



Rushcliffe Borough Council

Food Law Enforcement and Health and Safety Law Enforcement Service Plans 2015/16

Neighbourhoods Service

May 2015

FURTHER INFORMATION

Alternative Format or Language Required?

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**RUSHCLIFFE BOROUGH COUNCIL
FOOD AND HEALTH AND SAFETY LAW ENFORCEMENT SERVICE PLAN
2015/16**

| CONTENTS | Page No. |
|---|-----------------|
| Background | 4 |
| Summary of performance | 6 |
| Key Outcomes of Food and Health and safety Enforcement | 7 |
| | |
| 1.0 Service Aims and Objectives | |
| 1.1 Aims and Objectives | 10 |
| 1.2 Links to Corporate Objectives and Plans | 10 |
| 2.0 The Food Safety service | |
| 2.1 Scope of the Food Service | 11 |
| 2.2 Demands on the Food Service | 12 |
| 3.0 Food Service Delivery | |
| 3.1 Food Premises Interventions | 13 |
| 3.2 Food Complaints | 15 |
| 3.3 Home Authority and Primary Authorities Principles | 16 |
| 3.4 Advice to Business | 16 |
| 3.5 Food Sampling | 16 |
| 3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease | 16 |
| 3.7 Food Safety Incidents | 17 |
| 3.8 Food Safety Enforcement | 17 |
| 3.9 Liaison with Other Organisations | 18 |
| 3.10 Food Safety Promotion | 18 |
| 4.0 Resources | |
| 4.1 Financial Allocation | 19 |
| 4.2 Staffing Allocation | 20 |
| 5.0 Quality Assessment | 20 |
| 6.0 Review Process | |
| 6.1 Review against Service Plan | 21 |
| 6.2 Identification of any achievements and Variation from the Service Plan | 21 |
| Health and Safety | |
| 7.0 Health and Safety Service | |
| 7.1 Scope of the Food Service | 22 |
| 7.2 Demands on the Food Service | 22 |
| 8.0 Health and Safety Delivery | |
| 8.1 Interventions | 23 |
| 8.2 Complaints | 24 |
| 8.3 Advice to Business | 24 |
| 8.4 Enforcement | 24 |
| 8.5 Accident Investigation | 24 |
| 8.6 Liaison with Other Organisations | 25 |
| 8.7 Health and Safety Promotion | 25 |
| 8.8 Staffing Allocation | 26 |
| 9.0 Resources | 27 |
| 10.0 Quality Assessment | 28 |
| 11.0 Review | |
| 11.1 Review against the Service Plan | 29 |
| 11.2 Identification of any achievements and Variation from the Service Plan | 29 |
| 12.0 Workplans for 2015/16 | |
| 12.1 Food | 30 |
| 12.2 Health and Safety | 33 |
| Organisational chart for the Food Safety Service | 34 |
| Environmental Health Structure | 35 |

Background – Rushcliffe Borough Council Neighbourhoods Service

The Borough of Rushcliffe lies in the south of Nottinghamshire, covering an area of 157 square miles. West Bridgford, the largest settlement in the Borough is effectively a suburb of Nottingham. Other key settlements include the large villages of Bingham, Cotgrave, East Leake, Keyworth, Ruddington and Radcliffe on Trent. A number of other villages are dispersed throughout the remaining rural areas of the Borough.

The current population is approximately 112,800 of which 4% are from ethnic minority groups.

The Environmental Health Service is part of the Neighbourhoods Service - Food and Health and Safety is part of this service under the Protection and Safety section.

This service plan details the Food Safety and Health and safety work carried out by the Protection and Safety team. It is seen as a key corporate policy document and is reported annually to the Portfolio Holder (Safety and Wellbeing) for approval.

This service plan should be read together with Rushcliffe Borough Council's Corporate Enforcement Policy and in particular the Protection and Safety Enforcement Policy which can be found on the Council website. This Policy sets out what businesses and others being regulated can expect from the Protection and Safety service. It is based on the principles contained within the Regulators Code.

The service is committed to ensuring the active implementation and monitoring of the Council's Corporate Diversity Policy, which states that services will be provided in a fair and equitable way to all groups and individuals in the community. An Equality Impact Assessment has been completed for this service plan.

The Protection and Safety service operates from the Civic Centre between 8.30am and 5.00pm, Monday to Friday. For Food Safety, evening and weekend sampling and interventions are carried out as determined by the risk based inspection programme and the premises opening hours.

Emergency issues are currently directed initially to an out of hours service and then passed onto senior officers as required. In addition the Council's website, www.rushcliffe.gov.uk, is used to provide information about Protection and Safety services for the Borough residents, general public and businesses and also provides a direct email address for service requests envhealth@rushcliffe.gov.uk

Food and Health and Safety Service

The Service currently comprises of a Protection & Safety Manager, one Team Leader, two Environmental Health Officers and one Environmental Health Technical Officer. In addition, administrative support is provided centrally within the service. In 2014/15 a Consultant for food safety was employed for part of the year for food interventions work primarily.

All food safety and health and safety staff are subject to an annual Personal Development review with the Protection and Safety Manager and a monthly one to one with the Team Leader which track performance and identify training and development needs. Food Safety Officers receive training throughout the year (there is a specific training budget allocation for food and health and safety for 2015/16) Officer training records are checked regularly to ensure they maintain a minimum of 10 hours Food Specific CPD as required in the FSA Food Law Code of Practice.

Training courses attended by staff during 2014/15 include:-

- East Midlands Council's 5 +1 training events
- E coli guidance training
- CIEH Regional Conference
- FSA Food Allergy/Food Information Regulations
- PHE Stakeholder day
- Food sampling training
- Coffee Machine safety
- FSA enforcement sanctions training
- UKFSS training
- HACCP assessment course

Summary of Performance in 2014/15

Local performance indicators are set annually by the Neighbourhoods Service Plan – they are then reported on a monthly or quarterly basis.

A corporate performance management framework monitors performance of all services within the Council. This takes place through a performance clinic on a six weekly cycle.

| LOCAL SERVICE DELIVERY INDICATOR | | 2014-15 |
|---|---------|----------------|
| The percentage of programmed food premises interventions completed - High-risk premises | Target | 100% |
| | Outcome | 100% |
| The percentage of programmed food premises interventions completed – Other Premises (includes alternative enforcement strategy interventions) | Target | 90% |
| | Outcome | 72% |
| Number of infectious disease notifications | Target | N/A |
| | Outcome | 171 |
| % of received customer questionnaires indicating satisfaction in key service areas | Target | 95% |
| | Outcome | 100% |
| Percentage of food premises that have achieved a Hygiene rating of 4 or more as part of the current Food Hygiene Rating/Star Rating Scheme | Target | 80% |
| | Outcome | 91% |
| The number of health and safety interventions completed (National code annex A) | Target | N/A |
| | Outcome | 0 |
| Number of RIDDOR notifications received | Outcome | 61 |
| % of service requests for Protection and safety meeting response time | Target | 98% |
| | Outcome | 98% |

Key Outcomes of Food and Health and Safety Enforcement and projects carried out in 2014/15

- **Which Consumer Insight Survey**

In 2015 Which carried out a survey of all Local Authorities on their food enforcement work. Areas assessed were:

- The percentage of high to medium risk food establishments (i.e. A,B,C) compliant with hygiene law
- The proportion of rated food premises in the area
- The percentage of planned interventions that were carried out

Rushcliffe was rated as 16th out of 398 which was within the top 10% in the Country and the top Authority in Nottinghamshire.

