

Policy Committee

10 July 2023



Reading
Borough Council
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Title	Food Service Plan 2023-24
Purpose of the report	To make a decision
Report status	Public report
Report author	Katie Heath, Principal Environmental Health Officer, Food & Safety
Lead Councillor	Cllr Ruth McEwan – Education & Public Health
Corporate priority	Healthy Environment
Recommendations	1. That the Committee approve the content of the draft statutory Food Service Plan for 2023-2024

1. Executive Summary

- 1.1. This report sets out the updated Food Service Plan for the period 2023-2024. The Food Service Plan is a statutory requirement for all Local Authorities who undertake official food controls and is detailed within the Food Law Code of Practice set by the Food Standards Agency (FSA). The Food Service Plan outlines the Local Authorities commitment to development of the food service
- 1.2. The FSA set a standard template for the Food Service Plan which must be drawn up in accordance with the FSA Framework Agreement on Official Feed and Food Controls by Local Authorities. The Food Service Plan must include qualitative and quantitative performance reviews of delivery against previous plans and outline how national priorities and standards will be addressed and delivered locally. The Food Service Plan serves to assist Local Authorities in aligning with the principles of good regulation, focus on key delivery issues, provide an essential link with corporate and financial planning, set objectives, manage performance and provide information on service delivery to key stakeholders.
- 1.3. The Local Authority must put in place arrangements for the regular review and update of the Food Service Plan. We find it useful to complete this on an annual basis after the close of year figures have become available (End of April).
- 1.4. It is recommended that the Food Service Plan must be submitted for approval by Members in addition to Senior Officers.
- 1.5. This Food Service Plan outlines the Food Services key achievements for 2022-23 and outlines service objectives and work plans for 2023-24.
- 1.6. There remains a backlog of inspections, particularly Food Hygiene inspections, following Covid-19. At present there is a deficit of resources in order to meet the requirements of the Food Law Code of Practice, clear the backlog of inspections and maintain the required number of inspections and complete other work identified within the Food Service Plan, including statutory requirements that fall to the Food & Safety Team. There is additional work that falls within the remit of the Food Service which is priority and falls outside the scope of the Food Service Plan. Further details on this area is detailed within the Food Service Plan, including full details on the total number of inspections that are due/overdue. We need to constantly prioritise and reprioritise the

work assigned to the Food Service in order to deal with high-risk matters arising and ultimately, we are accountable to the Food Standards Agency (FSA).

2. Policy Context

- 2.1. The FSA is an independent Government department responsible for protecting public health and consumers' wider interests in food. Part of their role is to ensure that local authorities comply with the 'Framework Agreement on Official Feed and Food Controls by Local Authorities'. This agreement details:
- That publicly available local service plans to increase transparency of local enforcement services should be published (i.e. the Food Service Plan).
 - agreed food law enforcement standards for local authorities
 - enhanced monitoring data with greater focus on inspection outcomes and which provides more detailed information on local authority performance
 - an audit scheme aimed at securing improvements and sharing good practice.
- 2.2. The Framework agreement recognises that all Food officers should be correctly authorised and a documented procedure must be in place for the authorisation of officers based on qualifications, competence and in accordance with the Food Safety Act Code of Practice and centrally issued guidance.
- 2.3. Food Officers carry out inspections of food premises, undertake food sampling, investigate complaints about food premises including infectious diseases or food poisoning cases. Environmental Health Officers consider the hygiene of food premises (including operating the Food Hygiene rating Scheme) and ensure that food is microbiologically fit and safe for consumption while Trading Standards and Environmental Health Officers consider food standards. Food Standards includes ensuring food is described accurately and not in a misleading manner as well as ensuring food is not chemically contaminated.

3. The Proposal

3.1. Current Position:

- 3.1.1. As part of the Framework Agreement, the Council submits monitoring data to the Food Standards Agency, this is carried out quarterly with more detailed monitoring provided at the end of the year. Monitoring data is used to form the basis of the Food Service Plan and review of the previous year's performance. It also informs the forthcoming targets and Key Performance Indicators (KPI).
- 3.1.2. The Food Service Plan 2023/24 outlines that within the Borough there are currently 1616 premises producing, retailing or serving food. Over the past 10 years there has been an 480% increase in the number of new food premises registering with the Council. 2022/23 saw a 6% increase on new business registrations from the previous year. As a result, the need to inspect new premises in addition to the existing planned inspections has increased significantly.
- 3.1.3. Throughout 2022-23 the Food Service focussed its resources on carrying out priority work in line with the FSA's Recovery Plan and internal key performance indicators:

Objective	Priority/Source	Target (%)	Set	Achieved (%)	Met/Not Met
Inspection of Food Hygiene Premises risk rated A (due/overdue)	FSA Recovery Plan Corporate KPI	100		100	Met

