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# HEALTH PROTECTION TEAM SERVICE PLAN 2022/23

## Housing & Environmental Health Service

Approved By: Portfolio Holder for Housing & Environmental Health

Date: 31<sup>st</sup> May 2022

## CONTENTS

<b>Section</b>	<b>Page</b>
<b>1.0 Executive Summary</b>	<b>2</b>
<b>2.0 Introduction</b>	<b>2</b>
<b>3.0 Policy Context and Regulatory Framework</b>	<b>10</b>
<b>4.0 Background</b>	<b>11</b>
<b>5.0 Objectives of the Health Protection Team</b>	<b>12</b>
<b>6.0 Resources</b>	<b>14</b>
<b>7.0 Monitoring and Evaluation</b>	<b>17</b>
<b>Appendix 1 – Food Hygiene Intervention Plan</b>	<b>19</b>
<b>Appendix 2 – Health and Safety at Work Intervention Plan</b>	<b>23</b>

## Health Protection Team Service Plan 2022/23

### 1.0 Executive Summary

1.1 This annual Health Protection Team Service Plan is produced in accordance with the requirements of the Food Standards Agency (FSA) and the Health and Safety Executive (HSE). It reflects on the achievements and performance of the Team for the year 2021/22, and identifies the work currently being undertaken and planned for 2022/23. Whilst the focus of this plan is food hygiene and health and safety regulatory work to satisfy the overseeing national authorities, for completeness it also covers other competing functions of the team.

1.2 During 2021/22 the Health Protection Team **completed 140 (41%) programmed food hygiene interventions that were due in the year**. This represents **an increase against the previous year**. It reflects that in July 2021 the team, who were responsible for most of the Council's Covid-19 business related regulatory work, began to return to more 'normal' working patterns as the significant impact caused by the pandemic eased. Many more inspections than are accounted for by the 41% were completed. However, these were all overdue inspections from 2019/20 and 2020/21 (**210 in total**) that had not been done due to the pandemic.

1.3 In addition to the programmed and overdue food hygiene interventions completed in 2021/22, an **additional 117 unplanned inspections** were undertaken mostly of newly registered businesses, but some of existing businesses where there had been a change of food business operator.

1.4 The team **took 164 food, water or environmental samples** from food businesses which represented an **increase of 162% from last year** returning sampling work to pre-pandemic levels. Of the samples taken **29% were unsatisfactory** for microbiological contamination and **6% were of imported food from non-EU countries**.

1.5 The health and safety regulatory work of the team was also significantly affected by the pandemic, such that it was largely reactive only to complaints, requests for advice, accident investigations, and responding to matters of evident concern when on site for other purposes.

### 2.0 Introduction

#### 2.1 Scope and Aims of the Health Protection Team

2.2 The work of the team is principally focused around statutory duties and powers, to protect, maintain and improve standards of food hygiene and health, safety and welfare for workers, visitors and residents of the borough. The work also covers a variety of licensing and registration functions, including street trading, skin piercing, hairdressing, and some animal welfare licensing. The scope of the work covers all businesses for which the Council is the statutory enforcement authority. For example, food businesses, offices, warehouses, leisure facilities, care establishments, shops, builders merchants, and animal boarding establishments.

2.3 The aim of the food hygiene regulatory service is to ensure that food businesses operating in Test Valley produce and sell safe food, by complying with legislation and adopting best practice to control the risks to health that may be associated with food storage, preparation, processing, and handling. This helps promote a high level of public confidence in the safety of food prepared, handled and sold in the borough, including by participating in the national food hygiene rating scheme ([www.food.gov.uk/ratings](http://www.food.gov.uk/ratings)) and encouraging businesses to display their rating.

2.4 The aim of the health and safety regulatory service is to protect and improve the health, safety and welfare of those affected by work activities (whether as employees, volunteers, or the public) in the borough, by ensuring risks in the changing workplace are managed properly. This is in line with the 'Statement of commitment between: Local Authority and HSE Regulatory Services' published at: <https://www.hse.gov.uk/lau/statement-commitment-local-authority-and-hse.pdf>

2.5 In meeting the aims set out in paragraphs 2.3 and 2.4 above, the team supports the Council's Corporate Plan 2019 to 2023, to "grow the potential" of the borough. This approach feeds into our corporate ambitions in a range of ways, including within the corporate priorities to grow the potential of our town centres, our communities, our people and our local environment. The team also delivers statutory functions in accordance with the Council's values. This is achieved through trying to work with businesses to educate and support them in the first instance, and ensuring any regulatory action is taken in a proportionate way. This Service Plan contributes directly to the corporate aims of the Council.

## **2.6 Achievements in 2021/2022**

Whilst the team still did some Covid work in the first few months of the year which diverted some resources, the interventions below were completed.

2.7 The team completed 41% of programmed food hygiene interventions (140 in total) by the end of the year, failing to meet the corporate target of 95%. This was solely due to the impact of the Covid-19 pandemic and the fact that more inspections were completed of businesses whose inspection was overdue from the previous 2 years. An intervention is either a physical inspection or, in the case of a proportion of low risk establishments, a review against a self-assessment questionnaire.

2.8 The team worked flexibly to undertake an additional 117 unplanned food hygiene inspections. These were either where a new business opened, or there was a change of food business operator at an existing business, or where a business requested a re-inspection under the national food hygiene rating scheme.

2.9 The inability to inspect as many food businesses as usual, including the large number of new businesses who await their first inspection and so remain unrated, has meant that the percentage of food businesses 'broadly compliant' with food hygiene law is not quite as high as historically. However, 94% of trading businesses are broadly compliant which represents a high rate of compliance across the borough.