- **Food Hygiene Rating Scheme**

We are in the third year of running this scheme and currently the percentage of high performing businesses at a rating of 4 or 5 is 91%.

Currently the number of 0, 1 and 2 rated premises is 22. Where a business achieves a low rating and there is no imminent risk to food safety, we will endeavour to work with the business to advise them and offer encouragement to improve in the first instance, before considering legal action. Several businesses have benefitted from this during the year where their standards fell so they achieved a low rating. With our assistance they have carried out necessary works and following a re-inspection have achieved a higher rating. During 2014/15 56 re-inspections were carried out. 1 formal appeal was received which was dealt with following our FHRS procedures.

During 2014/15 we participated in the Food Standards agency FHRS Visibility project where we awarded grant funding to audit specific food businesses rated 3,4 or 5, in high footfall areas to determine if they were displaying their rating. A total of 101 businesses were audited, 50% were not displaying so an officer visited with a new sticker to explain the benefits to their business and to encourage them to display. As a result following a post visit audit the number displaying 3,4 or 5 increased to 87%.

- **Primary Authority update**

Good partnership work has continued with all of our primary authority relationships. Some examples of this good work in shown below:

Great Northern Inns

Our 2014/15 target was to produce consistent food safety documentation for use throughout the pub chain, conduct a pilot in local premises and then roll out throughout the chain. This has been completed. Further targets will be set for the coming year to look at other areas within the food businesses.

Boots

An Officer has spent a successful year with the Senior Retail Safety & Environment Manager looking at existing food safety procedures and then visiting stores countywide to check on compliance. Primary Authority advice has been issued with regard to pest control procedures in stores. Work is planned for the coming year on cleaning and training, ambient food date checking and chilled food storage.

Nottinghamshire County Council

We have had regular meetings to discuss various issues in the County school kitchens. Advice was given with regard to the use of cleaning chemicals and cloths. Work in the coming year will focus on a review of procedures and policies for food safety.

- **Accident Investigations**

Out of the 61 accidents reported to us throughout the year, two incidents required extensive investigations.

One involved an employee in an untidy warehouse sustaining serious injuries after a large amount of heavy doors falling on him. The company provided a written submission rather than attending a PACE interview. Following this a decision was reached to take no further action. The company had provided a significant amount of training to staff and the staff had not followed the training provided.

The other involved an employee sustaining serious burn injuries after falling in a pan of hot fryer oil. After lengthy investigations, the injured person failed to communicate with us and we were unable to progress the investigations further. A similar incident to this occurred to an employee in a restaurant kitchen the previous year, so an action has been included in the health and safety work plan to write to all food businesses with fryers to alert them to this hazard and ensure they follow a safe system of work.

- **The Food Information Regulations 2013**

The new regulations came into force in December 2014 requiring food businesses to provide additional labelling about allergens.

They were introduced to ensure awareness and for businesses to relay specific information as allergens, such as gluten, mustard, milk and nuts are natural substances found in many foods that can cause severe reactions in susceptible people. Currently, allergic reactions kill 20 people a year in the UK.

All food businesses were notified in writing regarding the regulations and signposted to our website and the Food Standards Agency website for further information and advice on how to comply.

Training sessions were provided and over 100 businesses attended. During interventions in 2015/16 officers will check on compliance and offer further information and advice if required.

- **Healthy Options Takeaway merit**

Rushcliffe has led the way in Nottinghamshire with this merit by completing a pilot to determine success of the scheme. During the pilot 5 different takeaway businesses were assessed and 2 were awarded the merit for satisfying the requirements of offering healthier food alternatives to customers.

The merit scheme has now been rolled out in all districts and boroughs in the county and there is a target set to achieve a further 10 businesses with the merit in 2015/16. Partnership work will continue with our health development officer to achieve this target and details are in the food work plan.

- **Approved Premises**

Two new premises were approved under EC Regulation 853/2004. One is a Egg products manufacturer and one a egg packer. We accompanied the Food Standards Agency ,DEFRA and Food Veterinary Office Mission to the egg packing business as part of a Focussed Audit of England and Wales by the European Union.

1.0 Food and Health and Safety Service Aims and Objectives

1.1. Aims and Objectives

This Service Plan has been developed by Rushcliffe Borough Council in line with the relevant codes of practice and guidance for Food and Health and safety.

The Food Standards Agency (FSA) Framework Agreement sets out the Agency's expectations on the planning and delivery of food law enforcement and the current FSA Food Law Code of Practice, published in April 2015 was consulted.

For Health and safety, Section 18(4) of the HSW Act requires that enforcing authorities perform their duties in accordance with guidance from the Health & Safety Commission. This guidance commonly known as 'Section 18 Guidance' is mandatory.

Both codes of practice and guidance specify that an annual service plan be developed for both areas.

Rushcliffe's Food Safety Service Aims and Objectives are:

Aim: "To promote, through key interventions (including enforcement), the sale and/or production of food which is fit and without risk to health and to prevent and control the spread of food borne illness through education and enforcement".

Key Objectives of the Food Service

1. To undertake a risk-based programme of interventions of food premises in accordance with the Food Standards Agency Food Law Code of Practice 2015
2. To register food businesses in accordance with the Food Premises (Registration) Regulations 1991 as amended.
3. To provide a risk-based response to all notifications of food related illness or suspected illness in order to minimise effects on the community.
4. To carry out pro-active sampling in accordance with nationally and locally set programmes
5. To provide information, advice and education on food safety issues to the business and residential community
6. To respond to complaints concerning food and food safety

Rushcliffe's Health and Safety Service Aims and Objectives are:

Aim: "To ensure that risks to person's health, safety and welfare from work activities are properly controlled through advice and enforcement."

Key Objectives of the Health and Safety service

1. To inspect at predetermined intervals or by the use of other intervention strategies, and in response to complaints, relevant workplaces to determine compliance with relevant legislation.
2. To educate proprietors of relevant workplaces in health, safety and welfare matters and their legal responsibilities in relation to their occupation by the distribution of leaflets and the provision of advice and information.
3. To investigate specific accident notifications
4. To liaise and work in partnership with the Health and Safety Executive (HSE) and the Fire Authority regarding the enforcement of the legislation. To share intelligence with our licensing section on relevant licensed premises.

