

Agenda for a meeting of the Regeneration and Environment Overview and Scrutiny Committee to be held on Tuesday, 20 June 2023 at 5.30 pm in Committee Room 1 - City Hall, Bradford

Members of the Committee – Councillors

LABOUR	CONSERVATIVE	GREEN	LIBERAL DEMOCRAT
K Hussain Rowe Wheatley Kauser Mitchell Steele	Herd	Watson	R Ahmed

Alternates:

LABOUR	CONSERVATIVE	GREEN	LIBERAL DEMOCRAT
Mohammed Choudhry Dodds S Khan	Davies	Warnes	Griffiths

Notes:

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- If any further information is required about any item on this agenda, please contact the officer named at the foot of that agenda item.

From:

Asif Ibrahim
Director of Legal and Governance
Agenda Contact: Su Booth/Louis Kingdom

To:

Phone: 07814 073884/07890 416570

E-mail: susan.booth2@bradford.gov.uk/louis.kingdom@bradford.gov.uk

A. PROCEDURAL ITEMS

1. ALTERNATE MEMBERS (Standing Order 34)

The Director of Legal and Governance will report the names of alternate Members who are attending the meeting in place of appointed Members.

2. DISCLOSURES OF INTEREST

Members Code of Conduct – Part 4A of the Constitution)

To receive disclosures of interests from members and co-opted members on matters to be considered at the meeting. The disclosure must include the nature of the interest.

An interest must also be disclosed in the meeting when it becomes apparent to the member during the meeting.

Notes:

- (1) *Members must consider their interests, and act according to the following:*

Type of Interest	You must:
<i>Disclosable Pecuniary Interests</i>	<i>Disclose the interest; not participate in the discussion or vote; and leave the meeting <u>unless</u> you have a dispensation.</i>
<i>Other Registrable Interests (Directly Related)</i> OR <i>Non-Registrable Interests (Directly Related)</i>	<i>Disclose the interest; speak on the item <u>only if</u> the public are also allowed to speak but otherwise not participate in the discussion or vote; and leave the meeting <u>unless</u> you have a dispensation.</i>
<i>Other Registrable Interests (Affects)</i> OR <i>Non-Registrable Interests (Affects)</i>	<i>Disclose the interest; remain in the meeting, participate and vote <u>unless</u> the matter affects the financial interest or well-being</i> <i>(a) to a greater extent than it affects the financial interests of a majority of inhabitants of the affected ward, and</i> <i>(b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public</i>

interest; in which case speak on the item only if the public are also allowed to speak but otherwise not do not participate in the discussion or vote; and leave the meeting unless you have a dispensation.

- (2) *Disclosable pecuniary interests relate to the Member concerned or their spouse/partner.*
- (3) *Members in arrears of Council Tax by more than two months must not vote in decisions on, or which might affect, budget calculations, and must disclose at the meeting that this restriction applies to them. A failure to comply with these requirements is a criminal offence under section 106 of the Local Government Finance Act 1992.*
- (4) *Officers must disclose interests in accordance with Council Standing Order 44.*

3. MINUTES

Recommended –

That the minutes of the meeting held on 21 March 2023 be signed as a correct record (previously circulated).

(Su Booth / Louis Kingdom – 07814 073884 / 07890 416570)

4. REFERRALS TO THE OVERVIEW AND SCRUTINY COMMITTEE

Any referrals that have been made to this Committee up to and including the date of publication of this agenda will be reported at the meeting.

5. INSPECTION OF REPORTS AND BACKGROUND PAPERS

(Access to Information Procedure Rules – Part 3B of the Constitution)

Reports and background papers for agenda items may be inspected by contacting the person shown after each agenda item. Certain reports and background papers may be restricted.

Any request to remove the restriction on a report or background paper should be made to the relevant Strategic Director or Assistant Director whose name is shown on the front page of the report.

If that request is refused, there is a right of appeal to this meeting.

Please contact the officer shown below in advance of the meeting if you wish to appeal.

(Su Booth / Louis Kingdom – 07814 073884 / 07890 416570)

B. OVERVIEW AND SCRUTINY ACTIVITIES

6. PROPOSED CONSTRUCTION OF ADDITIONAL CEMETERY PROVISION AT BOWLING CEMETERY 1 - 8

The Strategic Director, Place will submit a report (**Document “A”**) that requests the Committee to note that the intended spend may be in excess of £2m to construct infrastructure to extend Bowling Cemetery.

Recommended –

That the Committee: -

- (i) Notes the progress made to date on delivering the Council’s Bereavement Services Strategy.**
- (ii) Notes the intention to tender the construction of new infrastructure at Bowling Cemetery at a value potentially in excess of £2m, the anticipated construction costs for the works is circa £1.9m.**

(Phil Barker - 01274 432616)

7. TENDER FOR "STORES FACILITY MANAGEMENT" - UPDATE FROM MARCH 2023 9 - 14

The Strategic Director, Place will submit a report (**Document “B”**) in line with Contract Standing Orders, to provide Members with an update on the provision of Stores Facility Management that is currently provided by the incumbent third party Contractor and the need to renew the agreement.

Recommended –

That it be noted that:

- (i) it is the intention of the Strategic Director, Place, to award a new contract for ‘Stores Facility Management’ to a third party contractor, through the Yorkshire Purchasing Organisation (YPO) Framework, to commence on 1 September 2023 and run for four years with the option to extend for one further year.**
- (ii) the estimated value of the ‘Stores Facility Management’ contract over five years is in excess of £5 million and this matter is therefore reported to the Committee in accordance with Paragraph 4.6 of Part 3G of the Council’s Constitution (Contracts Standing Orders).**

(Richard Galthen – 01274 437442)

8. **FOOD SERVICE PLAN 2023/24 - FOOD SAFETY IN THE BRADFORD DISTRICT**

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The Strategic Director of Health and Wellbeing will submit a report (**Document “C”**) that will outline the Food Service Safety Plan and request Members to support the plan. The Council is required by the Food Standards Agency to have a documented and approved Food Safety Service Plan.

Recommended –

- (i) **That Members provide views and comments in relation to the contents of this report.**
- (ii) **That the work of the Food Safety Team as documented in the Food Safety Service Plan be supported.**
- (iii) **That Members note that the proposed approach to performance monitoring and management of resources provides the necessary assurance that the delivery of food safety controls are in line with expectations.**
- (iv) **That the Committee notes that preparing for UK City of Culture will have a significant impact on delivery of baseline requirements.**

(Angela Brindle – 01274 433985)



Report of the Strategic Director, Place to the meeting of Regeneration and Environment Overview and Scrutiny Committee to be held on 20th June 2023

A

Subject:

Proposed Construction of Additional Cemetery Provision at Bowling Cemetery

Summary statement:

This report requests the committee to note the intended spend may be in excess of £2m to construct infrastructure to extend Bowling Cemetery.

Equality and Diversity:

The Bereavement Services Strategy aims to deliver the objectives of the Council's Organisational Equalities Culture by ensuring services are well run, fit for purpose, and fair and inclusive in their approach. The Strategy recognises and supports equality of opportunity between different groups, particularly religious in nature, through provision of relevant, accessible and in some cases bespoke services.

David Shepherd – Strategic Director,
Place

Portfolio:

Healthy People and Places

Report Contact: Phil Barker
Phone: (01274) 432616
E-mail: phil.barker@bradford.gov.uk

Overview & Scrutiny Area:

Regeneration and Environment

1. SUMMARY

This report requests the committee note the intended spend may be in excess of £2m to construct additional infrastructure in Bowling Cemetery.

Current estimates suggest a contract value of £1.9 million, but with the current volatility of inflation within the construction industry it was determined to be prudent to table this report.

2. BACKGROUND

2.1 Programme Update

The Bereavement Services Strategy, adopted in late 2016, identified the challenges facing the Service and provided clear direction to enable the council to efficiently focus its resources, both capital and revenue, to deliver a sustainable service over a 15-20 year period. The Strategy is focussed upon improvements in service delivery to the public and includes, at its core, the need for infrastructure investment to prevent potential service failure.

Major elements of this strategy identified the need to invest in the Council's crematoria provision as well as ensuring that sufficient cemetery space was available for those wishing to be buried.

The Strategy highlighted the requirement for additional burial capacity in the medium term to ensure that satisfactory burial services continue to be provided to the Muslim community via a longstanding partnership with the Bradford Council for Mosques. This is particularly important in the south of the district where more than two thirds of the annual number of new burial plots are required.

The overall success and deliverability of the plan to deliver new cemeteries is dependent on a number of key factors. For simplicity, the overall project has been split into three phases all of which have different delivery timescales:

Phase 1

Extension of the existing Muslim burial ground at Scholemoor cemetery to provide immediate additional capacity.

Phase 2

Additional burial plots delivered through further interventions including:

- the extension of Bowling cemetery – outline' planning approval to proceed has been secured and the project has received final funding approval.
- the establishment of a new cemetery, potentially on Council owned land
- the acquisition of land to allow further and larger cemeteries to be

established.

Phase 3

Development of a major new cemetery to deliver long term capacity beyond 2050. This will require further planning consents and funding approval.

Phase 1 works were completed in 2020 with the successful extension of the Muslim burial ground at Scholemoor cemetery. The Council also engaged specialists CDS (Cemetery Development Solutions) to assist with the identification, assessment and development of further burial capacity.

Phase 2 work, to date, has identified the remaining undeveloped land at Bowling Cemetery as suitable to provide half of the capacity required within this phase. The total project cost to include provision of the necessary new access infrastructure, site levelling and associated drainage is initially estimated at £2.38m.

Following recent planning approval relating to use of the land, final design details have been agreed and a detailed planning application has been submitted. Subject to approval of this planning consent, it is intended that works will start on site in Autumn 2023.

2.2 Governance Timeline

Executive November 2016 – Adoption of the Bereavement Services Strategy

Executive July 2018 – Approved the procurement of external specialists to complete the options appraisal for 5 identified new crematoria sites and subject to further approval, deliver progress to RIBA Stage 3 (Detailed Design) for the design and build of two new crematoria. Also delegated approval of spend to the Director of Place in consultation with the S151 officer to upgrade the crematory at Oakworth Crematorium, to include mercury abatement, at the earliest opportunity

Executive June 2019 – Approved the revised and increased cost estimate for the refurbishment of Oakworth crematorium at £2.75m.

REOS July 2019 – Considered and noted the intentions to enter into two contracts for the refurbishment of Oakworth crematorium (£2.75m) and also to procure 5 cremators (estimated £3.5m).

Committee noted that Best Value considerations in terms of purchase, operating and maintenance costs led to the decision to adopt a single procurement exercise for cremators with call off provision when required within each of the construction programmes.

Procurement considerations were also covered with the intention to use the Bradford Framework for Construction to tender the refurbishment works at Oakworth and the YPO framework for procurement of the cremators.

Executive November 2019 - Delegated approval of spend to the Strategic Director, Place in consultation with the S151 officer for the construction of the first new crematorium within Heaton at a cost of £9.1m subject to land acquisition and planning permission

Executive approved the proposal that all necessary action be taken to negotiate the acquisition of the required land whilst also approving, in principle, the use of Compulsory Purchase if necessary.

Also approved the implementation of Phase 3 and 4 works by Rex Procter & Partners to finalise the designs for the new crematoria and administer the subsequent building contracts.

Executive January 2020 - Delegated approval of spend to the Strategic Director, Place in consultation with the S151 officer for the construction of the second new crematorium within Bierley at a cost of £10.3m subject to land acquisition and planning permission

Executive approved the proposal that all necessary action be taken to negotiate the acquisition of the required land whilst also approving, in principle, the use of Compulsory Purchase if necessary.

REOS December 2020 - Considered and noted the intentions to enter into a contract for the construction of Heaton crematorium.

Procurement considerations were covered with the intention to use the in house General Contractors Framework for Construction to tender the construction works.

Executive October 2021 - Approval for the Strategic Director, Place in consultation with the Director of Finance & IT to award the contract to the successful tenderer for the construction of Heaton Crematorium as detailed in the report within the overall programme budget of £23 million.

