

Appendix 1



Hinckley & Bosworth Borough Council

Document no.1 Environmental Health Commercial Services Enforcement service delivery plan 2019/2020 - June 2019

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1. Introduction

This service delivery plan outlines how Hinckley & Bosworth Borough Council, through its Environmental Health Services, intends to fulfil its statutory obligations to enforce food safety and health and safety legislation.

The plan brings together into one document a service plan for food safety enforcement and health and safety enforcement.

The formats of the enforcement service delivery plans are prescribed by each of the central government agencies responsible for policy in these areas. For food safety, the Food Standards Agency prescribes the contents of a service delivery plan in their 'Framework Agreement on Local Authority Food Law Enforcement', the Health and Safety Executives is prescribed in Section 18 Health and Safety at Work etc. Act 1974 Mandatory Guidance. Due to these agencies differing prescription, the layout of this document is occasionally inconsistent, however the essential information is conveyed as required by them.

2. Equal opportunities statement

In developing this plan, the council has recognised its responsibility under the Equality Act 2010 to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not
- Foster good relations between people who share a protected characteristic and those who do not

The Act and the council seek to outlaw unlawful discrimination against a person or group of people because of their:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnerships (in respect of the requirement to have due regard to the need to eliminate discrimination)
- Pregnancy and maternity
- Race
- Religion
- Sex
- Sexual orientation

The council will not be affected by improper or undue influence from any source. To assist in this:

- The policy and associated documents will be available on the Internet, and in other formats upon request
- Multi-language sections may be included in all leaflets upon request
- Support will be offered to individuals who are socially excluded to assist in their understanding of legislation and legal requirements
- Action will be taken to ensure that all enforcement action, particularly against those individuals from disadvantaged groups or who share protected characteristics, is dealt with fairly

3. Service aims and objectives

3.1 The corporate planning framework

Hinckley & Bosworth Borough Council recognises it has to balance what it can do against the resources at its disposal in order to achieve good quality and good value. Therefore, the council has to focus its activities and resources on priority areas. In choosing its activity areas the council uses different plans and strategies at all levels of the organisation. The framework for these plans and strategies is detailed below with an explanation given to each element.

3.2 The Community Plan

The Community Plan 2018 to 2022 details the long term vision for the borough of Hinckley & Bosworth, and sets out the priorities for tackling the most important challenges facing the borough, in achieving this vision. The priorities are informed by evidence gathered through ongoing consultation and research.

The community plan is overseen by the Local Strategic Partnership (LSP), to ensure that progress is being made on the agreed priorities. The LSP brings together senior representatives from all of the key organisations providing local services including: the local authority, the county council, police, the education sector, private sector and the voluntary and community sector.

The LSP Board is supported by a range of key delivery partnerships, who deliver on the community plan priorities and present regular performance reports to the LSP.

A review of the role and responsibilities of the LSP Board took place in February 2019, which will result in the establishment of a refreshed and expanded Strategic Board to oversee delivery of the Community Plan. The new arrangements will be established at an inaugural 'State of the Borough' event in September 2019.

3.3 Vision, priorities and values

The council's overall vision is to create 'A Place Of Opportunity'; in achieving this, the authority works with three 'Priority Ambitions':

- People – Helping people to stay healthy, active and protected from harm
- Places – Creating clean and attractive places to live and work
- Prosperity – Encouraging growth, attracting businesses, improving skills and supporting regeneration

Underlying these priority ambitions the council has four key values:

OUR VALUES



LEAD

To lead in the community and work proactively with our partners. Where we do not control services, we have an important role to play in influencing our partners and working with them to tackle issues on behalf of our residents.



INVOLVE

To involve local people, our partners and businesses in our decisions and listen to their views.



FAIR

To value diversity, promote equality of opportunity and fair treatment for all and ensure that our services are accessible to everyone. We will be proactive in engaging our rural and more remote communities as well as those who live in our main towns.



EFFICIENT

Be driven by efficiency – We will do everything we can to make sure that we provide quality services for everyone that represent good value for money and make the best use of our assets.

3.4 The Corporate Plan

The Corporate Plan 2017 to 2021 sets out in more detail how our vision will be delivered for each of the underpinning priority ambitions. This enables everyone to know what the council will be focusing on to provide the right opportunities and services and provide them in the best way to improve the quality of life for everyone who lives and works in the borough of Hinckley and Bosworth. For each of the priority ambitions a set of overarching statements of what the council will achieve is given:

PEOPLE	PLACES	PROSPERITY
Helping people to stay healthy, active and protected from harm	Creating clean and attractive places to live and work	Encouraging growth, attracting businesses, improving skills and supporting regeneration
<ol style="list-style-type: none">1 Enable and inspire older people to make the most of later life2 Support vulnerable people and those who are most in need3 Help people to stay healthy, be active and feel well4 Recognise diversity and celebrate what unites us5 Support an effective and viable voluntary and community sector6 Take measures to reduce crime and anti-social behaviour and protect people from harm7 Give children and young people the best start in life and offer them the opportunity to thrive in their communities	<ol style="list-style-type: none">1 Keep our borough clean and green2 Make our neighbourhoods safer3 Protect and improve our parks and open spaces for everyone across the borough4 Improve the quality of existing homes and enable the delivery of affordable housing5 Inspire standards of urban design that create attractive places to live6 Support and celebrate our cultural and heritage facilities and events for the benefit of residents and businesses alike	<ol style="list-style-type: none">1 Boost economic growth and regeneration by encouraging investment that will provide new jobs and places to live and work all over the borough2 Support the regeneration of our town centres and villages3 Support our rural communities4 Work with partners to raise aspirations of residents and provide opportunities for training, employment and home ownership5 We will support our tourism partners in promoting our local attractions

Further explanation as to 'what's is going to happen' to achieve these statements is then given in the plan. A full copy of the Corporate Plan 2017 to 2021 can be obtained at:

http://www.hinckley-bosworth.gov.uk/downloads/file/163/corporate_plan_2017_-_2021

3.5 Service improvement plans

Service improvement plans set out how each service area in the council contributes to the achievement of the ambitions set out in the corporate plan. They set out a series of actions with progress monitored against these actions throughout the year.

