

FOOD SERVICE PLAN 2009/10

Environmental Health & Trading Standards

Development & Regulatory Services



WEST LOTHIAN COUNCIL DELIVERS SERVICES TO THE COMMUNITY



West Lothian
Council

OVERVIEW:

In order to meet the requirements of the Framework Agreement on Local Authority Food Law Enforcement, West Lothian Council is required to develop and approve an annual food service plan. The structure of the food service plan is determined by the guidance contained within the framework agreement.

The plan outlines how food safety and animal feedingstuffs will be monitored and controlled. Food safety is the responsibility of environmental health and animal feedingstuffs are the responsibility of trading standards.

The service plan covers seven sections:

- food section aims and objectives;
- authority background;
- service delivery;
- resources;
- quality assessment;
- service plan and operational plan review; and,
- animal feedingstuffs and hygiene at primary production.

The majority of the service plan relates to the work covered by the food team within environmental health. Section 7 covers the specific work undertaken by trading standards.



SECTION 1 ~ FOOD SECTION AIMS AND OBJECTIVES

1.1 Mission Statement

To protect public health and contribute to a healthy community in West Lothian by ensuring the safety, wholesomeness and quality of food and water through education and enforcement.

1.2 Corporate link

Improving the health and wellbeing of our communities (Corporate Plan 2007 – 2011)

1.3 Aims and Objectives

Our priority partners for the work we undertake are the public and businesses within West Lothian. We also support the following objectives of the Food Standards Agency as outlined in their Strategic Plan 2005 – 2010: Putting Consumers First; namely:

1. To continue to reduce foodborne illness.
2. To reduce further the risks from chemical contamination of food.
3. To enable consumers to make informed choices.

The objectives of the food team are as follows:

1. *To ensure the safety of food by means of a programme of inspections designed to check compliance with current laws and codes of practice, and to educate, train and motivate all parts of the food industry. To enforce the law when necessary in the interests of public health.*
2. *To protect the public and ensure the quality and safety of food and drink in West Lothian by inspection and sampling for analysis and examination. To inspect premises to ensure food standards legislation is being applied and improve compliance through a balance of education and enforcement.*
3. *To react to emergencies and immediate threats to public health. To investigate food related enquiries and complaints. Reacting to food safety alerts issued by FSA and other bodies to secure the withdrawal of any suspect foods from premises within West Lothian. To ensure that food not meeting food safety requirements is removed from sale to the public. To issue appropriate export certification in relation to food being exported to countries out with the EU.*
4. *To provide guidance and raise awareness of food safety within the business community and general population of West Lothian to ensure compliance with food law and help develop a better educated population.*
5. *To work together with colleagues in West Lothian Council, other local authorities, professional bodies, central government and other interested parties to ensure a co – ordinated approach to food related matters. To provide relevant reports and statistics as required regarding the operation of the food service.*
6. *To ensure the wholesomeness, safety and quality of drinking and pool waters in West Lothian.*
7. *To be proactive and reactive in controlling and investigating instances of food or water – borne diseases and infections within West Lothian. To provide appropriate information to patients and work with partners in public health medicine to control the further spread of infection.*
8. *To ensure activities which are necessary to support, complement and develop the work of the food service are carried out.*



1.4 Our priorities

FIRST – Emergencies, threats to public health and other essential reactive and proactive work, e.g. infectious disease investigations, outbreaks, food alerts, complaints etc.

SECOND – Carry out planned inspections on time and ensure compliance with the law. Priority is to be given to Category A, B, high risk C and approved premises for hygiene inspections.

THIRD – All other work, e.g. projects, enquiries, low risk inspections etc.

These priorities have been established to ensure we address food safety and public health needs in all aspects of our work.

SECTION 2 ~ AUTHORITY BACKGROUND

2.1 Profile

West Lothian is a mixed rural and urban authority covering a geographical area of 42,504 Ha. The population is approximately 165,700. The Environmental Health service is located in County Buildings, Linlithgow. There are approximately 1371 food premises within the area ranging from farms, retailers and caterers, to large manufacturers.

2.2 Organisational Structure

The service structure is as per appendix 1.

The food team is part of the Environmental Health & Trading Standards service which is part of Development and Regulatory Services .

The authority has appointed the City of Edinburgh Council to provide analytical and food examination services.

The Trading Standards team, located in Bathgate, undertakes animal feedingstuffs enforcement. From 2009 it will also undertake hygiene inspections of primary producers as part of a Food Standards Agency funded inspection programme.

2.3 Scope of the Food Service

The scope of the food service and feedingstuffs enforcement is set out in appendix 2.

2.4 Demands on the Service

The food team services are available from 8.30am to 5.00pm Monday to Thursday and 8.30am to 4.00pm Friday. The team however has to accommodate working out with these times due to operating times of businesses. Evening, early morning, and weekend working is



necessary to carry out the inspection and sampling programmes. A 24-hour emergency out of hours service is available for food alerts for action.

There are three approved premises in terms Regulation (EC) 853/2004. We anticipate approving two further premises in 2009. A number of premises currently meet the exemption criteria for approval but may well require to be approved in the future. There is a regular turnover in many of the catering businesses with new owners and changes in operation of the business. There are an increasing number of ethnic language food workers which requires the assistance of Interpretation and Translation Services during visits to premises.

In line with the enforcement policy, officers are required, when necessary, to take appropriate enforcement action. This may include service of notices, closure of premises, and reports to the Procurator Fiscal leading to prosecutions and time in court. In recent years we had seen a welcome decline in the level of formal enforcement due to improving conditions within premises. However, last year witnessed the first increase in activity in recent times, which places a strain on the service.

The principles of better regulation have been a key aspect of how the food service is delivered for a number of years. As well as food hygiene and food standards, officers in the food team will also carry out a number of workplace safety and smoking enforcement inspections. This is done to ensure best use of resources and avoid unnecessary additional visits to premises. It is encouraging to note the positive feedback from business consultation exercises in relation to their experience of inspections and enforcement activities.

It is however vitally important to remember that the purpose of the food service in West Lothian is public health protection. In 2009 a number of changes are being made to the approach taken to inspections. It will ensure that attention continues to be given to premises presenting a risk to public health and that outcomes and follow up action are better recorded. Some of these issues are highlighted in 6.3.

The food service (food safety) costs per head of population have not risen in recent years even though West Lothian's population continues to increase. Most recent government figures (2005/2006)¹ estimate that the UK public spend £34.97 per person per week on food and drink. The inspecting, sampling, monitoring, enforcing and all other services provided by this service cost the West Lothian population £0.06 per person per week. A comparison of our costs and other Scottish Local Authorities is outlined in Appendix 3.

2.5 Enforcement Policy

In terms of the framework agreement on food law enforcement there is a written enforcement policy, which is approved by the Council and is followed by officers. A copy of this policy is available to any business on request.

Alternative enforcement arrangements are allowed within the code of practice for certain

¹Office for National Statistics / DEFRA – "UK Purchases and Expenditure on Food and Drink and Derived Energy and Nutrient Intakes in 2005 – 2006"



risk rated food hygiene and food standards inspections. It is the policy of this service to visit all premises within these risk ratings. All visits are carried out in accordance with internal procedures.

SECTION 3 ~ SERVICE DELIVERY

All officers in the food team will contribute to the development and implementation of this plan. In line with the framework agreement on food law enforcement the following work areas of the team plan have been highlighted. Framework policies and procedures relating to animal feeding stuffs inspections, sampling etc. are implemented and monitored by colleagues in trading standards. These matters are discussed in section 7.

3.1 Food Premises

There are currently 1371 food premises within West Lothian which require to be inspected by the team. Inspections will be carried out for food hygiene and food standards (composition, labelling etc.). Inspection frequencies are determined by the nature of the business and performance against specific criteria set out in the food law code of practice.



To ensure that food standards inspections are properly targeted they are linked, where possible, to the food hygiene inspections due and are set as an internal performance indicator.



Food premises profiles, inspection targets and revisit information is outlined in Appendix 3.

The approach to premises inspections has been reviewed and new procedures have been introduced. The purpose is to ensure better recording of activities following inspection and also ensure that significant failures are followed up appropriately. It allows officers to target problem premises. An overview of the "Food Safety Interventions Policy" can be found in appendix 7.

3.2 Food Complaints

The food team receives a number of complaints about unsatisfactory food or food premises. These are investigated in line with our procedures on dealing with complaints. The number of complaints we receive about food had been reducing in recent years, but increased slightly last year. The number of complaints about premises has increased again, which is concerning.

Investigating food complaints can be quite involved and most of the time requires working with colleagues in other local authorities. This, along with the time taken to receive reports from the public analyst etc., can increase the time taken to resolve the complaint.



Complaints about food very rarely result in formal action, mainly due to the lack of evidence which could be relied on in court. However, they do help identify failings in food processing and handling which require to be rectified to prevent further problems occurring in the future.

3.3 Home Authority Principle

This authority has not made formal home authority arrangements with any businesses for food hygiene or food standards, however, advice is given on such issues when requested. The authority submits details to the LACORS web site in relation to businesses where West Lothian is the originating authority for any complaints or enquiries. In light of the implications of involvement in home authority arrangements, it will only be done if requested and resources allow.

A number of developments regarding Principal Authority Partnerships in England are being watched with interest. Many national companies operate throughout the UK and this is intended to help ease the burden on them. Whilst there is no remit for such partnerships in Scotland, it is expected that where they do apply that no enforcement action is taken without first consulting the principal local authority for the company. The authority will also work to set inspection programmes for these businesses which other local authorities are expected to adhere to. It would be fair to say there are a number of concerns regarding this approach and whilst this service works hard to ensure good relations with all businesses, it is concerned that this approach may benefit businesses more than public health.

3.4 Advice to Business

Although all officers will be involved in giving advice to businesses, one officer has been given the remit to deal with all new business enquiries. This role involves identifying new businesses through planning applications, building warrants, licensing applications, care commission requests and direct enquiries to the service. The officer will give advice on food safety and workplace safety issues. This is an essential aspect of work as it helps to ensure that businesses which request help can be set up complying with the necessary legal requirements. It has, however, to remain in balance with the routine inspection workload.

