

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

Waveney District Council
2-3 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 Waveney 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 Waveney 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 Waveney 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 Town Hall, High Street, Lowestoft, Suffolk on 2 – 3 March 2010.

Background

- 1.6 The District of Waveney is situated in north-east Suffolk and has a population of approximately 116,800. It is a mixed urban and rural district with most of the population situated in the largest town Lowestoft and the historic market towns of Beccles, Bungay, Halesworth and Southwold.
- 1.7 Economically, the District has a large proportion of seasonal catering establishments due to the influx of tourists on an annual basis. The other major part of the economy is manufacturing, with a number of national and international companies based in the area, including some large scale food manufacturers. However, the area has experienced a significant industrial decline in recent years, especially in the fishing, shipbuilding and manufacturing industries.
- 1.8 There are approximately 1,265 food premises (including unrated premises) in the District. The majority of food businesses were catering premises that often only operate on a seasonal basis. There were 26 establishments in the Authority's area which require approval under Regulation (EC) No. 853/2004. The service is also required to carry out a significant number of food hygiene inspections on ships that visit the port at Lowestoft, often dealing with crew that have a limited understanding of English. Ship inspection has placed significant additional demands on the team, necessitating the development of detailed and unique procedures, and requiring two officers at a time to carry out the inspections.
- 1.9 The Environmental Health Service was responsible for enforcing food hygiene legislation in the District. The team was also responsible for health and safety enforcement, health promotion and licensing.
- 1.10 The profile of Waveney District Council's food businesses as of 24 September 2009 was as follows:

Type of food premises	Number
Slaughterhouses	1
Distributors/Transporters	9
Manufacturers/Processors	41
Importers/Exporters	1
Retailers	336
Restaurant/Caterers	773
Unrated	104
Total number of food premises	1,265

2. Executive Summary

- 2.1 The Authority had developed a Food Service Plan for 2009/2010 that was broadly in line with the Service Planning Guidance in the Framework Agreement. The Plan had been approved at the appropriate Council Member forum.
- 2.2 The Authority had recently discontinued the Document Control Procedure and was in the process of implementing a new document control procedure. There was evidence that a number of policies, procedures and documents had recently been updated in line with the new procedure. However, although the Authority had developed a new draft procedure for the review and updating of documented policies and procedures, this had not been fully implemented and a structured system for the regular review of policies and procedures required further development and implementation.
- 2.3 The Authority had a system in place to authorise officers in accordance with their individual qualifications, experience and competency. However, the procedure would benefit from further improvement to ensure that the Authority was able to link the officer's authorisation level to the identification of individual training needs. Whilst individual training needs were identified on an annual basis and a basic annual training programme had been developed for 2009/2010, there was not a mechanism in place for drawing together individual and team training needs into a fully documented annual training programme. The Authority had records of officer qualifications; however detailed training records were not routinely maintained.
- 2.4 The forms used to record inspection findings were not being completed in sufficient detail by some officers to confirm that an effective assessment had been made of the compliance of the food business with legislative requirements, or to provide the basis for the allocation of premises risk ratings. In addition, historically some officers' records of the assessment of Food Safety Management Systems (FSMS) were incomplete, and did not demonstrate that an assessment of the food businesses validation and verification of the FSMS had taken place. Recent inspection records showed that officer assessments had become more consistent, detailed and comprehensive.
- 2.5 Specific aides-memoire had not been used to record detailed findings following approved establishment inspections. The Authority had gone through a programme of re-approvals under present legislation, however, not all of the approval documentation had been retained and the only evidence that a pre-approval assessment had taken place was a confirmation letter. Also, due to the lack of records, it was not possible to determine whether the approved establishments complied with legislative requirements, whether appropriate inspections had

always been carried out or to establish the basis for officers' decisions regarding business compliance.