*NB: Officers use a national scoring scheme in the Food Standards Agency's Food Law Code of Practice to score food businesses depending on what type of food they handle, the type of establishment they are, their customer base, and how compliant they are with food hygiene legislation. The score determines when the business is next inspected. The compliance scores are divided into hygiene, structure and confidence in management. Businesses are 'broadly compliant' where they score 10 or fewer points for each of these criteria.*

2.10 The team administered the national food hygiene rating scheme to ensure that the national web site remained as up-to-date as possible. The last year saw the levels of high rated businesses maintained, with 97% included in the scheme and who have been inspected rated as either 4 (good) or 5 (very good) which are the top two ratings. It has also seen the proportion of businesses rated 2 (improvement necessary), 1 (major improvement necessary) or 0 (urgent improvement necessary), which are the lowest ratings, maintained at a very low level of 1.3%. This enables local residents and others who wish to dine out in Test Valley to identify those businesses that are offering the highest food hygiene standards, and perhaps more importantly, those found not to be upholding the highest standards. However, it should be recognised that there are a larger than usual number of newly registered businesses awaiting their first inspection due to the backlog that built up over the pandemic.

2.11 In terms of delivering responsive customer service, the team contributed to the Environmental Health Service exceeding the corporate target for making a first response to service requests within three working days in at least 95% of cases.

2.12 The team took 164 food, water and environmental (i.e. swab) samples from food businesses to monitor the microbiological safety of foods and food/hand contact surfaces. Samples were taken mainly for routine surveillance from high risk establishments. Of the samples taken, 48 were unsatisfactory for microbiological contamination resulting in re-sampling and advice being given to the food businesses. Of the 164 samples, 6% were of imported food from non-EU countries. However, this failed to meet the target of at least 10% for that element.

2.13 The team completed a review of the health and safety Primary Authority Agreement between the Council and Merityre (Specialists) Ltd of Andover.

2.14 The team actively supported the Council's emergency out of hours service with officers responding on behalf of the Council when out of hours calls relating to Environmental Health matters were received. The team also supported the Council's Emergency Planning service with four officers fulfilling the role of Incident Liaison Officer in case of a major emergency in the borough.

### **2.15 Key Challenges for 2022/23**

2.16 The key challenge will be to continue recovering the food hygiene inspection programme in line with the FSA's Recovery Plan. At 31<sup>st</sup> March the team had met the FSA's milestone of being up-to-date with all inspections of the highest risk category A food businesses. The team also only had one category B, the next highest risk category, left to complete so is well ahead of the milestone of 30<sup>th</sup> June for being up-to-date with those. The team is also well ahead with meeting the milestones for not broadly compliant and broadly compliant category C food businesses. The deficit, therefore, consists of largely the two lowest risk categories of D and E as well as newly registered unrated businesses.

2.17 The progress with this work will determine the extent of service the team will be able to provide in other regulatory areas it is responsible for. It is highly likely that there will continue to be a reduced level of service in some areas in 2022/23, and a carry forward of a smaller number of overdue businesses into 2023/24.

2.18 The ability to respond with the resources available to new legislation and the statutory guidance issued, whilst continuing to provide a high quality service to businesses and members of the public, will remain an ongoing challenge. In particular meeting the prescriptive requirements of the Food Law Code of Practice. There had been a full-time vacancy in the team for around six months between December 2021 and May 2022, and two previously full time posts are filled on a part-time basis, thereby meaning that the team is not fully staffed.

2.19 At 1<sup>st</sup> April 2022 there were 705 food hygiene interventions scheduled to be completed by 31<sup>st</sup> March 2023 (including both those carried forward from 2021/22 and 46 unplanned inspections of businesses who have registered and opened but not had their first inspection yet). There are approximately another 30 unplanned inspections of newly registered businesses that have not opened yet but which will need inspecting if they do. This still represents a historically high number of interventions than an average year.

2.20 Table 1 below shows the change in the number of food businesses over the last 5 years, the number of programmed and unplanned inspections completed, and the number of programmed interventions due.

**Table 1 – Change in the number of food businesses and inspection demands**

	2017/18	2018/19	2019/20	2020/21	2021/22
Total number of registered food businesses	1,137	1,146	1,184	1,119	1,190
Programmed and unplanned inspections and audits completed (excluding low risk self-assessment questionnaires)	512	446	495	187	438
Number of programmed food hygiene interventions due at 1 <sup>st</sup> April of the following year (including overdue but excluding unplanned)	536	456	483	531	659

2.21 The national food hygiene rating scheme web site requires regular updating following inspections so as to reflect the results of the visit. In addition, requests from food business operators for re-visits (with the intention of achieving an improved food hygiene rating) and appeals against food hygiene ratings generates some added work for the team. In 2021/22 there were 22 revisits requested and 5 appeals against a rating given in the year. Of the appeals, 2 ratings were improved and 3 were maintained. This rate of revisit requests and appeals is about the same as pre-pandemic levels.

2.22 Whilst the team's priority has been, and remains, focusing on statutory food and health safety work, the aspiration remains to undertake further projects aimed at improving public health. However, it is highly likely that this work will be on hold this year due to the need to recover the food hygiene inspection programme. The team will though respond to any new legislation relating to licensing or registration of non-surgical cosmetic procedures.

2.23 Maintaining an acceptable health and safety service, in accordance with the Health and Safety Executive's National Local Authority Enforcement Code, remains a priority area for the team but will continue to prove difficult to achieve in 2022/23 due to the food hygiene inspection recovery programme.

#### **2.24 Performance for 2021/22**

##### **2.25 Programmed Food Hygiene Intervention Rates (corporate target 95%)**

Quarter 1: 23% completed in the quarter

Quarter 2: 14% completed in the quarter

Quarter 3: 11% completed in the quarter

Quarter 4: 30% completed in the quarter

Annual Rate: Some of the shortfalls in each quarter were eventually done such that 41% of inspections due in 2021/22 were completed by 31 March 2022.

## 2.26 Enforcement

Food Hygiene: No hygiene enforcement notices were served. One Detention Notice was served on an imported consignment of a product of animal origin referred inland by a port health authority. The low level of regulatory enforcement serves to underscore the effectiveness of a supportive approach that seeks to help local businesses. This is good for local businesses, residents and visitors. It also results in the delivery of more cost effective services for the Council by reducing the amount of legal action necessary to ensure standards are being met. Statistically, we can demonstrate the approach is working.

Health and Safety: One health and safety Improvement Notice was served and one Prohibition Notice in 2021/22, again reflecting the overall supportive approach to regulation in this area.