A further report to be presented to the Executive on the costs for Bierley Crematorium in due course.

Executive February 2022 - Approval for the Strategic Director, Place in consultation with the Director of Finance & IT to progress with the delivery of the Bereavement Investment Plan as detailed in the report within a revised overall programme budget of £29.7 million.

Approval for the Strategic Director of Place in conjunction with the Strategic Director of Corporate Resources and in consultation with the City Solicitor to agree and finalise the terms of the acquisition of the land at Bierley

REOS July 2022 - Considered and noted the intention to tender the construction of a new crematorium at Bierley at a value in excess of £2m.

3. REPORT ISSUES

3.1 Proposed Procurement Protocol

Tenders will be invited through the Council's own General Highways Projects Framework with a quality/price evaluation process to include assessment of proposed social value contributions by each tenderer.

Use of the Council's framework is compliant with the requirements of Contracts Standing Orders:

Section 5 In all instances the procurement of works, goods or services should be done through existing approved arrangements where they exist. These include:

Section 5.1.2.1 The use of Council Corporate Contracts / Framework Agreements / DPS awarded by the Council shall be considered in the first instance in consultation with the Head of Procurement for all works, goods and services that have been included in the scope of those arrangements.

The framework ensures compliance with the Council's Contract Standing Orders and the Public Contracts Regulations by providing an opportunity for competition with a pre-vetted, restricted supply base. It allows Officers to call-off Contractors in a timely manner. These contractors have been robustly vetted at the outset of the framework; and call-offs allow for competitive pricing tailored to the size and complexity of the works project to achieve the best price at the time of the requirement of the works. This will further ensure corporate compliance by using set procedures and documentation.

Furthermore, the use of the framework will deliver best value and commercial gain as the opportunity will only be open to the contractors appointed to the framework, creating competitive tension between the bidding contractors, as each has a reasonable chance of success. Bidding for a large construction contract is a timely and expensive activity for contractors and when bidders have knowledge that the competition is of known size then typically they are more prepared to bid.

3.2 Form of Contract.

Bearing in mind that the works are essentially civil engineering in nature, the JCT Intermediate contract has been selected, retaining some contractor design elements such as retaining walls.

4. FINANCIAL & RESOURCE APPRAISAL

The extension of Scholemoor cemetery cost c. £750,000 and was mainly funded through a provision of £1m within the capital programme. This was allocated when the Bereavement Services Strategy was first adopted.

Phase 2 of the cemetery delivery plan will cost an estimated £5.98m and has been included in the Councils capital programme incrementally over the next 2 years.

Careful consideration has been given by the Project Appraisal Group (PAG) to determine the source and extent of capital funding required for Phase 2 of the programme.

It was noted that there is already a requirement for the Service to fund an element of prudential borrowing to deliver the crematoria programme. Furthermore, Phase 2 of the Cemetery delivery plan seeks to provide additional capacity simply to maintain, rather than increase, activity levels resulting in no change to income profiling. Given these facts, it was determined that the service revenue budget was not in a position to accommodate any further borrowing charges.

The intention is then to use corporate capital to fund Phase 2 of the delivery plan with Bowling Cemetery extension to be specifically included in the capital programme at £2.38m for 2023/24.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

- 5.1 There is a need to provide additional burial grounds to ensure that the partnership arrangement with the Bradford Council for Mosques can continue to deliver funerals according to the faith and culture of the Muslim community.

6. LEGAL APPRAISAL

- 6.1 The Cremation Act 1902 provides for a local authority to own and operate cemeteries and crematoria and charge such fees as they see fit. In addition to this, the legislation extends to statutory requirements for keeping registers for burial and cremation together with site plans.

7. OTHER IMPLICATIONS

7.1 Sustainability Implications

The strategy seeks to deliver the most sustainable service achievable over a 30-40 year period and beyond through a programme of capital investment.

Extended or new cemeteries will provide opportunities for biodiversity gain over and above replacement of any essential loss of biodiversity.

7.2 Greenhouse Gas Emissions Impacts

Five of the six Council cremators currently fail to comply with DEFRA's air quality emission requirements as they are not fitted with mercury abatement equipment. The strategy, when implemented in full, will include filtration equipment to all cremators in line with these regulations which aim to abate emissions of Mercury by 50% (of 2003 levels). The facilities will be market leading by also using nitrous

oxide abatement technology.

7.3 Community Safety Implications

There are no known Community Safety Implications arising from this report.

7.4 Human Rights Act Implications

There are no known Human Rights Implications arising from this report.

7.5 Trade Union Implications

There are no significant staffing implications arising from this report although the Trade Unions will be consulted as required through the Council's IR Framework.

7.6 Ward Implications

The project is taking place in the Bowling and Barkerend Ward. Ward Members have been in regular contact with the project team through the development of the scheme.

7.7 Implications for Children and Young People

There are no known corporate parenting implications arising from this report.

7.8 Issues Arising from Privacy Impact Assessment

Implementation of the Bereavement Service strategy will not affect the current and compliant processes in place to ensure privacy of personal data in accordance with the legislation in place.

8. NOT FOR PUBLICATION DOCUMENTS

None

9. RECOMMENDATIONS

That the committee: -

9.1 Notes the progress made to date on delivering the Council's Bereavement Services Strategy.

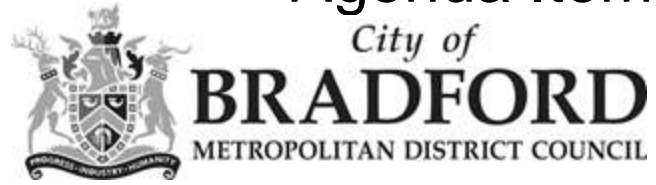
9.2 Notes the intention to tender the construction of new infrastructure at Bowling Cemetery at a value potentially in excess of £2m, the anticipated construction costs for the works is circa £1.9m

10. APPENDICES

None

11. BACKGROUND DOCUMENTS

Bereavement Services Strategy 2016-2031



Report of the Strategic Director Place to the meeting of Regeneration and Environment Overview and Scrutiny Committee 20th June 2023

B

Subject:

Tender for “Stores Facility Management” – Update from March 2023

Summary statement:

Fleet & Transport Services need to renew the agreement for stores facility management that is currently provided by the incumbent third party Contractor.

The function of the facility is to manage the sourcing, supply and storage of parts and consumables for a fleet of approximately 1,600 vehicles and items of plant.

Due to the estimated contract value being £5m over 5 years, Fleet & Transport Services are submitting this report to the Scrutiny Committee in line with Contract Standing Orders.

David Shepherd
Strategic Director

Portfolio:

Healthy People and Places

Report Contact: Richard Galthen –
Principal Officer
Phone: (01274) 437442
E-mail: Richard.Galthen@bradford.gov.uk

Overview & Scrutiny Area:

Regeneration and Environment

1. SUMMARY

The scope of the current contract is to source, provide and store parts and consumables for supply to a fleet of approximately 1,600 vehicles and items of plant equipment. This involves dealing with over 25 different manufacturers, and providing a service which is available 365 days per year based within the Council's Fleet Workshop.

Fleet & Transport Services are seeking to implement a new contract using YPO Framework 921 to source a Contractor. By using this framework, we do not have to publish an EU tender as YPO, which is a publicly owned body, have already evaluated and appointed a number of suppliers able to meet the criteria required.

We will only need to publish our specification to the selected framework suppliers and evaluate their responses to source the best overall value for money.

March 2023 update:

Due to a miscommunication surrounding use of this framework, the tender process had already been completed with Fleet Factors being the preferred supplier. The Award of contract had not been done. It was then realised that the YPO framework had expired with no certainty that a renewed framework was in place so the contract award was abandoned, pending a discussion with YPO and a revised tender/call-off via a renewed framework.

June 2023 update:

YPO confirmed that Framework 1117 had been procured and could now be used to source a contract. Category 3 (Managed Stores) of the framework was used to source a contract, with the result being a successful bid (subject to award) by Fleet Factors Ltd.

The contract is required to start 01/09/2023 and the award process will need to be completed in advance at the earliest opportunity. This report is to advise of the process undertaken and need for the contract, prior to award being made.

2. BACKGROUND

The current "Stores Facility Management" contract has been in place since 01/09/2018. Fleet Factors are the current contractor and this is due to expire 31/08/2023. Fleet Factors is privately owned and the Council has no legal interest in it.

The contract ensures the Council's entire fleet has a stock and supply chain of parts and consumables at a reduced price rate in order to minimise downtime for essential services whilst maintaining value for money.

It is proposed that the new contract is awarded through YPO Framework 1117 to start 01/09/2023 and run for 4 years with the option to extend for 1 further year. The estimated total contract value is £5m based on current fleet size and expenditure.

3. OTHER CONSIDERATIONS

Prior to this option various others were considered. We did provide the service “in house” for a while but this was not cost effective as we didn’t have the technical expertise, systems or buying power that is available from private sector companies. There is no current proposal to return to in-house provision.

To insource all requirements, we would need a minimum of two full time employees, at least one delivery vehicle, purchase of bespoke IT systems capable of interacting with multiple national companies and databases. We would also not be able to secure the high volume-based discounts that a national company the size of Fleet Factors, Euro-Car-parts, GSF etc. are able to attain.

Estimated costs for insourcing would be at least £200k to £300k as a minimum per year, based on the above requirements.

4. FINANCIAL & RESOURCE APPRAISAL

Currently, all parts and consumables are sourced by the contractor with costs recharged to the various Council departments when maintenance or repairs are required to vehicles and plant.

The contract includes the supplier to work within Shearbridge Depot, providing two members of staff, all IT systems, stock control, collection and delivery of parts and specialist advice. Additionally, the supplier is to on charge the Council and “on-cost” for the management of the contract and daily operation. This is historically around 10% of contract expenditure (circa £100k per year).

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

The financial risk is minimal as the items are owned and held by the contractor, and only paid for by the Council as and when each item is required for use. All stock held on site belongs to the contractor until it is issued for a job. Likewise, all ICT systems and furniture required to operate the new contract will be supplied by the successful contractor. If for any reason the contractor needed to withdraw from the contract, we would have no liabilities as such beyond those that had already accrued prior to termination.

6. LEGAL APPRAISAL

There are no legal implications other than those touched upon in other parts of this report. There will be employment law issues arising from the proposed TUPE transfers of staff, and vocational pension advice may be required in relation to their pension transfers. Further legal advice may be required on these issues in due course, the transfer should make provision for the return of or transfer of title to the new supplier of any current stock held by Fleet Factors at the date of the new contract.

7. OTHER IMPLICATIONS

7.1 EQUALITY & DIVERSITY

All contractors available to submit tenders via the YPO Framework have signed terms and conditions including having equality and diversity policies which mirror or are broadly the same as those operated by the Council, and which permit the Council to implement the public sector equality duty in relation to any matters that arise within the new service.

7.2 SUSTAINABILITY IMPLICATIONS

This contract will help Fleet & Transport Services maintain and repair the Council's vehicles and machinery in the most efficient manner and with the least environmental impact. The repair of, rather than purchase of, new plant and machinery and the re-use of viable parts will minimise the energy used within Council's Fleet and Transport System. This in turn, helps our services to operate as efficiently as possible and contributes to the sustainable use of the Council's resources and equipment.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

Greenhouse gas and particulate emissions will be reduced by efficient fleet maintenance of engines and transmission systems, and the storage of equipment and spares on site will reduce unnecessary journeys.

7.4 COMMUNITY SAFETY IMPLICATIONS

N/A

7.5 HUMAN RIGHTS ACT

N/A

7.6 TRADE UNION

N/A

7.7 WARD IMPLICATIONS

N/A

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)

N/A

7.9 IMPLICATIONS FOR CORPORATE PARENTING

N/A

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESMENT

N/A

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

- Establish a new Contract via YPO framework – Current contract has proved to be value for money over the last 5 years. Various companies are able to offer this service in line with our requirements.
- Bring back in house – This option is not advised based on previous experience. We do not have the buying power, expertise, ICT systems or staff to be able to match the value that private contractors can provide in this market.

