



PUBLIC PROTECTION

FOOD SAFETY, FOOD STANDARDS, ANIMAL FEED AND HEALTH & SAFETY SERVICE PLAN 2023-2024

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FOREWORD

Foreword by Councillor Shiraz Khan

As cabinet member for Housing, Property and Regulatory Services at Derby City Council, one of my responsibilities is Food Safety, Food Standards, Animal Feed and Health & Safety. These are a high priority for the Council and play a vital role in supporting the pledges and priority commitments within the Council Plan. These functions are executed across two teams: Food and Safety and Trading Standards.

This year's Service Plan remains in the context of the end of Covid recovery. Although both Teams returned to their 'business as usual priorities' in July 2021, the Covid-19 pandemic had a dramatic impact on their proactive work plan priorities since March 2020. In addition, business compliance with delayed inspections has been significantly poorer and therefore requiring more resource input from the teams.

This plan, covering both Food Safety, Food Standards, Animal Feed and Health & Safety, is normally overtly pro-active with an inspection programme of businesses, whilst still being reactive to consumers enquiries, business advise request and members of the public registering complaints.

We will continue to take a pragmatic risk focused approach. The developed plan will:

- continue to support our City businesses;
- ensure monitoring and inspection of those businesses who pose the greatest risk; and
- gradually catch up on the backlog inspection programme.

Councillor Shiraz Khan
12th July 2023

GLOSSARY OF TERMS

CIEH	Chartered Institute of Environmental Health
EHO	Environmental Health Officer
FAST	Food and Safety Team
FSA	Food Standards Agency
FSEO	Food and Safety Enforcement Officer
HELA	Health & Safety Executive and Local Authority Enforcement Liaison Committee
HSE	Health & Safety Executive
TS	Trading Standards Team
TSO	Trading Standards Officer
UKHSA	UK Health Security Agency

1.0 INTRODUCTION

- 1.1 The Food and Safety Team (FAST) and Trading Standards Team (TS) within Public Protection Department are responsible for regulating Food Safety, Food Standards, Feed, Health & Safety and the investigation of certain infectious diseases.
- 1.2 Building consumer confidence where generally compliance is reduced, is an ongoing challenge and we will continue to protect the public through a range of enforcement and advice functions. In doing so we are advocating a proportionate and pragmatic approach to business compliance.
- 1.3 This plan has been prepared to accord with Food Standards Agency (FSA) and Health & Safety Executive (HSE) frameworks on the planning and delivery of our services.
- 1.4 The plan has two distinct phases; 1 - some of the initiatives are 'high risk' and must be completed quickly within this financial year, 2 - others are 'low risk' and will need a longer term to be completed, based on the resources allocated to these service areas.
- 1.5 Our main goals remain broadly the same as in previous years, with a strong emphasis on recovery to help ensure that:
 - we promote and support a risk based, goal setting regulatory regime;
 - higher risk work activities are properly managed and employers are committed to developing healthier workplaces;
 - food is hygienically prepared, safe to eat and is what it says it is; and
 - we regulate in a way that supports businesses to comply, whilst not losing sight of the integrity and assurance of safe food for consumers and safe workplaces being at the heart of what we do.

2.0 BACKGROUND

2.1 LOCAL AUTHORITY PROFILE

- 2.1.1 **Geography** – Derby is a unitary authority, with a clearly defined centre and district neighbourhoods. It has a strong identity, clear boundaries and is surrounded by attractive countryside. With Leicester and Nottingham, it forms part of the ‘three cities’ sub-region of the East Midlands. It is essentially an urban area with green areas of open land that help to maintain separate community identities and boundaries within its electoral wards.
- 2.1.2 **Population** – 2021 (Office for National Statistics), its population was 261,136. At this time, Black, Minority Ethnic (BME) groups accounted for 23.3% of the population. The main ethnic minority population comes from India and Pakistan, with asylum seekers from Eastern Europe being the most recent arrivals. 50,966 Derby residents (or 19.5% of the total population) were born outside the United Kingdom
- 2.1.3 **Deprivation** – Derby suffers from pockets of deprivation and subsequent concentrations of high worklessness. According to the 2019 Index of Multiple Deprivation, Derby is ranked in the higher deciles of local authorities in the country having more deprived areas. This compares similarly to other cities in the region, with areas generally becoming less deprived towards the outskirts of the City.
- 2.1.4 **Economy** – the local economy has been growing in recent years, but unemployment remains higher than the national and regional averages. House prices in Derby are generally cheaper than elsewhere in the region and the rest of the country. People who work in the City generally have higher wage levels than those who live in the City. People’s health differs across the City between male and females and different nationalities.
- 2.1.5 **Health** – the health of people in Derby is generally worse than the England average. Life expectancy for both men and women is lower than the England average. Life expectancy is 1.9 years lower for men and 1.3 years lower for women.

2.2 CORPORATE OBJECTIVES

- 2.2.1 Derby City Council's Plan 2022-2025 sets out priorities which aim to meet the needs of our citizens and communities.
- 2.2.2 The Council has committed to improving the City and the life experiences of its citizens. In partnership, the intention is to work together to improve outcomes, with the City, for the city in four key areas. These are outlined below.

GREEN CITY

For a compact city we have a lot of green spaces. In the face of climate change we will lead communities and partners to make a difference. We must work together as a city to tackle the climate change emergency, promoting more sustainable ways of living.



CITY OF GROWTH

Our city is home to some significant employers, and we have a strong history of manufacturing and innovation. We want to diversify and grow. Our ambition is to be a smart, super connected city that has the right skills, jobs and space for the future.



VIBRANT CITY

Derby is a historic city and a UNESCO world heritage site. We are putting culture at the heart of the city, reinvigorating our city centre and developing our cultural offer.



©Graham Whitmore

RESILIENT CITY

There are over 4,000 community and voluntary groups in Derby. Building on our strong sense of pride and community, we're determined to reduce inequalities and improve health and wellbeing across the city; unlocking the potential within our communities.

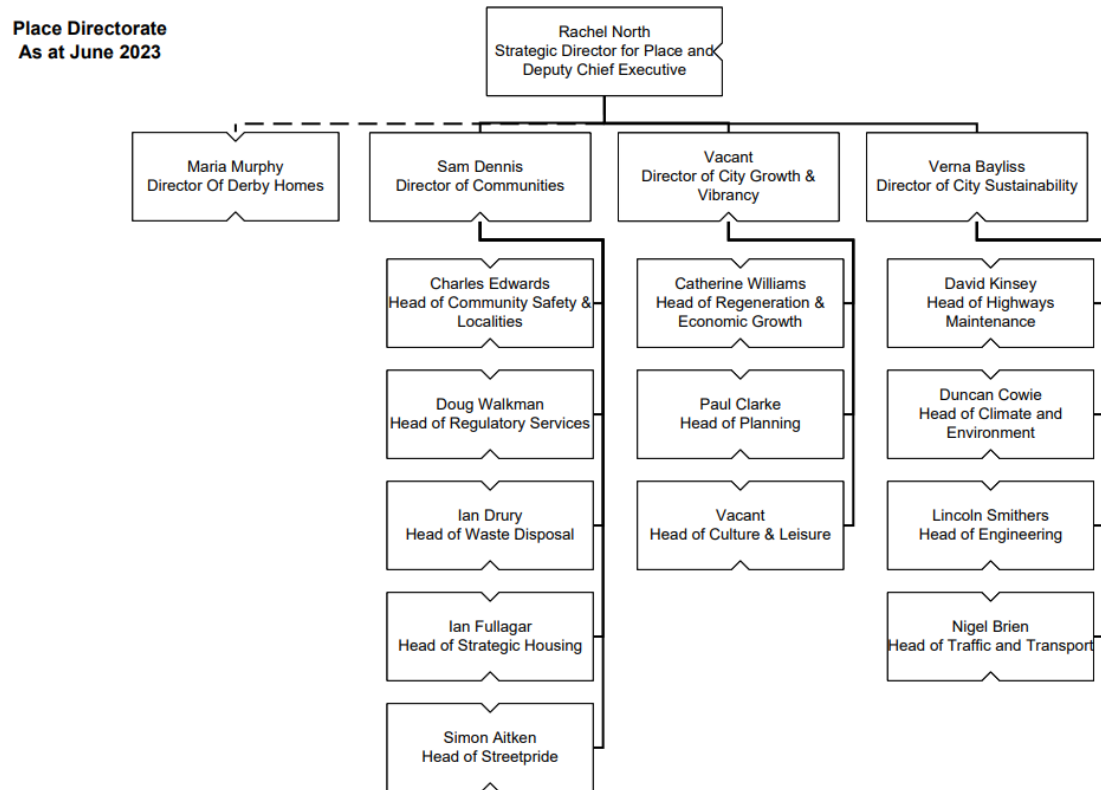


2.2.3 The table below, show how the services provided by FAST and TS, link into the Corporate Plan priorities.

<p>City of Growth</p>	<ul style="list-style-type: none"> • Checking standards of food safety in food premises to reduce the incidence of food poisonings and the impact that has on lost time from sickness. • Operate the national Food Hygiene Rating Scheme for food businesses which helps the public make informed choices about where they eat. • Undertake health and safety checks to help ensure that employees and members of the public are not injured by the work activity at the premises. • Ensuring Food Standards are maintained including allergens, labelling and composition.
<p>Vibrant City</p>	<ul style="list-style-type: none"> • Checking standards of compliance with food law including cleanliness within food premises and the production of safe food. • Taking samples of food produced in the City to ensure it is safe. • Investigation of infectious diseases. • Dealing with refuse and waste disposal issues associated with premises to prevent pests in an area and problems to neighbouring residents. • Promoting compliance via Home/Primary Authority relationships.
<p>Resilient City</p>	<ul style="list-style-type: none"> • Checking standards of hygiene in food premises to help prevent food poisoning. • Investigating cases of infectious disease or food related illness to help with control measures and prevent spread of illness in the community. • Undertaking Health & Safety checks to help ensure that employees or members of the public are not injured by the work activity at the premises. • Undertaking accident investigations if a report of an accident at work is made. • Investigating complaints of food fraud and food adulteration.

2.3 ORGANISATIONAL STRUCTURE

- 2.3.1 The Public Protection Department has a wide range of duties covering a broad spectrum, but responsibility for the regulation of Food Safety, Food Standards, Feed and Health & Safety is split between the FAST and TS Teams. These fall under the remit of the Head of Service for Trading Standards, Food Safety, Bereavement Services and Building Consultancy.
- 2.3.2 The diagram below illustrates where they sit within the main Council structure, within the Communities and Place Directorate (this is due to be updated).



2.5 PROVISION OF SERVICES

2.5.1 Use of Contractors

The Council may engage the services of outside contractors to assist in delivery of the work set out in this plan. This will be on an ad-hoc basis, as needed. Using contractors does present additional difficulties, in terms of training, quality checks and coordination of the work programme. It is recognised that an overarching council review of use of contractors is ongoing and the call upon this resource will therefore be scrutinised.

2.5.2 Provision of Additional Specialist Services

Provision is made for external specialist services as below:

Food Examiners

Food, Water and Environmental Microbiology Laboratory
Block 10 The National Agri-Food Innovation Campus
Sand Hutton
York
YO11 1LZ

Consultant in Communicable Disease Control

Consultant in Communicable Disease Control
UK Health Security Agency East Midlands
Health Protection Team
Seaton House
Nottingham
NG2 4LA

Public Analyst

The list of appointed Public Analysts and UK official food control laboratories is maintained by the Food Standards Agency and any suitable laboratory from this list can be used however we have collection agreements in place with:

Eurofins Food Testing UK
Valiant Way
Wolverhampton
WV9 5GB

2.5.3 **Accessing Services**

The Food Safety and Health & Safety services can be contacted in the following ways:

- **Email:** Foodandsafety.duty@derby.gov.uk
- **Via the council's website:** <https://www.derby.gov.uk/environment-and-planning/environmental-health/>
- **Telephone:** 01332 640779 (between the hours of 10am and 4pm, Monday to Friday).
- **In person:** (by arrangement) at the Council House, Corporation Street, Derby, DE1 2FS (between the hours 10am and 4pm, Monday to Friday).

