

Report on the Audit of Local Authority Inland Imported Food Control Arrangements

Middlesbrough Council
27-28 October 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 their 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 audit scope includes the assessment of local arrangements in place for service planning, delivery and review, provision and adequacy of officer training on imports and authorisations, and implementation and effectiveness of imported food (including inspection, sampling and enforcement). Maintenance and management of appropriate records in relation to imported food activities and food businesses that handle imported food, as well as internal service monitoring arrangements, will also be examined.

This programme of focused audits has been specifically developed to address one of the main priorities identified in the Food Standard Agency's Strategy for 2010-2015 in meeting the outcomes that imported food is safe to eat and that regulation is effective, risk-based and proportionate. The strategic priority is to ensure risk-based, targeted checks at ports and local authority monitoring of imports throughout the food chain.

The audits examined Port Health Authority (PHA) and Local Authority (LA) systems and procedures for control of imported food and where relevant imported feed, at ports of entry (sea and air) and at inland authorities, in 15 geographically representative PHAs and LAs in England. The audits of PHAs were confined to food not of animal origin (FNAO), where relevant imported feed. However the audits of inland authorities covered products of animal origin (POAO) and FNAO. As part of the programme, other LAs with ports are also being contacted to establish whether liaison with ports and appropriate checks on imports are being undertaken.

Agency audits assess local authorities' conformance against the Feed and Food Law Enforcement Standard ("The Standard"), which was published by the Agency as part of the Framework Agreement on Official Feed and Food Controls by Local Authorities (amended April 2010) 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 feed and 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 feed and 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 devolved countries comprising the UK.

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

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1. Introduction

- 1.1 This report records the results of an audit at Middlesbrough Council with regard to food law enforcement, under relevant headings of the Food Standards Agency Feed and Food Law Enforcement Standard. The audit focused on the Authority's arrangements for imported food controls. The audit was undertaken as part of the Agency's focused audit programme on imported food and, where appropriate, feed controls. The report has been made publicly available on the Agency's website at www.food.gov.uk/enforcement/auditandmonitoring. 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 feed and 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 Middlesbrough Council was undertaken under section 12(4) of the Act as part of the Food Standards Agency's annual audit programme. Regulation (EC) No. 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, includes a requirement for competent authorities to carry out internal audits or to have external audits carried out. The purpose of these audits is to verify whether official controls relating to feed and food law are effectively implemented. To fulfil this requirement, the Food Standards Agency, as the central competent authority for feed and food law in the UK has established external audit arrangements. In developing these, the Agency has taken account of the European Commission guidance on how such audits should be conducted.¹
- 1.3 Middlesbrough Council was included in the Food Standards Agency's programme of audits of local authority food and feed law enforcement services, because the Authority is home to a diverse community and therefore is likely to be an area where many local food businesses handle imported food. As well as being representative of a geographical mix of 15 PHAs and LAs selected across England, the Authority was also identified as forming part of the new arrangements proposed for the River Tees Port Health Authority (RTPHA).

¹ Commission Decision of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls to verify compliance with feed and food law, animal health and welfare rules (2006/677/EC)

Scope of the Audit

- 1.4 The audit examined Middlesbrough Council's arrangements for imported food controls in respect of both imported food not of animal origin (FNAO) and products of animal origin (POAO). As the boundary of the RTPHA falls within Middlesbrough Council's area, the arrangements for supporting imported food controls at the RTPHA were also discussed during the audit.
- 1.5 The audit scope included the assessment of local arrangements for service planning, delivery and review, provision and adequacy of officer training on imports and authorisations, implementation and effectiveness of imported food control activities, including inspection, sampling and enforcement. The maintenance and management of appropriate records in relation to imported food activities and food businesses that handle imported food, as well as internal service monitoring arrangements, were also examined.
- 1.6 The on-site element of the audit took place at the Authority's office at Vancouver House, Gurney Street, Middlesbrough on 27-28 October 2010. The audit included a reality check 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 compliance with imported food law requirements.
- 1.7 The audit also afforded the opportunity for discussion with officers involved in imported food law enforcement with the aim of exploring key issues and gaining opinions to inform Agency policy. A set of structured questions were used as the basis for discussions which sought views and information on areas related to imported food controls such as:
 - service planning and the strategic framework of controls
 - training and support
 - criteria used to determine the level of checks
 - issues affecting the imported food control programme
 - sampling, surveillance and enforcement approaches.
- 1.8 The information gained during interviews will be incorporated into a summary report on the imported food and feed inspection and control activities audit programme.