10. RECOMMENDATIONS

That it be noted that:

(i) it is the intention of the Strategic Director, Place, to award a new contract for 'Stores Facility Management' to a third party contractor, through the Yorkshire Purchasing Organisation (YPO) Framework, to commence on 1 September 2023 and run for four years with the option to extend for one further year.

(ii) the estimated value of the 'Stores Facility Management' contract over five years is in excess of £5 million and this matter is therefore reported to the Committee in accordance with Paragraph 4.6 of Part 3G of the Council's Constitution (Contracts Standing Orders).

11. APPENDICES

N/A

12. BACKGROUND DOCUMENTS

N/A

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Report of the Director of Health and Wellbeing to the meeting of Regeneration and Environment Overview Scrutiny Committee to be held on 20 June 2023

C

Subject: Food Safety in the Bradford District

Summary statement: The Council is required by the Food Standards Agency to have a documented and approved Food Safety Service Plan. This report is brought to Members to seek support for that plan.

Equality and Diversity: The Food Service Plan is a longstanding annual plan and is not a new proposal. There are no impacts on equality and diversity as food inspections are based on a legal framework and a national risk rating scheme and does not target people of any of the protected characteristics defined in the Equalities legislation.

Iain MacBeath
Director of Health and Wellbeing

Portfolio:
Healthy People and Places

Report Contact: Angela Brindle
Phone: (01274) 433985
E-mail: angela.brindle@bradford.gov.uk

Overview & Scrutiny Area:
Regeneration and Environment

1. SUMMARY

The Council is required by the Food Standards Agency to have a documented and approved Food Safety Service Plan. This report is brought to Members to seek support for that plan.

The Service Plan sets out the measures the Council will implement to safeguard food and drink which is produced, prepared or sold within the district. The plan reflects the work required of food authorities by the Food Standards Agency (FSA) in its national Food Law Code of Practice and practice guidance documents.

The Service Plan is a document that:

- identifies how these services fit in with the Council Corporate Priorities
- details the demands on the service
- gives information about the services provided
- details the means by which these services will be provided
- details the resources available to deliver these services
- details the risk based programme of work for the year ahead
- details the means by which the service will achieve any relevant performance standards/targets.
- identifies potential risks to the service and where it may fall short of delivering statutory requirements
- offers a review of performance in order to address any variance from meeting the requirements of the service plan

2. BACKGROUND

2.1 Food Safety is one element of the Councils Environmental Health Service (EHS). The Food Safety Team (FST) carry out a programme of inspections, sampling, advice, and where necessary, enforcement work which is delivered to tackle food safety issues. This is a statutory obligation placed on the Council which is monitored by the Food Standards Agency (FSA).

2.2 One of the requirements placed on the Council is to have an approved documented food service plan which sets out how the Council intends to meet its statutory obligations. The format of the plan is prescribed by the FSA and the plan is contained in appendix 1. Members are asked to consider and approve the contents of the plan.

2.3 As part of the policy framework the Food Service Plan does have to go through the process of being approved at Full Council.

3. OTHER CONSIDERATIONS

The Recovery Plan sets out the FSA guidance and advice to local authorities for the period from 1 July 2021 to the end of March 2023.

The guidance and advice aim to ensure that during the period of recovery from the impact of COVID-19, local authority resources are targeted where they add greatest value in providing safeguards for public health and consumer protection in relation to food.

It also aims to safeguard the credibility of the Food Hygiene Rating Scheme (FHRS).

4. FINANCIAL & RESOURCE APPRAISAL

The service plan, as set out, has been drafted to be accommodated within existing resources, however, the report does highlight that the food safety team is under resourced and unable to fulfil its statutory duties.

The team is currently planning for UK City of Culture and the impact this will have on the workload and resource of the team.

5. RISK MANAGEMENT AND GOVERNANCE ISSUES

Regulation (EU) 2017/625 Article 5 places obligations on competent authorities to have, or have access to, a sufficient number of suitably qualified and experienced staff so that official controls and other official activities can be performed efficiently and effectively. The FSA Food Law Code of Practice requires Competent Authorities to appoint a sufficient number of suitably qualified and competent officers so that official food controls and other official activities can be performed efficiently and effectively, as part of their statutory obligations. The Council does not fulfil this requirement in line with generally accepted guidance on the number of officers per number of premises.

There are potential risks arising from the implementation of the plan. Reputational damage to the Council could arise if the statutory inspection programme cannot be fulfilled and business's food hygiene ratings not issued and published on the FSA national website.

6. LEGAL APPRAISAL

The functions carried out by the Food Safety Team identified within the Food Safety Service Plan are statutory functions required under the provisions of several statutes including the Food Safety Act 1990 and associated regulations.

7. OTHER IMPLICATIONS

None

7.1 SUSTAINABILITY IMPLICATIONS

The climate predictions for Yorkshire & Humber describe higher than average summer temperatures and above average winter rainfall. The impact in terms of public health will likely result in increased risks from heat and flooding. There will be a role for local authorities in increasing public awareness of how to cope during a heat wave. Food hygiene will be a key aspect of raising awareness and provision of advice for businesses and households.

The Food Service Plan and Food Safety work actively supports the corporate priorities for the District and contribute to personal, community and wider District well-being, prosperity and resilience, including the avoidance of

significant adverse incidents and events. The Council investment of public funds and resources in this area, working with citizens, communities, business and other 3rd parties are fundamental to supporting a healthy and vibrant society.

Promotion of the FHRs, undertaking food hygiene inspections and the delivery of early interventions leads to wider legal compliance and consequent cost avoidance by businesses in the District.

7.3 GREENHOUSE GAS EMISSIONS IMPACTS

Greenhouse gas impacts are from office accommodation and transport i.e. energy and fuel consumption. This is directly, through heat and power in Council buildings or indirectly, via fuel usage in officer's vehicles.

There is a programme of energy efficiency improvements aimed at reducing emissions from corporate buildings managed by the Council's Environment and Climate Change Unit. Site visits are carried out in private vehicles but are planned to minimise journey distance. Officers maximise efficiency by working flexibly from home, offices and touch down points.

The Food Safety Team has direct contact with food businesses faced with the costs and risks associated with climate change. Food businesses are burdened with increasing energy bills associated with heating and chilling of food and as such stand to benefit from Council recommendations that will improve energy efficiency.

7.4 COMMUNITY SAFETY IMPLICATIONS

The regular visits by officers and advice given about waste storage and disposal at the site contributes to a feeling of safety within the District. The joint visits with the police and other agencies contributes to the intelligence gathered in relation to child sexual exploitation and other criminal activities in businesses.

7.5 HUMAN RIGHTS ACT

There are no Human Rights Act implications.

7.6 TRADE UNION

There are no Trade Union implications

7.7 WARD IMPLICATIONS

The inspection programme, FHRs rating scheme and delivery of the service plan apply equally across all wards within the District.

7.8 AREA COMMITTEE ACTION PLAN IMPLICATIONS (for reports to Area Committees only)

Not Applicable

7.9 IMPLICATIONS FOR CORPORATE PARENTING

The inspection programme will ensure that Council owned Adult and Children establishments are inspected and comply with relevant food safety legislation.

7.10 ISSUES ARISING FROM PRIVACY IMPACT ASSESSMENT

Not applicable.

8. NOT FOR PUBLICATION DOCUMENTS

None

9. OPTIONS

Not Applicable

10. RECOMMENDATIONS

- 10.1 The views and comments of Members are sought in relation to the contents of this report.
- 10.2 The work of the Food Safety Team as documented in the Food Safety Service Plan be supported.
- 10.3 Agree that the proposed approach to performance monitoring and management of resources provides the necessary assurance that the delivery of food safety controls are in line with expectations.
- 10.4 Recognise that preparing for UK City of Culture will have a significant impact on delivery of baseline requirements.

11. APPENDICES

Appendix 1 - The City of Bradford MDC Food Safety Service Plan 2023/24

Department of Health and Wellbeing

**FOOD SAFETY SERVICE PLAN
2023 / 2024**

**FOOD SAFETY SERVICE PLAN
2023/2024**

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Introduction

This service plan details the food safety work of the Council's Environmental Health Service (EHS) for 2023/24. The Food Standards Agency (FSA) requires each local authority to produce an annual plan that sets out what measures it will take to safeguard food safety and to review its achievement of the targets set the previous year.

Section 1 - Service Aims and Objectives

1.1 Aims and Objectives

Our aims are: -

- 1) To ensure that food produced, prepared and sold in the Bradford District is safe to eat.
- 2) To increase the awareness of food safety amongst the residents of the Bradford District.
- 3) To support the role of UK Health Security Agency (UKHSA) in relation to communicable disease control within the city.
- 4) To assist in the delivery of the relevant outcomes within the Public Health Outcomes framework.

To achieve this, we will operate a system of inspection, sampling, advice and other initiatives to ensure safety in the production and sale of food.

Using these methods and supported by other promotional activities and collaborative partnership work, we aim to ensure the safety of food and thereby contribute to the health and well-being of the whole population. These activities include;

- To deliver an annual programme of food hygiene interventions, including inspections, audits, and alternative intervention strategies.
- Promote best practice in food production and sale in Bradford through the national food hygiene rating scheme (FHRS).
- Provide support and advice to local businesses so they can comply with legal requirements and best practice.
- Improving food safety right through the food chain.
- Publicise food safety issues, by working with partners, through a number of activities as part of local and national campaigns.
- Act as Primary Authority for our partner businesses and deal with enquiries referred to us by other authorities and agencies.
- Investigate food poisoning notifications and outbreaks in association with the Consultant for Communicable Disease Control (CCDC), based within UKHSA.
- Investigate complaints about food and food premises.

- Implement an annual sampling programme that incorporates participation in national and regional sampling surveys
- Approve special high risk food premises as required by law.
- Enforce food legislation and take proportionate action to secure compliance.
- Take prompt and effective action in response to food alerts and other threats to food safety in the Bradford District.
- Provide training and development opportunities for staff to ensure they are competent, professional and fair.

1.2 Links to Corporate Objectives and Plans

The Council priorities are developed along two themes:

- **Living with COVID-19:** How we help our residents, businesses and places overcome the ongoing challenges presented by the coronavirus pandemic.
- **Building a Better Future:** How we work to secure a better long-term future for the district, its people, its communities and its businesses.

The priorities are:

- **Better Skills, More Good Jobs and a Growing Economy:** Improving skills and productivity, creating jobs and attracting investment.

The team's involvement in primary authority partnerships helps to support local businesses. Participation in the national food hygiene rating scheme allows the promotion of food businesses with good hygiene ratings. Our work ensures a level playing field thus supporting legitimate businesses to compete and expand. We engage with the North East Region Better Business for All group that links in with the Council's Growth Hub and the Leeds City Region Enterprise Partnership (LEP). We also provide export health certification for businesses wishing to export food to 3rd countries outside the European Union.

- **Decent Homes:** Ensuring everyone has a home meeting their needs.
- **Great Start, Good Schools:** Giving all children the best start in life and improving educational attainment.

Work undertaken for food safety week targets relevant groups with various initiatives. Our inspections of schools and nurseries also ensures that these premises comply with food hygiene standards. In 2022/23 we took part in a FSA pilot project looking at food nutritional standards within schools, which is continuing into 2023/24. The pilot aims to design and test a new approach in supporting schools to comply with the existing School Food Standards. We will find out if food safety officers are also able to raise instances of non-compliance with the School Food Standards when carrying out regular hygiene inspections in schools. This research will help inform the role our council could play in assuring compliance with the standards so that the food served in our schools delivers the best possible health outcomes for children.

- **Better Health, Better Lives:** Helping everyone to live long and happy lives by improving health and wellbeing.

We work with colleagues in Public Health on initiatives, for example to combat obesity and encourage healthy eating. We issue food safety bulletins through the Council's Stay Connected service. Work undertaken for food safety week delivers key messages to members of the public to support the production of safe food in the home. We liaise regularly with UKHSA and review our service in relation to communicable disease control to ensure that we get outcomes for the work we do.

