

**Report on the Audit of Local Authority Food Law  
Service Assessment of Food Businesses'  
Food Safety Management System (FSMS)**

West Lindsey District Council  
11-12 May 2010



## Foreword

Audits of local authorities' food law enforcement services are part of the Food Standards Agency's arrangements to improve consumer protection and confidence in relation to food. These arrangements recognise that the enforcement of UK food law relating to food safety, hygiene, composition, labelling, imported food and feeding stuffs is largely the responsibility of local authorities. These local authority regulatory functions are principally delivered through Environmental Health and Trading Standards Services. The Agency's website contains enforcement activity data for all UK local authorities and can be found at: [www.food.gov.uk/enforcement/auditandmonitoring](http://www.food.gov.uk/enforcement/auditandmonitoring).

The attached audit report examines the Local Authority's Food Law Enforcement Service. The assessment includes the local arrangements in place for officer authorisation and training, inspections of food businesses and internal monitoring. The audit scope was developed specifically to address Recommendations 9 and 15 of the Public Inquiry Report<sup>1</sup> into the 2005 E. coli outbreak at Bridgend, Wales. The programme focused on the local authority's training provision to ensure that all officers who check Hazard Analysis and Critical Control Point (HACCP) and HACCP based plans, including those responsible for overseeing the work of those officers, have the necessary knowledge and skills. Also, that existing inspection arrangements and processes to assess and enforce HACCP related food safety requirements in food businesses are adequate, risk based, and able to effect any changes necessary to secure improvements.

Agency audits assess local authorities' conformance against the Food Law Enforcement Standard ("The Standard"), which was published by the Agency as part of the Framework Agreement on Local Authority Food Law Enforcement and is available on the Agency's website at: [www.food.gov.uk/enforcement/auditandmonitoring](http://www.food.gov.uk/enforcement/auditandmonitoring). It should be acknowledged that there will be considerable diversity in the way and manner in which local authorities may provide their food enforcement services reflecting local needs and priorities.

The main aim of the audit scheme is to maintain and improve consumer protection and confidence by ensuring that local authorities are providing an effective food law enforcement service. The scheme also provides the opportunity to identify and disseminate good practice and provide information to inform Agency policy on food safety, standards and feeding stuffs. Parallel local authority audit schemes are implemented by the Agency's offices in all the devolved countries comprising the UK.

For assistance, a glossary of technical terms used within this audit report can be found at Annexe C.

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<sup>1</sup> <http://wales.gov.uk/ecolidocs/3008707/reporten.pdf?skip=1&lang=en>

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## **1. Introduction**

- 1.1 This report records the results of an audit at West Lindsey District Council with regard to food hygiene enforcement, under relevant headings of the Food Standards Agency Food Law Enforcement Standard. The audit focused on the Authority's arrangements for the management of food premises inspections, enforcement activities and internal monitoring. The report has been made available on the Agency's website at:  
[www.food.gov.uk/enforcement/auditandmonitoring/auditreports](http://www.food.gov.uk/enforcement/auditandmonitoring/auditreports).  
Hard copies are available from the Food Standards Agency's Local Authority Audit and Liaison Division at Aviation House, 125 Kingsway, London WC2B 6NH, Tel: 020 7276 8428.

### **Reason for the Audit**

- 1.2 The power to set standards, monitor and audit local authority food law enforcement services was conferred on the Food Standards Agency by the Food Standards Act 1999 and the Official Feed and Food Controls (England) Regulations 2009. This audit of West Lindsey District Council was undertaken under section 12(4) of the Act as part of the Food Standards Agency's annual audit programme.
- 1.3 The Authority was included in the Food Standards Agency's programme of audits of local authority food law enforcement services, because it had not been audited in the past by the Agency and was representative of a geographical mix of 25 Councils selected across England.