Background

- 1.9 Middlesbrough Council is a unitary authority situated in the North East of England, located along the banks of the River Tees. The Authority covers

an area of 20.81 square miles, and has a population of approximately 138,600 in 58,100 households.

- 1.10 In the 2010/2011 Service Plan for Food Safety, Health and Safety and Healthy Living Enforcement, the Authority confirmed that there were 1,153 registered food establishments within the Borough, including one food importer/exporter. The majority of businesses were in the catering sector, with 25 food manufacturers/packers.
- 1.11 The food safety function, encompassing both food hygiene and food standards was delivered by officers within the Food and Safety Team, who were also responsible for health and safety in food establishments, farmed animal welfare, infectious disease control and a range of public health initiatives aimed at raising food safety awareness. The Team was managed on a day to day basis by the Principal Environmental Health Officer as part of the Environmental Health Group led by the Environmental Health Manager. The Environmental Health Group in turn formed part of the Community Protection Service Management Team.
- 1.12 The Authority had, along with two other neighbouring authorities, committed to providing limited routine emergency cover for the newly re-structured RTPHA. Relevant officer authorisations had been amended to include the new duties, however it was not envisaged that officers from the Authority would be involved in routine port health enforcement, other than in exceptional circumstances
- 1.13 The profile of Middlesbrough Council's food businesses, as shown in the 2010/2011 Service Plan was as follows:

Type of Food Premises	Number
Manufacturers/Packers	25
Importers/Exporters	1
Distributors	24
Retailers	316
Restaurants/Caterers (inc. Mobile caterers)	787
Total Number of Food Premises	1,153

2. Executive Summary

- 2.1. The Authority had developed a detailed Food Safety, Health and Safety and Healthy Living Service Plan 2010/2011, which was broadly in line with the Service Planning Guidance in the Framework Agreement. The Plan made appropriate references to the Authority's imported food control arrangements. The plan would, however, benefit from further review and development to provide a clear comparison of all demands on the Service, including all imported food responsibilities, and the resources needed to deliver the Service effectively. In addition, the Service should identify and document any variance in delivering the Plan throughout the year and identify any possible areas for improvement.
- 2.2. A documented procedure for the authorisation of officers had been developed and implemented. The procedure required further review and development to outline the mechanism by which officer competencies were assessed and authorisations were administered in practice. Audit checks however confirmed that officers were appropriately authorised under relevant legislation based upon their current responsibilities.
- 2.3. Officers had undertaken at least 10 hours relevant training based on the principles of Continuing Professional Development (CPD). However, due to the Authority's planned involvement and commitment to new arrangements for the River Tees Port Health Authority, and observations made during the reality visit, auditors also recommended that officers receive further structured training on imported food controls, particularly in relation to high risk products.
- 2.4. The Authority had in place a computer software system capable of providing accurate food law enforcement monitoring data to the Agency. However, the Service was aware that it had not included third country imported food sampling activity and enforcement actions on the imported food section of the Local Authority Enforcement Monitoring System (LAEMS) return for 2009/2010. Auditors were provided with assurances that this would be corrected in future returns to the Agency.
- 2.5. It was evident from audit record checks that imported food control is considered by the Authority to be an integral part of the food service. Officers carried out investigations and took proportionate action where illegal imports or high risk third country imports were identified. The Service maintained detailed records relating to inspections and follow-up actions, including those related to imported food controls. Evidence of detailed and thorough investigations was observed in relation to imported food issues including effective liaison with other external stakeholders. A comprehensive aide-memoire had been developed to capture essential

information relating to food businesses and to ensure that detailed records were made of each intervention.

