on a north side floodlight within the external ball court area. This covers the ball park and some of the park area to the east and west. These are permanent cameras that form part of the 12 camera Stamshaw system.
- 4.5 There is also a redeployable CCTV camera (unit contains 3 cameras) installed on a south side floodlight within the external ball court area covering the ball court, and surrounding park area. This camera is used to be redeployed across the city to respond to anti-social behaviour concerns at locations that do not have CCTV cameras. These cameras are operational but can be relocated to a different location in the city if required. This redeployable camera was a quick response to ensure CCTV coverage in the park was installed as soon as possible whilst a permanent solution was being undertaken.
- 4.6 A second redeployable camera has been installed on a lamp post in Ranelagh Road covering the entrance to the car park near Stamshaw Angling Club. There are complaints of drug dealing taking place at that location so this camera has been installed and will be monitored.

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Signed by James Hill (Director of Housing, Neighbourhood and Building Services)

## 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	Location