5. To comply with the HSC section 18 guidance in respect of inspection programmes, intervention strategies and service plans.

1.2 Links to Corporate Objectives and Plans

The Council's Corporate Strategy 2012 to 2016 sets out three priorities for improvement. These are:

- Supporting economic growth to ensure a sustainable, prosperous and thriving local economy
- Maintaining and enhancing our residents' quality of life
- Transforming the Council to enable the delivery of efficient high quality services

There is no specific food or health and safety target set out in the corporate strategy, however through the way we now deliver food safety and health and safety services, a significant contribution can be made to these priorities.

The service provides businesses with advice and guidance to maintain a safe workplace or produce a safe product which will in turn help them to grow, prosper and not face unnecessary regulatory costs and penalties.

Over 2015/16 the Primary Authority scheme will be recommended to all relevant businesses in the Borough. Businesses will be able to rely on our advice as an expert opinion, which is applicable across the UK, and provides a secure basis for investment and operational decisions.

This year the section has continued to be involved in the work of the Corporate Economic Development Group – made up of relevant officers from RBC, its aim to meet objectives in an action plan to advise and encourage new businesses coming to the Borough but also to assist established businesses to promote economic growth and prosperity.

The Protection and Safety Manager presented at the Community Development Scrutiny Group on the role of regulatory services in economic development.

We continue our work with the Better Business Regulation project which runs in partnership with our Local Enterprise Partnership – D2N2, the Chamber of Commerce and other Nottinghamshire/Derbyshire regulatory agencies. This provides a single point of contact advice website for all businesses across the LEP regions.

<http://www.d2n2growthhub.co.uk/growing-your-business>

The service also participated in the planning of the first Rushcliffe Food Festival held in July 2015 which showcased local food producers and retailers. This will become an annual corporate event.

2.0 The Food Safety Service

2.1 Scope of the service

The food safety service comprises a range of key functions:

- Programmed food hygiene interventions of food premises within the borough.
- Health and safety inspections and accident investigations in food premises
- Responding to National FSA food alerts
- Dealing with food and food related complaints and other service requests
- Carrying out the annual food sampling programme in conjunction with the Nottinghamshire Food sampling group and PHE initiatives
- Registering of food premises and mobile vehicles
- Dealing with imported food and its origin including imported food sampling
- Education work e.g. Chartered Institute of Environmental Health Food Hygiene Courses, work on food safety with school children and other members of local communities.
- Updating web site information and use of social media to communicate food safety issues
- Maintaining the FSA Food Hygiene Rating Scheme and following inspections, assign an appropriate hygiene rating to premises
- Investigating cases of food related illness and other infectious diseases.
- Food Safety awareness campaigns e.g. Food Safety Week
- Food Safety Project Work and weeks of action in particular types of premises focussing on improving competency and experience for all Protection and safety officers.
- Providing Primary Authority Relationships with businesses

2.2 Demands on the Food Service

On 1st April 2015, the Borough had 740 registered food businesses. The risk profile of these premises shown in the table below has been determined in accordance with the FSA's Food Law Code of Practice 2014.

| Priority | Premises Category (risk) | Frequency of Inspection | Total number of premises in category (as at 1.4.2015) |
|--------------|--------------------------|-------------------------------------|---|
| A | High | 6 months | 2 |
| B | High | 12 months | 58 |
| C | High | 18 months | 161 |
| D | Low | 24 months | 282 |
| E | Low | 36 months | 235 |
| Unrated | - | New Business Awaiting inspection | 2 |
| Total | | | 740 |

Primarily the food businesses in the Borough are retailers and catering premises, many of which prepare and sell both raw and ready-to-eat food. We have 22 food manufacturers, 2 large supermarkets, a major football stadium, International Cricket ground, the national water sports centre and HMP 'Whatton'.

Approval under EC Regulation 853/2004 has been given to 10 Premises – 4 cheese manufacturers , 4 Meat products establishments and 2 egg products premises.

According to the 2011 Census information, ethnic minority groups account for 4% of the population, however other data indicates that approximately 5% of food businesses are operated by ethnic minority groups.

Further demands will be made on the service in 2015/16 due to:

- Provision of performance data through the Local Authority Enforcement Monitoring System.
- On-going review and audit of approved premises
- Alternative enforcement activities for low risk premises.
- On-going training and coaching support for the implementation and maintenance of documented hazard analysis for all food premises, including utilisation of the Safer Food Better Business pack promoted by the Food Standards Agency.
- Reviewing our Food Safety Interventions in line with the Food Standards Agency guidance to prevent E Coli contamination – advice given to businesses to comply with this guidance.
- Maintenance of the Food Hygiene Rating scheme and adherence to the FSA Brand Standard.

3.0 Food Service Delivery

3.1 Food Premises Interventions

The inspection programme is based on the rating scheme contained in the FSA Food Law Code of Practice 2015, which means that dependant on risk, all premises will be subject to a food safety intervention within a range of 6 months to 3 years.

All interventions will be carried out by existing staff resource, in accordance with the Food Safety Competency matrix who are all able to carry out interventions of higher risk premises.

Category A and B rated premises will be subject to an inspection, partial inspection or audit as an Official Control.

With the introduction of the FHRS – full inspections are done on all included food premises to rate them on the new scheme.

In 2015/16 Category C premises, if broad compliance has been achieved, planned interventions may alternate between inspections, partial inspections or audits or other official controls. Other Official Controls will include sampling, monitoring, surveillance and verification.

Category D premises will be subject to an official control and then can alternate with an intervention which is not an official control. The new 2014 Food law Code of Practice restricts Food authorities in respect of category D premises and which are also rated 30 or 40 for “type of food and method of handling”. The official control for these establishments must be an inspection, partial inspection or audit but can be alternated with other types of interventions.

Alternative enforcement will continue to be undertaken during 2015/16 for planned interventions in Category E premises that are exempt from the Food Hygiene Rating scheme in the form of a questionnaire sent to the business for them to return to provide information on their Food Safety operation. Some Category E premises will receive an inspection if they are part of the FHRS.

For all interventions carried out the choice of Official Control or alternative inspection is documented on the premises file on the database – the decision as to why this has been chosen is also documented and any changes of Official Control that have occurred during an intervention. These files are monitored regularly by the Protection and Safety Team Leader and regular discussions take place in the monthly team meetings and individual Officer one to one sessions on justification of choice of interventions.

For 2015/16 the actual number of programmed interventions due to be carried out fall within the following categories outlined in the table below.

Provisional Interventions due for 2015/16 (as at the 1st April 2015)

| Category | No. of premises in category | No. of interventions due |
|-----------------|------------------------------------|---------------------------------|
| A | 2 | 4 |
| B | 58 | 58 |
| C | 161 | 93 |
| D | 282 | 107 |
| E | 235 | 51 |
| U | 2 | 2 |
| Total | 740 | 315 |

New premises, which have to be visited within 28 days of opening, will be in addition to this total intervention figure and it is anticipated that there will be approximately 80 such premises during the year.

