

SOLIHULL METROPOLITAN BOROUGH COUNCIL



**Food and Safety Service Plan
2022-2023**

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INTRODUCTION

This Service Plan covers the work of the Food and Safety Team.

The Food Standards Agency (FSA), which regulates the enforcement of food legislation, requires service plans to be submitted to a relevant council member forum for approval. The standard of work carried out is in accordance with national legislation, codes of practice and guidance.

The FSA reviews council activity through a monitoring system – Local Authority Enforcement Monitoring System (LAEMS) - enabled local authority data to be transferred electronically to the Food Standards database annually. During the pandemic the FSA monitoring system LAEMS was suspended. Local Authorities submitted their monitoring data to the FSA in accordance with the FSAs outlined national priorities. The FSA continue to undertake “temperature check” monitoring to gauge recovery of food interventions post pandemic in accordance with the FSA Recovery Plan.

Additional responsibilities in respect to Official Feed and Food Controls, including animal feed, are currently dealt with by the Trading Standards and Environment Team.

SECTION 1 – FOOD SERVICE AIMS AND OBJECTIVES

1.1 AIMS AND OBJECTIVES

- 1.1.1 To maintain and improve food hygiene, protecting the public and minimising the risks of food poisoning and infectious diseases.
- 1.1.2 To maintain and improve food quality standards and labelling and to advise and educate food businesses and members of the public on food safety matters.
- 1.1.3 The key objectives of the Food and Safety Team in relation to food safety and food standards enforcement during 2022/23 are:
- to inspect the premises programmed for food hygiene legislation inspections, in accordance with the FSA Recovery Plan;
 - to inspect the premises programmed for food standards inspections, in accordance with the FSA Recovery Plan;
 - to approve, register and licence relevant premises in accordance with relevant legislation, statutory code of practice and guidance;
 - to investigate food complaints in accordance with the Service's food complaint procedure.
 - to provide advice to businesses and members of the public in the Borough with respect to food safety and food standards with particular focus on unrated food businesses that have not yet received their initial food hygiene intervention in accordance with the FSA Recovery Plan.
 - to promote national food safety and nutritional campaigns which aim to raise awareness of food issues among catering businesses and the public;
 - to produce and implement a sampling programme based on the national sampling programme, and local sampling needs.
 - to investigate all food poisoning notifications (except campylobacter) and outbreaks in association with the Consultant in Communicable Disease Control (CCDC) and UK Health Security Agency (UKHSA)
 - to respond to all food alerts in accordance with the relevant instructions and, where necessary, notify food incidents to the relevant national body in accordance with the statutory code of practice;
 - ensure that the Service's authorised officers adhere to the Safer Communities Food Enforcement policies when making enforcement decisions;

- continue to ensure that the Service’s authorised officers are suitably qualified, experienced and competent to carry out the range of tasks and duties they are authorised to perform, including providing additional training where required. Regard to the revised Food Law COP and officer competency requirements.
- continue to support the Primary Authority Principle, including consulting with authorities, where appropriate, following inspections and when dealing with food complaints;
- to liaise with other local authorities, and associated organisations, to help achieve consistent enforcement;
- continue to implement a quality system, review the procedures on an annual basis;
- to participate in the operation of the Central Food Liaison Group (formerly known as the West Midlands Food Liaison Group). The chair of the food group is provided by Birmingham CC. The Central England Trading Standards Authorities (CEntSA) food group is also attended by a Team member.

1.2 **LINKS TO CORPORATE OBJECTIVES AND PLANS**

- 1.2.1 The Team supports and contributes to the common themes and principles that underpin the work and the Vision of the Council “Solihull: Where everyone has an equal chance to be healthier, happier, safer and prosperous through growth that creates opportunities for all”.
- 1.2.2 The Team’s Statutory Service Plan is designed to contribute to the delivery of this target and the Council’s priorities. Appendix 3
- 1.2.3 Underpinning the Corporate priorities are the Directorate’s own priority areas:

Economy:

- Revitalising our towns and local centres.
- Deliver UK Central (UKC) and maximise the opportunities of HS2.
- Increase the supply, quality and energy efficiency of housing, especially affordable and social housing.

Environment:

- Enhance Solihull’s natural and physical environment.
- Improve Solihull’s air quality.
- Reduce Solihull’s net carbon emissions.

People and Communities:

- Take action to improve life chances and health outcomes in our most disadvantaged communities.
- Enable communities to thrive.
- Sustainable, quality care and support for adults & children with complex needs.
- Promote employee wellbeing

SECTION 2 – SERVICE BACKGROUND

2.1 PROFILE OF THE LOCAL AUTHORITY

- 2.1.1 Solihull Metropolitan Borough Council (SMBC) is a metropolitan authority in the West Midlands providing a range of community services to a population of approximately 217,487 (2020). The organisation employs approximately 8,000 people and, as a unitary authority, provides the full range of council services.
- 2.1.2 The Authority comprises a mix of urban development to the north and western boundary with the City of Birmingham, combined with a semi-rural area of large villages in the east of the Borough. Although a seemingly prosperous area, the Index of Multiple Deprivation identifies 4 of the electoral wards as being among the 10% most deprived in England.
- 2.1.3 The Borough contains Birmingham Airport (BHX), the National Exhibition Centre (NEC), Touchwood Shopping Centre, Birmingham and Blythe Valley Business Parks. There are approximately 4,000 VAT registered businesses within Solihull.
- 2.1.4 The Food and Safety Team recognises the importance of working with businesses and details of how it proposes to achieve this in the forthcoming year is detailed in the service delivery section of this Service Plan.
- 2.1.5 SMBC is now part of the West Midlands Combined Authority which has the clear purpose of improving the prosperity of the region for its people and businesses.

2.2 ORGANISATIONAL STRUCTURE

- 2.2.1 The Food and Safety Team is located within Safer Communities in the Economy and Infrastructure Directorate. The Food and Safety Team Leader reports directly to the Head of Safer Communities (Regulation and Enforcement) who in turn reports to the Assistant Director Economy and Infrastructure. The corporate structure is shown in **Appendix 4** and the structure of Safer Communities Economy and Infrastructure is shown in **Appendix 5**.
- 2.2.2 The Food Team Leader is the lead officer responsible for food hygiene and food standards. Officers in the Trading Standards and the Environment Team are responsible for feeding-stuffs including feed-stuff sampling. Food matters are reported to the Cabinet Member for Stronger and Safer Communities.
- 2.2.3 Sampling analysis is undertaken by the Public Analysts. The UKHSA laboratory is located at Colindale Laboratory in London.
- 2.2.4 The Team also enforces the Food and Environment Protection Act (pesticide legislation).