3.6 Environmental Health's objectives

In working towards achieving the council's vision the Environmental Health Services has the objectives of:-

- a) Ensuring the food and drink intended for human consumption, which is produced, stored, distributed, handled or consumed within the borough is without risks to health and safety of the consumer and satisfies the requirements of the Food Safety Legislation
- b) Identifying and investigating where necessary all infectious diseases and food poisoning to prevent the spread, where possible, of such infections in the community
- c) Carrying out the necessary inspections to enable us to licence or register the various premises, for which we are responsible and to ensure that they comply with all legal requirements for which we are the enforcing authority
- d) Securing the workplace health, safety and welfare for both employees and the public in the borough
- e) Disseminating information to the public and commercial organisations in the district to promote a healthier life style
- f) Within Environmental Health Services, these objectives are the responsibility of officers

employed in the Commercial Section. This plan sets out how the Commercial Section intends to work towards achieving the objectives in 2019/20, through education, training and enforcement

3.7 Links to strategic aims

This service plan supports the Community Plan, Corporate Plan and the council's Vision, Values and Priority Ambitions by setting out in detail the actions the council intends to take, in relation to food safety and health and safety.

This plan also expands the Service Improvement Plan for the commercial section, already approved by council. It includes clear objectives together with key tasks, targets and performance indicators against which progress can be measured in delivering the food safety and health and safety service.

The council is well aware of the importance of involving staff, at all levels in the organisation, as part of performance management. Staff involved in the plan's implementation, have been consulted on its contents.

The service plan and supporting budgets form the basis of the council's work programme on food safety and health and safety for the year.

3.8 Continuous improvement

The council is committed to continually improving its services to the public. A number of improvement techniques within its performance management framework are used to keep its services under review to ensure they reflect the right balance between quality and cost, and also that they show continuous improvement. The Commercial Section is committed to strive continually to improve service delivery and provides training to staff to improve their performance and knowledge. The Commercial Section has used this concept and the advice given within the framework agreement on Local Authority Food Law Enforcement and Health and Safety Executive's Section 18 Guidance to look at the ways our work is carried out.

4. Background

4.1 Profile

The borough of Hinckley and Bosworth is situated in the south west of Leicestershire, covering an area of 300 square kilometres. The office for National Statistics estimate the mid 2017 population of the borough to be 111,370 with the council's Housing Flow Reconciliation Returns, sent to central government, showing some 49,845 homes. The population is overwhelmingly white British (94.6%) with the largest group from the ethnic population (5.2%) being Indian Asian (1.3%).

Almost 90% of the borough is rural and 60% of the working population is employed within the manufacturing and hospitality industries.

Hinckley is the main administrative centre of the borough and holds regular markets (including a farmers market). Market Bosworth is a small historic market town which contains a large number of popular tourist attractions and hosts a street market every Wednesday. Other major centres in the borough include Barwell, Burbage and Earl Shilton. In addition there are 20 other parishes which contain villages and hamlets of different size and character.

The council is part of a two tier arrangement for local government in Leicestershire. Food Standards and Animal Feeding Stuff's enforcement is therefore the responsibility of Leicestershire County Council's Regulatory Services department.

The council is also part of the national two tier arrangement for enforcement of health and safety legislation along with the Health and Safety Executive. Health and Safety enforcement in

factories, construction sites and utilities is administered by the Health and Safety Executive from their Bedford offices (Telephone 0203 0281707).

4.2 Organisational structure

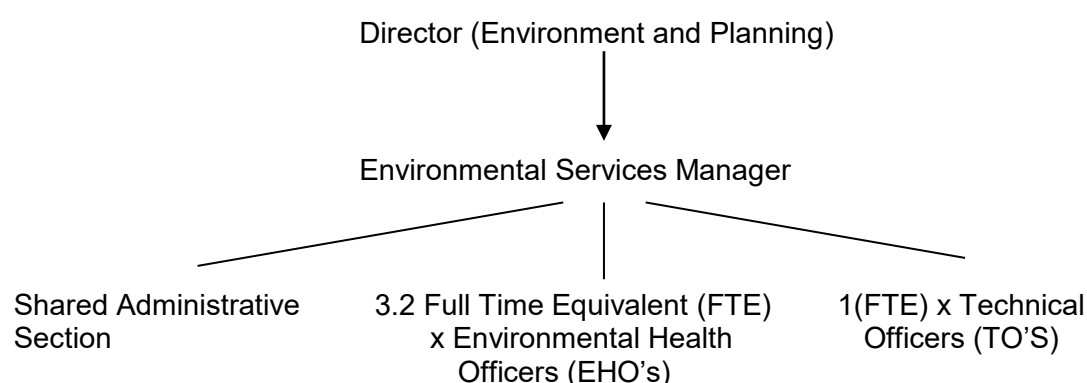
The council consists of 34 councillors serving 24 parishes. The council operates a cabinet style structure, called the Executive. The Executive consists of seven councillors, each with an executive portfolio, one of which includes the Executive Member for rural communities and tourism, licensing and environmental services. This member is responsible for ensuring the environmental health service achieves the objectives and delivers the service demanded by the council.

