



## CITY OF LONDON CORPORATION – DEPARTMENT OF MARKETS & CONSUMER PROTECTION PORT HEALTH & PUBLIC PROTECTION SERVICE - FOOD SAFETY ENFORCEMENT PLAN 2013-14

### Introduction

At the City of London Corporation, official food controls are delivered by the Food Safety Team, the Smithfield Enforcement Team and the Port Health Service. All are part of the Port Health & Public Protection Service (PH&PP) which is itself part of the Department of Markets & Consumer Protection. This Plan covers the work of the Food Safety and Smithfield Teams.

The food, catering and hospitality sectors make a significant contribution to City corporate life and to the wellbeing of residents, workers and visitors and the proper regulation of food safety within food businesses remains an important priority for the City.

The Corporate Plan<sup>1</sup> is the City of London Corporation's main strategic planning document providing a framework for the delivery of all services with three strategic aims. The Corporate Plan itself remains informed by the sustainable community strategy; The City Together Strategy: The Heart of a World Class City 2008-2014<sup>2</sup> – This was developed by The City Together (the City's local strategic partnership) on behalf of its communities and our teams contribute to the “.....**supports our communities**” theme in this Strategy. The main goal is to help ensure that food is hygienically prepared and safe to eat.

**Ensuring a safe, healthy and sustainable food chain** remains one of five national priorities for regulatory outcomes endorsed in November 2011 by a Local Better Regulation Office (LBRO) - now the Better Regulation Delivery Office, BRDO - report<sup>3</sup> on Priority Regulatory Outcomes and in its report on Regulation and Growth, the then LBRO also noted that

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<sup>1</sup> The Corporate Plan 2012-16

<http://colnet/Departments/Town%20Clerks/Corporate%20Performance%20and%20Development/Documents/Corporate%20Plan/Corporate%20Plan%202012-16.pdf>

<sup>2</sup> “The City Together Strategy: The Heart of a World Class City 2008 – 2014

[www.cityoflondon.gov.uk/Corporation/LGNL\\_Services/Community\\_and\\_living/Community\\_advice/Community\\_strategy/community.htm](http://www.cityoflondon.gov.uk/Corporation/LGNL_Services/Community_and_living/Community_advice/Community_strategy/community.htm)

<sup>3</sup> LBRO, 2011- A new approach to refreshing the national enforcement priorities for Local Authority Regulatory Services

***“...it is often the day-to-day experience of how regulation is delivered and enforced that matters most to businesses. It is at this level that regulators can develop their understanding of local businesses and build good relationships with them; assessing the risks that affect them, working with them to enable compliance and interacting in a way that builds confidence and trust”<sup>4</sup>.***

This interaction is a central tenet of our Service and in performing the two teams' work, there is a need to strike a balance between support for businesses, especially smaller businesses, and protecting consumers and others from fraudulent and illegal practices.

There are now 1776 “food businesses” registered with the City of London and with the London Port Health Authority as being involved in the preparation, production, storage or sale of food. The majority of these are shops, bars, restaurants or other types of catering establishments such as staff restaurants and corporate caterers or craft on the river. There are an increasing number of temporary businesses some registered elsewhere that set up during various events and in outdoor spaces such as city church yards.

In addition the City of London Corporation is home to Smithfield Market the largest wholesale meat market in the UK. There are 44 trade premises operating from the Market in respect of which the City of London Corporation is the enforcing authority for food standards. The Food Standards Agency is the enforcing authority for food hygiene at these premises.

This Plan aims to ensure that our two services remain targeted, proportionate, consistent and transparent, and sets out the framework for the services delivery. It has been prepared as required by the FSA and in accordance with their "Food Law Enforcement Service Planning Guidance". The format and content of the Plan provide the basis upon which the City Corporation's Food Safety Enforcement Service will be monitored and audited by the FSA.

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<sup>4</sup> March 2012- LBRO Regulation and Growth- <http://www.bis.gov.uk/assets/brdo/docs/publications-2012/12-688-regulation-and-growth.pdf>

## **1. Service Aims and Objectives**

### **1.1 Aims**

The Port Health & Public Protection (PH&PP) Service aims to ensure that i) all food and drink that is produced, stored, or sold by food businesses within the City of London is hygienically prepared and safe to eat and ii) is described and labelled correctly. This links to the Service Aim for PH&PP which is “to create, develop and maintain a safe, fair and healthy environment for the workers, residents and visitors of the City of London.”

### **1.2 Links to corporate objectives and plans**

This Food Service Enforcement Plan forms an appendix of the Markets & Consumer Protection Department's overall Business Plan for 2013-16

### **1.3 Objectives and plans**

The teams' main objectives are to :-

- Carry out regular interventions within City food businesses at a frequency determined by national risk criteria and local intelligence;
- Assist businesses in achieving legal compliance and good standards of food safety management through the provision of targeted advice, support and training;
- Investigate food poisoning outbreaks associated with City food businesses;
- Investigate serious complaints about food purchased in the City and complaints about City food premises;
- Undertake an annual food sampling programme in liaison with other neighbouring authorities and colleagues in other agencies;
- Take appropriate and timely action in response to 'food alerts' issued by the FSA;
- Take appropriate enforcement action for failures to meet legal standards.

## **2. Background**

### **2.1 Profile of the Local Authority**

The City of London Corporation is an unusually diverse organisation that supports and promotes the City as the world's pre-eminent financial centre and provides local government and police services for the "Square Mile". It provides valued services to London and the nation as a whole including management of Guildhall Art Gallery, the Barbican Centre, the Central Criminal Court at the Old Bailey, 4,240 hectares of open space, three wholesale food markets and acts as London's Port Health Authority. The political and governance structures are not based on party politics and the City Corporation uses its own private funds to finance the promotional work it does on behalf of the UK-based financial and business services industry.