The Trading Standards and Feed service can be contacted in the following ways:

- Citizens Advice Consumer Advice Service (Telephone 03454 040506) take first-time calls for Food Standards and feed hygiene issues.
- Business users seeking advice can contact the Team via Derby City's Contact Support Team (01332 641333).

2.6 DEALING WITH NON-COMPLIANCE AND ENFORCEMENT

2.6.1 Enforcement Policy

Has been adopted by the council in respect of enforcement activities to ensure they are proportionate, consistent, transparent and accountable.

A key priority for both Teams is to ensure enforcement decisions are consistent with our Enforcement Policy, the Regulators' Code, and any other enforcement guidance and standards issued by relevant government agencies such as the FSA, HSE and the Home Office.

2.6.2 Proportionality and Consistency

Enforcement action taken by officers will be reasonable, proportionate, risk-based and consistent with good practice and will take account of the full range of enforcement options. This includes educating business operators, giving advice, informal action, sampling, detaining and seizing food, rendering equipment safe, serving improvement notices, prohibition procedures and the instigation of prosecution etc.

Where a Primary Authority partnership exists, officers will attempt to resolve non-compliance by liaising with the Primary Authority where appropriate. Except where circumstances indicate a significant risk.

2.6.3 Statutory Returns

The service is required to make the following statutory/national returns:

- Food Safety and Food Standards service annual returns to the FSA; and
- Health & Safety service annual return to Health & Safety Executive.

3.0 SERVICE DEMANDS AND CHALLENGES

3.1 USUAL SERVICE DEMANDS AND CHALLENGES

3.1.1 The ability to maintain the programmed intervention plan (with the resources available) for Food Safety, Food Standards, Animal Feed and Health & Safety for any given year can be severely disrupted by:

- Food poisoning investigations, prosecution cases, national food alerts, major accidents at work investigations, food sampling and other matters; including staff sickness, vacancies, re-allocation to other duties, competency training requirements etc.
- The cultural diversity and language variations of food business operators in Derby enriches the local community but provides additional communication challenges when driving forward regulatory compliance.
- In addition to Derby registered food businesses, there are many food traders who operate at markets and events within the City that may be registered with other Councils. Whilst not part of the statutory inspection plans, some of these businesses will require inspection input to ensure regulatory compliance.
- Freedom of Information Act information requests continue to increase. These are often time consuming to collate and require a time sensitive response.
- Maintaining the FHRS places demands of additional unplanned visits, revisits, appeals, monthly verification checks etc.

- Many food businesses operate outside conventional office hours. The Teams work flexibly to observe these businesses, during trading periods.
- FAST & TS take a risk-based approach to the inspection of food premises trading at temporary events within the City. Whenever practicable organisers and/or food business operators are requested to send details of food activities in advance of an event. Officers assess the information and may make contact to obtain further information in advance to help determine if a visit during the event itself is necessary.
- During the year, the Teams may visit premises for other reasons such as giving advice, obtaining information, in response to a service request or complaints and serving of notices.

3.2 SERVICE DEMANDS AND CHALLENGES – COVID-19 RECOVERY

- 3.2.1 At the end of 2019/20 both FAST and TS Teams performance against their plans (and overcoming challenges outlined in Section 3.1) were in a good position. However, the impact of Covid-19, starting in March 2020 and throughout the entirety of 2020/21, recovering in 2021/22 and 2022/23 has resulted in the total transformation of the FAST and TS Teams working models.
- 3.2.2 During 2022/23 FAST and TS services have followed all relevant advice for regulators issued by the FSA and HSE. Although both teams have returned to full 'business as usual' services, the impact of the pandemic on backlogs and conditions at premises remain ongoing challenges.
- 3.2.3 To try and backfill the routine Food Safety work program, an attempt to use contractors on a 'paid per inspection service' has been utilised, but with other authorities being in similar position seeking competent officers, this has been difficult.
- 3.2.4 Some of the current FAST officers, have worked additional hours to support catch up. FAST during 2022/23 have not met all the FSA and HSE deadlines, reflected in Section 7.0.

3.3 CHALLENGES FOR 2023/24 AND BEYOND

SECTORS AFFECTED	Food Safety	Food Standards	Animal Feed	Health & Safety
The number of new businesses has significantly increased – a large proportion are home based, the risks associated with them remains largely unknown as initial inspections/intervention have not been undertaken.	✓	✓		✓
Businesses have continued to diversify activities to ongoing changes on the market.	✓	✓		✓
Authority resources were diverted (March 2020 to July 2021) from delivery of proactive controls during the pandemic to activities related to reducing the spread of Covid-19.	✓	✓	✓	✓
The highest risk establishments may have missed one, two or potentially three planned interventions.	✓	✓		✓
Significant resource being used for non-statutory but important under government priorities such as export certification outside the UK.	✓	✓		
Significant trend of reducing standards in food establishments.	✓	✓		
Popularity of online ordering services such as Just Eat, Deliveroo and Uber Eats, Facebook Market Place etc.	✓	✓		
Officer competency requirement changes and additional training implications.	✓	✓		
Mandatory display of Food Hygiene Ratings in future.	✓			
Food allergens risk as significant issue.	✓	✓		
Significantly out of date database.				✓
Some of proactive HSE campaigns have not been undertaken including – inflatable amusement devises, trampoline parks, falls from heights etc.				✓

4.0 FOOD HYGIENE SERVICE DELIVERY

Food Safety, Food Standards, Animal Feed and Health & Safety services. These are outlined in Appendix 1 and include both proactive and reactive approaches.

4.1 FOOD HYGIENE PREMISE PROFILE

- 4.1.1 In accordance with EC Regulation 852/2004 (which the UK has retained since exit from the EU) all businesses that handle food, must be registered with their Local Authority (LA). There are currently 2166 registered food businesses in Derby, many of these businesses frequently change ownership (although the number is expected to remain at a similar number). Identifying these changes in ownership is an ongoing challenge for the Team.
- 4.1.2 In accordance with the Food Standards Agency Food Law Code of Practice, at each intervention, a score is given to each business to determine the frequency of interventions. Category A businesses pose the highest risk and are inspected more frequently. Category E establishments pose the lowest risk. Businesses within the City are categorised as follows:

Risk Category	Minimum Inspection Frequency	Number
A (High Risk)	At least every 6 months	15
B	At least every 12 months	41
C	At least every 18 months	376
D	At least every 24 months	760
E (Low Risk)	At least every 36 Months or alternative enforcement	875
Outside		0
Not yet rated	These mainly new businesses waiting inspection	99
Total		2166

Premises that achieve an average standard are deemed to be 'broadly compliant' with Food Safety requirements. Derby's figures for 2019/20 were 96.5% and subsequently 81.7% (2020/21), 85.1% (2021/22) and 96.8% (2022/23).

- 4.1.3 Certain food premises involved in the production, handling, and storage of products of animal origin must be approved under EC Regulation 853/2004. This legislation requires compliance with more detailed hygiene requirements than for registered premises. There are 6 approved premises within the City and a further 5 applications pending.

4.2 PROACTIVE FOOD HYGIENE WORK PLAN

- 4.2.1 As stated above, food businesses are risk rated from A (high risk) through to E (low risk) according to the type of the operation being carried out, who the business supplies and the standard of food hygiene at the premises. Businesses that carry out a complicated operation or supply a large number of people (or people in vulnerable groups such as young children or the elderly) or have poor standards of hygiene, are likely to fall in one of the higher risk categories. Smaller simple operations and those where hygiene standards are good are likely to fall in one of the lower risk categories.

Examples of premises in these categories, with the recommended inspection frequencies laid down in the Food Standards Agency's Code of Practice are:

- A – a poorly run restaurant or takeaway.
- B – a residential care home.
- C – a restaurant.
- D – a well-run public house serving occasional meals.
- E – a newsagent selling only pre-packed drinks, crisps and sweets.

As outlined in Section 4.1, there are 2166 registered food businesses, and their risk rating and inspection frequency are detailed in 4.1.2.

- 4.2.2 Based on the current premises profile, the outlined numbers of backlog and due interventions are summarised in the table overleaf.

Risk Category/Minimum Intervention Frequency	Number of premises (at 1 April 2023)	Interventions outstanding (at 1 April 2023)	Interventions due 2023/24
A – 6 Months	15	0	15 (30 interventions)
B – 12 Months	41	0	41
C – 18 Months	376	1	221
D – 24 Months	760	288	342
E – 36 Months or Alternative Enforcement	875	535	50
Unrated	99	99	340 (estimated)

4.3 APPROACHES TO THE PROACTIVE FOOD HYGIENE PLAN

<p>Food Hygiene Rating Scheme (FHRS)</p>	<p>This extends to businesses supplying food directly to consumers. This includes restaurants, cafes, retailers, and other places where people eat food outside of the home. The overall aim of the scheme is to reduce the incidence of food borne illness and the associated costs of this to the economy. From a local perspective, the scheme helps consumers to make informed choices about places they wish to eat or shop for food, and through this encourages businesses to improve hygiene standards. Ratings are displayed on FSA website https://ratings.food.gov.uk.</p> <table border="1"> <caption>Proportion of Derby City Food Businesses falling in the FHRS Categories 0 to 5*</caption> <thead> <tr> <th>Category</th> <th>26-Apr-21</th> <th>12-Apr-22</th> <th>31-Mar-23</th> </tr> </thead> <tbody> <tr> <td>0 - Urgent improvement necessary</td> <td>~0.5%</td> <td>~0.5%</td> <td>~0.5%</td> </tr> <tr> <td>1 - Major improvements necessary</td> <td>~1.5%</td> <td>~1.5%</td> <td>~1.5%</td> </tr> <tr> <td>2 - Improvements necessary</td> <td>~1.5%</td> <td>~1.5%</td> <td>~1.5%</td> </tr> <tr> <td>3 - Generally satisfactory</td> <td>~5.0%</td> <td>~5.0%</td> <td>~8.0%</td> </tr> <tr> <td>4 - Good</td> <td>~12.0%</td> <td>~10.0%</td> <td>~15.0%</td> </tr> <tr> <td>5 - Very Good</td> <td>~80.0%</td> <td>~80.0%</td> <td>~73.0%</td> </tr> </tbody> </table> <p>Proportion of Derby City Food Businesses falling in the FHRS Categories 0 to 5*</p> <p>*Based on data from 31 March 2023</p> <p>Requests can be made for a re-rating visit and since 2019 charge has been levied for this service. In 2019/20, 33 requests were made, and subsequently 1 request (2020/21), 53 requests (2022/23) and 63 requests in 2023/24. In addition, appeals against food hygiene ratings generates some added resource for FAST. Three appeals were lodged in 2021/22, but none were received in 2022/23.</p>	Category	26-Apr-21	12-Apr-22	31-Mar-23	0 - Urgent improvement necessary	~0.5%	~0.5%	~0.5%	1 - Major improvements necessary	~1.5%	~1.5%	~1.5%	2 - Improvements necessary	~1.5%	~1.5%	~1.5%	3 - Generally satisfactory	~5.0%	~5.0%	~8.0%	4 - Good	~12.0%	~10.0%	~15.0%	5 - Very Good	~80.0%	~80.0%	~73.0%
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5 - Very Good	~80.0%	~80.0%	~73.0%																										
<p>Alternative Interventions</p>	<p>It is the Council’s policy to ensure that food premises inspections are concentrated on high-risk premises and that they are carried out in accordance with the FSA’s Code of Practice and Practice Guidance. For low risk food businesses such as newsagents, small retailers, and some home caterers, local authorities can assess compliance with food hygiene legislation by means other than inspection. These businesses are generally exempt from the national Food Hygiene Rating scheme. Over the last few years, we have implemented out an ‘Alternative Enforcement Strategy (AES)’ for these businesses, involving some degree of self-assessment as well as some validation inspections.</p>																												