The ongoing work with established businesses is assisted by a number of helpful information sheets, guidance booklets, and other educational resources. Much of the information used is produced within the team and aims to give businesses the necessary information for complying with the law and improving hygiene and safety standards. We aim to include all new premises in our inspection programme within three to six months of registering, dependant on nature of the business. Appendix 3 shows a comparison of enquiries received over recent years.

3.5 Sampling – Food and Drink

The team develops an annual sampling plan. Sampling is done to help monitor the quality and safety of food and drink being produced and sold within West Lothian. Sampling of food prior to a hygiene inspection is a useful indicator of how the business is





operating.

The range of samples taken is split into chemical and microbiological. The current target for chemical samples is 2.5 samples per 1000 population and for microbiological the target is 2 samples per 1000 population.

For 2008/2009 the sampling target for chemical analysis was reduced by 20% (410 to 328) in order to contribute to the financial savings required in council budgets. This was a reduction of 82 samples on previous years. Ongoing budget strains may well impact on this further.



Appendix 3 has details of samples taken.

Case Study 1

As part of an agreed sampling survey with other Lothian and Borders local authority colleagues officers were involved in sampling water quality from water coolers in workplaces and other public buildings.

26% of those tested failed to meet one or more hygiene standards. The outcomes of the survey were reported by Consumer Focus Scotland. This has highlighted the lack of legal water quality standards for water coolers at point of use. A study is now planned to assess the situation nationally.

This survey is a good example of where environmental health can use sampling to provide evidence of a problem and gaps in adequate public health controls.

3.5.1 Sampling – Water Quality

Sampling of drinking and recreational water is also undertaken. This involves sampling mains and private water, as well as swimming pools, spa pools etc.

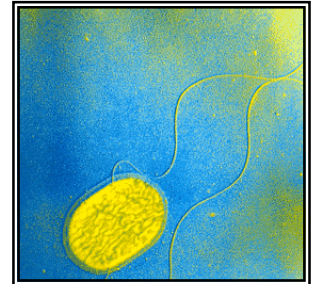
The private water regulations place a requirement upon local authorities, and those responsible for private supplies, to ensure drinking water standards meet those of public water. The team has been involved in sampling and monitoring local private supplies and undertaking risk assessments on them. Sampling will be required on an ongoing annual basis which has increased the amount of work previously undertaken by the team.

In March 2009 a new edition of the Pool Water Treatment Advisory Group guidance for swimming pools and spas was issued. It is our intention to write to all pool operators in West Lothian to remind them of the requirements of this guidance and some of the aspects of public health protection that require particular attention.



3.6 Control and Investigation of Outbreaks of Food Related Infectious Disease

Controlling and preventing the further spread of infectious disease is a key part of the service provided by the food team. This work is done in partnership with Lothian NHS and the Consultant in Public Health Medicine. Notifications of food poisonings and infectious diseases such as, *salmonella*, *campylobacter*, *cryptosporidium*, *E. coli O157* etc., are passed to the team by Lothian NHS. The role of the service is to investigate all cases looking for possible sources, outbreaks, and take preventative measures to stop the further spread of infection. Recent statistics are shown in appendix 3.



During 2008 a review of the major outbreak plan and procedures for dealing with sporadic cases took place. The major outbreak plan has now been updated and there are plans for a desktop exercise to test the plan during 2009. This will involve Lothian NHS, Scottish Water and other local authority colleagues.

As part of the review of sporadic procedures it has been agreed that cases of campylobacter will no longer be investigated. Notified cases will be sent guidance and information about the illness. Statistics will be reported to us monthly by Lothian NHS. Case numbers will be reviewed regularly and any issues will be discussed between Lothian NHS and the local authorities.

Case Study 2

In September 2008 we were notified of a party of people who had visited a Chinese restaurant in West Lothian. Some of the party had become ill and two were confirmed with Salmonella food poisoning. Initial investigations by environmental health officers at the premises did not identify any significant failings by the business. Over the next few weeks more cases of this strain of Salmonella infection were identified in more people who had eaten at the West Lothian premises as well as a number of others throughout Scotland.

Officers were now involved in a local and national investigation. In total 17 cases were identified with most but not all having eaten in Chinese restaurants. Our officers spent a significant amount of time in the West Lothian premises working with the business to ensure the best food hygiene practices were in place. There were no obvious food sources and food samples all came back negative. The conclusion was that more than one vehicle of infection was responsible for the outbreak. The source of infection was likely to have been poultry or eggs, and therefore the cause was probably kitchen hygiene deficiencies in at least three Chinese restaurants, and possibly elsewhere. Cases who had not eaten at Chinese restaurants could not be fully explained.

The case highlights that investigations are time consuming, complex and often without an exact conclusion. Our involvement was to ensure that the premises involved did not present an ongoing risk to public health and that good standards of hygiene were being followed.



3.7 Food Emergencies and Safety Incidents

Food safety emergencies and incidents which pose a serious risk to public safety are identified as a priority issue for the food team. Procedures are in place to ensure that warnings issued by the Food Standards Agency, and local incidents which need to be reported to the FSA, are dealt with properly.

Most alerts are for information only but a number of press releases and trade notifications had to be completed by the team in relation to the warnings. As well as food alerts the FSA has a system for notifying local authorities of allergy alerts. These were previously part of the main alert scheme. The main reasons for such alerts is the failure to declare the presence of one of the many allergens now listed in the food labelling regulations.

The team has ensured that the out of hours emergency service has procedures to follow should food alerts for action be received out with normal working hours.

3.8 Liaison with Other Organisations

It is important to realise that the food team does not work in isolation from other internal services or external organisations. Internally the team works with planning, building standards, licensing, legal, education, occupational health, corporate communications, social policy, community health care partnership etc. to provide a joined up service.

Externally the team works with other local authorities, through Lothian and Borders Food Liaison Group, , and Scottish Food Enforcement Liaison Committee's Food Safety sub-group and Food Standards sub-group. The team maintains links with Lothian NHS and Scottish Water through the EHO / HPT group. A good working relationship has been developed with the Procurator Fiscal service. The service works with the Care Commission in the registration of care facilities. It is audited by the Food Standards Agency.

Appendix 4 lists the team's main customers, partners and stakeholders.

3.9 Food Safety and Standards Promotion

It is clear that inspection of premises and enforcement of the law will not in itself bring about the necessary improvements in public health. There needs to be a balance of education with enforcement. Unfortunately, the team input to education and promotion of food safety and standards is limited by current resources despite it being an area of work which needs our input if we are to continue being effective in improving standards.



We are a registered training centre for the REHIS elementary food hygiene certificate, and our officers have assisted other training providers in the delivery of their courses. We have also tailored training to the specific needs of different groups as required. Our involvement in training is always balanced against other workload commitments.



We will continue to work with our colleagues in the Community Health Care Partnership to assist catering establishments introduce healthier options onto their menus. So far we have staged a joint seminar for catering businesses, delivered food hygiene training to community food project volunteers, and in 2009 launched a “catering for health” course for local catering businesses. More courses are planned for this year. 2008/2009 also saw two more businesses achieve the Eatsafe award.



Our food hygiene DVD “Food Safety is Everybody’s Business” continues to be used with catering businesses to help them train staff. It is currently available in English, Polish, Italian, Urdu, Punjabi and Cantonese.

Case Study 3

In 2007 we formed a partnership with colleagues in health improvement at the Community Health Care Partnership to look at working with local catering businesses on healthy eating and other health promotion issues. Targeted food sampling by officers had highlighted that many takeaway dishes had significantly high fat and calorie contents. We recognised the expertise to give advice on healthier food choices was with health improvement colleagues. Our role would be to work with them and the businesses. We also agreed in return that we would provide food hygiene training for community food workers.

In 2007 we arranged a seminar which was attended by over 50 businesses. Since that time the number of healthy living awards within West Lothian has increased. In 2008 the “Catering for Health” course was piloted and 12 businesses participated. It is hoped this course will be run on a regular basis. For 2009 a “Health Promoting Business Award” scheme is planned.

We see this partnership working on an ongoing basis. It is a good example of recognising strengths in partner organisations and teams which can be combined with our own to make West Lothian safer and healthier.

SECTION 4 ~ RESOURCES

4.1 Financial Allocation

The annual budget for period 2008/2009 for the food services was:-

	Budget
Staff	£390,157
Travel and Subsistence	£22,150
Equipment	£1,000
Sampling	£61,640
Total	£474,947



The annual budget for period 2009/2010 for the food service is:

	Budget
Staff	£ 409, 101
Travel and Subsistence	£ 22,150
Equipment	£ 1,000
Sampling	£ 59,453
Total	£ 491, 704

4.2 Staffing Allocation

The service is staffed as per the structure indicated in appendix 1.

Food safety is only one element of the role of environmental health. The pressures on the whole service increase year on year with changes in legislation, increasing population and demand on the service having to be managed on a priority basis. We are therefore addressing the reduced staff resources in food safety by ensuring we target priority areas of work, and continuing to work as efficiently as possible to protect public health.

4.3 Staff Development Plan

The Food Law Code of Practice (Scotland) requires a minimum of 10 hours food safety training to be completed by every officer annually. Officers who are members of the Royal Environmental Health Institute of Scotland are also required to complete 20 hours training and development every year as part of the Continuous Professional Development scheme. Three officers within the food team have achieved chartered status.

The development of officers, as well as being a legal requirement, is an essential component of providing a quality service to West Lothian. The 10 hours training requirement for officers involved in food safety work was met. Training and development needs however have to be prioritised service wide and opportunities for training are sometimes limited. Training requirements are currently being met thanks to the low cost training programme provided by the Food Standards Agency.

Staff development has also been assisted through accompanied visits, peer review visits, involvement in working groups, special projects etc. It is hoped to continue this type of development activity in 2009/2010.