Inspection of Food Hygiene Premises risk rated B (due/overdue)	FSA Recovery Plan Corporate KPI	100	100	Met
Inspection of Non-Broadly Compliant Food Hygiene Premises risk rated C (overdue)	FSA Recovery Plan	100	100	Met
Inspection of Non-Broadly Compliant Food Hygiene Premises risk rated D (overdue)	FSA Recovery Plan	100	100	Met
Inspection of Food Standards Premises risk rated A (due/overdue)	FSA Recovery Plan Corporate KPI	100	100	Met
Unrated (newly registered) Food Hygiene Premises	Corporate KPI	75	76	Met
Inspection of high risk unrated (newly registered) Food Hygiene premises	FSA Recovery Plan	100	Unable to report. Number outstanding - 33	Not Met
Prioritisation (high/low) of all unrated (newly registered) Food Hygiene Premises	FSA Recovery Plan	100	100	Met
Inspection of Food Hygiene Premises risk rated C	FSA Recovery Plan	100	56	Not Met
Prioritisation of all unrated (newly registered) Food Standards Premises	FSA Recovery Plan	100	0	Not Met
Proactive and reactive sampling for	FSA Recovery Plan	N/A	N/A	Met

food hygiene and food standards				
Reactive enforcement in cases of non-compliance	FSA Recovery Plan	N/A	N/A	Met
Reactive Management of food incidents and food hazards reported to the borough	FSA Recovery Plan	N/A	N/A	Met
Investigation and management of food hygiene and food standards complaints	FSA Recovery Plan	N/A	N/A	Met

Key –

Risk Rating A – These are the premises presenting the highest risk to consumers either from the methods of processing, distribution reach and clientele served, poor levels of compliance or a combination of the above. Food Hygiene premises risk rated A require an intervention/inspection every 6 months. For Food Standards this is every 12 months.

Risk Rating B – the risk rating is again determined through scores awarded under the categories of processing methods, distribution, clientele served and level of compliance. For food hygiene those premises rated B require an intervention/inspection every 12 months.

Risk Rating C – for Food Hygiene these premises require an inspection every 18 months.

Non-Broadly compliant means premises that receive individual scores higher than 10 in any of the three categories of food hygiene compliance, structural compliance, and confidence in management. Premises that are not broadly compliant are provided a Food Hygiene rating score of 0, 1 or 2.

N.B. The risk rating categories are set nationally by the FSA in the Food Law Code of Practice.

- 3.1.4. Please see paras 6.4.2 and 6.4.3 of the Food Service Plan for further details on inspections completed in 2022-23.
- 3.1.5. From the total number of inspections due and overdue in 2022-23 the Food Service achieved 31% of the total number of Food Hygiene Inspections due and 31% of the total Food Standards Inspections due, both excluding new registrations.
- 3.1.6. An increase in the number of non-compliant premises was anticipated. Of those inspections conducted in 2022/23 the number of premises that were found to be non-compliant was 16% for Food Hygiene Premises, a 330% increase in non-compliance overall and 32% for Food Standards Premises. These are both a substantial increase on our general levels of non-compliance (see para 3.1.7 below) and are significant because non-compliant premises require a substantial amount of follow-up intervention and work in order to bring about compliance.
- 3.1.7. The total level of non-compliance across the borough portfolio of 1616 premises is 4% non-compliant for food hygiene and 11% non-compliant for Food Standards. This is an increase of 1% overall for food hygiene and a decrease of 1% overall for Food Standards.

3.1.7.1. Non-compliance for Food Hygiene is categorised as premises that score less than 3 (Generally Satisfactory) against the scoring criteria of Food Hygiene practices, structure and Confidence in Management.

3.1.7.2. Non-compliance for Food Standards is determined as premises that score general failure in current compliance and have little or no basic or technical knowledge of food law.

3.1.8. The current breakdown of food hygiene ratings of food premises (falling within the rating scheme) in the borough is:

Food Hygiene Rating	Descriptor	Number of Premises
5	Very Good	1060
4	Good	266
3	Generally Satisfactory	147
2	Improvement Necessary	33
1	Major Improvement Necessary	25
0	Urgent Improvement Necessary	3

3.2. Options Proposed

3.2.1. The FSA withdrew the Recovery Plan on 31st March 2023 and is encouraging full application of the Food Law Code of Practice for Local Authorities. The Food Service continues to prioritise their resources into higher risk areas of work and will maintain a focus on inspection of A, B and Unrated food hygiene premises and A and unrated Food Standards premises, however this does mean that it will be unable to meet the full requirements of the Code of Practice. The implications of this are:

3.2.1.1. A number of lower risk rated premises (C, D and E) for food hygiene, including some which remain overdue due to service disruption in Covid, will remain uninspected.