- **Safe, Strong and Active Communities:** Working to keep people safe, able to play a positive role in the community and build pride in our neighbourhoods and District.

We link in with the Neighbourhood's Environmental Enforcement Team on waste duty of care responsibilities and during our inspections we assess waste food storage facilities and disposal, offering advice regarding recycling of waste oil. We take part in joint initiatives with the police and other enforcement agencies to identify any links with child sex exploitation / modern day slavery and other criminal activities in commercial businesses.

- **A Sustainable District:** Innovating, adapting and changing to help address the climate emergency, reduce carbon and use resources sustainably.

- **An Enabling Council:** The Council will be a great place to work, representative of our communities, delivering good, accessible services and committed to working with others.

We constantly review our service delivery to identify improvements and in addition we regularly monitor performance against service standards and targets set both internally and by external organisations. We work in partnership with other 3rd parties to produce an effective and efficient service and in a manner which enables us to use our resources wisely. We are currently engaged in a programme to use technology more effectively, providing clearer and timely reports of inspection outcomes to businesses with accompanied advice, consequently providing a more efficient service.

As well as our corporate priorities, we also have six key principles that apply to everyone's job.

- **Equalities at the heart of all we do:** Everyone can access services and opportunities regardless of their background. We embrace our different communities across the whole district and build an inclusive organisation.
- **Working together:** Partnership and collaboration will be central to our success.
- **Early help and prevention:** We will support people early, and in their communities, to prevent their needs from increasing and to improve their outcomes.

- **Every pound counts:** We will ensure value-for-money approaches to service delivery. We are increasing the proportion of Council resources spent locally, to help the Bradford District economy.
- **Living Well:** We will work to make it easier for people in the district to adopt healthier lifestyles.
- **Safeguarding:** We will work with partners and communities to do everything we can to ensure that children and adults at risk in the District are kept safe. This is not just a role for professionals in social care, but is part of everyone's role.

Section 2 – Background

2.1 Profile of the Authority

The latest population estimate for Bradford District is 547,000 an increase of 4,800 (0.9%) people since the mid-2020 population estimates were published. Bradford is the fifth largest local authority in England in terms of population after Birmingham, Leeds, Sheffield and Manchester. 22.8% of the District's population is aged under 16 and Bradford has the fourth highest percentage of under 16's in England and Wales. The District has a population density of 1,493 people per sq. km this is the highest rate in West Yorkshire. Although the White population has decreased by 3 percentage points since the 2011 census, the largest proportion of the District's population identified themselves as White British (56.7%). Bradford District has the second largest proportion of people of Pakistani ethnic origin (25.5%) in England this is an increase of five percentage points since the 2011 census. If the other Ethnic Minority groups with the exception of 'White British' are also included, then the non 'White British' population has increased from 36.1% of all people in 2011 to 43.3% in 2021. A comparison with the other local authorities in West Yorkshire shows that Bradford has the highest percentage of people who identified as Asian or Asian British and the lowest percentage of people who identified as White. Bradford has a higher percentage than the England average and the highest percentage of people in West Yorkshire whose main language is not English. The Bradford District covers an area of approximately 370 square km and although it has one of the largest populations in the country, only one third of the District is urban. The District contains five parliamentary constituencies – Bradford East, Bradford West, Bradford South, Shipley and Keighley

(Source: Office for National Statistics ONS 2021 and The State of The District – Bradford District's Intelligence & Evidence Base Set. 2021)

2.2 Organisational Structure

The Food Safety function is located in the EHS of the Council which is incorporated in the Department of Health and Wellbeing. An organisational structure for the department is attached at **Appendix 1**.

The Food Standards Service is delivered on a county-wide basis by West Yorkshire Joint Services (Trading Standards - WYTS).

2.3 Scope of the Food Service

The Food Safety Team carries out all of the food safety, and public health duties that the Authority is legally required to discharge.

The Food Safety Team comprises Environmental Health Officers and technical staff.

The team undertakes statutory programmed food hygiene inspections. Part of this includes identifying any food which has been imported from a third country.

An annual food sampling programme is carried out to ensure microbiological standards are met. This includes participation in national and regionally co-ordinated surveys.

Health and safety initiatives are also delivered in food premises whilst officers are on site.

The Food Safety Team investigates reported outbreaks and individual notifications of food poisoning and other infectious diseases.

All officers are now based at one single point of access at Britannia House, Bradford, albeit working remotely and flexibly. The service can be accessed via the Council's Contact Centre or by using the 24-hour available online contact forms on the Bradford Council website. Core operating hours are 9.00am to 5.00pm; however, officers frequently work outside of normal operating hours to visit premises when they are operational.

Emergency out of hours' cover is provided throughout the year by officers who are contactable through the EHS emergency call out team.

2.4 Demands on the Food Service

The following tables detail the breakdown and profiles of food businesses in the Bradford District.

Table1. Categories of Food Businesses

FSA Category	Number
Primary producers	3
Manufacturers and packers	132
Importers/Exporters	8
Distributors / transporters	99
Supermarket/ hypermarket	100
Small retailer	742
Retailer – other	227
Restaurant/café/canteen	857
Hotel/guest House	49
Pub/club	448
Take-away	707
Caring premises	434
School /college	236
Mobile Food Unit	161
Restaurants / caterers – other	356
Total	4289

To deliver an equitable service in our multi-cultural district, we signpost businesses to information on food hygiene training and advice. There is a high turnover in the restaurant and catering sector of food businesses and food business operators and their employees. This places a significant burden on the team during premises inspection as an inspection with a new owner takes longer and involves delivering more help and support.

The district has a wide variety of businesses including high risk sectors such as importers, manufactures and packers. There are approximately 35 butchers in the district selling raw and ready to eat foods, including the production of cooked meats and pies.

There are 58 premises that manufacture or process products of animal origin that require statutory approval; more than any of the other West Yorkshire LA's. We have a number of businesses that import and export food to the EU and third countries. There are 6 on farm pasteurising dairies and we have specifically trained officers to deal with these.

There are 13 approved cold stores in the district. In the past these have been perceived to be low risk food hygiene premises but the horse meat scandal of 2013 highlighted the need to reconsider the risk associated with this type of business and food fraud continues to be a national issue.

As well as a large number of existing rated premises, we received 684 registrations from new businesses/owners in 2022/23. Such businesses

require detailed inspections and risk rating. In addition, we engage with Neighbourhood Services to provide intelligence about closed and newly opened businesses in the District. The COVID-19 pandemic led to a significant increase in the number of newly registered businesses, last year we had a backlog of approximately 600 new businesses that had yet to receive a first inspection, throughout the year we continued to receive further notifications of new businesses and the back log has been reduced to 280.

Table 2. Rated premises profile by Risk Category

Risk category	No. of premises 1/4/2023	Inspection Frequency
A (highest risk)	7 (1 st half)	Every 6 months
B	139	Every 12 months
C	835	Every 18 months
D	1779	Every 2 years
E (lowest risk)	1519	Initial inspection followed by alternative intervention
unrated	280	Within 28 days of registration

2.5 Enforcement Policy

The EHS has published an Enforcement Policy in line with the National Compliance Code, statutory codes of practice and relevant guidelines issued by central government departments and other bodies. Work carried out by the team is delivered in accordance with that policy.

The table below details the enforcement action undertaken during 2022/2023.

Enforcement Action	Number 2022/2023
Voluntary Closure	12
Emergency prohibition order	0
Prohibited person	0
Simple caution	6
Improvement notices	65
Prosecutions	4
Seizure of Food	2
Remedial Action Notice	2

Section 3 - Service Delivery

3.1 Food Premises Interventions

The Food Safety Intervention Programme undertaken by the Council operates in accordance with the FSA statutory Local Authority Framework Agreement

and the FSA Food Law Code of Practice (CoP). The CoP sets out a range of interventions that local authorities may adopt in addition to food safety inspections. These are official controls that include inspections, audits, sampling, monitoring and verification; non-official controls include advice, coaching, education and training, and business questionnaires.

Priority is given to the inspection of high risk and approved premises over that of low risk businesses. This means priority is given to the inspection of highest risk premises, (categories A-C). Low risk businesses (D-E) that fall within the scope of the FHRS website, will however, receive an inspection when resources facilitate this.

Appendix 2. Details the types of interventions to be undertaken.

The FSA require local authorities to include inspection of imported food during routine food hygiene inspections. Consequently, this activity forms part of the overall inspection process.

Where it is the local authority's responsibility to enforce health and safety in food premises, officers from the food safety team may undertake health and safety initiatives.

3.2 Performance Data for the Service

The performance targets for 2023/24 and outcomes for 2022/2023 are detailed in **Appendix 3**.

3.3 Food Hygiene Rating Scheme (FHRS)

The FHRS provides consumers with information on food hygiene standards to help them to choose where to eat out or shop for food. Food outlets, such as restaurants, takeaways, pubs and supermarkets, are inspected by the food safety team to check their hygiene standards meet legal requirements. The standards found at these inspections are rated on a scale ranging from '0' at the bottom to a top rating of '5'. The aim is to encourage businesses to improve food safety standards and reduce the incidence of food borne illness. Since the adoption of the scheme we have seen a continued increase in the number of premises achieving a rating of 3 and above. Currently 95.6% of all rated premises have a rating of 3 or above.

In early 2022 the FSA submitted a revised evidence case to the Department for Health and Social Care (DHSC) for a statutory scheme in England for mandatory display of ratings at food business premises and online, which at the time received a positive response. However, since then there have been several areas of work (either new or that have had an increase in scope) which have placed significant and unanticipated demands on key areas of the FSA business plans and as such the FSA has paused work towards a consultation and subsequent primary legislation on making the Food Hygiene Rating Scheme mandatory in England.

The FSA also continues to work with on-line platforms for businesses to have a minimum food hygiene rating before being accepted to trade. Overall this has a positive impact but does result in pressure from business's to be inspected and an increase in requests for a re-rate when a business has been excluded from the platform due to a poor hygiene rating.

Table 3. % Distribution of rated premises under the FHRS

FHRS	1/4/2018	1/4/2019	1/4/2020	1/4/2022	1/4/2023
5	65.4	66.9	68.2	60.6	70
4	18.0	18.4	18.6	17.0	17.6
3	9.6	8.3	8.1	9.1	8.9
2	3.8	3.7	3.1	2.5	2.3
1	3.0	2.5	2.0	1.7	1.0
0	0.2	0.2	0.1	0.1	0.2
3 or better	93.0	93.7	94.9	95.6	96.5

3.4 Food Premises Complaints

The Food Safety Service investigates complaints regarding poor hygiene in premises, and complaints about unfit food and foreign bodies in food. The utility companies also notify us of supply cut offs that usually require an urgent response. It also responds to requests for advice from businesses and the public.

Food complaints and service requests are dealt with in accordance with actual risk. Where the complaint presents no risk to health, complainants are encouraged to contact the vendor or manufacturer directly to resolve the matter. Where possible we also direct businesses to self-help sources of information such as the FSA website.

3.5 Primary Authority

The Service supports the Primary Authority Partnership (PAP) scheme which is run by the Office for Product Safety and Standards. PAP is a formal partnership arrangement between a local authority and a national food business based in the District. The Local Authority becomes the national point of contact to advise the business on food / health and safety matters. We have a PAP with:

- Caterleisure
- Seafresh
- Anchor

All work carried out as part of the PAP arrangement is funded by the business with whom the partnership has been entered into.

Bradford is also the “originating authority” for several large manufacturers supplying food nationally. These are complex premises requiring a thorough understanding of their food safety systems.

3.6 Advice to Business

We provide help and advice to new and existing businesses during inspections or following an enquiry.

Information is also available on the Bradford Council website which also provides links to other useful 3rd party sites.

We use the Council’s ‘Stay Connected’ system on the council website to send out regular emails to those who subscribe to ‘Food Advice for Businesses’.