2.3 **SCOPE OF THE FOOD SERVICE**

2.3.1 **Food Safety and Standards**

1. To inspect all food premises and their food safety and food standards systems, to ensure compliance with food safety and standards legislation in accordance with the FSA Recovery Plan.
2. To carry out inspections and enforcement procedures in accordance with the Food Law Code of Practice (revised March 21).
3. To carry out risk assessments of all food premises in order to determine food safety and standards hazard ratings and consequent inspection frequency whilst having regard to the FSA Recovery Plan.
4. To maintain an up-to-date database of food premises.
5. To participate in the Central Food Liaison Group.
6. To participate in the CEnTSA sampling programme for food safety and standards.
7. To respond to valid food complaints relating to food safety and food standards on a risk related basis.
8. To promptly investigate sporadic cases and outbreaks of food poisoning / suspected food poisoning, in conjunction with CCDC, Communicable Disease Surveillance Centre (CDSC) and UKHSA in order to identify the cause and to introduce effective control measures.
9. To carry out the statutory duties required in the control of disease and infectious diseases legislation, including the exclusion from work of affected food handlers.
10. To continue to review outputs and outcomes of prime duties and monitoring cost effectiveness to provide a value for money service.
11. To have regard to local demands to ensure the wholesomeness of food and water and that compositional standards are adhered to.
12. To supervise and assist in the training of newly qualified Environmental Health Officers (EHOs) and Food Safety Officers (FSOs).
13. To promote good practice in food businesses and increase consumer confidence by operating the National Food Hygiene Rating Scheme.
14. To identify and signpost, as necessary, health and safety contraventions in catering premises.
15. To liaise, as necessary, with planners / developers / businesses to ensure that new food premises are constructed and equipped to ensure compliance with food safety legislation.

16. To assist food handlers / businesses by providing advice and guidance in order that they comply with food law.
17. To participate in local, regional and national investigations in order to advance understanding of infectious disease transmission paths and controls.
18. To participate in the Central Food Liaison Group and CEnTSA food group to promote consistency of enforcement actions and to share good practice.
19. To develop working relationships with existing Primary Authority companies to promote good practice and consistency.
20. To inspect imported fruit and vegetables arriving at BHX and undertake the inland control of illegally imported foodstuffs of animal origin.

2.4 **DEMANDS ON THE FOOD SERVICE**

- 2.4.1 Premises are risk rated in accordance with the Food Law Code of Practice in respect of food hygiene and food standards. On 1 April 2022 there were 2306 food businesses on the Team's database. This is a significant increase from 1949 in 2020/21. Approximately a quarter of these premises are rated as high risk for food hygiene (Categories A - C). Premises are also risk rated for food standards in accordance with the Food Law Code of Practice.
- 2.4.2 In 2022/23, the Team will continue to operate the National Food Hygiene Rating Scheme (FHRS). The scheme helps customers choose where to eat or shop for food by giving them information about the hygiene standards in food premises. The scheme also promotes trade for compliant businesses. A key message of the FHRS is "Good Hygiene is Good for Business" supporting the business growth agenda.
- 2.4.3 The Food and Safety Team continue to support Primary Authority Partnerships (PAPs) with one local business. The primary authority initiative is a statutory scheme for businesses trading across local authority boundaries. Once a PAP is set up with a business the primary authority provides advice on regulatory matters which must be considered by other enforcing authorities. A PAP results in fewer inspections for the business and reduces regulatory burden and consequently business costs.
- 2.4.4 The Team has established a primary authority agreement with Amadeus the outside catering division of the NEC.
- 2.4.5 The Service maintains a database of food premises in the Borough on its IDOX computer software system. The computer software system transferred to IDOX in January 2022. The database is regularly updated by notifications received from new businesses, premises registrations and observations by officers undertaking their normal duties. Transfer to IDOX has created an operational pressure on the service delivery of the team.
- 2.4.6 As of 1 April 2022, there are 9 businesses within the Authority that are approved under product specific legislation.
- 2.4.7 These premises are also currently rated as medium risk for food standards:
- Victoria Farm - on-farm dairy, producing pasteurised cow's milk and cream for distribution throughout the Midlands;
 - Ram Hall Farm - on-farm ewe's milk cheese manufacturer, supplying national retailers and a large supermarket chain;
 - Solihull Hospital - produces frozen meals for off-site premises;
 - Dnata Flight catering - producer of airline meals;
 - N & N Caterers - supplies meals to children's nurseries;
 - NEC/Amadeus Catering – off-site catering company;
 - Wrap Chic - produces meat/fish wraps – currently in liquidation
 - Nothing Added Meringue – meringue.
 - Dangle Meat Company – processed meat products

- 2.4.8 In addition, there is one FSA regulated premises within the Borough, which produces poultry meat and products. Consequently, this business only receives food standards inspections from the Team.
- 2.4.9 Birmingham Airport is not an authorised Border Inspection Post for products of animal origin. In 2021/22 there were 4 service requests in relation to the importation of fruit and vegetables through the airport. Officers carry out 100% documentary checks on airway bills and will carry out physical checks on consignments of imported food if the officer deems necessary, e.g. if intelligence has been received that goods may have been imported illegally. During 2021/22 the volume of consignments significantly reduced due to the pandemic and flight restrictions and has not yet returned to pre pandemic levels.
- 2.4.10 UK Border Force (UKBF) are responsible for detecting “smuggled” Products of Animal Origin.
- 2.4.11 Food and Safety Team officers are responsible for identifying and dealing with illegally imported products of animal origin in retail/catering premises. The Team have imposed implementation of cost recovery for the detention and destruction of illegally imported food at BHX.
- 2.4.12 The current database of External Temporary Storage Facilities Enhanced Remote Transit Sheds (ETSF) within Solihull is periodically reviewed and maintained to ensure that they are included in the programmed inspection regime. ETSF’s are warehouses used for the storage of goods under Customs bond.
- 2.4.13 Airline manifesto checks are periodically carried out to ensure that all imported food is correctly notified to the Authority.

Staffing Resources 2,000 hours

- 2.4.14 Dnata Catering UK supplies food to aircraft leaving the airport and are based within the Borough. The pandemic has severely impacted on production levels.
- 2.4.15 The NEC hosts exhibitions and events throughout the year. There are 17 exhibition halls, Arena and Pavilion, each with at least 2 restaurants and burger bars, which prepare food to order. Certain shows require particular attention because of the nature of the exhibitors, in particular the Good Food Show, which has some 350 stands handling and preparing a wide range of foods. The NEC also operates a company called Amadeus Catering. The company provides outside catering for various events throughout the country, e.g. horse racing and golfing events. Contract concessionaires also compliment the fixed catering at certain events with mobile vehicles.
- 2.4.16 There is one seasonal poultry slaughterhouse within the Borough which slaughters and dresses turkeys for Christmas.
- 2.4.17 It is estimated that 5% of food businesses within the Borough are run by proprietors whose first language is not English.

- 2.4.18 The FSA's, Safer Food, Better Business DVD (used to assist with food safety legislation compliance) is available in other languages.
- 2.4.19 The Food and Safety Team are located in The Core, Homer Road, Solihull, a satellite office of the main Council House. Service requests are received via Solihull Connect. Connect agents are available to offer some advice and log service requests Monday to Friday 9.00 a.m. until 17.00 p.m.
- 2.4.20 Officers work in the evenings and at weekends as required, to inspect businesses which are only open at those times. No formal out of hour's system operates. There is an emergency number on the Council's website, which covers a range of the Council's services. If a food or safety related issue is reported on this line, Team Leader and/or the Head of Service would be contacted as necessary.
- 2.4.21 In addition, information is provided through a series of web pages on the Council's website. The pages were designed by the Team and provide information on all aspects of the Team's work, (www.solihull.gov.uk).
- 2.4.22 Safer Communities actively seek out matrix working opportunities across teams within the Council and partners, including WM Police and WM Fire Service, to ensure efficient use of resources.