New Business Inspections	There is a high turnover in food businesses in the City; this is a significant issue for the service as it impacts on the ability to complete the planned inspection programme. Most new premises are visited and entered onto the database system within 28 days of registration or opening for trade. In 2019/20, a total of 194 new premises were visited and rated and subsequently 32 (2020/21), 299 (2021/22) and 402 in 2022/23. All Team members are encouraged to identify new premises and report details to the APP system administrators. Intelligence on new premises is also acquired from other colleagues (e.g., Licensing, Planning and Building Control), as well as formal new food business registrations. There is currently a backlog of 99 businesses waiting to be inspected. It is estimated a further additional 340 new businesses will register during 2023/24.
Overdue Inspections	The Team aim to visit premises no later than 28 days of the date they are due for intervention to meet the Food Law Code of Practice. Priority is given to higher risk premises (Category A to C), and requests for service concerning a risk to public health which may impact on lower risk activities. Every effort is made to complete the programme by the end of the work-plan period. The planned intervention programme is monitored at Team meetings to check on progress and if necessary appropriate measures can be put in place to meet the intervention plan. Due to Covid-19, there are still significant overdue inspections (see Sections 7 and 8).
Non – Broadly Compliant Premises	Resources are focused at those food establishments in the City that do not meet the criteria for being 'broadly compliant'. Food businesses that fail to comply with significant statutory requirements will be subject to appropriate enforcement action and follow up visit(s). The timing of the visit is determined by the result of the earlier intervention. A staged enforcement approach which includes revisits, service of legal notices, informal interviews, issuing of simple cautions or prosecutions. All enforcement decisions are made in line with the council's Enforcement Policy (see Section 2.6 above).
Enforcement of E-Coli Contamination Control Requirements	The FSA has issued guidance on the steps that food businesses must have regard of to control the risk of contamination from <i>E.coli</i> O157. Due to the serious consequences of <i>E.coli</i> food poisoning greater focus is placed on ensuring all food businesses have adequate controls in place. Officers use the guidance during Food Safety interventions in all premises to assess compliance. Prompt and decisive action will be taken to ensure that public health is protected, and any potentially contaminated products are removed from the food chain.
Issuing Health Certificates for Export	When businesses want to export food, they may need the product to be accompanied by an appropriate 'Health Certificate' declaring that the food has been produced and or stored hygienically. A fee is charged for these. The number of certificates issued in recent years has increased, particularly now we have left the EU.

5.0 FOOD STANDARDS AND FEED DELIVERY

There are many common approaches used in the delivery of the Food Safety, Food Standards, Animal Feed and Health & Safety services. These are outlined in Appendix 1 and include both proactive and reactive approaches.

5.1 FOOD STANDARDS AND FEED PROFILE

5.1.1 The profile of Food Standards premises is set out below:

Risk	Number of premises
High	31
Upper Medium	108
Lower Medium	1436
Low	653
Unrated	414
Total	2,642

Note:

- All premises are also inspected concurrently for compliance with other TS legislation, for example, weights and measures, product safety, fair trading, age restricted products etc.*
- Totals are at variance with food hygiene due to several premises that fall under the Trading Standards remit only.*

5.2 PROACTIVE FOOD STANDARDS AND FEED INTERVENTION PLAN

Food duties are provided alongside a full range of other Trading standards services such as metrology, fair-trading, intellectual property, animal health and welfare, product safety, including the licensing/registration of explosives and petroleum spirit as well as other regulation and enforcement activities.

Interventions at food premises are part of comprehensive trading standards activities. Inspections are carried out in accordance with a risk-rating scheme approved by the National Trading Standards Board (NTS) and the FSA.

5.2.1 Food Standards

The premises inspection/intervention/project programme for 2023/24 is:

Premises Risk	Number of Interventions	Intervention Type
High Risk	31	Inspections
Upper Medium	70	Some inspections for Market Surveillance
Lower Medium	352	Some inspections for Market Surveillance
Low Risk	246	Alternative enforcement strategies
Unrated	414	Visits/alternative enforcement strategies

This year the service will complete 100% of its high-risk premise’s interventions. We will also assess those food premises which are currently unrated with a view to substantially reducing the number of these. It is important that we make further enquiries into the nature of these businesses to ensure they are not high-risk importers, packers, or manufacturers.

Interventions at medium and low risk premises will be undertaken as part of pro-active projects and reactive work where complaints or referrals are received. The above figures are the total due and overdue interventions required during 2023/24. With the end of the Recovery plan phase there is an expectation that these are now completed. The actual number of proactive interventions at medium and low risk premises achievable in 2023/24 will be dependent on available resources. See Appendix 5 for further assessment of resource.

The model used to select the appropriate category of interventions at premises is set out below.

Risk Rating	Risk Category	Activity Frequency
High Risk	A	Annually
Upper Medium	B1	Two-yearly
Lower Medium	B2	Five-yearly
Low Risk	C	No recommended inspection frequency
Unrated	X	Assessment Required

The current food standards risk rating model is under review with further information expected later in 2023/24. This is likely to result in an increase in the number of premises identified as high risk. Additional resource will also be required to implement the new system.

5.2.2 Animal Feed

As a City Authority, Feed interventions focus on businesses disposing of surplus food into the animal Feed chain. Such interventions play a role in helping to maintain overall quality and safety of animal Feeds and prevention of Feed-borne animal diseases. Nationally, animal Feed work features as a priority for the FSA and Trading Standards contributes to this through a programme of planned interventions at Feed premises as outlined below:

Premises Type	Number of Inspections 2023/24
Supplier of Feed Materials/Surplus Food	10
Supplier of Co-products of food	3
Distributor	0
Pet Food Manufacturer	1
Livestock and Arable Farm	0
Total	14

5.3 OTHER FOOD STANDARDS AND FEED PROACTIVE APPROACHES

<p>Primary Authority Scheme</p>	<p>The Council has been primary authority for Manuka Doctor Honey since July 2019. Their sister company was subsequently added in 2020. The primary authority covers both hygiene and standards, but mainly due to the nature of the product focuses on standards. The resources needed to deliver this Primary Authority Agreement is paid for by the company on a cost recovery basis, so this work does not impact on the service’s ability to deliver the rest of its food enforcement work. It enables officers to develop skills, expertise, and experience over a wide range of operations which assists with staff retention and competency.</p>
<p>New Premises</p>	<p>The turnover of food businesses in the City is at a level that causes concern that visits to them within 28 days would seriously disrupt the planned activities of the service, to the overall detriment of Food Standards in the City. Many premises that fall within the definition of a new business turn out to be low risk or an actual inspection to the physical premises is already planned. The Trading Standards service will review visits to new premises during the year to establish the most effective approach to dealing with this work.</p>

6.0 HEALTH & SAFETY SERVICE DELIVERY

There are many common approaches used in the delivery of the Food Safety, Food Standards, Animal Feed and Health & Safety services. These are outlined in Appendix 1 and include both proactive and reactive approaches.

6.1 HEALTH & SAFETY PREMISE PROFILE

Responsibility for enforcing Health & Safety within the City is split between the HSE and the FAST. The council enforces Health & Safety in mainly non-manufacturing businesses, mainly in the service sector and is responsible for approximately 5416 premises, known about.

Businesses are risk-rated from Category A (high risk), through B1 and B2 (medium risk) to C (low risk). These ratings are not used to determine proactive inspection interventions – the choice of proactive inspections follows the principles within the National Local Authority Enforcement Code (HSE Code) – they do, however, help the Council target other interventions on the basis of risk.

	O Code	S Code	Intervention Priority
A – High Risk	2	0	Not less than once per year
B1 – Priority Medium Risk	8	0	Every 18 Months
B2 – Medium Risk (S Code - B2 and B3)	496	36	Premises will be chosen for intervention based upon the HSE National LA Enforcement Code which lists activities and sectors that local authorities should target for intervention.
C – Low Risk (S Code - B4 and C)	2039	1052	
U	1386	397	
Total	3931	1485	

6.2 HEALTH & SAFETY ENFORCEMENT PLAN

- 6.2.1 There were 1.8 million work related ill health cases nationally in 2021/22. Health & Safety law clearly sets out that the primary responsibility for managing risk to workers and the public who might be affected by their work activity lies with the business or organisation that creates the risk in the first place. The aim of which has to be to reduce work related ill health.
- 6.2.2 With regards to Health & Safety, the Council will be directed by the HSE's Code issued under Section 18 (4)(b) of the Health & Safety at Work etc. Act 1974. The key elements of the code are:
- ensuring that the authority takes a risk-based approach to regulation;
 - ensuring that the authority applies proportionate decision making in accordance with their Enforcement Policy and Enforcement Management Model; and
 - a requirement for the authority to legally appoint suitably qualified staff to carry out the necessary regulatory duties.
- 6.2.3 The service comprises a range of key functions:
- to carry out interventions in line with Circular 67/2 (rev.12), the National Local Authority Enforcement Code and the Derbyshire and Safety Liaison Group's Workplan;
 - to take the most appropriate action upon inspection of relevant workplaces including the use of advice, informal correspondence, improvement and prohibition notices and the institution of legal proceedings;
 - to educate proprietors of relevant workplaces in health, safety and welfare matters and their legal responsibilities by the provision of advice and information;
 - to investigate specific accident notifications;
 - to advice on the design of relevant workplace premises prior to and during alterations and construction;
 - to liaise and work in partnership with HSE, UK Health Security Agency and the Fire Authority regarding the enforcement of the legislation;
 - to comply with the HSE's Code in respect of inspection programmes; and
 - to focus on emerging issues such as modern slavery and migrant workers, through liaison with the police and immigration authorities.

6.3 PROACTIVE INTERVENTIONS

- 6.3.1 Priority planning and intervention targeting work carried out by the FAST is categorised as either proactive or reactive. Proactive work includes the routine inspection of premises and reactive work includes the investigation of accidents at work and complaints from members of the public etc.
- 6.3.2 Health & Safety interventions are delivered by suitably trained and experienced officers in accordance with a competency scheme. The scheme has been designed to meet the requirements of HSE and Local Authority Enforcement Liaison Committee (HELA) Section 18 guidance.
- 6.3.3 The categories according to the inspection profile is outlined below and is used to determine the type of intervention and frequency. As mentioned previously, it is important to note that guidance from HSE to LA's, is these ratings should not be used to determine intervention type or timing. Although there is a significant number of premises not assessed for many years, FAST's proactive intervention plan is determined from the HSE's Code.

Category	Description	Suggested Intervention Type	Backlog up until 31 March 2022	Due 2022/24
A	Highest Risk	Proactive full inspection	2	0
B1	Priority Medium Risk	Other intervention	0	5
B2	Medium Risk	Intervention only where code directs	337	18
C	Lowest Risk	Non inspection interventions	1963	3
U	Undetermined	Intervention based on intelligence	1878	0
Total			4180	82

6.4 HSE NATIONAL CODE

6.4.1 For the last seven years the HSE has had a stronger role in directing LA Health & Safety inspection/enforcement activity, in the form of its Code. The Authority has a duty to focus its activities on national priorities and strategies via this code to secure a reduction in accidents and ill health. It is designed to ensure that LA Health & Safety regulators take a more consistent and proportionate approach to enforcement and provides direction to LAs on meeting its requirements and reporting on compliance.