The City's working population is forecast for 2013 to be around 400,000 with people working in many different business sectors but largely concentrated in finance, banking and the law. There are reminders of the City's past in the markets such as Smithfield and Leadenhall but other industries have grown to service the needs of the businesses and people who work in the City including the provision of food with over 17,000 working in accommodation and food services sectors.

Retail developments including food outlets are expanding in the City and 2010 saw the opening of the large New Change shopping complex with an increasingly diverse retail corridor being developed around it in Cheapside. Hotel developments continue to expand and there is a thriving night-time economy including world class venues such as the Barbican Centre and numerous bars and restaurants. The City has a small residential population currently around 8,800. The City is a popular destination for visitors, especially around St Paul's Cathedral and there are estimated to be over 10,000 visitors each day to the City.

### **2.2 Organisational Structure**

The Food Safety Team is located on the 'commercial' side of PH&PP and the team is managed by a Food Safety Team Manager whose work is dedicated to food enforcement and who reports to an Assistant Director (Public Protection).

The Smithfield Enforcement Team is managed by a Principal Environmental Health officer who reports to the Port Health & Public Protection Service Director.

### **2.3 Scope of the Feed and Food Service**

The Food Safety Team is responsible for enforcing legal requirements relating to food safety (standards and hygiene), occupational health & safety, statutory nuisances (other than noise) arising from commercial food businesses' activities and the investigation of food-related infectious diseases.

The Smithfield Enforcement Team is responsible for delivering food standards and health and safety interventions at Smithfield Market and ensures food hygiene is maintained in vehicles transporting product from the market. The team also oversees the processing and disposal of animal by-products produced on the market to prevent them from re-entering the human food chain. The Feedstuffs enforcement function in the City is carried out by the Trading Standards Team.

More details on the extent of the teams' work is reported in the section below which looks back on the work completed in recent years and planned for 2013-14. There are separate food enforcement activities in the Port Health Service and this has its own separate enforcement plan.

<b>2.4 Demands on the Feed and Food Service</b>						
<b>Establishments profile: Registered food premises</b>						
<b>Rating and Frequency of Food Hygiene Inspections (under Food Law Code)</b>	<b>Total number premises 2009-10</b>	<b>Total number premises 2010-11</b>	<b>Total number premises 2012-13</b>	<b>Food Hygiene inspections due 2013-14</b>	<b>FHRS Rating</b>	<b>Number Premises (inc Port Health)</b>
A rated = Inspected 6 monthly	10	6	19	12	<b>0</b>	13
B rated = Inspected annually	90	59	96	67	<b>1</b>	61
C rated = Inspected 18 months	907	940	943	627	<b>2</b>	69
D rated = Inspected 2 yearly	243	214	216	73	<b>3</b>	171
E rated = Inspected ever 3 years	208	254	289	89	<b>4</b>	345
Unrated	50	36	21		<b>5</b>	925
			75		AI <sup>5</sup>	75
<b>Total</b>	<b>1508</b>	<b>1509</b>	<b>1659</b>	<b>868</b>		<b>1659</b>
Approved food premises	<b>1</b>	<b>1</b>	<b>(1)<sup>6</sup></b>	<b>0</b>		

In addition to the interventions identified above, there are some 200 vehicles that transport product from Smithfield Market daily that are outside the inspection programme. These cannot be inspected at a set frequency due to their mobile nature but they are inspected periodically as part of an on-going project, See below.

<sup>5</sup> AI=Awaiting inspection

<sup>6</sup> This excludes, Smithfield Market where enforcement is overseen by the FSA (for food hygiene).

## **2.4 Demands on the Feed and Food Service contd.**

The Food Safety Team is located at Walbrook Wharf, 78-83 Upper Thames Street, London, EC4R 3TD and the Smithfield Enforcement Team at 202 Poultry Market, Smithfield. The food team's office reception is open from 8am to 6pm each day but we only occasionally receive callers (unless by pre-arranged appointment). Smithfield office is open from 4am to 1pm daily and the animal by-product facility is open between 6am and mid-day.

Access to services is largely by telephone, e-mail, via the City Corporation's web site and the City Corporation's Contact Centre or through our own proactive interventions on site. Field enforcement officers normally work between the hours of 8am to 6pm. Smithfield officers work between 4am and 11am. In the event of an 'out of hours' emergency senior managers are all contactable via telephone. Food safety information is displayed on the City Corporation's new website: [www.cityoflondon.gov.uk](http://www.cityoflondon.gov.uk) .

## **2.5 Regulation Policy**

The City Corporation is committed to the principles of the Regulators' Compliance Code, a statutory code for all regulators. PH&PP as part of the Department of Markets & Consumer Protection has a Policy Statement on Enforcement which has been approved by the Port Health & Environmental Services Committee and sets out its approach to enforcement.

## **3. Service Delivery**

### **3.1 Interventions at Food and Feeding stuff establishments**

The City of London Food Team inspects premises according to the FSA'S Food Law Code of Practice. Interventions are based on risk and inspection frequencies calculated using Annex 5 of the Code. Planned interventions at Smithfield are based around the Code's Food Standards risk rating scheme.

The details of our intervention work are outlined in the Service Work Plan section below. Interventions primarily centre on risk based inspection and on follow up interventions which are determined on the extent of an establishment's legal compliance. Premises rated 0, 1 or 2 in the FHRS scheme will receive additional visits; this is based on work done with poor performing businesses in the City and elsewhere in the last few years which showed there was some success in maintaining or improving compliance through regular (face to face) contact.

The purpose of the additional interventions is two-fold; to support those willing to make improvements and to regularly monitor those who have previously been unable to maintain the required standards between routine inspections.