All premises where a statutory notice has been served or which are found to require significant work to be carried out will be subject to a secondary visit or verification visit within an agreed timescale. It is estimated that at least 100 re-visits will be carried out in addition to the 315 programmed inspections and alternative intervention initiatives.

Food Business Operators are now able to request a revisit through an appeal if they do not agree with the Food Hygiene Rating they have been given as a result of their programmed intervention. They can also request a revisit if they have carried out improvement works to satisfy an increase in their rating.

The primary objectives when carrying out interventions are in accordance with the Food Standards Agency Food Law Code of Practice 2015, however, a special emphasis is placed on the level of compliance with the requirement for documented control systems, awareness raising of the National Food Hygiene Rating Scheme and also staff hygiene training. Specific consideration is also given to whether samples need to be taken during routine food hygiene intervention work i.e. the Sampling Official Control chosen.

3.2 Food complaints and requests for service

The Food Safety Service responds appropriately to complaints about food or food premises made to the Council.

Complaints regarding labelling etc are forwarded to the Trading Standards Service of Nottinghamshire County Council in accordance with a county wide documented protocol. Service requests include advising businesses on food safety matters and dealing with new food businesses.

During 2014/15 there were 384 complaints and requests for advice received regarding defective food, hygiene standards in food premises and other issues in relation to food safety issues.

3.3 Home Authority and Primary Authority Principles

The Authority is currently a Primary Authority for the following businesses:

Nottinghamshire County Council Education Catering
Months Earlier – cheese manufacturer
Cropwell Bishop Creamery - cheese manufacturer
Great Northern Inns
Boots Management Services Ltd

Further details can be found on <https://primaryauthorityregister.info>

The Council will continue to respond appropriately to requests from Businesses.

3.4 Food Safety Advice to Businesses

The Authority is committed to improving food safety standards through both education and enforcement. We are committed to helping new businesses as reflected through the Corporate Strategy.

Advice is provided to businesses in the following ways.

- During interventions and as part of follow up documentation;
- Start up advice and information on the Council website
- Distribution of relevant food safety material to food businesses by email or social media (facebook, twitter)
- The local food business partnership arrangements;

As mentioned previously in 1.2 as part of the Council's economic priority, a "virtual" economic development team has been set up across the Council. The Protection and Safety Manager is part of this team to represent Neighbourhoods.

3.5 Food Sampling

The Service has a publicised sampling policy, documented procedure and programme. The sampling policy and information on how to interpret results is provided on the web site.

The sampling programme is co-ordinated by the Nottinghamshire Food Sampling Group, a sub group of the Nottinghamshire Food Safety Working Group, in partnership with PHE.

The programme covers Authority, County, National and when required European sampling objectives. Each Authority is allocated sampling credits by Public Health England (PHE) in order to undertake this work.

For 2014/15 94 food and environmental samples were taken. 89% of samples were satisfactory, however the value of sampling was proven as we identified issues with environmental swabs of wooden platters and slates used for service of food and also imported foods. Following this appropriate action was taken to advise the food business operator and resampling carried out. We also undertook shelf life testing for products from manufacturers in the Borough.

At least 10% of samples taken each year are of imported foods as recommended by the Food Standards Agency.

The proactive sampling programme does not preclude the need to undertake reactive sampling, which includes food complaints, investigations for food poisoning outbreaks and sampling for legionella as part of investigations referred to the service by PHE.

In 2015/16 we will be looking to progress to the UKFSS system, a food safety surveillance online programme which is a national database for central storage of analytical results from food samples taken by enforcement authorities.

3.6 Control and Investigation of Outbreaks and Food Related Infectious diseases

All formal and informal notifications are recorded on the Council's Uniform database. Subsequent investigations are based on the type of organism, the number of cases, and are in accordance with Department of Health and Health Protection Agency guidance.

A documented procedure has been produced and agreed with PHE and follows the principles established in a countywide procedural document, prepared by the Nottinghamshire Food Safety Working Group. During 2014/15, 177 (**245 13/14**) infectious disease notifications were received. *Campylobacter* was the highest of those reported in Rushcliffe.

In 2012/13 we introduced a new proxy indicator of the number of Infectious disease reported to the Authority. The figure will be reduced year on year (as shown above) as food premises improve and maintain compliance; however it is still evident that most food poisoning occurs due to poor food safety practices in the home environment. Food poisoning case data is also low due to under reporting.

3.7 Food Safety Incidents

The service has a documented procedure which deals with action to be taken following the receipt or initiation of a food alert.

The FSA Food Law Code of Practice 2015 requires specific recording of actions taken following the receipt of a food alert.

Food alerts are received into a dedicated e-mail account from the Food Standards Agency (FSA), and by direct emails to individual officers and by text messages to officers' mobile phones.

The food alert warning procedure for food incidents recognises that some alerts for action are required to be dealt with quickly in accordance with the categories for each food alert. The procedure identifies the mechanism for passing on the food alert to the appropriate officer, an outline of the action to be taken, a statement on who to notify prior to any media announcement and a Food Alert Investigation Sheet.

Most food alert warnings received are for information only and require only a small amount of officer resource. However on occasions it is necessary to provide more resources to deal with food alerts. Any actions taken on a food alert are documented within the Uniform system.

During 2014/15 the Council dealt as appropriate with all the Food Alerts and allergy alerts which were received by the Food Service.

3.8 Food Safety Enforcement

As detailed in the Protection and safety enforcement policy and the service standards for the Regulators code, the authority takes a proportionate view to enforcement action. Clearly depending on the situation and the perceived level of risk, the need to take formal action may be required. Guidance in the Food Law Code of Practice 2015 is always followed when enforcement action is carried out

In 2014/15:

18 Hygiene Improvement Notices were served

0 food premises was voluntarily closed

0 food premises were formally closed

3.9 Liaison with other organisations

Consistency is a key feature in all of the Council's environmental health functions. With regard to the food safety service, this is achieved by:

- Priority being given to attendance and active participation by the Protection and Safety Team Leader at the Nottinghamshire Chief Environmental Health Officers' Food Safety Working Group. This Group co-ordinates benchmarking exercises, acts as the discussion forum for topical issues and a means of optimising countywide consistency in enforcement and advice
- Formal liaison with public sector bodies consists of :
 - Nottinghamshire County Council Public Health
 - PHE
 - Nottinghamshire Trading Standards

The Council continues to liaise with the Food Standards Agency and the East Midlands Regional Coordinator regularly attends the Nottinghamshire Food Safety Liaison Group to discuss National and Regional issues. In 2015/16 we will continue to implement the outcomes of the current Food Standards Agency Strategic plan. This has been included in the work plan for the coming year.

The Neighbourhoods Service also has access to all development and building control applications and acts as a formal consultee on key applications.