### **Scope of the Audit**

- 1.4 The audit examined West Lindsey District Council's arrangements for food premises inspections and internal monitoring with regard to food hygiene law enforcement, with particular emphasis on officer competencies in assessing food safety management systems based on HACCP principles. This included a reality check at a food business to assess the effectiveness of official controls implemented by the Authority at the food business premises and, more specifically, the checks carried out by the Authority's officers to verify food business operator (FBO) compliance with legislative requirements. The scope of the audit also included an assessment of the Authority's overall organisation and management, and the internal monitoring of other related food hygiene law enforcement activities.
- 1.5 Assurance was sought that key food hygiene law enforcement systems and arrangements were effective in supporting business compliance, and that local enforcement was managed and delivered effectively. The on-site element of the audit took place at the

Authority's office at the Guildhall, Marshalls Yard, Gainsborough, on 11-12 May 2010.

## **Background**

- 1.6 West Lindsey District Council is situated in the north of Lincolnshire between Lincoln and Scunthorpe. The River Trent forms much of the Western boundary and the eastern side extends almost to Grimsby. The district covers an area of 445 square miles and has a population of 81,116. The district is predominantly rural with the main areas of population being concentrated in the market town of Gainsborough, which has a long-standing industrial and manufacturing history, Market Rasen and Caistor.
- 1.7 The Food/Health and Safety Section was responsible for enforcing food hygiene legislation in the District. The Authority's Local Authority Enforcement Monitoring System (LAEMS) return for 2008/2009 reported 753 food premises in the District, comprising mainly small to medium catering and retail enterprises. The Authority reported there were eight establishments in the Authority's area which required approval under Regulation (EC) No. 853/2004.
- 1.8 Officers within the team were also responsible for health and safety enforcement. Food standards enforcement was the responsibility of Lincolnshire County Council.
- 1.9 The profile of West Lindsey District Council's food businesses as of 31 March 2009 was as follows:

| <b>Type of food premises</b>         | <b>Number</b> |
|--------------------------------------|---------------|
| Primary Producers                    | 8             |
| Manufacturers/Packers                | 21            |
| Distributors/Transporters            | 42            |
| Retailers                            | 151           |
| Restaurants/Caterers                 | 531           |
| <b>Total number of food premises</b> | <b>753</b>    |

## 2. Executive Summary

- 2.1 The Service had recently been restructured and was subject to resource constraints, including vacant officer posts and resources being diverted into preparation for a large and protracted prosecution case. The Authority was however able to report that they had still achieved their food hygiene inspection programme for 2009/2010, with the assistance of a part-time consultant Environmental Health Officer.
- 2.2 The Authority had developed a Food Service Plan for 2010/2011 that was in line with the Service Planning Guidance in the Framework Agreement and was due to be submitted for approval by relevant Members. The Plan would benefit from the inclusion of a clear comparison of the resources required to deliver the food service against the staff resources available to the Authority. The previous year's Plan had not been subject to review however it was intended to review the current Plan at the end of the financial year.
- 2.3 The Authority had developed and implemented policies and procedures covering most areas within the scope of this audit, however additional formal enforcement procedures required development. Existing procedures had been subject to recent review. A means of document protection was required to prevent any unauthorised amendments.
- 2.4 The Authority had documented procedures on the authorisation of officers which took account of officer qualifications, experience and competency. A combination of identity cards and individual authorisation documents confirmed the appropriate level of authorisation for individual officers. There were a number of improvements required to the authorisation documents to ensure they included all legislative references and enforcement options.
- 2.5 The Authority maintained training records for all authorised officers carrying out food law enforcement activities, and officers had completed a minimum 10 hours relevant training in the previous year based on the principles of continuing professional development (CPD). It was noted in particular that officers had recently undertaken update training on HACCP. All training activities were not being recorded, for example attendance on internal training courses.
- 2.6 The Authority had developed and implemented procedures on food hygiene inspections and the approval and inspection of approved establishments. Although it was clear from inspection records that officers were assessing compliance of premises during inspections, there was not always enough information recorded in every case to confirm some key information and the officers' overall assessment of compliance. Consistent full completion of the inspection aide-memoire would assist in ensuring that comprehensive records were maintained.