2.5 **ENFORCEMENT POLICY**

- 2.5.1 Regulatory Services has an Enforcement and Prosecution Policy (reviewed 2017) controlled within its Quality System. The policy encourages the following approach:
- **proportionality** in the application of the law and in securing compliance;
 - **consistency** of approach;
 - **openness** in how the service operates and what those who are regulated can expect from the service;
 - setting **standards** of service and performance;
 - **helpfulness** in how to comply with the law, and;
 - having a system for making **complaints** about the service.
- 2.5.2 In addition, the Food and Safety Team has a specific Food Safety Enforcement Policy controlled within the Quality Assurance System. When undertaking food safety and food standards enforcement, the Team aims to:
- ensure that we enforce the law in a fair, equitable and consistent manner;
 - assist businesses and others in meeting their legal obligations without unnecessary expense;
 - focus on prevention rather than cure;
 - take firm action against those who flout the law or act irresponsibly.

SECTION 3 – FOOD SERVICE DELIVERY

3.1 FOOD HYGIENE AND FOOD STANDARDS PREMISES INSPECTIONS

- 3.1.1 There are 2306 food businesses on the premises' database which are subject to inspection. This is an increase of 357 premises since 2021. Outside inspection regime excluded from this figure. As required by the FSA the premises are profiled in accordance with the risk in respect of food hygiene issues where A is the highest and E the lowest.
- 3.1.2 The profile of the premises due inspection from 1 April 2022 to 31 March 2023 is:
- B rated - 15 by 30 June 2022
 - C rated – non-compliant - 9 by 30 September 2022
 - C rated – compliant – 123 by 31 March 2023
 - D rated – non-compliant -13 by 31 December 2022
 - U unrated – prioritised by risk – 275 target by 31 March 2023
- 3.1.3 Food hygiene and food standards inspections are carried out in accordance with the Food Law Code of Practice. The Code of Practice was reviewed and reissued in March 2021. The Code is reviewed by the FSA on a regular basis. In 2022/23 food hygiene inspection and food standards inspections will be carried out in accordance with the FSA Recovery Plan
- 3.1.4 The Food Information Regulations 2014 require officers to provide advice and guidance to businesses on the implementation of the regulations particularly with reference to allergens. The Team enforce Natasha's Law which requires the allergen labelling of products that are prepacked for direct sale (PPDS). An inspection pro-forma is utilised for food hygiene and food standards.
- 3.1.5 The Team will continue to review its approach to alternative strategies for low-risk premises.
- 3.1.6 There continues to be an increase in the number of new food businesses and business churn. This has resulted in a back log of new businesses that are awaiting an initial inspection. The pandemic has seen a significant increase in the number of new food business registrations, particularly those operating from residential properties. Prioritising the Inspecting of high-risk new food businesses will be one of the priorities for the Team in parallel with the FSA priorities outlined in the Recovery Plan.
- 3.1.7 New businesses are required to register with the local authority 28 days before commencement. The new businesses are added to the database and included in the annual inspection programme as unrated premises until their initial inspection
- 3.1.8 Usually the Food Hygiene Inspection Programme undertaken by the authority is based on the FSA's Code of Practice.

- 3.1.9 The FSA Recovery Plan aims to ensure that during the period of recovery from the impact of COVID-19, resources are targeted where they add greatest value in providing safeguards for public health and consumer protection in relation to food.
- 3.1.10 The Recovery Plan sets out the Food Standards Agency's (FSA) guidance and advice to local authorities for the period from 1 July 2021 to 2023/24.
- 3.1.11 **Appendix 6** provides an overview of the Recovery Plan which is detailed **below** at 3.1.9.

The Recovery Plan provides a framework for re-starting the delivery system in line with the Food Law Codes of Practice (for England, Wales and Northern Ireland) for new food establishments and for high-risk and/or non-compliant establishments while providing flexibility for lower risk establishments. This will be implemented alongside delivery of:

- official controls where the nature and frequency are prescribed in specific legislation and official controls recommended by FSA guidance that support trade and enable export;
- reactive work including enforcement in the case of non-compliance, managing food incidents and food hazards, and investigating and managing complaints;
- sampling; and
- ongoing proactive surveillance.

3.1.12 The Food Safety Team service delivery will follow the Recovery Plan in accordance with FSA expectations.

Activity/Category	Timeline	Expectation
Category B for hygiene	Over the period to 30 June 2022	All establishments should have received an onsite intervention and thereafter be back in the system for interventions in accordance with the Food Law Codes of Practice
Category A for standards	Over the period to 30 June 2022	All establishments should have received an onsite intervention and thereafter be back in the system for interventions in accordance with the Food Law Codes of Practice
Category C for hygiene – less than broadly compliant (FHRS 0, 1 or 2)	Over the period to 30 September 2022	All establishments should have received an onsite intervention and thereafter be back in the system for interventions in accordance with the Food Law Codes of Practice

Category D for hygiene – less than broadly compliant (FHRS 0, 1 or 2)	Over the period to 31 December 2022	All establishments should have received an onsite intervention and thereafter be back in the system for interventions in accordance with the Food Law Codes of Practice
Category C for hygiene – broadly complaint or better (FHRS 3, 4 or 5)	Over the period to 31 March 2023	For establishments with two consecutive food hygiene ratings of 5 (or equivalent standards if outside the scope of FHRS) one intervention may be missed and then the establishment put back in the system for interventions in accordance with the Codes of Practice (so the due intervention date would be moved forward by 18 months) For other establishments – those with hygiene ratings of 3 or 4 (or equivalent if outside the scope of FHRS) - should have received an onsite intervention and thereafter be back in the system for interventions in accordance with the Codes of Practice
Category D for hygiene – broadly complaint or better (FHRS 3, 4 or 5)	Ongoing	No interventions will be required during the recovery period unless intelligence/information suggests that risks have increased/standards have fallen or if the establishment is otherwise considered a priority for intervention due to the risk posed
Activity/Category	Timeline	Expectation
Category E for hygiene	Ongoing	No interventions will be required during the recovery period unless intelligence/information suggests that risks have increased/standards have fallen or if the establishment is otherwise considered a priority for intervention due to the risk posed

Category B for standards	Ongoing	No interventions will be required during the recovery period unless intelligence/information suggests that risks have increased or if the establishment is otherwise considered a priority for intervention due to the risk posed or because of the impact on the establishment of the new requirements on allergen labelling for products prepacked for direct sale
Category C for standards	Ongoing	No interventions will be required during the recovery period unless intelligence/information suggests that risks have increased or if the establishment is otherwise considered a priority for intervention due to the risk posed or because of the impact on the establishment of the new requirements on allergen labelling for products prepacked for direct sale

3.1.13 In accordance with the flexibility allowed by the Code of Practice, broadly compliant Category C and D premises may be subject to official controls that are not full inspections, i.e. alternative strategies / interventions. It is proposed that there will be a range of topic specific interventions such as temperature control, pest control and allergens.