6.4.2 Below is a list of activities/sectors for 2023/24 proactive inspection by Local Authorities – only these activities falling within these sectors or types of organisation should be subject to proactive inspection.

LIST OF ACTIVITIES/SECTORS CONSIDERED SUITABLE FOR PROACTIVE INSPECTION				
No	Type	Hazards	Potential Poor Performers within Industry Sector	High Risk Activities
1	Safety	Explosion caused by leaking LPG	Communal/amenity buildings on caravan/camping parks with buried LPG pipework	Caravan/camping parks with poor infrastructure risk control/management of maintenance
2	Health	E.coli/Cryptosporidium infection especially in children	Open Farms/Animal Visitor Attractions ¹	Lack of suitable micro-organism control measures
3	Safety	Fatalities/injuries resulting from being struck by vehicles	High volume Warehousing/Distribution ²	Poorly managed workplace transport
4	Safety	Fatalities/injuries resulting from falls from height/amputation and crushing injuries	Industrial retail/wholesale premises ³	Poorly managed workplace transport/work at height/cutting machinery/lifting equipment
5	Health	Occupational deafness	Industrial retail/wholesale premises ³	Exposure to excessive noise (for example, steel stockholders)
6	Health	Industrial diseases/occupational lung disease (silicosis)	Industrial retail/wholesale premises ³	Exposure to respirable crystalline silica (Retail outlets cutting/shaping their own stone or high silica content 'manufactured stone' for example gravestones or kitchen resin/stone worktops)

7	Health	Industrial diseases/occupational lung disease (cancer)	Industrial retail/wholesale premises ³	Exposure to all welding fume regardless of type or duration may cause cancer (for example, Hot cutting work in steel stockholders) Exposure to be controlled with LEV and/or appropriate RPE
8	Health	Occupational lung disease (asthma)	In-store bakeries ⁵ and retail craft bakeries where loose flour is used and inhalation exposure to flour dust is likely to frequently occur, for example, not baking pre-made products	Tasks where inhalation exposure to flour dust and/or associated enzymes may occur, for example, tipping ingredients into mixers, bag disposal, weighing and dispensing, mixing, dusting with flour by hand or using a sieve, using flour on dough brakes and roll machines, maintenance activities or workplace cleaning
9	Health	Musculoskeletal Disorders (MSDs)	Residential care homes	Lack of effective management of MSD risks arising from moving and handling of persons
10	Safety	Falls from height	High volume Warehousing/Distribution ²	Work at height
11	Health	Manual Handling	High volume Warehousing/Distribution ²	Lack of effective management of manual handling risks
12	Safety	Crowd management & injuries/fatalities to the public	Large scale public gatherings, for example, cultural events, sports, festivals, and live music	Lack of suitable planning, management and monitoring of the risks arising from crowd movement and behaviour as they arrive, leave, and move around a venue
13	Health	Carbon monoxide poisoning	Commercial catering premises using solid fuel cooking equipment	Lack of suitable ventilation and/or unsafe appliances
14	Safety	Violence at work	Premises with vulnerable working conditions (lone/night working/cash handling, for example, betting shops/off licences/hospitality) and where intelligence indicates that risks are not being effectively managed	Lack of suitable security measures/procedures. Operating where police/licencing authorities advise there are local factors increasing the risk of violence at work, for example, located in a high crime area, or similar local establishments have been recently targeted as part of a criminal campaign
15	Safety	Fires and explosions caused by the initiation of explosives, including fireworks	Professional Firework Display Operators	Poorly managed fusing of fireworks

1. Animal visitor attractions may include situations where it is the animal that visits e.g., animal demonstrations at a nursery.
2. Typically larger warehousing/distribution centres with frequent transport movements/work at height activity.
3. Includes businesses such as: steel stockholders; builder's and timber merchants.
4. Specific guidance available re welding fume on HSE's website at <https://www.hse.gov.uk/welding/protect-your-workers/index.htm>
5. For supermarket and other chain bakeries etc. check to see if there is a Primary Authority inspection plan with more specific guidance.
6. Pubs, clubs, nightclubs, and similar elements of the night-time economy.
7. Specific guidance on the application of the Explosives Regulations 2014 to the activities of professional firework display operators is available on the HSE website – <http://www.hse.gov.uk/explosives/er2014-professional-firework-display.pdf>

6.4.3 LAC 67/2 (rev.12) also includes several additional national priorities, including:

- duty to manage asbestos;
- falls from height/work on/adjacent to fragile roofs/materials;
- health risks of respirable silica dust;
- health risks of moving and handling construction materials;
- the prevention/control of ill health arising from animal contact at visitor attractions;
- ensuring safety of inflatable amusement devices. Controls include; adequate ground anchorage, measurement of wind conditions, documentation/annual inspection from a competent inspection body;
- trampoline parks – improved information provision and supervision of users;
- gas safety in commercial catering premises;
- electrical safety in hospitality settings;
- management of legionella exposure in spa pools/hot tubs on display;
- welfare provision for delivery drivers;
- work related road safety;
- raise awareness of the need to prevent injury to members of the public from accessing large commercial waste and recycling receptacles;
- promoting worker involvement in safety management systems; and
- raising awareness of work-related stress and mental health 'Working Minds' with businesses.

6.4.4 Derby City Council FAST will target all category A and B1 premises with a full inspection. A proportion of the targeted sectors within risk bands B2/C/unrated/not on the database premises will receive an intervention focussed on some of the national indicators in 6.4.3 above and some of our work will be centred on issues that are local to Derby and not identified as a national priority. These are summarised in the table overleaf:

National or Local	Premise Types	Risk	What Derby will do in 2023/24
National	Premises with vulnerable working conditions (lone/night working/cash handling) e.g. betting shops/off-licences.	Violence at work, namely a lack of suitable security measures/procedures. Operating where police/licensing authorities advise there are local factors e.g., located in a high crime area, or similar local establishments have been recently targeted as part of a criminal campaign.	Proactive inspection of betting shops. Liaise with responsible authorities and target convenience shops in high crime areas as appropriate.
National	Event management, namely those holding large scale public gatherings e.g., cultural events, sports, festivals & live music.	Crowd management and injuries/fatalities to the public. These include a lack of suitable planning and management of the risks arising from crowd movement and behaviour as they arrive, leave and move around a venue. In addition, inflatable safety and securing of inflatables.	Proactively visit and work with the premises which hold large scale events that are LA enforced.
National	Commercial catering premises using solid fuel cooking equipment.	Carbon monoxide poisoning due to lack of suitable ventilation and/or unsafe appliances.	Identify any solid fuel cooking equipment in catering premises during food inspections and attend to risk areas if matters of evident concern are identified.
Local	Business with poor compliance history of compliance which resulted in a low confidence in management score or legal notices being served or where Matters of Evident Concern (MEC) identified.	Miscellaneous – depended on the risks identified.	Proactively inspect and where necessary take enforcement action on businesses identified as non-compliant/ low confident in management.
Local	Leisure centres / gyms / leisure activities.	Lack of information to public/ users about the risks associated with the activity and safe use. Inflatable safety and securing of inflatables. In addition, legionella in spa pools and maintenance and siting of gym equipment.	Update its database for this sector to ensure all premise are identified. Write to all informing of associated risks and how to manage these. Prioritise for inspection those where complaints or accidents are reported. Exclude those with a Primary Authority arrangement.
Local	Asylum centre hotels.	Infection control and violence at work. Intelligence provided through asylum meeting catch ups.	Attend health and asylum centre meetings linked with Director of Public Health. Proactively visit and provide support and signposting for hotel managers.

Local	Small industrial units which are likely to have delivery containers that are unloaded by hand.	Manual handling, falls from height, falling stock and crushing injuries.	Identify premises and write to them informing of risk and inspect to check compliance in 2024/2025.
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6.5 DERBYS APPROACH TO RISK CATEGORY A AND B1 PREMISES

6.5.1 The highest risk (category A) will be subject to a proactive inspection on a risk priority basis – each will receive a full detailed inspection, which will include any national and local programmes as appropriate to the work activities of the business. For 2023-24 the following interventions are scheduled:

Risk Rating	A
Number of interventions scheduled	2
Performance Aim	Carry out 100% of proactive inspections
Performance Indicator	100% of inspections achieved

Inspectors will also take note of any of the following in their inspection:

- hazards proven significant risk to that industry;
- significant risks identified during the inspection;
- issues raised by employers, employees and representatives;
- complaints or reportable accidents related to the premises or duty holder; and
- an assessment of compliance with smoke-free legislation.

6.5.2 Although category B1 premises are of medium risk, HSE guidance clearly states they are unsuitable for pro-active inspection. However, a proportion of these businesses will fall within the sectors/activities specified in the HSE National Code and therefore may be subject to a pro-active inspection and the others have been identified as poor performers for local intelligence matters. For 2023-24 the following interventions are scheduled:

Risk Rating	B1
Number of interventions scheduled	5
Performance Aim	Carry out 100% of proactive inspections
Performance Indicator	100% of interventions

6.5.3 All risk category B2, C and unrated premises that do not fall within the scope of the HSE’s national code will only receive an intervention if notification of complaints are received on a risk priority basis.

6.6 OTHER APPROACHES TO THE HEALTH & SAFETY PLAN

Accident Investigations	Where the council is the enforcing authority for Health & Safety, incidents and accidents will be assessed using the HSE’s investigation criteria (LAC 22/13). This determines which accidents are significant and may warrant further investigation.
Skin Piercing Registrations	The Council has adopted bye laws which require registration of skin piercing activities. This includes acupuncture, tattooing, cosmetic skin piercing, electrolysis, and semi-permanent skin colouring. The purpose of the bye laws is to ensure procedures are in place to prevent the spread of blood borne infections. Registrations are required for both the premises and the person. This area of work is undertaken by the Council’s Licensing Team.
Smoke Free	FAST enforce smoke free legislation in commercial premises. Compliance checks are included in all visits, request for service or complaints against premises.
Accurate Database	<p>Keeping the database of premises up to date is an onerous task, especially when premises are not being proactively inspected. In addition, new businesses have no legal responsibility (as applies with food law) to register. We will, where possible, use the following methods to update our database:</p> <ul style="list-style-type: none"> • food business registrations; • planning applications; • officer observations of sites to be subject to a high turnover in the City; • premise licences; • official notifications e.g. accidents, asbestos removal and defective lift reports etc.; • HSE referrals; • advice enquiries; and

	<ul style="list-style-type: none"> intelligence received from complaints.
Health & Safety Advice	The council provides information and advice upon request. We largely sign post users to use the HSE's website.
Statutory Notifications	The authority receives notifications of certain unsafe equipment and must respond and investigate these.

The targets and performance standards in the Plan are monitored on a quarterly basis. Each year the Plan is reviewed and any planned improvements are incorporated into the next year's Plan. Elements of the review have been included in the various Sections above. Information on our targets and progress towards meeting these will be published and publicised as part of the Council's DORIS Performance Plan.

7.0 REVIEW OF 2022/23 PERFORMANCE

7.1 FOOD HYGIENE

Programmed	Target	Achieved 2019/20	Achieved 2020/21	Achieved 2021/22	Achieved 2022/23	Comments
Number of interventions achieved	90%	92%	17%	41.3%	39.3%	Targets not achieved mainly due to catch up from the regulatory response to Covid-19.
Number of High Risk (A-C rated) Interventions Achieved	95%	97%	27.8%	93.2%	99.48%	Only 1 high-risk program visit remained outstanding at the end of 2022/23.
Broadly Compliant Premises	95%	96.96%	81.79%	85.1%	96.8%	These include all premises rated 3 / 4 / 5 and some premises excluded from the rating scheme.
Premises rated 4 or 5 under the FHRS	90%	93.1%	93.3%	92.5%	88.3%	Further detail in Sections 3, on page 13 and Appendix 1.

