

# Report of the Director of Health and Wellbeing to the meeting of Full Council to be held on 11 October 2022

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**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.

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**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 The Service plan was tabled at the Regeneration and Environment Overview and Scrutiny Committee on 22 June 2022. The decision from that committee was to add an additional recommendation 'That the Executive be requested to consider the implications of City of Culture and the increase in the number of food services businesses on the workforce issues within the Environmental Health Food Safety Service and that consideration also be given to supporting the apprenticeship scheme for this service'. This matter is to be considered as part of the Council's 2023/2024 budget setting process.
- 2.4 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 service did not produce a food service plan for the financial years 2020/2021 and 2021/2022 due to the COVID-19 pandemic and the redirection of staff to enforcement of COVID-19 regulations. During this period the FSA recognised that local authority resources for food safety work had been significantly impacted and produced alternative priorities together with a Local Authority Recovery Plan.

This Recovery Plan sets out the FSA guidance and advice to local authorities for the period from 1 July 2021 to the end of 2023/24.

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.

### **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 3<sup>rd</sup> 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 ASSESMENT**

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.

## **11. APPENDICES**

Appendix 1 - The City of Bradford MDC Food Safety Service Plan 2022/23

**Department of Health and Wellbeing**

**FOOD SAFETY SERVICE PLAN  
2022 / 2023**

**FOOD SAFETY SERVICE PLAN  
2022/2023**

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## Introduction

This service plan details the food safety work of the Council's Environmental Health Service (EHS) for 2022/23. 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 3<sup>rd</sup> 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 will be taking part in a FSA pilot project looking at food nutritional standards within schools.

- **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 3<sup>rd</sup> 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 with IT services 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 542,100 (Office for National Statistics ONS 2021) an increase of 2,400 since 2019 making it the fifth largest local authority in England in terms of population. 26.3% of the District's population is aged under 18 and Bradford has the fourth highest percentage of under 18's in England. Bradford has the third largest proportion of Black and Minority Ethnic people outside of the London Boroughs. The District has a high proportion of non-white residents at 28.8% within the ethnic minority population, the proportion of Asian or British Asians is 24.5% which is significantly higher than the national average and twice that of the West Yorkshire average. Figures from ONS state that the largest proportion of the districts population (64%) identifies themselves as white British. The district has the largest proportion of people of Pakistani ethnic origin (20.3%) in England. By 2026 the population is expected to rise by 23,300 an increase of 4.3%, this is lower than previous projections. Population projections suggest that the largest growth will be within the Asian population. 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: The State of The District – Bradford District's Intelligence & Evidence Base Set. 2010 and ONS mid year population estimate 2018)

### **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 coordinated 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**

<b>FSA Category</b>	<b>Number</b>
Primary producers	4
Manufacturers and packers	132
Importers/Exporters	10
Distributors / transporters	109
Supermarket/ hypermarket	101
Small retailer	807
Retailer – other	250
Restaurant/café/canteen	870
Hotel/guest House	52
Pub/club	479
Take-away	728
Caring premises	514
School /college	234
Mobile Food Unit	165
Restaurants / caterers – other	417
<b>Total</b>	<b>4872</b>

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. In 2019 / 2020 (the last

full year before the COVID pandemic) we identified 347 new business owners at the inspection.

The district has a wide variety of businesses including high risk sectors such as importers, manufactures and packers. There are approximately 31 butchers in the district selling raw and ready to eat foods, including the production of cooked meats and pies.

There are 57 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 7 on farm pasteurising dairies and we have specifically trained officers to deal with these.

There are 14 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 327 registrations from new businesses/owners in 2019/20. 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 and combined with the redirection of resources to managing COVID during the last two years this has resulted in a considerable backlog of approximately 600 new businesses that have yet to receive a first inspection. The FSA have also embarked on a Register a Food Business Campaign strategy to motivate and encourage food businesses to register, particularly those trading from home and on-line. Since the start of the pandemic there has been a huge increase in people setting up food businesses based in people's homes. This is likely to increase the already substantial backlog of inspections.