## 2.27 Service Demands

The profile of businesses for both food hygiene and health and safety is detailed in Tables 2, 3 and 4 overleaf. Table 5 then details the programmed and reactive work undertaken in 2021/22.

<b>Table 2 – Profile of food businesses (as at 31<sup>st</sup> March 2022)</b>			
<b>Premises Category</b>	<b>No. of Premises</b>	<b>Minimum Inspection Frequency set by FSA</b>	
<b>Premises rating A</b>	2	6 months	
<b>Premises rating B</b>	27	12 months	
<b>Premises rating C</b>	181	18 months	
<b>Premises rating D</b>	430	24 months	
<b>Premises rating E</b>	459	36 months – either inspected or self-assessment questionnaire sent.	
<b>Unrated</b>	70 (of which 46 were open and trading at 31.03.22)		
<b>Premises outside the inspection programme – businesses that are so low risk they do not require to be inspected.</b>	21		
<b>TOTAL</b>	1,190		
<p><i>NB: If a food business is rated category A or B, and so inspected more frequently, it can be a reflection of very poor food hygiene standards. However, it may reflect that a particular type of high risk food processing is being done, or that vulnerable groups are being served, and so is not simply a measure of standards, but a reflection of risk. Incorporated in the 1,190 businesses are 11 establishments approved under EC Regulation 853/2004 (e.g. manufacturers of dairy products, fishery products etc). These can require a higher resource input than caterers/retailers. This is because of the more specialist nature of the inspection and additional sampling demands.</i></p>			

<b>Table 3 – Profile of food businesses included in the national food hygiene rating scheme (as at 6<sup>th</sup> April 2022)</b>		
<b>Food Hygiene Rating</b>	<b>Number of Businesses</b>	<b>%</b>
<b>5 (very good)</b>	779	85
<b>4 (good)</b>	106	11
<b>3 (generally satisfactory)</b>	27	3
<b>2 (improvement necessary)</b>	2	0.2
<b>1 (major improvement necessary)</b>	7	0.8
<b>0 (urgent improvement necessary)</b>	0	0
<p><i>NB: Not all food businesses are included in the scope of the food hygiene rating scheme. Businesses who do not serve the final consumer are excluded, such as some manufacturers, packers, importers etc. The table above profiles the number of businesses that are included in the food hygiene rating scheme and have been rated. Businesses not included in this profile are those excluded or exempt from the scheme, and those unrated awaiting inspection either because they are new businesses, or because they are an existing business where there is a new food business operator.</i></p>		

<b>Table 4 – Profile of health and safety businesses (as at 31<sup>st</sup> March 2022)</b>		
<b>Premises Category</b>	<b>No. of Premises</b>	<b>Inspection Frequency</b>
<b>A (highest risk)</b>	0	Premises will be chosen for intervention based upon the HSE National Local Authority Enforcement Code which lists activities and sectors that local authorities should target for intervention. This is reflected in the detailed work in Appendix 2.
<b>B1</b>	19	
<b>B2</b>	303	
<b>C (lowest risk) or unrated</b>	1,405	
<b>TOTAL</b>	1,727	



<b>Table 5 - Proactive/reactive activities and interventions in 2021/22</b>		
<b>Work Activity</b>	<b>Food Hygiene</b>	<b>Health &amp; Safety</b>
<b>Food hygiene programmed interventions completed (physical inspections and low risk self-assessment questionnaires)</b>	140	
<b>Inspections of fruit and vegetable primary production establishments to support a national programme of work in this sector</b>	0	
<b>Number of food businesses programmed for inspection found to no longer be operating</b>	57	
<b>Unplanned food hygiene inspections</b>	327	
<b>Complaints received about hygiene of premises/practices</b>	94	
<b>Allegations of food poisoning</b>	40	
<b>Food complaints received (i.e. where extraneous matter was alleged to have been found in food)</b>	20	
<b>Infectious disease notifications received</b>	224	
<b>Food/water/environmental samples taken</b>	164	
<b>Sampling visits other than sampling conducted at an inspection</b>	9	
<b>Advisory visits</b>	5	
<b>Food hygiene surveillance remote contacts to ascertain more about newly registered businesses</b>	101	
<b>Enforcement notices served</b>	1	2
<b>Prosecutions taken</b>	0	0
<b>Simple cautions issued</b>	0	0
<b>Food health certificates issued for exported food</b>	124	
<b>Appeals against a food hygiene rating</b>	5	
<b>Requests for a re-visit under the food hygiene rating scheme</b>	22	

<b>Referrals from a Border Inspection Post that illegal consignments of products of animal origin have entered the borough</b>	1	
<b>Proactive inspections and any other health and safety visit/face to face contact to educate, advise or engage duty holders, employees etc.</b>		6
<b>Any other targeted health and safety contact with businesses (i.e. not face to face) to educate, advise or engage duty holders.</b>		0
<b>Number of workplace health and safety complaints and enquiries investigated</b>		48
<b>Notifications under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR)</b>		97
<b>Number of RIDDOR notifications that met the criteria for mandatory investigation</b>		25
<b>Revisits following an earlier intervention to confirm action previously required has been completed</b>	55	3
<b>Number of annual street trading consents issued (NB: a small number of one off consents are also sometimes issued for one day events)</b>	17	

## **2.28 Work for 2022/2023**

2.29 The work for 2022/23 is detailed in the Food Hygiene Intervention Plan (Appendix 1) and Health and Safety at Work Intervention Plan (Appendix 2).

## **3.0 Policy Context and Regulatory Framework**

3.1 This Health Protection Team Service Plan reflects the priority the Council places on the health and safety of residents and visitors to the borough. It is produced to outline the work of the Council in respect of food safety and workplace health and safety, setting out a clear plan that demonstrates how statutory obligations will be delivered.

3.2 The Service Plan has been produced with due regard to the requirements of the Food Standards Agency's Framework Agreement on Official Feed and Food Controls, the Food Law

Code of Practice (England), the Health and Safety at Work etc Act 1974, and the Health & Safety Executive's National Local Authority Enforcement Code.

