

**Report on the Audit of Local Authority Food Law
Service Assessment of Food Businesses'
Food Safety Management System (FSMS)**

Ashfield District Council
10-11 March 2010



Foreword

Audits of local authorities' food law enforcement services are part of the Food Standards Agency's arrangements to improve consumer protection and confidence in relation to food. These arrangements recognise that the enforcement of UK food law relating to food safety, hygiene, composition, labelling, imported food and feeding stuffs is largely the responsibility of local authorities. These local authority regulatory functions are principally delivered through Environmental Health and Trading Standards Services. The Agency's website contains enforcement activity data for all UK local authorities and can be found at:

www.food.gov.uk/enforcement/auditandmonitoring.

The attached audit report examines the Local Authority's Food Law Enforcement Service. The assessment includes the local arrangements in place for officer authorisation and training, inspections of food businesses and internal monitoring. The audit scope was developed specifically to address Recommendations 9 and 15 of the Public Inquiry Report¹ into the 2005 E. coli outbreak at Bridgend, Wales. The programme focused on the local authority's training provision to ensure that all officers who check Hazard Analysis and Critical Control Point (HACCP) and HACCP based plans, including those responsible for overseeing the work of those officers, have the necessary knowledge and skills. Also, that existing inspection arrangements and processes to assess and enforce HACCP related food safety requirements in food businesses are adequate, risk based, and able to effect any changes necessary to secure improvements.

Agency audits assess local authorities' conformance against the Food Law Enforcement Standard ("The Standard"), which was published by the Agency as part of the Framework Agreement on Local Authority Food Law Enforcement and is available on the Agency's website at:

www.food.gov.uk/enforcement/auditandmonitoring. It should be acknowledged that there will be considerable diversity in the way and manner in which local authorities may provide their food enforcement services reflecting local needs and priorities.

The main aim of the audit scheme is to maintain and improve consumer protection and confidence by ensuring that local authorities are providing an effective food law enforcement service. The scheme also provides the opportunity to identify and disseminate good practice and provide information to inform Agency policy on food safety, standards and feeding stuffs. Parallel local authority audit schemes are implemented by the Agency's offices in all the devolved countries comprising the UK.

For assistance, a glossary of technical terms used within this audit report can be found at Annexe C.

¹ <http://wales.gov.uk/ecolidocs/3008707/reporten.pdf?skip=1&lang=en>

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1. Introduction

- 1.1 This report records the results of an audit at Ashfield District Council with regard to food hygiene enforcement, under relevant headings of the Food Standards Agency Food Law Enforcement Standard. The audit focused on the Authority's arrangements for the management of food premises inspections, enforcement activities and internal monitoring. The report has been made available on the Agency's website at: www.food.gov.uk/enforcement/auditandmonitoring/auditreports. Hard copies are available from the Food Standards Agency's Local Authority Audit and Liaison Division at Aviation House, 125 Kingsway, London WC2B 6NH, Tel: 020 7276 8428.

Reason for the Audit

- 1.2 The power to set standards, monitor and audit local authority food law enforcement services was conferred on the Food Standards Agency by the Food Standards Act 1999 and the Official Feed and Food Controls (England) Regulations 2009. This audit of Ashfield District Council was undertaken under section 12(4) of the Act as part of the Food Standards Agency's annual audit programme.
- 1.3 The Authority was included in the Food Standards Agency's programme of audits of local authority food law enforcement services, because it had not been audited in the past by the Agency and was representative of a geographical mix of 25 Councils selected across England.

Scope of the Audit

- 1.4 The audit examined Ashfield District Council's arrangements for food premises inspections and internal monitoring with regard to food hygiene law enforcement, with particular emphasis on officer competencies in assessing food safety management systems based on HACCP principles. This included a reality check at a food business to assess the effectiveness of official controls implemented by the Authority at the food business premises and, more specifically, the checks carried out by the Authority's officers to verify food business operator (FBO) compliance with legislative requirements. The scope of the audit also included an assessment of the Authority's overall organisation and management, and the internal monitoring of other related food hygiene law enforcement activities.
- 1.5 Assurance was sought that key food hygiene law enforcement systems and arrangements were effective in supporting business compliance, and that local enforcement was managed and delivered effectively. The on-site element of the audit took place at the

Authority's office at the Council Offices, Kirkby in Ashfield on 10-11 March 2010.