**Table 2. Rated premises profile by Risk Category**

Risk category	No. of premises 1/4/2022	Inspection Frequency
A (highest risk)	17 (1 <sup>st</sup> half)	Every 6 months
B	157	Every 12 months
C	775	Every 18 months
D	1672	Every 2 years
E (lowest risk)	1651	Initial inspection followed by alternative intervention
unrated	595	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.

As we have not been operating normally for the last two financial years the table below details the enforcement action undertaken during 2019/2020 as well as 2021/2022.

Enforcement Action	Number 2019/2020	Number 2021/2022
Voluntary Closure	14	11
Emergency prohibition order	1	0
Prohibited person	0	0
Simple caution	2	3
Improvement notices	70	58
Prosecutions	2	2
Seizure of Food	0	0
Remedial Action Notice	1	4

## 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 FHS website, will however, receive an inspection when resources facilitate this.

A Food intervention programme was developed by the West Yorkshire Food Officers Group and ratified by the West Yorkshire Chief Officers Group, see **Appendix 2**. This aimed to ensure the best use of our resources and seek a consistent enforcement approach across West Yorkshire.

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 2022/23 and outcomes for both 2019/2021 (pre COVID-19) and 2021/2022 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. The FSA received a positive response and is now working closely with DHSC colleagues to determine how this may be progressed. The final decision on whether and when to introduce any legislation rests with ministers, not the FSA.

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 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	1/4/2015	1/4/2016	1/4/2017	1/4/2018	1/4/2019	1/4/2020	1/4/2022
5	60.4	62.2	64.7	65.4	66.9	68.2	60.6
4	19.2	19.3	19.4	18.0	18.4	18.6	17.0
3	9.9	9.9	9.4	9.6	8.3	8.1	9.1
2	3.9	3.8	3.5	3.8	3.7	3.1	2.5
1	6.3	4.6	3.0	3.0	2.5	2.0	1.7
0	0.2	0.2	0.0	0.2	0.2	0.1	0.1
3 or better	89.6	91.4	93.5	93.0	93.7	94.9	95.6



### **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

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 3<sup>rd</sup> 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 2019/20 and for 2021/2022.

### **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 (currently suspended due to the UKHSA reorganisation)

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 2019/2020 and the priorities for 2022/23.

## **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 11 full time equivalent (FTE) officers in the food safety team, but currently has 2.5 FTE vacancies. The EHS has a number of trainee Environmental Health Officers who should achieve fully qualified status by the end of 2022 whom will fill 1.5 vacancies. We have also recruited to the latest vacancy but again this will be another trainee EHO starting in June 2022. It is expected that a further two of our trainee EHO's will also join the team on full qualification giving a total of 13 FTE. Only 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. Due to the number of trainee EHO's currently progressing through chartered status and full qualification we have 3 EHO's from the 3 main disciplines in EH (Food/Specialist Services/Environmental Pollution) on secondment as senior EHO's to help supervise those officers, but this funding ends July 2022 leaving us without the necessary management support to be able to provide sufficient ongoing mentorship to those new/inexperienced staff.

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 ratio of officers to premises in Bradford is 442 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.

It is increasingly difficult to recruit fully qualified staff to Bradford MDC and 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.

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.

The competency of all food officers has been reviewed against the competency requirements in the CoP and their authorisations. However, the FSA has recently introduced a new competency assessment which any new officer must now meet. This is initially quite an onerous task and given the numbers of new staff it adds a significant additional burden on resources.

During 2021 we did achieve the required training and CPD hours by running a number of courses on line. The training programme for 2022 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, although these have been suspended as a consequence of the COVID-19 pandemic.