For the vast majority of other food businesses in the City, there is considerable overlap between Food Hygiene and Food Standards work, making simultaneous inspections where they are due the best intervention option<sup>7</sup>, assisting both businesses, through minimising disruption and limiting multiple visits, and allowing the service more resources to deal with the poorer performing businesses.

Each new establishment will receive a Food Hygiene and Food Standards intervention to assess their compliance with the relevant legislation. We will endeavour to do so within 28 days of their opening, the establishment will then be risk-rated to trigger future inspections at appropriate intervals and to determine any further appropriate intervention.

The Teams also consider appropriate health & safety interventions during some food controls including those in new premises. The health and safety regulatory landscape continues to evolve with the publication of the new Regulators Code which will inform our future health and safety interventions.

Officers carrying out Food Hygiene interventions will also consider the appropriate application of the FSA's current *E. coli* guidance where this is applicable. Having migrated to the new national Food Hygiene Rating Scheme (FHRS) in April 2012, the food team will continue to use and promote the scheme to help ensure that the public continue to be able to determine how well a business performs in relation to food safety.

Other interventions, those classed as not an audit or inspection will continue and they include sampling visits, visits to check compliance after complaints and revisits to check progress on implementing remedial action following an inspection. These are seen as a very important part of the service, especially in poor performing businesses, as they help to ensure a regulatory presence is maintained; the City Corporation believes that this helps to ensure that standards are improved where required, or at least maintained.

All team members are encouraged to identify new premises and report details to the Operational Support Team to ensure our database is kept up to date.

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<sup>7</sup> Existing food businesses due an inspection for Food Hygiene in the year will be simultaneously inspected for Food Standards if such an inspection is due any time within that year or if it is overdue.



Intelligence on new premises is also acquired from colleagues in other PH&PP teams - e.g. Licensing, Trading Standards - and other City departments – e.g. Planning, Building Control - as well as formally through new food business registrations. Any appropriate Feed work will be considered in light of the review of Feed controls. Full details of the team's work planned for 2013-14 are set out below.

### **3.2 Feed and Food Complaints**

The Food Safety Team and Smithfield Enforcement Team will continue to respond to all complaints but decisions on the depth of investigations will be made according to whether:-

- food is suspected as causing food poisoning or does not satisfy food safety requirements;
- the City of London Corporation has enforcement responsibility; and
- It is suspected that there could be a significant breach of the law.

Views and information received from the FSA and Home / Primary Authorities will also be taken into account when determining the extent and direction of any investigation.

Authorised officers and where appropriate the team managers make an assessment of the complaints to determine the most appropriate follow up action, previous intelligence and compliance history are both considered.

Feed complaints are investigated by Trading Standards. None were received in 2012-13. Several supermarket chains have now registered as feed premises as certain waste foods are now being recycled into the feed chain.

### **3.3 Home Authority Principle and Primary Authority Scheme**

A Food Safety- related Primary Authority Partnership was signed with **Virgin Active**, the national health and fitness club chain in late 2012.

### **3.4 Advice to Business**

Food safety advice to businesses is an integral part of the service and forms a significant part of the discussions with food business operators at various times including at the design stage for new premises or refurbishments and during inspections and following other service requests. We are encouraging businesses to use web based resources to help answer initial enquiries they may have; these include ERWIN, Everything regulation when it's needed.

Not all food businesses consult directly prior to carrying out works. New developments and their associated permissioning processes in the City can be complex and the teams' endeavour to engage with them through Planning, Building Control and Licensing in order to advise and influence on food hygiene and health & safety believing this to be the best time to secure sustainable improvements through adequate investment.

### **3.5 Feed and Food Sampling**

The City Corporation strives to be an active contributor to national and regional sampling programs and the sampling program is developed with its neighbours in the SE London Food Group and through the pan-London Food Co-ordinating Group.

The group also takes advice and guidance from the Health Protection Agency soon to be Public Health England and the Public Analysts and a sampling plan is devised that considers the co-ordinated programs as well as locally important issues.

Samples are submitted to the Food Examiner or appointed Analyst as necessary for the selected projects or in response to specific complaints and there is a contingency fund for this work.

### **3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease**

The City Corporation is in the North East and North Central Health Protection Unit (HPU)'s area and operates with the HPU to investigate outbreaks and selected notifications. The makeup of this group is not currently expected to alter significantly with the creation of Public Health England

In April 2010, Health Protection legislation in England was updated. The revised measures are contained within the amended Public Health (Control of Disease) Act 1984 and accompanying Regulations and local authorities have powers and duties to prevent and control risks to human health from infection or contamination, including by chemicals and radiation.

The legislation adopts an all hazards approach, and, in addition to the specified list of infectious diseases, there is a requirement to notify cases of other infections or contamination which could present a significant risk to human health.

### **3.7 Feed/Food Safety Incidents**

The service has arrangements in place to ensure that it is able to respond to Food Alerts issued by the FSA.

Warnings are received electronically and all urgent Food Hazard Warnings receive immediate attention and action where necessary with staff able to be co-opted from other teams if necessary.

Out of hours arrangements have altered since the last service plan (2012-13) was compiled. Arrangement to be confirmed

### **3.8 Liaison with Other Organisations**

The City is a member of the SE Sector London Boroughs Food Group and its representatives regularly attend meetings with the Director of Public Health and with the Consultants in Communicable Disease with the City acting as hosts for London Food Coordinating Group meetings. It is also a member of the SE London Quadrant for health & safety and the All-London Boroughs' Health & Safety Liaison Group.

The Food Safety Team is also routinely involved in work with its Licensing colleagues and the City of London Police.

For a number of years the City Corporation has maintained active links with the Better Regulation Delivery Office being involved with a number of Primary Authority arrangements and it has contributed to improvement and development work for local authority regulatory services at national level.