Background

- 1.6 Ashfield District Council forms part of the region of north-west Nottinghamshire, lying north of Nottingham City. In 2006 there was an estimated population of 115,650, the majority of the population, jobs, housing and services being concentrated in three main towns, Sutton in Ashfield, Hucknall and Kirkby-in-Ashfield.
- 1.7 Traditionally, Ashfield was predominantly a manufacturing area, based historically on coal mining, engineering and textiles. There are over 2,500 businesses in Ashfield, the majority being small, employing less than five people each. The District is undergoing a process of regeneration and has benefitted from considerable inward investment in recent years.
- 1.8 There are approximately 900 registered food premises in the District, the majority being in the small to medium retail and catering sector, with only a small number of large manufacturers and two establishments in the Authority's area requiring approval under Regulation (EC) No. 853/2004.
- 1.9 The Commercial Team was managed by a Team Leader, and officers maintained responsibility for enforcing food hygiene legislation and occupational Health and Safety in food establishments.
- 1.10 The profile of Ashfield District Council's food businesses as of 31 March 2009 was as follows:

Type of food premises	Number
Primary Producers	5
Manufacturers/Packers	26
Retailers	224
Restaurant/Caterers	625
Distributors/Transporters	25
Total number of food premises	905

2. Executive Summary

- 2.1 The Authority had developed and implemented a detailed Food Service Plan for 2009/2010, which had been approved and was broadly in line with the Service Planning Guidance in the Framework Agreement. The Plan contained information regarding the Service's statutory duties and estimates of the resources required to deliver these duties effectively. The Plan also included a detailed annual review of the Service's performance against the previous year's business plan.
- 2.2 The Authority was able to provide evidence that it had considered the recommendations made in the Pennington Inquiry Report, and in response had implemented a number of practical measures aimed at monitoring and improving business compliance with legal requirements.
- 2.3 The Authority had developed a range of documented policies and procedures relating to their food law enforcement responsibilities, including procedures to assist officers undertaking interventions at general food premises. All policies and procedures were managed by Environmental Health staff and the Commercial Team Leader, who maintained responsibility for any amendments.
- 2.4 Officers, including contractors, were generally authorised under most of the relevant areas of food hygiene legislation. However, the Authority needed to review officer authorisation schedules, in association with their legal team, to ensure that officers were authorised under all relevant European and UK food hygiene legislation in accordance with the Food Law Code of Practice and centrally issued guidance.
- 2.5 Individual officer training needs were identified as part of their annual performance review. All training records contained evidence that each officer had completed a minimum 10 hours relevant training in the last year, including recent training in HACCP principles and methods for effectively auditing HACCP based food safety management systems (FSMS). Auditors discussed the benefits of further specific training for officers regarding the implementation and assessment of Safer food, better business (SFBB).
- 2.6 The Authority was implementing an effective risk based food premises inspection programme. An innovative computer based method had been developed to record officers assessments of business compliance with legal requirements relating to HACCP and FSMS. In most cases the Authority was able to demonstrate that food establishments in its area were being effectively assessed against relevant food hygiene legislation, including legal requirements related to HACCP and FSMS. These findings were confirmed by the auditor visit to a local food establishment, accompanied by one of the Authority's Environmental Health Officers. Auditors did however discuss the benefits of further