We have submitted an application to IT services to investigate the replacement of staff laptops with more portable 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 2019/20 we carried out 2809 interventions, which were a mix of inspections, sampling and other visits to food premises. In 2021/22 we carried out 2,543 interventions and 100% of our high risk category A and B premises that needed an inspection received an inspection. In 2019/20 we achieved 95% of the total inspection programme this dropped to 61% in 2021/22. Our sampling credit allocation is 20,507 and in 2019/20 we used 102% of our credits taking a mixture of food, dairy, water and environmental samples, dropping to 65% in 2021/22. At the end of 2019/20 our percentage figure for all food establishments broadly compliant with food hygiene law dropped again from 90.5% to 89.5% and has further dropped to 71% in 2021/2022. This is largely due to the significant number of premises awaiting a first inspection.

### **6.2 FSA Review of LA Performance**

The FSA audit local authorities' enforcement services and provide a report that outlines areas where the authority must focus its efforts on

improvements, while also celebrating good practice. The Food Safety Team was last audited by the FSA in October 2019. The audit focused on approved establishments, but did also examine the overall management of the food safety team. We received an excellent report with only two minor recommendations which were quickly implemented. The auditors also highlighted good practice stating that the effectiveness of the training carried out by officers was validated via the competency assessments. Specifically, the practice of recording how officers meet their competencies during their interventions to food premises was considered a good example of demonstrating competence. Executive summary Report **Appendix 9**

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 planned to consult with Local authorities by the end of 2019 so that the proposals could be included in the service plan for 2020/2021 but this has yet to take place. 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 2019/20 Plan**

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

- 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. We are participating in various consultation exercises and it was envisaged that the new model would come fully into force from 2020 onwards. However, EU exit and the pandemic have taken priority particularly with regards to resolving fundamental concerns, for example import / export



issues, and ensuring that there remains an effective and robust regulatory regime/ framework in place