The Smithfield Enforcement Team works collaboratively with the Food Standards Agency to deliver food safety project work and with Billingsgate Seafood Training School and the University of Derby to deliver training to student Environmental Health Officers. Regular liaison is maintained with trade bodies such as the Smithfield Market Tenants Association and the FSA's contactor for hygiene enforcement at Smithfield Market.

### **3.9 Feed and Food Safety and Standards promotional work, and other non-official controls interventions**

Joined up working and promotion of information is seen as important and the City Corporation encourages SMEs to seek advice and to utilise resources such as ERWIN. The Smithfield Enforcement Team will continue to deliver food safety educational initiatives to operators of meat delivery vehicles in collaboration with the FSA.

## 4. Resources

### 4.1 Finance

The 2012-13 the allocated budget was £523,000 including income of £22,000 from various Government grants in support of Olympic related work. In 2013-14 the net planned expenditure before any grants is of the same order at £501,000. In 2012/13 expenditure for the Smithfield Enforcement team was £433,000. In 2013-14, the planned expenditure is £407,000 excluding income from the ABP facility. Legal provision for enforcement action is part-funded locally from the Team's budget and part centrally through the Comptroller & City Solicitor's department, with counsel engaged for all prosecutions.

### 4.2 Staffing

The Food Safety Team Manager is responsible for day-to-day operations of the Food Safety Team comprising seven Environmental Health Officers (EHOs) and reporting to an Assistant Director (Public Protection). The Smithfield Enforcement Team is managed by a Principal Environmental Health Officer and consists of 2 Authorised Officers and 2 Porters. The Principal Officer reports directly to the Port Health and Public Protection Director.

This is also an Operational Support Team that administers the Northgate M3 PP database system for PH&PP, adding new premises, registrations and reporting/data extraction..

<b>Posts</b>	FTE		FTE
<b>Food Safety Team</b>		<b>Smithfield Enforcement Team</b>	
1x Food Safety Team Manager	1.0	1 x Principal Officer	0.7
7 x EHO posts	5.8	2 x Authorised Officers	1.7
1 x AD Commercial	0.25	2 x Porters	2.0
9		5	4.4

### 4.3 Staff Development Plan

Staff development is managed through the City Corporation's Performance & Development Framework (P&DF) appraisal scheme. Specific assessments are used such as the HSE's Regulator's Development Needs Analysis (RDNA) tool and CPD requirements for Food Officers and generally for EHOs members of CIEH and IOSH etc., are taken into account. This year the service will introduce the BRDO's more general RDNA tool which now covers food safety work. The main targets for training are on the delivery of this Enforcement Plan and the development of staff competencies that can best achieve this. Value for money is considered and the best results have been achieved by engaging external trainers to deliver specific courses with training records kept for all staff.

## 5. Quality Assessment

### 5.1 Quality assessment and internal monitoring

Monitoring is by way of:-

The P&DF appraisal scheme links individual officer's work to this plan and the overall aims of the organisation. These require preparation, a meeting, a six monthly follow-up and an end of year review. [12 days' work]

The workload monitoring process ties in with appraisal objectives and regular one-to-one meetings are held with officers to monitor how objectives are proceeding. These also consider all enforcement action taken and the officer's interaction with individual food businesses. As a signatory to the national Food Hygiene Rating Scheme, the City Corporation have further monitoring and consistency obligations but aside from an initial training period, these are not any more onerous than those for the previous London **Scores on Doors Scheme** [24 days]

There are separate procedures for monitoring enforcement decisions, investigations and formal notices this time is incorporated in the above tables

Regular (6 weekly) team meetings [16 days]

The Food Service contributes to the local Food Sector and H&S Quadrant work that reviews the arrangements that are in place to meet our service obligations. [6 days Food, 2.5 days H&S]

## **6. Review**

### **6.1 Review against the Service Plan for 2012-13**

See the Service Work Plan below

### **6.2 Identification of any Variation from the Service Plan**

See the Service Work Plan below

### **6.3 Areas of Improvement**

See Service Development below

## Service Work Plan

### 1. Food Hygiene inspections

- Risk based targeted interventions, including use of alternative controls and enforcement for compliance with Food Hygiene legislation. Target 90% of food premises due and any overdue for intervention:-New Premises to receive a full inspection within 28 days of registration(or opening)
- Category A, B and C (not broadly compliant) premises to receive a full inspection.

<b>Food Hygiene Inspections Rating and Frequency</b>	<b>Due 2013-14</b>	<b>Done 2012-13</b>	<b>Done 2011-12</b>	<b>Done 2010-11</b>	<b>Done 2009-10</b>	<b>Predicted commitment</b> (per inspection, not including follow up)
<b>A</b> rated = Inspected 6 monthly	11	32	23	20	12	10 days
<b>B</b> rated = Inspected annually	59	98	81	77	70	45 days
<b>C</b> rated = Inspected 18 months	628	597	640	704	608	250 days
<b>D</b> rated = Inspected 2 yearly	72	138	67	114	65	20 days
<b>E</b> rated = Inspected ever 3 years	90	105	96	96	112	15 days
Unrated			2			
<b>Totals</b>	<b>860</b>	<b>970</b>	<b>909</b>	<b>1011</b>	<b>867</b>	<b>340 days</b>
	<b>(1)<sup>8</sup></b>					

In addition to the above, 1,000 inspections of delivery vehicles associated with Smithfield Market will be undertaken.

<sup>8</sup> The premises, Smithfield Market, is approved as a cutting plant. Hygiene requirements are enforced directly by the FSA whilst the City Corporation carries out interventions in relation to food standards and related operations in the market.