The Leaders and Chief Executives of RBC, Gedling Borough Council and Newark and Sherwood District Council continue to meet to consider future collaborative working between the three Local Authorities and any other partners. Over the past year work has been carried out to look at the Environmental Health sections as this is a service that will be considered for shared working. Following the local elections in May 2015 this will be progressed further.

3.10 Food Safety Promotion

Educational and promotional activities are considered to be important aspects in the delivery of a comprehensive food safety service and it is achieved in the following ways:

- Food information available directly from the Food Safety section of the Council website and notification system
- Targeted advice/information sent to relevant groups on issues of county or national significance.
- e mail address collection from FBOs to send information
- Talks to pupils of local educational establishments including schools, colleges, universities and to people in voluntary groups
- Food hygiene training courses have historically been run by the service; however this year demand has been low due to online training being available, so no courses have been run.

4.0 Resources

4.1 Financial Allocation

The overall expenditure on food safety is set out in table 3.

Table 3: Overall expenditure on Food Safety 2013-16

| Year | 2013/2014 | 2014/2015 | 2015/2016 (est) |
|--------------|------------|-----------|-----------------|
| Budget (1) | 179900 | 154500 | 169600 |
| Actual Spend | 196808 (3) | 130898.98 | |
| Income (2) | 1335.79 | 10065.85 | 4500 (est) |
| Total | 198143.79 | 140964.83 | |

- (1) Salaries, training, equipment, subscriptions, support services
- (2) Income from fees and charges and FSA grant for projects
- (3) Higher spend due to consultancy costs

4.2 Staffing Allocation

The table overleaf shows the staff allocation for 2015/16 for food safety enforcement, broken down by the competency requirements of the Food Standards Agency Food Law Code of Practice 2015 - General qualification and experience requirements.

EHRB officers are Environmental Health Officers who are registered with the Environmental Health Officers Registration Board, (EHRB), after attaining the approved qualifications in Environmental Health.

EHRB (ordinary) officers are Technical Officers who have attained the Certificate in Food Premises Inspection.

Non-EHRB staff are other officers, who may be involved in the service for supporting food officers and administration duties.

Staff resources dedicated to food safety (based on staff time recorded 2014/15)

| | EHRB | EHRB (ordinary) | Non-EHRB |
|----------------------------------|------|--------------------|----------|
| Protection and Safety Manager | 0.2 | | |
| Team Leader | 0.6 | | |
| EHO | 2.1 | | |
| Admin Staff | | | 0.10 |
| Total | 2.9 | 0 | 0.10 |

5.0 Quality Assessment

Transforming the Council to enable the delivery of efficient high quality services is one of the three key themes the Council will be focusing on in the next four years. We have looked at the way we deliver our services through the Environmental Health review and food safety has been part of this.

With regard to food safety the quality agenda is pursued via a number of methods

Management Monitoring

Every food business inspected receives a post-inspection questionnaire requesting comments on the manner in which the inspection was carried out, the quality of the feedback on site and on the inspection report received. The Protection and Safety Manager or Team Leader will then follow up any negative comments or suggested improvements.

This forms part of the performance indicator for Customer satisfaction of all Protection and Safety Services and is reported on each year in the Performance Clinic.

A documented quality management procedure is in place which specifies additional day to day monitoring arrangements which take place for example checking of inspection letters and notices and consistency visits with Officers undertaken by the Team Leader.

Complaints against the service are monitored on a Service and Corporate basis.

Food Standards Agency

The service is required to submit an Annual return through the on line LAEMS system – Local Authority Enforcement Monitoring Scheme. This details the interventions, enforcement and educational activities undertaken for the year period, to the Food Standards Agency (FSA) who closely monitors performance to ensure compliance with the FSA framework agreement. The FSA also has the power to set standards and to monitor local authority food law enforcement services under the Food Standards Act 1999. The FSA collects information from all United Kingdom food authorities and submits the information to the EC.

On several occasions over the past five years the Food Standards Agency (FSA) has carried out Audits of the Council's food law enforcement service and as a result, several of our procedures and working practices have been identified on the FSA website as examples of good practice.

Inter Authority Audit (IAA)

The Nottinghamshire Food Safety Working Group carries out an annual benchmarking exercise with the aim of comparing resources and outputs within the individual authorities. It also looks at the level of enforcement work carried out in comparison with the risk profile of each authority's food premises. This year the focus of the audit was the application of the Food Hygiene Rating Scheme.

6.0 Review Process

6.1 Review against the Food service plan

As detailed previously, the Council has an established a performance management board to monitor the performance of its services.

From an operational perspective the Protection and Safety Manager and Team Leader review the key performance measures and service improvements contained in the plan on a quarterly basis. In addition, monthly food and health & safety meetings are undertaken with the relevant staff involved with the service. This is to ensure that on-going projects, enforcement work and improvements outlined in this service plan and work plan are effectively monitored and managed. The notes for these meetings are documented, along with actions and timescales for relevant staff.

6.2 Identification of achievements and any variation from the service plan

Table 6 below identifies the status of planned service improvement actions from 2014/15. Any remaining improvement objectives are shown in the table below along with the reason for the delay and a revised target, which will be included in the work programme for 2015/16 where appropriate.

| Action | Planned Outcome /Output | Achieved Or reason why not | New Target Date |
|---|--|----------------------------|-----------------|
| Continue to work in partnership with the Food Standards Agency to implement the Compliance and Enforcement Strategy | Target interventions at Businesses with the highest risk Give recognition to businesses who secure compliance Through the FHRS increase the transparency of a business food safety and hygiene standards by encouragement to display their rating Use wider incentives and penalties that drive compliance (recognising the | Achieved | |

| | | | |
|---|--|---|--|
| | <p>different drivers in different food sectors and/or businesses)</p> <p>Put more emphasis on tackling persistent non-compliance with swift action on serious non-compliance</p> <p>Have consistent, risk-based application of controls throughout the food chain and an increased focus on their outcomes</p> | | |
| <p>Carry out a review to look at current training provision, other training available for businesses and training providers</p> | <p>Deliver Appropriate Food Hygiene training courses to enable Food Businesses met their legal obligations and raise Food Hygiene awareness and standards in Food Businesses</p> | <p>Achieved – review carried out. No FH Level 2 courses planned due to lack of demand and lower cost on line training available. Training provided to 100+ businesses on the FIR 2014 (allergens) Training advice and signposting to other providers carried out at all FH interventions</p> | |
| <p>Maintenance of the National Food Hygiene Rating Scheme</p> | <p>Encourage Businesses to display ratings. Work with Businesses to assist them in improving their Hygiene score by consistent advice regarding their legal responsibilities with food safety</p> <p>Ensure all appeals are resolved and that any request for revisits and rescored carried out</p> <p>Acknowledgement of consistently high performing local businesses.</p> | <p>Achieved – FSA visibility project carried out to encourage higher performing businesses to display their rating.</p> | |
| <p>Identify (where appropriate) further primary authority relationships with key local businesses</p> <p>Develop objectives and maintain partnerships with existing Primary Authority Relationships</p> | <p>Following BRDO guidance establish Primary Authority partnerships with businesses to provide relevant advice, consistency of enforcement and assist them in economic growth and prosperity</p> <p>Provide relevant advice and inspection plans where appropriate and requested</p> | <p>Achieved – 5 partnerships working well. Promotion of Primary Authority through website and business newsletter</p> | |
| <p>Continue to carry out Interventions with Butchers and similar premises dealing with raw</p> | <p>Following recommendations within the guidance, increase awareness with these types of premises on</p> | <p>Achieved</p> | |

