



**HEALTH PROTECTION  
TEAM  
SERVICE PLAN 2021/22**

**Housing & Environmental Health  
Service**

**Approved By: Portfolio Holder for  
Housing & Environmental Health**

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## Health Protection Team Service Plan 2021/22

### 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 2020/21, and identifies the work currently being undertaken and planned for 2021/22. 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 2020/21 the Health Protection Team **completed 29% of all programmed food hygiene interventions that were due in the year**. This represents a **significant decrease against any previous year** and is solely explained by the impact of the Covid-19 pandemic. In March 2020 the FSA asked local authorities to suspend routine interventions which lasted until July. There were then lengthy periods through the remainder of the year when many food businesses were closed altogether. Further the team was responsible for doing most of the Council's Covid-19 related business related regulatory work.

1.3 In addition to the programmed food hygiene interventions, an **additional 80 unplanned food hygiene inspections** were undertaken mostly of newly registered businesses.

1.4 The team **took 62 food, water or environmental samples** from food businesses which represented a **decrease of 61% from last year** and is again explained by the impact of the pandemic. Of the samples taken **13% were unsatisfactory** for microbiological contamination and **2% 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 reactive only to complaints, requests for advice and accident investigations.

1.6 The year was dominated by **reactive and proactive Covid work**, some of which still continues to impact the current year. The number of additional contacts made from 25<sup>th</sup> March 2020 to 31<sup>st</sup> March 2021 was as below.

Covid complaints and enquiries investigated and answered = 346

Other Covid contacts (including remote telephone and e-mail contacts, Covid specific site visits, Covid checks at food inspections, licensing consultations with Covid implications, and some mail shot contacts = 538

Food hygiene surveillance contacts – remote additional contacts made for food hygiene purposes due to inspection restrictions = 319

In addition there were several street walks of the main shopping centres to check compliance levels.

### 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 2020/2021**

Despite the need to continually divert resources to often urgent Covid work (see 1.6), the team did still manage to complete the interventions below.

2.7 The team completed 29% of programmed food hygiene interventions (136 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. 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. Such interventions were undertaken by permanent staff as no contractor was engaged in the year.

2.8 The team worked flexibly to undertake an additional 80 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 has fallen from 95% to 90%. However, this still 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 95% included in the scheme 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.

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 62 food, water and environmental (i.e. swab) samples from food businesses to monitor the microbiological safety of foods and food contact surfaces. Samples were taken mainly for routine surveillance from high risk establishments. Of the samples taken, 8 were unsatisfactory for microbiological contamination resulting in re-sampling and advice being given to the food businesses. Of the 62 samples, 2% 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 began a review of the health and safety Primary Authority Agreement between the Council and Merityre (Specialists) Ltd of Andover. This work is continuing and will be completed in a few months as both parties are keen to maintain the partnership.

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 process with four officers fulfilling the role of Incident Liaison Officer in case of a major emergency in the borough.

## **2.15 Key Challenges for 2021/22**

2.16 The key challenge will be to begin to recover the food hygiene inspection programme and catch up with the overdue inspections from last year whilst trying to maintain the programme for this year. The FSA is due to announce how it expects local authorities to manage this and over what time period. What they say will determine whether this work will be able to be undertaken by permanent staff only, or whether a contractor/s will need to be engaged. This will also 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 2021/22.

2.17 The team will need to be ready to prioritise Covid-19 work, whether proactive or reactive, as is necessary. This work again has the potential to overwhelm other services provided by the team.

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 very prescriptive requirements of the recently revised Food Law Code of Practice at a time when other public health priorities have arisen. Although all posts are currently occupied (for the first time since 2017) two are part-time so the team is still not fully staffed.

2.19 At 1<sup>st</sup> April 2021 there were 716 programmed food hygiene interventions scheduled to be completed by 31<sup>st</sup> March 2022 (including the 336 carried forward from 2020/21). There are also a further 64 unplanned inspections of businesses who have registered and opened but not had their first inspection yet, and approximately another 40 unplanned inspections of newly registered businesses that have not opened yet but which will need inspecting if they do. This volume represents an approximately 80% increase on an average year in the number of inspections to be done.

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 at the beginning of each year.

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

	2016/17	2017/18	2018/19	2019/20	2020/21
Total number of registered food businesses	1,132	1,137	1,146	1,184	1,119
Programmed and unplanned inspections and audits completed (excluding low risk self-assessment questionnaires)	439	512	446	495	187
Number of programmed food hygiene interventions due at 1 <sup>st</sup> April each year	481	536	456	483	531

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 2020/21 there were 12 revisits requested and 1 appeal against a rating given in the year. In the appeal case the original rating was maintained. This rate of revisit requests and appeals is significantly lower than in an average year reflecting the low level of inspections and of businesses being open.