## 2. Food Standards interventions

Continue action plan as agreed with our Port Health & Environmental Services Committee for 2010-11 with all high risk premises rated and all others including any overdue inspections being picked up when the relevant Food Hygiene intervention is due thus eventually removing any backlog by 31 March 2012

<b>Food Standards Inspections Rating and Frequency</b>	<b>Due 2013-14</b>	<b>Done 2012-13</b>	<b>Done 2011-12</b>	<b>Done 2010-11<sup>9</sup></b>	<b>Done 2009-10</b>	<b>Predicted commitment</b>
<b>A= Annually</b>	1	1	0	0	1	
<b>B = Two yearly</b>	19	36	18	80	57	
<b>C = Five yearly</b>	171	214	292	443	376	
<b>Unrated</b>				0	0	
<b>Outstanding</b>				77	111	
<b>Total</b>	<b>191</b>	<b>251</b>	<b>298</b>	<b>523</b>	<b>545</b>	21 days
44 premises at Smithfield Market will be risk rated by the Smithfield Enforcement team using the FSA's Food Standards Risk Rating Scheme						

<sup>9</sup> Based upon the number of inspections completed up to the end of January 2011



<b>3. Health and safety in food premises</b>						
▪ Risk based intervention/Inspections; focus on the highest risks and identified local and national issues of concern <sup>10</sup> .						
	<b>Due 2013-14</b>	<b>Done 2012-13</b>	<b>Done 2011-12</b>	<b>Done 2010-11</b>	<b>Done 2009-10</b>	<b>Predicted commitment</b>
<b>Health and Safety inspections</b>	NB see note <sup>11</sup>	0	89	355	291	Uncertain following changes to work patterns <sup>12</sup>
<b>Accidents</b>	Uncertain <sup>13</sup>	85	95	104	155	50 hours work <sup>14</sup>
<b>LOLER/PUWER reports</b>	~5	9	3	2	5	

<b>4. To receive and investigate appropriately all requests for service, food incidents and complaints about food and food premises.</b>						
▪ Identify and follow the most appropriate enforcement response in accordance with this plan our procedures and our enforcement policy						
<b>Complaints &amp; Service Requests</b>	N/K	318	375	364	355	44 days (10/12)

10 This work will develop in 2012-13 as more guidance is published following the **Löfstedt Review** of health & safety

11 Following a report to the City Corporation's Port Health & Environmental Services Committee in January 2012, health & safety interventions will continue in new food premises and the Teams will also continue to complete health & safety interventions where problems are discovered during other work. Full health & safety inspections have all but ceased following revised HSE guidance See [www.hse.gov.uk/lau/lacs/67-2.htm](http://www.hse.gov.uk/lau/lacs/67-2.htm), the proposed new National Local Authority Enforcement Code – Health and Safety and the proposed new Regulators Compliance Code.

12 Previously based upon 1 Hour per inspection when combined with Food Hygiene; new premises likely to be similar, more serious reactive interventions will take longer

13 There are changes to both RIDDOR notifications and to HSE investigative criteria meaning that fewer incidents are likely to be reported and less investigated. See [www.hse.gov.uk/lau/lacs/22-13.htm](http://www.hse.gov.uk/lau/lacs/22-13.htm) for details on incident selection criteria

14 If no major investigative work is required following a serious accident etc.

**5. Follow up enforcement action in food premises.**

Identify and follow the most appropriate enforcement response in accordance with this plan our procedures and our enforcement policy

	<b><u>Estimated</u> 2013-14</b>	<b>Done 2012-13</b>	<b>Done 2011-12</b>	<b>Done 2010-11</b>	<b>Done 2009-10</b>	<b>Predicted commitment</b>
<b>Letters with legal requirements</b>	Not Known	TBC	664	930	835	Inc. in Inspection Time quoted above.
<b>Numbers of HIN's</b>	Not Known	17	19	27	35	3-5 days
<b>HSW Notices</b>	Not Known	4	2	1	1	Negligible
<b>Voluntary Closures</b>	Not Known	2	3	3	1	3 days per case
<b>Emergency Prohibitions</b>	Not Known	2	2	1	0	5 days per case
<b>Legal Proceedings</b>	Not Known	1	1	3	1	21 days per case

Work Activity	2012-13 Review	2013-14 Plan
<p><b>6. Devise and deliver a sampling program.</b></p> <ul style="list-style-type: none"> <li>▪ In accordance with the current Sampling Policy</li> <li>▪ An annual commitment for the Food Safety Team selected from national and local sampling initiatives developed through recommendations from the London Food Coordinating Group and work in the SE London Food Group.</li> <li>▪ The level of work to fit within the allotted (free) allocation of samples from HPA and our sampling budget for those consigned to the Public Analyst (see above).</li> </ul>	<ul style="list-style-type: none"> <li>▪ Sampling Plan devised and delivered as planned</li> <li>▪ Sample allocation from HPA completed</li> <li>▪ Spend with Public Analyst limited (mainly Olympic related sampling through ALEHM)</li> <li>▪ Study 47 most beneficial</li> </ul> <p>All based on, National, London Food Co-ordinating Group and local SE London Sector Food Group devised projects with actual projects selected where they are of most relevance to the City.</p>	<ul style="list-style-type: none"> <li>▪ Studies to be agreed as per Sampling Policy</li> <li>▪ Sampling at Smithfield will focus on food authenticity and composition.</li> </ul>
<p><b>7. Continue to concentrate our presence with Food Businesses that are not compliant (in the lower tiers of the FHRS 0, 1 &amp; 2)</b></p> <ul style="list-style-type: none"> <li>▪ Reinforcing the intervention strategy with additional follow up; revisits and coaching sessions as deemed necessary to improve food hygiene performance.</li> <li>▪ Use the "Safe Food, Better Business" model where this is appropriate.</li> <li>▪ Use any other appropriate food safety management guidance</li> <li>▪ Formal enforcement action is not precluded and this will be informed by our Policy Statement on Enforcement.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The level of activity in premises not broadly compliant increased and part of this work was funded with FSA Olympic monies (see below).</li> <li>▪ A number of food businesses were closed this year with most concerns related to pest activity. This was done using hygiene emergency powers. The primary aim to protect public health (by closing the premises) whilst problems were resolved.</li> <li>▪ It has not always been possible to follow these closures with legal proceedings. A number of</li> </ul>	<ul style="list-style-type: none"> <li>▪ The Food Safety Team will continue to focus attention on food businesses that need to improve compliance because they are poor performers and therefore rated in the lower categories of the FHRS system.</li> <li>▪ Part of this work will include assessment of compliance with FSA <i>E Coli 0157</i> guidance (where this is appropriate).</li> <li>▪ The Teams will also consider poor performance with food standards legislation especially if this relates to issues of authenticity.</li> </ul>