Officers headed by the Chief Executive carry out strategic and operational management of the council services. The Chief Executive and three directors form the Strategic Leadership Team (see figure below), responsible for the strategic management, with service managers, responsible for operational management of council services reporting direct to a director.



The Director (Environment and Planning) is responsible for the Environmental Health Services, which includes the Commercial Section that deals with Food Safety and Health and Safety Enforcement.

The Commercial Section of Environmental Health Services structure is described below:



Contact telephone numbers for the various people involved are shown in the table below:

	Name	Telephone number
Executive member for climate change, licensing, environmental health and rural affairs.	Councillor Martin Cartwright	0116 2874500 07850 707050
Chief Executive	Bill Cullen	01455 255606
Director (Environment & Planning)	Matthew Bowers	01455 255676

Environmental Services Manager	Steven Merry	01455 255735
Lead Officer – Food hygiene & health & safety	Steven Merry	01455 255735

Specialist food safety services, that is a food analyst and examiner, are not employed directly by the council. Analytical services will be sought when required from an accredited laboratory. Public Health England is able to provide food examiner services. In addition the council is able to call upon the specialist services of the Health and Safety Executive where required.

5. Food safety enforcement service delivery plan 2019/2020

5.1 Scope of the food safety service

Food safety enforcement is part of the service provided by the Commercial Section of Environmental Health Services. Besides food safety, the section is also responsible for delivering the council's obligations in relation to occupational health and safety, infectious diseases, health improvement, animal welfare and licensing. These activities in general are seen as complementary to food safety as they give a fuller picture of premises standards and therefore combined enforcement benefits both consumers and businesses alike.

Food safety activities mainly revolve around inspection of commercial food establishments in the borough, but are complemented by a food sampling programme, investigation of food complaints and food poisoning incidents, and health promotional activities including the delivery of food hygiene talks, seminars and courses.

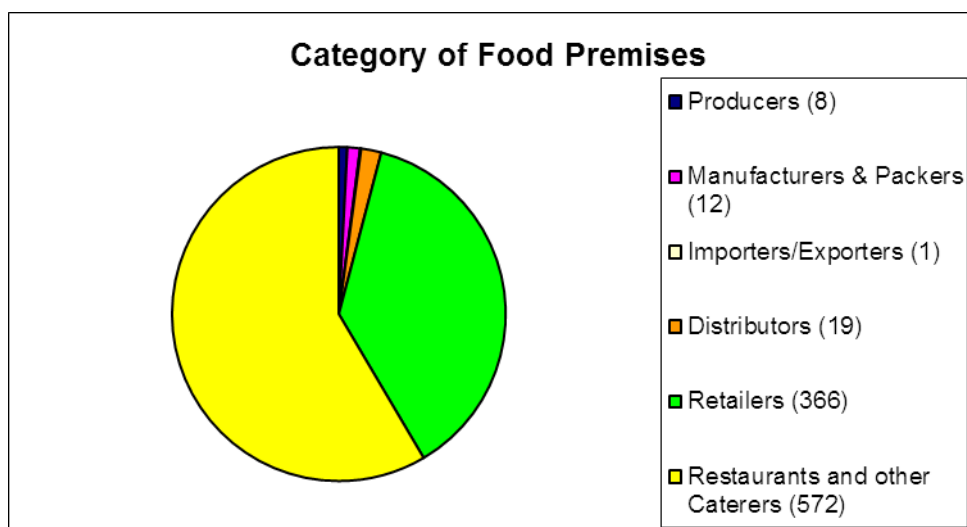
The Commercial Section is managed by the Environmental Services Manager who also has lead responsibility for food matters. At 1 April 2019, four Environmental Health Officers, (representing 3.26 full time equivalents) were in post undertaking the full range of duties of the Commercial Section, plus one full time Technical Officer with a Higher Certificate in Food Control, awarded by the Environmental Health Registration Board. All officers have considerable experience of food safety and therefore competent to inspect all food premises risk categories and to carry out all the duties of the section.

Support to the service on the Idox computer system is provided by a member of the ICT service.

5.2 Demands on food safety service (as at 1 April 2019)

In the borough there are 978 premises subject to food hygiene inspection in the following risk categories:

Risk category	Number of premises
A	1
B	22
C	162
D	383
E	388
Unrated	22
Total	978



The borough has two fully approved dairy products premises one manufacturing cheese the other ice cream. Additionally there is one fully approved premise processing chicken. All approved premises receive inspections from officers who have had specialist training in these fields.

There are also four premises approved under European legislation as being egg grading establishments and one premises' which produces ethnic cooking sauces, pastes, pickles and chutneys which are exported internationally. No other specialist or complex food processing is carried out in the borough.

Staff and facilities are located on the first floor at Hinckley Hub, which is located within Rugby Road, Hinckley. All personal callers are received at reception located on the ground floor, Monday to Thursday from 8.30am to 5pm and on Friday's 8.30am to 4.30pm.