3.3 The plan reflects the role of the Health Protection Team, which provides the Council's food safety, occupational health and safety, and infectious disease control regulatory services through the use of multi-skilled officers. By combining disciplines this Service Plan illustrates the effective use of resources through integration, yet at the same time satisfying the needs of the two key central authority stakeholders. Whilst the primary function may be regulatory, the service is delivered in a customer focused, customer friendly way, with an emphasis on supporting local businesses while holding residents' needs at the heart of our forward planning.

3.4 The Service Plan feeds into the Council's Corporate Plan and supports the Council to meet a number of corporate aims, including within the growing potential of our town centres, communities, people and the local environment priorities.

3.5 In addition to this Service Plan, other published documentation relating to the work of the Team is available at the links below.

3.6 Environmental Health Enforcement Policy

<http://www.testvalley.gov.uk/business/licensingandregulation/enforcement-policy-environmental-health>

This document also sets out how the Team reflects the requirements set out in the Regulators' Code.

3.7 Food and Food Premises Complaints Policy

<http://www.testvalley.gov.uk/business/licensingandregulation/foodsafety/making-food-complaint/>

3.8 Food, Water and Environmental Sampling from Food Businesses Policy

<http://www.testvalley.gov.uk/business/licensingandregulation/foodsafety/food-sampling/>

3.9 Fees and charges

<https://www.testvalley.gov.uk/business/licensingandregulation/licensing/adviceinformation/schedule-fees-charges>

## **4.0 Background**

### **4.1 Profile of the Borough of Test Valley**

4.2 The population of Test Valley is estimated to be 127,000 and the borough encompasses 62,758 hectares. It is rural with two principal towns - Andover in the north and Romsey in the south. The Council has a Cabinet structure with a Leader of the Council, Deputy Leader and Portfolio Holders. The activities of the Health Protection Team are represented by the Housing and Environmental Health Portfolio Holder.

### **4.3 The Health Protection Team**

4.4 The team is based at the Council's offices at Beech Hurst, Weyhill Road, Andover, Hampshire SP10 3AJ. Office hours are Monday – Friday 08:30 – 17:00 (16:30 on Friday), although due to the nature of the food hygiene work in particular, evening and weekend working is routinely undertaken. Some of the team also participate in the Environmental Health emergency out of hours service which is accessible out of office hours every day of the year. Access to the Council Offices is not routinely possible outside of office hours, particularly at weekends. However, officers do have remote electronic access to the Environmental Health database.

4.5 The team is part of the Environmental Health Business Unit headed by the Environmental Health Manager within the Housing and Environmental Health Service. The Principal Environmental Health Officer (Health Protection) leads the team and is the Council's designated Lead Food Officer under the Food Law Code of Practice (England) reporting to the Environmental Health Manager. Managed by the Principal Environmental Health Officer are four (Senior) Environmental Health Officer posts. Two of these are only filled part-time, and two are full-time (one of these posts was vacant from mid-December 2021 to mid-May 2022).

## **5.0 Objectives of the Health Protection Team**

5.1 The team aims to carry out an annual programme of targeted food hygiene interventions of businesses in accordance with the Food Standards Agency's Food Law Code of Practice.

5.2 Food businesses are rated under the Code of Practice from A to E which determines when the next inspection is due. Category A is the highest risk and inspected at least every 6 months. Category E is the lowest risk and subject to an intervention at least every 3 years which may be by use of an alternative enforcement strategy allowed for in the Code (see 5.5 below). There is a corporate performance target to complete at least 95% of all programmed food hygiene interventions due per quarter and each year. Programmed interventions may be deferred with the authority of the Principal EHO when there are circumstances beyond control that mean the visit cannot be made when due, e.g. businesses that only open seasonally.

### **5.3 Approach to Food Hygiene Re-visits**

5.4 Businesses will be re-visited in accordance with the broad criteria set out in the Environmental Health Enforcement Policy. In particular, a re-visit will be undertaken where there is a compliance score of 15 or higher for hygiene and/or structure, and/or a score of 20 or higher for confidence in management/control procedures.

### **5.5 Alternative Enforcement Strategies**

5.6 Instead of being physically inspected, category E low risk businesses may be sent a self-assessment questionnaire instead to free up officer time to enable greater focus on higher risk and low rated businesses. The team will use this approach in accordance with the below strategy.

5.6.1 Where the last intervention was a physical inspection, the business will be sent a self-assessment questionnaire. The exceptions to that will be where the officer feels that a questionnaire is not appropriate, either because of the nature of the business (e.g. a micro-brewery) or where there might be public expectation that the business is physically inspected (e.g. a school canteen). In those cases a physical inspection will still be undertaken.

5.6.2 Where the last intervention was a self-assessment questionnaire and remains an E, sending a further questionnaire in 3 years time may be done again (subject to 5.6.3 and 5.6.4). However, in those cases if that business remains an E and then comes round in a further 3 years for another intervention it must be physically inspected then (i.e. no more than 2 consecutive interventions may be done by self-assessment questionnaire).

5.6.3 If the business received a self-assessment questionnaire last time and remained an E, it will be physically inspected the next time if the type of food/method of handling score is 10 points or more, or if any of the compliance scores are 10 points or more.

## 5.7 Approach for New Food Business Establishments

5.8 When information is received that a new food business establishment has opened, or is about to open (e.g. receipt of a food premises registration form), the business will be entered on to the commercial premises database and allocated for an unplanned inspection. The aim is to inspect new establishments within 28 days of opening, but this will be dependent on resources, and the volume and public health priorities of other work at the time. If a physical inspection is not possible within that timeframe an officer will, where appropriate, do a remote food hygiene surveillance contact with the food business operator.

5.9 The team will respond to and investigate as appropriate all service requests regarding food safety and food hygiene in businesses, with a first response target of within three working days.

5.10 The team will respond to and investigate as appropriate all service requests about workplace health and safety and public health, with a first response target of within three working days.

5.11 A food, water and environmental (i.e. swabs) sampling programme in food businesses will be implemented. Much of this is focussed on manufacturers/processors in the borough, and some on businesses with a low rating under the national Food Hygiene Rating Scheme. The aim is for at least 10% of samples to be of imported food from third countries. The Council will use a suitably accredited laboratory for any examination and/or analytical work necessary. Where possible, any laboratory used will be accredited for the work under the United Kingdom Accreditation Service (UKAS), use standard or approved methodologies, and appear on the list of official food control laboratories.