We provide 1:1 coaching on the Safer Food Better Business pack and advisory visits for a fee. We also offer a fee paying service for new businesses to help them get things right from the start.

3.7 Food and Environmental Sampling

An effective food sampling programme is an important part of a well-balanced food enforcement service. Our microbiological food sampling is undertaken in accordance with a sampling programme produced annually and in response to food complaints/investigations. The sampling programme includes taking part in national surveys determined by national co-ordinating bodies. As required by the FSA, it also includes a commitment to allocate 10% of our annual credit allocation to be used to take samples of food which have been imported from third countries.

Environmental sampling is also considered an essential part of the service. Environmental swabs are taken in businesses to assess both the cleanliness and the safety of the food preparation environment. This usually includes taking swabs of food surfaces and hand contact points.

The UKHSA Food Water and Environmental Microbiology Laboratory, York allocates local authorities with an annual sampling “credit” based on population size and historical sampling patterns. We are required to carefully manage this to ensure we do not “overspend” our sampling allowance. Likewise, if we do not use our credit allocation then this could be reduced by the laboratory. **Appendix 4** provides a full report on the sampling programme and **Appendix 5** is our Food Sampling Policy.

3.8 Control of Infectious Disease

The Food Safety Team works closely with UKHSA and liaises with the CCDC in the investigation of outbreaks and individual cases of food-borne and other infectious diseases. The ‘Protocol for investigation and management of sporadic cases and outbreaks’ details the West Yorkshire authorities’ policies and method of investigation of notified infectious diseases.

Appendix 6 outlines the demands on this part of the service for 2022/2023.

3.9 Animal Health & Welfare

The role of the Animal Health Officer is to undertake primary production inspections at farms and works in liaison with Defra, RSPCA, veterinary surgeons and other local authorities. Improving hygiene on the farm is a key part of the FSA's farm to fork strategy.

Inspection frequencies are risk based and make full use of available intelligence from a variety of sources. Membership of a recognised farm assurance scheme will be used as positive evidence, resulting in less frequent inspections. Recognised schemes are considered to meet the requirements of the legislation in a clear and credible way; for example, scheme members will already undergo regular inspections by the certifying body used by the scheme.

This part of the service is provided by the animal officer based in our Special Services Team.

3.10 Food Safety Incidents

The service responds to food alerts notified by the FSA in accordance with the Code of Practice and our Procedural document. We always deal with them as detailed by the FSA. The reactive nature of this activity makes it difficult to estimate the resource necessary.

3.11 Liaison with Other Organisations

The service is committed to liaising with other local authorities and associated organisations to ensure consistency and fairness. This is achieved by being actively involved in a number of groups, including

- West Yorkshire Food Lead Officers Group (includes Trading Standards) WYFLOG
- West Yorkshire Gastro Intestinal Group

These groups have produced standard food hygiene inspection forms and communicable disease investigation protocols that are used across West Yorkshire and also undertake inter authority audits to ensure consistency of approach.

We also work closely with Public Health and UKHSA.

3.12 Food Safety Promotion

The service takes part in a variety of food safety promotion activities in order to raise awareness of food safety in the home and in businesses. These include:

- Support for 'Food Safety Week'
- Email bulletins via the Council's Stay Connected email system to distribute information that matters to food businesses and to consumers

- Maintenance of the Food Safety section of the Council website
- Publication of articles in the local press and community publications
- Publishing the food hygiene ratings of food businesses on the FSA national website
- Presentations and or attendance at community events and schools upon request
- 1:1 coaching on the SFBB pack (fee applicable)
- Fee paying service for businesses seeking bespoke advice
- Identification of opportunities for engaging in the wider Public Health Agenda

Appendix 7 details other work that we had planned for 2022/2023 and the priorities for 2023/24.

Section 4 – Resources

4.1 Staffing Allocation

Regulation (EU) 2017/625 Article 5 places obligations on competent authorities to have, or have access to, a sufficient number of suitably qualified and experienced staff so that official controls and other official activities can be performed efficiently and effectively. The FSA Food Law Code of Practice requires Competent Authorities to appoint a sufficient number of suitably qualified and competent officers so that official food controls and other official activities can be performed efficiently and effectively, as part of their statutory obligations.

The food safety team has an allocation of 14.5 full time equivalent (FTE) officers up from 11 FTE last year, but currently has 4.1 FTE vacancies. Less than a third of the existing team have significant experience in food safety enforcement so we are having to invest in training, support and mentorship for the remainder of the team to ensure full competency. These experienced staff are also close to retirement age.

Although the FSA does not produce any official figures on the number of officers required, the generally accepted national guidance is that:

250 premises per FTE is a well-resourced LA

350 or more premises per FTE is a stretched LA

450 or more premises per FTE is an LA which is likely to flounder and not deliver all the statutory functions.

These ratios based on premises per FTE, and assume the FTEs can undertake the full range of interventions and controls, it also assumes a proportionate split across types of premises and categories and that officers will only be doing statutory functions and no other activities such as advisory services. The current ratio of officers to premises in Bradford is 434 per FTE and as detailed earlier in the report we have a high proportion of complex premises along with newly qualified staff. In order that we simply meet our statutory function we should have at least 18 FTE staff. This does not take

into account the extra demands the team is likely to face for UK City of Culture 2025. In addition, this does not account for any additional work that may arise from proposals for inland authorities to undertake additional surveillance and respond to more cross-boundary incidents.

There is a national shortage of EHO's so it is extremely difficult to recruit fully qualified staff to Bradford MDC. The national shortage also makes it difficult to retain staff and they leave for more lucrative terms and conditions. It is likely that in the future we will recruit trainees and/or apprentices to all future vacancies.

We use contractors to undertake some low risk food hygiene inspections using the money accumulated from our currently vacant posts and small amounts of income generated. We have a joint external contract with Leeds and Wakefield LA's with a national contractor agency to deliver a proportion of our inspections. However due to a national shortage of EHO's the contractor has been unable to fulfil the contract for the last few years and we have been advised the situation will not improve and is likely to worsen. We have also introduced an initiative to pay our own staff to do inspections in their own time. To manage the delivery of the service as required by statute, increasing numbers of alternative interventions are being utilised and revisits are only carried out when serious issues have been identified.

4.2 Staff Development Plan

Training and development needs are assessed on an annual basis through staff appraisals. Training needs are met by: -

- Courses to achieve specific qualifications.
- Attendance at technical seminars.
- In-house training on specific issues.
- Cascade training by staff that have attended relevant courses.
- Accompanied visits.
- Peer Review
- Officer mentoring
- On-line training provided by the Food Standards Agency.

Food officers are required to undertake 20 continual professional development (CPD) hours. The service has made a commitment to ensure it provides 10 CPD hours in core training requirements for all officers. Officers that have chartered status must complete 30 CPD hours per year.

The competency of all food officers is reviewed against the competency requirements in the CoP and their authorisations.

During 2022 we did achieve the required training and CPD hours by running a number of courses on line. The training programme for 2023 is attached in **Appendix 8**.

Section 5 - Quality Assessment

The service has systems to maintain performance and deliver a quality service. Quarterly reviews of performance are undertaken at manager's meetings. Reports against the food plan enable monitoring of progress against the targets.

The Quality Management System (QMS) includes a series of procedural documents that detail the minimum standards for our food safety enforcement activities. Delivery is monitored via peer review and through random checks by the manager on inspection files. We also participate in national risk rating exercises to ensure consistency in awarding the food hygiene rating (FHRS) to businesses.

Monthly customer surveys of our reactive and proactive services have traditionally been used to review and improve our standards of service delivery, we are in the process of trialling an electronic system in the form of a SNAP survey.

We have recently obtained tablet devices that will enable business records to be updated more efficiently and recorded in real time into the information management system (IMS). Together with on line/on site completion of the inspection form and production of the visit report letter, this will provide efficiencies and will improve the quality of the reports issued to business operators. It will also enable immediate and better advice to be given by email to the business along with any supporting materials that will assist the business to improve.

Section 6 - Review of Work

6.1 Review against Service Plan

The Environmental Health Management Team monitors performance on a quarterly basis. The information is also made available to the Senior Management Team and the Director of Public Health. A review against the plan is undertaken at manager's one-to-one meetings with the Principal EH Manager.

In 2022/23 100% of our high risk category A and B premises that needed an inspection received an inspection. In 2022/23 we achieved 84% of the total inspection programme. Our sampling credit allocation is 20,507 and in 2022/23 we used 82% of our credits taking a mixture of food, dairy, water and environmental samples. At the end of 2022/23 our percentage figure for all food establishments broadly compliant with food hygiene law dropped again from 89.5% to 79.1% This is largely due to the significant number of premises still awaiting a first inspection, as we continue to struggle with the legacy of COVID and redirection of resources during that period.

6.2 FSA Review of LA Performance

The FSA has also announced plans to review the way that it monitors, assesses and provides assurance on LA food safety performance. This tool

will enable the FSA to collate and analyse a range of data submitted by local authorities and link it with other internal and external data sources. The data will also enable local authorities to more readily benchmark their performance against other similar authorities and hence act as a driver for improvement. Where standards are not met, the FSA will work with, and support, local authorities to develop and implement proportionate and time bound action plans. The FSA will monitor progress against these plans and where action is not taken or where improvements are not sustained, will follow agreed escalation procedures so that public health is protected, and consumer confidence maintained. The legislation also includes powers of direction and default which provides the FSA with the means to deal with local authorities that are failing either to discharge their functions satisfactorily or are failing to meet statutory obligations and where the consequence of such failure is likely to be a risk to public health and/or consumer protection. The FSA plans to publish data on LA performance.

The FSA plan to consult with Local authorities during 2023 on a new LA monitoring data set. This is likely to have implications for us not least in being able to gather the necessary data but, more importantly, in being able to achieve FSA expectations

6.3 Variation from 2022/23 Plan

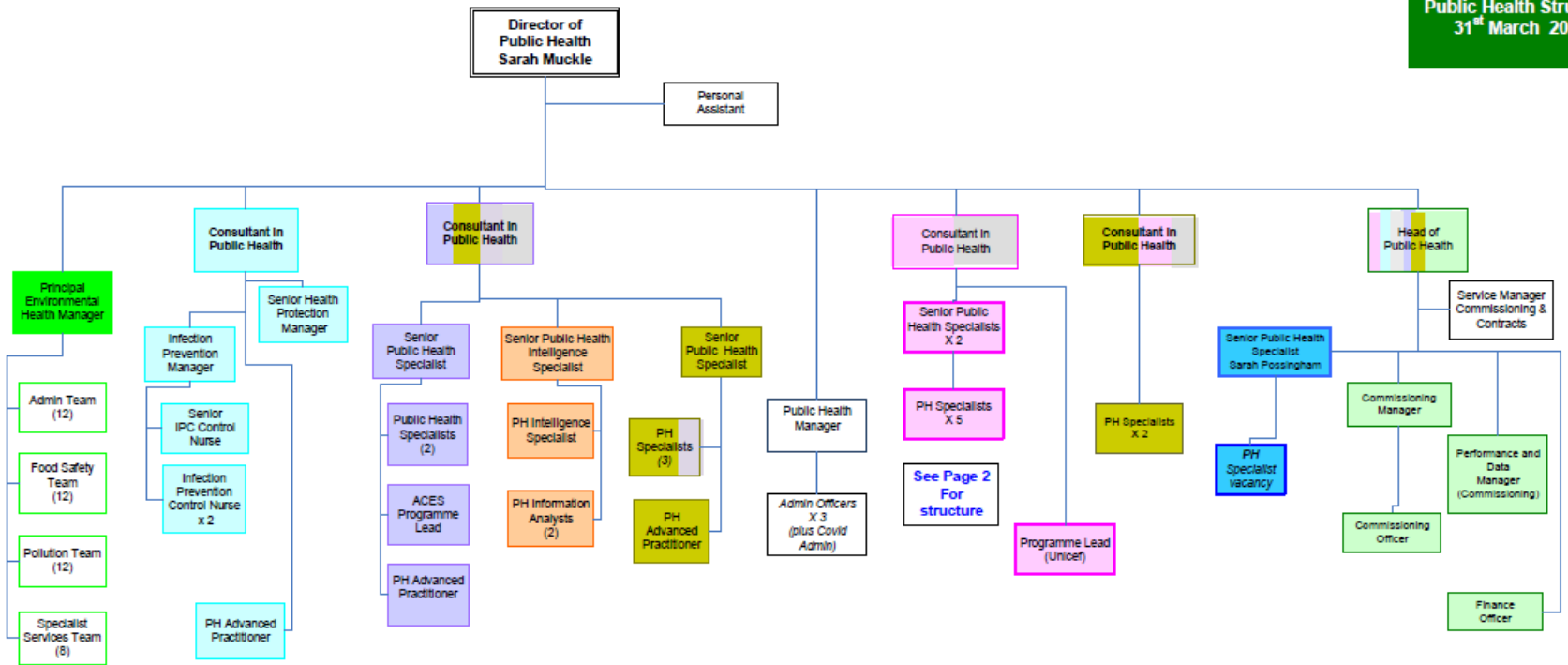
Issues that have arisen that have placed extra demands on the service include:

- The numbers of new businesses registering with the authority that are awaiting inspection and the backlog legacy of COVID 19
- The FSA continues with its on-going regulatory review of the way that the FSA and local authorities regulate food businesses known as Achieving Business Compliance (ABC) programme (previously referred to as the Regulating Our Future project (RoF)). The new model will move away from a 'one size fits all' approach to regulation. The FSA have timetabled further LA engagement programmes in April and May 2023 to continue the consultation on policy proposals. This is likely to change the way that premises are risk rated which may result in a reduced frequency for some but increased frequency of inspection for poorer performing businesses, with the aim for this to be implemented in 2024.