- 2.6 An officer was interviewed during the audit. During the discussion the officer was able to demonstrate a clear understanding of the key aspects of carrying out a food safety inspection, including the assessment of FSMS based on HACCP.
- 2.7 A reality check visit at a food business was also undertaken during the audit. The main objective was to assess the effectiveness of the Authority's assessment of food business compliance with food law requirements. The visit confirmed that the checks carried out by the officer were generally thorough and covered the majority of food law requirements, including an assessment of the FSMS.
- 2.8 The Service had developed an Enforcement Policy which was generally in line with centrally issued guidance. However, although the policy had been annually reviewed some further updates were necessary to bring it completely in line with current legislation.
- 2.9 There was clear evidence that the Authority was taking appropriate and effective enforcement action when required, including the use of hygiene improvement notices, simple caution and prosecution. The Authority had developed a full range of enforcement procedures, although in some cases it was not possible from officer notes to determine if officers had followed the Authority's own procedures and centrally issued guidance regarding voluntary closures.
- 2.10 Records confirmed that complaints about food and food premises were investigated effectively with appropriate follow-up action being taken. Complaint records were found to be complete and accurate.
- 2.11 Records relating to unsatisfactory food sample results showed that the Authority had notified the food business operators (FBOs) of the results and had taken appropriate follow-up action in all cases.
- 2.12 The Authority had developed a procedure for internal monitoring, and there was clear evidence that documented quantitative and qualitative monitoring was being carried out. However, the monitoring needed to be extended to cover the full range of food law enforcement activities.

3. Audit Findings

3.1 Organisation and Management

Strategic Framework, Policy and Service Planning

- 3.1.1 The Authority had developed a Statutory Food Service Plan 2009/2010 which was broadly in accordance with the Service Planning Guidance in the Framework Agreement. The Plan had been agreed by Cabinet on 24 September 2009. It included enforcement activity objectives for the forthcoming year, a review of the previous year's achievements and the identification of variances from the previous year's Service Plan. The Plan also included a detailed comparison of the resources required for the Service to carry out its food law enforcement activities against the resources it had available.
- 3.1.2 The Service did not state a specific objective in regard to food law enforcement. However, the stated overall Service objective was to *'fulfil the Council's statutory obligations in pursuance of an environment at work, in the home and at leisure that is free from significant risks to public health.'* This linked to the Council's mission statement: *'A safe, clean, attractive and prosperous environment for our communities.'*
- 3.1.3 The Food Service Plan set out key objectives for the forthcoming year, which included an aim to carry out 100% of all the food safety inspections due in the year. In addition, the Plan acknowledged the Authority's support for the Food Standards Agency's *'Safer food, better business'* (SFBB) initiative by the inclusion of a commitment to increase SFBB promotional activities for food businesses run by different ethnic groups.
- 3.1.4 The Authority had completed a review against the previous year's Service Plan, which included measurement against national indicators NI 182 (business satisfaction) and NI 184 (food businesses 'broadly compliant'). A number of target shortfalls had been acknowledged and actions to effect improvement identified.

Documented Policies and Procedures

- 3.1.5 Auditors were advised that a formal procedure for the regular review of policies and procedures had been developed but had been discontinued due to staffing changes and the identified need to move to a different system. Auditors noted that several policy and procedure documents, covering a range of food law enforcement activities, had recently been reviewed and updated. Some policies and procedures however were incomplete and required further development. The Principal Environmental Health Officer (PEHO) had responsibility for the development or review of procedures which was carried out on an

irregular basis, usually initiated by changes to legislation. Auditors discussed the need for a more formal method of ensuring that policies, procedures and documents are reviewed and revised in line with changes in legislation, codes of practice and centrally issued guidance. The Authority had started to produce a draft Document Control Procedure which was still in development.

- 3.1.6 In practice, documents were stored electronically on the Authority's database and were controlled by a system of restricted access. Only the PEHO and the System Administrator could alter the access restrictions. When a document required updating the PEHO carried out the amendment which is discussed by the rest of the staff and a final draft agreed. The document was then added onto the database as 'read only' file by the System Administrator and the superseded document removed. Auditors were informed that this system would form the basis of the new Document Control Procedure.

Recommendation

3.1.7 The Authority should:

Continue to develop and implement a system for the review of internal policies and procedures at regular intervals and whenever there are changes to legislation or centrally issued guidance. [The Standard – 4.1]

Officer Authorisations

- 3.1.8 The Authority had developed and implemented a procedure for the authorisation of officers based on their qualifications, experience and competency. Auditors discussed the benefit of further improving this procedure to ensure that the Authority was able to link the officer's authorisation level to the identification of their training requirements.