5.12 The team will keep an as up-to-date as possible food premises register and database of commercial premises within the borough for which the Council has enforcement responsibility.

5.13 The national food hygiene rating scheme will be administered and the web site [www.food.gov.uk/ratings](http://www.food.gov.uk/ratings) updated at least every two weeks.

5.14 The team will participate in the national Food Standards Agency food alert scheme to ensure that contaminated food is withdrawn from sale.

5.15 Cases of notifiable infectious disease under the Public Health (Control of Disease) Act 1984 (as amended), and other health protection legislation for which the Council is the lead authority, will be investigated as agreed with the UK Health Security Agency (formerly Public Health England).

5.16 The team will undertake imported food investigations within the scope of an inland authority. This will include taking samples of food imported from non-EU countries and also investigating cases of illegally imported food referred by other agencies such as the FSA or a border control post. There are a number of warehouses in the borough in which imported food is stored beyond leaving the border inspection post and before onward distribution. If notification is received of a suspected illegal consignment, action will be taken to either detain and refer to Border Force, or destroy or return to the country of origin.

5.17 Statutorily notifiable accidents, dangerous occurrences and cases of occupational disease will be investigated subject to a set of incident selection criteria. These criteria have been based upon those published by the HSE. The first response target is within three working days except for work-related fatalities which will be responded to on the day of the notification.

5.18 The team will manage the issuing of registrations under the Local Government (Miscellaneous Provisions) Act 1982 to those businesses and persons who undertake one

of more of the following functions: acupuncture, cosmetic piercing (including ear piercing), electrolysis, semi-permanent skin-colouring, and tattooing. Hairdressers are also required to register under the Hampshire Act 1983 and relevant Byelaws. These registration services are charged for.

5.19 The team will also manage the street trading consent scheme for both food and non-food businesses. All the streets in the borough are designated as consent streets so anyone wishing to trade on them requires the Council's consent. All interested parties are consulted on applications and if there are no objections then consents are issued for either six months (new applications), or twelve months (renewals). This service is charged for.

5.20 Export health certificates within the authorisation scope of a local authority Food Competent Certifying Officer (non-veterinary), and supporting attestations for exporting businesses, will be provided as necessary. These services are charged for.

5.21 The team will act as a consultee in three ways. Firstly, as the statutory consultee for premises licence applications under the Licensing Act 2003. Secondly, as a consultee for certain planning applications. Thirdly, as a consultee for street trading applications.

5.22 The team undertakes a small amount of zoo licensing work for the two zoos in the borough, and also if necessary should there be any work in relation to dangerous wild animals that need licensing.

5.23 Officers will also be provided to support the Environmental Health emergency out of hours service, and act as Incident Liaison Officers in the event of a major emergency.

5.24 The team will provide advice and information to the public, and meet the needs of businesses, regarding health protection work.

5.25 The team will enforce the law fairly in accordance with the Environmental Health Enforcement Policy.

## **6.0 Resources**

6.1 As at 1<sup>st</sup> April 2022 the Health Protection Team had 5 posts allocated as below.

- 1 full time equivalent Principal Environmental Health Officer – occupied full-time and responsible for the day to day management of the team. The officer is also the Council's designated Lead Food Officer under the Food Law Code of Practice.
- 4 (Senior) Environmental Health Officers - two of these are occupied on a part-time basis and two are full-time.

6.2 Tables 6 and 7 overleaf provide an estimate of the working days allocated for the work in 2022/23.

6.3 The full time equivalent (FTE) breakdown for food, health and safety, and registration/licensing work, including the managerial element, for 2022/23 is as below and overleaf.

- Food hygiene allocated – 4.00
- Food hygiene occupied – 3.50 (from mid-May)
- Health and safety, and registration/licensing work allocated – 1.0
- Health and safety, and registration/licensing work occupied – 0.9 (from mid-May)

<b>Table 6 – Estimated resources for food hygiene work 2022/23</b>		
<b>Activity</b>	<b>Officer Days</b>	<b>Manager Days</b>
Programmed food hygiene inspections & re-visits (including primary production inspections of fruit and vegetable businesses to support national work)	497	146
Food, food premises complaints & general requests (including infectious disease notifications)	150	15
Unplanned food hygiene inspections (including primary production inspections of fruit and vegetable businesses to support national work)	100	20
Sampling	50	2
Responding to FSA requests for action e.g. food alerts	2	1
National food hygiene rating scheme administration	0	10
Statutory returns	0	2
Food health certificates	1	1
Street trading consents	5	5

<b>Table 7 – Estimated resources for health and safety and registration/licensing work 2022/23</b>		
<b>Activity</b>	<b>Officer Days</b>	<b>Manager Days</b>
Proactive inspections and project work	30	5
Primary Authority Agreement work	3	0.5
Accident/incident investigations	15	2
Complaints & other service requests	20	1
Skin piercing and other public health registration work	20	2
Planning & licence consultations	2	0.5
Adverse engineering reports	2	0.25
Monitoring asbestos works	2	0.25
Safety Advisory Group work	2	3
Visitor attractions to control ill health from animal contact	1	0.25
Animal welfare work	1	1
Statutory returns	0	1

6.4 The overall net service controlled expenditure of the Health Protection Team for 2021/22 was £316,700 and an income of £21,358 was generated. The estimated service controlled budget for 2022/23 is £336,238 with an estimated income of £16,000.

6.5 The authority remains committed to providing funds for laboratory analysis, equipment, information resources, and the training of officers to enable effective food and health and safety regulation.

6.6 Section 19(1) of the Health and Safety at Work etc. Act 1974 provides that any local authority, which is an enforcing authority under the Act, must appoint officers who have suitable qualifications for their duties. Likewise the FSA Framework Agreement and Food Law Code of Practice define the competencies, experience and qualifications needed for officers to be authorised to undertake food hygiene enforcement work.