- expanding the food premises inspection aide-memoire to support officer's assessments.
- 2.7 Although the Authority had only two approved establishments at the time of the audit, it was not clear from the Authority's records if all aspects of Annexe 12 of the Food Law Practice Guidance had been satisfied or whether officers had completed a full evaluation of the HACCP based FSMS held on the files for both establishments.
- 2.8 It was evident from audit checks that in most cases officers were taking a graduated approach to enforcement and actively worked with businesses to achieve compliance. The information reviewed relating to hygiene improvement notices identified that in each case the enforcement decisions reached were appropriate for the contraventions identified.
- 2.9 The Authority had implemented a documented food sampling procedure. In all cases audit checks confirmed that unsatisfactory sampling results had been correctly followed up, the food business operator informed and the appropriate action taken.
- 2.10 File checks of complaint records confirmed that on each occasion officers had followed the Authority's documented procedure, completed timely investigations of all complaints and notified the complainant of the investigation findings.
- 2.11 Discussion and review of internal monitoring procedures and practices indicated that although the Authority was undertaking extensive quantitative monitoring of its inspection programme and limited quality monitoring of inspections and specific aspects of enforcement activity, the Authority would have benefitted by expanding these arrangements to include monitoring of all aspects of the Authority's food law enforcement work.

3. Audit Findings

3.1 Organisation and Management

Strategic Framework, Policy and Service Planning

3.1.1 The Authority had developed and implemented a detailed Environmental Health Food Service Plan for 2009/2010. This had been approved by the appropriate Lead Member for the Environment on 5 June 2009 and was broadly in line with the Service Planning Guidance in the Framework Agreement. The Plan stated that the Service's aim was to '*contribute to a healthy community by working with partners to drive up standards in Food Safety of food manufactured, prepared and sold in Ashfield*'. The Plan also outlined a number of key food hygiene and safety objectives for 2009/2010:

- *Maintain as a minimum a programme of food hygiene inspections in accordance with the Food Law Code of Practice (England) and associated Practice Guidance.*
- *To implement 2 high profile food safety campaigns.*
- *Develop and update food hygiene information featured on the Council's website, including a food hygiene rating system.*
- *Review the Framework Agreement having regard to FSA advice.*

3.1.2 The Service had undertaken a review of its food safety inspection process the previous year, which had led to a restructure of the Commercial Team, and a decision to use a contractor to undertake 150 low risk food hygiene inspections. The Plan also outlined the Services commitment to continue providing coaching or advice regarding Safer food, better business (SFBB) to businesses, where appropriate.

3.1.3 The Plan contained details of the full range of statutory demands placed upon the Service, and estimates of the resources needed to deliver these duties effectively. Although the Plan did not contain specific reference to actions taken in response to the Pennington Inquiry Report, auditors were provided with evidence of discussions about the Report that had taken place between the Authority and neighboring districts at recent food liaison group meetings.

3.1.4 The Authority was also able to provide detailed evidence of measures that had been taken as a result of these group meetings and internal team meetings. These included:

- The provision of detailed practical training for officers on vacuum packing equipment, provided by an equipment manufacturer and the HPA
- Inviting a local butchery business operating, in the view of the Authority, to high standards of hygiene and legal standards of

compliance, to act as a business champion to help train and encourage similar local businesses in the area.

- 3.1.5 The Authority had completed a detailed review against the objectives outlined in the previous year's Service Plan, including progress against inspection targets, and had identified variances and the resulting improvements required.
- 3.1.6 The Food Service Plan detailed that the staffing allocation available to undertake food law enforcement during 2009/2010 was the equivalent of 3.1 full time officers, comprising:

Officer Designation	FTE posts
Environmental Health Manager	0.15
Team Leader	0.40
Environmental Health Officer(s)	1.5
Environmental Health Technician	0.9
Administration	0.15
TOTAL	3.1

Documented Policies and Procedures

- 3.1.7 The Service had developed and implemented a wide range of documented policies and procedures covering most of its food law enforcement responsibilities. These documents were available to all officers in electronic format on a central directory and those evaluated during the audit contained up to date references to legislation and official guidance, with details of their approval. Auditors discussed the benefits of including review dates to the policies and procedures.
- 3.1.8 Although the Authority did not maintain a formal document control procedure, there was a process in place for the amendment and review of official policies and procedures including the use of dated issue numbers. All changes to documentation were authorised and documented by the Commercial Team Manager.