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 and on-going Covid-19 work.

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 prove difficult to achieve in 2021/22 due to Covid-19 and the recovery of the food hygiene inspection programme.

## **2.24 Performance for 2020/21**

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

Quarter 1: 3% completed in the quarter

Quarter 2: 12% completed in the quarter

Quarter 3: 9% completed in the quarter

Quarter 4: 23% completed in the quarter

Annual Rate: Some of the shortfalls in each quarter were eventually done such that 29% of inspections due in 2020/21 were completed by 31 March 2021.

### **2.26 Enforcement**

Food Hygiene: One Hygiene Improvement Notice was served, and three Detention Notices on imported consignments of products of animal origin referred inland by port health authorities. 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 in 2020/21, 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 2020/21.

<b>Table 2 – Profile of food businesses (as at 31<sup>st</sup> March 2021)</b>		
<b>Premises Category</b>	<b>No. of Premises</b>	<b>Minimum Inspection Frequency set by FSA</b>
<b>Premises rating A</b>	1	6 months
<b>Premises rating B</b>	24	12 months
<b>Premises rating C</b>	198	18 months
<b>Premises rating D</b>	399	24 months
<b>Premises rating E</b>	415	36 months – either inspected or self-assessment questionnaire sent.
<b>Unrated – new businesses that have started trading and await an inspection</b>	64	
<b>Premises outside the inspection programme – businesses that are so low risk they do not require to be inspected.</b>	18	
<b>TOTAL</b>	1,119	
<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 1,119 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 20<sup>th</sup> April 2021)</b>		
<b>Food Hygiene Rating</b>	<b>Number of Businesses</b>	<b>%</b>
<b>5 (very good)</b>	711	80.7
<b>4 (good)</b>	128	14.0
<b>3 (generally satisfactory)</b>	35	4.0
<b>2 (improvement necessary)</b>	6	0.7
<b>1 (major improvement necessary)</b>	5	0.6

<b>0 (urgent improvement necessary)</b>	0	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>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>	21	
<b>B2</b>	306	
<b>C (lowest risk) or unrated</b>	1,348	
<b>TOTAL</b>	1,675	

<b>Table 5 - Proactive/reactive activities and interventions in 2020/21</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>	136	
<b>Inspections of fruit and vegetable primary production establishments to support a national programme of work in this sector</b>	3	
<b>Number of food businesses programmed for inspection found to no longer be operating</b>	47	
<b>Unplanned food hygiene inspections</b>	80	
<b>Complaints received about hygiene of premises/practices</b>	47	
<b>Allegations of food poisoning</b>	34	
<b>Food complaints received (i.e. where extraneous matter was alleged to have been found in food)</b>	19	
<b>Infectious disease notifications received</b>	149	
<b>Food/water/environmental samples taken</b>	62	
<b>Sampling visits other than sampling conducted at an inspection</b>	4	
<b>Advisory visits</b>	4	
<b>Food hygiene surveillance remote contacts as a result of Covid-19 restrictions</b>	310	
<b>Enforcement notices served</b>	4	1
<b>Prosecutions taken</b>	0	0
<b>Simple cautions issued</b>	0	0
<b>Food health certificates issued for exported food</b>	105	
<b>Appeals against a food hygiene rating</b>	1	
<b>Requests for a re-visit under the food hygiene rating scheme</b>	12	

<b>Referrals from a Border Inspection Post that illegal consignments of products of animal origin have entered the borough</b>	3	
<b>Proactive inspections and any other health and safety visit/face to face contact to educate, advise or engage duty holders, employees etc.</b>		3
<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>		16
<b>Notifications under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR)</b>		64
<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>	22	5
<b>Number of annual street trading consents issued (NB: a small number of one off consents are also issued for one day events)</b>	16	
<b>Animal welfare licensing visits</b>	14	

## **2.28 Work for 2021/2022**

2.29 The work for 2021/22 is detailed in the Food Hygiene Intervention Plan (Appendix 1) and Health and Safety at Work Intervention Plan (Appendix 2). However, the former in particular may need to be amended depending on what the FSA requires regarding the food hygiene inspection recovery plan.

## **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 ethnic minority population in the Borough is lower than the national average. 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 three full-time Senior/Environmental Health Officer posts. Two of these are only filled part-time, and one full-time. In addition, there is a full-time Senior Health Protection Officer post.