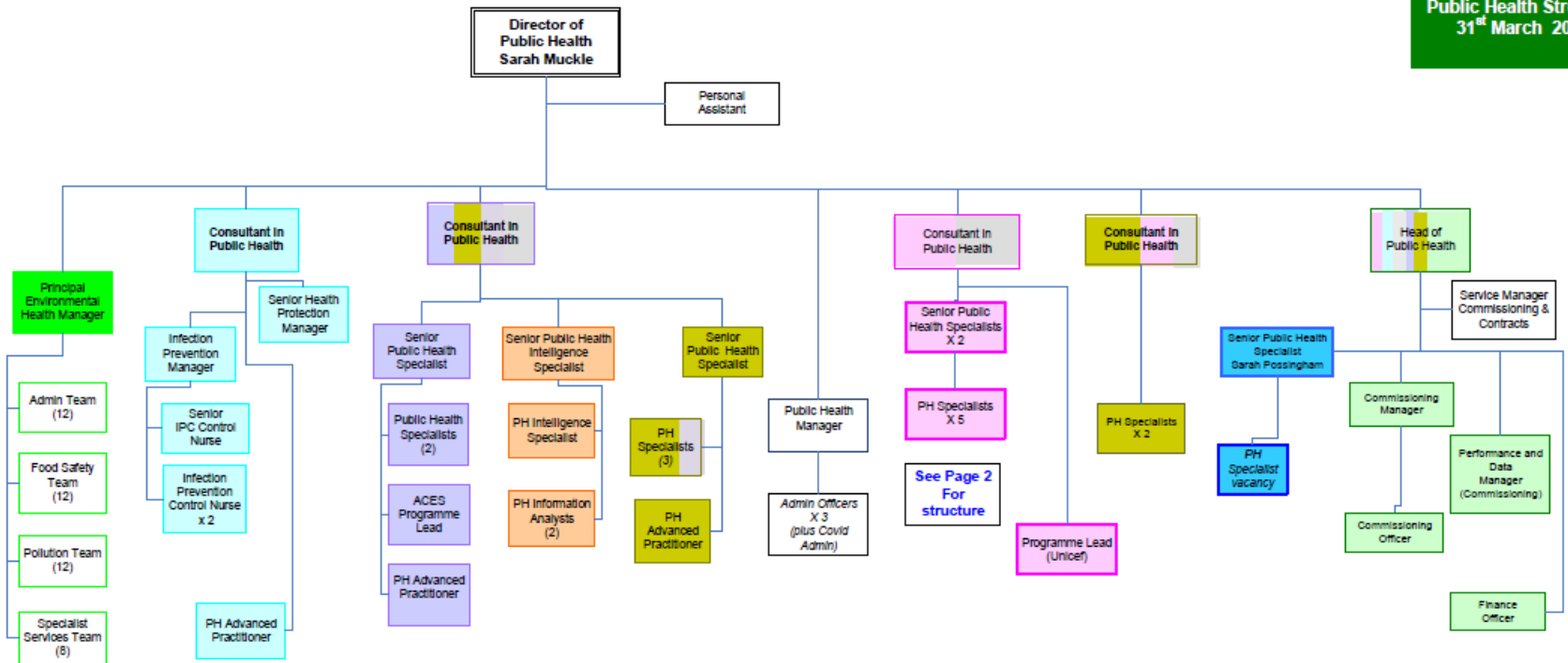
- EU exit: We prepared for any issues as a result of EU exit including the introduction of changes to officer authorisations and export health certification. To date the latter has not had a significant impact as we have taken the decision not to provide export certificates for exports to the EU as this is not a statutory function. There is an ample supply of private sector provision in this regard.
- COVID-19: The pandemic meant that our inspection programme effectively ceased from early March 2020 to June 2020 when the UK went into full lockdown. During this period the team were fully engaged in proactively contacting all food businesses that were allowed to remain open to give advice on social distancing and the controls they needed to have in place to operate in a covid safe manner. We used a number of techniques such as WhatsApp video calls to observe on-site activities, taking a graduated enforcement approach as necessary and liaising with other enforcement agencies. Since June 2020 we have seen various restrictions introduced and then amended for the catering and hospitality sector and we delivered services within the constraints of the law at each point in time. Significant resource was, however, diverted away from traditional food safety work and onto giving guidance and enforcement of COVID-19 legislation. The FSA recognised these circumstances and issued advice throughout the pandemic detailing the expectations on local authorities. They have produced a recovery plan which it expects LA's to now follow. To date we have managed to achieve the priorities within the recovery plan as they have been limited to high priority work. **Appendix 10** details the recovery plan and our performance. Moving forward the team will be under increasing pressure given the number of overdue inspections and numbers of new premises that have registered with us. In 2019/21 we had 2381 premises to inspect and in 2021/22 this had risen to 3631 resulting in more than a 50% increase in the number of inspections in the district that were required. We typically do not achieve full compliance with our inspection programme so this additional burden brings enormous challenges to the food safety team which is already under resourced.



