



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

## Environment Overview and Scrutiny Committee

28 September 2021

**Report of:** Councillor Dr Peter Moseley

Cabinet Member for Commercial  
and Operations



# Work Plan for Food and Health and Safety Enforcement 2021-22

This report presents the Work Plan for Food and Health and Safety Enforcement for 2021-22.

### Report Author

Javier Garcia, Interim Public Protection Manager



01476 406080



[javier.garcia@southkesteven.gov.uk](mailto:javier.garcia@southkesteven.gov.uk)

Corporate Priority:	Decision type:	Wards:
Clean & Sustainable Environment	Regulatory	All Wards

<b>Reviewed by:</b>	Anne-Marie Coulthard, Assistant Director, Operations and Public Protection	28 July 2021
<b>Approved by:</b>	Gary Smith, Strategic Director, Commercial and Operations	9 August 2021
<b>Signed off by:</b>	Councillor Dr Peter Moseley, Cabinet Member for Commercial and Operations	20 September 2021

### Recommendation (s) to the decision maker (s)

- Notes the South Kesteven District Council Work Plan for Food and Health and Safety Enforcement for 2021-22.

# **1 The Background to the Report**

- 1.1 The Food Standards Agency (FSA) requires each Local Authority to produce an annual Food Work Plan in accordance with the guidelines set out in the Agency's Framework Agreement on Local Authority Food Law Enforcement. The framework dictates the structure and content of the workplan.
- 1.2 The work plan is predominantly produced to satisfy the requirements of the FSA, but also demonstrates how the council will comply with the Health and Safety Executive (HSE) National Local Authority Enforcement Code and incorporates work undertaken on other associated activities, including infectious disease control and the regulation of private water supplies.
- 1.3 During the Covid-19 pandemic, the enforcement of new legislation that initially restricted businesses from opening and then regulated their phased re-opening as part of the Government Roadmap has been carried out by the commercial team supported by officers from the wider environmental health service. Officers continue to support food businesses to stay compliant with food hygiene and safety requirements and best respond to the impacts of COVID-19. Government grant funding has enabled the provision of additional staff resource to support this work.
- 1.4 The FSA has recognised the ongoing pressures that the pandemic is placing on Local Authority food teams, as well as the impacts of changes in the hospitality sector and wider food industry. In response, they produced a Covid-19 Local Authority Recovery Plan which details the way forward to re-start the regulatory delivery system for the highest risk businesses and providing greater flexibility for lower risk businesses wherever possible.
- 1.5 The Recovery Plan details the resumption of planned interventions and other activities at food establishments through to 2023/24. The South Kesteven District Council workplan provides for resources to be targeted in line with the requirements of the Recovery Plan but cannot fully account for any potential future Covid-19 impacts which may affect its delivery.
- 1.6 The South Kesteven District Council Work Plan for Food and Health and Safety Enforcement 2021-22 is at Appendix 1. This plan was approved by the Cabinet Member for Commercial and Operations by a Non-Key Decision on 26 July 2021.

# **2 Food Businesses in South Kesteven**

- 2.1 As of 1 April 2021, there were 1435 food businesses registered in the district. These are categorised according to the FSA's requirements, with the frequency of inspection or intervention determined by an assessment of a number of elements. These include; current compliance, confidence in management, the type of food and processing, the number of consumers potentially at risk and risk of contamination. The higher the overall score the greater the frequency of intervention. Category A businesses pose the highest risk and are subject to 6 monthly interventions through to category E which pose the lowest risk and are subject to interventions every 3 years. This means that efforts can be focused on those businesses with poorer standards, or which represent the greatest risk to people's health.
- 2.2 While a range of food businesses are inspected, those which supply food directly to the consumer e.g. restaurants, takeaways, cafés, sandwich shops, pubs, hotels, supermarkets and other retail outlets are given a rating under the FSA's Food Hygiene Rating Scheme (FHRS). The rating given ranges from '0' at the bottom (urgent

improvement necessary) to '5' at the top (very good). A new rating is given each time a business is inspected to check their compliance with food hygiene law. The primary aim of the scheme is to improve public health protection and reduce the incidence of food borne illness, however, it also helps residents and visitors make informed choices and has the potential to improve standards, drive business competition and growth.

2.3 Food businesses in South Kesteven generally perform well, with 98.5% of rated business considered 'generally satisfactory', 'good' or 'very good' (equivalent to ratings of 3, 4 or 5).

2.4 While the Covid-19 pandemic has resulted in the closure of some businesses, many have successfully diversified and adapted, changed working practices or ownership. This has required additional support by officers to help them address the additional challenges. In 2020-21, 118 new food businesses registered in the district, many of these were home based activities such as cake makers and home caterers. These businesses have been prioritised for intervention as the risks associated with them remain largely unknown until the initial inspection has been undertaken.

### **3 Consultation and Feedback Received, Including Overview and Scrutiny**

3.1 This report is presented to the Environment Overview and Scrutiny Committee for information.

### **4 Available Options Considered**

4.1 This report is for information only.

### **5 Preferred Option**

5.1 This report is for information only.

### **6 Reasons for the Recommendation (s)**

6.1 The workplan is produced to satisfy the duty held by the Council under the FSA Framework Agreement and HSE National Local Authority Enforcement Code and is provided to the Environment Overview and Scrutiny Committee for information.

### **7 Next Steps – Communication and Implementation of the Decision**

7.1 The workplan is published on the Council's website as required by the FSA.

### **8 Financial Implications**

8.1 The delivery of the workplan can be met from budgetary resources allocated in the 2021/22 budget framework. Additional external funding to support Outbreak Management is also being utilised to support additional staff resource in this area.

**Financial Implications reviewed by: Richard Wyles, Assistant Director of Finance and s151 Officer**

### **9 Legal and Governance Implications**

9.1 The Council is required under the FSA Framework Agreement and the HSE National Local Authority Enforcement Code to produce a work plan for food and health and safety enforcement.

9.2 The work plan is an essential performance management and review document and shows the commitment of the Council to food law and health and safety enforcement as required by legislation.

**Legal Implications reviewed by: Graham Watts, Head of Democratic Services and Deputy Monitoring Officer**

## **10 Equality and Safeguarding Implications**

10.1 No significant impacts have been identified. Any enforcement action is taken in accordance with the council's enforcement policies.

## **11 Risk and Mitigation**

11.1 No significant risks have been identified as a result of this report.

## **12 Community Safety Implications**

12.1 This report is not considered to have any community safety implications.

## **13 How will the recommendations support South Kesteven District Council's declaration of a climate emergency?**

13.1 Planned inspections are undertaken in the most efficient manner possible to reduce unnecessary travel and vehicle use.

## **14 Other Implications (where significant)**

14.1 No other significant implications have been identified.

## **15 Background Papers**

15.1 [Non-Key Decision - Food and Health and Safety Enforcement Workplan 2021-22](#)

## **16 Appendices**

16.1 Appendix 1 – South Kesteven District Council Work Plan for Food and Health and Safety Enforcement 2021/22