Recommendation

3.1.9 The Authority should:

Further develop the documented procedure on the authorisation of officers to detail the competency assessment process by which authorisations are linked to the officer's individual training requirements. [The Standard – 5.1]

- 3.1.10 Auditors were advised that an annual performance review system for officers was in place where training needs were discussed and officers' could also identify training on an ad hoc basis throughout the year. The Authority was clearly proactive in providing training opportunities for officers and it was evident that all authorised officers had generally achieved the required minimum 10 hours relevant Continuing Professional Development (CPD) training and attended recent HACCP training.
- 3.1.11 A basic training plan, based on information compiled from the officer's annual performance review, had been developed for 2009/2010. However, it was noted that some officers, including the designated Lead Officer, had not received any recent training on the implementation of Safer food, better business (SFBB) packs and only limited evidence of recent training in regard to inspecting complex processes. Auditors discussed the importance of implementing a structured annual training programme based on the identification of team and individual officer training needs.

Recommendation

3.1.12 The Authority should:

Set up and implement a documented training programme to encompass identified individual and team training needs and ensure that all officers, including the Lead Officer, receive suitable training consistent with their authorisation and duties in accordance with the Food Law Code of Practice. [The Standard – 5.3 and 5.4]

- 3.1.13 Audit checks confirmed that evidence of all officers' qualifications was available and that copies of relevant qualification certificates had been retained by the Authority and were current. However, it was noted that officers maintained their own training files. File checks showed that training records were generally up to date, although it was not always possible to gain an appreciation of the full scope of the training received from the certificates alone. Auditors discussed the need for the Authority to maintain complete records of officer training.

Recommendation

3.1.14 The Authority should:

Ensure that complete and sufficiently detailed officer training records are maintained in accordance with the Food Law Code of Practice [The Standard - 5.5]

3.2 Food Premises Inspections

- 3.2.1 The Food Service Plan stated that the Authority's intervention programme would include 787 inspections for 2009/2010. File and database record checks confirmed the premises included in the inspection programme had been inspected at the frequency set out in the Food Law Code of Practice. The Authority had also identified a significant backlog of overdue inspections and had implemented an additional inspection programme to address the outstanding inspections over the course of the year. Database checks showed that this initiative had been generally successful.
- 3.2.2 The Authority had developed and implemented a Food Hygiene Interventions Procedure on the inspection of food premises. The procedure provided useful guidance to officers carrying out food law interventions and file checks showed that officers were generally, in the case of recent inspections, carrying out their activities in line with the document.
- 3.2.3 Historically, the records of some officers relating to the FSMS were incomplete, confusing and in some cases did not always indicate that an assessment of the FBO's validation and verification of the FSMS had taken place. In addition, there was a tendency for records to be split between the paper files and the database records which made it difficult to retrieve and examine records as a whole. Recent inspection records showed that officer assessments had become more detailed and comprehensive. Auditors discussed the need for the quality of inspection information to be maintained, especially in relation to the assessment of FSMS.
- 3.2.4 The format of the inspection form did not prompt officers to record in sufficient detail their assessments of the adequacy of the food businesses FSMS. The food inspection forms would benefit from further development to give the officers greater opportunity to record their detailed findings in relation to HACCP assessment.
- 3.2.5 Reports of inspection were left with the food business operator (FBO) which in general contained the details required by the Food Law Code of Practice. Correspondence following inspections consistently differentiated between legal requirements and recommendations of good practice.
- 3.2.6 In 2007 the Authority had undertaken a programme of re-approval for all the establishments requiring approval under Regulation (EC) No. 853/2004. Files for three approved establishments in the Authority's area were examined during the audit. Although there was evidence that the Authority had re-approved establishments, not all of the necessary approval documentation had been retained on file and

there was no evidence that a pre-approval visit had taken place other than a confirmation letter.

- 3.2.7 Due to incomplete historical records, the Authority was unable to clearly demonstrate that approved establishments complied with legislative requirements or that, in some cases, an appropriate inspection had been carried out. As with general inspections, it was not always possible to establish the basis for officers' assessments regarding FBO compliance, especially in relation to the adequacy of the FSMS.

Recommendation

3.2.8 The Authority should:

Inspect all food premises, including approved establishments, in accordance with relevant legislation, Food Law Code of Practice, centrally issued guidance and the Authority's policies and procedures. [The Standard - 7.2]

- 3.2.9 The inspection findings for approved establishments had not routinely been recorded on prescribed aides-memoire specific to the type of establishment and it was therefore not possible 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, in particular, whether the business had implemented an effective FSMS based on HACCP.