Officer Authorisations

- 3.1.9 The Authority had developed a documented procedure for the authorisation of officers which included a basic matrix that recorded individual officer skills and competencies. The procedure detailed the range of competencies required for specific tasks, but could have been improved by providing details of the arrangements in place for ongoing competency assessments in relation to the duties of individual officers, linking the competency matrix specifically to different levels of officer authorisation.
- 3.1.10 Officer authorisation schedules containing references to the legislation under which officers were empowered, required further

review in association with the Authority's legal department, to confirm that officers, including contractors, were authorised under the full range of relevant current legislation applicable to food safety enforcement officers.

Recommendation

3.1.11 The Authority should:

Review all officer's schedules of authorisation, and ensure its officers are authorised under the full range of relevant food legislation, in accordance with the Food Law Code of Practice. [The Standard – 5.1]

3.1.12 Audit checks confirmed that all officers' qualifications were available and in general, copies of relevant qualification certificates had been retained by the Authority.

3.1.13 Officers' individual training and development needs were identified as part of their annual performance review. All training records examined, contained evidence of a minimum 10 hours relevant training in the last year based on the principles of continuing professional development. Officers had completed specific training in HACCP principles and /or auditing of HACCP based FSMS, but would have benefited further from specific training relating to the implementation and evaluation of SFBB.

3.2 Food Premises Inspections

3.2.1 The Authority provided details of the proposed intervention programme for 2009/2010 by risk category:

Premises Risk Category	Planned Interventions
A	12
B	99
C	303
D	57
E	58
TOTAL	529

The Authority had set an internal performance target of achieving 100% of the planned interventions, including an alternative enforcement strategy for low risk premises, which had been reported in the Food Service Plan for 2009/2010.

3.2.2 The Authority had developed a detailed documented procedure to assist officers in completing interventions at food premises. The procedure included reference to the full range of intervention options open to officers in different types of establishment, in accordance with the Food Law Code of Practice, and also included guidance to officers when evaluating FSMS based on HACCP.

3.2.3 File and database record checks confirmed that the Authority was implementing an effective risk based food premises inspection programme, completed at the minimum frequencies required by the Food Law Code of Practice.

3.2.4 The Authority had developed a general food premises aide-memoire, known as a 'Business Profile' form, to record most of the information required by current food hygiene legislation. A separate simplified aide-memoire aimed at low risk premises inspections had also been developed and implemented.

3.2.5 Although the Authority's general food premises aide-memoire required officers to record only limited information regarding business compliance with legal requirements related to FSMS based on HACCP, the inspection procedure instructed officers to record further details in their PACE notebooks.

3.2.6 The Authority had also developed a specific computer module on its database to record officer's assessments of business progress with meeting HACCP and FSMS requirements, training and temperature control requirements for all businesses inspected. Auditors discussed the benefits of further developing their Business Profile aide-memoire to prompt officers during inspections and to help support officers when transferring inspection findings relating to FSMS information to the inspection database.

Good Practice – Recording of HACCP compliance

Using in house staff and software supplied with the Authority's database, the Service had developed a method of recording officers assessments of business compliance with FSMS based on HACCP, training and temperature controls, following inspections. The information recorded provided officers with an easy method of reviewing a business's progress with key legal requirements prior to inspection, and allowed the Authority to analyse and plan future initiatives targeted upon HACCP implementation.

- 3.2.7 File record checks on general food hygiene premises confirmed that aides-memoire had in general been appropriately completed, recording inspection findings and areas of non-compliance.
- 3.2.8 Reports of inspection were left with the food business operator (FBO) which contained all the details required by the Food Law Code of Practice. In addition, detailed and clearly worded letters were sent to confirm the main findings of inspections, and when required, appropriate timescales for the works to be completed. Officers also consistently differentiated between legal requirements and recommendations of good practice. Generally, revisits were made to premises where necessary, to ensure that required works had been completed.
- 3.2.9 Auditors noted two cases, involving high risk premises, where the Authority could have achieved more timely business compliance given that a number of serious contraventions had been identified and recorded during previous interventions.