6.7 The Council is committed to ensuring that officers undertaking the above responsibilities have the required qualifications, skills, experience and competencies commensurate with their work requirements. Competence will be assessed on an on-going basis. Officers will receive on-going annual training (both external and internal) to ensure consistent interpretation of legislation, codes of practice and national guidance. In addition, their work will be monitored by a combination of accompanied inspections, file monitoring and other case reviews by the Principal EHO.

6.8 The Council ensures that all officers authorised to carry out food hygiene and health and safety regulatory work receive structured on-going training, which is managed, assessed and recorded. The training received includes new legislation, policies, procedures and practices, and relevant technological developments. The aim is to provide a minimum on-going training of at least 20 hours per year based on the principles of continuing professional development (CPD). Registered Environmental Health Practitioners of the Chartered Institute of Environmental Health are obliged to undertake at least 20 hours CPD per year, with Chartered Environmental Health Practitioners 30 hours CPD per year. Officer training needs may be delivered by both external courses and in-house training and are identified through team meetings and annual performance appraisals.

6.9 Health Protection Team officers have a range of competencies as reflected in Table 8 overleaf. To ensure the continued provision of a trained and competent inspectorate through appropriate training to ensure consistency, improved and continued knowledge of food safety, public health and health and safety legislation and related issues.



<b>Officer Competency</b>	<b>Principal EHO</b>	<b>Senior EHO</b>	<b>Senior EHO</b>	<b>Senior EHO</b>	<b>Senior EHO/HPO</b>
Prosecution Experience	Yes	Yes	Yes	Limited	Yes
Food Safety Act 1990 (as amended) & Food Safety and Hygiene (England) Regulations 2013 – full authorisation	Yes	Yes	Yes	Limited	Yes
Hazard analysis and critical control points (HACCP)	Yes	Yes	Yes	Yes	Yes
Imported and Exported Foods	Yes	Yes	Yes	Yes	Yes
Health & Safety at Work etc Act 1974 – full authorisation	Yes	Yes	Yes	Limited	Yes
Public Health (Control of Disease) Act 1984 (as amended) and Health Protection (Local Authority Powers) Regulations 2010	Yes	Yes	Yes	Yes	Yes

## **7.0 Monitoring and Evaluation**

### **7.1 Internal Monitoring of Health Protection Team Work**

7.2 The Principal EHO monitors the work of the team by:

- Direct daily supervision of all officers;
- Monthly 1:1 meetings with officers reviewing all their current cases and forth-coming work;
- Regular team meetings;
- Annual performance appraisals, identifying training and development issues and setting work objectives;
- A planned programme of internal monitoring activities, principally consisting of accompanied inspections, file and database monitoring, checking of statutory notices and investigation cases;
- In-house training sessions.

### **7.3 Corporate Monitoring/Performance Management**

7.4 The team performance contributes to performance indicators which are reported to the Environmental Health Manager, Head of Service and the Council's Performance Board which monitors them quarterly. These indicators are as below.

- Responding to complaints/service requests within 3 working days –  
In 2021/22 over 95% of service requests were responded to within 3 working days (Corporate Target 95%);

- Food hygiene programmed intervention rate – in 2021/22, once accounting for businesses that were due an inspection but which ceased trading during the year, 345 programmed interventions were due to be done. Of the 345 due 140 were completed – 41% achieved.

7.5 When variations from the Service Plan are identified they are routinely reported by the Principal EHO to the Environmental Health Manager, and when quarterly performance indicator statistics are being collated.

7.6 Where performance is identified as below target, this is discussed as part of exception reporting at the quarterly Performance Board including identified strategies and plans to get performance back on track.

#### **7.7 External Peer Review/Audit/Liaison Groups**

7.8 The team takes part in any peer review activities co-ordinated through the Hampshire and Isle of Wight Food Advisory Committee, and Health and Safety Advisory Group.

7.9 The team's performance is also assessed through the annual statistical monitoring returns made to the Food Standards Agency and the Health and Safety Executive.

7.10 The Principal EHO represents the team at the Hampshire and Isle of Wight Food Advisory Committee, and the Hampshire and Isle of Wight Health and Safety Advisory Group. In 2021/22 these meetings were combined. There are usually four meetings per year. Representation is also provided to any sub-groups such as the Hampshire and Isle of Wight Infectious Disease Forum and Hampshire and Isle of Wight Sampling Group. The purpose of these groups is, in part, to try and ensure that work is undertaken consistently across neighbouring authorities. A new sub-group on Special Treatments will begin in 2022/23.

**Proactive Interventions**

Work Area	Reason/s	Estimated Resources	Output/Outcomes
<p><b>Food Hygiene Intervention Programme</b></p> <p>290 programmed interventions to be undertaken by 31<sup>st</sup> March 2023 in accordance with the inspection rating scheme.</p> <p>415 overdue inspections from previous years due to the pandemic</p>	<p>Statutory Code of Practice requirement identified by the FSA.</p>	<p>Inspectors: 472 days for preparing for and undertaking inspections, and post inspection administration.</p> <p>Manager: 141 days management time to allocate and monitor programme and inspect.</p>	<p>* 705 completed programmed interventions subject to the FSA's Recovery Plan.</p> <p>* Increased compliance with food hygiene legislation.</p> <p>* Greater awareness of food hygiene legislation amongst food business operators and food handlers.</p>
<p><b>Re-visits to Food Businesses following a Programmed Inspection</b></p> <p>Estimated 75 re-visits to check upon compliance, including follow up to statutory notices</p>	<p>Statutory Code of Practice requirement identified by the FSA.</p>	<p>Inspectors: 25 days for preparing for and undertaking re-visits, and post re-visit administration.</p> <p>Manager: 5 days management time to monitor.</p>	<p>* 75 completed re-visits.</p> <p>* Ensuring that written warnings and statutory Notices are complied with to improve food hygiene standards at businesses.</p>
<p><b>Food, Water and Environmental Sampling</b></p> <p>Implementing a sampling programme, and taking additional reactive samples as necessary, amounting to approximately 160 samples.</p>	<p>Statutory Code of Practice requirement identified by the FSA.</p>	<p>Inspectors: 50 days for preparing for the sampling, taking the samples and delivering to the PHE/PA laboratory, and post sampling administration.</p> <p>Manager: 2 days to draw up programme and monitor.</p>	<p>* 160 food, water and environmental samples.</p> <p>* Greater awareness of food hygiene legislation amongst food business operators and food handlers.</p>