Either a letter or a report of inspection was issued after each inspection which provided clear guidance to the business.

- 2.7 Audit checks identified that detailed findings from inspections of approved establishments were not consistently recorded on the appropriate form for the type of approval, which resulted in some key information missing from the records. It was also not clear that all establishments had been re-approved as necessary under current legislation. The Authority had recently been audited by an officer from a neighbouring authority. The audit focused on the Service's enforcement activities in approved establishments. The audit had been specifically commissioned by the Authority and they were implementing an action plan to address the issues that had been identified.
- 2.8 Audit checks confirmed that the Authority was implementing a risk based programme of inspections, however, some inspections of general and approved establishments were not always being carried out within the time frames specified in the Food Law Code of Practice. It was clear that the Authority was concentrating its resources on higher risk premises.
- 2.9 The Authority had produced a sampling policy, procedure and programme and file checks confirmed that appropriate follow-up action had been taken on unsatisfactory sampling results. It was noted that results from sampling undertaken as part of a national sampling programme had been used to contribute to a well received local initiative involving butchers as part of the Authority's response to the Pennington Inquiry.
- 2.10 The Authority had implemented a policy and procedure on the investigation of food complaints. The procedure required development to include the investigation of complaints about food premises. It was not always clear that appropriate follow-up action had been taken to fully investigate complaints relating to hygiene in food premises.
- 2.11 The Authority had a specific Public Protection Enforcement Policy which was due for review as part of a corporate initiative. There was evidence that officers were providing support and guidance to businesses and where appropriate were adopting a graduated approach to enforcement where businesses had consistently failed to properly implement a food safety management system (FSMS). The hygiene improvement notices (HIN) reviewed during the audit were generally issued in accordance with central guidance however the records did not confirm that in all cases there had been a timely follow-up to check on compliance.
- 2.12 Internal monitoring of inspections was detailed in the food premises inspection procedure, however this needed to be expanded to cover monitoring of all food law enforcement activities. In practice there was evidence of some quantitative and qualitative internal monitoring

activities which included quarterly management reports, recorded one-to-one meetings with officers and paperwork checks.

- 2.13 A reality check visit at a food business was undertaken during the audit. The main objective was to assess the effectiveness of the Authority's assessment of food business compliance with food law requirements. The officer was able to demonstrate a thorough knowledge of the FSMS in place, and it was confirmed that the officer had carried out an effective and thorough evaluation of the compliance of the food business at the most recent inspection.



### **3. Audit Findings**

#### **3.1 Organisation and Management**

##### *Strategic Framework, Policy and Service Planning*

- 3.1.1 The Authority had developed a Public Protection Services Food/Health and Safety Section Service Plan 2010/2011, which had been drawn up in accordance with the Service Planning Guidance in the Framework Agreement and was due to be approved by Members in June 2010. Whilst the Plan contained details of the staff resources required to deliver the food law enforcement service and the staff resources available to the Authority, these were not easily comparable and the Service had identified the need to make this clearer in the Plan.
- 3.1.2 Due to extenuating circumstances, the previous year's Plan had not been subject to review, however auditors were advised that there were plans to review the current Service Plan at the end of the financial year, when any variances would be highlighted and areas for improvement identified.
- 3.1.3 The Service Plan set out the objective of the food service to ensure that:
- “Food and drink intended for human consumption, which is produced, stored, distributed, handled, sold or consumed within the District is without unnecessary risk to health of the consumer.”*
- 3.1.4 The Service Plan set out the work programme for the year which included 354 inspections and participation in a comprehensive sampling programme. The Plan also referred to work continuing to sustain *Safer food, better business*, where all new businesses would be encouraged to adopt the system where appropriate.
- 3.1.5 Officers within the team also carried out health and safety duties. The Plan detailed the staffing allocation for the Service as a whole. Information provided as part of the audit indicated that there were 2.4 full time equivalents (FTEs) on the food service. The Service had been experiencing staff shortages for a period and a part-time consultant had been employed to complete inspections of higher risk premises, including approved establishments. The Service had recently recruited a full time Senior Environmental Health Officer who was shortly due to commence employment.
- 3.1.6 The Service had responded to the findings of the Pennington Inquiry by carrying out a project focusing on the prevention of cross contamination in butchers' shop premises. In addition, general inspection procedures had been reviewed and the implications of the

report discussed with officers, who had also attended relevant locally organised training courses.