Recommendation

3.2.10 The Authority should:

Take appropriate and timely action on any non-compliance found during inspections, particularly when associated with contraventions related to HACCP and FSMS requirements, in accordance with the Authority's Enforcement Policy and the Food Law Code of Practice. The reasons for any departure from the criteria set out in the Authority's Enforcement Policy should be documented [The Standard – 7.3 and 15.4]

- 3.2.11 The Authority had developed a basic procedure for officers, with reference to relevant LACORS guidance, on the inspection and

approval of establishments subject to the specific hygiene requirements set out under Regulation (EC) No. 853/2004.

3.2.12 Files for the two approved establishments in the Authority's area were examined during the audit. Both establishments were recorded as cold stores, although one establishment needed further review to confirm the range and extent of food operations carried out on the site. The inspection findings had not routinely been recorded on prescribed aides-memoire in accordance with official guidance and it was therefore difficult to establish from the file records whether an appropriate detailed evaluation had been carried out, and the basis of the officer's assessment of compliance.

3.2.13 Although there was evidence contained within each file of a food safety management system in place at the establishments that had been approved, there was insufficient evidence available to determine whether officers had completed a thorough assessment of the systems' effectiveness.

Recommendation

3.2.14 The Authority should:

Ensure that records, observations and data obtained during the course of inspections, particularly in relation to the verification of HACCP based food safety management systems, include sufficient detail to demonstrate that the compliance of premises and systems has been comprehensively assessed to legally prescribed standards. [The Standard – 16.1]

3.2.15 File records of inspections were generally well ordered, although approved establishment files required review to ensure that they contained the relevant business and operations information as recommended in Annexe 12 of the Food Law Practice Guidance.

Recommendation

3.2.16 The Authority should:

Maintain up to date, accurate and comprehensive records for all approved establishments subject to Regulation (EC) No. 853/2004 in accordance with Annexe 12 of the Food Law Practice Guidance. [The Standard – 16.1]

Verification Visit to a Food Premises

- 3.2.17 During the audit, a verification visit was undertaken to a local butcher with an officer from the Authority, who had carried out the last food hygiene inspection of the premises. The main objective of the visit was to assess the effectiveness of the Authority's assessment of food business compliance with food law requirements. The specific assessments included the conduct of the preliminary interview of the FBO by the officer, the general hygiene checks to verify compliance with the structure and hygiene practice requirements and checks carried out by the officer to verify compliance with HACCP based procedures.
- 3.2.18 The audit visit confirmed that the checks carried out by the officer were thorough and covered the majority of food law requirements, including an assessment of the businesses compliance with HACCP based FSMS requirements. It was also clear that the officer was working to support the FBO in addressing legal contraventions identified at previous inspections.

3.3 Enforcement

- 3.3.1 The Authority had developed a detailed Environmental Health and Housing Enforcement Policy which had been revised in 2009 to take account of the Regulators' Compliance Code and the Home Office Guidance on cautioning of offenders. The Service had developed basic procedural guidance for most formal food law enforcement actions.

- 3.3.2 Three hygiene improvement notices (HINs), which had been served against businesses that had failed to comply with Regulation (EC) No. 852/2004 Article 5, were selected for review. In each case, the use of the notice had been the appropriate course of action and had been served in accordance with the Authority's own procedures. However in two out of three cases there was no evidence on file of a letter to the businesses concerned confirming compliance with the notices. No other forms of formal enforcement, besides HINs and revisits had been recently undertaken by the Authority.

3.4 Internal Monitoring and Third Party or Peer Review

Internal Monitoring

- 3.4.1 The Service had developed a documented internal monitoring procedure to monitor the consistency and quality of food hygiene inspections. Several individual monitoring documents had also been developed, including one related to document review and changes in legislation. However, the Authority needed to develop further procedures to cover risk based and systematic qualitative and quantitative monitoring arrangements of all its food law enforcement activities.

