



Equality Impact Assessment

Full assessment form v5 / 2013

www.portsmouth.gov.uk

Directorate:

Director of Regulatory Services and Community Safety

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

Environmental Health

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

The Food Operating Plan 2016 / 2017 - includes an inspection plan for food business operators (FBOs) 2016 / 2017

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

New / proposed

Changed

Existing

Lead officer

Richard Lee

People involved with completing the EIA:

Richard Lee
Aimee Cartwright

Introductory information (Optional)

The statement of purpose for the Food Operating Plan is:

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 enforcement

Implementation will not affect the concept of fairness established under the adoption of the prescriptive inspection procedures produced by the government in 2011. These ensure that all food establishments are inspected and enforced equally regardless of ethnicity or cuisine type

Step 1 - Make sure you have clear aims and objectives

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

The aim of the policy is to:

- update the Cabinet Member for Environment and Community Safety on the current level of food business hygiene compliance in Portsmouth
- set out the programme of inspections during 2016 / 2017
- highlight service risks and non-compliances with the Food Law Code of Practice (FLCofP)

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

The implementation of the food operating plan could potentially interact with all parts of the community

Officers provide services that benefits all businesses / organisations and all individuals that reside, visit or work in Portsmouth

The policy highlights a reduction in programmed food hygiene inspection rates, which could have a detrimental effect on FBOs

Food hygiene inspections give businesses a opportunity to seek advice and education in relation to food law and good practice

Less inspections will mean FBOs will have less opportunity to acquire this advice. This could result in increased likelihood of falling standards in food hygiene and non-compliances with the law

Officers will inspect businesses less so imminent risks to health may not be identified. This this could result in greater risk to public health and an increase in food poisoning across the city

What outcomes do you want to achieve?

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 enforcement

What barriers are there to achieving these outcomes?

FBO compliance with food law
An increase in the number food businesses within Portsmouth
Reduction in the total number of food hygiene inspections carried out per year
Reduction in the levels of staff resource and number of full time equivalent officers

Step 2 - Collecting your information

What existing information / data do you have? (Local or national data) If you don't have any data contact the Equalities and diversity team for some ideas

The number of FBOs registered with PCC
The types of food businesses registered with PCC
The total number of food hygiene inspections carried out per year
The number of broadly compliant food hygiene premises per year
The number of enforcement actions taken against food businesses per year
The number of complaints received regarding food businesses per year

Using your existing data, what does it tell you?

The number of FBOs registered with PCC since 2012 / 2013 has increased by 13%
The food business category 'restaurant / café / caterer' increased at the greatest rate - 21% since 2012/2013. It is not known what equality groups are included in each food business category
The total number of food hygiene inspections carried out per year has reduced. It is not known what impact this may have on different equality groups
The number of broadly compliant premises (those premises rated '3', '4' or '5') has remained static since 2013
In 2015 / 2016 the levels of voluntary closure of a food business requested by an officer were the highest recorded, being 63% higher than in 2014 / 2015
The number of prosecutions against food businesses has increased since 2013. It is not entirely known what equality groups are prosecuted against
The number of food hygiene complaints regarding food premises has significantly reduced since 2012 (50% reduction). It is unknown the equality groups of customers making complaints

Step 3 - Now you need to consult!

Who have you consulted with?

None

If you haven't consulted yet please list who you are going to consult with

More information is needed to cover all the equality groups. There is a need to ensure that risk-based approach to the statutory and regulatory inspection

and enforcement of food business operators addresses all equality groups. If enforcement action is taken against a specific equality group and why

Need to consult FBOs

Please give examples of how you have or are going to consult with specific groups or communities e.g. meetings, surveys

When customers are completing food registration forms - legal requirement upon opening

Possibly, during food hygiene inspections (need to gather equality data on language, disability and ethnicity status of service recipients)

Step 4 - What's the impact?

Is there an impact on some groups in the community? (think about race, gender, disability, age, transgender, religion or belief, sexual orientation, pregnancy and maternity and other socially excluded communities or groups)

Generic information that covers all equality strands (Optional)

Ethnicity or race

Language - officers being unaware of FBOs preferred first language

Currently information concerning the first language of the recipients of food hygiene inspections is recorded on inspection form - this information is not however submitted to the database (APP) so analysis of data / demand is difficult

Language - City Help Desk likely to be unaware of customers preferred first language when making a complaint regarding a food business

The lack of awareness of the City Help Desk within the different communities

Gender including transgender

Unlikely to be relevant to the food operating plan and inspection regime

Age

Lack of understanding of issues / requirements affecting individuals accessing services

Disability

Lack of understanding of issues / requirements affecting individuals accessing services

Lack of data regarding disability in relation to use of / or satisfaction with the service