### ***Good Practice – Butchers’ Shop Project***

Following the outcome of the Pennington Inquiry, the Service developed an ongoing project focusing on the development of effective food safety management systems in butchers’ shops and the prevention of cross contamination risks. The project involved initial environmental and cooked meat sampling, some of which provided unsatisfactory results. This was followed by seminars to which all butchers in the district were invited. Practical exercises were given and the seminars received very positive feedback. Useful guidance documents were also provided. Following the seminars, butchers were asked to complete comprehensive self assessment questionnaires to be returned to the Authority. This was followed by re-sampling and visits to discuss the outcome of the questionnaires and sampling results. The work on this project was on-going at the time of the audit.

### ***Documented Policies and Procedures***

- 3.1.7 The Authority had developed procedures covering a range of food law enforcement issues, the majority of which had undergone recent review in response to re-structuring of the team. The Service recognised that further specific guidance could be provided on some enforcement actions and the procedure on the investigation of food complaints needed expansion to include the investigation of complaints about food premises. In addition unauthorised amendments could be made to documents and a system of document protection required implementation.

### ***Recommendation***

3.1.8 The Authority should:

Ensure that documented procedures are developed and implemented for all enforcement activities. Ensure that any changes to documents are controlled and covered by the correct authorisation. [The Standard – 4.1 and 4.2]

### ***Officer Authorisations***

- 3.1.9 The Authority had documented procedures on the appointment and authorisation of officers. These took account of individual officers’ qualifications, experience and competency. The procedures needed

some expansion to ensure they included all available enforcement options including the inspection of category E premises and the service of remedial action notices and Regulation 27 certificates.

- 3.1.10 Responsibility for the authorisation of officers lay with the Regulatory and Community Health Team Leader, with the authorisations signed off by the Public Protection Services Manager. Officers were provided with authorisations which set out the main legislative powers they were authorised under, qualified by individual schedules of authorisation appropriate to the officer's qualifications and experience. These combined schedules required review to ensure they contained all relevant legislative powers available to officers.

***Recommendation***

3.1.11 The Authority should:

Review the authorisation procedures to ensure that officers are specifically authorised to act under the full range of relevant legislation and in all risk categories of premises. [The Standard – 5.1]

- 3.1.12 Auditors were advised that an annual performance review system for officers was in place where training needs were discussed. All authorised officers had achieved the required minimum 10 hours relevant training, based on the principles of continuing professional development. It was not always clear that complete records of training were being maintained, particularly where officers had undertaken training in-house. All officers had received some recent training on HACCP based food safety management systems.
- 3.1.13 Audit checks confirmed that evidence of all officers' qualifications was available and that copies of relevant qualification certificates had been retained by the Authority.

***Recommendation***

3.1.14 The Authority should:

Ensure that complete records of training undertaken by officers are maintained. [The Standard – 5.5]