Recommendation

- 3.4.2 The Authority should:

Review, expand and fully implement its internal monitoring procedures to include qualitative monitoring arrangements of all areas of food law enforcement activity, including officer authorisations and follow-up actions.
[The Standard – 19.1 and 19.2]

- 3.4.3 In practice auditors noted evidence of some qualitative monitoring of inspection records and enforcement activities, such as HINs, and quantitative monitoring had been reported within the annual review of the Food Service Plan. Auditors also noted further evidence of detailed routine performance management and quantitative monitoring of inspections, including any overdue and unrated premises.
- 3.4.4 In 2008/2009, the Authority had also participated in a benchmarking exercise involving food premises hygiene compliance organised by the Nottinghamshire Food Liaison Group. The aim of the exercise was to improve the consistency of food premises law enforcement between authorities.

Food and Food Premises Complaints

- 3.4.5 The Authority had developed and implemented a basic documented procedure for the investigation of food and food premises complaints. The procedure for complaint investigation provided guidance to officers when investigating complaints and included specific details of the administration to be completed and reference to the Authority's Enforcement Policy where follow-up action was appropriate.

- 3.4.6 Audit checks were completed of five separate complaint files. In all cases timely investigations had taken place and appropriate records had been maintained in accordance with the Authority's complaints procedure and the Food Law Code of Practice. Complainants and businesses had been notified of the investigation findings.

Food Sampling

- 3.4.7 The Authority was actively participating in local, regional and national food sampling programmes. In conjunction with the Nottinghamshire Food Sampling Group, a sub-group of the Nottinghamshire Food Liaison Group, the Authority had developed a detailed sampling programme for 2009/2010, recorded in its Food Safety Service Plan 2009/2010.

- 3.4.8 Audit checks of five sample results were carried out, one of which was recorded by the Authority as receiving unsatisfactory test results. It was evident from file records this had been brought to the attention of the relevant FBO, and that effective and appropriate follow-up action had been taken.

Third Party or Peer Review

- 3.4.9 Auditors were informed that no recent formal Inter-Authority Audits had taken place in the area. There had however been an internal audit in 2007 undertaken by the Authority, which highlighted the need to record any internal monitoring checks that had taken place.