APPENDIX 1 – Departmental Structure

Structure Page 1

Public Health Structure
31st March 2022

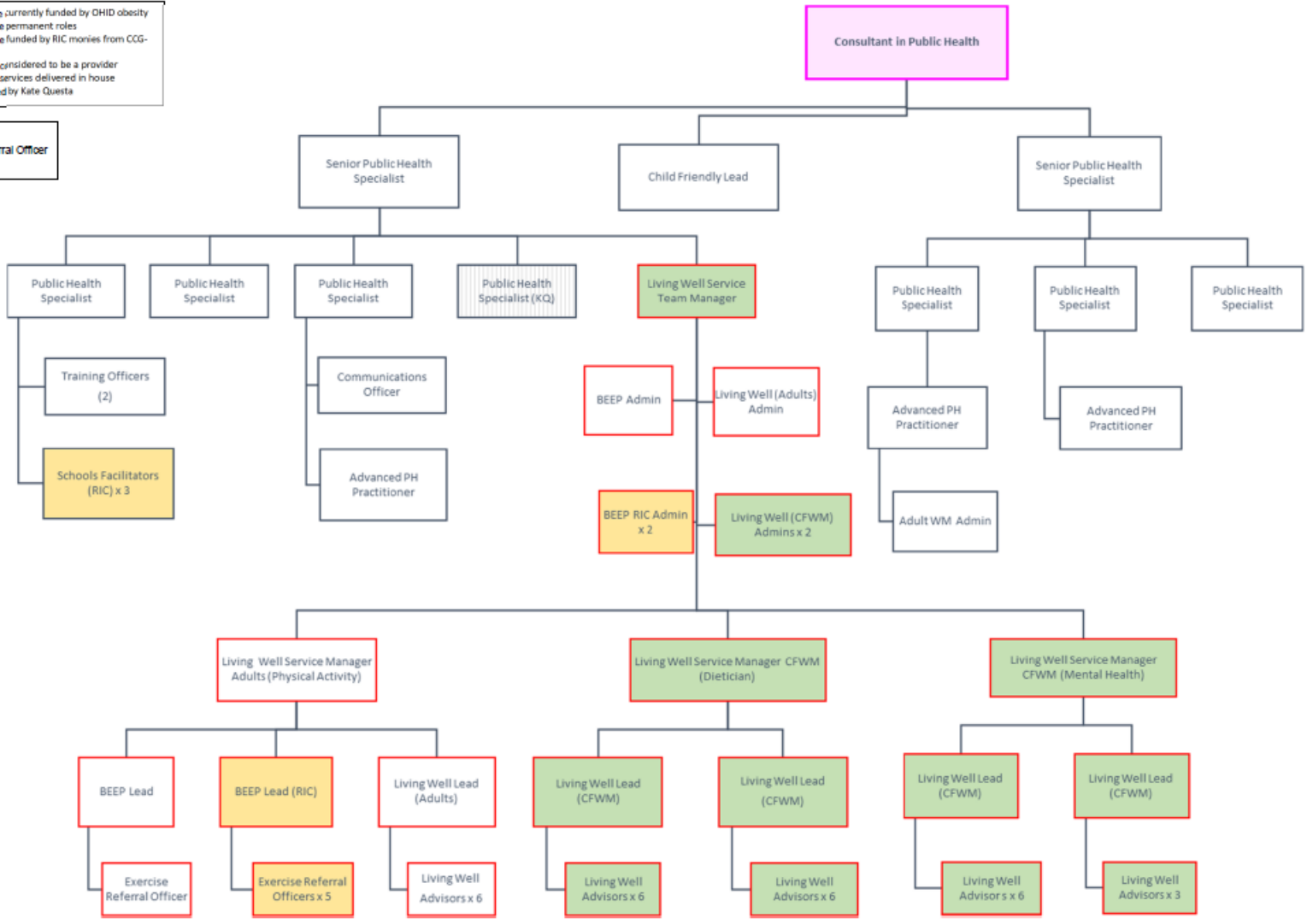


KEY	
Health Improvement	Environmental Health
Integration and Governance	Children & Young People
Health Protection	PH Intelligence
Health & Care Public Health	Healthy Places
Vulnerable People	Mental Health

Structure Page 2

Positions in **Green** boxes are currently funded by OHID obesity grant for children – these are permanent roles
 Positions in **Yellow** boxes are funded by RIC monies from CCG- these are fixed term roles
 Positions in **red outline** are considered to be a provider function of lifestyle change services delivered in house
 Grey - currently line managed by Kate Questa

Acronyms:
 * ERO = Exercise Referral Officer
 * LW = Living Well



APPENDIX 2 – Food Intervention Programme

FOOD HYGIENE INTERVENTION PROGRAMME 2023/2024

This document sets out the type of interventions to be applied within the premises for which we have enforcement responsibilities. The intervention programme is based upon;

- The Food Safety Code of Practice, which allows local authorities flexibility to introduce a mixture of interventions.
- Implementation of an intervention-based programme enabling the food safety service to reduce the level of burden on compliant businesses and focus more resources on those with poorer standards.
- Reduction in staff numbers
- A risk -based approach, aimed at directing greater resource to those food businesses that present the greatest risk.
- The implementation of the FHRS.

Category A & B

Inspection, Partial Inspection or Audit

Category C

Broadly compliant premises (Hygiene: 10 or less; Structure: 10 or less; Confidence in management: 10 or less)

Alternate between:

Inspection - Re-rate a business

And

An official control e.g. Sampling visits – Do not re-rate

Not broadly compliant

Full Inspection

Category D

If the business does not have a FHRS rating, then the officer must undertake an inspection to rate the business.

Officers may then alternate between official controls and other interventions.

Category E

If a Category E has not received a FHRS, then a visit must be made to the premises and an inspection carried out to rate the business.

Once rated, Category Es will receive a postal or telephone questionnaire. The business will be expected to return the questionnaire. Contingencies will be in place to follow up on those businesses that have not responded. This will be documented but is likely to include either a visit, solely to complete the questionnaire or possibly a telephone call to complete the questionnaire.

Additional Premises Specific interventions

Butchers selling raw and ready to eat food

All butchers, regardless of risk rating shall be subject to an official control in the form of an inspection (full/partial/audit).

Approved Premises

All premises requiring approval regardless of risk rating shall be subject to an official control in the form of an inspection (full/partial/audit).

Childminders

Childminders are required to register, however there is a data sharing agreement with OFSTED and are included in the inspection programme. However, we are not required to visit. We would respond to requests for advice.

New Premises

All new premises shall receive an official control in the form of a full inspection to allow them to be accurately rated for entry into the Intervention Programme.

APPENDIX 3 – Performance Management

<u>Food Hygiene Interventions</u>	Number of inspections required 2022/23	Number of Inspections Undertaken 2022/23	%Completion 2022/23	Number of inspections required 2023/24	Target 2023/24
A (high risk)	23	23	100%	7(in first half)	100%
B	157	157	100%	139	100%
C	498	396	79.5%	549	100%
D	1127	614	54.5%	1012	100%
E (low risk)	871	832	95.5%	285	100%
Unrated (newly registered businesses)	596	555	93.3%	280	100%
Revisits		Total 423			Target cannot be set.
<u>NI 184 (broadly compliant)</u>	79.1%				Target 96%
<u>Imported Food Samples</u>	2022/23 98 samples taken	27% of food samples taken			10% of allocation
<u>Food and water Samples</u> Number of food samples and environmental swabs	626		82% of credit allocation		80% of credit allocation
<u>Service Requests</u> Total number received	2022/23 1001				Target cannot be set.

APPENDIX 4 – Sampling report 2022 – 2023

In 2022/2023, the Food Safety section within Environmental Health undertook food sampling and environmental swabbing using a credit allocation of 20,507 for the year. 16805 credits were used i.e. 82% spend for the year.

Sampling undertaken by officers included routine sampling, local and national co-ordinated sampling projects, sampling undertaken as part of outbreak investigations and specific sampling tasks allocated to designated officers including undertaking formal sampling to maintain competence.

This Authority participated in the following national sampling projects co-ordinated by UKHSA Food, Water and Environment Laboratory at Sand Hutton, York.

STUDY 74: Hygiene in Takeaway Sandwich and Salad bars.

Background:

As COVID restrictions become more relaxed, the general public are likely to increase in their use of takeaway catering from sandwich or salad bars, particularly when not working from home. These settings are therefore likely to experience increases in workload, will have considerable staffing changes (compounded by the UK leaving the EU) and may not have had the level of local authority inspection as that prior to the pandemic.

Aim:

Because of the serving of short shelf-life, high risk foods, the aim is to test for *Salmonella*, *Listeria*, coagulase positive staphylococci and indicator organisms in the food and cloths and indicator organisms from food contact surfaces, in order to assess the microbiological risk.

We took 10 samples as part of this survey and all were satisfactory.

STUDY 75: Ready to eat plant based (Vegan) Meat, Fish and Dairy substitutes study.

Background:

There is a trend for diets with reduced consumption of foods of animal origin for a number of reasons e.g. health, sustainability and environmental concerns. Many of these plant-based products are relatively novel and there is a lack of evidence-based data about the microbiological quality of vegan products. FWEMS laboratories are now receiving many requests for advice on the quality and safety of vegan alternatives to cheese and milk and production of these may involve fermentation processes with nuts or grains. Furthermore, there are alternatives to products of animal origin e.g. vegan burgers, sausages, sliced meat, and fish substitutes for which there is limited baseline microbiological data.

There are examples in Europe where vegan product withdrawals have occurred due to poor microbiological quality. For example, scientific literature cites a recent recall of an oat-based drink in Finland and Estonia due to the presence of *Bacillus cereus* after a number of customer complaints of illness.

Aim:

The aim of this study is to investigate the presence of indicator and pathogenic bacteria and to assess the physiology of ready-to-eat vegan alternatives to meat, fish and dairy products and to facilitate the development of an evidence base to support local authorities and food examiners in recognition of products and results that may be a cause for concern.

We took 15 samples as part of this survey and all were satisfactory.

STUDY 76: Ready to Eat (RTE) Hot or Cold Smoked Fish Study.