# APPENDIX 1 – Departmental Structure

Structure Page 1

Public Health Structure  
31<sup>st</sup> March 2022

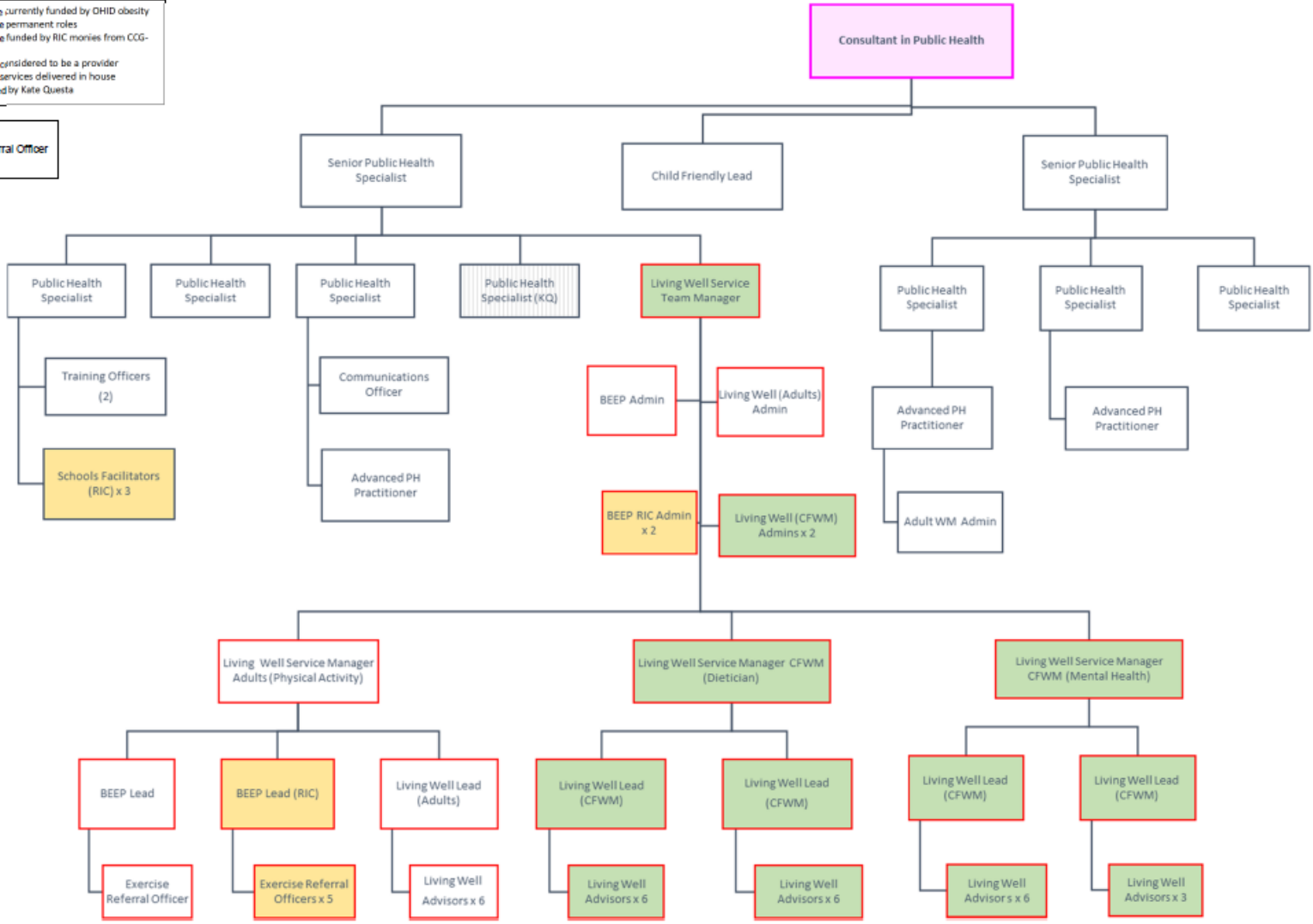


KEY	
Health Improvement	Environmental Health
Integration and Governance	Children & Young People
Health Protection	PH Intelligence
Health & Care Public Health	Healthy Places
Vulnerable People	Mental Health

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 2022/2023**

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**

**Fully compliant premises** (Hygiene: 5 or less; Structure: 5 or less; Confidence in management: 5 or less)

If achieved the FHRS 5 rating for 2 consecutive years: questionnaire to be sent.

If not achieved the above – follow system for broadly compliant.

**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.

FHRS rating of 5 for 2 consecutive years – Alternative Enforcement Strategy questionnaire to be carried out.