Recommendation

3.2.10 The Authority should:

Ensure that officers use an appropriate aide-memoire to assess the compliance of different types of premises and systems, particularly in relation to HACCP based food management systems, including establishments subject to approval under Regulation (EC) No. 853/2004 and ensure that records, observations and data obtained during the course of inspections, particularly in relation to the assessment of HACCP based food safety management systems, include sufficient detail to demonstrate that premises and systems have been comprehensively assessed against legally prescribed standards. [The Standard - 16.1]

- 3.2.11 Approved establishment files generally contained most of the information as listed in Annexe 12 of the Food Law Code of Practice, with the exception of emergency withdrawal/recall procedures.

Verification Visit to a Food Premises

- 3.2.12 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.
- 3.2.13 The visit confirmed that the checks carried out by the officer were generally thorough and included the identification and appraisal of critical control points, the FBO's ability to verify and monitor the system and the maintenance of HACCP related documents.

3.3 Enforcement

3.3.1 The Authority had developed an Environmental Services Enforcement Policy which was generally in accordance with centrally issued guidance. The policy had been reviewed on an annual basis. However, in some respects, necessary updates had not been implemented. The Authority should ensure that the policy is reviewed and revised to ensure that it is in line with current legislative requirement and that it makes suitable reference to the Regulators' Compliance Code. In addition the Authority had developed a Food Safety Enforcement Policy Statement as part of the Service Plan. This document contained useful food specific guidance on the graduated use of enforcement actions.

Recommendation

3.3.2 The Authority should:

Review and update the documented enforcement policy in accordance with the Food Law Code of Practice, current legislation and other official guidance and have the policy approved at the appropriate Member level.

[The Standard - 15.1]

3.3.3 The Authority had developed and implemented the full range of enforcement procedures.

3.3.4 There was recent and historical evidence that the Authority was taking appropriate and effective enforcement action when required and this included the use of hygiene improvement notices, simple cautions and prosecution.

3.3.5 Four hygiene improvement notices were examined relating to the absence of an effective FSMS. The format and wording of the notices were in line with centrally issued guidance and in all cases it was clear that it had been the appropriate course of action. Timely visits had been carried out to confirm compliance. However, in some cases, it was not always apparent from the files that the Authority had written to the business to confirm compliance.

3.3.6 Several records relating to the voluntary closure of premises were examined. It was not always clear from file records that officers had consistently followed the Authority's own procedures and centrally issued guidance relating to voluntary closures. Several examples were noted of businesses appearing to close voluntarily, without officers recording the precise circumstances surrounding the closure and it was not always clear from file records that FBO's had been

appropriately informed of the legal status and their rights relating to the closure. Auditors discussed the need for officers to be more precise in their recording of enforcement actions and the appropriate use of terminology.

Recommendation

3.3.7 The Authority should:

Complete all aspects of food law enforcement in accordance with the relevant Food Law Code of Practice, centrally issued guidance and the Authority's own enforcement procedures. [The Standard – 15.3]

3.4 Internal Monitoring and Third Party or Peer Review

Internal Monitoring

- 3.4.1 The Service had developed a Food Hygiene Intervention Monitoring Procedure. There was clear evidence that documented quantitative and qualitative monitoring had been carried out on a regular basis. This included the use of database reports, accompanied inspections and the checking of inspection reports. There was also some evidence that monitoring of other aspects of the service was being carried out on an ad hoc basis, including complaints and sampling, although this was not routinely documented. It was clear from the audit findings that the Authority would benefit from further developing its monitoring procedure to include arrangements for risk based monitoring covering all aspects of the service.

Recommendation

- 3.4.2 The Authority should:

Set up, maintain and implement documented internal monitoring procedures for the full range of food law enforcement activities in accordance with the Food Law Code of Practice. [The Standard – 19.1 and 19.2]

Food and Food Premises Complaints

- 3.4.3 The Authority had developed and implemented a Food and Food Premises Complaints Policy and a Food Complaints Procedure for the investigation of food and food premises complaints. The records for three complaint investigations relating to FSMS issues were examined. These confirmed that in all cases, complaints were appropriately investigated and follow-up action taken as necessary. Complaint records were found to be complete and accurate.

Food Sampling

- 3.4.4 The Authority had developed and implemented a Food Sampling Policy and a Food Sampling Procedure. The Authority was participating in local and national food sampling programmes, and reference to the Authority's policy on sampling was made in the Food Service Plan.

- 3.4.5 Audit checks showed that in the case of unsatisfactory sample results FBOs had been given timely notification of the results and appropriate follow-up action had been taken by the Authority.