| | | | |
|--|---|--|--|
| and ready to eat foods in line with the recommendations of the recent guidance issued by the Food Standards Agency with regard to E Coli 0157 | the risks of E Coli 0157 and advise accordingly at interventions. Information provided on the website. | | |
| Working in partnership with Newark and Sherwood District Council undertake identification and assessment of premises for approval under EC food hygiene regulations. (Egg producers, packers, wholesalers to be targeted in 11/12) | Identification of premises and approval of, if necessary. | Achieved – participated in audit by FVO at one egg packer | |
| Work in Partnership with RBC Health Development to promote the CIEH Healthy Takeaways project | Improve the health of the food on offer in the Borough. Encourage Businesses to improve the healthiness of the food they offer while helping the business itself to save money and promote business growth. Contribute to the PHE Action plan for Environmental Health role in tackling obesity in the Borough. | Achieved Pilot carried out in RBC of Nottinghamshire Healthy Options Takeaway project - 2 premises achieved merit. Work to continue to promote to at least 12 businesses in 2015/2016 | |
| Work with Food Businesses in the Borough to promote the Food Information Regulations 2014 | Educate businesses on the main changes brought in by the legislation – ensure compliance. Increase awareness on allergens to Businesses and residents in the Borough | Achieved 3 training courses for 100+ businesses Website updated and information sent to all food businesses Information relayed through social media | |

7.0 The Health and Safety Service

7.1 Scope of the Health and Safety Service

The health and safety service comprises a range of key functions:

- Health and safety inspections or other intervention strategies in local authority enforced premises
- Investigating accidents, cases of occupational disease and dangerous occurrences
- Responding to complaints about workplace conditions
- Dealing with other statutory notifications, for example adverse lift reports and asbestos removal
- Health and safety awareness training and initiatives
- Provision of health and safety information and advice through the development of the website.
- Partnership working with the Health & Safety Executive and other Nottinghamshire Local Authorities on key intervention projects.

Proactive aspects of the health and safety service, for example the inspection programme, are delivered jointly with other proactive services such as food hygiene inspections. The reactive aspects of the service, for example accident investigations, are responded to along with other complaints and requests for service.

The health and safety service is delivered by suitably trained and experienced officers, in accordance with the Rushcliffe BC competency and development scheme. This scheme has been designed to meet the requirements of Health and Safety Executive and Local Authority Enforcement Liaison Committee (HELA) Section 18 guidance.

7.2 Demands on the Health and Safety Service

On 1st April 2015, the Borough had approx. 1100 relevant workplaces on the database such as retail shops, offices, catering establishments, consumer services etc. The service is also responsible for health and safety enforcement at major sports grounds for example Nottingham Forest Football Club, Nottinghamshire County Cricket Club and the National Watersports centre.

8.0 Health and safety service delivery

8.1 Health and Safety Interventions

The Löfstedt report in 2013 recommended “that legislation was changed to give HSE the authority to direct all local authority health and safety inspection and enforcement activity, in order to ensure that it is consistent and targeted towards the most risk workplaces.” The Government response to Löfstedt committed HSE to develop a binding and enforceable National Code as a means of ensuring that LA health and safety inspection and enforcement activity is consistent, proportionate and targeted at the most risky premises. The Government response also highlighted the importance of local inspectors using local knowledge and experience to engage with local businesses. The National code was made in line with the provisions of Section 18 of the Health and safety at work etc Act 1974, which places a duty on every LA to make adequate arrangements for enforcement in accordance with guidance issued.

With the change in national emphasis the service concentrates interventions on those high risk premises and activities that will be highlighted by the code. In 2014/15 – no National code work was undertaken by the Service due to other health and safety commitments with accident investigations. In 2015/16 work plan projects are planned to progress National code work.

When Officers visit food businesses they may simultaneously carry out a health and safety intervention if they feel it is appropriate (in line with Lord Young recommendations)

Additional interventions will also arise during the year by virtue of complaints, new business start-ups, change of use, major alterations/refurbishment's and requests for advice. Officers will carry out these interventions appropriately in accordance with the requirements of the National code.

Smoke free compliance for businesses will be incorporated into the work programme undertaken by the service, in addition to responding to complaints of smoking in public places and to planning applications relating to smoking shelters.

The approach is therefore about focussing health and safety enforcement resources into areas where they are likely to have the greatest impact rather than completing all-encompassing inspections. This will fall in line with the principals proposed by the Better Regulation Delivery Office and the Regulators Code.

As part of our Licensing regime for Massage and Special treatment, horse riding, laser treatments, sunbeds, and registration of tatoois and skin piercers, the service acts as a consultee to check health and safety arrangements and compliance and adherence to relevant conditions prior to issue of the license. In 2014/15 25 licensing inspections were undertaken.

Due to a change in Licensing legislation, Protection and Safety is now a statutory consultee for Temporary Events notices and are consulted on Food and Health and Safety matters at these events. In 2014/15 we dealt with 258 consultations.

8.2 Health and safety complaints

The protection and safety team responds to all complaints and requests for service made to the Council in accordance with their priority. Action to be taken following all statutory notifications and incident investigation criteria complies with the requirements of current Section 18 guidance.

Health and safety matters, which are not the responsibility of the Council, are referred to the Health and Safety Executive or the relevant local authority, as appropriate.

During 2014/15 the service dealt with 77 complaints and requests for service.

8.3 Advice to Businesses

The service recognises the importance of providing advice to businesses as part of effective health and safety enforcement. As well as the provision of specific advice during inspections and with post inspection correspondence, a wide range of general

health, safety and welfare advice is distributed to businesses and available on the website.

As part of the Better Business regulation project a Health and safety advice pilot has been running across the D2N2 region to provide a free, “without prejudice” advisory service for all businesses to access. The team have signposted businesses to this initiative through interventions and correspondence.

8.4 Enforcement

As detailed in the Protection and safety enforcement policy, and service standards for the Regulators code, the authority takes a proportionate view to enforcement action. Clearly depending on the situation and the perceived level of risk the need to take formal action may be required.

In addition, where appropriate, the HSE Enforcement Management Model is used to assist the enforcement decision-making process. This is a documented procedure, which helps to ensure consistency in enforcement decisions.

During 2014/15 1 Improvement notice was served

8.5 Accident Investigation

The service has a formal policy and procedure covering the type of accident, industrial disease notification or related service request, which the authority will investigate.