## **3.2 Food Premises Inspections**

- 3.2.1 The Authority had developed and implemented a food premises inspection procedure and in addition, guidance on the specific requirements for the inspection and approval of establishments requiring approval under Regulation (EC) No. 853/2004. Both the procedures had been reviewed in the previous year.
- 3.2.2 File and database record checks confirmed that the Authority was generally implementing an effective risk based food premises inspection programme, however, some inspections of general and approved establishments were not always being carried out within the time frames specified in the Food Law Code of Practice. It was however clear that the Authority was concentrating its resources on higher risk premises.
- 3.2.3 The Authority maintained paper files of food premises records which were easily retrievable. Although it was clear that officers were assessing compliance of premises during inspections there was not sufficient detail recorded in every case to confirm some key information and the officers' overall assessment of compliance. Consistent completion of the general inspection aide-memoire used by the Authority would prompt officers to record such detail. This form was undergoing further review by the Food Liaison Group.
- 3.2.4 Reports of inspection or letters were consistently provided to the food business operator (FBO) which contained all the details required by the Food Law Code of Practice. Correspondence provided clear guidance for the business and differentiated between legal requirements and recommendations of good practice. In general premises were revisited where necessary to ensure that required works had been satisfactorily completed.
- 3.2.5 Files for three approved establishments in the Authority's area were examined during the audit. The quality of information contained within the approved establishment files examined was variable and the Authority had recognised the need to review the files to ensure they all contained the relevant business and operations information recommended in Annexe 12 of the Food Law Practice Guidance. In addition information on the inspection findings was not consistently recorded in the files examined. The use of specific approved establishment aides-memoire would assist in ensuring that all key information is recorded for all inspections. It was also not clear that all premises had been assessed and re-approved where necessary under the requirements of Regulation (EC) No. 853/2004.
- 3.2.6 The Authority had recently received a report and action plan resulting from an audit commissioned by the Service on their approved establishment enforcement activities. The audit was undertaken by an

officer from a neighbouring authority. The report contained some recommendations which the Authority had already begun to address.

***Recommendation***

3.2.7 The Authority should:

Maintain up to date, accurate and comprehensive records for all general premises and approved establishments subject to Regulation (EC) No. 853/2004 in accordance with Annexe 12 of the Food Law Practice Guidance. Establishments should be approved in accordance with relevant legislation and centrally issued guidance.  
[The Standard – 16.1 and 7.2]

*Verification Visit to a Food Premises*

- 3.2.8 During the audit, a verification visit was undertaken to a local butchers' shop with an officer from the Authority, who had carried out the last food hygiene inspection of the premises. The main objective of the visit was to assess the effectiveness of the Authority's assessment of food business compliance with food law requirements. The specific assessments included the conduct of the preliminary interview of the FBO by the officer, the general hygiene checks to verify compliance with the structure and hygiene practice requirements and checks carried out by the officer to verify compliance with HACCP based procedures.
- 3.2.9 The audit visit confirmed that the checks carried out by the officer were thorough and covered relevant food law requirements. The officer demonstrated a detailed knowledge of the FSMS in place at the business and it was evident that the officer had developed a supportive working relationship with the proprietor who was clearly making improvements in response to the advice provided by the officer.

### **3.3 Enforcement**

- 3.3.1 The Authority had adopted a Public Protection Enforcement Policy which was scheduled for review as part of a corporate initiative. The policy confirmed the Authority's graduated approach to enforcement.
- 3.3.2 The Authority had developed and implemented documented procedures on some specific enforcement options, however it was acknowledged that procedures should be developed on the range of available enforcement options including hygiene emergency prohibitions and HINs.
- 3.3.3 There was evidence that officers were providing support and guidance to businesses and where appropriate were taking enforcement action where the FBO had consistently failed to properly implement a FSMS. Notices examined during the audit requiring the implementation of a HACCP based food safety management system were generally in accordance with the requirements of the Food Law Code of Practice and centrally issued guidance. It was not always clear however that on expiry of the notice that a timely visit had been made to check on compliance.

#### ***Recommendation***

3.3.4 The Authority should:

Ensure that hygiene improvement notices are administered in accordance with the Food Law Code of Practice and centrally issued guidance. [The Standard - 15.3]

### 3.4 Internal Monitoring and Third Party or Peer Review

#### *Internal Monitoring*

- 3.4.1 Details of the arrangements for the qualitative monitoring of inspections were set out in the food premises inspection procedure. This needed expansion, or a new procedure developed to reflect the full range of internal monitoring that was carried out across all food law enforcement activities.
- 3.4.2 In practice there was evidence of some quantitative and qualitative internal monitoring activities which included quarterly management reports, recorded one to one meetings with officers, and routine checks on paperwork.