New Business Inspections	-	194	32	299	402	Further detail in Sections 3, on page 13 and Appendix 1.
Number of Service Requests	-	63 (96.8% responded to within target time)	2238* (98.1% responded to within target time)	1396* (97.2% responded to within target time)	707* (96.1% responded to within target time)	*This includes requests for Food Safety and Health & Safety.
Closure of Food Premises	-	6	7	12	20	Conditions in some premises remain poor, suspect due to lack of interventions during Covid-19.
FHRS Rescore Inspections	-	33	1	53	63	-
Infectious Disease Notifications	-	222	125*	165*	208	*Suspect significant reduction due to extra Covid-19 controls, e.g. masks, stay at home, social distancing etc.

7.2 FOOD STANDARDS AND ANIMAL FEED

Item	Food Standards Achieved 2022/23
Number of High-Risk Inspections	20
Number of Upper Medium risk inspections	15
Number of Lower Medium risk inspections	108
Number of low risk inspections	8
Number of complaints received	55
Number of unrated premises assessed	375
Number of official samples taken	20

Number of Written Warnings	80
Number of items seized, detained or surrendered	48
Simple Cautions	0
Number of Food Standards Interventions	311

Premises Type	Number of Feed Inspections 2022/23
Supplier of Feed Materials/Surplus Food	7
Supplier of co-products of food	3
Distributor	0
Pet Food Manufacturer	2
Livestock and Arable Farm	1
Total	13

7.3 HEALTH & SAFETY

	Target	Achieved 2019/20	Achieved 2020/21	Achieved 2021/22	Achieved 2022/23	Comments
Number of Interventions Achieved*	-	147	1166	840	747	Some catch up on high-risk program achieved in 2022/23. Discussed in further detail in Section 3 on page 13 and in Appendix 1.
Number of High Risk (A and B1) Interventions Achieved*	100%	100%	14.3%	88.8%	50%	
Number of Service Requests	-	663 (96.8% responded to within target time)	2238* (98.1% responded to within target time)	1396* (97.2% responded to within target time)	707* (96.1% responded to within target time)	*This includes requests for Food Safety and Health & Safety.

Number of Accident Investigations	-	94	267	110	80	-
Covid-19 Interventions	-	-	3472	551	-	The team's has no ongoing role in Covid-19, in line with Government direction. Previous involvement is discussed in further detail in Section 3 on page 13 and in Appendix 1.

*A further summary of LAE1 data return is summarised in Appendix 3.

7.4 VARIATIONS FROM THE PLAN 2022/23

As can be seen above last year's performance, (compared to 2020/21) has significantly changed to a focus on the high risk program, in all three service areas. In 2022/23 there was an expectation by the FSA/HSE that both FAST and TS refocus on delivery the full range of interventions. This will continue going into 2023/24 on a catch up on a risk priority basis. This will be subject to a further discussion/monitoring in terms of priorities and resources.

8.0 SERVICE DELIVERY 2023/24

- 8.1 The impact of Covid-19 and the backlog of outstanding interventions remaining, still remain ongoing challenges for FAST and TS teams. The impact of redeployment of resources to support the regulatory response to Covid-19 has been fully recognised and was essential, at that time in the wider strategy to control the pandemic.
- 8.2 The priorities for FAST and TS Teams are to ensure:
- backlog and due interventions will be executed on a risk priority basis, in line with guidance from the FSA and HSE, priority being those businesses posing greatest risk to public health/consumer protection;
 - the need to improve hygiene, safety and standards compliance and reduce risk by focusing activity where non-compliance is identified undertaking appropriate follow up/enforcement action; and
 - ensure the full operation of FHRS scheme and where new businesses are rated to allow trading online delivery platforms, hence supporting economic rejuvenation of the City.
- 8.3 The FSA timeline of suggested recovery proposal for Food Safety and Standards is summarised in Appendix 2. This has been used as a basis for all for Food Safety, Food Standards, Animal Feed and Health & Safety Plans since 1st July 2021. This has now ended and the FSA/HSEs expectation is for all local authorities to return to the full range of low/high risk services that were operating prior to Covid-19.

8.4 FOOD SAFETY WORK PLAN 2023/24

Work Area	Proactive/ Reactive	Reason/s	Output/Outcomes
<p>#Food Hygiene Intervention Programme 741 programmed interventions focused on the high risk inspection programme and a proportion of the outstanding low risk programme</p> <p><i>NOTE – will still leave a backlog of 592 interventions carried over into 2024/25.</i></p>	P	Statutory Code of Practice requirement identified by the FSA.	<ul style="list-style-type: none"> • 741 completed inspections. • Increased compliance with food hygiene legislation. • Greater awareness of food hygiene legislation amongst food business operators and food handlers.
<p>Re-visits to Food Businesses following a Programmed Inspection Estimated 230 revisits to check upon compliance, including follow up to statutory notices</p>	R	Statutory Code of Practice identified by the FSA.	<ul style="list-style-type: none"> • 230 completed revisits. • Ensuring that written warnings and statutory Notices are complied with to improve food hygiene standards at businesses.
<p>Food, Water and Environmental Sampling Implementing a sampling programme, and taking additional reactive samples as necessary, of approximately 50 samples.</p>	P	Statutory Code of Practice requirement identified by the FSA. This work has been scaled back, but intention is to conduct sampling to support business safety.	<ul style="list-style-type: none"> • 50 food, water and environmental samples. • Greater awareness of food hygiene legislation amongst food business operators and food handlers.
<p>#Unplanned Inspections of New Food Businesses Undertaking approximately 439 unplanned inspections of newly registered businesses, or where there are changes to the food business operator at existing businesses.</p>	R	Statutory Code of Practice requirement identified by the FSA. To ensure that new food businesses register with the Council and are inspected as soon as possible afterwards.	<ul style="list-style-type: none"> • 439 completed inspections. • Increased compliance with food hygiene legislation. • Greater awareness of food hygiene legislation amongst food business operators and food handlers.

			<ul style="list-style-type: none"> • Ensuring that written warnings and statutory Notices are complied with to improve food hygiene at business. • Ensuring that the Food Hygiene Rating Scheme is as up to date as possible.
<p>Complaints and Service Requests including Infectious Disease Notifications Investigating 707 approximately complaints/service requests (including requests for revisits under the FHRS and appeals against ratings) and responding to approximately 208 infectious disease notifications.</p>	R	<p>Statutory Code of Practice requirement identified by the FSA. Investigations in response to information received from a complaint or other service request, suggesting poor duty holder performance, potentially significant breaches of law and/or existence of an infectious disease.</p>	<ul style="list-style-type: none"> • 707 service requests and 208 infectious diseases responded to. • Positive response to service request raised by the business, food handler/other staff or member of the public. • Improved business compliance and greater food hygiene awareness.
<p>National Food Hygiene Rating Scheme Approximately 70 rescore visits. In addition, administration of the FHRS to ensure that it remains as up to date as possible and make changes to the scheme as required by the FSA.</p>	P	<p>Implementation of the Food Standards Agency’s ‘The Food Hygiene Rating Scheme’: Guidance for local authorities on implementation and operation – the “Brand Standard”.</p>	<ul style="list-style-type: none"> • 70 rescore visits. • Ensuring that the FHRS website is as up to date as possible. • Ensuring that the Council fulfils its obligations under the FHRS Brand Standard Agreement with the FSA. • Ensuring businesses are rated fairly in accordance with the FHRS Brand Standard Agreement. •
<p>Statutory Returns to the FSA Compliance and submission of the annual Local Authority Enforcement Monitoring System return and any other returns as requested by the FSA</p>	P	<p>Statutory Code of Practice requirement identified by the FSA.</p>	<ul style="list-style-type: none"> • Ensuring that the Council fulfils its obligations to respond to requests for information from the FSA.

<p>FSA Food Alerts Responding to food alerts for action, or other emergency requests, issued by the FSA regarding the withdrawal or recall of contaminated and/or illegal food.</p>	<p>R</p>	<p>Statutory Code of Practice requirement identified by the FSA.</p>	<ul style="list-style-type: none"> Ensuring that food alerts for action are responded to in a timely fashion to remove contaminated and/or illegal products from the market to protect public health.
<p>Food Health Certificates Issuing approximately 15 food health certificates to allow businesses to export food consignments to third countries.</p>	<p>P</p>	<p>To allow export of food.</p>	<ul style="list-style-type: none"> Approximately 15 health certificates issued raising up to approximately £1800 of income.
<p>Enforcement Action in Food Premises</p>	<p>R</p>	<p>Formal/voluntary business closures and Improvement Notices. Legal Proceedings.</p>	<ul style="list-style-type: none"> Increased compliance with food hygiene legislation. Ensuring legal notices are complied with to improve food hygiene at businesses.

#The data and resource needs are summarised fully in Appendix 4 and 5.

8.5 FOOD STANDARDS AND FEED WORK PLAN 2023/24

Food Standards

No.	Activity	Brief Description	Outcome	Timing (Quarter or dates)
F1	High Risk Inspections.	Carry out comprehensive visits and inspections to all Food Standards High Risk premises.	Compliance, advice, and support to Derby businesses.	Quarters 3,4
F2	Inspections to Food premises with Upper Medium, Lower Medium and Low food standards risk. To include overdue premises.	Carry out food standards inspections at identified/tagged food premises. To include other TS areas e.g. metrology, safety as appropriate. To pull in visits to those premises that have been identified as overdue for inspection.	Increased compliance, advice, and support to Derby businesses.	Quarters 1,2,3,4
F3	Inspections to new food businesses and un-risk rated food businesses.	Carry out food standards inspections and/or alternative enforcement activities and provide advice on consumer and regulatory matters to identified new or 'un-rated' businesses.	Increased compliance, advice and support to new Derby businesses.	Quarters 1,2,3,4
F4	Allergens visits/inspections/interventions	Carry out food standards interventions and advise traders in relation to allergen information provision to consumers. To respond to complaints and referrals, e.g. from EHOs.	Increased compliance, advice, and support to Derby businesses.	Quarters 1,2,3,4
F5	Investigate Food Standards complaints	Investigate consumer complaints where food standards breaches are alleged.	Increased compliance Enforcement Intelligence	Quarters 1,2,3,4

F6	Respond to requests for business advice	Provide business/traders with help and advice on compliance with Food Law.	Increased compliance Enforcement Intelligence	Quarters 1,2,3,4
F7	Allergen Sampling	Targeted sampling programme to assess compliance with allergen controls in food described as specified allergen free or Vegan.	Increased compliance Enforcement Intelligence Protection of consumers and businesses	Quarters 2,3
F8	Calorie Labelling for loose, ready to eat foods	Scoping of anticipated enforcement and business support activity needed in response to introduction of food labelling changes for ready to eat loose foods. Advice and interventions as needed. Including response to complaints and referrals.	Compliance with new legislation	Quarters 2,3
F9	Cost of Living Retail Project	Carry out visits and interventions at a variety of retail premises to determine compliance with pricing, weight & measures and food legislation.	Protection of consumers and businesses during cost of living crisis Compliance	Quarters 2,3,4
F10	FSA Funded Sampling Project	Continuation of inspections and sampling undertaken last year. Funded by the FSA, based on their priorities.	Market surveillance Increased compliance Enforcement Intelligence	Quarters 1,2,3,4
F11	Food Bank Cost of Living Project	Visits to food banks and similar charities within Derby City to determine level of compliance with food law requirements. Offering advice and assistance where needed to help protect the most vulnerable residents.	Market surveillance Greater compliance Enforcement Intelligence	Quarters 2,3