Third Party or Peer Review

- 3.4.6 The Authority had been subject to an external audit of its food law enforcement activities by an external audit company on 18-19 January 2007. The audit report had identified significant systemic problems with the delivery of the Council's food law enforcement activities and in response a detailed Action Plan had been compiled and implemented. All the improvements on the Action Plan had been signed off as completed.
- 3.4.7 There was clear evidence that since the external audit the Authority had taken significant steps to improve the quality and effectiveness of the food law enforcement service. Auditors discussed the need for the Service to continue to review, develop and improve systems, procedures and documentation to ensure that their food law enforcement activities are fully in line with the Food Law Code of Practice, current legislation and centrally issued guidance.
- 3.4.8 Auditors were informed that the Authority planned to start carrying out regular third party monitoring in partnership with Suffolk Coast District Council.

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Local Authority Audit and Liaison Division

ANNEXE A

Action Plan for Waveney District Council

Audit date: 2-3 March 2010

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.1.7 Continue to develop and implement a system for the review of internal policies and procedures at regular intervals and whenever there are changes to legislation or centrally issued guidance. [The Standard – 4.1]</p>	<p>30/09/10</p>	<p>Further develop the new procedure for the regular review of policies and procedures to ensure regular annual reviews and reviews when legislation, Codes of Practice and guidance changes. This will require the abandonment of the now obsolete written Document Control Procedure and a new version created, reflecting current procedures.</p> <p>Develop a rolling programmed timetable to review and, if necessary, revise policies, procedures and documents at monthly team meetings.</p> <p>Delegate specific responsibility for key areas of food enforcement to specified officers, with the key role of reviewing and recommending revisions to policies and procedures according to the rolling timetable and in response to necessary changes.</p> <p>Ensure all standard documents have a clear date-stamp of the last review or revision date.</p>	<p>Completed but requires Action Plan for each officer. Those officers specifically given 'lead' role on Food Inspections, Enforcement, Sampling, Approved Premises, and document Control will implement a specific Action Plan related to that area of work.</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.1.9 Further develop the documented procedure on the authorisation of officers to detail the competency assessment process by which authorisations are linked to the officer's individual training requirements. [The Standard – 5.1]	30/09/10	Further develop the officer authorisation procedure to ensure there is a clear link between qualifications, up-to-date training and the levels of authorisation.	

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.1.12 Set up and implement a documented training programme to encompass identified individual and team training needs and ensure that all officers, including the Lead Officer, receive suitable training consistent with their authorisation and duties in accordance with the Food Law Code of Practice. [The Standard – 5.3 and 5.4]</p>	<p>31/03/11</p>	<p>Develop an aide-memoire based on the specific areas of competency detailed in the Food Law Code of Practice to be used during Personal Development Plan reviews to identify specific competencies that the officer needs training or refresher training in.</p> <p>Develop a structured Training Plan and matrix based on the identified individual and team training needs.</p> <p>Ensure all officers have had recent training on the implementation of Safer food, better business.</p> <p>Ensure all officers have had recent training in complex processes.</p> <p>Ensure all officers have had recent comprehensive HACCP audit training.</p> <p>Ensure the Lead Officer has had recent update training as appropriate for the monitoring of officers.</p> <p>Ensure that inspection monitoring is linked to the identification of training needs in officers.</p> <p>Ensure that inspection monitoring and officer training is linked to work and inspection allocation, and that the allocation of approved premises and complex processes inspections is removed from officers with demonstrable competency gaps in these areas.</p>	

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.1.14 Ensure that complete and sufficiently detailed officer training records are maintained in accordance with the Food Law Code of Practice [The Standard - 5.5]	30/09/10	Develop a system for maintaining records of the qualifications, training and experience of each authorised officer, with up to 5 years worth of training data available. This should include, in addition to a summary of the training and copies of certificates, a synopsis or timetable to demonstrate the content and relevance of each training event.	