3.1.14 The following feed stuffs interventions were carried out in 2021/22:

- Bulk Feed Store 0
- Feed mixer using compounds and additives 0
- Supermarket 2
- Livestock 0
- Arable 0

3.1.15 Approved premises will be inspected according to the Recovery Plan risk prioritisation.

3.1.16 Officers who inspect approved premises have undertaken additional training in the relevant areas. A competency scheme for officers operates to address this issue.

3.1.17 Revisits will continue to be undertaken when necessary and in accordance with the 'Revisit Decision Tree'.

3.1.18 The Commonwealth Games will be hosted by Birmingham City Council in July/August 2022. Officers are targeting food businesses at the NEC, Resorts

World, BHX airport and their vicinity to ensure food safety standards are compliant. Meetings are being held with the management of the NEC, Hilton Metropole, Moxy, Genting and other hotels prior to their food hygiene inspections.

- 3.1.19 Meetings have been attended with the UKHSA outpost scientist along with other involved LAs to discuss food hygiene/standards interventions. The approach to legionella management has also been discussed and we will undertake initial water management protocol reviews to assess the risk.
- 3.1.20 Officers will also undertake spot checks using ATP monitors in high footfall food premises to identify hygiene issues and contamination by undeclared allergens. Food officers will provide guidance to food businesses with regard to labelling of Prepacked for Direct Sale (PPDS) often referred to as Natasha's Law. Enforcement action will be taken, if necessary, with regard to PPDS. FSA Funding has been received to support this work.
- 3.1.21 Two members of the Food Team attend the CWG Safety Advisory Group (SAG) and review food safety related documentation as necessary. The Food Team meet biweekly to discuss their approach to food interventions at the Games and monitor progress of the project.
- 3.1.22 Food Officers will also be supporting the Trading Standards Team during the games by accompanying Trading Standards Officers to prevent the trade of counterfeit CWG branded goods. Food Officers have received training in order to undertake this work.
- 3.1.23 FSA Funding has been received to support this work.

Staffing Resources 2,100 hours

3.2 FOOD AND PREMISES COMPLAINTS

- 3.2.1 Complaints are dealt with according to the Quality System Procedure F-02, which were developed in accordance with the Food Law Code of Practice:
 - 653 food complaints were received in 2021/22; and
 - 356 general food enquiries were received in 2021/2.
- 3.2.4 The responses to food complaints vary from using the information as "intelligence", to the provision of advice to the complainant, or liaison with the retailer / manufacturer through to formal action in line with the Enforcement and Prosecution Policies. All food complaints will be assessed by a Team member to determine action to be taken. If the complaint warrants further investigation on the basis that it is likely to present a risk to health and/or non-compliance with food standards and labelling requirements it will be dealt with by the Team. Some complaints that have no public health significance will be dealt with more effectively by referring the complainant directly back to the manufacturer/retailer.

Staffing Resources 685 hours

3.3 **PRIMARY / HOME AUTHORITY PRINCIPLE**

- 3.3.1 Solihull welcomes the opportunity to work closely with food businesses recognising the benefits to both the business and officers in gaining detailed experience of companies' food safety management systems. Solihull will maintain its existing primary authority agreement. Solihull entered into its first primary authority partnership in November 2013 with the company Amadeus which is the catering arm of the NEC group. The partnership covers both food hygiene and food standards. The Food and Safety Team recover costs of this work based on officer's hourly rates as per the Council's scale of fees and charges

Staffing Resources 50 hours

3.4 **ADVICE TO BUSINESS**

- 3.4.1 Failure to make advice available can lead to food safety being compromised. This aspect of Solihull's service is therefore seen as important, despite it being a non-statutory function. The number of contacts for food hygiene advice during 2021/22 was 10 in addition to business advice to newly registered food businesses.
- 3.4.2 Preliminary food hygiene advice is provided to unrated local food businesses. This involves providing some initial food business advice providing advice and guidance in relation to food safety management systems, food hygiene training and structural requirements. Officers assess the food hygiene risk of the operation and prioritise those at higher risk for inspection.
- 3.4.3 Preliminary food standards advice is provided to local food businesses. This involves providing some initial food labelling advice and referral for product analysis to the Public Analyst, if appropriate. The charges for the Public Analyst are incurred by the business.
- 3.4.4 Advice to businesses is also available via the food web pages. These pages are reviewed and updated according to the needs of our customers. Other methods of providing advice will continue to be used as appropriate, e.g. newsletters, press releases and social media when appropriate.

Staffing Resources 1,484 hours

3.5 **FOOD SAMPLING**

- 3.5.1 The Food and Safety Team undertakes sampling in accordance with the Sampling Policy and Quality System Sampling guideline F-03.
- 3.5.2 A local sampling plan is devised on the basis of intelligence and relevance to local issues and need. In the forthcoming year the sampling programme will continue at a low level due to limited resource. Most of the sampling will be carried out by the Food Safety Officers. In 2022/23 the team will have limited participation in the national food sampling programmes.

- 3.5.3 The Team usually participates in the UKHSA annual sampling programmes and sampling exercises agreed by the CEnTSA in a limited capacity.2022/23. The FSA may also direct sampling activities from time to time in accordance with national priorities.
- 3.5.4 Samples relating to food complaints are submitted for analysis as necessary. Results of milk samples provided to Eurofins by the local dairy are monitored. Sampling of private water supplies will be undertaken, as required, by the Private Water Supplies Regulations 2018 (as amended). Private water supply sampling will be undertaken by Worcester Regulatory Services (WRS) authorised officers. Sampling of swimming pools may be undertaken as required or if requested (for which there is a charge).
- 3.5.5 Samples of imported food from BHX will continue to be taken as required. In addition, samples of imported foods from inland premises will be taken as a result of food standards inspections if deemed necessary.
- 3.5.6 Analysis and examination of food and water samples are undertaken by the Public Analyst and by the Consultant Microbiologist at Colindale. (**Appendix 2**)

Staffing Resources 30 hours

3.6 CONTROL AND INVESTIGATION OF OUTBREAKS AND FOOD RELATED INFECTIOUS DISEASES

- 3.6.1 Solihull investigates notified cases of food borne illness as directed by the CCDC. The Team's target is to investigate all notified cases, other than Campylobacter, within 2 working days of notification and this is usually undertaken by telephone.
- 3.6.2 Suspected cases of food borne illness are investigated as appropriate. Currently, notified cases of infectious diseases are investigated by officers in accordance with Quality System guideline.
- 3.6.3 Food borne illness (F-04) - to determine their source, prevent further spread of infection and to provide advice to patients. UKHSA has devised a "Roles and Responsibilities for Investigation of Gastrointestinal Infectious Diseases" document. The document outlines the division of responsibility between Safer Communities and the UKHSA in the investigation of infectious/communicable diseases. The aim of the document is to ensure a consistent approach to the investigation of infectious disease and clearly define roles. This has been adopted by regional local authorities and the UKHSA.

Staffing Resources 329 hours

3.7 FOOD SAFETY INCIDENTS

- 3.7.1 The Team has a policy for dealing with food safety incidents. Product Withdrawal Information Notices or Product Recall Information Notices are issued by the FSA via email. Food Alerts are dealt with in accordance with the FSA Code of Practice. No specific out of hours' cover is provided.