#### **Recommendation**

3.4.3 The Authority should:

Expand and implement the documented procedure on internal monitoring of food premises inspections to include monitoring of all food law enforcement activities.  
[The Standard - 19.1 and 19.2]

#### *Food and Food Premises Complaints*

- 3.4.4 The Authority had developed and implemented a documented policy and procedure on the investigation of food complaints. The procedure required some development to include guidance on the investigation of food premises complaints. The records for five food and food premises complaint investigations relating to FSMS issues were examined. It was not clear in two of the records that appropriate follow-up action had been taken to fully investigate complaints relating to hygiene in food premises.

#### **Recommendation**

3.4.5 The Authority should:

Investigate food and food premises complaints in accordance with the Food Law Code of Practice and centrally issued guidance. [The Standard – 8.2]

### *Food Sampling*

- 3.4.6 The Authority had developed a food safety sampling policy and procedure. A comprehensive food sampling programme had been drawn up for the year which took account of national, regional and local sampling priorities. Audit checks confirmed that appropriate follow-up action had been taken on unsatisfactory sampling results. It was noted in particular that the Authority had used sampling results from a project focusing on hygiene in butchers' shops as part of a wider, well received initiative forming part of the Authority's response to the recommendations arising from the Pennington Inquiry.

### *Third Party or Peer Review*

- 3.4.7 The Authority had proactively commissioned an audit undertaken by an officer from a neighbouring authority which focused on the Authority's enforcement activities in approved establishments. The report and action plan had been recently received by the Authority and they had already begun to address some of the recommendations made.

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Local Authority Audit and Liaison Division



## ANNEXE A

### Action Plan for West Lindsey District Council

Audit date: 11-12 May 2010

| TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)   | BY (DATE)   | PLANNED IMPROVEMENTS  | ACTION TAKEN TO DATE   |
|--|---|---|--|
| 3.1.8 Ensure that documented procedures are developed and implemented for all enforcement activities. Ensure that any changes to documents are controlled and covered by the correct authorisation. [The Standard – 4.1 and 4.2] | 31/08/10<br><br>Completed<br><br><br><br>30/09/10 | To review the Food Complaints Policy to include the investigation of food premises complaints.<br><br>To implement a document control system by the introduction of password protection to policy and procedural documents. To be controlled by the Regulatory and Community Health Team Leader.<br><br>To review the Enforcement Policy to ensure that the full range of enforcement options are included. | All procedures in a Procedural Library with password protection controlled by the Regulatory and Community Health Team Leader. |
| 3.1.11 Review the authorisation procedures to ensure that officers are specifically authorised to act under the full range of relevant legislation and in all risk categories of premises. [The Standard – 5.1]                  | 31/07/10<br><br>31/07/10                          | To review the Authorisation and Competency procedures to include the inspection of Category E premises, the service of Remedial Action Notices and Regulation 27 Notices.<br><br>To review authorisation schedules to ensure all legislation is current.  |  |
| 3.1.14 Ensure that complete records of training undertaken by officers are maintained. [The Standard – 5.5]  | Completed<br><br>Completed                        | To use a training template to capture continuing professional development training. Officers to be responsible for completion of the template which will be reviewed during the appraisal process.<br><br>To develop an internal continuing professional development training template for completion following internal training courses.  | CIEH template to be used.<br><br>Internal course template produced.  |