F12	Unlabelled Food Project	Interventions and food controls at premises in Derby where food items are bought in bulk and repackaged in smaller amounts.	Market surveillance Greater compliance Enforcement Intelligence	Quarters 1,2
F13	Participation in TSEM Food Standards best practice group (and allergen BP subgroup)	Contribute to TSEM food group.	Information, intelligence, and knowledge share	Quarters 1,2,3,4
F14	Maintenance of Food/Feed Quality System	Keep Quality system reviewed, updated and current.	Improved processes Compliance with Statutory Code of Practice and Guidance	Quarters 1,2,3,4
F15	Undertake appropriate level of CPD hours	20 hours CPD (10hrs Food) per officer. (See also Feed below).	Maintenance of competence and authorisations	Quarters 1,2,3,4
F16	FSA Authorisations and Competencies	Review, restrict and authorise Food Standards Officers. Introduction of new Competency Framework for officers.	Requirement of FSA code of practice	Quarters 1,2,3,4
F17	Produce Food Law Enforcement Plan	Update Annual Plan with FAST team.	Requirement of FSA code of practice	Quarters 1,2
F18	Sampling Plan	Produce sampling plan taking into consideration of National, Regional and Local priorities.	Requirement of FSA code of practice	Quarters 2,3,4
F19	Participation in Derbyshire Food Liaison Group	Contribute to Group – liaison with district authorities.	Information, intelligence and knowledge share	Quarters 1,2,3,4

Animal Feed

No.	Activity	Brief Description	Outcome	Timing (Quarter or dates)
Fe1	Inspections at identified feed premises	Carry out feed visits at identified premises to contribute to regional feed activity for 2023/24.	Visits carried out, compliance and advice	Quarter 1,2,3,4
Fe2	Investigate Feed complaints	Investigate and respond to animal feed complaints to service standards.	Enforcement, advice, compliance	Quarters 1,2,3,4
Fe3	Business advice requests	Respond to requests for advice and support on animal feed matters from traders.	Advice delivered	Quarters 1,2,3,4
Fe4	Participate in TSEM Feed group	Contribute to TSEM Feed best practice group.	Intelligence, information and knowledge share. Contribute to regional and national feed enforcement strategy.	Quarters 1,2,3,4

8.6 HEALTH & SAFETY WORK PLAN 2023/24

Work Area	Proactive/ Reactive	Reason/s	Output/Outcomes
<p>Health & Safety Intervention Programme 2 A rated programmed intervention to be undertaken by 31 March 2024, in accordance with HSE guidance.</p>	P	Requirement by HSE's LAC 67/2 (Rev 11) and LA National Code.	<ul style="list-style-type: none"> • 2 completed high risk inspections. • Increased compliance with Health & Safety legislation. • Greater awareness of Health & Safety legislation among business owners and employees. •
<p>Visitor Attractions to Control Ill Health Arising from Animal Contact E.coli Cryptosporidium infection especially in children is one of the areas in the HSE's National Code. To visit the one animal petting farm in the City and check arrangements for managing the risks of infection from animal handling if still trading.</p>	P	Requirement by HSE's LAC 67/2 (Rev 12) and LA National Code.	<ul style="list-style-type: none"> • 1 inspection. • Ensure compliance with the legislation and HSE Codes of Practice. • Greater awareness of Health & Safety legislation among business owners and employees.
<p>Premises with Vulnerable Working Conditions Proactive inspection of betting shops. Liaise with responsible authorities and target convenience shops in high crime areas as appropriate.</p>	P	Requirement by HSE's LAC 67/2 (Rev 11) and LA National Code.	<ul style="list-style-type: none"> • Approximately 40 inspections. • Ensure compliance with the legislation and HSE Codes of Practice. • Greater awareness of Health & Safety legislation among business owners and employees.
<p>Event Management Proactively visit and work with the premises which hold large scale events that are LA enforced.</p>	P	Requirement by HSE's LAC 67/2 (Rev 11) and LA National Code.	<ul style="list-style-type: none"> • Approximately 4 inspections. • Ensure compliance with the legislation and HSE Codes of Practice. • Greater awareness of Health & Safety legislation among business owners and employees.

<p>Commercial Catering Premises using Solid Fuel Cooking Equipment Identify any solid fuel cooking equipment in catering premises during food inspections and attend to risk areas if matters of evident concern are identified.</p>	<p>P</p>	<p>Requirement by HSE's LAC 67/2 (Rev 11) and LA National Code.</p>	<ul style="list-style-type: none"> • Approximately 400 interventions – as part of Food and other H&S programs. • Ensure compliance with the legislation and HSE Codes of Practice. • Greater awareness of Health & Safety legislation among business owners and employees.
<p>Business with Poor Compliance History of Compliance Proactively inspect and where necessary take enforcement action on businesses identified as non-compliant/low confident in management from 2022/23 interventions.</p>	<p>L</p>	<p>Local identified initiative as these premises will largely have poor compliance for all regulatory areas.</p>	<ul style="list-style-type: none"> • Approximately 75 interventions – as part of Food and other H&S programs. • Ensure compliance with the legislation and HSE Codes of Practice. • Greater awareness of Health & Safety legislation among business owners and employees.
<p>Leisure Centres / Gyms / Leisure Activities Update its database for this sector to ensure all premises are identified. Write to all informing of associated risks and how to manage these. Prioritise for inspection those where complaints or accidents are reported. Exclude those with a Primary Authority arrangement.</p>	<p>L</p>	<p>Due to how health and safety interventions are targeted, the database of premises is significantly out of date.</p>	<ul style="list-style-type: none"> • Approximately 100 premises to be contacted. • Increased compliance with Health & Safety legislation. • Greater awareness of Health & Safety legislation among business owners and employees.
<p>Asylum Centre Hotels Attend health and asylum centre meetings linked with Director of Public Health. Proactively visit and provide support and signposting for hotel managers.</p>	<p>L</p>	<p>Only just made aware via Derbyshire Health and Safety Liaison Group these premises are our enforcement responsibility.</p>	<ul style="list-style-type: none"> • 2 completed high risk inspections. • Increased compliance with Health & Safety legislation. • Greater awareness of Health & Safety legislation among business owners and employees.
<p>Small Industrial Units Unloading Delivery Containers by Hand Identify premises and write to them informing of risk and inspect to check compliance in 2024/2025.</p>	<p>L</p>	<p>Follow up work as a result of a significant workplace accident, where a 21 year old received life changing injuries.</p>	<ul style="list-style-type: none"> • Approximately 100 premises to be contacted. • Increased compliance with Health & Safety legislation. • Greater awareness of Health & Safety legislation among business owners and employees.

<p>Statutory Returns to HSE Compilation and submission of the annual LAE return to the HSE.</p>	<p>P</p>	<p>For the compilation of national statistics.</p>	<ul style="list-style-type: none"> Ensuring the Council fulfils its obligation to respond to requests for information from the HSE.
<p>Shisha Premises Visit approximately 10 new/existing premises within the City to ensure compliance with smoking legislation.</p>	<p>P</p>	<p>Partially completed from work plan 2022/23.</p>	<ul style="list-style-type: none"> Approximately 10 inspections. Ensure compliance with the legislation and HSE Codes of Practice. Greater awareness of Health & Safety legislation among business owners and employees.
<p>Safety Advisory Group Work To participate in the group for major public events held throughout the year, with a focus on crowd safety.</p>	<p>P</p>	<p>To provide safety advice as needed on Event Safety Plans and undertake visits during the year to ensure standards are being implemented.</p>	<ul style="list-style-type: none"> Attendance at meetings and inspections as needed.
<p>Investigation of Incident Notifications Investigate approximately 50 incidents of injury or ill health that meet the criteria for investigation.</p>	<p>R</p>	<p>Investigations in response to reports or other accident notifications, suggesting poor duty holder performance and/or potential significant breaches of law.</p>	<ul style="list-style-type: none"> 50 investigations. Minimise the risk of similar incident occurring at the business. Promote sensible risk management.
<p>Complaints and other Service Requests Investigate approximately 200 complaints and responding to other service requests about workplace Health & Safety.</p>	<p>R</p>	<p>Investigations in response to information received from a complaint or other service request, suggesting poor duty holder performance and/ or potential significant breaches of law.</p>	<ul style="list-style-type: none"> 200 investigations. Promote sensible risk management. Improved business compliance and greater Health & Safety awareness.
<p>Adverse Engineering Reports Investigate approximately 10 adverse engineering reports, primarily notifications of defective lifting equipment.</p>	<p>R</p>	<p>Investigations in response to information received from an adverse engineering report, suggesting poor duty holder performance and/ or potential significant breaches of law.</p>	<ul style="list-style-type: none"> 10 investigations. To ensure that duty holders take timely action to suspend use of defective equipment and undertake necessary work prior to re-use.

Enforcement Action in Health & Safety Premises	R	Prohibition and Improvement Notices. Legal Proceedings.	<ul style="list-style-type: none"> • Increased compliance with Health & Safety legislation. • Ensuring legal notices are complied with to improve Health & Safety at businesses.
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8.7 GENERAL WORK PLANS

In addition, all services covered by this plan will:

- where appropriate, further develop the commercial side of the services, e.g., officers are used to offering advice to businesses on how they should comply with the law or improve their rating. We are determining in what circumstances this advice should be chargeable. There is a demand for carrying out advisory visits to new businesses that register with us, which is a non-statutory service that has not been provided for several years;
- look at developing our succession and workforce plan and explore mechanisms designed to support this process;
- further develop IT and information management systems and capabilities and improve our online service offer. Build on lessons learned during the lockdown phase such as exploring ways to use technology to make the process of carrying out inspection and other enforcement work easier, for example by using tablets to log inspections whilst on site, and using more of the functionality contained within our premises and inspection database to aid efficiency, consistency and workflow;
- reduce the administrative and reporting burdens that we place on our front-line professionals, while improving for the longer term the information and intelligence we gather to aid our operational planning; and
- assess how we communicate with businesses and review, to ensure information is simple, understood, so businesses understand their statutory obligations and comply.

9.0 RESOURCES, QUALITY ASSESSMENT AND OFFICER DEVELOPMENT

9.1 FINANCIAL ALLOCATION

9.1.1 Food Safety, Infectious Disease and Health & Safety

A total budget of £436,438 has been allocated to this service area. This compares to £415,943 in 2022/23 and £405,981 in 2021/22.

9.1.2 Food Standards and Animal Feed

A total budget[#] of £674,195 has been allocated to this service area. This compares to £639,785 in 2022/23.

the budget also includes funding for Weights & Measures, Fair Trading, Product Safety, Animal Health & Welfare, Explosive & Fireworks, Petroleum, 2nd Tier Consumer Advice, Scams and Age Restricted Sales

9.2 STAFFING ALLOCATION – FOOD SAFETY, INFECTIOUS DISEASE AND HEALTH & SAFETY

Number of Posts	FAST Officers	Food and Infectious Disease Control	Health & Safety and General Matters	Total FTE
1	Service Manager	0.5	0.5	1
3	Senior Environmental Health Officers	1.3	1.3	2.6
3	Environmental Health Officers	1.5	1.5	3
2	Food and Safety Enforcement Officers	0.8	0.8	1.6
TOTAL		4.1	4.1	8.2*
* There is also 1 additional FTE (temporary until 31 st March 2024) to offer administrative support to FAST (they have no direct Food Safety, Infectious Disease or Health & Safety role). If included makes FTE 9.2.				

- 9.2.1 For 2023/24 4.1 FTE is allocated for Food Safety work and 4.1 for Health & Safety/General work. Although these are the allocated FTEs for each function, demands during the year may mean this ratio may change.
- 9.2.2 If necessary, the shortfall in FTE may be made up by external contractors (on a paid per inspection basis) if needed, subject to a budget enabling this, to be sourced.
- 9.2.3 The work plans developed for 2023/24 do not include all the expectations stipulated by the FSA and HSE. There will still be a significant number of due interventions in lower risk premises not being fulfilled. As can be seen from calculations in Appendix 5, there is still a shortfall of 0.28 FTE to meet the 2023/24 plan. Options are being explored as stated in 9.2.2 above.
- 9.2.4 The lead officer function required by the Food Law Code of Practice is undertaken by the Food and Safety Service Manager.