Training and development needs are assessed during individual Performance Review and Personal Development Planning meetings held twice a year.



SECTION 5 ~ QUALITY ASSESSMENT

5.1 Quality Assessment

The Environmental Health & Trading Standards service is participating in the West Lothian Assessment Model. This is West Lothian Council's adaptation of the European Foundation for Quality Management. This is being used to help deliver continuous improvement of the service in years to come. The service obtained Chartermark during 2006/2007 and during 2008/2009 retained the award. One of the issues to be addressed was to provide information on how the cost etc. of our service compared with other local authorities. This is difficult as there is no reliable method of benchmarking like for like service provision at the moment. However, a review of data obtained from Food Standards Agency audits of local authority food services has been used to give a comparison based on staff resources and budget information provided for each local authority. This is detailed in appendix 3.



CUSTOMER SERVICE EXCELLENCE

The food safety and animal feeding stuffs work is subject to audit by the Food Standards Agency Scotland. A core audit was undertaken in August 2005. This was followed up in August 2006. There were no action points identified as outstanding for the service. Previous audit reports are available on www.food.gov.uk. The scheme of audit is currently under review by the Food Standards Agency. There were no planned audits for 2008/2009 but an audit programme is to be re – established during 2009.

Internal monitoring of procedures and customer feedback regarding hygiene inspections and food complaints is also used to assess the quality of the service provided. Customer consultation is a key development issue and a customer and business consultation survey is carried out once a year. At the conclusion of all food complaints customers receive a questionnaire which can be returned to allow further action to be taken where concerns are expressed.

SECTION 6 ~ SERVICE PLAN AND OPERATIONAL PLAN REVIEW

6.1 Review against Service Plans and Team Plans.

The work and commitments of the food team were determined by the team plan which is an internal document produced and used by officers in the food team.

The food service plan will be reviewed in six months.

6.2 Identification of any Variance from the Service Plan

There have been some changes in staffing and workload allocation during 2008/2009. 0.5 FTE officer was transferred to assist workload in another part of the environmental health service. However, later in the year an officer was appointed on a six month contract to help fill this gap. This has helped the team to meet the expected inspection workload and helped



deliver an improvement in inspection performance particularly in regard to lower risk food inspections and also food standards inspections.

A lower number of inspections due for 2008/2009 than the previous year also helped with an improved performance. The service also was reviewed in relation to the amount of work which was previously done regarding the cooksafe project. This had accounted for a large number of visits to premises between 2005 and 2007. Without the resources to continue this it meant that officer time was more focused on routine work. For efficiency the service no longer carried out licensing inspections of street trader vehicles when licence renewals were received. Instead renewals are granted based on the records of the last hygiene inspection.

2008/2009 will be the last time that food hygiene inspections are reported as statutory performance indicators. In future the service will still be reporting inspection targets to the Food Standards Agency but will be changing the way inspections are reported as internal performance indicators. To ensure that the service remains focused on risk based inspections the target dates for inspections have been amended. Performance targets are subject to corporate and political scrutiny. Key performance indicators are reported monthly and entered onto the council's performance management system, Covalent.

The service has experienced an increase in the level of enforcement action taken compared with recent years. There has been an increase in reports to the Procurator Fiscal, notices served and revisits undertaken following routine inspections. There was also an increase in the number of complaints about premises. The change however in inspection rating regarding hygiene, structure and confidence in management has not been significant. In fact, 86.8% and 89.5% of premises are broadly compliant in terms of food hygiene and food standards respectively. More consideration of this is given in 6.3.

For the third year in a row the number of enquiries recorded has fallen. It is however recognised that the service has still to identify a means of recording routine enquiries which are not logged on the computer system. These include enquiries from businesses and public for advice etc. which consume time and require action but the details of which do not justify the time it would take to put on the computer. In last years service plan it was hoped that there might be an improvement to service delivery in terms of completion times for complaints and enquiries. Performance has however remained much the same with 55% completed in first week and 76% within one month. The initial response time of two days has improved for the second year in a row to 93%.

The food and drink sampling programme has demonstrated a 20 – 25% failure rate over recent years for chemical and microbiological samples. This is consistent with national trends in Scotland. The follow up to failed samples is important and aims to ensure food safety failures are addressed. This failure rate has been increasing over recent years and highlights the continued importance of sampling in helping monitor food law compliance. It also highlights the need for this service to consider ways of reducing this level of failure in food businesses. Reasons for sample failure vary from labelling non – compliance to the presence of harmful bacteria in the food.

There was a very minor increase in infectious disease notifications from last year. The service was involved in the investigation of an outbreak associated with a local restaurant.



The process for dealing with campylobacter notifications has changed which has reduced slightly the administrative impact on the service.

It was also anticipated that during 2008/2009 the service would be preparing for the introduction of the new Local Authority Enforcement Monitoring System (LAEMS). A significant amount of work has been done internally updating codes and changing input procedures in preparation. However, the software upgrade that was expected in October has not been provided by supplier of the database system used by this service. It was therefore not possible to carry out any tests on submitting information and therefore it is still unclear whether the changes which have been made will work and what other changes are required. This is further discussed in 6.3.

During 2008 it was agreed that inspection of primary production establishments would transfer from environmental health to trading standards. This is part of a Food Standards Agency programme of inspections involving local authorities and Scottish Government Rural Payments and Inspections Directorate (SGRIPD). Pilot inspections had been carried out previously by environmental health staff and it was felt that the level of food hygiene involved was minimal compared to feedingstuff and animal welfare issues. Trading standards colleagues will have involvement on livestock farms for feedingstuffs and it was felt to be a better use of resources.

Other issues addressed during 2008/2009 include:

- Two new Eatsafe awards made to local food establishments.
- A further increase in the number of Healthy Living Award applications and awards granted to businesses in West Lothian.
- The delivery of two food hygiene courses for community workers in West Lothian. Also an update training session for Open Door Project, Uphall.
- Piloting of "Catering for Health" course in partnership with health improvement team.
- Review and update of inspection paperwork and inspection procedures.
- A trial for flexible working practices within service.
- Update training on Scottish Waterborne Hazard Plan
- Desktop review and testing of Hygiene Emergency Prohibition Notice procedures leading to update and improvements being made.
- Introduction of electronic transmission of reports and letters to internal service providers, and as requested to external businesses.
- Development of guidance regarding continental markets and farmers markets.

Performance and workload comparisons are made in Appendix 3.

6.3 Areas for Improvement / Challenges.

The following have been identified as the key challenges for 2009/2010:

- Ensuring the food service is best placed to meet the challenges and issues raised following the outcomes of the Welsh E. coli inquiry report.
- Ensuring the food service is resourced appropriately to meet the demands placed on it.



- Ensuring the premises which represent most risk to public health are properly targeted, whilst at the same time continuing to support businesses maintain good levels of compliance.
- Ensuring computer systems are managed and supported to allow accurate and timeous reporting to the Food Standards Agency LAEMS system.
- Ensuring internal procedures are reviewed and updated in preparation for further audits by the Food Standards Agency.
- Balancing demands and staff resource priorities in food service against demands in other aspects of environmental health and trading standards.

The specific projects identified for attention in 2009/2010 are included in appendix 6.

An ongoing challenge for managing food safety within West Lothian relates to the ongoing pressures in local government finance. The main demand on the food service currently is the reduction in officer posts in comparison to previous years. We have also had to reduce the food sampling budget to meet the required council wide budget pressures. Whilst some efficiency measures and changes to work practices can help reduce the impact of these reductions it will potentially effect service delivery in the longer term.

SECTION 7 ~ ANIMAL FEEDING STUFFS AND PRIMARY PRODUCTION

7.1 Service Delivery

The control and monitoring of animal feeding stuffs is undertaken by Trading Standards. 0.5 FTE staff are responsible for registration, inspection and sampling activities in relation to all feedstuffs establishments within West Lothian. There are currently 103 premises that applied for registration/approval or made a declaration of conformity.



7.2 Inspection

The inspection procedure is as detailed in the document "West Lothian Council, Development and Regulatory Services, Feeding Stuffs Inspection Procedure". Feeding stuff premises are subject to the LACORS premises risk assessment scheme and (in relation to primary production) Annex 10 of the Food Law Code of Practice, which determine the risk category and inspection frequency. Programmed visits for 2009/10 including 24 to farms, hauliers and manufacturers and a further 5 to pet shops. There is also a plan to take six informal feeding stuffs samples this year.

Subject to receiving appropriate training, Trading Standards staff will carry out joint food and feed hygiene inspections to primary producers.

7.3 Staffing

The Trading Standards section currently comprises five Trading Standards Officers, two Consumer Advisors and four Enforcement Officers. Two Trading Standards Officers and one



Enforcement Officers make up the Commercial and Agriculture Team who are responsible for animal feeding stuffs enforcement.