<p><b>National Food Hygiene Rating Scheme (FHRS)</b></p> <p>Administration of the FHRS to ensure that it remains as up-to-date as possible, and make changes to the scheme as required by the FSA.</p> <p>Adjudication of appeals.</p>	<p>Implementation of the Food Standards Agency's 'The Food Hygiene Rating Scheme: Guidance for local authorities on implementation and operation – the "Brand Standard".</p>	<p>Manager: 10 days</p>	<ul style="list-style-type: none"> <li>* Ensuring that the FHRS web site is as up-to-date as possible.</li> <li>* Ensuring that the Council fulfils it's obligations under the FHRS Brand Standard Agreement with the FSA.</li> <li>* Ensuring businesses are rated fairly in accordance with the FHRS Brand Standard Agreement.</li> </ul>
<p><b>Statutory Returns to the FSA</b></p> <p>Compilation and submission of the annual Local Authority Enforcement Monitoring System return, and any other returns as requested by the FSA.</p>	<p>Statutory Code of Practice requirement identified by the FSA.</p>	<p>Manager: 2 days</p>	<ul style="list-style-type: none"> <li>* Ensuring that the Council fulfils it's obligations to respond to requests for information from the FSA.</li> </ul>
<p><b>Total Estimated Resources for Proactive Interventions in 2022/23</b></p>		<p>Inspectors: 547 days</p> <p>Management: 160 days</p> <p>Business Support Administration: 2 days</p> <p><b>Total: 709 days</b></p>	

## Reactive Interventions

Work Area	Reason/s	Estimated Resources	Output/Outcomes
<p><b>Unplanned inspections of new food businesses (including changes to the food business operator of existing businesses), and including requested re-visits</b></p> <p>Undertaking approximately 150 unplanned inspections of newly registered businesses, or where there are changes to the food business operator at an existing business, including follow up re-visits to check compliance.</p>	<p>Statutory Code of Practice requirement identified by the FSA.</p> <p>To ensure that new food businesses register with the Council and are inspected as soon as possible afterwards.</p>	<p>Approximately 150 unplanned food hygiene inspections per year.</p> <p>Inspectors: 100 days preparing for and undertaking the inspections, and post inspection administration.</p> <p>Manager: 20 days to allocate, monitor and inspect.</p>	<ul style="list-style-type: none"> <li>* 150 completed inspections.</li> <li>* Increased compliance with food hygiene legislation.</li> <li>* Greater awareness of food hygiene legislation amongst food business operators and food handlers.</li> <li>* Ensuring that written warnings and statutory Notices are complied with to improve food hygiene at businesses.</li> <li>* Ensuring that the FHRS web site is as up-to-date as possible.</li> </ul>
<p><b>Complaints and other Service Requests including Infectious Disease Notifications</b></p> <p>Investigating approximately 200 complaints/service requests (including 30 requests for re-visits under the FHRS and 5 appeals against ratings) and responding to between approximately 150-200 infectious disease notifications.</p>	<p>Statutory Code of Practice requirement identified by the FSA.</p> <p>Investigations in response to information received from a complaint or other service request, suggesting poor duty holder performance, potentially significant breaches of law and/or existence of an infectious disease. Also investigations into possible improved performance under the FHRS.</p>	<p>Approximately 200 complaints/service requests received per year with a target first response time of 3 days.</p> <p>Responding to approximately 150-200 infectious disease notifications.</p> <p>Inspectors: 150 inspector days to investigate.</p> <p>Manager: 15 days to allocate and monitor.</p>	<ul style="list-style-type: none"> <li>* 200 service requests and 150-200 infectious diseases responded to.</li> <li>* Positive response to service request raised by the business, food handler/other staff, or member of the public.</li> <li>* Improved business compliance and greater food hygiene awareness.</li> <li>* Ensuring that the FHRS web site is as up-to-date as possible.</li> </ul>

<p><b>Food Health Certificates and Export Health Certificates</b></p> <p>Issuing approximately 150 food health certificates to allow businesses to export food consignments to third countries.</p>	<p>To allow export of food.</p>	<p>Approximately 150 health certificates issued per year.</p> <p>Inspectors: 1 day issuing certificates and dealing with queries.</p> <p>Manager: 1 day issuing certificates and dealing with queries.</p>	<p>* Approximately 150 health certificates issued raising up to approximately £7,000 of income.</p>
<p><b>Street Trading Consents</b></p> <p>Responding to approximately 16 new and renewal applications for street trading consents.</p>	<p>To ensure compliance with the Local Government (Miscellaneous Provisions) Act 1982, Council Policy and conditions relating to street trading.</p>	<p>Approximately 16 applications received per year.</p> <p>Inspectors: 5 days dealing with compliance checking visits and enquiries.</p> <p>Manager: 5 days dealing with consultation and complaints.</p>	<p>* 16 applications processed per year raising up to approximately £11,000 of income.</p>
<p><b>Responding to FSA Food Alerts or other Emergency Requests from the FSA</b></p> <p>Responding to food alerts for action, or other emergency requests, issued by the FSA regarding the withdrawal or recall of contaminated and/or illegal food.</p>	<p>Statutory Code of Practice requirement identified by the FSA.</p>	<p>Inspectors: 2 days but could be more depending upon the type of food alerts issued.</p> <p>Manager: 1 day to allocate and monitor.</p>	<p>* Ensuring that food alerts for action are responded to in a timely fashion to remove contaminated and/or illegal products from the market to protect public health.</p>
<p><b>Total Estimated Resources for Reactive Interventions in 2022/23</b></p>		<p>Inspectors: 258 days</p> <p>Management: 42 days</p> <p>Business Support Administration: 35 days</p> <p><b>Total: 335 days</b></p>	