## **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 servery). 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.

5.6.4 Each year a minimum of 10% of businesses that meet the criteria for receiving a consecutive self-assessment questionnaire will be physically inspected instead.

#### 5.7 Approach for New Food Business Establishments

5.8 When information is received that a new food business establishment has, 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 do a remote food hygiene surveillance contact with the food business operator.

5.9 The team will investigate 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 investigate 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. Some of this is through participating in regionally and nationally co-ordinated work, some 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. Samples are examined or analysed by the laboratory at Public Health England Porton Down, or Hampshire Scientific Services respectively.

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 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: ear piercing, electrolysis, acupuncture, 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 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 An officer will be provided as necessary to cover for the absence of the Animal Welfare Officer for the collection of stray dogs. The same officer will also undertake all licensing work in connection with zoos, pet shops, dangerous wild animals, riding establishments, and the keeping or training of animals for exhibition.

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 2021 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.
- 3 full time equivalent Senior Environmental Health Officers - two of these are occupied on a part-time basis and one full-time.
- 1 full time equivalent Senior Health Protection Officer - occupied full-time. In addition to food and health and safety law enforcement duties, this post acts as cover for the Animal Welfare Officer collecting stray dogs, and undertakes some animal welfare licensing work.

6.2 Tables 6 and 7 overleaf provide an estimate of the working days allocated for the work in 2021/22. At this stage Covid work continues but at a lower rate than earlier in the pandemic. No attempt has been made to estimate how much time might be spent on this work in 2021/22 as it is hard to predict.

6.3 The full time equivalent (FTE) breakdown for food, health and safety, licensing and animal welfare work, including the managerial element, in 2020/21 is as overleaf.

- Food hygiene allocated – 3.90
- Food hygiene occupied – 3.40
- Health and safety, licensing and animal welfare work allocated – 1.1
- Health and safety, licensing and animal welfare work occupied – 1.0

<b>Table 6 – Estimated resources for food hygiene work 2021/22</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)	562	120
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)	112	15
Sampling	50	2
Responding to FSA requests for action e.g. food alerts	2	1
National food hygiene rating scheme administration	0	2
Statutory returns	0	2
Food health certificates	0	1
Street trading consents	5	5

<b>Table 7 – Estimated resources for health and safety work 2021/22</b>		
<b>Activity</b>	<b>Officer Days</b>	<b>Manager Days</b>
Primary Authority Agreement work	3	0.5
Accident/incident investigations	15	2
Complaints & other service requests	20	1
Planning & licence consultations	2	0.25
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	30	1
Statutory returns	0	1

6.4 The overall net service controlled expenditure of the Health Protection Team for 2020/21 was £287,950 and an income of £20,025 was generated. The estimated service controlled budget for 2021/22 is £329,680 with an estimated income of £10,240.

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 below. 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 HPO</b>
Prosecution Experience	Yes	Yes	Yes	Limited	Limited
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 Foods Training	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 2020/21 over 95% of service requests were responded to within 3 working days (Corporate Target 95%);
- Food hygiene programmed intervention rate – in 2020/21, once accounting for businesses that were due an inspection but which ceased trading during the year, 472 programmed interventions were due to be done. Of the 472 due 136 were completed – 29.0% achieved.
- Health and safety inspection rate for high risk premises and completion of project inspections. Due to significant resource constraints only a small amount of health and safety project work was completed.

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 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 (approximately four meetings per year). Either the Principal EHO or a Senior EHO represents the team at the Hampshire and Isle of Wight Health and Safety Advisory Group (approximately four meetings per year). The Senior Health Protection Officer represents the team at the Hampshire and Isle of Wight Infectious Disease Forum (approximately three meetings per year) and ad hoc meetings of the 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.

**Proactive Interventions**

Work Area	Reason/s	Estimated Resources	Output/Outcomes
<p><b>Food Hygiene Intervention Programme</b></p> <p>Subject to the FSA’s national recovery plan, up to 716 programmed interventions to be undertaken by 31<sup>st</sup> March 2022 in accordance with the inspection rating scheme.</p>	<p>Statutory Code of Practice requirement identified by the FSA.</p>	<p>Inspectors: 537 days for preparing for and undertaking inspections, and post inspection administration.</p> <p>Manager: 143 days management time to allocate and monitor programme.</p>	<p>* Up to 716 completed interventions.</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 150 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>* 150 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>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: 2 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 2021/22</b></p>		<p>Inspectors: 612 days</p> <p>Management: 154 days</p> <p>Business Support Administration: 2 days</p> <p><b>Total: 768 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: 112 days preparing for and undertaking the inspections, and post inspection administration.</p> <p>Manager: 15 days to allocate and monitor.</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 40 requests for re-visits under the FHRS and 5 appeals against ratings) and responding to approximately 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 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 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>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 12-15 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 12 - 15 applications received per year.</p> <p>Inspectors: 5 days dealing with administration, consultation inspection and enquiries.</p> <p>Manager: 5 days dealing with consultation and complaints.</p>	<p>* 12 - 15 applications processed per year raising up to approximately £10,000 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 2021/22</b></p>		<p>Inspectors: 269 days</p> <p>Management: 37 days</p> <p>Business Support Administration: 35 days</p> <p><b>Total: 341 days</b></p>	