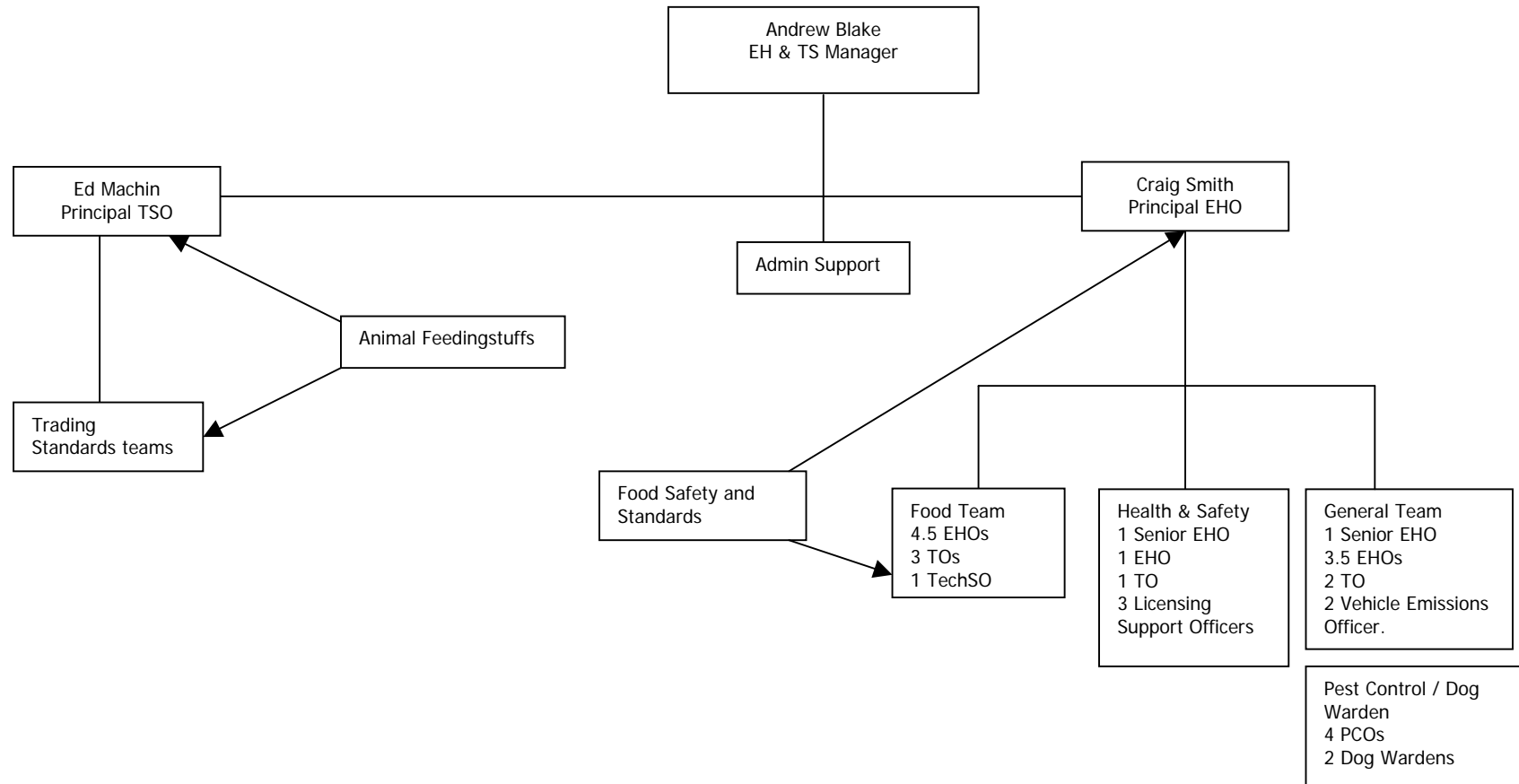
All Trading Standards Officers and Enforcement Officers are authorised to enforce the Agriculture Act 1970 and subordinate and associated legislation, although only 0.5 FTE staff are allocated to this function.

Appendices

- Appendix 1 – Departmental Structure.
- Appendix 2 – Scope of food service
- Appendix 3 – Workload comparisons.
- Appendix 4 – List of customers / partners / stakeholders
- Appendix 5 – Projects and initiatives 2008/2009.
- Appendix 6 – Projects and initiatives 2009/2010.
- Appendix 7 – Overview of food interventions policy.



Appendix 1 – Environmental Health and Trading Standards Structure (April 2009)





Appendix 2 – Scope of Food Service

Function	Activities
Food hygiene	<ul style="list-style-type: none"> To inspect premises in line with The Food Law Code of Practice (Scotland) and prioritise the inspection of premises on a basis of high to low risk, (i.e. Category A, B and high-risk activity C premises, and approved premises will be top priority). To adhere to relevant team policies and procedures. To ensure compliance with the law by means of education, training, motivation and enforcement. To ensure that re – visits are made to premises when necessary, and in line with our inspection procedures. To ensure compliance with legal requirements in terms of licensing and approval of premises.
Food safety and standards	<ul style="list-style-type: none"> To inspect premises in line with The Food Law Code of Practice (Scotland). To adhere to relevant team policies and procedures. To ensure compliance with the law by means of education, training, motivation and enforcement. To ensure that re – visits are made to premises when necessary. To ensure that a sampling programme is devised and followed.
Food enquiries and investigations	<ul style="list-style-type: none"> To react to emergencies and immediate threats to public health. React to and investigate, where appropriate, enquiries and complaints relating to food safety and quality, and hygiene in food premises. React to and respond appropriately to food alerts. To adhere to team policies and procedures. When necessary seize, detain and arrange for condemnation of food not meeting food safety requirements. Respond to requests for verification of voluntary surrender of food for condemnation. Respond to requests for export certificates.
Business and consumer advice	<ul style="list-style-type: none"> Carry out visits to premises to give guidance or to follow up complaints. Provide guidance and advice to new businesses to help comply with food law. Provide training and education for trade and other groups in West Lothian. Deal with general enquiries for help and guidance on relevant food matters.
Reporting and liaison – working together	<ul style="list-style-type: none"> To ensure that policies and procedures are in place and followed as per the Framework Agreement on Food Law enforcement. Prepare reports and returns to various groups and agencies. Work together with others to improve food safety and the service provided. Work together as a team.
Water quality and safety	<ul style="list-style-type: none"> To ensure that a sampling plan is in place and carried out to measure the safety and quality of private and public drinking water supplies in West Lothian. To ensure that a sampling plan is in place and carried out to measure the safety and quality of recreational water, such as swimming pools, spas etc. To ensure that appropriate follow up action is taken when problems are identified with water safety and quality. To respond to requests, where appropriate, from people concerned about the safety and quality of water in West Lothian.
Infectious disease control	<ul style="list-style-type: none"> To investigate notified cases of food poisoning, and food or water – borne disease. To notify Public Health Medicine of possible outbreaks. To adhere to relevant team policies and procedures. To provide good advice to patients and public to prevent further spread of infection. To be involved in any incident or outbreak control team.
Support activities and miscellaneous	<ul style="list-style-type: none"> To manage the work of the food team. To provide technical and administrative support. To instigate special projects and initiatives to tackle particular food related issues. To use and maintain a system database to manage the inspection programme and process service requests. To maintain the competence of inspection staff and develop their skills and knowledge, by means of peer review, training and monitoring. To ensure that premises files are updated with appropriate information.
Feedingstuffs	<ul style="list-style-type: none"> To ensure the registration of feedingstuffs premises. To ensure registered premises are inspected. To ensure that feedingstuffs are sampled. To respond to complaints and concerns regarding quality and safety of feedingstuffs. To ensure compliance with all legal requirements in relation to feedingstuffs.



Appendix 3 – Workload Comparisons

Activity	2005/2006		2006/2007		2007/2008		2008/2009	
	Completed	Missed	Completed	Missed	Completed	Missed	Completed	Missed
Food hygiene inspections	846	0	676	12	898	10	742	0
	Completed	Missed	Completed	Missed	Completed	Missed	Completed	Missed
Food standards inspections	685	0	389	27	321	9	266	0
	Completed		Completed		Completed		Completed	
Revisits	142		50		111		183	
Number of food premises	1362		1367		1386		1367	
Broadly Compliant Hygiene							86.8%	
Broadly Compliant Standards							89.5%	
Food hygiene inspection performance indicators (inspections completed by due date)	Category	% on time	Category	% on time	Category	% on time	Category	% on time
	Approved	96.4	Approved	100	Approved	100	Approved	100
	6 months	100	6 months	100	6 months	100	6 months	100
	12 months	100	12 months	100	12 months	97.9	12 months	98.5
	>12 months	99.1	> 12 months	97.6	> 12 months	82.8	> 12months	98.1
Food standards inspection performance (inspections completed by due date)	A	-	A	100	A	90.9	A	100
	B	98.7	B	93.7	B	75.2	B	96.1
	C	94.2	C	93.8	C	71.4	C	94
	Unrated	98.9	Unrated	93	Unrated	71.6	Unrated	90.7
Number of enquiries	656		625		572		556	
% Enquiries responded to in 2 days (Target 90%)			89%		92%		93%	
Number of food complaints	47		30		41		42	
Number of premises complaints	195		174		151		182	
Food alerts	87		61		51		71	
Advisory visits	374		273		329		61	
Infectious disease investigations	267		232		224		228	
Export certificates	32		33		21		10	
Food condemnations	21		3		11		0	



Samples taken	Type	No.	Type	No.	Type	No.	Type	No.
	Food Chem	401	Food Chem	392	Food Chem	410	Food Chem	356
	Food micro	364	Food micro	316	Food micro	359	Food micro	331
	Milk radiation	11	Milk radiation	11	Milk radiation	11	Milk radiation	6
	Water mains	33	Water mains	34	Water mains	9	Water mains	24
	Water private	28	Water private	3	Water private	33	Water private	23
Swimming pool	72	Swimming pool	86	Swimming pool	60	Swimming pool	77	
Reports to the fiscal	1		0		0		3	
Emergency prohibition notices (Hygiene)	3		1		1		2	
Number of staff	12		10		8		8	
£ Cost / Head of population / year (Per Week)	£3.11 (£0.06)		£3.17 (£0.06)		£3.14 (£0.06)		£2.87 (£0.06)	
Activity	2005/2006		2006/2007		2007/2008		2008/2009	

Comparison of local authority food service costs and staff resources

Table 1. Costs per population per year (ascending order)