**Proactive Interventions**

<b>Work Area</b>	<b>Reason/s</b>	<b>Estimated Resources</b>	<b>Output/Outcomes</b>
<b>Health and safety project inspections</b>	Based on either national and/or local intelligence, health and safety awareness visits to a sample of small warehouses focussing on specific activities including workplace transport and falls from height.	Inspectors: 30 days for administration and visits  Manager: 5 days for training and monitoring	20 visits  Improve awareness of health and safety risks and raise compliance in the management of those.
<b>Visitor Attractions to Control III Health Arising from Animal Contact</b>  To visit the animal petting farm in the borough and check arrangements for managing the risks of infection from animal handling.	HSE national priority following high profile outbreak at a petting farm in Surrey.  E. coli/Cryptosporidium infection especially in children is one of the areas in the HSE's National Local Authority Enforcement Code that local authorities should target for intervention at open farms/animal visitor attractions.	Inspectors: 1 day  Manager: 0.25 day to allocate and monitor.	1 advisory visit  Ensure compliance with the legislation and HSE Code of Practice.
<b>Animal Welfare Work</b>  To undertake zoo licensing work and respond where necessary to dangerous wild animal enquiries.	To ensure that businesses are legally licensed and meeting the terms of their licence.	Inspector: 1 day for inspection  Manager: 1 day for inspection	2 licensing inspections
<b>Safety Advisory Group Work</b>  To participate in two Safety Advisory Groups for major public events held throughout the year.	To provide safety advice as needed on Event Safety Plans and also undertake visits during the year to ensure standards are being implemented.	Inspector: 2 days  Manager: 3 days	5 meetings and 2 inspections

<b>Statutory Returns to the HSE</b> Compilation and submission of the annual LAE1 return, and any other returns as requested by the HSE.	For the compilation of national statistics.	Manager: 1 day	Ensuring that the Council fulfils it's obligations to respond to requests for information from the HSE.
<b>Total Estimated Resources for Proactive Interventions in 2022/23</b>		Inspectors: 34 days Management: 10.25 days Business Support/Administration: 1 day <b>Total: 45.25 days</b>	

### **Reactive Interventions**

<b>Priority Work</b>	<b>Reason/s</b>	<b>Estimated Resources</b>	<b>Output/Outcomes</b>
<b>Investigation of Incident Notifications</b>  Investigate approximately 20 incidents of injury or ill health that meet the criteria for mandatory investigation.	Investigations in response to RIDDOR reports or other accident notifications, suggesting poor duty holder performance and/or potential significant breaches of law, are a national planning priority identified by the HSE.	Inspectors: 15 days based upon approximately 20 incidents to investigate.  Manager: 2 days to allocate and monitor.	20 investigations  Minimise the risk of a similar incident occurring at the business.  Promote sensible risk management.
<b>Skin Piercing and other Public Health Registration or Licensing Work</b>	Administer and undertake inspections for approximately 40 skin piercing and other public health registration requests.  To ensure that businesses have registered as legally required and are inspected. To include reacting to any new legislation relating to licensing or registration of non-surgical cosmetic procedures.	Inspectors: 20 days  Manager: 2 days	40 inspections.  To ensure that businesses are meeting the byelaws and other public health guidance for registered activities.



<p><b>Complaints and other Service Requests</b></p> <p>Investigate approximately 45 complaints and responding to other service requests about workplace health and safety.</p>	<p>Investigations in response to information received from a complaint or other service request, suggesting poor duty holder performance and/or potential significant breaches of law, are a national planning priority identified by the HSE.</p>	<p>Approximately 45 complaints/service requests received per year.</p> <p>Inspectors: 20 days to investigate.</p> <p>Manager: 1 day to allocate and monitor.</p>	<p>45 investigations</p> <p>Promote sensible risk management.</p> <p>Improved business compliance and greater health and safety awareness.</p>
<p><b>Adverse Engineering Reports</b></p> <p>Investigate approximately 5 adverse engineering reports, primarily notifications of defective lifting equipment.</p>	<p>Investigations in response to information received from an adverse engineering report, suggesting poor duty holder performance and/or potential significant breaches of law, are a national planning priority identified by the HSE.</p>	<p>Inspectors: 2 days to investigate.</p> <p>Manager: 0.25 day to allocate and monitor.</p>	<p>5 investigations</p> <p>To ensure that duty holders take timely action to suspend use of defective equipment and undertake necessary work prior to re-use.</p>
<p><b>Monitoring of Asbestos Works</b></p> <p>Investigate approximately 2 notifications of work on asbestos-containing materials.</p>	<p>Asbestos continues to be the biggest occupational killer in Britain, with approximately 4,000 people dying every year due to occupational exposure.</p>	<p>Inspectors: 2 days to assess method statements and make site visits.</p> <p>Manager: 0.25 day to allocate and monitor.</p>	<p>2 investigations</p> <p>To ensure that those undertaking work with asbestos use safe methods in accordance with their licence conditions.</p>
<p><b>Premises Licence Consultations</b></p> <p>Respond to approximately 30 premises licence applications under the Licensing Act 2003 to ensure that public safety considerations are taken into account in determination of the licence.</p>	<p>Statutory consultee for premises licence applications under the Licensing Act 2003.</p>	<p>Inspectors: 2 days to review consultation papers and conduct any necessary site visits.</p> <p>Manager: 0.25 day to allocate and monitor.</p>	<p>30 consultations</p> <p>Appropriate responses regarding public safety are made to the Licensing Unit.</p>

<p><b>Primary Authority Partnership</b></p> <p>Continue with the Primary Authority Partnership with Merityre Specialists in Andover in order to assist the business in being compliant with health and safety legislation across all of its regional sites.</p>	<p>Primary Authority Partnerships are a national planning priority identified by the HSE and Better Regulation Delivery Office.</p>	<p>Inspectors: 3 days for dealing with enquiries from the business and local authorities, and for attending review meetings with the business.</p> <p>Manager: 0.5 day to monitor</p>	<p>A more competitive, efficient and safe business.</p> <p>Reduction in incidences of ill health and accidents.</p> <p>Business better able to demonstrate corporate health and safety responsibility.</p>
<p><b>Total Estimated Resources for Reactive Interventions in 2022/23</b></p>		<p>Inspectors: 64 days</p> <p>Management: 6.25 days</p> <p>Business Support/Administration: 1 day</p> <p><b>Total: 71.25 days</b></p>	