The service can also be accessed via an out of office hour's number, which is used for all emergency environmental health issues: 01455 251137. A website www.hinckley-bosworth.gov.uk is used to 'post' information about the services that the team provides for consumers and business and also provides a direct e-mail address for service requests, esadmin@hinckley-bosworth.gov.uk. Access can also be made through a community portal, www.hinckleyandbosworthonline.org.uk.

5.3 Enforcement policy

On the 6 April 2014 a revised Regulators Code from the Better Regulation Delivery Office, now known as the Office for Product Safety & Standards, came into force. Through the Regulatory Partnership set up under the Leicester Leicestershire Enterprise Partnership, the service drafted a Corporate Enforcement Policy and Service Standards applicable to all regulatory services within the council which was formally adopted at the Council's Executive in September 2015 and revised in 2018. This Corporate Enforcement Policy details the general principles of good enforcement that the service is committed to adhere to and is available on the council website. The general principles of good enforcement practice are further enhanced by a Food Safety Enforcement Policy adopted by the council in January 2002, with revised versions in 2008, 2011 and 2015. These detail what food businesses and others being regulated can expect from officers and how specific legislative powers are applied to food premises.

In developing these policies through the Leicester and Leicestershire Local Enterprise Partnership (LLEP) these policies help ensure consistency of approach across Leicestershire and have been developed with input of business.

5.4 Service delivery

5.4.1 Intervention programme

All food premises receiving a food hygiene intervention will be risk rated following the intervention. The rating scheme used by Hinckley & Bosworth Borough Council is that set out Chapter 5.6 to the Food Law Code of Practice (England) (December 2017), produced by the Food Standards Agency. This means that all premises will receive an intervention within a range of six months to three years, depending upon the risk associated with the premises.

The current premises profile with respect to risk rating is shown below with the category of premises due in 2019/20 shown in column six

Category	Minimum frequency of intervention	No. premises	Interventions due 2019/20	Interventions carried over from 2018/19	Total no. interventions required in 2019/20
A	at least every six months	1	1	0	1
B	at least every year	22	21	1	22
C	at least every 18 months	162	104	2	106
D	at least every two years	383	162	6	168
E	at least every three years	388	104	9	113
	Unrated	22		0	22
		978	392	18	432

It is anticipated in 2019/20 that 3.5 full time equivalent officers will be engaged in food hygiene interventions.

The issue of local authorities having insufficient resources to undertake their food safety inspections is known by the Food Standards Agency and consequently the agency do allow local authorities to use other means of assessing the lowest risk rated premises compliance with food safety legislation other than by inspection. This council adopted, several years ago, the use of self-assessment questionnaires for lower risk rated businesses.

In order to manage the inspections in 2019/20 emphasis will be placed on ensuring that all high risk rated food premises (Category A to C) and unrated premises (prospective new businesses or new registrations) will be inspected. Category D premises will also be inspected and those

Category E premises whose last intervention was a questionnaire or attained a food hygiene rating of 4 or less at their last intervention (56). Therefore the total inspection target for 2019/20 is 375. Those Category E premises due in the 2019/20 that received an inspection at their last intervention and rated 5 will be dealt with by way of self- assessment questionnaires, as detailed in our Alternative Enforcement Strategy. This equates to 57 premises.

The target therefore for food safety in 2019/20 is 432 interventions, resulting from 375 inspections and 57 self-assessment questionnaires. This will mean that 100% of all premises due an intervention will receive an intervention in 2019/20.

It is estimated that each inspection of a Category A to C and unrated food premises takes four hours to complete, whilst Category D and E take on average three hours, whilst a questionnaire takes approximately 0.5 hour to administer. 1,305 hours will therefore be required to complete the food hygiene inspection programme. These resources do not include support officer and management time or the resources required for revisits.

The number of revisits required following a programmed inspection is dependent on the level of compliance found and the action taken by the officer. Re-visits to premises following a programmed inspection will be made where significant contraventions of food hygiene or processing regulations and/or poor hygiene practices are found. In addition revisits due to proprietors requesting a revisit to improve their Food Hygiene Rating (see 5.6), will also be undertaken, last year 13 requests were received for this service, compared to 16 requested in 2016/17. In addition 55 revisits to check on progress of remedial works following an inspection were also undertaken, equating to 68 revisits in total being undertaken in 2018/19. It is likely that approximately 60 revisits will be required this year, at approximately 1.5 hours per re-visit, including any follow up administration, this will require approximately 90 hours of the section's time.

In addition, other visits will be made to food premises; for instance to follow up poor sampling results, complaint investigations, special surveys.

The activities of the section relating to food hygiene and safety will be affected by the reactive workload as it arises and this may mean an adjustment to the routine inspection and sampling programmes in order to devote increased resources to higher priority areas of work.

No targeted inspection activity is envisaged in 2019/20 unless requested by the Food Standards Agency. Equally no priorities relating to nationally or locally driven issues are expected or known of for that period.

In previous years a measure of the councils performance with respect to food hygiene has been through a National Performance Indicator NI 184, 'The number of broadly compliant food premises'. The service has seen a consistent and substantial percentage of broadly compliant premises in the borough in recent years, usually around 95%. Whilst, the performance indicator is no longer required to be reported to national government, it is seen by the Food Standards Agency as a useful measurement as to the continuing performance of local authorities and also to this council as to a useful guide as to the overall indicator of food hygiene levels in businesses in the borough. As such it is intended to continually monitor this indicator with the aim of improving further the number of food businesses in the borough who are broadly compliant with legislation. Clearly though as the indicator approaches its maximum value it will be harder to continue to achieve further improvement but was pleasing to note this year saw a near 1.7 % rise in broadly compliant premises to 95.8% as at 31 March 2019 exceeding our target level of 95%. This year our target for March 2020 has therefore been set to achieving a level of 96%.