- 2.6 Audit checks confirmed that appropriate follow-up action, including formal enforcement in relation to illegal food imports, had been taken in accordance with the Authority's Enforcement Policy and internal procedures. The Service had recently been successful in identifying and publicising a case where illegal imported foods, discovered during an inspection and posing a potential health risk to the public, had been seized and destroyed. This helped to demonstrate the Authority's commitment to implementing imported food controls, and to highlight to food businesses the importance of traceability checks for all foods offered for sale. Auditors also acknowledged the significant resources required to successfully identify and tackle such cases to protect public health.
- 2.7 It was clear that the Service was proactive in providing advice to food businesses on imported food controls. This included information leaflets, newsletters and targeted letters to relevant businesses.
- 2.8 In conjunction with other neighbouring authorities, and supported by grant funding from the Food Standards Agency, the Service had developed food sampling programmes that took account of the diverse nature of imported foods sold in the Authority's area. Audit checks confirmed that samples had been taken in accordance with the Authority's procedures and appropriate actions had been taken on receipt of sampling results.
- 2.9 The Authority had taken a risk based approach to the implementation of its documented internal monitoring procedures. Auditors were provided with evidence of appropriate qualitative monitoring of officers work covering most aspects of the Service. The Authority was also able to provide detailed evidence of substantial quantitative monitoring, reported to senior management, to ensure that inspection targets were met throughout the year. Robust and effective internal monitoring is essential to ensure that an effective service is maintained and to promote consistency among officers.
- 3.0 During the audit a verification visit was carried out to a local food importer with an officer from the Authority who had carried out the last food hygiene inspection. The purpose of the visit was to determine the effectiveness of the Authority's assessment and application of imported food controls in relation to third country imports. A number of high risk products were identified on the visit. Auditors discussed the importance of officers being fully aware of the latest legal requirements for such products in order to carry out appropriate checks during inspections.

3. Audit Findings

3.1 Organisation and Management

Strategic Framework, Policy and Service Planning

- 3.1.1 The Authority had developed a documented combined Service Plan for Food Safety, Health and Safety and Healthy Living 2010/2011, which was approved in September 2010 by the Executive Member for Community Protection and broadly reflected the Service Planning Guidance in the Framework Agreement. The Plan contributed to a larger Strategic Plan and Community Protection Service Business Plan, which aimed to *'promote healthier communities (adults), narrowing health inequalities, improving health and social care and promoting the economic vitality of Middlesbrough'*.
- 3.1.2 The Plan identified the national priorities of the Food Standards Agency, including the need to ensure that imported food is safe to eat. The Plan also set out the Service's aims and objectives, with an aim to secure the safety of food in Middlesbrough, targeting resources at the highest risk activities and establishments. The scope of the food service as outlined in the Plan also highlighted imported food controls undertaken by the team.
- 3.1.3 In addition to the regular scrutiny by Senior Management of the performance indicators contained in the Service Plan, a full documented review of the Plan was undertaken annually, which highlighted key achievements. The Plan would however have benefitted from the inclusion of additional information regarding any variance identified in delivering the Plan throughout the year, and the identification of any areas for improvement.
- 3.1.4 The Service Plan confirmed that there was a total staffing allocation for the delivery of the food service of 5.7 FTE including 0.3 Environmental Health Manager, 1.1 Principal Environmental Health Officers, 1.6 Environmental Health Officers, 2 Food Safety Officers and 0.7 Technical Officers. Although the Plan contained some analysis of staff resourcing requirements to deliver various aspects of the food safety service, future plans would benefit from the inclusion of a clear comparison of all demands placed upon the Service, and the resources needed to deliver the Service effectively. This should include demands on the Service arising from its enforcement responsibilities at the one enhanced remote transit shed (ERTS) in the area, and an estimate of the likely impact of the Authority's commitment and future responsibilities to the River Tees Port Health function.

In addition to the Service Plan, Members were kept regularly informed of food safety enforcement issues, including imported food enforcement, through routine reports. These provided an opportunity for the Service to highlight priorities and any local food safety issues.