Staffing Resources 4 hours

3.8 LIAISON WITH OTHER ORGANISATIONS

3.8.1 We are committed to liaising with other local authorities, and national organisations to achieve consistency and to maintain our level of knowledge and understanding in a rapidly developing area of work. This is achieved by being actively involved in a number of groups and agencies including:

- Regional Food Liaison Group;
- Central Food Liaison Group;
- Food Standards Agency – Update days are attended – Imported food meetings attended and liaison with the **Imports Delivery Area Officer**;
- CEnTSA - Central England Trading Standards Authorities;
- UK Health Security Agency (UKHSA) – meet with LAs through regional Food Liaison Groups;
- UKBF - United Kingdom Border Force;
- APHA - Association of Port Health Authorities;
- BID – Business Improvement District;
- West Midlands Fire Service;
- CSCI – Care and Social Services Inspectorate;
- West Midlands Police;
- Ofsted - Office for Standards in Education;
- CQC - Care Quality Commission;
- UK Immigration Agency.

Staffing Resources 323 hours

3.9 FOOD SAFETY AND STANDARDS PROMOTION

3.9.1 In 2021/2022 the Food Safety Team did not offer or operate any food hygiene training due to the pandemic and following review this service will no longer be offered.

3.9.2 The Food and Safety Team use social media y to promote a range of relevant topics during the year.

3.9.3 Additional grants from the FSA occasionally become available to fund additional food safety and food standards initiatives. The Team may bid for funding through such grants as and when they arise. Funding has been received from the FSA to undertake food hygiene and food standards interventions in the vicinity of the CWG in particular the NEC, Resorts World and Birmingham International Station.

Staffing Resources 40 hours

3.10 PRIVATE WATER SUPPLIES

3.10.1 A private water supply is any water supply which is not provided by a water company i.e. it is not a mains supply. Most private supplies are situated in

rural parts of the Borough. The source of the supply may be a well, borehole, spring, river or stream.

- 3.10.2 Private water supplies need to be properly protected and treated as they can potentially be contaminated with bacteria, parasites or chemicals and other substances.
- 3.10.3 The Regulations require local authorities to inspect the supply, conduct a risk assessment and take and analyse samples in relation to private water supplies to ensure they meet statutory requirements. The risk assessment assesses the source of the supply and the surrounding area to see if contamination is possible. It also involves checks of any storage tanks, any treatment systems and pipework. The assessment identifies actual and potential hazards that may affect the health of those drinking the water. Where the water is found to be unsafe, action must be taken by the owners of the supply to ensure the supply is safe.
- 3.10.4 Improvements to the system may include:
- Repairing the system to prevent dirty water, animals or their droppings from entering the water.
 - Installing an appropriate water treatment system to ensure satisfactory microbiological quality.
 - Replacing lead pipes throughout the property to reduce lead levels in the drinking water supply
- 3.10.5 The frequency of the risk assessment and monitoring depends on the size of the supply. The regulations permit the authority to charge for this work up to a statutory maximum.
- 3.10.6 The authority is required to make an annual return to the Drinking Water Inspectorate (DWI) and from the figures submitted to DWI at the end January 2022 Solihull had:
- 16 single dwellings with private water supplies;
 - 3 commercial premises with private water supplies;
 - No premises classed as having private distribution systems.
- 3.10.7 This list is not exhaustive because other premises may exist in each category, particularly those with private distribution systems.

Staffing Resources 90 hours

SECTION 4 – TEAM RESOURCE

4.1 FINANCIAL ALLOCATION

- 4.1.1 The allocated budget for the Food and Safety Team Food Safety is £316,860. This includes staffing costs, travel and expenditure, equipment, public analyst costs, legal recharges and training.

4.2 STAFFING ALLOCATION

- 4.2.1 As of 1 June 2022 the Food and Safety Team has the following resource:

Establishment Post Resource

	FTE		Hours
Food Team Leader	0.5 x 1560	=	780
EHO	3.60 x 1560	=	5616
FSO (Higher Certificate) (IDOX)	1.0 x 1560	=	1560
FSO (Higher Certificate)	0.8 x 1560	=	1248
Food Support Officer (P/T)	0.41 x 1560	=	vacant
Administrative Support	0.40 x 1560	=	624

Total Occupied as of 1 April 2022 = 9,828 hours

Additional Funding Received from FSA £10000 commencing 1/4/2022 relating to CWG interventions. £10,000 divided by contractor hourly rate @£44 per hour = 227 hours.

Total = 9,828 + 227 hours = 10,055 hours.

4.3 STAFF DEVELOPMENT PLANS

- 4.3.1 Annual staff appraisals and performance reviews are undertaken in accordance with the Corporate Performance and Development Review Framework. Training needs are identified through the completion of an individual training matrix and dependent on need, training is undertaken as necessary.
- 4.3.2 All Council staff are assessed in line with the Corporate Performance and Development Review Framework (Fit for the Future). Targets are set at the beginning of the review year and throughout the year progress is monitored monthly with prearranged one to one meetings. At the end of the year an assessment is made, which may directly affect an individual's pay.
- 4.3.3 Officer competency in the Food Team is essential to comply with the requirements of the Food Law Code of Practice. In order to ensure all officers are competent and adequately trained and authorised to perform their duties a local competency scheme exists. The scheme documents areas of experience and expertise which are linked to the schedule of authorisations detailed in Regulatory Service's Quality System (QS-01). The competency scheme covers

all Food and Safety Team officers including newly qualified officers, and any officers with breaks in experience. In addition to this a monitoring system to ensure inspection quality and uniformity has also been introduced. The competency framework was reviewed and revised in 2021 in accordance with the revised Food Code of Practice (CoP). The revision broadened the baseline qualifications required and is competence based.

4.3.4 Staff training and development needs are assessed on an annual basis. Completion of the competency matrix identifies training needs. Development needs are also identified through completion of a training matrix; monitoring of officers work; accompanied inspections; staff appraisals and one to ones. Following this, individual action plans are developed and implemented.

4.3.5 Before officers are authorised to undertake food hygiene or food standards enforcement activities, they are assessed to ensure that they hold the appropriate qualifications, have sufficient experience in food law enforcement and are properly trained and competent. Records of qualifications, training and experience are documented and link directly to the officer authorisation procedure.

Resource 100 hours

4.3.6 Staff training is delivered in the following ways:

- externally provided training courses;
- in-house training days scheduled throughout the year;
- SMBC mandatory training.
- training courses arranged through CEnTSA, Central Food Liaison Group and UKHSA;
- on-going in-house training at team meetings, to include the following issues:
 - discuss new legislation, Code of Practice, Guidance etc. and agree consistent interpretation / approach
 - discuss in-house procedures and policies
 - consistency issues
 - disseminate information; (cascade training)
 - opportunity for officers to learn from each other
- induction training for new staff;
- accompanied / joint visits;
- training and instruction provided on-the-job or on a one-to-one basis.