Work Activity	2012-13 Review	2013-14 Plan
	<p>formal investigations will roll over into 2013-14 where proceedings are planned or reported for approval.</p> <ul style="list-style-type: none"> <li>▪ Attention was focused on compliance with the FSA <i>E Coli 0157</i> guidance in businesses where this required.</li> </ul>	<p>143 premises are 0,1 or 2 rated under FHRS 150 days</p>
<p><b>8. Special Events; Street Trading; Olympic preparation and reputational risk</b></p> <ul style="list-style-type: none"> <li>▪ Agree a policy on outside events.</li> <li>▪ Catering at outdoor events is a high risk activity whether at an established venue or market or at a temporary or mobile function. Potentially large numbers of people, frequent use of temporary staff, the temporary nature of the accommodation and high-risk products for sale place specific pressure on food safety management.</li> <li>▪ Sampling surveys have indicated that outdoor events are vulnerable to food safety problems.</li> <li>▪ Devise a system for gathering intelligence on these events in advance.</li> <li>▪ Gather information and comment to the relevant duty holders</li> <li>▪ Visits sites as necessary with follow-up action taken as necessary</li> <li>▪ Contribute to the auditing of caterers on</li> </ul>	<ul style="list-style-type: none"> <li>▪ The formal policy on street trading is dependent on the outcome of legislation for street trading.</li> <li>▪ ASAG<sup>15</sup> formed in 2011, PH&amp;PP represented, much improved coordination and communication for larger special events that feed into the ASAG process.</li> <li>▪ We have looked at the performance of Guildhall caterers at Guildhall events.</li> <li>▪ Other smaller events and issues around trading outside are not so readily quantifiable; some events are not planned or not notified to the City Corporation.</li> <li>▪ The landscape of street trading has evolved with many more public spaces now used to host temporary food events with</li> </ul>	<ul style="list-style-type: none"> <li>▪ Legislation for the City of London on street trading is currently passing through Parliament; outcome still awaited.</li> <li>▪ In the absence of new legislation the City of London can still only prosecute for illegal street trading; there is no power to remove or seize equipment.</li> <li>▪ The next round of audits of approved Guildhall caterers will be completed.</li> <li>▪ We will continue to engage with the organisers of outside events (that take place on private land) to ensure that food businesses that come to the City are properly scrutinised.</li> </ul>

<sup>15</sup> ASAG - Augmented Safety Advisory Group for the City of London and partners during the London 2012 Olympics

Work Activity	2012-13 Review	2013-14 Plan
<p>the Remembrancer's approved list.</p>	<p>markets now held on a regular basis at New Change, New Street Square, Swiss Re and City Point's regular markets.</p> <ul style="list-style-type: none"> <li>▪ We maintain established contacts with the organisers of these events.</li> <li>▪ "Pop up" style vendors now receive public acclaim in parts of London and contribute to a vibrant street scene. Properly vetted these vendors add value to the street scene.</li> </ul>	
<p><b>9. Consider the impact of changes to health and safety regulatory work. The latest is the new National Local Authority Code for Health and Safety at Work (the code). This has a direct effect on health and safety at work interventions in food premises</b></p>	<ul style="list-style-type: none"> <li>▪ The Teams proactive health and safety inspection work all but ceased in 2012-13; following Government direction to do so in all but the highest risk premises</li> </ul>	<ul style="list-style-type: none"> <li>▪ The code considers that matters of evident concern should continue to be raised with business and the team are likely to come across these when performing official food controls</li> <li>▪ The code contains an Annex of activities and industry sectors where more proactive interventions can be considered including food related areas for which we will need to consider a work program (if they remain included in the final document)</li> <li>▪ The (draft) code does allow</li> </ul>

Work Activity	2012-13 Review	2013-14 Plan
<p><b>10. Continue to develop the programme to consolidate procedures and protocols to improve consistency of inspection, enforcement, advice, accuracy and consistency of record keeping and procedures.</b></p> <ul style="list-style-type: none"> <li>▪ Consider the any further accreditation using an ISO:9001 quality system</li> <li>▪ Develop further work to improve consistency and effectiveness with reference to the FSA Framework Agreement, Health Protection Agency Protocols and good practice.</li> <li>▪ Individual officers will be given specific process related work as part of their Performance &amp; Development Framework objectives.</li> </ul>	<ul style="list-style-type: none"> <li>▪ To continue to work on developing workable consistent processes and procedures.</li> <li>▪ The teams had to develop their service content for the revised City website; this process took some-time to develop.</li> <li>▪ Procedures and protocols were required for the FHRS system and developed in Q4 2011-12 and Q1 2012-13.</li> <li>▪ The ISO quality system was not retained and lapsed at the end of Q3.</li> <li>▪ PH&amp;PP have examined various off the shelf commercial systems; none were suitable to cover the broad range of procedures across PH&amp;PP</li> <li>▪ Work focused on specific issues developed by our service commitments during the Olympics.</li> <li>▪ Capacity building and training of staff were considered in the event of a serious food incident/crisis /infection affecting public health.</li> </ul>	<p>for the continued investigation of complaints and accidents.</p> <ul style="list-style-type: none"> <li>▪ Procedures and protocols are required for the continued development of the UKFSS sampling system.</li> <li>▪ Legal proceedings work is underway managed by the AD (PH&amp;PP).</li> <li>▪ Develop further training following the completion of the Performance and Development Appraisal for each Officer, their RDNA assessment and this year's work program</li> <li>▪ Continue to develop our service content for the revised City Corporation website;</li> </ul>