Documented Policies and Procedures

- 3.1.5 The Authority had developed a range of relevant policies and procedures, which were part of their documented quality management system. Documents were held electronically on a shared drive and the maintenance of the policies and procedures was the responsibility of the Principal Environmental Health Officer for Food Safety.
- 3.1.6 Based upon the practical needs of the Service, most of the procedures had recently been reviewed and condensed to provide key guidance and information for officers. All of the procedures relevant to imported food control, contained appropriate and up to date legal references.

Authorised Officers

- 3.1.7 The Authority had developed and implemented a documented work instruction on the authorisation of officers. This procedure required further review to briefly outline the mechanism by which officer competency was assessed and authorisations administered in practice, based on officer qualifications and experience.
- 3.1.8 Audit checks confirmed that officers were appropriately authorised in line with their current responsibilities under relevant imported food legislation, based upon their qualifications and experience. The officer with lead responsibilities for food hygiene, food standards and imported food had the necessary specialist knowledge and experience to fulfil their role.
- 3.1.9 Officer's individual training and development needs were identified as part of the annual performance review process. Audit checks confirmed that officers had achieved the minimum of 10 hours relevant training based on the principles of continuing professional development. To reflect the likelihood of officers having future responsibilities relating to the RTPHA, auditors recommended that officers receive further relevant structured training related to imported food controls, to fully support their level of authorisation and to aid them in their duties.

Recommendation

3.1.10 The Authority should:

Review and further develop its officer authorisation procedure to include details relating to the method by which officer competency is assessed, and to include details of the way in which authorisations are conferred in practice. All authorised officers should receive further relevant structured training on imported food controls to fully support their current and future level of authorisation and aid them with their imported food duties.

[The Standard- 5.1 and 5.4]

Food Premises Database

- 3.1.11 Although the Authority had not developed a specific documented procedure for monitoring the accuracy of the database, evidence was provided of a number of routine checks carried out by the Authority in practice to identify any potential food importers and new businesses. These checks included local press, internet checks and large scale business surveys every 2-3 years. Auditors discussed the benefits of documenting this system of database monitoring. The Authority was able to clearly identify establishments on its database likely to be associated with imported food and audit checks confirmed that all likely food importers and establishments involved with the use of imported foods had been identified by the Authority.
- 3.1.12 The Authority had in place a computer software system capable of providing accurate food law enforcement monitoring data to the Agency. The Service acknowledged that it had not included third country imported food sampling results and enforcement actions on the imported food section of the Local Authority Enforcement Monitoring System (LAEMS) return for 2009/2010. The Authority had however included these actions in the food hygiene and food standards sections of the LAEMS return for 2009/2010.

Recommendation

3.1.13 The Authority should:

Ensure that accurate information on imported food activity is provided in the official monitoring returns to the Agency.
[The Standard – 6.3]

Liaison with Other Organisations

3.1.14 The Authority had effective liaison arrangements with other Local Authorities via the Tees Valley Food Liaison Group and the North east and Tees Food Liaison Group. Auditors were provided with evidence that imported food controls were discussed at Food Group meetings, particularly in relation to the development of a service level agreement between the authorities associated with the RTPHA, the competency of staff and the provision of suitable officer training.

3.2 Imported Food Control Activities

Food Premises Inspections

- 3.2.1 The Authority's Service Plan for 2010/2011 provided the following details of the Authority's food hygiene intervention programme. Officers also reviewed the past inspection history, prior to visiting, to determine whether a food standards inspection was also due, or would become due before the next programmed hygiene visit.

Premises Risk Category	Number of Food Premises Inspections
A	24
B	35
C	297
D	85
Unrated	24
TOTAL	465

The Service also planned to visit or send out 125 premises questionnaires as part of the Alternative Enforcement Strategy for Risk Category E premises.