Staffing Resource 270 hours

SECTION 5 – TEAM QUALITY ASSESSMENT

5.1 QUALITY ASSESSMENT

- 5.1.1 The Food and Safety Team used to operate to a quality assurance system (originally BS EN ISO 9001:1994) which was first certified in 1992 by DNV (a company accredited to assess and verify quality assurance systems). The quality system is currently monitored by internal review. The food and safety quality system is reviewed periodically.
- 5.1.2 Accompanied visits are undertaken by peers, (in particular to complex or poor performing businesses). Team leaders undertake reviews of inspection reports, records and all other correspondence, including the work of any consultants if used. (See competency framework).
- 5.1.3 The Team carry out FSA standardisation exercises annually.

Staffing Resource 150 hours

SECTION 6 – FOOD SERVICE REVIEW

6.1 REVIEW AGAINST THE SERVICE PLAN

- 6.1.1 The pandemic has seriously impacted on the normal service delivery of the Food and Safety team. Since March 2020 the activities of the Food and Safety Team were directed to support the Public Health team deal with the pandemic. This included offering advice to local businesses and the public with regard to Covid controls. Including social distancing, use of face coverings, effective ventilation and use of QR codes. The team is slowly recovering to its core duties in accordance with the FSA Recovery Plan.
- 6.1.2 The FHRS helps consumers to choose where to eat out or shop for food by giving them information about the hygiene standards in food premises at the time they were last inspected. The more compliant the business is, the better the score they achieve, encouraging businesses to improve their standards. Data is uploaded onto the FSA portal on a weekly basis. A FHRS revisit procedure was operated in accordance with the brand standard. 97% of food businesses in Solihull are now broadly compliant with food hygiene legislation.
- 6.1.3 Ensuring that the premises' database is current and accurate has been prioritised with a concerted effort taken to contact new businesses at the earliest opportunity. In addition, officers make contact with unrated premises to ensure that they are trading. Businesses that are no longer trading are removed from the database. The transfer of our Management Information System from Civica to IDOX in January 2022 has put extra pressures on the team including difficulties in data transfer and data recovery. Training of staff in the use of the new system has also been time consuming and a pressure on resource.
- 6.1.4 The Team continued to receive a large number of enquiries from home-based caterers. A "start-up" email for these new food businesses is sent out following their initial enquiry outlining the requirements of the legislation.
- 6.1.5 The Food and Safety Team has adopted Smarter Ways of Working (SWOW) techniques. This includes hot-desking, working from home and other Council locations. This approach to agile working was invaluable during the COVID lockdown.
- 6.1.6 Officers have received training in:
- Prepacked for Direct Sale/Natasha's Law
 - FSA Food Consistency Exercise
 - Food Sampling UKHSA
 - Use of IDOX/Uniform Management Information System

6.1.8 Training for individual officers is maintained centrally using a shared database. Qualifications and CPD records for all officers are maintained centrally by individual officers.

6.1.9 Weekly team meetings undertaken.

6.1.10 **Primary Authority Partnerships (PAPs)**

The Team continued to support Amadeus Catering through their Primary Authority partnership.

6.1.11 **Communications**

The Team maintained good communication links with the management of BHX, the NEC and the FSA. The Team worked closely with the SMBC's Communications Team to promote its work. A bi-weekly update is provided to the Director of Economy and Infrastructure highlighting key work areas, risks and mitigations.

The Team continue to embrace social media as a means of communication and will continue to use this method of communication on a weekly basis during the forthcoming year.

6.1.12 **Competency**

The Team has worked to ensure joint competencies in food and health and safety thereby allowing combined interventions of premises for food and health and safety by one officer when appropriate. Officers continue to receive health and safety training to ensure that there is flexibility and resilience across the Team. The quality system document, QS -15 outlines the competency scheme.

6.1.13 **Alternative Enforcement Strategies (AES)**

The inspection regime for low-risk businesses will continue to be reviewed to ensure low risk businesses are targeted in a cost-effective proportionate manner.

6.2 **Identification of Any Variation from the Statutory Service Plan**

6.2.1 Variations are monitored through constant management review and are escalated within the management structure as necessary.

6.3 **Proposed Areas of Improvement**

6.3.1 The following points are actions that the Team aims to improve during the year:

1. QC-01) relating to authorisation is reviewed and updated periodically in line with the Food Law COP. The documented authorisation procedure is reviewed and the level of authorisation for each officer assessed to ensure that officers are appropriately authorised. - ongoing
2. The Quality System will continue to be reviewed - ongoing.

3. Ensure that all authorised officers complete the required 20 hours of Continual Professional Development. – ongoing.
4. Inspections/interventions to be carried out in accordance with the FSA Recovery Plan and within milestones.
5. Continue to implement the database transfer from Civica to IDOX/Uniform including trialling of handheld devices for use on site (when available).
6. Further development to produce accurate reports for FSA monitoring returns, FOI and HMRC data requests from IDOX/ Uniform.
7. Officers to continue to be up skilled to enable them to cover hygiene, standards and safety together during interventions.
8. Endeavour to inspect (unrated) premises within the 28 days as detailed in the FSA CoP.
9. Reinstate the frequency of physical examinations of imported food at BHX, at least twice a week, when resources allow. Increase the number and frequency of samples of imported food taken at BHX to assist in the detection of illegal produce. This is dependent on additional resources being made available to the Team.
10. Continue to support officers who wish to work from home or be home based (based on business need).
11. Maintain a watching brief for further funding opportunities appropriate to the work of the Team.
12. To fully explore and develop the capabilities of IDOX/Uniform to prioritise the work of the Team.
13. Continue to promote the work of the Team by using social media to communicate key messages.

SECTION 7 – SCOPE OF THE HEALTH AND SAFETY SERVICE

7.1 SCOPE OF THE HEALTH AND SAFETY SERVICE

7.1.1 SMBC carry out interventions relating to health and safety matters in those premises for which it has enforcement responsibility including:

- Proactive inspections - used to target the high-risk activities in those sectors specified by HSE or where intelligence suggests risks are not being effectively managed.
- engagement with event organisers in partnership with other agencies via the Safety Advisory Group (SAG) to address public safety at events;
- Investigation of complaints concerning work premises and practices.
- Investigation of accidents and dangerous occurrences reported under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995.
- registration of skin piercing activities.
- Collaborative working with relevant partnership organisations.

SECTION 8 – DEMANDS ON THE HEALTH AND SAFETY SERVICE

8.1 DEMANDS ON THE HEALTH AND SAFETY SERVICE

8.1.1 HEALTH AND SAFETY PREMISES INSPECTION AND OTHER INTERVENTIONS

8.1.2 **Inspections**

The responsibility for the enforcement of the Health and Safety at Work Act etc. 1974 and relevant statutory provisions is governed by the Health and Safety (Enforcing Authority) Regulations 1998 which allocates enforcement to either the HSE or LA according to the main work activity. Local authorities are responsible for enforcement of the health and safety laws in places such as shops, retail and wholesale warehouses, offices, catering, restaurants, bars, hotels, some activities in care homes (without nursing care), leisure and cultural services such as golf courses and horse-riding establishments together with consumer services such as undertakers and centres fitting tyres and exhausts.

The HSE is responsible for the remainder of activities e.g. factories, building sites, farms, vehicle repair workshops, railways, power stations, care homes providing nursing care, docks, fairgrounds, schools, colleges and council run services.