Religion or belief

Lack of data in relation to religion or belief - use of / or satisfaction with the service - types of foods prepared / requirements in relation to food preparation

Sexual orientation

Lack of data in relation to the use of the service - unlikely however to be relevant to the food operating plan and inspection regime

Pregnancy and maternity

Reduction of inspection frequency and identified possible deterioration in standards may possibly impact upon this group

Other socially excluded groups or communities e.g. carers, areas of deprivation, low literacy skills

Take up of the services and advice by socially and / or economically excluded individuals, such as people with low literacy skills unknown - links to an understanding of the food hygiene law, understanding of food hygiene report forms and the compliance requirements that are expected to meet - could led to non-compliance and increased risk of prosecution

Health Impact

Have you referred to the Joint Needs Assessment (www.jsna.portsmouth.gov.uk) to identify any associated health and well-being needs?

Yes No

What are the health impacts, positive and / or negative? For example, is there a positive impact on enabling healthier lifestyles or promoting positive mental health? Could it prevent spread of infection or disease? Will it reduce any inequalities in health and well-being experienced by some localities, groups, ages etc? On the other hand, could it restrict opportunities for health and well-being?

The continuation of a risk-based approach to the statutory and regulatory inspection of food businesses could create a positive impact on enabling healthier lifestyles (through nutrition advice given during inspections) and could possibly prevent the spread of food poisoning and disease

Conversely the reduction in the number of inspections could result in restricting opportunities for health and wellbeing

Health inequalities are strongly associated with deprivation and income inequalities in the city. Have you referred to Portsmouth's Tackling Poverty Needs Assessment and strategy (available on the JSNA website above), which identifies those groups or geographical areas that are vulnerable to poverty? Does this have a disproportionately negative impact, on any of these groups and if so how? Are there any positive impacts?, if so what are they?

Deprivation and income equalities may impact upon the nutritional quality of the food consumers purchase / the manner in which in is prepared. These issues are however unlikely to be relevant to the food operating plan and inspection regime

Step 5 - What are the differences?

Are any groups affected in a different way to others as a result of your policy, service, function, project or strategy?

Environmental Health aims for all communities and groups to have access to their services. Currently, the inspection of FBOs requires ratings to be published on the FSA national website. Any possible future requirement for the mandatory display of hygiene ratings at the food business premises will further reduce inequalities to those who do not have access to the internet. Having a food hygiene rating displayed at food establishments that can be easily seen by the consumer is an effective way of ensuring that all have equality of access to information. The equality of access to information also has a positive impact on age discrimination as the level of internet use falls with age and the elderly are more vulnerable to food borne disease. To meet impacts on race equality, the 2016 / 2017 delivery of the inspections require consideration of a variety of languages. For the enforcement of the scheme, where inspections need to be carried out in languages other than that of the inspecting officer provision in advance of the planned inspection may be required. The Human Rights Act 1998 has been considered as part of the screening equality assessment and articles 6 (right of fair trial), 7 (no punishment without law) and rights contained within 13 (right to an effective remedy) are of some relevance but overall the policy for 2016 / 2017 is not thought to adversely affect human rights legislation. We have no evidence to indicate a differential impact for Gender and Gender Reassignment, Religion and Belief and Non-Belief, Sexual Orientation, Pregnancy and Maternity or Civil Partnerships.

Does your policy, service, function, project or strategy either directly or indirectly discriminate?

Yes No

If you are either directly or indirectly discriminating, how are you going to change this or mitigate the negative impact?

Step 6 - Make a recommendation based on steps 2 - 5

If you are in a position to make a recommendation to change or introduce the policy, service, project or strategy clearly show how it was decided on

There has been an increase in demand for the service due to a rise in the number of food business operators within Portsmouth since 2015, whilst staff resources over the same period have decreased

The number of food hygiene inspections carried out per year has reduced

The number of food premises closed as a result of an imminent risk to public health identified during an inspection. The number of premises prosecuted for serious legislative breaches of has increased

What changes or benefits have been highlighted as a result of your consultation?

If you are not in a position to go ahead what actions are you going to take?

(Please complete the fields below)

Action	Timescale	Responsible officer
Acquire information in relation to groups as identified in respect to inspection of premises	12 months	Businesses Support Team Leader
Investigate the need to acquire / produce / test success of delivering key literature in alternative formats		

How are you going to review the policy, service, project or strategy, how often and who will be responsible?

The manager will have responsibility for future monitoring by:
data collection and analysis
annual review of the service
assessment of complaints

Step 7 - Now just publish your results

This EIA has been approved by: Richard Lee, Environmental Health Manager

Contact number: 023 9283 4857

Date:

01 June 2016

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 full EIA.

Telephone: 023 9283 4789

Email: equalities@portsmouthcc.gov.uk