Work Activity	2012-13 Review	2013-14 Plan
	<ul style="list-style-type: none"> <li>▪ The City adopted the UKFSS<sup>16</sup> system for recording food and feed samples. This is a database that can be used by all local authorities and laboratories (the HPA<sup>17</sup> and Public Analyst)</li> <li>▪ The UKFSS system at HPA does not yet allow result certificates to be added automatically but this will change in 2013.</li> </ul>	
<p><b>11. Increase awareness and effectiveness of pest control management in food businesses.</b></p> <ul style="list-style-type: none"> <li>▪ Training for field officers has been completed.</li> <li>▪ <i>Westminster-Aiming High initiative</i><sup>18</sup> - will this result in improvements in the City?</li> <li>▪ Small food businesses do not grasp the potential seriousness of pest activity and how quickly it can escalate; standard pest control contract work does not often properly address infestations.</li> <li>▪ Pest Control companies and their standard contracts - will eradication contracts work better and will there be</li> </ul>	<ul style="list-style-type: none"> <li>▪ Closures of food premises in 2012 all related, at least in part, to a failure to control pests. Pest control companies were also engaged before these closures were made.</li> <li>▪ Lack of understanding and commitment to pest control management and active pest problems therefore continues to have a significant impact.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Some food businesses and pest controllers still consistently fail to coordinate pest control activities effectively when there is an active infestation. This has a significant potential impact on public health and their business.</li> <li>▪ The Food Safety Team will continue to engage with food establishments during our interventions.</li> </ul>

<sup>16</sup> UKFSS- UK Food Surveillance Scheme See [www.food.gov.uk/enforcement/monitoring/fss](http://www.food.gov.uk/enforcement/monitoring/fss)

<sup>17</sup> Health Protection Agency has a food water and environmental reference laboratory at Colindale which provides the City with microbiological services

[www.hpa.org.uk/ProductsServices/InfectiousDiseases/RegionalMicrobiologyNetwork/FoodWaterEnvironmentalMicrobiologyServices/FWEColindale/](http://www.hpa.org.uk/ProductsServices/InfectiousDiseases/RegionalMicrobiologyNetwork/FoodWaterEnvironmentalMicrobiologyServices/FWEColindale/)

<sup>18</sup> An initiative to make pest control companies and their client food businesses take a more proactive approach to pest control management.

Work Activity	2012-13 Review	2013-14 Plan
<p>sign up by the pest control companies to them?</p>		
<p><b>12. Evaluate the City Corporation's commitment to food hygiene training events.</b></p> <ul style="list-style-type: none"> <li>▪ Training can help improve poor performance with better trained food handlers supporting businesses to meet their legal requirements, especially in relation to effective Food Safety Management Systems.</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Businesses are currently directed to other providers for food hygiene courses.</b></li> <li>▪ We consider specific assistance to food establishments to meet their food safety management duties.</li> </ul>	<ul style="list-style-type: none"> <li>▪ No further work is planned to set up specific food hygiene courses.</li> <li>▪ The work with poor performers will continue and will include assistance with determining training and supervision commensurate with duties.</li> </ul>
<p><b>13. Commitment to the national Food Hygiene Rating Scheme (FHRS) in the City.</b></p> <ul style="list-style-type: none"> <li>▪ Following a concerted effort by the FSA in late 2011 to lobby all Local Authorities to adopt a single national scheme in England and Wales, the City determined, with many other London Boroughs, that we would adopt the FHRS. A London launch was planned prior to the Olympics</li> </ul>	<ul style="list-style-type: none"> <li>▪ <b>Migration preparation work</b> commenced in Q4 of 2011-12 following a formal agreement with the FSA.</li> <li>▪ The FHRS scheme was formally launched in the City at the start of 2012 and all food premises were provided with an FHRS rating; either based on previous scores or following a new inspection.</li> <li>▪ All ratings are now listed under the new scheme (as of April 2012).</li> <li>▪ The London wide launch of the scheme was held just prior to the Olympics with the majority of London Boroughs now in or</li> </ul>	<ul style="list-style-type: none"> <li>▪ The City and Port Health food services will continue to embed the FHRS scheme.</li> <li>▪ Continue to encourage display of the rating sticker within premises <u>and</u> to promote the use of the FHRS rating website especially through mobile media, <a href="http://ratings.food.gov.uk">http://ratings.food.gov.uk</a></li> <li>▪ The FSA plan further work to promote the FHRS system and to increase its use and acceptance with businesses and the public. The City will endeavour to support this work to highlight the scheme and promote its benefits.</li> </ul>