LA	Population	Food service costs (£)	Cost / population / year (£)	Year of audit data
Glasgow	580000	1094825	1.8876	2007
Inverclyde	84200	174000	2.0665	2008
Edinburgh City	470000	1026232	2.1835	2006
Scottish Borders	106300	276121	2.5976	2007
East Dunbartonshire	110890	304359	2.7447	2007
East Renfrewshire	88600	251666	2.8405	2005
Falkirk	145270	434496	2.9910	2003
Aberdeenshire	233000	715450	3.0706	2007
West Lothian	164000	514064	3.1345	2007
East Ayrshire	124000	391035	3.1535	2004
Midlothian	82000	259284	3.1620	2007
Dundee City	144000	463903	3.2215	2005
South Ayrshire	114000	374338	3.2837	2006
Stirling	86370	285630	3.3071	2006
North Lanarkshire	325000	1088712	3.3499	2007
Perth & Kinross	130000	445500	3.4269	2006
North Ayrshire	139700	490080	3.5081	2007
East Lothian	92000	339992	3.6956	2006
Dumfries and Galloway	148500	578408	3.8950	2007
Aberdeen City	202000	849879	4.2073	2007
Argyll & Bute	90550	382340	4.2224	2005
West Dunbartonshire	91400	407888	4.4627	2007
Comhairle Nan Eilean Siar	26502	180375	6.8061	2005
Highland	208140		0.0000	2005
Angus	108400		0.0000	2006
Clackmannanshire	49000		0.0000	2006
Fife	360000		0.0000	2007
Moray	87720		0.0000	2006
Orkney	20000		0.0000	2005
Renfrewshire	170650		0.0000	2008
Shetland Isles	22500		0.0000	2007
South Lanarkshire	307000		0.0000	2005

No budget given

Data has been collected from information provided as part of Food Standards Agency Scotland Audits. Information was taken from most recent audit report for each local authority. The comparisons are not necessarily equal as there are a number of differences (or no information) for financial matters, FTE etc. Also there is no indication for the range of activities undertaken by officers which are not food related. For example, officers within West Lothian will contribute to workplace safety inspections and initiatives, smoking in public places, water quality, training and education, public health complaints. It is also not possible to identify from costs if admin and management costs are included. For West Lothian these costs are included. There are other elements of the service which need to be known e.g. number and type of food businesses, numbers of inspections completed, performance against statutory targets etc. Full audit reports for all Scottish local authorities can be found at www.food.gov.uk.



Comparison of local authority food service costs and staff resources

Table 2: Staff resources (Full time equivalent per 1000 population) (ascending order)

LA	Population	FTE	FTE/1000 population	Year of audit data
East Lothian	92000	2	0.0217	2006
Fife	360000	11	0.0306	2007
Inverclyde	84200	3	0.0356	2008
Midlothian	82000	2.96	0.0361	2007
Glasgow	580000	23.5	0.0405	2007
Falkirk	145270	6.4	0.0441	2003
Moray	87720	4	0.0456	2006
East Renfrewshire	88600	4.2	0.0474	2005
West Lothian	164000	8	0.0488	2007
Dumfries and Galloway	148500	7.35	0.0495	2007
Aberdeenshire	233000	11.6	0.0498	2007
Renfrewshire	170650	8.5	0.0498	2008
Edinburgh City	470000	24	0.0511	2006
Scottish Borders	106300	5.9	0.0555	2007
East Ayrshire	124000	7	0.0565	2004
North Ayrshire	139700	8	0.0573	2007
West Dunbartonshire	91400	5.3	0.0580	2007
Dundee City	144000	9	0.0625	2005
Highland	208140	13.12	0.0630	2005
Stirling	86370	5.5	0.0637	2006
Angus	108400	7	0.0646	2006
North Lanarkshire	325000	21	0.0646	2007
South Lanarkshire	307000	19.9	0.0648	2005
Comhairle Nan Eilean Siar	26502	1.9	0.0717	2005
Aberdeen City	202000	15.7	0.0777	2007
South Ayrshire	114000	9	0.0789	2006
Perth & Kinross	130000	10.5	0.0808	2006
Argyll & Bute	90550	8.3	0.0917	2005
Orkney	20000	2.5	0.1250	2005
Shetland Isles	22500	3.9	0.1733	2007
Clackmannanshire	49000		0.0000	2006
East Dunbartonshire	110890		0.0000	2007

No staff figures given

Data has been collected from information provided as part of Food Standards Agency Scotland Audits. Information was taken from most recent audit report for each local authority. The comparisons are not necessarily equal as there are a number of differences (or no information) for financial matters, FTE etc. Also there is no indication for the range of activities undertaken by officers which are not food related. For example, officers within West Lothian will contribute to workplace safety inspections and initiatives, smoking in public places, water quality, training and education, public health complaints. It is also not possible to identify from costs if admin and management costs are included. For West Lothian these costs are included. There are other elements of the service which need to be known e.g. number and type of food businesses, numbers of inspections completed, performance against statutory targets etc. Full audit reports for all Scottish local authorities can be found at www.food.gov.uk.



Appendix 3 Workload Comparisons

Inspection Workload

Table 1. Food Hygiene Inspections 2009/2010.

COP Risk Category	Total No in Category	Required Inspection Frequency	Planned Inspections for 09/10
A	12	every 6 months	12
B	146	every 12 months	146
C	632	every 18 months	420
D	169	every 24 months	95
E	361	every 36 months	65
Not risk rated	51		51
TOTALS	1371		790

Table 2. Food Standards Inspections 2009/2010.

COP Risk Category	Number in Category	Required inspection frequency	Planned inspections 09/10
A	9	12 months	9
B	201	24 months	87
C	1043	60 months	62
Not risk rated	95		86
TOTALS	1348		244

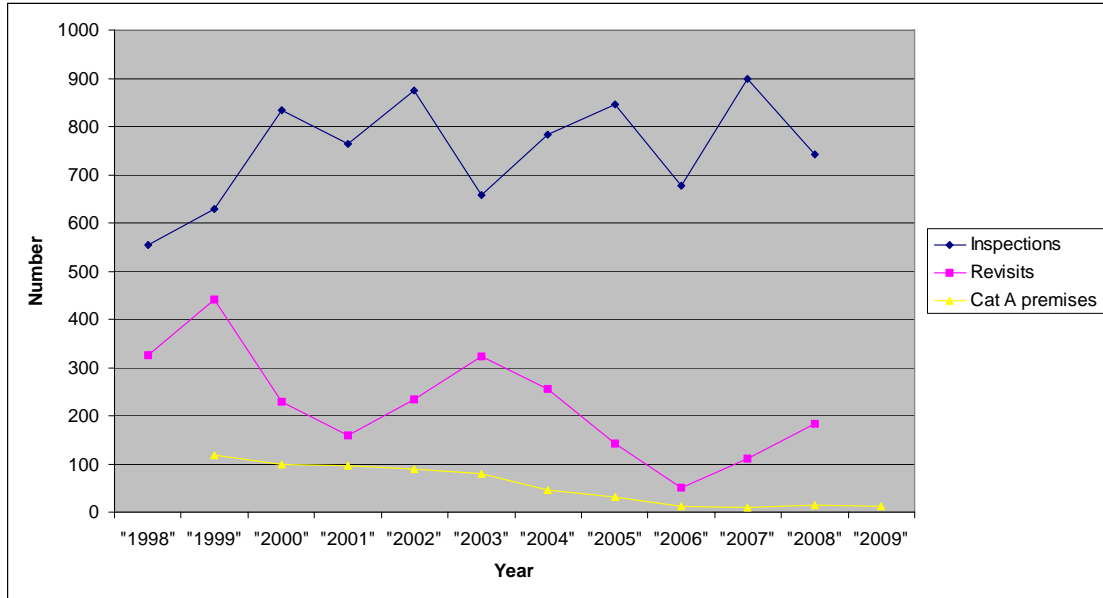
Table 3. Approved premises inspections 2009/2010.

Type of premises	Number in category	Inspection frequency	Planned inspections
Meat products	0	3 in 12 months	0
Fishery products	3	2 in 12 months	6
Dairy products (production holdings)	17	1 in 24 months	0