- 3.2.2 File checks indicated that, inspections of food establishments potentially involving imported foods had generally been completed at the frequency prescribed by the Food Law Code of Practice.
- 3.2.3 The Authority had developed a specific procedure relating to imported food controls. It was evident from audit checks and the Food Service Plan that the Authority was implementing a risk based intervention programme and that imported food control was an integral part of inspections and interventions. The documented work instruction on imported food control guided officers to look for imported food records at food premises, including Common Veterinary Entry Documents (CVED). The procedure also instructed officers to identify whether products were illegal imports and to take appropriate follow-up action, including enforcement action, where required.
- 3.2.4 The Authority had developed a comprehensive food safety aide-memoire which prompted officers to record inspection findings concerning any imported food issues. Premises files generally contained detailed business information including the nature, size and scope of food establishments. Files also contained detailed inspection findings relating to imported food and labelling issues, including photographic evidence and evidence of sampling where appropriate. In addition, there was substantial evidence of effective liaison with other external stakeholders

where necessary, including the Food Standards Agency, port health authorities and other local authorities, to ensure that appropriate investigations were conducted in relation to several imported food issues.

Verification visit to a Food Premises

- 3.2.5 During the audit a verification visit was carried out at a local food importer with an officer from the Authority who had carried out the last food hygiene inspection. The purpose of the visit was to determine the effectiveness of the Authority's assessment and application of imported food controls in relation to third country imports.
- 3.2.6 During the visit, it was evident that the Service maintained a good working relationship with the food business operator (FBO), who had taken corrective actions highlighted during previous inspections on the majority of issues identified. A thorough check was made of imported foods present at the time of the visit, and a number of high risk restricted products that had been imported from China were identified, which required some accompanying documentation. Auditors discussed the importance of officers being fully aware of the latest requirements in relation to such products in order that appropriate checks can be carried out during routine food hygiene inspections.

Food Inspection and Sampling

- 3.2.7 In the Food Service Plan, the Authority confirmed the importance of sampling in ensuring food safety, the sampling activities of the Service being developed in response to a range of local and national reactive and proactive priorities.
- 3.2.8 A sampling programme for 2009/2010 had been produced taking account of the diverse nature of foods sold in the Authority's area. The Service also participated in the North East and Tees Food Liaison Group sampling programme which included imported food sampling, partly funded by an Agency imported food grant.
- 3.2.9 The Service had produced practical documented guidance to officers on both sampling for analysis and examination. Audit checks confirmed that the official laboratories used by the Authority for food sampling activities were properly accredited.
- 3.2.10 It was evident that the Authority carried out regular sampling of a variety of imported food products. Audit checks were carried out on five sample records. All the samples had been taken by authorised officers and results were recorded in every case. In each case the appropriate follow-up action had been taken by officers.

Enforcement

- 3.2.11 The Authority had developed a Community Protection Service Enforcement Policy which was formally adopted by the Council in January 2009. In addition the Service had published a *“Business Guide to the Food and Safety Team Service Standards and Enforcement Policy”* which reinforced the Authority’s commitment to use proportionate enforcement to help deliver its key objectives.
- 3.2.12 The Service had developed documented enforcement procedures for all formal enforcement options relevant to imported food control, including those for detention, seizure of suspect food, and the service of notices.
- 3.2.13 A number of relevant formal enforcement records, taken in relation to imported food, were examined during the audit including:
- 1 voluntary surrender
 - 1 detention under the Food Safety Act 1990, section 9
 - 1 detention under Products of Animal Origin (Third Country Imports) Regulations 2006-Regulation 8(2)
 - 1 illegal import notice under Products of Animal Origin (Third Country Imports) Regulations 2006 – Regulation 24.
- 3.2.14 It was evident that appropriate follow-up action, including formal enforcement was generally taken in relation to illegal food imports or high risk imported food where food safety issues had been identified, in accordance with the enforcement policy. Formal enforcement actions by officers involving the destruction of imported food that posed a potential risk to consumers had resulted in substantial professional and local newspaper coverage, which may have helped to highlight the importance of imported food controls to relevant businesses. Auditors did however acknowledge the considerable resources required to undertake such actions effectively.