Since April 2010 we have had regard to the revised LAC 22/13 when investigating RIDDOR notifications. It provides a common proportionate, transparent and targeted approach for the selection and investigation of accidents and incidents. The procedure aims to provide consistency across local authorities and does not aim to increase the number of investigations local authorities conduct but to reflect their local circumstances.

During 2014/15 61 accidents/disease reports under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) were notified to the service and investigated.

8.6 Liaison with other organisations

Liaison with other organisations is essential in order to achieve consistency and effectiveness of the health and safety service. The service is represented on the Nottinghamshire Health and Safety Working Group, which meets bi-monthly. This group includes a representative from the Health and Safety Executive (HSE) and maintains links with other local authority health and safety enforcement officers.

An important feature of the Group’s work is the benchmarking of procedures as well as financial and statistical details and the sharing of good practice and work on joint initiatives which has given strength to occupational safety issues throughout Nottinghamshire.

The service is also a member of the Local Safety Advisory Group, which is responsible for monitoring the standards of public safety at Nottingham Forest Football Club and Nottinghamshire County Cricket Club.

The service works closely with PHE with issues such as legionella.

8.7 Health and safety promotion

The service is a registered training centre for the CIEH level 2 health and safety certificate - due to lack of interest no health and safety training courses were run during 2014/15 (businesses are signposted to other training providers at present). Short advisory or training sessions can be delivered on request to community groups or businesses.

8.8 Staffing Allocation

The table below shows the current full time equivalent of staff working on Health and safety enforcement.

EHRB officers are Environmental Health Officers who are registered with the Environmental Health Officers Registration Board, (EHRB), after attaining the approved qualifications in Environmental Health.

Non-EHRB staff are other officers, who may be involved in the service, such as Technical Officers.

Staff resources dedicated to health and safety (based on staff time recorded 2014/15)

| | EHRB | Non EHRB | Other |
|-------------------------------|------------|------------|-------------|
| Protection and safety manager | 0.1 | | |
| Team Leader | 0.3 | | |
| EHO | 0.9 | | |
| Technical Officer | | 0.2 | |
| Admin Staff | | | 0.10 |
| Total | 1.3 | 0.2 | 0.10 |

9.0 Resources

The level of financial support for the health and safety service is outlined in table 5 below.

Table 5: Overall expenditure on Health and safety 2013-16

| Year | 2013/14 | 2014/15 | 2015/16 |
|-------------|-------------|-------------|---------|
| Budget (1) | 80200 | 66200 | 64500 |
| Income | 0 | 0 | 0 |
| Total Spend | 91108.84(2) | 67063.26(2) | |

(1) Salaries, training, support services

(2) Higher spend due to staffing and support costs

The main cost to the service is from staff time allocation. Generally it should be noted that the amount of time allocated to health and safety will vary year to year, depending on meeting the requirements of the National Code and to meet our performance targets.

10.0 Quality assessment

The Protection and Safety Team Leader and Protection & Safety Manager monitor the quality and consistency of health and safety enforcement work through the checking of inspection correspondence and all statutory notices.

Every business inspected receives a post-inspection questionnaire requesting comments on the manner in which it was carried out, the quality of the feedback on site and on the inspection report received. The Protection and Safety Manager or Team Leader will then follow up any negative comments or suggested improvements.

This forms part of the performance indicator for Customer satisfaction of all Protection and Safety Services and is reported on in each year in the Performance Clinic.

A documented quality management procedure is in place which specifies additional day to day monitoring arrangements which take place for example checking of inspection letters and notices and consistency visits with Officers undertaken by the Team Leader.

Complaints against the service are monitored on a Service and Corporate basis.

External verification of quality is actively pursued with a commitment to promote consistency of enforcement through auditing and benchmarking.

Each year the Nottinghamshire Health and Safety Group, under the direction of Nottinghamshire Regulatory Managers Group, carries out a benchmarking exercise with regard to health and safety services. The data collected includes information on performance, resources, enforcement action, response times, costs and the scope of

the services offered by local authorities. It is hoped that this will provide a basis to demonstrate future continuous improvement.

11.0 Review Process

11.1 Review against the service plan

Health and safety performance measures are reported on a quarterly basis as part of the Council's performance management framework. In addition the performance of the service as a whole is subject to scrutiny by the Corporate 'Performance Clinics' and by Members through the Performance Management Board. This Service Plan will be reviewed annually and amended according to the changing needs and demands placed upon the service. The plan will also include information on the previous year's performance.

From an operational perspective the Protection & Safety Manager and Team Leader review the key performance measures and service improvements contained in the plan formally on a quarterly basis.

Annually the service has to complete the LAE1 and Prosecutions return to provide data to the HSE on performance.

11.2 Identification of achievements and any variation from the service plan

| Action | Planned Outcome /Output | Achieved or reason why not | New target date |
|---|---|---|-----------------|
| Carry out an analysis of all premises in the Borough to receive enforcement interventions for Health and safety with regard to Annex A in the National code | Update database on Uniform – identify premises | Achieved | |
| Identify and develop (where appropriate) further primary authority relationships with key local businesses | Following LBRO guidance establish Primary Authority partnerships with businesses to provide relevant advice, consistency of enforcement and assist them in economic growth and prosperity | 1 partnership working well. Promotion of Primary Authority through website and business newsletter | |

| | | | |
|--|---|---|--|
| Work in partnership with Blue Cloud Training and Consultancy to develop a training plan to suit Business needs | Deliver Appropriate Health and safety training courses to enable Businesses met their legal obligations and raise Health and safety awareness and standards in Businesses | Achieved – review carried out. No Level 2 courses planned due to lack of demand and lower cost on line training available. Training advice and signposting to other providers carried out at all interventions | |
| Continue to assess the implications of the HELA section 18 Guidance for enforcement activities | Section 18 policy to be reviewed throughout the year and action plan reviewed if any changes | Achieved | |
| Maintain the inspection regime for health and safety visits to licensed establishments within the borough for example massage and special treatments | Visits undertaken particularly with regard to guidance for sunbeds and enforcement of laser treatment premises. Improve awareness of H&S. | Achieved | |