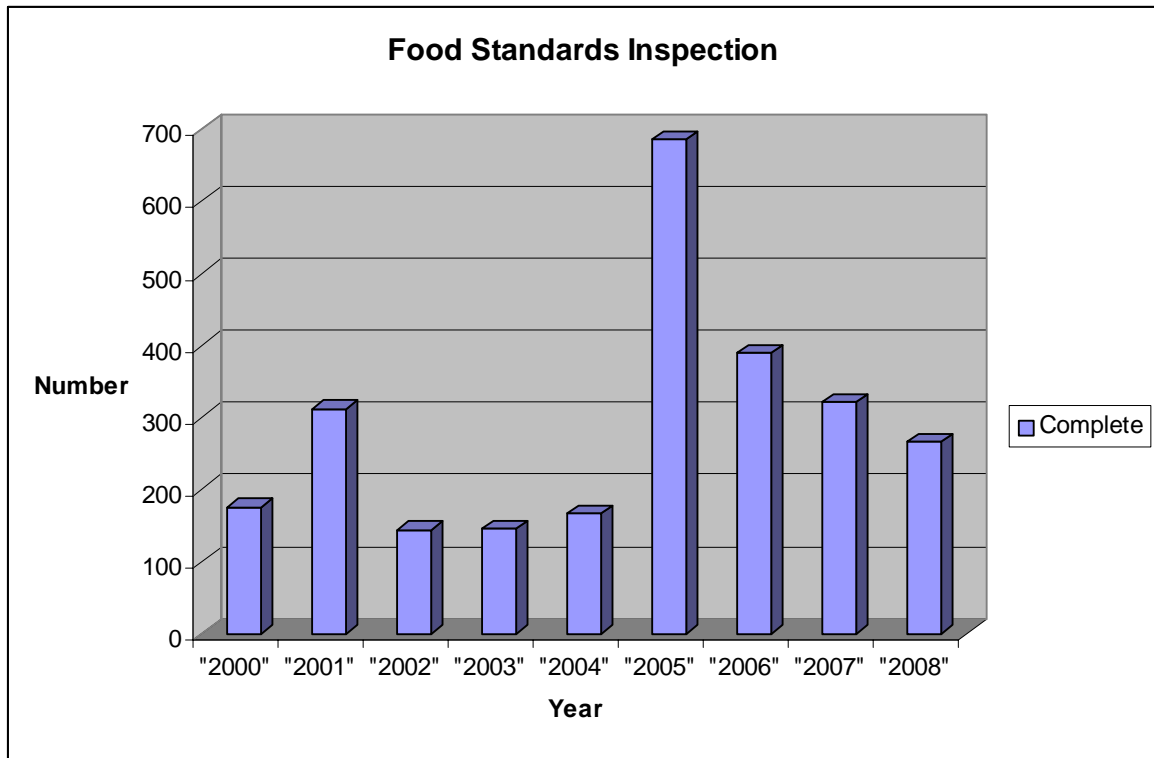


Appendix 3 – Workload Comparisons

1. Food hygiene inspections / Revisits / Category A Rated Premises

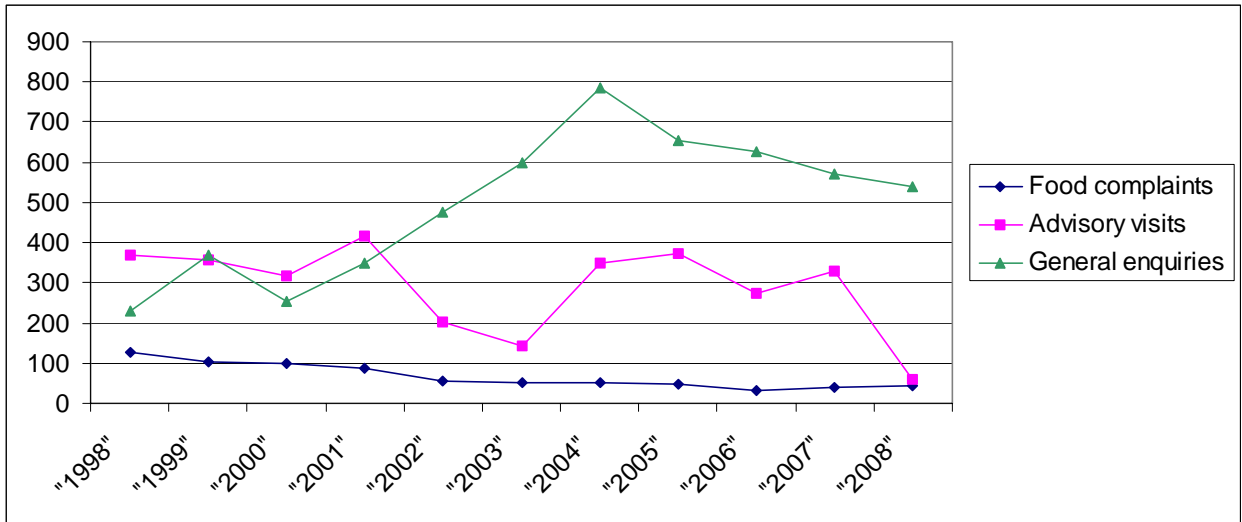


2. Food standards inspections planned and complete

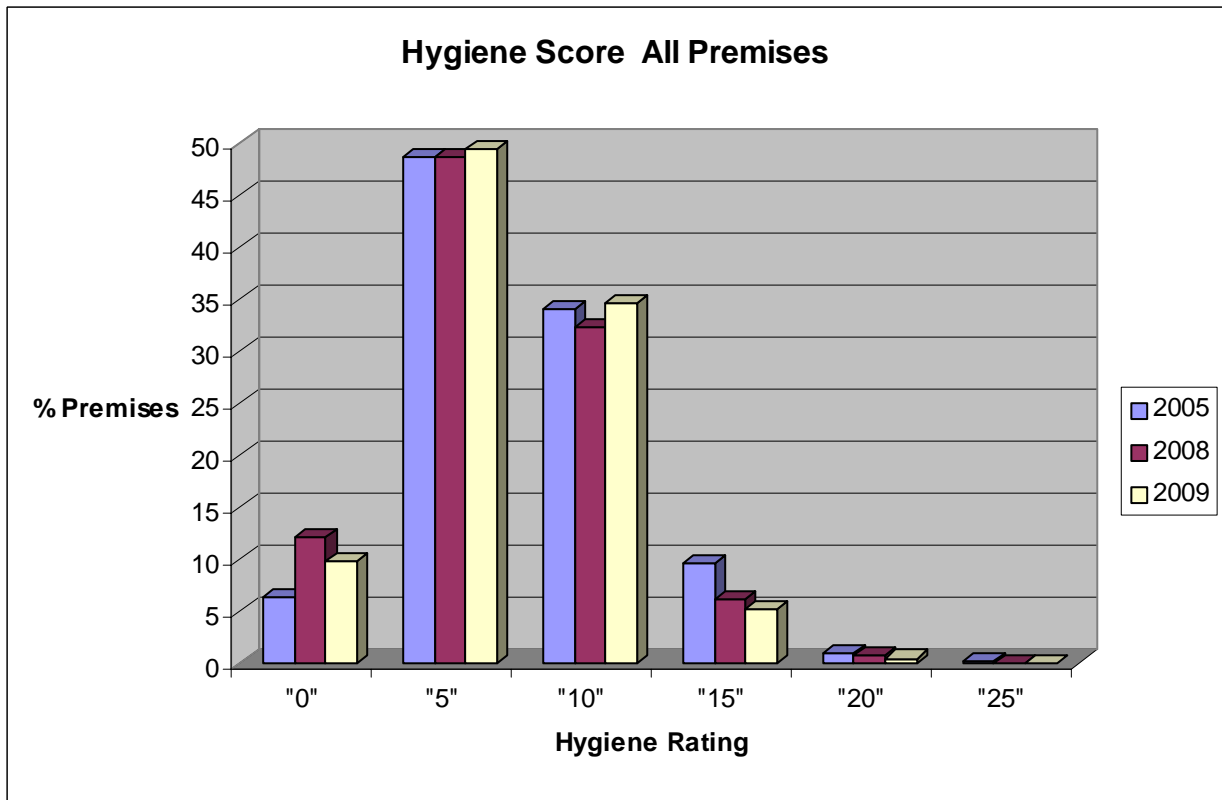




3. Food complaints / advisory visits / general enquiries

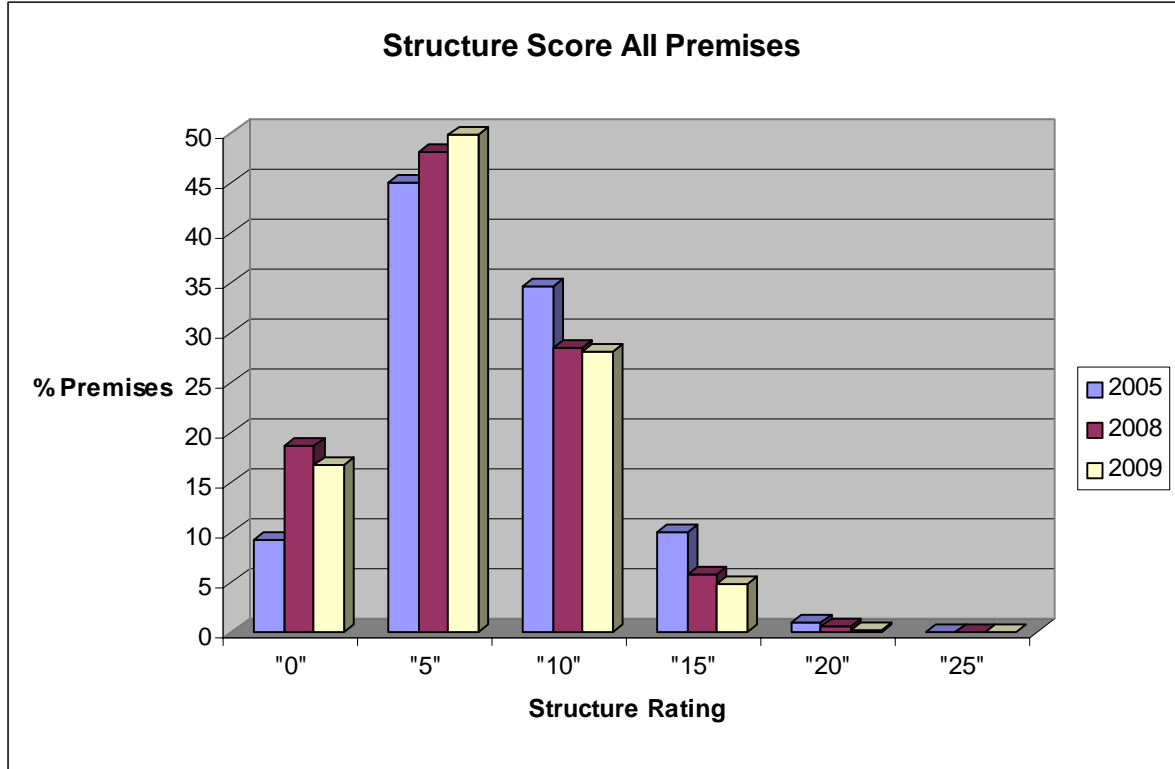


4. Hygiene Scores – All Premises

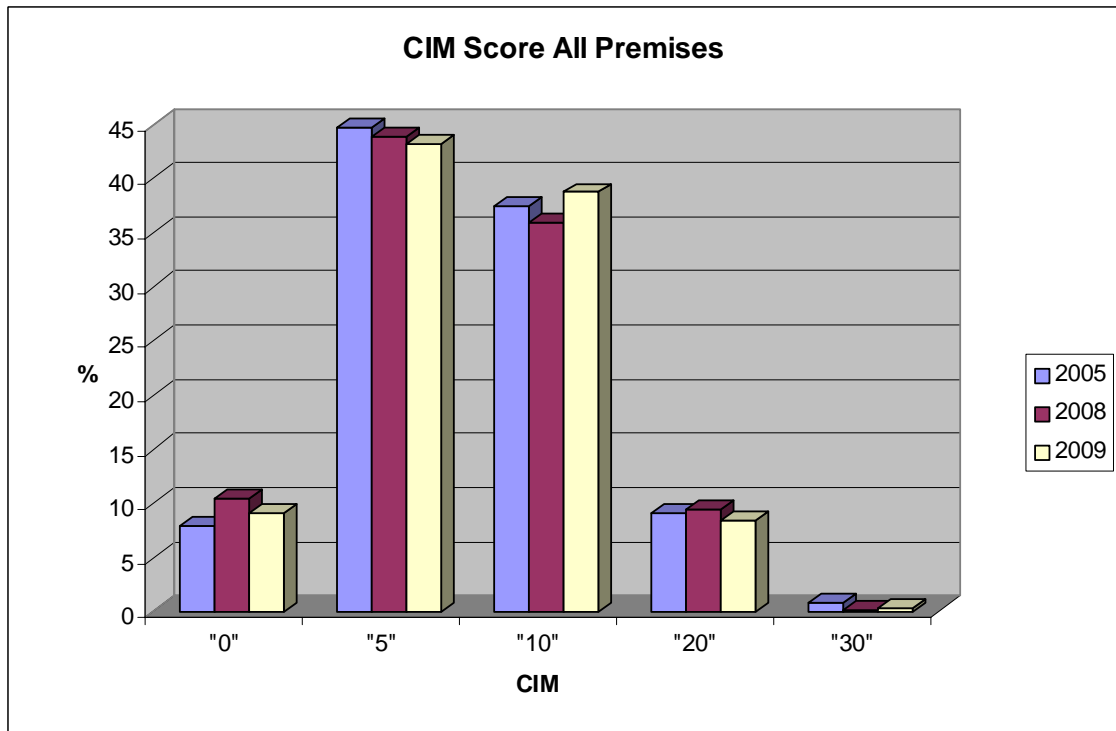




5. Structure Scores – All Premises

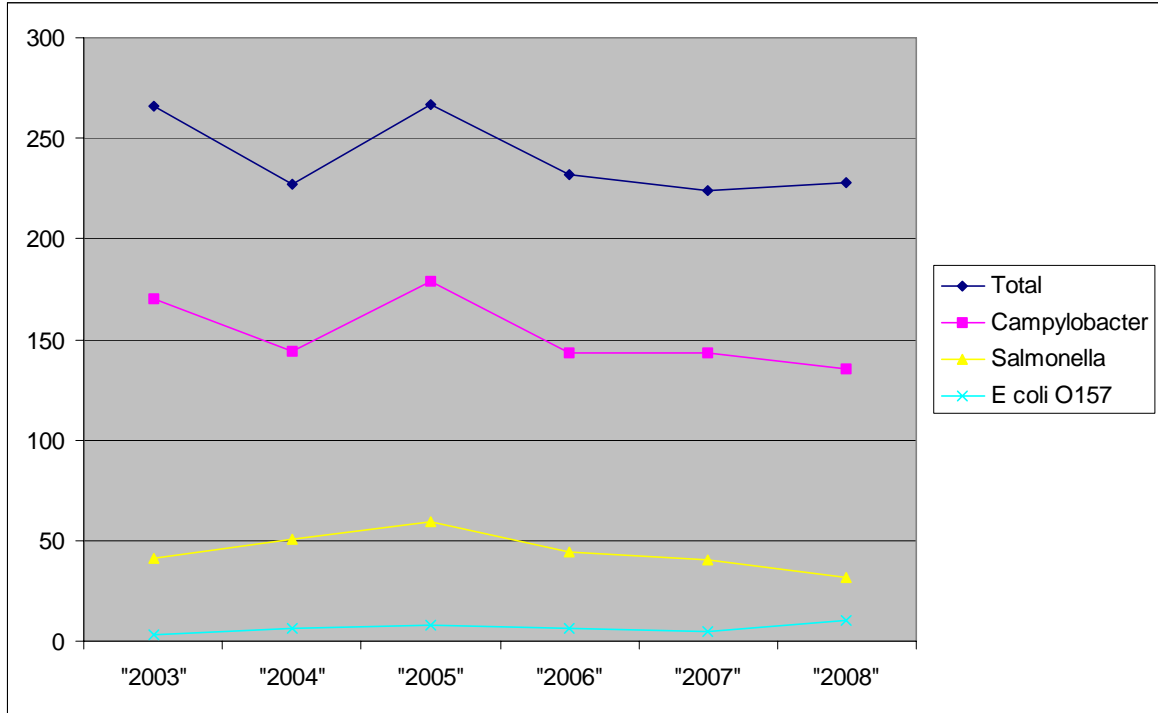


6. Confidence in management score – All Premises



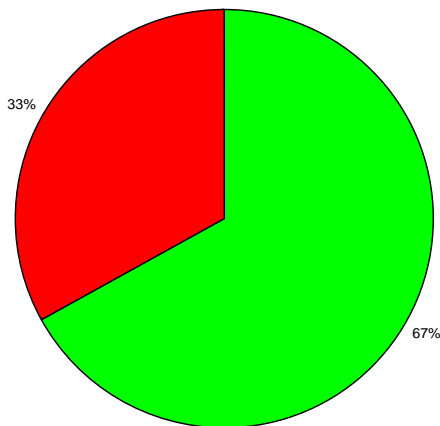


7. Infectious Disease Notifications



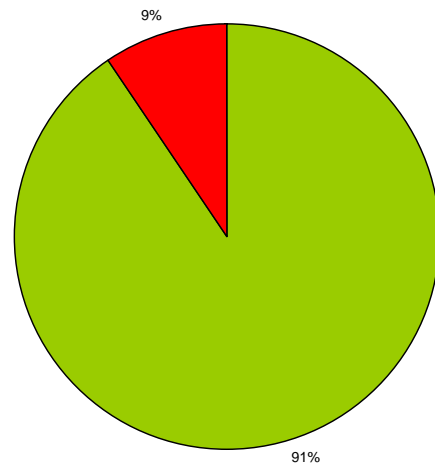
8. Food Sampling 2008/2009

2008/9 Microbiological Samples



■ Satisfactory ■ Not satisfactory

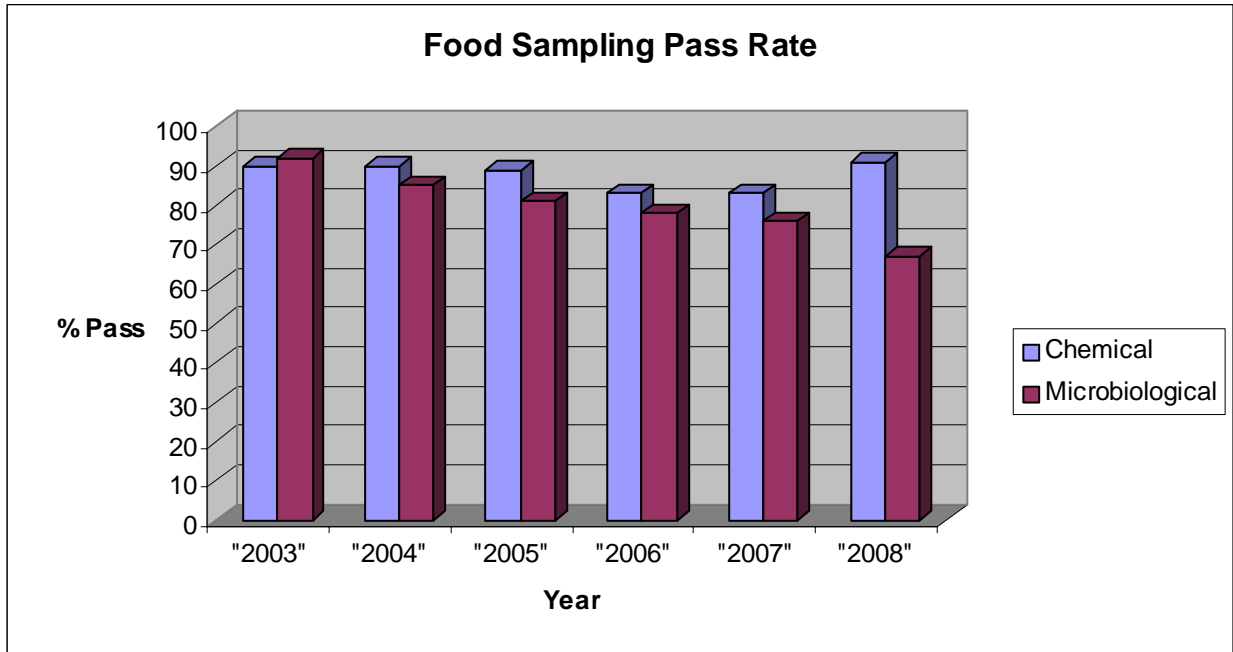
2008/9 Chemical Samples



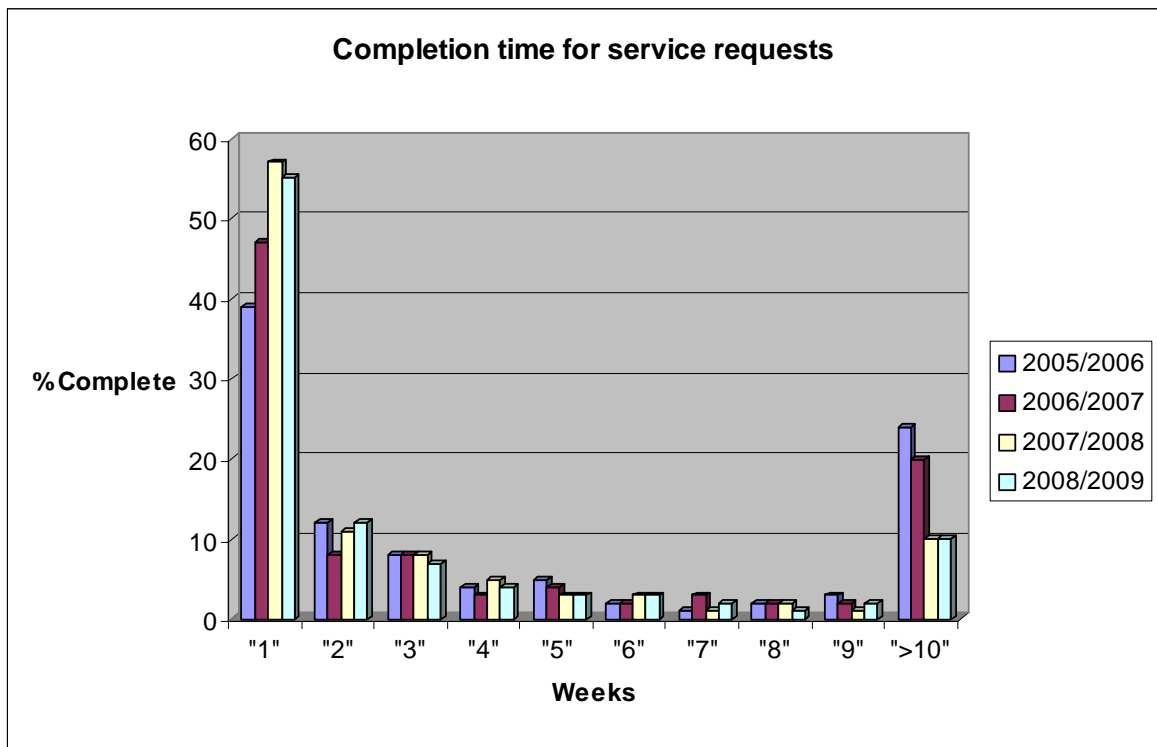
■ Satisfactory ■ Unsatisfactory



9. Food sampling pass rate comparison



10. Service request completion times





Appendix 4 – Customers / Partners / Stakeholders

GROUP	RELATIONSHIP	HOW WE COMMUNICATE	PROPOSED FOR 2009/2010
<p>Businesses within West Lothian</p>	<p>Inspections; application of legislation; advisory activities; investigation into incidents, sampling, education, training, enforcement, motivation. New business support.</p>	<p>Provide guidance, training, technical information, guidance notes, information leaflets, talks, seminars. Use of Interpretation and Translation for ethnic languages, press releases, mail shots etc.</p> <p>Consultation – e.g. new inspection reports, dairy guidance, hygiene inspections evaluation. Use of interpretation and translation and improve training opportunities for non-English speaking food handlers. Improved communication in relation to new hygiene regulations, cooksafe, animal by products, illegal meat / imported food. Greater focus on new businesses.</p>	<p>Work with community health care partnership to promote healthier menu options in catering establishments. Work on health promoting businesses project.</p>
<p>Public</p>	<p>We protect them. We investigate complaints on their behalf. We provide guidance and information.</p>	<p>Press releases, infectious disease information sheets. Customer feedback on food complaints.</p>	<p>No change to current approach.</p>



FSA	They provide direction and guidance on a partnership basis. We report to them annually. They audit our performance.	Audit reports. We consult them on technical guidance and policy. They consult with us on legal, policy and technical matters.	Implement changes in reporting of enforcement activity – LAEMS.
Members (Councillors)	We respond to complaints and enquiries and provide information as required.	Reports to Council. Advice to licensing board. Annual Service Plan is presented to Council for approval.	Increase the amount of information being supplied to the Bulletin, which is aimed at councillors.
Other LA Services – Planning, Building Control, Admin, Licensing, Domestic Services, Education services, Community Health Care Partnership	Act as statutory consultee. Provide and receive guidance and support. Work in partnership in specific areas of interest.	Planning and building warrant application comments. Licensing applications and comments. Reports as required. Meetings e.g. Food & Health Steering Group.	Meetings have been introduced with domestic services, as required, to discuss common issues from inspections. To highlight implications of Welsh E coli inquiry with other council services providing food.
Lothian NHS	We work together on investigation and control of infectious diseases.	EHO/HPT meetings. Sporadic and outbreak plans.	No change to current approach.