| <b>TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)</b>  | <b>BY (DATE)</b>                                 | <b>PLANNED IMPROVEMENTS</b>  | <b>ACTION TAKEN TO DATE</b>   |
|--|--|--|---|
| <p>3.2.7 Maintain up to date, accurate and comprehensive records for all general premises and approved establishments subject to Regulation (EC) No. 853/2004 in accordance with Annexe 12 of the Food Law Practice Guidance. Establishments should be approved in accordance with relevant legislation and centrally issued guidance. [The Standard – 16.1 and 7.2]</p> | <p>Completed</p> <p>31/04/11</p> <p>31/04/11</p> | <p>To ensure that inspections are carried out in line with the Code of Practice by enhanced performance management during one to one monthly meetings and by the production of monthly performance data graph to Public Protection Services Manager.</p> <p>To review approved premises files and associated approval documentation in line with Annexe 12 of the Food Law Code of Practice. Files to be reviewed prior to next programmed inspection.</p> <p>To implement the actions identified following the North Lincolnshire Audit of Approved Establishments.</p> | <p>Inspection lists monitored in detail during one to one meetings. Performance graph produced for Public Protection Services Manager.</p> <p>Work in progress to address recommendations, a number of which have been completed.</p> |
| <p>3.3.4 Ensure that hygiene improvement notices are administered in accordance with the Food Law Code of Practice and centrally issued guidance. [The Standard - 15.3]</p>  | <p>30/09/10</p> <p>Completed</p>                 | <p>To review the Enforcement Policy to ensure that the full range of enforcement actions are included i.e. Hygiene Improvement Notices, Hygiene Emergency Prohibitions.</p> <p>To develop the current system for monitoring notices by utilising the notice module on the food premises database. This is monitored by the Regulatory and Community Health Team Leader during one to one meetings as part of enhanced performance monitoring.</p>  | <p>Notice database active and being monitored by Regulatory and Community Health Team Leader.</p>   |

| <b>TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)</b>   | <b>BY (DATE)</b>                                    | <b>PLANNED IMPROVEMENTS</b>  | <b>ACTION TAKEN TO DATE</b> |
|---|---|--|-----------------------------|
| <p>3.4.3 Expand and implement the documented procedure on internal monitoring of food premises inspections to include monitoring of all food law enforcement activities.<br/>[The Standard - 19.1 and 19.2]</p> | <p>30/09/10<br/><br/>30/09/10<br/><br/>31/08/10</p> | <p>To review the current monitoring systems relating to food law enforcement.</p> <p>To produce a new monitoring procedure to include all food law enforcement activity, i.e. service requests, infectious disease notifications, food complaints, sampling, inspections etc.</p> <p>To develop the use of the food premises database to assist in performance management of the Service by the production of monthly performance reports in line with the monitoring procedure.</p> |                             |
| <p>3.4.5 Investigate food and food premises complaints in accordance with the Food Law Code of Practice and centrally issued guidance.<br/>[The Standard – 8.2]</p>   | <p>31/08/10</p>                                     | <p>To review the Food Complaints Policy in accordance with the Food Law Code of Practice and centrally issued guidance.</p>  |                             |

**Audit Approach/Methodology**

The audit was conducted using a variety of approaches and methodologies as follows:

*(1) Examination of LA policies and procedures.*

The following LA policies, procedures and linked documents were examined before and during the audit:

- Public Protection Services Food/Health and Safety Section Service Plan 2010/2011
- Appointment and Authorisation of Staff Procedure
- Competency Assessment Procedure
- Procedures for Inspection of Food Premises
- Approved Premises Policy and Procedure
- Food Sampling Procedure
- Food Sampling Policy
- Food Complaints Procedure
- Public Protection Enforcement Policy
- Enforcement procedures

*(2) File reviews – the following LA file records were reviewed during the audit:*

- General food premises inspection records
- Approved establishment files
- Food complaint records
- Food sampling records
- Formal enforcement records
- Internal monitoring records

*(3) Officer interviews – the following officers were interviewed:*

- Audit Liaison Officer
- Food/Health and Safety Technical Officer

Opinions and views raised during officer interviews remain confidential and are not referred to directly within the report.

*(4) On-site verification check:*

A verification visit was made with the Authority's officers to a local food business. The purpose of the visit was to verify the outcome of the last inspection carried out by the Local Authority and to assess the extent to which enforcement activities and decisions met the requirements of relevant legislation, the Food Law Code of Practice and official guidance, having particular specific regard to LA checks on FBO compliance with HACCP based food management systems.