In order to help achieve a level of 95% of food businesses in the borough being broadly compliant, this year officers will continue to make use of the interventions allowed by the Food Standards Agency for those businesses which have a high level of compliance and thereby using released resource to increase attention on non-compliant businesses. Therefore all food businesses with a risk category of C or D and rated 5 in the Food Hygiene Rating Scheme (see 5.6) at their last inspection may be subjected to only a sampling and verification visit or partial inspection to establish that conditions found on the last inspection remain. A full inspection will be made at their next programmed inspection date.

In line with the council's food safety training policy which implements in full the Food Standards Agency's Code of Practice in respect of the qualifications and experience of authorised officers, all officers in the section are appropriately qualified and trained, and where necessary supervised, to carry out their respective duties in relation to food safety inspections.

5.4.2 Food complaints

Complaints about food will be dealt with in accordance with procedures for the handling of complaints and enquiries to the service. In addition account will be taken of the requirements of Food Law Code of Practice (England) in respect of complaints which may be more appropriately dealt with by the County Council.

In 2018/19 the service received 41 complaints about defective food and 86 other complaints and requests for advice concerning premises or practices, totalling 127 requests for service. 12 of the service requests related to enquiries from prospective businesses for advice. The number of service requests received in 2018/19 was 24% lower than the previous year which was exceptionally high at 168.

In 2019/20 it is anticipated, in line with recent trends, that there will be, in total, approximately 140 complaints and enquiries to be dealt with by the service. 1400 officer hours have been allocated to this area of work.

Any foods requiring analysis will generally be forwarded to an appropriate credited public analyst and occasionally the Leicester Museum is used for identification of insects.

5.4.3 Primary Authority principle

The Primary Authority scheme operates under guidance from the Office for Product Safety & Standards, formally Regulatory Delivery, part of Department for Business, Energy & Industrial Strategy. The scheme places a legal duty upon local authorities to consult with a primary authority (a local authority which has formal arrangements with a business to offer guidance on a company's policies and procedures) where they are considering taking formal enforcement action against a business with such an arrangement.

The service has no formal primary authority relationships with any business in the borough.

The council and the service support and adheres to the principles of primary authority and has in place documented procedures to ensure that staff comply with it when enforcing food hygiene legislation, for example when investigating a food complaint in respect of food manufactured outside of the borough.

5.4.4 Advice to business

The provision of advice to food businesses on food hygiene is an important part of the team's documented enforcement policy and represents the first option when dealing with minor contraventions. Proactive advice is provided to businesses on a routine basis during inspections.

During the year it is also anticipated that a number of telephone calls for advice by businesses will be made and responded to.

In the past targeted information to specific food industry sectors has been sent out from the service, for instance on the Food Information Regulations and to all nursing and residential care homes issuing advice on the prevention of listeria infection. However, no topical issues worthy of issuing an information mailshot emerged during the year. Should a suitable topic arise in 2019/20, consideration will be given to distributing an information mailshot.

The service continues to deliver food hygiene courses for food handlers using the Chartered Institute of Environmental Health Level 2 (Foundation Certificate). During 2018/19 two Level 2

Awards in Food Safety in Catering were facilitated resulting in all 7 candidates completing the course and passing the examination to gain the accredited qualification.

5.4.5 Food sampling and inspection

The service has in place a documented food hygiene sampling policy, procedure and programme which have been developed with the help of the food examiners from Public Health England, who analyse the samples for free, and the county food liaison group. Since September 2016 all Leicestershire samples are couriered to London for analysis with good service levels seen.

In 2018/19 we submitted for analysis 107 foods, 172 environmental swabs and 18 water samples, totalling 297 samples against our target of 270, therefore over achieving our target.

In 2019/20 it is anticipated that we will submit 270 samples to the London Public Health England laboratory. A resource of 135 officer hours has been allocated to this area of work.

The service still continues to use the United Kingdom Food Surveillance System (UKFSS), a national database that centrally holds a record of all food and feed samples taken by local authorities and port health authorities. This system has enabled greater intelligence gathering leading to targeting of resources to risk based sampling programmes at local and national levels and thereby improved public protection. It is also efficient for officers allowing sampling forms to be completed in the field and then transmitted electronically, saving officer time in completing paperwork, printing and duplications in data entries. However, the contract between the Food Standards Agency (FSA) and software supplier has now ended and indications are that the FSA wish to find an alternative system, which has yet to be decided. Further monitoring of this matter will occur in 2019/20.

5.4.6 Water sampling

A programme of water samples is usually undertaken from large food businesses within the district. In 2019/20 it is anticipated that 10 water samples will be taken for bacteriology quality, 20 officer hours have been allocated to this area of work.

5.4.7 Imported foods

Although we do not have any inland ports we do have premises that import food, including a manufacturer for ingredients in its sauces and a honey importer. Whilst inspecting food premises checks are occasionally carried out to ensure that there is no illegal imported food used within the premises. If any are found then they will be dealt with in accordance with legal procedures.

5.4.8 Control and investigation of outbreaks and food related infectious diseases

All formal notifications of food poisoning and food borne illness, except campylobacter (unless in a risk group), are investigated within two days of receipt in accordance with the appropriate policy. During 2018/2019, 34 notifications were received, of these there was one campylobacter, twelve salmonella, six cryptosporidia, ten giardia, two hepatitis E, one suspected food poisoning, one dysentery and one legionella.