Other local authorities	Share information and best practice. Sampling initiatives.	Liaison groups Benchmarking group	No change to current approach.
PF and legal system.	Take legal action based on reports sent by us.	We send reports. Work together on content of report. We provide technical guidance.	To start sending reports electronically.
Care Commission	Act as Consultee / Advisor	Written reports and telephone calls to Care Commission Officers	No change to current approach.



Appendix 5

2008/2009 Projects.

Initiative / Project ref:	Initiative / project outline	Desired Outcome	Measure of Success	Performance		Responsible Officer(s)	Start date	Finish date	Capital expend £est	Revenue expend £est	Outcome
				Current	Target						
FS/2008/0 1	Improve awareness of food and health in catering businesses	Delivery of food and health courses to local catering businesses by CHCP Health Improvement Team	Course delivered	0	20 businesses (Pilot)	C Smith	01/04/08	31/03/09	£0	£1000	Health Imp Team ran two pilot courses for businesses. 12 attended.
FS/2008/0 2	Improve awareness of food allergens in catering businesses	Development and delivery of allergen awareness training by EH staff	Course delivered	0	20 businesses (Pilot)	N Donegan	01/04/08	31/03/09	£0	£1000	Not completed. Other work priorities.
FS/2008/0 3	Review of inspection paperwork and standard correspondence	Update and ensure all correspondence and paperwork is produced in line with service delivery and legal requirements	All necessary paperwork / systems reviewed and updated	-	Revised standard letter/ means of email communication / aide memoire	N Esson C Joss I Marshall	01/04/08	31/03/09	£0	£1000	Partial completion . Ongoing for 2009.



Appendix 6

Proposed projects 2009/2010

Initiative / Project ref:	Initiative / project outline	Desired Outcome	Measure of Success	Performance		Responsible Officer(s)	Start date	Finish date	Capital expend fest	Revenue expend fest	Outcome
				Current	Target						
FS/2009/01	Improve awareness of food and health in catering businesses	Development of health promoting businesses scheme. Pilot project in Armadale.	Scheme developed and launched.	0	20 businesses (Pilot)	C Smith	01/04/09	31/03/10	£0	£1000	
FS/2009/02	Review of inspection paperwork and standard correspondence	Update and ensure all correspondence and paperwork is produced in line with service delivery and legal requirements	All necessary paperwork / systems reviewed and updated	-	Revised standard letter/ means of email communication / aide memoire	N Esson C Joss I Marshall	01/04/09	31/03/10	£0	£1000	



Appendix 7

Overview of food interventions policy:

The Food Law Code of Practice (Scotland) advocates achieving compliance through the use of a range of interventions and allows local authorities some flexibility in the type of intervention used at a food business.

West Lothian Council recognises that different approaches are required to ensure a business complies with the law in terms of food hygiene and food standards. It is however important to recognise that the approach used by officers will be determined by the circumstances identified at the time of a visit and not in advance.

It is recognised that the code of practice expects a risk based approach to inspections is put in place by local authorities. With this in mind West Lothian Council has always established a priority basis for workload, as follows:

- FIRST** – Emergencies, threats to public health and other essential reactive work.
- SECOND** – Carry out planned inspections on time and ensure compliance with the law. Priority is to be given to Category A, B, high risk C and approved premises for hygiene inspections.
- THIRD** – All other work.

Food Hygiene

Category	Inspection target	Intervention
A	By due date (+ 28days)	Inspection