Auditors: Andrew Gangakhedkar

Andrew Clarke

Food Standards Agency

Local Authority Audit and Liaison Division

Action Plan for Ashfield District Council

Audit date: 10-11 March 2010

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.1.11 Review all officer's schedules of authorisation, and ensure its officers are authorised under the full range of relevant food legislation, in accordance with the Food Law Code of Practice. [The Standard – 5.1]	31/08/10	Review of officer authorisations by the Council's legal department.	<p>A review of authorisation against the full range of food legislation has been carried out and The Official Feed and Food Controls (England) Regulations 2009 have been added to the Council's Constitution. This will allow officers to be authorised, as appropriate under these Regulations.</p> <p>Copies of existing officer authorisations have been forwarded to the Council's legal department for review and advice. Appropriate actions will be taken according to legal advice received.</p> <p>Specimen competency matrix obtained to help develop the training and competency matrix.</p> <p>The current training matrix has been reviewed and replaced with a documented officer training and competency matrix, linked to the officer authorisation procedure. This will ensure that all officers, including contractors, can provide evidence that competency and training requirements have been identified and addressed, in accordance with the level of officer authorisation.</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.2.10 Take appropriate and timely action on any non-compliance found during inspections, particularly when associated with contraventions related to HACCP and FSMS requirements, in accordance with the Authority's Enforcement Policy and the Food Law Code of Practice. The reasons for any departure from the criteria set out in the Authority's Enforcement Policy should be documented. [The Standard – 7.3 and 15.4]</p>	<p>Completed</p>	<p>To review framework procedures/protocols on an annual basis.</p>	<p>A meeting has taken place with inspectors to discuss the importance of appropriate and timely action on any non-compliance. This included ensuring adherence to the Council's enforcement policy. Specific cases were discussed in detail with actions reviewed and future enforcement approaches agreed.</p> <p>A space headed 'Enforcement Actions and Reasons' has been added to the inspection aide-memoire. Officers are now recording enforcement actions, and reasons to aides-memoire, so that their actions may be understood by the next inspecting officer of the establishment and for audit purposes. The Council's Inspection protocol has been amended accordingly.</p>
<p>3.2.14 Ensure that records, observations and data obtained during the course of inspections, particularly in relation to the verification of HACCP based food safety management systems, include sufficient detail to demonstrate that the compliance of premises and systems has been comprehensively assessed to legally prescribed standards. [The Standard – 16.1]</p>	<p>Completed</p>	<p>Inspection pro-formats/aides-memoire to be reviewed annually, or more often where legislation, guidance or work practices change.</p>	<p>Team discussions of what needs to be added have take place.</p> <p>Aide-memoire forms have been amended and have now been implemented. The amendments focus on the verification of HACCP based food safety management systems, and allow inspectors to make a sufficiently detailed written assessment of the level of compliance of establishments to legally prescribed standards.</p> <p>Different HACCP assessment forms are provided for those with SFBB or bespoke management systems.</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.2.16 Maintain up to date, accurate and comprehensive records for all approved establishments subject to Regulation (EC) No. 853/2004 in accordance with Annexe 12 of the Food Law Practice Guidance. [The Standard – 16.1]</p>	<p>Completed</p>		<p>Premises inspection procedure has been amended for authorisation of approved establishments.</p> <p>853/2004 inspection pro-forma has been produced which is specific to cold store establishments.</p> <p>Both establishments have been inspected - accurate and comprehensive records have been added to the establishment files.</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.4.2 Review, expand and fully implement its internal monitoring procedures to include qualitative monitoring arrangements of all areas of food law enforcement activity, including officer authorisations and follow-up actions. [The Standard – 19.1 and 19.2]</p>	<p>Completed</p> <p>To be reviewed annually.</p>	<p>Annual review of framework procedures/protocols.</p>	<p>Monitoring procedure reviewed. Whilst checks on sampling, food complaint investigations and infectious disease investigations were previously carried out and recorded, there was no reference to this in the framework – appropriate amendments have been made to the procedures/protocols. Internal monitoring of inspections has continued with focus on high risk premises.</p> <p>Enforcement reasons are now recorded on aide-memoire, to strengthen the recording of follow-up actions and reasons. All officers have been re-issued with copies of the enforcement policy and all of the team attended a meeting to discuss the enforcement policy and its application to the food enforcement function.</p> <p>Officer authorisation documents forwarded to the Council's legal department for their perusal and comment. Any recommended actions will be promptly carried out.</p> <p>Training matrix has been reviewed and replaced with training and competency matrix, linked to the officer authorisation procedure, to ensure that all officers, including contractors, can provide evidence that competency and training requirements have been identified and addressed, in accordance with the level of officer authorisation.</p>

Audit Approach/Methodology

The audit was conducted using a variety of approaches and methodologies as follows:

(1) Examination of LA policies and procedures.

The following LA policies, procedures and linked documents were examined before and during the audit:

- Environmental Health Food Service Plan 2009/2010 and associated appendices
- The Authority's procedure for the authorisation of officers, authorisation/training matrix, officer training and qualification records
- Food Premises and Inspection/Intervention aides-memoire
- Procedure for Inspection of Food Premises and Other Food Safety Related Work
- The Authority's Food Law Enforcement Policy Procedure
- Food Complaints Procedure
- Food Sampling Procedure and related documents
- The Authority's Internal Monitoring Procedure related to Inspections.

(2) File reviews – the following LA file records were reviewed during the audit:

- General food premises inspection records
- Approved establishment files
- Food complaint records
- Food sampling records
- Formal enforcement records.