Based on historic rates it is anticipated that a similar number, approximately 40 cases of food poisoning and food borne illness will be notified and require investigation in 2019/2020. Hence 40 officer hours have been allocated to the investigation of individual cases.

5.4.9 Food safety incidents

The service has a documented procedure which deals with the action to be taken following the receipt or initiation of food alerts. The procedure complies with the requirements of the Food Law Code of Practice (England). During 2018/19 there were:

- 113 Allergy alerts
- 66 Product recalls
- Six incidents

- Two alerts for action by Local Authorities.

Of the alerts for action only one required action from this council involving compiling a list of specialist cake decorators for Leicestershire County Council Trading Standards Officers to contact regarding concerns that products from one supplier used in cake decoration may contain high levels of heavy metals, unapproved non-food pigments and/ or unapproved food ingredients.

A similar number of alerts are expected in 2019/20.

During the year officers have been involved in two notable local incidents for this council. The first happened during a routine food hygiene inspection of a food processor when an Environmental Health Officer came across large quantities of raw ingredients whose 'use by' dates had passed. 'Use by' dates are placed on highly perishable chilled food and foods with expired dates are usually deemed unsafe when they have passed the 'use by' date. Further investigations by the officer revealed that the ingredients had been frozen but insufficient information was available to indicate where and when this was done or whether there was any shelf life left on the foods when freezing was undertaken. The officer traced the ingredients through the supply chain and contacted other agencies that had enforcement responsibilities at the different supplier premises. It was found that whilst some of the ingredients had been frozen before the expiry of the 'use by' date others were frozen after the 'use by' date had expired.

Given the information available, there were concerns about the safety, quality and integrity of food and therefore given the geographical spread and number of premises involved this food safety incident was reported to the Food Standards Agency by the officer to protect consumers' interests. The local business was responsive and keen to ensure that the supply of food they received was all of satisfactory quality and in compliance with food safety law and returned the food to their supplier. The Food Standards Agency and Environmental Health colleagues at other authorities involved visited several different businesses and investigations are on-going

The second incident happened when the Environmental Health team were notified by the Food Standards Agency of a recall of a batch of bottled ready to eat liquid egg white that was contaminated with salmonella. A food business warehouse within Hinckley and Bosworth was being used to store the returned product. An Officer within the team began to co-ordinate the collection of the affected batches and to oversee their removal from the food chain and destruction of the product. This included inspecting the warehouse to ensure a suitable area for the product to be stored could be provided and reviewing the traceability records of the business to ensure the product was safely kept out of the food chain. A suitable waste site that could dispose of the product, which was classed as hazardous waste, was found liaising with the County Council.



Bottles of liquid egg being placed into metal drums for sealing prior to destruction

In total, 1405 - 1 litre bottles were secured for destruction. An officer oversaw movement of these products to a waste transfer site in Hinckley where they were counted and placed into 14 metal drums and suitably sealed and secured for delivery to the incineration site. A certificate of destruction was provided once they were destroyed.

5.5 Liaison

The Commercial Section is represented on the Leicestershire Chartered Institute of Environmental Health (CIEH) Food Liaison Group which includes representatives from all food enforcement authorities across the county including Leicestershire County Council Trading Standards, Public Health England and including a public food examiner.

Infectious disease investigations and enforcement issues are usually discussed with Public Health England (East Midlands) at the four Leicestershire CIEH Food Liaison Group meetings in the year.

The Environmental Services Manager along with other representatives of the East Midlands Area was represented at the annual liaison meeting with Severn Trent Water Authority.

The section has internal liaison with all service areas within Hinckley & Bosworth Borough Council but especially the planning service as regards planning applications and the Licensing Service as regards matters which are being dealt with by the Licensing Committee set up to deal with licensing legislation.

5.6 Food hygiene promotion

5.6.1 Food hygiene rating scheme

Since January 2008 the council has operated a food hygiene rating scheme for food businesses supplying directly to the public. In 2010 the council joined the national Food Hygiene Rating Scheme operated by the Food Standards Agency. When inspected food businesses are scored against a set of criteria for hygiene compliance, structural compliance and food safety management/control systems. The subsequent rated results are then posted on a website to provide members of the public details of the premises' hygiene rating at the last inspection. Each business is also supplied with a sticker displaying their rating which they were encouraged (but not legally required to do) to display either on the entrance door to the premises or adjacent windows. At the beginning of April 2019, the hygiene rating of 856 food premises in the borough were available at <http://ratings.food.gov.uk/>

5.6.2 Food safety management systems

During inspections of food premises officers establish if there is in place a documented Food Safety Management System, in effect documented procedures and checks to ensure that the food safety risks in the business have been assessed and are being controlled. A national model called 'Safer Food, Better Business' (SFBB) has been developed by the Food Standards Agency and is the food safety management system used by nearly all independent food businesses in the country and includes several variations for different sectors including caterers pack, retailers pack, Chinese cuisine, Indian cuisine, childminders and colleges. During interactions with business, the SFBB model is promoted to food business proprietors in the borough, should they not have an alternative system in place. We are able to provide this model at cost to businesses along with the different sector and foreign language versions.