B	By due date (+ 28days)	Inspection
C	By due month (+ 1month)	Inspection
D	Within financial year	Inspection
E	Within financial year	Alternative enforcement*
Unrated	Within 3 months** or 6 months of registration	Inspection
853/2004 establishment	As per code of practice determined frequency	Inspection
*Includes premises with no inspectable risk (already categorised as alternative enforcement) **Premises handling open high risk foods, e.g. catering.		

Food Standards

Category	Inspection target	Intervention
A	By due date (+28 days)	Inspection
B	Within financial year	Inspection
C	Within financial year	Alternative enforcement
Unrated	Within 6 months of registration.	Inspection



Inspections and Interventions

All inspections and interventions will be carried out in accordance with West Lothian Council's inspection procedures and enforcement policy. Inspections will be conducted in accordance with chapter 4.2 of the Food Law Code of Practice (Scotland) and will utilise the appropriate West Lothian Council inspection aide memoire.

Alternative Enforcement – Food Hygiene & Food Standards

In line with the principles of the Food Law Code of Practice (Scotland) West Lothian Council ensures that priority is given to food premises which present a greater risk to public health and food safety. In order to do this a hierarchical approach to inspections and visits has been established. In order to ensure the best use of the staff resources we have available and also ensure that we maintain a level of intelligence regarding premises within our area it has been appropriate to remove a number of food premises from our routine inspection programme and target them through an alternative enforcement approach.

Premises which are subject to alternative enforcement have been identified above.

Officers undertaking alternative enforcement within such premises will not need to be qualified as per code of practice requirements. The purpose of this approach will be to establish the operating arrangements of such premises and distribute appropriate guidance to food business operators. A record of such visits will be completed and held electronically. Should there be a change in the business operation likely to change the inspection rating of the premises then such matters will be referred back for a qualified officer to pursue.

The purpose is to link in with work already being done by other non food officers and ensure a better system for gathering information and maintaining business contact.

Where the premises is deemed to be operating in a way which requires no further intervention by a qualified officer then a rating will be applied to maintain the premises within its current category and ensure a further visit is made within the time frame for such premises outlined in the code of practice – i.e. 3 years for food hygiene, and 5 years for food standards.

This approach will be kept under review.

Non – Broadly Compliant Premises

Following an inspection any premises which does not meet the broadly compliant criteria should be subject to further intervention. Such action should be implemented no later than 1 month after the initial inspection. Officers will determine the most appropriate action giving consideration to the West Lothian Council enforcement policy and inspection procedures.

Interventions will be recorded by officers, and may include:

- Further inspection and audit;
- Verification and surveillance;



- Advice and education;
- Formal sampling.

Change of Ownership / Premises

An officer will inspect a changed premises for food hygiene, food standards, and health and safety irrespective of what the initial planned inspection was for. Risk ratings will be applied against the new premises details.