9.3 STAFFING ALLOCATION – FOOD STANDARDS AND FEED

The following FTEs will carry out Food Standards, Feed and animal health duties alongside other trading standards duties in 2023/24.

Principal TSO	0.5	Management/Operational
TSOs	3.2*	Operational
Fair Trading Officers	1	Operational

Note: Trading Standards operates a multi-disciplinary Team and all officers now have a wider role in delivering the Trading Standards service and none of those listed above will carry out food work exclusively.

* vacant food officer post of 0.8 FTE not incorporated in figure.

The lead officer functions for both food standards and feed hygiene required by the Codes of Practice is undertaken by the Food Standards and Inspections Principal Trading Standards Officer.

9.4 QUALITY ASSESSMENT

9.4.1 Both FAST and TS services have established monitoring arrangements to ensure the quality of the services provided and to ensure the expected standards are maintained. These are listed below.

- Daily support provided by Service Managers and Senior Officers.
- Allocation of premises requiring inspection according to risk, from the EH Civica APP system.
- Documentation audits.
- Service Manager review and approve recommendation for legal proceedings.
- Senior Officer/Service Manager to review and approve the service of notices.
- Use of standard phrases for Schedules of Contraventions.
- Ongoing appraisal and regular 1 to 1 meetings.
- Procedures for investigating complaints against the service.

- Subscription to RIAMS (Regulating Information Management System).
- Group meetings to discuss matters of professional and technical interest.
- Accompanied inspections.
- Participation in national, local and regional consistency exercises.

9.4.2 Any formal complaints made against the service are investigated and monitored in accordance with the Council's Complaint Policy.

9.4.3 External verification of quality is actively pursued with a commitment to promote consistency of enforcement through auditing and benchmarking with the Derbyshire Health & Safety, Food Safety and Food Group Sampling groups.

9.4.4 Internal monitoring procedures have been set up to verify the service operates in conformance with relevant legislation, the Food Law Codes of Practice (England), Section 18 of the Health & Safety at Work etc. Act 1974 and our internal procedures.

9.5 STAFF DEVELOPMENT AND COMPETENCY MAINTENANCE

9.5.1 The Council is committed to ensuring that officers undertaking FAST and TS responsibilities have the required qualifications, skills, experience and competencies commensurate with their work requirements.

Food and Food Standards	Feed	Health & Safety
The Food Law Code of Practice contains specific competency requirements for officers carrying out food safety official controls. Officers are assessed to address gaps that may prevent them from effectively delivering official controls by ongoing monitoring.	The Feed Law Code of Practice contains specific competency requirements for officers carrying out food safety official controls. Officers are assessed to address gaps that may prevent them from effectively delivering official controls by ongoing monitoring.	The Health & Safety Executive's Section 18 Standard on Enforcement requires officers to be trained and competent.

- 9.5.2 Staff are supported by a system of performance appraisal (Great Performance Conversations – new internal name change pending) and regular 1:1 meetings, Team meetings, staff events and internal online training. The appraisal process aims to support and develop staff to continuously improve and build a work force that is fit for purpose.
- 9.5.3 The prescriptive competency and Continual Professional Development (CPD) training requirements specified in the table above will be annually reviewed. If it is determined the authorised officer does not meet the competency requirements an action plan will be devised to ensure their development needs are addressed and they are deemed competent to perform their duties.
- 9.5.4 The FSA has made changes to its competency/qualification requirements. A comprehensive review was needed to be undertaken by all FAST and TS members by the end of March 2023. This has been delayed for some officers due to other work commitments and awaiting further change in guidance from the FSA. In addition, 10 hours Health & Safety related training and 20 hours Food Safety related training/professional study are required by each qualified FAST member. TS Members are required to undertake 10 food hours and 10 non-food hours for food related activities and 10 feed hours for feed related activity.

APPENDIX 1 – OTHER PROACTIVE / REACTIVE APPROACHES

	Food Safety	Food Standards	Feed	Health & Safety
<p><u>Revisits</u> Following inspection/intervention it may be necessary to carry out a revisit after an appropriate time to check that matters have been attended to or check compliance with any enforcement notices.</p> <p>Reasons for revisits include:</p> <ul style="list-style-type: none"> • the nature of the contravention is deemed so serious that if it was not addressed, formal action would need to be taken; and • the number of minor contraventions is excessive and indicative of poor management and/or little confidence in the management addressing the matters. <p>This is separate to requests for a food hygiene rating rescore.</p>	✓	✓	✓	✓
<p><u>Service Requests/Complaints</u> We aim to respond to all complaints/requests for service as soon as possible, but in any case, requests will be acknowledged within three working days. Complainants will be advised of the outcome of all complaints.</p> <p>We prioritise complaints that pose a high risk to public health. Anonymous complaints will not usually be investigated unless there is concern about the nature of the complaint and/or premises history.</p>	✓	✓	✓	✓

<p><u>Food Safety Incidents</u> Food Safety alerts notify the public and food authorities of incidents concerning food which do not meet Food Safety or composition standards. They are transmitted electronically via the FSA.</p>	✓	✓		
<p><u>Business Advice</u> We acknowledge that most businesses want to comply with the law and FAST and TS Teams will provide advice and encourage best practice. Free basic advice is provided to assist businesses in complying with the law.</p> <p>A package of support aimed at both new business start-ups and existing businesses who want to improve their food hygiene rating was introduced alongside the Council’s statutory functions.</p> <p>Visits to premises for advice are only undertaken in exceptional circumstances. A service based on cost recovery is being explored.</p> <p>Experience shows that many businesses do not contact us. Some may be fearful of contact, which deters them from seeking advice. We will make a special effort to explore new ways to establish and maintain an effective communication that they all take their responsibilities seriously.</p>	✓	✓	✓	✓
<p><u>Microbiological Sampling</u> Microbiological sampling is undertaken at food businesses to detect micro-organisms that can cause food poisoning. By taking these samples, we are seeking to detect contaminated food and correct any problems with regard to manufacture, handling or storage before any illness is caused.</p> <p>Due to the reduction in staff resources, microbiological sampling is not undertaken on a proactive basis. Samples will be taken as part of investigations into incidents, food poisoning outbreaks or where local intelligence suggests that there is a risk to public health. These samples are examined by the UK Health Security Agency Laboratory at York, details listed in 2.5.2 previously.</p>	✓			

<p><u>Food Standards and Feed Sampling</u> During the year food/feed samples will be taken for composition and labelling. These will be taken as part of:</p> <ul style="list-style-type: none"> planned project work; inspections; Home Authority sampling; food sampled from local producers within the City; regional or national initiatives; and samples requiring testing as a result of complaints. <p>Food complaints items are submitted to the Public Analyst, where compositional or quality issues are examined, the details are stated in 2.5.2 previously.</p>		✓	✓	
<p><u>Primary Authority</u> Where a LA has set up a primary authority arrangement, with a business group.</p> <p>Inspecting authorities are required to take agreed plans into account when planning interventions for such companies and to consult with the LA before taking enforcement action. Several of the larger business chains in Derby have LA agreements in place and FAST and TS must have regard to their agreed inspection plans in order to plan more efficient and targeted interventions for these businesses.</p>	✓	✓	✓	✓
<p><u>Referrals to other organisations</u> Referrals are made where relevant information identifies that there is a wider regulatory interest. Relevant agencies to which referrals may be made include: FSA, HSE, other LA's, UKHSA, Derbyshire Fire and Rescue Services, Derbyshire Police, Ofsted, Care Quality Commission, Severn Trent Water Authority, RSPCA and the UK Border Agency.</p>	✓	✓	✓	✓
<p><u>Internal Consultations</u> The Teams are statutory consultees on licence applications under the Licensing Act 2003 and for temporary event notices. They also consult with other Sections within the Council; and on building control and planning applications relating to food premises.</p>	✓	✓		✓

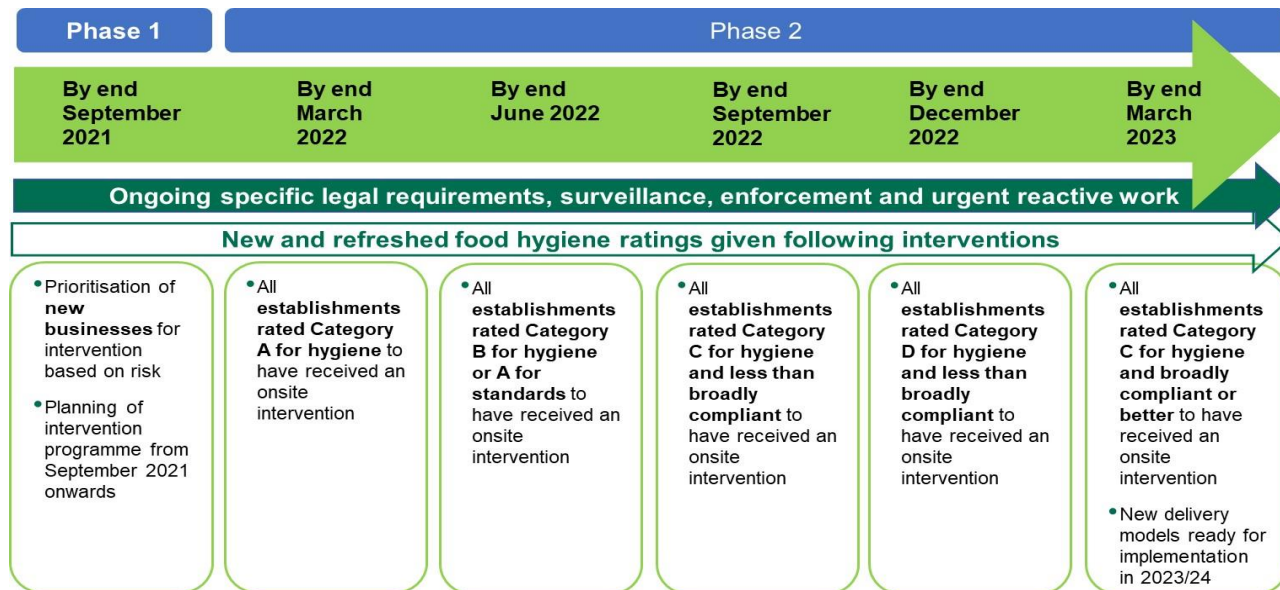
<p><u>Promotional Activities</u> Education and awareness are key methods of encouraging high standards in businesses across the district and informing the public.</p> <p>We support FSA media campaigns promoting messages through press releases, our website, social media and newsletters, where resources allow.</p> <p>We continue to provide information to assist businesses to comply with legislation and ensure the Council’s website is maintained with relevant information.</p> <p>Press releases are issued following successful prosecutions to act as a deterrent to others and inform the public.</p>	✓	✓	✓	✓
<p><u>Imported Food</u> Imported food responsibilities are included as part of routine inspections and our sampling programme. A check for imported food is made during all planned food premises interventions. Any issues found are then investigated further to ensure food is legally imported.</p> <p>On occasion the Teams may be notified of imported food arriving in the City as its first destination after import from a third country. Checks, including sampling maybe undertaken to ensure that the food is legally imported and it does not present a serious direct or indirect risk to health. With the UK’s exit from the EU additional inland checks may be necessary on imported food. The full extent of the impact is not yet known.</p>	✓	✓		
<p><u>Investigation and Control of Outbreak</u> FAST investigate any outbreaks or suspected outbreaks of food related infectious disease. This is undertaken in accordance with national guidance and on the advice of the Council’s Proper Officer for Medical Advice who is the Consultant in Communicable Disease Control (CCDC) from UKHSA. Actions are in line with procedures developed in conjunction with UK Health Security Agency and Derbyshire Food Liaison Group.</p> <p>In the event of a major outbreak, the resources required will be significantly higher due to the intensive demands created. In such circumstances, it may be necessary to meet these demands by the disruption of other priority work, secondment of employees from other work areas within the council or the provision of funding for temporary support.</p>	✓			