(3) Officer interviews – the following officers were interviewed:

- Audit Liaison Officer
- Environmental Health Officer

Opinions and views raised during officer interviews remain confidential and are not referred to directly within the report.

(4) On-site verification check:

A verification visit was made with the Authority's officers to a local food business. The purpose of the visit was to verify the outcome of the last inspection carried out by the Local Authority and to assess the extent to which enforcement activities and decisions met the requirements of relevant legislation, the Food Law Code of Practice and official guidance, having particular specific regard to LA checks on FBO compliance with HACCP based food management systems.

Glossary

Authorised officer	A suitably qualified officer who is authorised by the local authority to act on its behalf in, for example, the enforcement of legislation.
Codes of Practice	Government Codes of Practice issued under Section 40 of the Food Safety Act 1990 as guidance to local authorities on the enforcement of food legislation.
County Council	A local authority whose geographical area corresponds to the county and whose responsibilities include food standards and feeding stuffs enforcement.
District Council	A local authority of a smaller geographic area and situated within a County Council whose responsibilities include food hygiene enforcement.
E. coli	<i>Escherichia coli</i> microorganism, the presence of which is used as an indicator of faecal contamination of food or water. <i>E. coli</i> 0157:H7 is a serious food borne pathogen.
Environmental Health Officer (EHO)	Officer employed by the local authority to enforce food safety legislation.
Feeding stuffs	Term used in legislation on feed mixes for farm animals and pet food.
Food hygiene	The legal requirements covering the safety and wholesomeness of food.
Food standards	The legal requirements covering the quality, composition, labelling, presentation and advertising of food, and materials in contact with food.
Framework Agreement	<p>The Framework Agreement consists of:</p> <ul style="list-style-type: none"> • Food Law Enforcement Standard • Service Planning Guidance • Monitoring Scheme • Audit Scheme <p>The Standard and the Service Planning Guidance set out the Agency's expectations on the planning and delivery of food law enforcement.</p> <p>The Monitoring Scheme requires local authorities to submit quarterly returns to the Agency on their food enforcement activities i.e. numbers of inspections, samples and prosecutions.</p> <p>Under the Audit Scheme the Food Standards Agency will be conducting audits of the food law enforcement services of local authorities against the criteria set out in the Standard.</p>
Full Time Equivalents (FTE)	A figure which represents that part of an individual officer's time available to a particular role or set of duties. It reflects the fact that individuals may work part-time, or may have

other responsibilities within the organisation not related to food enforcement.

HACCP		Hazard Analysis and Critical Control Point – a food safety management system used within food businesses to identify points in the production process where it is critical for food safety that the control measure is carried out correctly, thereby eliminating or reducing the hazard to a safe level.
LAEMS		Local Authority Enforcement Monitoring System is an electronic system used by local authorities to report their food law enforcement activities to the Food Standards Agency.
Member forum		A local authority forum at which Council Members discuss and make decisions on food law enforcement services.
Metropolitan Authority		A local authority normally associated with a large urban conurbation in which the County and District Council functions are combined.
OCD returns		Returns on local food law enforcement activities required to be made to the European Union under the Official Control of Foodstuffs Directive.
Regulators' Code	Compliance	Statutory Code to promote efficient and effective approaches to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens on businesses.
Risk rating		A system that rates food premises according to risk and determines how frequently those premises should be inspected. For example, high risk premises should be inspected at least every 6 months.
Service Plan		A document produced by a local authority setting out their plans on providing and delivering a food service to the local community.
Trading Standards		The Department within a local authority which carries out, amongst other responsibilities, the enforcement of food standards and feeding stuffs legislation.
Trading Standards (TSO)	Officer	Officer employed by the local authority who, amongst other responsibilities, may enforce food standards and feeding stuffs legislation.
Unitary Authority		A local authority in which the County and District Council functions are combined, examples being Metropolitan District/Borough Councils, and London Boroughs. A Unitary Authority's responsibilities will include food hygiene, food standards and feeding stuffs enforcement.