In January the council was approached by consultants engaged by the Food Standards Agency to be one of 12 authorities throughout England to assist in the review of the SFBB pack. The review took the form of a survey of officers initially, then a workshop with officers at the Council to explore how businesses and officers use SFBB; what works well and not as well; what amendments/ additions and updates to existing content is required and additional areas to be included in the packs. Officers contributions were commented as being "extremely helpful and very interesting" and will help to make sure SFBB is as effective as tool as possible to help food businesses manage food safety and provide safe food for consumers.

5.6.3 Food safety week

The theme for last year's Food Safety Week was 'The people who keep your food safe'. The opportunity was taken to roll this campaign into the Hinckley Feast event with support materials being made available to members of the public at the event.

5.6.4 E.coli 0157

E.coli food poisoning is fortunately a rare occurrence; however when it does occur it is particularly devastating as it takes very few E.coli organisms to cause illness and the effects are usually severe with often kidney failure and death seen in a high percentage.

During interventions officers prioritise examining practises involved in the handling of cooked and raw meats especially if premises in the borough are found to be using one vacuum packaging machine to pack raw and cooked food. Highlighting the principles of preventing E. coli infection to the wider catering trade is done through utilising the Food Standards Agency 'Guidance on the Control of the risk of cross contamination from E.coli 0157', now on its fourth revision. All officers have received training on this guidance and have due regard to its contents during their inspections. The guidance is also given to businesses during inspections and enclosed in correspondence with them.

5.6.5 Hinckley Food and Drink Festival

The service supported the third Hinckley Feast event over the August Bank Holiday designed to show case a range of regional, national and international cuisine, as well as having demonstrations from chefs, along with rides and activities for children.



Prior to the day the service prepared the way by scrutinising the food hygiene rating of businesses before the event to ensure all vendors were reputable and employed good hygiene practises. On the day, the service supported the vendors in ensuring their food and drinks were being produced safely by carrying out some inspections of vendors or offering appropriate advice where necessary.

In addition a marquee was set up to promote 'The people who keep your food safe' theme from Food Safety week and the Food Hygiene Rating Scheme. Representatives from the Commercial Team were available at the marquee in the middle of Argents Mead and had some very positive interactions with members of the public and businesses, with a number taking the opportunity to pick the brains of the Environmental Health Officers on food hygiene practices. Members of the public were also given the opportunity to check their local takeaways and restaurants food hygiene rating via the Food Standards Agency website.

5.6.6 Further promotional work

In 2018/19 the service produced three articles for the Borough Bulletin, a council publication sent to all dwellings and businesses within the borough. The articles covered the subject areas of Food Safety Week and the theme 'The people who keep your food safe' along with promoting the Food Hygiene Rating Scheme, 'Safe Summer Eating' and advertising our food safety courses for businesses.

The service issued four press releases during 2018/19 on Food Safety Week and the theme 'The people who keep your food safe', Allergens, Eating Safe in summer and safe handling Christmas food resulting in several local publications publicising the topics.

5.6.7 Future food hygiene strategy

In February 2016 the Food Standards Agency (FSA) began consultation on the future of food safety regulation. It is recognised that the existing food regulatory system, which has operated some 30 plus years, still works well however, is coming under strain with technological and market advances, therefore the FSA is looking at a new regulatory model fit for a further 30 years. Whilst initially ambitious ideas for improvement were suggested by the FSA, the practicality of implementation and this past year, the time and detail taken up on Brexit issues has tempered both the scope of change and timescales.

This past year though has seen:

- Continued development on the introduction of a new digitally-enabled approach to make it easier for businesses to register and easier for them to access information and guidance that will enable them to get things right from the start. This will mean that whereas now a food business registers with the local authority, by April 2020, a business will register with the FSA, whose systems will back fill local authorities' data bases
- In conjunction with development of enhanced registration in 1. (above) a 'risk engine' is also being trialled which uses a set of business rules to generate a 'risk score' which segments businesses into categories. This categorisation will determine the nature, frequency and intensity of interventions for all new business
- Draft standards have been published that local authorities and business partnerships will have to meet if they wish to have a National Inspection Strategy for food hygiene as part of a Primary Authority relationship recognised by the FSA

The service will continue to watch and participate on consultations on the strategy as it develops.

6. Health and safety enforcement service delivery plan 2019/20

6.1 Description of service

Health and safety enforcement is part of the service provided by the Commercial Section of Environmental Health. The service:

- Inspects places of work and entertainment to ensure high standards of health, safety and welfare in accordance with current enforcement responsibilities
- Carries out accident and complaint investigations
- Provides advice and guidance to businesses, employees and the public

6.2 Aim of health and safety enforcement service

The overall aim of the health and safety enforcement service is:

- To secure the workplace health, safety and welfare for both employees and the public in the borough

6.3 Priorities of health and safety enforcement service

In recent years protecting people in the workplace and in society as a whole remained a key health and safety priority for central government; however the focus of the health and safety regime has moved to a lighter touch approach concentrating on higher risk industries and on tackling serious breaches of the rules. Consequently the Health and Safety Executive (HSE) and local authorities have reduced the number of inspections carried out; to have greater targeting where proactive inspections continue; and to increase information provision to small businesses in a form that is both accessible and relevant to their needs.

Guidance produced by the HSE through their National Local Authority Enforcement Code launched in May 2013 and the Health and Safety Executive/local authorities' enforcement liaison committee revised Local Authority Circular 67/2 (Rev 8) 2019 'Advice/guidance to local authorities on targeting interventions' have therefore been used to determine this council's key priorities for 2019/20.