## Glossary

|                                    |   |
|------------------------------------|---|
| Authorised officer                 | A suitably qualified officer who is authorised by the local authority to act on its behalf in, for example, the enforcement of legislation.   |
| Codes of Practice                  | Government Codes of Practice issued under Section 40 of the Food Safety Act 1990 as guidance to local authorities on the enforcement of food legislation.   |
| County Council                     | A local authority whose geographical area corresponds to the county and whose responsibilities include food standards and feeding stuffs enforcement.   |
| District Council                   | A local authority of a smaller geographic area and situated within a County Council whose responsibilities include food hygiene enforcement.  |
| E. coli                            | <i>Escherichia coli</i> microorganism, the presence of which is used as an indicator of faecal contamination of food or water. <i>E. coli</i> 0157:H7 is a serious food borne pathogen.   |
| Environmental Health Officer (EHO) | Officer employed by the local authority to enforce food safety legislation.   |
| Feeding stuffs                     | Term used in legislation on feed mixes for farm animals and pet food.   |
| Food hygiene                       | The legal requirements covering the safety and wholesomeness of food.   |
| Food standards                     | The legal requirements covering the quality, composition, labelling, presentation and advertising of food, and materials in contact with food.  |
| Framework Agreement                | <p>The Framework Agreement consists of:</p> <ul style="list-style-type: none"> <li>• Food Law Enforcement Standard</li> <li>• Service Planning Guidance</li> <li>• Monitoring Scheme</li> <li>• Audit Scheme</li> </ul> <p>The <b>Standard</b> and the <b>Service Planning Guidance</b> set out the Agency's expectations on the planning and delivery of food law enforcement.</p> <p>The <b>Monitoring Scheme</b> requires local authorities to submit quarterly returns to the Agency on their food enforcement activities i.e. numbers of inspections, samples and prosecutions.</p> <p>Under the <b>Audit Scheme</b> the Food Standards Agency will be conducting audits of the food law enforcement services of local authorities against the criteria set out in the Standard.</p> |
| Full Time Equivalents (FTE)        | A figure which represents that part of an individual officer's time available to a particular role or set of duties. It reflects the fact that individuals may work part-time, or may have other responsibilities within the organisation not related to  |

food enforcement.

|                         |            |   |
|-------------------------|------------|---|
| HACCP                   |            | Hazard Analysis Critical Control Point – a food safety management system used within food businesses to identify points in the production process where it is critical for food safety that the control measure is carried out correctly, thereby eliminating or reducing the hazard to a safe level. |
| LAEMS                   |            | Local Authority Enforcement Monitoring System is an electronic system used by local authorities to report their food law enforcement activities to the Food Standards Agency.   |
| Member forum            |            | A local authority forum at which Council Members discuss and make decisions on food law enforcement services.   |
| Metropolitan Authority  |            | A local authority normally associated with a large urban conurbation in which the County and District Council functions are combined.   |
| OCD returns             |            | Returns on local food law enforcement activities required to be made to the European Union under the Official Control of Foodstuffs Directive.  |
| Regulators' Code        | Compliance | Statutory Code to promote efficient and effective approaches to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens on businesses.   |
| Risk rating             |            | A system that rates food premises according to risk and determines how frequently those premises should be inspected. For example, high risk premises should be inspected at least every 6 months.  |
| Service Plan            |            | A document produced by a local authority setting out their plans on providing and delivering a food service to the local community.   |
| Trading Standards       |            | The Department within a local authority which carries out, amongst other responsibilities, the enforcement of food standards and feeding stuffs legislation.  |
| Trading Standards (TSO) | Officer    | Officer employed by the local authority who, amongst other responsibilities, may enforce food standards and feeding stuffs legislation.   |
| Unitary Authority       |            | A local authority in which the County and District Council functions are combined, examples being Metropolitan District/Borough Councils, and London Boroughs. A Unitary Authority's responsibilities will include food hygiene, food standards and feeding stuffs enforcement.                       |