Background:

There remains a concern about the hygiene of some smoked fish production premises and the microbiological quality and safety of the finished products which are placed onto the market. This may be exacerbated by poor storage and display conditions found in some retail outlets. We have seen ongoing issues with these product types, particularly with *Listeria* associated with cold smoked fish. The Food Standards Agency published a statement reinforcing their advice to vulnerable groups of consumers in August 2022 in relation to the risks of *Listeria monocytogenes* infection from RTE smoked fish. They cited an investigation that identified 14 linked cases of Listeriosis since 2020, with eight of these since January 2022. The majority of the individuals reported eating RTE smoked fish.

Aim:

The aim of this study is to investigate the presence and numbers of *Listeria* spp including *L. monocytogenes* in RTE smoked fish in England. The relationship between the level of indicator bacteria and the presence of *Listeria* will be determined.

We took 5 samples as part of this survey and 1 was unsatisfactory.

Imported Food Sampling

The FSA expects local authorities to use 10% of their annual credit allocation to take and test imported food samples i.e. foods which come from countries outside the EU. In 2022/23 Bradford submitted 98 food samples from Third countries, equivalent to 27% of the samples taken. Of these samples 8 were considered to be unsatisfactory.

Dairy Sampling at Approved Premises

Officers continued to visit the on-farm pasteurisers and took samples at those designated premises.

Other Approved Premises

Sampling continued to be undertaken at other approved premises, mainly those producing meat products. Not all approved premises were subject to a sampling visit during the financial year as required.

Formal Sampling

All officers within the service are expected to undertake formal food sampling during the financial year to ensure that skills required when taking samples which may be subject to legal action, are maintained. This involves sampling using aseptic technique. Officers use sterile sampling equipment and follow practices which ensure the sample does not become contaminated by the process of sampling itself. Most officers within the service

achieved this requirement, some doing this as part of formal food borne outbreak investigation work.

Investigative sampling

Officers use routine sampling to assess cleanliness of premises, investigation of isolated complaints of suspected food poisoning and to assess shelf life and cooking processes.

Recommendations

1. That the department continues to participate in national sampling projects, as workloads allow.
2. The department continues to target businesses which import food, to give specific priority to products of animal origin.
3. That all environmental swabbing is focused and based upon risk.
4. That all officers continue to undertake sampling to ensure competency in this area of work.

Guide to Micro-organisms

Organism Name	Nature of Organism	About the Organism
Aerobic Colony Count (ACC)/Plate Count	General bacteria count at 30°C	The ACC is an indicator of quality, not safety, and cannot directly contribute towards a safety assessment of a ready-to-eat food. Immediate action in response to high ACCs is not usually warranted.
Enterobacteriaceae	Hygiene Indicator Organism	These organisms are used to assess the general hygiene status of a food product. Some of these organisms originate from the intestinal tract of humans and animals. These bacteria are readily killed by heat processing and should be removed from equipment and surfaces by appropriate cleaning. Presence in heat treated food signifies inadequate cooking or post processing contamination.
Escherichia coli (E.coli)	Hygiene Indicator Organism	This organism belongs to the Enterobacteriaceae family. It is a faecal indicator used to assess the hygiene status of a food product. It is killed by heat and should readily be removed from the food production area by appropriate cleaning. Some strains may be pathogenic but these pathogenic strains are rarely found in ready-to-eat foods.
Coliforms	Hygiene Indicator Organism	Similar to Enterobacteriaceae (See above)
Bacillus species	Pathogen	This group does not include <i>Bacillus cereus</i> which is the common pathogenic <i>Bacillus</i> . The <i>Bacillus subtilis</i> group can be pathogenic. Illness with these organisms includes acute-onset vomiting often followed by diarrhoea. Illness usually follows consumption of poorly stored cooked foods. It is associated with many foods but is particularly associated with foods prepared from poultry, meat, vegetables, rice, bread, spices and spice products.
<i>Pseudomonas aeruginosa</i>	Opportunistic pathogen	This organism is commonly found in soil and ground water. It rarely affects healthy people and most infections are associated with long exposure to contaminated water.
Phosphatase Test	Chemical test	This test is undertaken on pasteurised milk to check that a suitable pasteurisation process has taken place. The pasteurisation process should be sufficient to destroy the enzyme phosphatase in milk. If phosphatase remains in the milk after pasteurisation, then pathogenic organisms may also have survived the pasteurisation process.

End of year Statistics by Food Groups 2022/23

Food group	No Samples Taken	No Samples Unsatisfactory	Any other information	Action taken by Authority
Bakery	2	0		
Beverages	3	0		
Confectionary	4	2	ACC failures	Advice to business
Dairy products (inc milk)	99	18	On farm produced milk sample failure Staphylococcus aureus in soft cheese	Withdrawal of cheese from sale
Eggs	2	0		
Fish and Shellfish	7	3	ACC Enterobacteriaceae failures	Advice to business
Fruit & Veg	48	4	Enterobacteriaceae failures Listeria failures	Advice to business Voluntary product recall
Herbs and Spices	14	2	Enterobacteriaceae failures	
Ices and Deserts	9	0		
Meat	58	2	Enterobacteriaceae and E.coli failures	Advice to business
Nuts	53	4	Salmonella	Voluntary recall of product Advice to business
Prepared dishes	48	8	ACC / E. coli Enterobacteriaceae Listeria failure	Advice to Business Voluntary product recall
Soups and Sauces	9	1	ACC Enterobacteriaceae failures	Advice to business

Food group	No Samples Taken	No Samples Unsatisfactory	Any other information	Action taken by Authority
Swabs	267	44	ACC Enterobacteriaceae failures Listeria staphylococcus	Action taken according to risk

APPENDIX 5 – Food Sampling Policy

1. Introduction

- It is a requirement of the Food Law Code of Practice that local authorities publish a sampling policy.
- The City of Bradford Metropolitan District Council (CBMDC) recognises the important contribution sampling has in assisting food law enforcement and the protection of public health. Effective sampling is an essential part of a well balanced enforcement service.
- CBMDC aims to ensure that all food, drink and environmental samples are taken in accordance with the statutory Food Law Code of Practice and Practice guidance issued by the Food Standards Agency.
- All authorised officers undertaking food sampling will be qualified and trained to ensure that they are competent in the skills required for taking food, milk, water sampling and environmental swabbing. Other staff will be trained to enable them to assist or carry out informal sampling.
- Our policy is to participate in centrally co-ordinated food sampling programmes for the United Kingdom. Food sampling will also be undertaken in accordance with locally devised programmes. Sampling will be undertaken at those premises which require sampling under the Food Law Code of Practice; these will include manufacturers and particularly premises approved under Regulation (EC) No. 853/2004.
- The Authority is fully committed to the Primary/Originating Authority Principle and will undertake any food sampling which is considered necessary to ensure that standards are being maintained and improved by the company for which we act as either Primary or Originating authority.
- This sampling policy has been prepared in consultation with UKHSA Food Water and Environmental Microbiology Laboratory, York.
- The Environmental Health Food team does not have any responsibility for Food Standards issues i.e. food composition or labelling. These matters are the responsibility of West Yorkshire Trading Standards.
- Sampling will be undertaken in accordance with internal procedural documents.

2. Aims of Sampling

- To provide CBMDC with a co-ordinated sampling programme
- To provide bacteriological results which can be used to make an assessment of the food safety standards in relation to the handling, sale and manufacture of food within the authority boundaries.
- To address both local and national food safety concerns.

- To act as supporting evidence in the enforcement of food safety where appropriate.
- To act as an educative tool to help inform businesses and the public regarding food safety issues.
- To participate in national food sampling programmes in order to help in the assessment and review of national bacteriological standards.

3. Qualifications of Sampling Officer

- All officers undertaking formal (official) sampling will be qualified and trained as detailed in Food Law Code of Practice.
- New officers will be trained in all the recognised sampling techniques which they can be expected to utilise in the course of their duties, this will include techniques for informal food, milk, water and environmental sampling. Suitably authorised officers will undergo training on aseptic sampling techniques, which may be required in cases where legal proceedings may follow.
- All officers will, from time to time, undergo refresher training, on all sampling techniques, to ensure that sampling skills are maintained within the Authority.

4. Sampling Quotas

- UKHSA sets an annual credit allocation for all local authorities. This is set for any 12-month period and is a free non-negotiable allocation which authorities must work to. UKHSA also sets a credit value for all sample types submitted to the laboratory. Each sample submitted to the laboratory will have its equivalent value deducted from the baseline allocation for that year.

5. Sampling Programmes

- All sampling work carried out by the Authority may be limited by the availability of sampling credits, officer availability and officer workloads. The authority is committed to undertaking sampling as part of its programme of work. An annual sampling programme will be produced. This will detail the quantity and areas of sampling to be carried out each year.

Routine Food Sampling

- These visits will usually consist of informal food sampling visits. Routine sampling undertaken by officers will be based upon risk or as directed by the EHM (Food safety). Historical data and risk assessments may be used to direct the food sampling undertaken by officers.

UKHSA Food Sampling Programmes

- UKHSA currently devise sampling programmes on an annual basis. These are national programmes to carry out microbiological analysis of samples from a broad spectrum of business types and for a variety of different food types. The focus for these sampling

surveys is to undertake statistical evaluations and to make recommendations on these for national microbiological standards.

Food sampling as part of the Programmed Food Hygiene Inspections

- Officers may undertake informal food sampling visits as part of programmed food hygiene inspections. These sampling visits may include food, water and environmental sampling. These visits will be undertaken as and when is deemed appropriate by the officer or the Environmental Health Manager. Samples may be used to assess the levels of cleanliness prior to an inspection and/or to determine the areas to concentrate on during the food hygiene inspection. Sampling may be used during the inspection process to check on areas of concern or it may be undertaken post inspection to clarify those points of concern raised during the inspection or to check that recommendations made post inspection have been implemented.

Imported Food Sampling

- We will pro-actively undertake food sampling at businesses which have been identified as either importing food directly or displaying food for sale which has been imported. Imported food, in this respect, is any food which has been brought into the UK from outside the European Union. 10% of the annual credit allocation will be used for imported food sampling.

Investigation of a Suspected Outbreak

- Food sampling will be undertaken, as deemed necessary, to determine the source of any suspected outbreak which is thought to originate in CBMDC.
- The authority will consider any request made by another local authority with a view to officers assisting in an outbreak investigation by sampling in premises within the Bradford District.

Investigation of Suspected Food Poisoning in an individual

- Officers of the authority may undertake any food sampling which is considered necessary to determine the source of any suspected food poisoning in the case of an individual.
- The authority may test any suspect food which has been retained by the individual and may take samples from any premises considered to be the likely source of the individual case. The level and type of sampling will be dependent upon the circumstance of each individual case.

Service Requests

- Officers may undertake any necessary food sampling in the investigation of a food complaint. This may involve taking further samples from the vendor of the food, or, where the manufacturing company is based within CBMDC.
- CBMDC may undertake any sampling as required by a Primary Authority.

- CBMDC acts as a Primary/Originating Authority for some food companies located in the district. The Authority will take samples from these businesses under the umbrella of the agreement. Any samples taken will be taken on a risk assessed basis.
- This Authority is committed to becoming involved in any food sampling programmes as determined by the Food Standards Agency.
- On occasion adverse food results are notified to the FSA for samples which have originated from other LAs. Where such samples have originated within the CBMDC, this authority will undertake any follow up formal sampling as directed by the Food Standards Agency.

UKHSA Laboratory Sampling Programmes (York Laboratory)

- UKHSA may propose food sampling programmes for all authorities who use the UKHSA Food, Water and Environmental Laboratory network lab (York).
- CBMDC will become involved in those food sampling programmes and we will aim to achieve the level of sampling required for these programmes.