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.2.8 Inspect all food premises, including approved establishments, in accordance with relevant legislation, Food Law Code of Practice, centrally issued guidance and the Authority's policies and procedures. [The Standard - 7.2]</p>	<p>31/03/11</p>	<p>Make better use of Annexe 5 and the scoring Guidance document to ensure a more flexible interpretation of Article 5 and more appropriate levels of Confidence In Management scoring.</p> <p>Further develop the Inspection Monitoring Procedure to assess compliance by officers with the Food Law Code of Practice Guidance and Waveney policies and procedures, including documented corrective action and further training when significant or recurrent errors are found. This must include an assessment of the officer's ability to assess all aspects of HACCP, particularly validation and verification, and the consistency and completeness of file and database records.</p> <p>Carry out a full review of all approved establishments files to ensure proper content and organisation is in place, with a complete record able to demonstrate officers' assessment of compliance and the basis of approval decisions, including clear evidence of pre-approval inspections.</p> <p>Ensure approved premises files contain details of the business' emergency withdrawal and recall procedures.</p>	

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>3.2.10 Ensure that officers use an appropriate aide-memoire to assess the compliance of different types of premises and systems, particularly in relation to HACCP based food management systems, including establishments subject to approval under Regulation (EC) No. 853/2004 and ensure that records, observations and data obtained during the course of inspections, particularly in relation to the assessment of HACCP based food safety management systems, include sufficient detail to demonstrate that premises and systems have been comprehensively assessed against legally prescribed standards. [The Standard - 16.1]</p>	30/09/10	<p>Ensure appropriate 'bolt on' specialist aide memoires are utilised, in addition to the main aide memoire, when assessing approved premises and/or complex processes.</p> <p>Further develop the aide-memoire for inspections to ensure more detailed recording of information relating to the assessment of food businesses HACCP plans or FSMS, including justification for answers given by officers on the form.</p> <p>Further develop the inspection recording procedure to ensure complete and consistent methods of recording inspection findings are made in files and on the database.</p>	
<p>3.3.2 Review and update the documented enforcement policy in accordance with the Food Law Code of Practice, current legislation and other official guidance and have the policy approved at the appropriate Member level. [The Standard - 15.1]</p>	31/07/11	<p>Ensure the Environmental Health Enforcement Policy is reviewed and, as necessary, updated in accordance with the Food Law Code of Practice, other relevant legislation and guidance, and obtains member approval on a regular basis.</p> <p>Ensure Enforcement Policy is clearly date-stamped to show the last review or revision date.</p>	<p>Policy revised in 2010 to take account of the Children's Act.</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.3.7 Complete all aspects of food law enforcement in accordance with the relevant Food Law Code of Practice, centrally issued guidance and the Authority's own enforcement procedures. [The Standard – 15.3]	30/09/10	<p>Revise the Procedure regarding Emergency Prohibitions and Voluntary Closure to clearly reflect the difference between a Voluntary Closure as an alternative to a Hygiene Emergency Prohibition (as detailed in the Food Law Code of Practice) and an offer by a food business operator to temporarily cease trading to facilitate an improvement in standards or cleaning etc.</p> <p>Ensure that appropriate standard letters are sent to a business, both confirming Voluntary Closure and then that the health risk condition is no longer fulfilled, and that the business can re-open.</p> <p>Always send the standard letter to Food Business Operators confirming compliance with Hygiene Improvement Notices.</p> <p>Ensure file notes clearly demonstrate officers' full adherence to correct procedures.</p>	Completed. Letter in Standard Documents.

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.4.2 Set up, maintain and implement documented internal monitoring procedures for the full range of food law enforcement activities in accordance with the Food Law Code of Practice. [The Standard – 19.1 and 19.2]	30/09/10	<p>Further develop the Inspection Monitoring Procedure to assess compliance by officers with the Food Law Code of Practice, Guidance and Waveney policies and procedures, including documented corrective action and further training when significant or recurrent errors are found. This must include an assessment of the officer's ability to assess all aspects of HACCP, particularly validation and verification, and the consistency and completeness of file and database records.</p> <p>Further develop the Monitoring Procedures to ensure a structured programme of sampled parts of all types of food enforcement work is qualitatively and quantitatively monitored, with clear evidence of corrective actions when necessary.</p> <p>Implement the third party monitoring arrangements with Suffolk Coastal DC.</p>	Now implemented and operational.

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:

- Statutory Food Service Plan 2009/2010
- Document Control Procedure (Draft)
- Procedure for Authorising Officers Enforcing Food Safety Legislation
- Environmental Services - Enforcement Policy and associated Enforcement Procedures
- Food Premises Interventions Procedure and aide-memoire
- Approval of Product Specific Establishments Under Regulation (EC) No. 853/2004 Procedure (Draft)
- Food Complaints Policy and Procedure
- Internal Monitoring Procedure
- Food Sampling Policy and Procedure
- Report of the Audit of the Food Law Enforcement Service 2007.

(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
- Food and Safety Technical Officer (2)
- Database Systems Administrator

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 safety 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 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.