Work Activity	2012-13 Review	2013-14 Plan
	<p>committed to join.</p> <ul style="list-style-type: none"> <li>▪ It is hoped the FHRS rating scheme continues to be a success, contributing to an improvement in hygiene standards in businesses in our area.</li> <li>▪ Hygiene rating schemes provide consumers with published readily accessible information about hygiene standards in food premises operating in the City and beyond.</li> </ul>	<ul style="list-style-type: none"> <li>▪ There devolved Government in Wales has now made display mandatory; Northern Ireland is considering a similar move. This will increase the profile of the scheme and the FSA are watching these developments, before considering further recommendations in England.</li> </ul>
<p><b>14. Olympic works funded by FSA</b></p> <ul style="list-style-type: none"> <li>▪ This work involved preparations for the Games;</li> <li>▪ It involved an increased program of interventions in about 60 business in the lowest two tiers of the FHRS system</li> <li>▪ There was an enhanced sampling program</li> <li>▪ Funding included an element of work on the FHRS system (rolled over from 2011-12)</li> <li>▪ ATP meters (4) were provided</li> <li>▪ A large number of (short) visits to premises to gauge their readiness for the Games challenges</li> </ul>	<ul style="list-style-type: none"> <li>▪ The plans for a coordinated London Olympic food project were developed between ALEHM and the FSA between November 2011 and January 2012</li> <li>▪ The Food Team prepared a bid for FSA funding for work in the City in line with this project.</li> <li>▪ The agreed program of work was delivered</li> </ul>	<ul style="list-style-type: none"> <li>▪ Lessons learnt from previous work with poor performing businesses and the work for the Games has been considered as the Team draws up further intervention work with poor performers</li> </ul>
<p><b>14. Work with the Data Management Team to carry out a database 'clean-up' of food premises.</b></p>	<ul style="list-style-type: none"> <li>▪ Work on improvements continues and there have been various upgrades to the</li> </ul>	<ul style="list-style-type: none"> <li>▪ Further development work is envisaged with Data Management.</li> </ul>

Work Activity	2012-13 Review	2013-14 Plan
<ul style="list-style-type: none"> <li>▪ Data management remains an important priority and must be considered under the FSA Framework Agreement.</li> <li>▪ Data management is an important part of the FHRS System</li> <li>▪ The Food Team joined the national UKFSS<sup>19</sup> sampling system in 2012.</li> </ul>	<p>Northgate M3 system.</p> <ul style="list-style-type: none"> <li>▪ We continue to develop procedures that encompass the needs of all the (various) users of the PH&amp;PP database with the Licensing Team now incorporated.</li> <li>▪ We secured funding for migration to the FHRS system and procedures are developed to keep data up to date.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The UKFSS will be further developed and will be used by the Smithfield Enforcement Team making data management and reporting to FSA easier.</li> <li>▪ Work to complete integration of the Smithfield Enforcement data into the Northgate M3 database will be completed.</li> </ul>
<p><b>15. Develop options for encouraging businesses to provide Healthy Eating Choices including setting up a Healthy Eating Award for businesses that can demonstrate good standards of Food Hygiene <u>and</u> include healthy options on their menu</b></p>	<ul style="list-style-type: none"> <li>▪ An application for further funding to contribute to the London wide Health Catering Commitments Campaign was applied for but not secured. This work was not pursued in 2012-13.</li> <li>▪ With the increased public health responsibility for local authorities we are now considering further work around the 'Public health responsibility deal' and 'Healthy Catering Commitments'.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The City needs to consider the most appropriate framework for the mix of different food businesses in the City and the evidence base for health concerns within our communities. A number of the larger companies have signed up to the Department of Health Public Health Responsibility Deal.</li> <li>▪ On-going</li> </ul>
<p><b>16. Develop the Primary Authority Programme with potential partner organisations.</b></p>	<ul style="list-style-type: none"> <li>▪ Work was developed with the fitness chain <b>Virgin Active</b> and a Primary Authority Partnership Agreement signed in late Q3</li> </ul>	<ul style="list-style-type: none"> <li>▪ On-going</li> </ul>

<sup>19</sup> UKFSS- The Food Standards Agency UK Food Surveillance System

Work Activity	2012-13 Review	2013-14 Plan
<b>17. Introduce a Category 3 Animal By-Product (ABP) Processing and Disposal Service at Smithfield Market to complement the Category 2 Service.</b>	<ul style="list-style-type: none"> <li>▪ Some 150 tonnes of Category 2 ABP processed and disposed of</li> </ul>	<ul style="list-style-type: none"> <li>▪ Increase the throughput of ABP over 2012/13 level</li> </ul>
<b>18. Work collaboratively with the FSA on meat delivery vehicle initiatives (Smithfield Enforcement Team).</b>	<ul style="list-style-type: none"> <li>▪ Developed educational food safety leaflet for food delivery vehicle operators.</li> <li>▪ Consulted Smithfield Market Tenants Association</li> </ul>	<ul style="list-style-type: none"> <li>▪ Deliver educational interventions</li> </ul>
<b>19. Work in collaboration with Billingsgate Seafood Training School to develop and deliver meat identification / recognition and fitness training. (Smithfield Enforcement Team)</b>	<ul style="list-style-type: none"> <li>▪ Training delivered to University of Derby student Environmental Health officers.</li> </ul>	<ul style="list-style-type: none"> <li>▪ Deliver training for Derby University as 2012/13</li> <li>▪ Identify new markets for meat training</li> </ul>

<b>Food Safety Enforcement Targets - Key Performance Indicators [KPI's]</b>	
<ul style="list-style-type: none"> <li>▪ <b>Secure a positive improvement in the overall FHRs ratings profile for City of London food establishments</b></li> </ul>	Baseline profile at 31 <sup>st</sup> March 2012
<ul style="list-style-type: none"> <li>▪ <b>75% food businesses inspected will receive a report/letter detailing the outcome of their inspection <u>within 5 working days</u> and the remainder <u>within 10 working days</u>. This will accord with standards within the FHRs system</b></li> </ul>	100% within 10 days
<ul style="list-style-type: none"> <li>▪ <b>All authorised Food Safety staff to receive/complete the necessary professional development with <u>at least 10 hours</u> CPD on Food Safety tailored to delivery of this Enforcement Plan; and to complete their RDNA assessment</b></li> </ul>	Completed
<ul style="list-style-type: none"> <li>▪ <b>In 2013/14 risk rate 100% of Smithfield businesses in accordance with the FSA's Food Standards Risk Rating Scheme</b></li> </ul>	100%