The National Local Authority Enforcement Code ensures that local authority health and safety regulators take a more consistent and proportionate approach to their regulatory interventions. It sets out the Government's expectations of a risk-based approach to targeting and had fundamentally affected the way health and safety is enforced and based on the "no inspection without reason" principle.

8.2.2 **Safety Advisory Groups**

Public safety, in particular crowd safety, has been identified by HSE as a priority and in Solihull there has been a growth in commercial and community events that might pose a risk to those who attend them. Local multi-agency Safety Advisory Groups (SAGs) meet when necessary and are made up of representatives from local authorities, emergency services and other relevant bodies. A member of the Team may attend and provides advice in respect of environmental health related issues.

The Head of Service determines which SAGs to attend based on risk and profile presented by the event, and this will continue during 2022/23. The Food and Safety Team are involved in the review of event risk assessments. This was initiated during the pandemic and has continued post pandemic. This is an additional demand on the team's resource.

Whilst the majority of health and safety regulatory activities are reactive our involvement with Solihull Moors Football Club, is a proactive partnership. A member of the Team has been an instrumental member of the SAG working with the club to ensure the safety of staff and spectators.

Staffing Resource 400 hours

8.2.3 West Midlands Health and Safety Liaison Group

This meeting is held quarterly and attendance continues to be a valuable way of seeking intelligence and sharing best practice. This is also attended by the HSE's Enforcement Liaison Officer (ELO).

8.2.4 Investigation of Accidents and Dangerous Occurrences

The Team will have regard to the Incident Selection Criteria Guidance to deliver a common, proportionate, transparent and targeted approach for the selection and investigation of accidents and incidents. When deciding which incidents to investigate, the level of resource to be allocated to the investigation is assessed and account will be taken of the:

- severity and scale of potential or actual harm;
- seriousness of any potential breach of the law;
- duty holder's known past health and safety performance;
- enforcement priorities;
- practicality of achieving results;
- wider relevance of the event, including serious public concern; and
- national guidance on targeting interventions.

Staffing Resource 1,000 hours

8.2.5 Service Requests

The Team will investigate all relevant service requests. From 1 April 2021 to 31 March 2022, 208 service requests and 84 accident notifications were received by the Team.

Service requests include complaints regarding working conditions; LOLER notifications; skin piercing registrations and complaints and legionella notifications.

There has been a significant increase in the number of skin piercing licence applications. Since 1 January 2022 there have been 37 skin piercing applications which require inspection to ensure correct infection control.

Staffing Resource 500 hours

SECTION 9 – HEALTH AND SAFETY SERVICE DELIVERY

9.1 HEALTH AND SAFETY SERVICE DELIVERY

9.1.1 Advice to Businesses & Public

The Food and Safety Team no longer give advice on health and safety matters due to lack of resources but are able to signpost to the HSE website.

9.1.2 Lifting Equipment Defects/Pressure Systems Defects

Statutory reports are assessed by a competent officer and relevant action taken to follow up to ensure that issues are addressed. Where there are indications that action has not been taken, further formal action would be considered.

9.1.3 Cooling Towers Register

The Notification of Cooling Towers and Evaporative Condensers Regulations 1992 require that the local authority is notified of all “cooling towers and modifiable devices within its area. The Team maintains, reviews and updates this register as necessary.

9.1.4 Sunday Trading Act

The Sunday Trading Act 1994 restricts the opening of certain types of shops (larger than 280 m² retail floor area), to six hours between 10.00 hrs and 18.00 hrs on a Sunday. Officers respond appropriately to any complaints made regarding trading hours.

9.1.5 Asbestos Notifications

Officers will respond to all notifications of asbestos removal from premises for which the Council has enforcement responsibility and monitors arrangements in accordance with documented procedures.

9.1.6 Skin Piercing

Registrations of persons carrying out body piercing, electrolysis, tattooing (including semi-permanent make-up) and acupuncture, are granted under the Local Government (Miscellaneous Provisions) Act 1982. SMBC has adopted by-laws for these activities that must be complied with by the business/person registered. Premises are visited on first registration or any subsequent complaint. Officers are responsible for the enforcement of the Local Government Miscellaneous Provisions Act 1982 in respect of the registration of cosmetic piercers.

Staffing Resource 500 hours

SECTION 10 – HEALTH AND SAFETY SERVICE REVIEW

10.1 HEALTH AND SAFETY SERVICE REVIEW

10.1.1 Health & Safety Interventions Delivered during 2021-2022

Local authorities should use a full range of interventions available to influence behaviours and manage risk. During 2021/22 the following interventions were achieved:

10.1.2 Machinery Guarding in Food Premises

In 2021/22, during food hygiene visits officers continued to discuss machinery guarding with food business operators where necessary, to ensure that all catering equipment is correctly guarded.

10.1.3 Legionella

During 2021/22 officers undertook water sampling in connection with a fatal legionella case.

10.1.4 Machinery Guarding in Food Premises

During 2022/23 officers will continue to deliver the machinery guarding intervention involving discussing the issue when relevant with business operators. Prohibition notices will be considered if dangerous equipment is found being used without guarding.

10.1.5 **Gas Safety** - The HSE has requested that Local Authorities monitor gas safety in catering premises and feedback their findings. This issue has been a focus for SMBC officers during food inspections.

Appendix 1 – Council Political Composition

The party political composition of the Council is currently:

■ Conservatives	28
■ Green	14
■ Liberal Democrat	5
■ Independent	4

Appendix 2 - Public Analyst

Wolverhampton Scientific Services appointed Public Analyst

154 Business Park

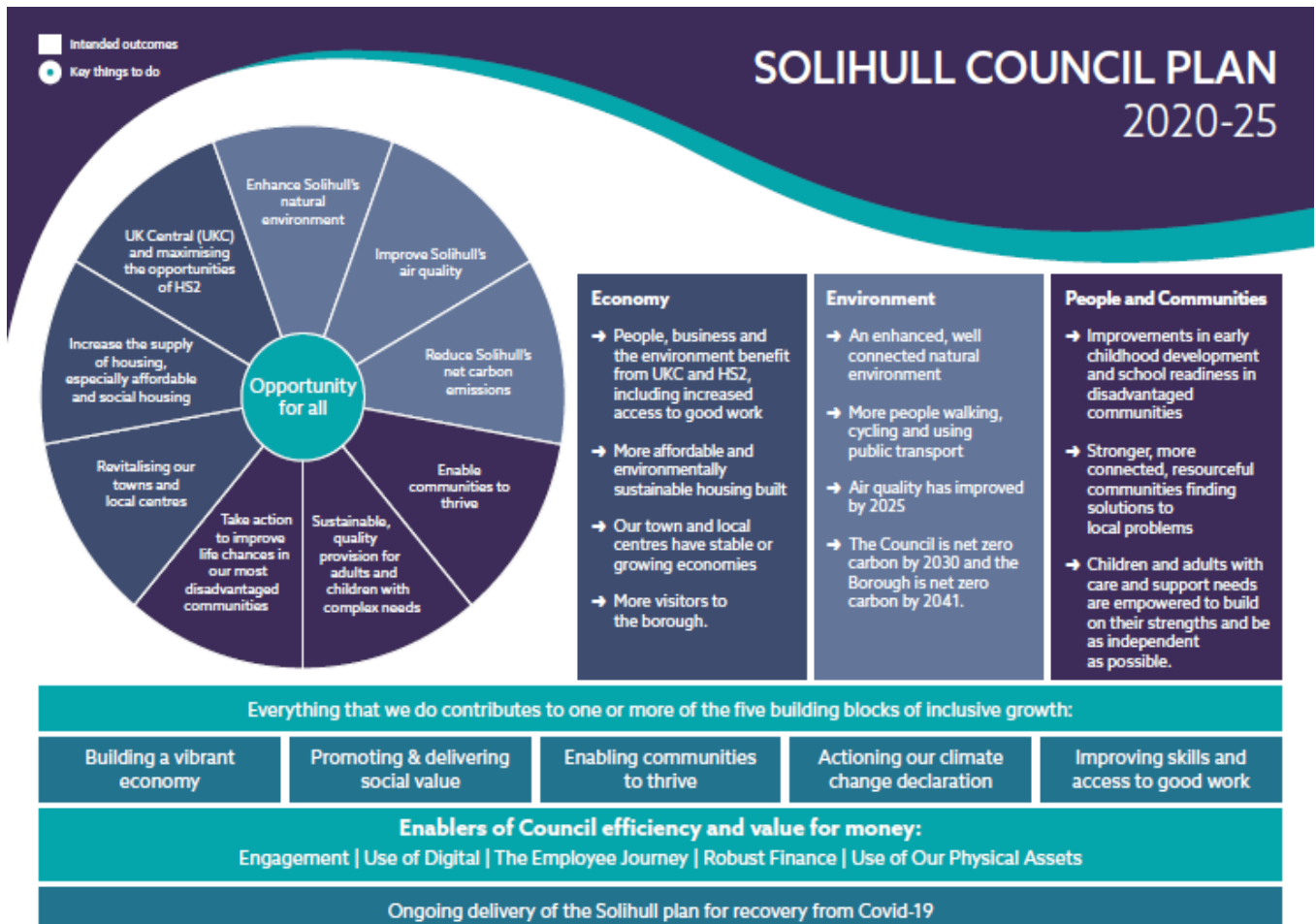
Valiant Way

Wolverhampton. WV9 5GB

44 (0)1902 627200

info@publicanalystservices.co.uk

Appendix 3 – Council Priorities



Appendix 4 - Solihull MBC Corporate Leadership Team

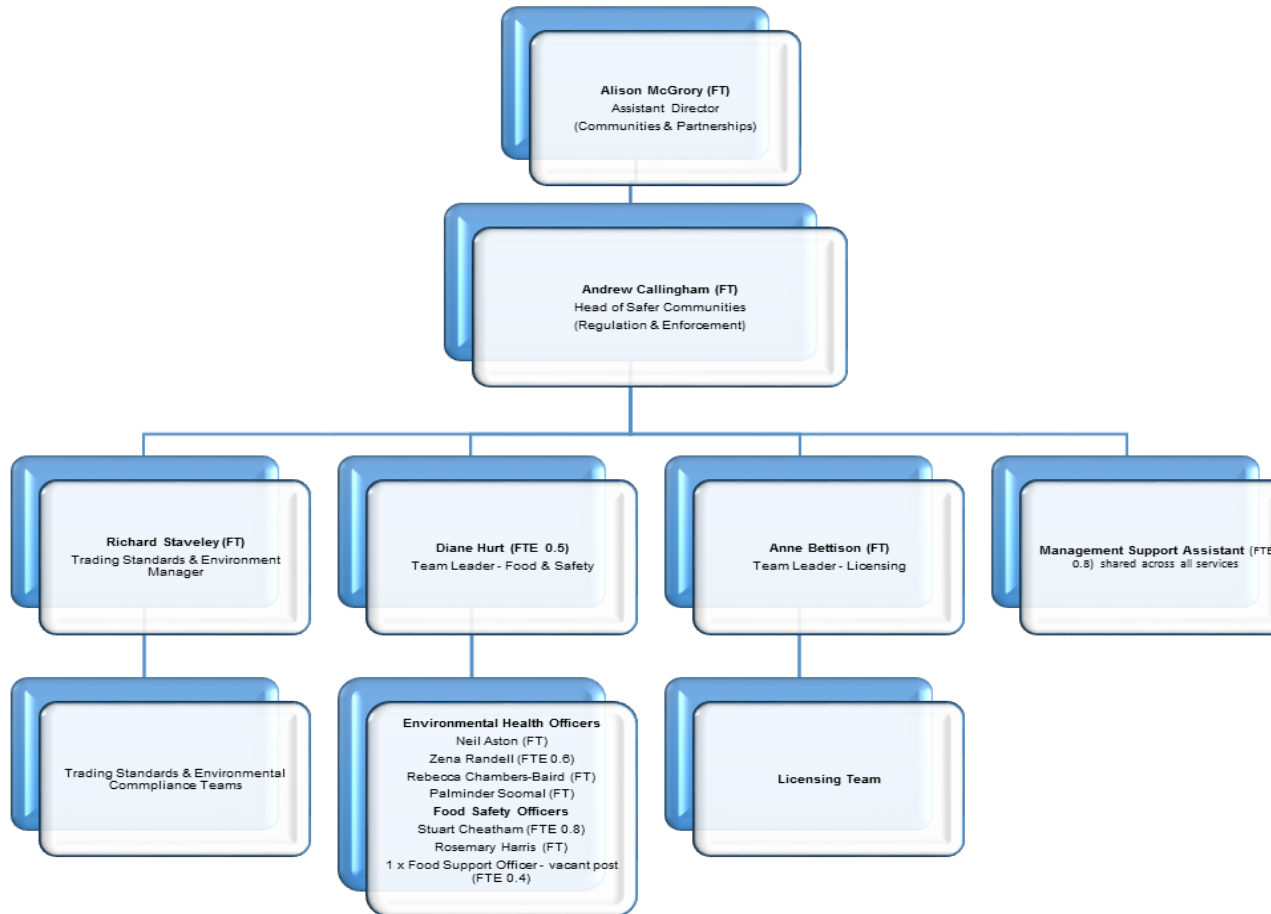
Corporate Leadership Team

The Corporate Leadership Team (CLT) is made up of the Council's Directors who undertake the strategic decision-making for the organisation



Title	Name	E-mail Address	Telephone
Chief Executive	Nick Page	npage@solihull.gov.uk	(0121) 704 6018
Director of Resources & Deputy Chief Executive	Paul Johnson	pjohnson@solihull.gov.uk	(0121) 704 6194
Director of Adult Care & Support	Jenny Wood	jenny.wood@solihull.gov.uk	(0121) 704 6317
Acting Director of Children's Services	Tim Browne	tim.browne@solihull.gov.uk	(0121) 704 8274
Director of Economy & Infrastructure	Mary Morrissey	mary.morrissey@solihull.gov.uk	(0121) 704 6364
Director of Public Health	Ruth Tennant	ruth.tennant@solihull.gov.uk	(0121) 704 6187

Appendix 5 – Safer Communities



Appendix 6 FSA Recovery Plan