3.2.1.2. A number of unrated premises which are categorised as low risk for food hygiene will not be inspected.

3.2.1.3. Lower risk rated premises (B and C) for Food Standards, including a large number of premises overdue an inspection, will remain uninspected

3.2.1.4. Complaints and reactive requests of the service will continue to be triaged resulting in low priority requests not being fully investigated.

3.2.1.5. Escalated enforcement action will be targeted to the most non-compliant premises.

3.2.1.6. We are conscious that the rating of premises shifts over time and that those which have not been inspected for a substantial period may pose a higher risk than implied by their current risk rating.

3.2.2. The Food Service Plan identifies that there remains a deficit of resources to undertake all work allocated to the Food Service. The ongoing workforce review has prevented permanent recruitment to the Team in 2022-23 however contractors were put in place on a temporary basis. In 2023/24 the Food Service will be going out to advert for existing qualified officer posts and will seek to fill the existing Apprentice post that we have been previously unable to fill. There is a profession wide issue with hiring suitably qualified and competent environmental health staff so locally we are reviewing available options including consideration of national initiatives. The full remit of the Food Services work is outlined in Appendix 5 of the Food Service Plan and identifies that with all posts filled there remains a deficit of resources to complete all required work. Due to unfilled

posts the Food Service currently has a salary underspend and contractors will be appointed to assist in the delivery of priority work within the Food Service Plan. Theoretically the short-term resource required to clear the backlog would equate to 18 months FTE for Food Hygiene and 15 months FTE for Food Standards.

- 3.2.3. There are national shortages of qualified officers across a number of professions including Environmental Health. The Food Law Code of Practice requires specified qualification and competency benchmarks to be met in order to undertake areas of work, including interventions of A to D risk rated premises. This presents an ongoing challenging to recruitment and the Food Service has previously struggled to employ experienced and qualified officers.
- 3.2.4. In line with corporate and service priorities the Food Service is supporting and participating in the development and implementation of ARCUS MIS, the back-office system which will help deliver the service. Once delivered, it is anticipated that the system will better support mobile working which in itself will increase the efficiency of the service.
- 3.2.5. The Food Service will continue to prioritise the following key pieces of work which align with the Councils corporate objectives:
 - Carry out a planned inspection programme focussed on high-risk activities which keep consumers safe, whilst supporting the business to improve.
 - Continue to operate a food hygiene and standards sampling programme to support interventions carried out within Reading's premises and ensure that the food sold is safe to eat and not misleading to the consumer whilst supporting wider national programmes to achieve this across England.
 - Continue to advertise our paid advice service for food hygiene and standards within our local community and Reading based businesses.
 - Improving digital access to our Food Service through our webpages and enabling interaction through social media platforms.
 - Undertaking a review of officer authorisations in line with a larger corporate piece on delegations and enforcement to ensure that all officers are appropriately and correctly authorised to carry out their remit of work.
 - Ensuring that all officers are appropriately qualified, trained which documented competency in line with Food Law Code of Practice.
 - Ensuring that the service works to correct and updated standard operating procedures to ensure consistency and to work within the parameters of the Food Law Code of Practice and Practice Guidance.

3.3. Other Options Considered

- 3.3.1. The Food Service is conducting a benchmarking project against regional Local Authorities to ascertain the levels required across the service to deliver the full requirements of the Food Service Plan and to ensure that the delivery of work by its individual officers is optimised.
- 3.3.2. The Food Service has a number of other responsibilities beyond delivery of Food Hygiene and Food Standards Services, this includes but is not limited to investigation of infectious disease, health and safety accidents, sports ground safety work at our designated stadium and regulated stand and registration and inspection of Special Treatments. A number of these work streams are also high priority to ensure the safety of residents and visitors to Reading. A full breakdown of the Service's work responsibilities can be found in Appendix 5 of the Food Service Plan.
- 3.3.3. The Service is risk assessing incoming and existing work in order to focus resources on priority matters.
- 3.3.4. The Service is planning to undertake a project actively targeting our non-broadly compliant premises and improving the food hygiene ratings in Reading. This project will include an educational visit, spot check and food hygiene re-rating inspection.