<p><u>Investigation and Control of Food Related Illness</u> Notifications of confirmed food related illness suffered by residents of the City are reported by UKHSA. A response matrix developed by UKHSA and the Derbyshire Food Liaison Group is used to identify who may be contacted for further information or for an investigation to be undertaken. Arrangements are in place for UKHSA to contact us directly if they become aware of specific types of infections of public health significance that require a more immediate response, such as suspected outbreaks or a person which falls within a high risk category as defined in national guidance.</p>	✓			
<p><u>Liaison with Other Organisations</u> In addition to working with other Teams officers from FAST and TS liaise with other local authorities, agencies and organisations to facilitate consistent enforcement, share good practice and reduce duplication of effort. These are listed below.</p> <ul style="list-style-type: none"> • Derbyshire Chief Officers Health and Safety Group • Derbyshire Chief Officers Food Liaison Group • Derbyshire Food Sampling Group • Food Standards Agency • Health & Safety Executive • UK Health Security Agency • Severn Trent Water • DEFRA • D2N2 (Derby, Derbyshire, Nottingham, Nottinghamshire Local Enterprise Partnership) • Animal Health (APHA) • Trading Standards East Midlands • Unitary Benchmarking Group • OFSTED • OPSS • CTSI • Derbyshire Police 	✓	✓	✓	✓

APPENDIX 2 – FSA LOCAL AUTHORITY RECOVERY PLAN

(Ended 31st March 2023)

The key elements of the recovery plan are summarised below. This plan ended on 31st March 2023. The expectation to return to pre-Covid-19 services.



APPENDIX 3 – SUMMARY OF DATA FOR LAE1 RETURN 2022/23

Table 2: Summary of LA Health & Safety Activity 1 April 2022 – 31 March 2023

Only include information where Health & Safety was targeted as a priority for intervention. For guidance on targeting and recording interventions for this return see:

- National LA Enforcement Code.
- List of higher risk activities in specific sectors suitable for proactive inspection (the 'List').
- Supplementary Guidance.
- Guidance on Combining H&S and Food Inspections.

Intervention type		Number of Inspections Interventions/Visits (each intervention must be counted only once)		Guidance
Proactive inspections		Targeted using <u>National</u> Intelligence	Targeted using <u>Local</u> Intelligence	
			Proactive inspection	13

				<p>Proactive inspections are not - Inspections undertaken primarily for reasons beyond occupational Health & Safety e.g. food hygiene, even if 'matters of evident concern' related to health safety happen to be identified and addressed during that inspection.</p> <p>Proactive inspection should only be used for the activities in the sectors contained in the list which accompanies the National Code, or where there is local intelligence of failure to manage risk.</p>
Non-inspection interventions	Other visits/face to face contacts	25	110	Any visit/face to face contact to educate, advise or engage duty holders, employees or other bodies such as trade associations e.g. awareness days and advisory support visits.
	Other contact/interventions	0	188	Any other targeted contact (not face to face) to educate, advise or engage duty holders, employees or other bodies such as trade associations e.g. raising H&S awareness by providing information packs. Do not include non-targeted general newsletters, service magazines or the number of website hits.
Reactive visits	Visit to investigate health & safety related incidents	9		Record the number of actual visits made under the relevant category. HSE has developed a risk-based approach to complaint handling and incident selection criteria (LAC 22/13) which LAs should adopt to help target interventions and make best use of resources.
	Visits to investigate H&S complaints	11		
	Visits following requests for H&S service from businesses	0		
Revisits following earlier intervention		29		Visits following an earlier intervention to confirm action previously required has been completed e.g. Notice compliance check.

Table 3: Number of enforcement actions 1 April 2022 – 31 March 2023

(a) Improvement notices	(b) Deferred prohibition notices	(c) Immediate prohibition notices	(d) Simple cautions	(e) Prosecutions
0	0	0	0	1

(d) Number of simple cautions (non-statutory procedure) to secure compliance of Health & Safety in England and Wales.
You do not need to submit the number of cases submitted to the Scottish Procurator Fiscal (PF), we will get this directly from the PF.

Table 4: Peer review of your LA's Health & Safety regulatory activities 1 April 2022 – 31 March 2023

Name of the peer-review group for your Local Authority? (e.g. name of Regional Liaison Group or 'buddy' Local Authorities)

Derbyshire Health & Safety Liaison Group

Did the above group successfully peer-review your Health & Safety regulatory services during the work year ?

No – due to ongoing regulatory catch up.

Table 5: Comments (voluntary – not part of the LAE1 return)

If you wish to provide brief comments to give further background/explanation of your reported data please include this here. Issues other LAs have commented on in the past have included:

402 Health and Safety Inspections as part of a Food Hygiene Inspection

HSE, as a public body, must act in accordance with the Freedom of Information Act, which also covers information provided to HSE by third parties. For more information:
www.hse.gov.uk/foi/disclosure-third-partyinfo.pdf.

APPENDIX 4 – COMMITMENT TO FOOD SAFETY INTERVENTION PLAN

FOOD SAFETY INTERVENTION PLAN 2023/24 COMMITMENT			
Risk Category	Backlog	Programmed	Commitment 2022/24
A	0	15 (x2 inspections) = 30	15 (x2 inspections) = 30
B	0	41#	41
Compliant C	1	191	192
Non-Compliant C	0	30	30
Compliant D	228	239	Anticipate 228 Backlog (will leave a backlog of 239 carried over until 2024/25)
Non-Compliant D	0	3	3
E	535	50	Anticipate 50% of Backlog = 268 (will leave a backlog of 317 carried over until 2024/25)
Total Due	764	584	792 Interventions (will leave a backlog of 556 carried over until 2024/25)
NEW BUSINESS INTERVENTION PLAN			
New Businesses	*	99	Estimate 340 new registrations for 2023/24
Total Due		1787 (COMMITMENT of 1231)	
* Must be Completed within +/- 28 days of due date # 21 Non Compliant			

APPENDIX 5 – RESOURCES NEEDED FOR FULFILLING 2023/24 PLAN

	TIME NEEDED TO COMPLETE ACTIVITY *#	COMMITMENT IN PLAN	TIME IDENTIFIED TO COMPLETE WORK PLAN
FOOD SAFETY			
<u>Programmed Inspections</u>			
A and NC Premises	6 hours	84 inspections	504 hours
B, C	4 hours	296 inspections	1184 hours
D	3 hours	228 inspections (only backlog)	684 hours
E	2 hours	268 interventions (only 50% of backlog)	536 hours
Unrated	3 hours	439 inspections	1317 hours
			4225 HOURS
<u>Reactive Work Activities</u>			
Revisits	1.5 hours	230 revisits	345 hours
Rescore Visits	3 hours	70 rescore visits	210 hours
Service Requests	1.5 hours	707 service requests	1060.5 hours
Infectious Disease Investigations	1 hour	208 investigations	208 hours
Food Sampling	2 hours	50 samples	100 hours
Other Activities (e.g. Food Alerts, Enforcement Action etc.)	-	700 hours approximately	700 hours
			2623.5 HOURS

	TIME NEEDED TO COMPLETE ACTIVITY *#	COMMITMENT IN PLAN	TIME IDENTIFIED TO COMPLETE WORK PLAN
HEALTH AND SAFETY			
<u>Programmed Inspections</u>			
A and B1 Premises	6 hours	2 inspections	12 hours
Other Visits	2 hours	522 other visits	1044 hours
Shisha Visits	4 hours	10 inspections	40 hours
Other Contacts	1 hour	200 contacts	200 hours
			1296 HOURS
<u>Reactive Work Activities</u>			
Revisits	1.5 hour	50 revisits	175 hours
Service Requests	1.5 hours	200 service requests	300 hours
Accident Investigations	5 hours	50 investigations	250 hours
Other Activities (e.g. Adverse Reports, Enforcement Action)	-	500 hours approximately	500 hours
			1225 HOURS
TOTAL HOURS = 9369.5 HOURS (6848.5 FOOD and 2521 HEALTH AND SAFETY)			

* includes visit time, office admin and database updating

calculated based on time recording exercise November 2021 – March 2022

Estimation of Food and Safety Officer FTE Productive Hours

1 year	365 days
Annual Leave	28 days
Training / Team Meetings	20 days
Competency Food and H&S Based Training	5 day
Bank Holidays	9 days
Sick Leave / Special Leave etc.	14 days
Weekends	104 days
Downtime – Research / Reading / Development etc.	25 days
Number of Working Days	160 days
1 FTE	160 days (1158.4 hours – PER FTE)
FAST FTE Hours = 7.2 (excludes Service Manager) x 1158.4 hours	8340 hours

Estimation of Resource Gap

- To meet the requirements of this report (which is less than those stipulated by the FSA and HSE) = **0.88 FTE** shortage. It is anticipated this gap will be fulfilled for 2023/24 by use of a paid for per inspection service and/or existing officer extra time-for-time paid hours.
- To meet the minimum requirements stipulated by the FSA and HSE which include the catch up on backlog D and E rated premises = **2.1 FTE** shortage.
- To implement a more robust and sustainable plan which meets the requirements stipulated by the FSA and a significantly wider health and safety work plan incorporating all aspects of the HSE code = **4.2 FTE** Shortage.

Review of Resource Demand for Food Standards

Trading Standards returned to physical inspection as part of the FSA Recovery Plan in 2021/22 where the priority was premises identified as high risk. The recovery plan continued into 2022/23 but despite this reduced commitment, Trading Standards continued to see high demand for their services due to a rise in non-compliance, referrals, legislative burdens and other Service demands. Planned pro-active market surveillance activities were delayed and/or reduced to meet this demand.

With the end of the Recovery Plan period there is an expectation that the Service returns to a full inspection plan. This and the inclusion of overdue interventions, is a significant increase in Service demand. Additional pressure on resources comes as a result of a recently vacated TSO post which is yet to be filled.

Programmed	Achieved 2021/22	Achieved 2022/23	Comments	Plans for 2023/24
Number of High Risk Inspections	25	20	Higher level of revisits required 2021/22 due to lack of intervention in 20/21 due to COVID	31 premises identified for 2023/24 due to a number of new businesses falling within high risk category A planned change to the Food Standards risk rating model in late 2023/24 to early

				2024/25 is likely to result in a significant increase in high risk premises – full details are as yet unknown
Number of interventions at upper and lower medium risk premises	102	123	No minimum requirement for 2021/22 and 2022/23 due to recovery plan. Inspections identified as a result of complaints, referrals or market surveillance in support of projects.	End of recovery plan - 422 premises due or overdue an inspection in 2023/24
Number of low risk inspections	23	8	No minimum requirement for 2021/22 and 2022/23 for inspection due to recovery plan. Inspections identified as a result of complaints, referrals or market surveillance in support of projects.	End of recovery plan - 246 premises due or overdue an alternative enforcement strategy intervention in 2023/24
Number of unrated premises rated	350	406	Rise in new business registration post COVID.	414 unrated food premises list for assessment in 2023/24
Number of complaints received	54	55		
Number of samples taken	52	20	Reduced sampling in 2022/23 due to budget restrictions – complaint samples prioritised.	Anticipate approximately 40 samples to be taken as part of market surveillance projects