12.0 Workplans for 2015/16

12.1 Food Safety

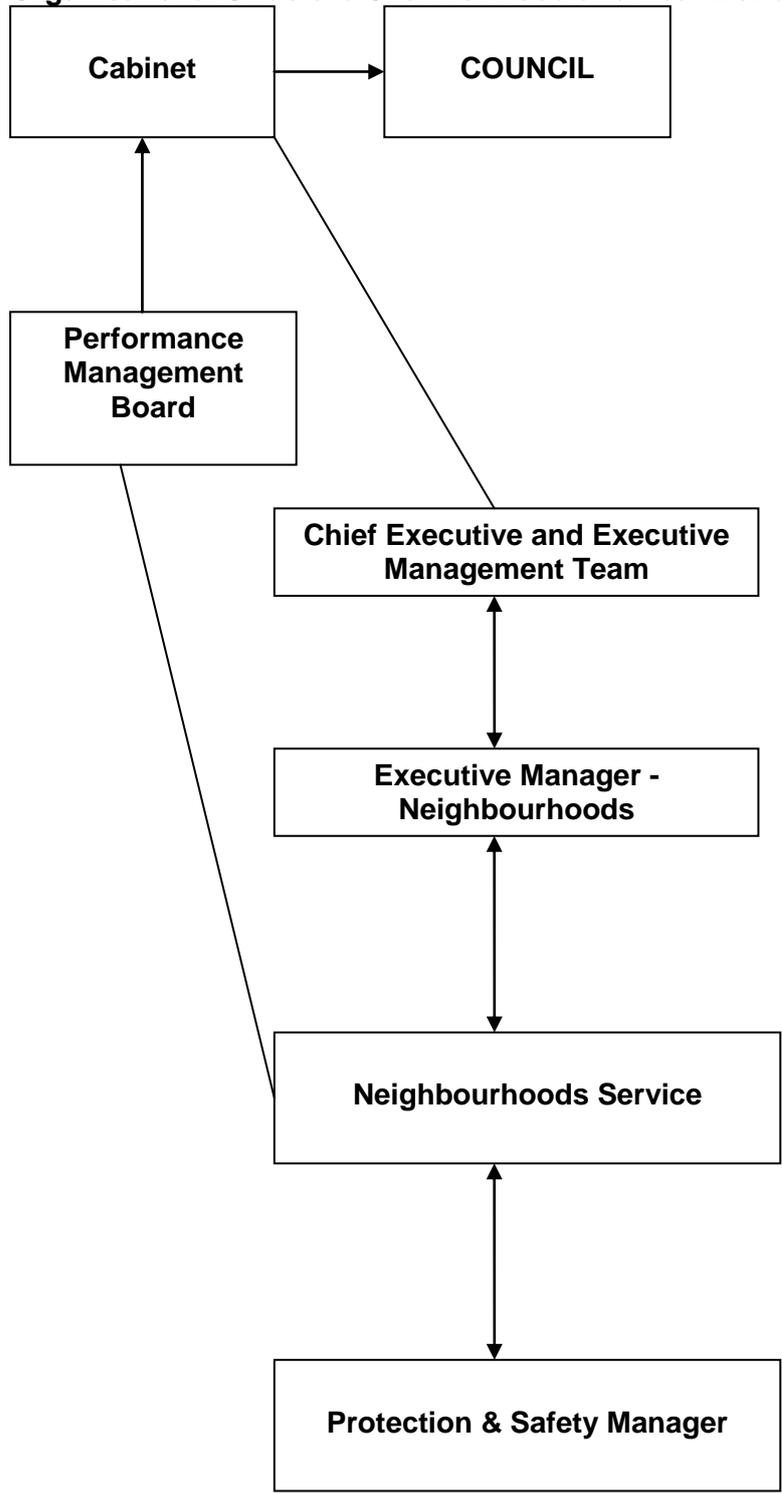
| Service Improvement | Planned Outcome/Output | Link to FSA framework agreement | Target Date |
|--|---|---|-------------|
| Continue to work in partnership with the Food Standards Agency to implement the 2015-2020 Strategy | Target interventions with regard to risk Give recognition to businesses who consistently comply Encourage display of FH ratings Tackle persistent non-compliance with swift action | All Sections of FSA code of practice and guidance and Framework Agreement | March 2016 |
| Introduce the requirements of the revised Food Law code of Practice 2015 | Implement revised arrangements for food establishment registration and inspection Incorporate the revised competency and qualification requirements for authorised food officers into existing competency framework Revise authorisation cards accordingly. | All Sections of FSA code of practice and guidance and Framework Agreement | March 2016 |
| Maintenance of the National Food Hygiene Rating Scheme | Encourage Businesses to display ratings. Work with Businesses to assist them in improving their Hygiene score by consistent advice regarding their legal responsibilities with food safety Action appeals and rescore requests timely | <ul style="list-style-type: none"> • Food Safety Promotion • Advice to business | March 2016 |
| Develop objectives and maintain partnerships with existing Primary Authority Relationships | Provide relevant advice and inspection plans where appropriate and requested | <ul style="list-style-type: none"> • Food Safety Promotion • Advice to business | March 2016 |

| | | | |
|--|---|---|------------|
| Continue to promote the E Coli 0157 guidance during interventions with high risk food businesses | Following recommendations within the guidance, increase awareness with these types of premises on the risks of E Coli 0157 and advise accordingly at interventions. Information provided on the website. | <ul style="list-style-type: none"> • Monitoring of inspections • Organisation & Management • Advice to business • Records and Inspection Reports • Food Safety Promotion | March 2016 |
| Work in Partnership with RBC Health Development to promote the CIEH Healthy Takeaways project | Improve the health of the food on offer in the Borough. Encourage Businesses to improve the healthiness of the food they offer while helping the business itself to save money and promote business growth. Contribute to the NCC PH Action plan for Environmental Health role in tackling obesity in the Borough. Award merit to at least 12 food businesses | <ul style="list-style-type: none"> • Food Safety Promotion | March 2016 |
| Incorporate the requirements of the UKFSS into the food sampling regime. Apply for grant funding from the FSA to enable set up on IDOX database. | Access to shared sampling data trends and UK-wide sampling data. Ability to link to the LAEMS return. Electronic transfer of sample information to the laboratory | <ul style="list-style-type: none"> • Records and Inspection Reports | March 2016 |
| Continue to provide information and advice during interventions regarding the Food Information Regulations 2013 | Compliance in all relevant food businesses | <ul style="list-style-type: none"> • Food Safety Promotion • Advice to business | March 2016 |

12.2 Health and Safety

| ACTION | PLANNED OUTCOME/OUTPUT | BY (DATE) | LINK TO HELA SECTION 18 GUIDANCE |
|--|---|------------|----------------------------------|
| Develop an action plan to comply with requirements of Annex A in the Health and Safety National code | Carry out appropriate interventions in relevant premises and participate in local projects Carry out coffee machine project to advise relevant businesses on maintaining equipment Identify relevant premises to target to advise on safety of emptying and cleaning deep fat fryers. | March 2016 | -Prioritised Planning (GN2) |
| Continue to assess the implications of the HELA section 18 Guidance for enforcement activities | Section 18 policy to be reviewed throughout the year and action plan reviewed if any changes | March 2016 | All sections |
| Maintain the inspection regime for health and safety visits to licensed establishments within the borough for example massage and special treatments | Visits undertaken particularly with regard to guidance for sunbeds and enforcement of laser treatment premises. Improve awareness of H&S. | March 2016 | -Prioritised Planning (GN2) |

Organisational Structure Chart for Food and Health and Safety Service



Environmental Health Structure June 2015