4. Contribution to Strategic Aims

4.1. The Food Service Plan 2023-24 supports the Council's Vision 'To help Reading realise its potential – and to ensure that everyone who lives and works here can share the benefits of its successes at its core. The Service Plan supports and aligns with the following corporate objectives and the Food & Safety Team Plan has prioritised work activities around these objectives:

Healthy Environment	Undertaking food hygiene and standards inspections, revisits to non-compliant premises and enforcement action where necessary. Investigation of food safety, labelling and composition complaints Investigation of allegations of food borne illness and outbreak management. Management of the Food Hygiene Rating Scheme and encouraging higher food hygiene ratings through the re-rating process. Providing advice to existing and potential food businesses Encouraging the adoption of good hygiene practices at all stages of the food chain
Thriving Community	Encouraging the adoption of good hygiene and safety practices at all stages of the food production chain Contributing to statutory consultation on new and existing food businesses Management of the Food Hygiene Rating Scheme and encouraging higher food hygiene ratings through the re-rating process. Providing advice to existing and potential food businesses. Supporting food hygiene and safety at Reading Festival and other local events.
Inclusive Economy	Providing advice to existing and potential food businesses. Providing a paid advice service for complex and bespoke business needs. Responding to complaints and service requests within our statutory response times. Developing our social media and web presence to ensure our services are accessible to all.

4.2. These themes are underpinned by “Our Foundations” explaining the ways we work at the Council:

- People first
- Digital transformation
- Building self-reliance
- Getting the best value
- Collaborating with others

4.3 Full details of the Council's Corporate Plan and the projects which will deliver these priorities are published on the [Council's website](#). These priorities and the Corporate Plan demonstrate how the Council meets its legal obligation to be efficient, effective and economical.

5. Environmental and Climate Implications

5.1. The environmental or climate implications arising from the Food Service Plan 2023-24 or its implementation is 'Net Nil'. Consideration has been given to the potential implications that could arise from this plan and there are no additional points outside of general Council working practice that apply.

5.2. The most significant activity from the plan is inspection activity. The Food Service have access to pooled bus passes and a large number of premises are based within Reading Town Centre where inspections can be carried out by foot. In general, use of public transport and travel by foot or bicycle is encouraged over the use of personal or pool vehicles. Interventions are recorded on paper which requires a copy to be left at the premises at the time of the intervention. The Food Service Plan supports the wider request for mobile working solutions which will reduce the Council's carbon footprint.

6. Community Engagement

6.1. There is no requirement to consult the community on the Food Service Plan.

7. Equality Implications

7.1. Not required. Agreement to and implementation of the Food Service Plan 2023-24 does not have a differential impact on; racial groups; gender; people with disabilities; people of a particular sexual orientation; people due to their age; people due to their religious belief.

8. Other Relevant Considerations

8.1. The work of the Food Service contributes to positive public health outcomes by ensuring that food businesses operating in the borough are required to comply with relevant food law and are safe places for residents and visitors to dine. The Service investigates incidents of infectious disease, complaints and food incidents to ensure that businesses are legally compliant and do not pose a risk to consumers. Where businesses are found to be non-compliant a staged enforcement approach is undertaken to reach compliance. The Service also undertakes health and safety investigation work to reduce the risk to employees and visitors health, safety in welfare, within business.

8.2. The Food Service Plan 2023-24 has due regard for the relevant legal provisions, Food Law Code of Practice and other statutory guidance. The Food Service Plan comments upon regulatory changes that are arising from the European Union (Withdrawal Agreement) Act. Work streams commented on within the Food Service Plan are prioritised in accordance with public health implications.

9. Legal Implications

9.1. The Food Service plan is written in accordance with the nationally agreed Framework Agreement with the FSA. No delegation is required to implement the recommendations of this report or the Food Service Plan. The plan sets out how the authority will meet its statutory obligations.

10. Financial Implications

10.1. The Food Service Plan sets out the service budget and resources required to deliver the Council's statutory services.

10.2. The revenue implications arising from running the service are set out below:

	2022/23 £000	2023/24 £000	2024/25 £000
Employee costs (see note1)	533	528	536
Other running costs	39	42	42
Capital financings costs			
Expenditure	572	570	578
Income from:			
Fees and charges (see note2)	-24	-24	-24
Grant funding (specify)			
Other income	-2	-2	-2

Total Income	-26	-26	-26
Net Cost(+)/saving (-)	546	544	552

- 10.3. There are no capital implications arising from implementation of the Food Service Plan or operation of the Food Service.
- 10.4. The current resource allocation does not permit full delivery of the requirements of the Food Law Code of Practice and other work allocated to the Food & Safety Team. The Team is therefore focussed on delivering an effective service, focussed on risk.

Value for Money (VFM)

The Food Service Plan 2023-24 outlines statutory work required to be undertaken by the Council. The Food & Safety Team Plan, forming appendix 5 of the Plan, details additional non-statutory work which is required to deliver a fit for purpose service. As part of this, revenue generating activities including expanding our paid advice service for local businesses, have been including within priority work.

11. Timetable for Implementation

- 11.1. Not Applicable

12. Background Papers

- 12.1. There are None.

Appendices

1. Food Service Plan 2023-2024
2. Climate and Impact Assessment