#### **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

<b><u>Food Hygiene Interventions</u></b>	Number of inspections required 2019/20	Number of Inspections Undertaken 2019/20	%Completion 2019/20	Number of inspections required 2021/22	Number of Inspections Undertaken 2021/22	%Completion 2021/22	Number of inspections required 2022/23	Target 2022/23
A (high risk)	31	31	100 %	10	10	100%	17(1st 6 mths)	100%
B	154	154	100 %	116	116	100%	157	100%
C	463	440	95 %	706	632	89.5%	498	100%
D	677	620	91.6 %	1335	370	27.7%	1127	50%
E (low risk)	837	806	96.3 %	708	490	69.2%	871	50%
Unrated (newly registered businesses)	219	212	96.8 %	756	598	79.1%	596	100%
Revisits		Total 511			Total 418			Target cannot be set.
<b><u>NI 184 (broadly compliant)</u></b>	89.5%		Has fallen for last 4 years			71%		Target 96%
<b><u>Imported Food Samples</u></b>	10% of credit allocation	2019/20 50 samples taken	6 % of samples	2021/22 6 samples taken	1% of samples			10% of allocation
<b><u>Food and water Samples</u></b> Number of food samples and environmental swabs	80 % of credit allocation	Total 841	102% of credit allocation	No target set		65% of credit allocation		80% of credit allocation
<b><u>Service Requests</u></b> Total number received	2019/20 1401	A 7.8% increase on last year.	2020/21 1335 (+931 COVID SR)	2021/22 1272 (+107COVID SR)				Target cannot be set.

## **APPENDIX 4 – Sampling report 2021 – 2022**

In 2019/2020, the Food Safety section within Environmental Health undertook food sampling and environmental swabbing using a credit allocation of 20,507 for the year. In total 20,970 credits was used i.e. 102% spend for the year. This is the first time that we have achieved 100% and is due to the trainee officers within the team who were required to undertake sampling targets.

In 2021/2022 13,250 credits were used i.e. 65% spend for the year. Due to COVID-19 both the laboratory and ourselves had reduced capacity for sampling.

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 regional sampling projects co-ordinated by UKHSA Food, Water and Environment Laboratory at Sand Hutton, York.

### **XR46 Recommissioning of Catering Kitchens**

#### **Background:**

Environmental sampling has been shown to be a valuable tool to assess the general hygiene in food premises. During the last 12 months, physical inspections may not have been carried out due to the COVID-19 Pandemic and restaurants/kitchens, not offering takeaways, may have been closed for an extended period. This could impact the hygiene of the kitchen if thorough food safety management measures did not take place before and after lockdown. In addition, these types of premises may not have considered the risk of Legionella colonisation of the water systems during this lockdown period.

#### **Aim**

To assess hygiene and food safety in recommissioned kitchens following reopening after lockdown restrictions.

We took 13 environmental swabs as part of this survey and 7 were unsatisfactory.

This authority took part in the following National PHE Studies

### **STUDY 71: Ready-to-eat (RTE) Salads from retail and catering premises**

#### **Background:**

Whilst salad has been part of a recent study, this food commodity continues to be implicated as a cause of foodborne illness. There have been recent incidents of both O157 STEC and non-O157 STEC relating to salad products together with the parasites *Cryptosporidium* and *Cyclospora*. At the time of writing 36 cases of STEC O157 PT8 have a strong epidemiological association with consumption of salad eaten outside the home (investigation work is on-going). In addition, there is also a possible link to an ongoing annual *Salmonella* problem. Along with this, and in view of periodic flooding, it would be useful to carry out a larger scale study of salad items.

#### **Aim:**

This study would allow the level of contamination in salads to be determined across the UK at retail and catering.

We took 17 samples as part of this survey and all were satisfactory.

### **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 2021/22 Bradford submitted 6 food samples from Third countries, equivalent to just 1% of the samples taken. Of these samples none 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.