Food Complaints, Referrals, Primary Authority Scheme and Home Authority Principle

- 3.2.15 The Service had also developed a service request procedure, and a separate work instruction on the investigation of food complaints. The Service had received no complaints in the last two years relating specifically to imported food items.
- 3.2.16 Audit checks were however carried out in relation to the one relevant referral relating to imported food. It was evident that the referral, involving rice wine and POAO, had been appropriately investigated.

- 3.2.17 The Authority confirmed its commitment to the Primary Authority Scheme and Home Authority Principle in the Food Service Plan. Auditors were advised that there were no formal Primary Authority or Home Authority partnerships with local businesses in the area at the time of the audit.

Food and Feed Safety Incidents

- 3.2.18 The Authority had developed a documented procedure for responding to and instigating food alerts. The Authority had an appropriate system in place for receiving alerts, but had not had any serious localised or wider food safety issue in the last two years that required notification to the Agency.

Advice to Business

- 3.2.19 The Authority was proactive in providing advice to food businesses on imported food requirements and controls. A variety of activities were undertaken, which included information leaflets, newsletters and targeted letters sent to relevant businesses covering issues such as correct food labelling of imported foods.

Good Practice –Advice to business

The Authority was proactively involved in providing advice to business in a range of ways to help them comply with imported food legislation. These included newsletters for businesses which included labeling and imported food guidance, as well as letters to relevant businesses about labeling and imported food legislative requirements.

Records

- 3.2.20 Audit checks demonstrated that the Authority was generally maintaining comprehensive retrievable records across all areas of imported food law enforcement activities. These were held through a mix of electronic and hard copy files.

3.3 Internal Monitoring and Third Party or Peer Review

Internal Monitoring

- 3.3.1 The Authority had produced a basic, flexible and risk based internal monitoring procedure designed to monitor the quality of the range of activities performed by the Service including imported food duties. The Authority was able to provide examples of past and more recent monitoring activity as evidence that the procedure had been implemented.
- 3.3.2 Although the monitoring procedure did not directly include arrangements for quantitative monitoring of the Service, detailed evidence was provided of the routine systems in place to monitor these activities. These included routine monthly performance reports, showing the numbers of inspections achieved, and the number of inspections outstanding or overdue, based upon the food establishment risk categories. These figures were then reported to the Senior Management Team to form part of a larger series of Community Protection Performance Indicators or “Snapshot”, which was then reported to a Management Support Unit, the Head of Service and the Director of Environment.
- 3.3.3 Other relevant service review and monitoring arrangements undertaken by the Authority included:
- Officer performance reviews,
 - Regular team meetings that included discussion of performance indicators, consistency issues and work planning, including imported food control
 - Monitoring of national business performance indicators collected and reported on in the Authority’s Food Service and Business Plans.

Third Party or Peer Review

- 3.3.4 Auditors were informed that there had been no recent peer review activities undertaken by the Service in relation to imported food law enforcement work.

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ANNEXE A

Action Plan for Middlesbrough Council

Audit date: 27-28 October 2010

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.1.10 Review and further develop its officer authorisation procedure to include details relating to the method by which officer competency is assessed, and to include details of the way in which authorisations are conferred in practice. All authorised officers should receive further relevant structured training on imported food controls to fully support their current and future level of authorisation and aid them with their imported food duties. [The Standard- 5.1 and 5.4]</p>	<p>31/01/11 31/03/11</p>	<p>The Authorisation of Officers Procedure will be reviewed and will include details of the methods used for assessing officer competency.</p> <p>Further structured training will be provided to officers responsible for imported food controls. This will include formal training as this becomes available and on-line training.</p>	
<p>3.1.13 Ensure that accurate information on imported food activity is provided in the official monitoring returns to the Agency. [The Standard – 6.3]</p>	<p>31/03/11</p>		<p>Data collection and database entries have been amended to ensure the provision of imported food activities in the 2010/2011 return.</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:

- Food Safety, Health and Safety and Healthy Living Service Plan 2010/2011
- Community Protection Service Plan 2010/2011
- Reports to Cabinet Member for Environment and Transport on imported food and feed over the past two years
- Minutes from meetings of the Tees Valley Food Group
- Officer scheme of delegation and associated documentation, rules and guidance
- Quality system procedures relating to imported food and feed controls
- Service requests/ food complaints procedures
- Advisory letters to businesses
- Inspection and sampling procedures
- Corporate Enforcement Policy.