**Proactive Interventions**

<b>Work Area</b>	<b>Reason/s</b>	<b>Estimated Resources</b>	<b>Output/Outcomes</b>
<p><b>Visitor Attractions to Control Ill Health Arising from Animal Contact</b></p> <p>To visit the animal petting farm in the borough and check arrangements for managing the risks of infection from animal handling.</p>	<p>HSE national priority following high profile outbreak at a petting farm in Surrey.</p> <p>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.</p>	<p>Inspectors: 1 day</p> <p>Manager: 0.25 day to allocate and monitor.</p>	<p>* 1 advisory visit</p> <p>* Ensure compliance with the legislation and HSE Code of Practice.</p>
<p><b>Animal Welfare Work</b></p> <p>To undertake licensing work relevant to zoos, pet shops, riding establishments and dog breeders, and cover for the stray dog collection service.</p>	<p>To ensure that businesses are legally licensed and meeting the terms of their licence.</p> <p>To cover for the absence of the Animal Welfare Officer.</p>	<p>Inspector: 30 days</p> <p>Manager: 1 day to monitor</p>	<p>*30 licensing visits</p>
<p><b>Safety Advisory Group Work</b></p> <p>To participate in two Safety Advisory Groups for major public events held throughout the year.</p>	<p>To provide safety advice as needed on Event Safety Plans and also undertake visits during the year to ensure standards are being implemented.</p>	<p>Inspector: 2 days</p> <p>Manager: 3 days</p>	<p>*5 meetings and 2 inspections</p>
<p><b>Statutory Returns to the HSE</b></p> <p>Compilation and submission of the half yearly and annual LAE1 return, and any other returns as requested by the HSE.</p>	<p>For the compilation of national statistics.</p>	<p>Manager: 1 day</p>	<p>* Ensuring that the Council fulfils it’s obligations to respond to requests for information from the HSE.</p>

<b>Total Estimated Resources for Proactive Interventions in 2021/22</b>	Inspectors: 33 days Management: 5.25 days Business Support/Administration: 2 days <b>Total: 40.25 days</b>
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### **Reactive Interventions**

Priority Work	Reason/s	Estimated Resources	Output/Outcomes
<b>Investigation of Incident Notifications</b>  Investigate approximately 20 incidents of injury or ill health that meet the criteria for 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>Complaints and other Service Requests</b>  Investigate approximately 45 complaints and responding to other service requests about workplace health and safety.	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.	Approximately 45 complaints/service requests received per year.  Inspectors: 20 days to investigate. Manager: 1 day to allocate and monitor.	* 45 investigations * Promote sensible risk management. * Improved business compliance and greater health and safety awareness.
<b>Adverse Engineering Reports</b>  Investigate approximately 5 adverse engineering reports, primarily notifications of defective lifting equipment.	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.	Inspectors: 2 days to investigate. Manager: 0.25 day to allocate and monitor.	* 5 investigations * To ensure that duty holders take timely action to suspend use of defective equipment and undertake necessary work prior to re-use.

<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>	<ul style="list-style-type: none"> <li>* 2 investigations</li> <li>* To ensure that those undertaking work with asbestos use safe methods in accordance with their licence conditions.</li> </ul>
<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>	<ul style="list-style-type: none"> <li>* 30 consultations</li> <li>* Appropriate responses regarding public safety are made to the Licensing Unit.</li> </ul>
<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>	<ul style="list-style-type: none"> <li>* A more competitive, efficient and safe business.</li> <li>* Reduction in incidences of ill health and accidents.</li> <li>* Business better able to demonstrate corporate health and safety responsibility.</li> </ul>
<p><b>Total Estimated Resources for Reactive Interventions in 2021/22</b></p>		<p>Inspectors: 44 days</p> <p>Management: 4.25 days</p> <p>Business Support/Administration: 1 day</p> <p><b>Total: 49.25 days</b></p>	