### **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 Bacillus cereus which is the common pathogenic Bacillus. The Bacillus subtilis 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.
Pseudomonas aeruginosa	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 2020/21

Food group	No Samples Taken	No Samples Unsatisfactory	Any other information	Action taken by Authority
Bakery	3	0		
Beverages	3	0		
Confectionary	1	0		
Dairy products (inc milk)	65	7	On farm produced milk sample failure	Remedial action notice – to suspend production of milk
Eggs	1	0		
Fish and Shellfish	10	0		
Fruit & Veg	29	0		
Ices and Deserts	1	0		
Meat	79	12	ACC failures Enterobacteriaceae failures	Advice to business
Nuts	2	0		
Prepared dishes	54	24	ACC / E. coli Enterobacteriaceae Listeria failure	Advice to Business Suspension of production
Soups and Sauces	15	0		
Swabs	257	141	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		2019/2020	2021/2022
Hepatitis A		2	2
Hepatitis E		0	0
Cholera		1	0
Leptospirosis		0	0
Dysentery	Entamoeba histolytica	2	0
	Shigella Boydii	0	0
	Shigella Dysenteriae	3	0
	Shigella flexneri	8	1
	Shigella sonnei	9	2
	Not Typed	1	1
Food Poisoning	Bloody diarrhoea		0
	B.cereus	0	0
	C.botulinum	0	0
	Campylobacter	443	493
	Cl. Perfringens		6
	E.coli 0157	6	7
	E.coli –other than 0157	0	0
	Listeria	1	4
	Outbreaks		5
	Salmonella	72	28
	Suspected Food Poisoning	167	171
	Yersinia	0	0
	Gastro Enteriti6	Cryptosporidium	46
Giardia		34	16
	Cyclospora	0	0
Respiratory Disease	Legionella	1	0
	Tuberculosis	0	0
	Part 2a order	0	0
Paratyphoid Fever	Salmonella	6	2
Typhoid Fever	Salmonella	10	5
Total		812	761

## APPENDIX 7 – Action Plan 2019/20 and 2022/23

Topic	Planned 2019/20	Achieved 2019/20	Planned 2022/23	Target 2022/23
Primary Authority Partnership (PAP)	To continue to promote the PAP and establish partnerships where appropriate. Agree work to be undertaken with each PAP		Not to actively promote the partnership but will consider any requests from businesses based in Bradford	none
Health Improvement initiatives	Liaise with Public Health to identify ways of collaborating on projects and sharing information		Limited capacity to get involved in this type of work given the backlog of inspections	none
FSA Pilot project on food nutritional standards in schools			To be part of pilot project and to join local authority advisory group	Awaiting details of project
CD procedures	To investigate all cases of CD in line with the agreed protocol. To undertake annual review of CD procedures.	Completed  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	Audit of E. coli investigations undertaken and learning points presented at team meeting	To carry out 1 audit a year on major organisms	1 Audit
Quality Management System (QMS)	Review ALL procedural documents to ensure they are up to date and fit for purpose	Completed	On-going review of procedural documents. Amend procedures if required and identify any new procedures required.	ongoing



<b>Topic</b>	<b>Planned 2019/20</b>	<b>Achieved 2019/20</b>	<b>Planned 2022/23</b>	<b>Target 2022/23</b>
Food Team Review	Continue to look at process / service improvement.	Amended new business letter as a result of participation in project	Tablet project proposal submitted to IT services to improve efficiency and quality of work.	All officers to be using tablet device to undertake inspections and issue reports of inspections
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.	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 on food advice to business and consumers.	4447 (up from 3735) subscribers for food advice for businesses 4882 (up from 4174) 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
FSA External Audit of approved establishments	FSA audit to take place over three days starting on 8 October 2019. To prepare for the audit and comply with requests for information from the FSA in advance of the audit.	Audit report identified two minor issues which have been acted on and highlighted good practice.		

Topic	Planned 2019/20	Achieved 2019/20	Planned 2022/23	Target 2022/23
EU EXIT	<p>Act on advice and information from FSA, likely impact for example:</p> <p>Renew all authorisations for all officers for implementation of new legislation.</p> <p>Increased demand for export certificates</p>	<p>Attended Council EU EXIT planning meetings</p> <p>Authorisations amended</p>		

## **APPENDIX 8 – Training Programme 2022**

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:

- Food Crime Investigation and intelligence gathering (NFCU)
- Outbreak investigations
- Preparing a prosecution file

'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 – Food Standards Agency Audit Report 2022**

### **Executive Summary**

The Authority had developed a Service Plan which followed the guidance in the Framework Agreement on Official Feed and Food Controls by Local Authorities (Framework Agreement) and included information about approved establishments. Generally, all the policies and procedures requested were all available, comprehensive, and generally able to provide the information needed for the audit.