7. Laboratories

UKHSA Laboratory

- CBMDC undertakes to submit all food samples for microbiological examination to the UKHSA Food, Water and Environmental Microbiology Network (York Laboratory).
- The authority will set sampling levels in a service level agreement with the local UKHSA team. The agreement will set the level of sampling for the year and includes food sampling, water sampling, milk and dairy sampling and environmental sampling. The level of sampling is based upon historical sampling levels and is adjusted on an annual basis. CBMDC will endeavour to maintain the level of sampling allocated.
- Payment for food samples submitted to the UKHSA comes from a central fund which the UKHSA gains from central government. The service level agreement with UKHSA takes into account the level of funding available to the local authority. Should the local authority exceed the sampling levels agreed then the local authority may incur a charge for any further sampling which is undertaken.
- CBMDC will seek advice from the Food Examiners at the UKHSA Laboratory on any matters with regard to sampling where the product to be sampled is unusual, where the sampling process is complicated, or where it is unclear which microbiological category the food comes under.

Analytical Services

- West Yorkshire Analytical Services (WYAS) was the Official Food Control Laboratory available to be used by the Council but this has ceased to exist and WYTS have made

arrangements with Lancashire County Council and we would access the service via their arrangements when needed. They are able to deal with a wide range of analysis including foreign body identification, identification of moulds, chemical taints, freshness and quantification of fungal toxins.

- Samples submitted are paid for following the analysis and are charged to the individual local authority.
- CBMDC will only submit food samples to the laboratory if they are the source of a food complaint investigation, or if the samples have the potential to cause injury to health, or the work undertaken by the lab may provide unique and valuable information to the authority or it is envisaged that a prosecution may be undertaken as a result of the information gained from the laboratory.

APPENDIX 6 – Communicable Diseases

The following notifications have been dealt with by Environmental Health:

Disease		2022/2023
Hepatitis A		4
Hepatitis E		0
Cholera		0
Leptospirosis		0
Dysentery	Entamoeba histolytica	0
	Shigella Boydii	1
	Shigella Dysenteriae	0
	Shigella flexneri	9
	Shigella sonnei	12
	Not Typed	12
Food Poisoning	Bloody diarrhoea	0
	B.cereus	0
	C.botulinum	0
	Campylobacter	411
	Cl. Perfringens	5
	E.coli 0157	41
	E.coli –other than 0157	6
	Listeria	5
	Outbreaks	10
	Salmonella	49
	Suspected Food Poisoning	85
	Yersinia	17
Gastro Enteritis	Cryptosporidium	13
	Giardia	24
	Cyclospora	0
Respiratory Disease	Legionella	5
	Tuberculosis	0
	Part 2a order	0
Paratyphoid Fever	Salmonella	6
Typhoid Fever	Salmonella	12
Total	32	727

APPENDIX 7 – Action Plan and achievements for 2022/23 and Action Plan and expected outcomes for 2023/24

Topic	Planned 2022/23	Achieved 2022/23	Planned 2023/24	Target 2023/24
Primary Authority Partnership (PAP)	Not to actively promote the partnership but will consider any requests from businesses based in Bradford	Set up two new partnerships: Seafresh Anchor	Not to actively promote the partnership but will consider any requests from businesses based in Bradford	none
Health Improvement initiatives	Limited capacity to get involved in this type of work given the backlog of inspections	Member of the Bradford Sustainable Food Partnership led by PH	Liaise with Public Health to identify ways of collaborating on projects and sharing information	none
FSA Pilot project on food nutritional standards in schools (SFS)	To be part of pilot project and to join local authority advisory group	Undertaken 60 inspections of schools for SFS project. Participated in meetings with the project board and other participating LA's to review and amend the project as necessary. Liaised with PH who have provided support to schools and caterers who do not comply with SFS	Continue working on the project due to end Summer 2023.	
CD procedures	To investigate all cases of CD in line with the agreed protocol. To undertake annual review of CD procedures.	99% Completed within GI standards Not completed	To investigate all cases of CD in line with the agreed protocol. Work to progress review of CD procedures with UKHSA.	100% Ongoing
Communicable Disease Audits	To carry out 1 audit a year on major organisms	Not completed	To carry out 1 audit a year on major organisms	1 Audit

Topic	Planned 2022/23	Achieved 2022/23	Planned 2023/24	Target 2023/24
Quality Management System (QMS)	On-going review of procedural documents. Amend procedures if required and identify any new procedures required.	Not achieved	On-going review of procedural documents. Amend procedures if required and identify any new procedures required.	All outstanding proc. docs due for review.
Food Team Review	Continue to look at process / service improvement. Tablet project proposal submitted to IT services to improve efficiency and quality of work.	Tablets purchased and issued to all food officers. All officers using tablet device to complete inspection form.	Continue to look at process / service improvement.	All officers to be using tablet device to undertake inspections and issue reports of inspections by email.
Training for staff	To continue with provision of cascade training for staff. Staff to attend "business critical" training as required.	All food officers achieved minimum of 10 CPD hours in food matters directly related to the delivery of official controls and 10 hours on other professional matters.	To continue with provision of cascade training for staff. Staff to attend "business critical" training as required.	All food officers to undertake a minimum of 10 CPD hours in food matters directly related to the delivery of official controls and 10 hours on other professional matters.
FSA led food safety campaigns including promotion of FHRS and Food Safety Week (FSW)	To use FSA promotional material produced for various campaigns and stay connected bulletins.	Produced a number of Stay Connected bulletins to spread key messages. Used Council Facebook page to promote FHRS.	To use FSA promotional material produced for various campaigns and stay connected bulletins.	No target set.
Stay Connected	Send Stay Connected email bulletins to businesses and consumers. Identify key topics and advisory messages.	5027 subscribers for food advice for businesses 5554 subscribers for food advice for consumers	Send Stay Connected email bulletins to businesses and consumers. Identify key topics and advisory messages.	At least one per month

Topic	Planned 2022/23	Achieved 2022/23	Planned 2023/24	Target 2023/24
Internal Audit of approved establishments	To prepare for the audit	All officers have reviewed files	Undertake audit of all approved premises files	100%
UK City of Culture			Identify actions required for UKCoC See Appendix 9	

APPENDIX 8 – Training Programme 2023

The Environmental Health Service will provide 10 CPD hours relating to food matters directly related to official controls for authorised officers. In addition, all authorised officers are required to obtain a further 10 hours on other professional matters.

The training that will be provided for food officers will include:

- Event Management – safety and food
- Shelf Life and Durability of Foods
- Approved premises Meat Preparation and Meat product
- Hygiene Improvement Notices
- Auditing and Inspections Making Confident Decisions
- Intervention and Risk Rating
- Listeria

‘Lunchtime’ drop in training sessions will be organised throughout the year by other agencies such as UKHSA/FSA. Officers will be required/encouraged to attend this training. The officers are responsible for ensuring that they achieve the total amount of CPD required.

APPENDIX 9- UK City of Culture Plan

Identified Initial tasks:

Review Council website food safety information pages
Review outdoor events procedural document
Review letters and forms sent to event organisers
Assess need for more advisory documents
Focussed Stay Connected articles
Review of PSLG website and process
Develop initiatives for improving food hygiene ratings
Consider targeted inspections in areas likely to host events
Membership of cross departmental working groups
Staff training to ensure competency of inspecting outdoor events
Increased attendance at outdoor events during 2023/24 to prepare for UKCoC

APPENDIX 10 – FSA Recovery Plan

Table 1 - Sector specific official controls and official controls that must be undertaken to support trade and enable export

		Bradford MDC performance
Import controls at points of entry	Official controls in accordance with relevant legislation taking account of agreed temporary contingency measures to be taken at Border Control Posts (BCPs) during Covid-19.	Not Applicable
Shellfish	Shellfish and water sampling from harvesting areas.	Not Applicable
Granting of approval under Regulation (EC) No. 853/2004	Granting of approvals in accordance with the relevant legislation and the Food Law Code of Practice. 'Distance communication' can be used in exceptional circumstances prior to physical visits to minimise time onsite.	Full compliance achieved with new requests and prioritising these for action.
Fishing vessels	Registration and inspection of fishing vessels remains extremely important to enable export certification requirements for fish to be fulfilled.	Not Applicable

Table 2 – Detailed timeline for Phase 2 of the recovery plan (1 October 2021 to 2023)

			Bradford MDC activity/performance
Proactive surveillance to obtain an accurate picture of the local business landscape and to identify: open/closed/recently re-opened/new businesses/change of operation, activities or FBO	Ongoing	Consideration of registration information and intelligence on the food business establishment identified through surveillance. Undertake appropriate onsite interventions where there are concerns around public health / consumer protection	Prioritise ongoing new registrations by type of business. Considerable backlog of inspections including high risk categories. Cat E questionnaires sent out to assess change in operation.

New food business establishments where consideration of registration information/intelligence indicates low risk	Ongoing	Initial visits should be prioritised and undertaken in accordance with the Food Law Codes of Practice	Visits prioritised by risk.
Management of food incidents and hazards (including outbreaks of foodborne illness)	Ongoing	In accordance with the Food Law Codes of Practice	Managed in accordance with the Food Law Codes of Practice
Investigation and management of complaints	Ongoing	In accordance with the Food Law Codes of Practice	Dealt with in accordance with our internal procedures based on risk
Enforcement action in case of non-compliance	Ongoing	In accordance with the Food Law Codes of Practice and the local authority's enforcement policy	Action is taken in accordance with the Food Law Codes of Practice and the enforcement policy
FHRS requested re-visits	Ongoing	England – within three months of request if a charge is made	Undertaken in accordance with the legislative requirements and within three months of fee paid.
Sampling	Ongoing	In line with local authority sampling programme or as required in the context of assessing food business compliance, and any follow up necessary in relation to the FSA Surveillance Sampling Programme	Reduced amount of sampling undertaken. Sampling in response to outbreaks, food safety concerns is undertaken as required.
Category A for hygiene	Over the period to 31 March 2023	All establishments should have received an onsite intervention and thereafter be back in the system for interventions in accordance with the Food Law Codes of Practice.	All category A premises due for inspection in 2022/2023 programme were inspected by end of March 2023.
Category B for hygiene	Over the period to 31 March 2023	All establishments should have received an onsite intervention and thereafter be back in the system for interventions in accordance with the Food Law Codes of Practice	All category B premises due for inspection in 2022/2023 programme were inspected by end of March 2023
Category C for hygiene – less than broadly compliant (FHRS 0, 1 or 2)	Over the period to 31 March 2023	All establishments should have received an onsite intervention and thereafter be back in the	All category C less than broadly compliant premises due for inspection in 2022/2023

		system for interventions in accordance with the Food Law Codes of Practice	programme inspected by end of March.
Category D for hygiene – less than broadly compliant (FHRS 0, 1 or 2)	Over the period to 31 March 2023	All establishments should have received an onsite intervention and thereafter be back in the system for interventions in accordance with the Food Law Codes of Practice	All category D less than broadly compliant premises due for inspection in 2022/2023 programme inspected by end of March.
Category C for hygiene – broadly compliant or better (FHRS 3, 4 or 5)	Over the period to 31 March 2023	For establishments with two consecutive food hygiene ratings of 5 (or equivalent standards if outside the scope of FHRS) one intervention may be missed and then the establishment put back in the system for interventions in accordance with the Codes of Practice (so the due intervention date would be moved forward by 18 months) For other establishments – those with hygiene ratings of 3 or 4 (or equivalent if outside the scope of FHRS) - should have received an onsite intervention and thereafter be back in the system for interventions in accordance with the Codes of Practice	102 premises from the 2022/23 inspection programme still require inspection as of March 2023
Category D for hygiene – broadly compliant or better (FHRS 3, 4 or 5)	Ongoing	No interventions will be required during the recovery period unless intelligence/information suggests that risks have increased/standards have fallen or if the establishment is otherwise considered a priority for intervention due to the risk posed	Inspections undertaken when intelligence or complaints received. Used contractors to deal with some higher risk type of businesses so that they received an onsite intervention. 513 overdue at the end of 2022/23

Category E for hygiene	Ongoing	No interventions will be required during the recovery period unless intelligence/information suggests that risks have increased/standards have fallen or if the establishment is otherwise considered a priority for intervention due to the risk posed	All cat E premises have received a questionnaire to complete. This is largely an administration task. However, returned forms are assessed to see if the business needs to receive an inspection. Failure to obtain information from 39 out of 871 businesses.
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