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

- Authorisation and training files
- Imported food documentation
- Food and feed inspection and sampling records
- Formal enforcement records including detentions and seizures
- Airport quarterly visit records
- Internal monitoring records including quality audit records.

(3) Interviews – the following officers were interviewed:

- Audit Liaison Officer – Principal Environmental Health Officer
- Environmental Health Officers.

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 an officer from the Authority to a local food business which imported food directly from outside the EU. The purpose of

the visit was to verify that appropriate risk based, proportionate checks were carried out on consignments of imported food.

Glossary

Agricultural Analyst	A person, holding the prescribed qualifications, who is formally appointed by a local authority to analyse feed samples.
Airways bills	Commercial documents providing a general description of cargo items.
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.
Border Inspection Post	Point of entry into the UK from non-EU countries for products of animal origin.
CEDs	Common Entry Documents which must accompany certain food products to designated points of entry or import.
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.
Consignment	A unit of cargo that can consist of one or a number of different products.
County Council	A local authority whose geographical area corresponds to the county and whose responsibilities include food standards and feeding stuffs enforcement.
Defra	The Department for Environment, Food and Rural Affairs. The Government Department designated as the central competent authority for products of animal origin in England.
District Council	A local authority of a smaller geographic area and situated within a County Council whose responsibilities include food hygiene enforcement.
DPE	Designated point of entry. A port that has been designated for the entry of certain high risk feed and food products subject to enhanced checks.
DPI	Designated point of import. A port that has been designated for the entry of certain products subject to safeguard controls due to aflatoxin contamination.
Environmental Health Officer (EHO)	Officer employed by the local authority to enforce food safety legislation.
ERTS	Enhanced remote transit shed. An HM Revenue and Customs designated warehouse where goods are held in temporary storage pending Customs clearance and release for free circulation.
Feeding stuffs	Term used in legislation on feed mixes for farm animals and pet food.
FNAO	Food not of animal origin. Non animal food products that fall

Food Examiner	under the requirements of imported food control regime. A person holding the prescribed qualifications who undertakes microbiological analysis on behalf of the local authority.
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.
Formal samples	Samples taken in accordance with the requirements of the Food Law Code of Practice in accordance with the relevant sampling regulations and submitted to an accredited laboratory on the official list.
Framework Agreement	<p>The Framework Agreement consists of:</p> <ul style="list-style-type: none"> • Service Planning Guidance • Food and Feed Law Enforcement Standard • 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 and feed law enforcement.</p> <p>The Monitoring Scheme requires local authorities to submit annual returns to the Food Standards Agency on their food law 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 and feed 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.
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.
Home Authority	An authority where the relevant decision making base of an enterprise is located and which has taken on the responsibility of advising that business on food safety/food standards issues. Acts as the central contact point for other enforcing authorities' enquiries with regard to that company's food related policies and procedures.
Informal samples	Samples that have not been taken in accordance with the appropriate sampling regulation (e.g. samples for screening purposes) and/or not sent to an accredited laboratory.
Member forum	A local authority forum at which Council Members discuss and make decisions on food and feed 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.
POAO	Products of animal origin. Animal derived products that fall under the requirements of the veterinary control regime.
Primary Authority	An authority that has formed a partnership with a business.
Port Health Authority	An authority specifically constituted for port health functions including imported food control.
Public Analyst	An officer, holding the prescribed qualifications, who is formally appointed by the local authority to carry out chemical analysis of food samples.
RASFF	Rapid alert system for food and feed. The European Union system for alerting port enforcement authorities of food and feed hazards.
Regulators' Compliance Code	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 or feed service to the local community.
Third Country	Countries outside the European Union.
Trading Standards	The Department within a local authority which carries out, amongst other responsibilities, the enforcement of food standards and feed legislation.
Trading Standards Officer (TSO)	Officer employed by the local authority who, amongst other responsibilities, may enforce food standards and feed 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 feed enforcement.