The District had approximately 4500 food establishments, the majority of which were restaurants and caterers, followed by retailers, distributors/transporters and manufacturers/packers. There was a high turnover in the restaurant and catering sector of both food businesses and food business operators which placed a strain on the team in terms of premises interventions. The Service (within the Environmental Health Service and the Department of Health and Wellbeing) was delivered by a large number of officers, including contactors and trainees. The Authority confirmed staff resources had been stable for the last 2 years and no changes in resources were expected in the short term.

Officers undertaking the work at approved establishments had been trained accordingly and their competency assessments had been developed in accordance with the Food Law Code of Practice (FLCoP).

The Authority had developed and implemented two documented procedures to identify establishments which required an approval and to conduct the approval process. Both followed the FLCoP and the Approval of Establishments Guidance for Local Authority Authorised Officers 2016 (FSA Approvals Guidance). Records related to food businesses examined by auditors showed that the Authority had undertaken the approval of establishments in accordance with centrally issued guidance.

Interventions at approved establishments had been carried out at the frequency prescribed in the FLCoP. Enforcement decisions had been made within the enforcement policy guidance. Complaint and incident investigations and sampling had also been effectively handled and carried out in accordance with the Authority's procedures.

#### **Recommendations**

Although the Authority had developed an adequate system of authorisation of officers based on their competence, it had not been documented as required by the Framework Agreement.

Officer authorisations included the regulations specified in the FLCoP, however, officers performing duties under the Food Safety and Hygiene (England) Regulations 2013 were not separately authorised in writing to deal with all the matters arising under these Regulations, in particular with Regulation 29, to certify that food had not been produced, processed and distributed in compliance with food hygiene regulations.

#### **Good Practice**

The effectiveness of the training carried out by officers was validated via the competency assessments. Specifically, the practice of recording how officers meet their competencies during their interventions to food premises was considered a good example of demonstrating competence.

## 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 2023/24)**

			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	Obtained FSA funding to undertake telephone calls to new businesses to assess risk and to prioritise for inspection. 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	Ongoing	Initial visits should be prioritised and	Visits prioritised by risk.

consideration of registration information/intelligence indicates low risk		undertaken in accordance with the Food Law Codes of Practice	
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, and largely undertaken by trainee EHO's. Sampling in response to outbreaks, food safety concerns is undertaken as required.
Category A for hygiene	Over the period to 31 March 2022	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 2021/2022 programme were inspected by end of March 2022.
Category B for hygiene	Over the period to 30 June 2022	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 2021/2022 programme were inspected by end of March 2022 – ahead of target.
Category C for hygiene – less than broadly compliant (FHRS 0, 1 or 2)	Over the period to 30 Sept. 2022	All establishments should have received an onsite intervention and thereafter be back in the system for interventions in	All category C less than broadly compliant premises due for inspection in 2021/2022 programme inspected by end of March – ahead of

		accordance with the Food Law Codes of Practice	target. (NB low numbers) Target for 2022/23=51
Category D for hygiene – less than broadly compliant (FHRS 0, 1 or 2)	Over the period to 31 Dec. 2022	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 2021/2022 programme inspected by end of March – ahead of target. (NB low numbers) Target for 2022/23=12
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	On target to comply with this by 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 are only undertaken when intelligence or complaints are received.  Will use contractors to deal with some higher risk type of businesses so that they receive an onsite intervention.
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	All cat E premises have received a questionnaire to complete. This is largely and administration task. However returned forms are assessed to see if the business needs to receive

		establishment is otherwise considered a priority for intervention due to the risk posed	an inspection.
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