The HSE code indicates that local authorities are expected to target proactive inspections on high risk activities in specified sectors or on workplaces where intelligence suggests that risks are not being effectively managed. A listing of the activities and sectors suitable for inspection is published along with the code.

Based on the code the key delivery priorities of the health and safety service of Hinckley & Bosworth Borough Council are:

- To target health and safety interventions on higher risk areas and dealing with serious breaches of health and safety legislation
- Investigating major injury incidents and fatalities. This approach is used to assess and target poor management as part of the better regulation agenda

The service will need in 2019/20 to continue to keep a watching brief on national developments in health and safety policy. In particular, regard will be made to the Health and Safety Executive 2016 new strategy document for improving health and safety, 'Helping Great Britain Work Well'. This document has six themes; Acting Together; Tackling Ill Health; Managing Risk Well; Supporting Small Employers; Keeping Pace with Change and Sharing our Success. The emphasis of the document is on the strategy not just being for regulators but for further improvements in health and safety at work to occur all sectors need to work together including employers, employees, unions, insurers and government. The document is available to view at:

<http://www.hse.gov.uk/aboutus/strategiesandplans/index.htm>

6.4 Delivery of the health and safety service priorities 2018/19

In 2018/19 three projects were identified as priority initiatives:

6.4.1 Cellar Safety

Highlighted as a national priority subject in LAC67 - 2 (Revision 6) January 2017, and a priority identified in implementing the Great Britain Health and Safety Strategy 'Help Great Britain Work Well' and the 'Go Home Healthy' strategy, a campaign aimed to raise awareness of the risks associated with the handling of beverage gases in the hospitality industry, especially that of asphyxiation from the uncontrolled release of gas in a confined space commenced in 2018. 184 businesses including, public houses, restaurants, licensed clubs and hotels throughout the borough received a letter with advice on the handling of beverage gases and risk assessment.

The campaign was designed to raise employers' awareness of the risks associated with the handling of beverage gases in the hospitality industry, in particular their legal requirements to provide safe systems of work and emergency procedures for cellar work, especially within confined spaces. Emphasis was given to promoting the training of workers to understand the hazards of working with beverage gases and in safe changeover procedures.



To build on the awareness-raising carried out in 2018, a trial on eight premises was carried out on a pro forma, which officers could use to check relevant areas during food safety interventions. Businesses were also provided with information leaflets or an inspection letter or report if non-compliances were identified.

The trial identified that independent premises were most likely to have non-compliance issues, as they do not have the same support from a brewery managing the cellar activities. Therefore, during 2019/20 officer time will be focused on awareness-raising focusing on independent premises that may not be aware of current legal requirements and good practice and are not supported by breweries. Inspection forms will be completed at each of these premises during food safety interventions. The business will be directed to website links and information leaflets provided, where appropriate. Non-compliances will be highlighted in letters and reports following the intervention. Officers will also refer matters to Leicestershire County Council Trading Standards or HSE where non-compliances are noted, for example on labelling or the condition of gas cylinders, and other similar matters that are within the remit of these organisations.

These interventions will promote good practices and raise standards within the industry.

6.4.2 Loading and unloading

Highlighted as a national priority in LAC67 -2 (Revision 6) January 2017 a campaign to raise awareness of the risks of unstable loading at distribution and warehousing operations was planned for 2017/18, co-ordinated through the Leicestershire Chartered Institute of Environmental Health (CIEH) Health and Safety Best Practice Group and working with the (HSE). However, commitment for joint working from the HSE was not obtained. Therefore building on the webinar training officers in the service had received, and working with officers across the county through the Best Practice Group an awareness raising campaign was conducted during 2018 and 2019 on load safety issues.



Unsafe loads on vehicles injure more than 1,200 people a year and cost UK businesses millions of pounds in damaged goods. Unrestrained loads can increase the risk of vehicle rollover and risk the life of the driver and other road users. The campaign was therefore designed to help ensure that everyone in the transport chain is aware of the loading and unloading rules and of the various guidance documents from the Driver and Vehicle Standards Agency (DVSA), Department for Transport, HSE and European guidelines in order to prevent loads sliding or toppling forwards or backwards or off the side of the vehicle and whether loads are secure and stable with appropriate load securing equipment in good condition.

In the council's area a number of premises were identified where safe loading may be a relevant issue, this included businesses such as warehouses and distribution businesses. A guidance letter with links to relevant documents was sent to 66 local businesses as part of the awareness raising campaign.

During the campaign contact was made with HSE about poor loading practices seen by a local business where the HSE are the enforcing authority for the premises where the material being loaded was from.

The campaign also covered welfare matters for visiting drivers as issues concerning toilet and rest facilities need consideration for visiting drivers to a site.

6.4.3 Safety Advisory Group

Highlighted as a national priority in LAC67 - 2 (Revision 6) January 2017, this council has been working with other district and borough councils throughout the county, along with Leicestershire County Council, to devise an event model which would aid event organisers deliver safe events, give a consistent framework for local authorities across the county in how they approach and assess events and provide the emergency services with sufficient information on the number, location and size of events at one particular time so they are able to plan their resources. In recent years there has been a significant increase in the number of events, particularly music events across the country, several of which have been poorly organised and led to deaths and injuries of attendees. There is also the ongoing threat of terrorism, particularly at gatherings of large numbers of people, highlighting a need for the Police and other emergency services to know where and the number of events occurring across the county on a particular day so they could effectively plan their resources to the risk.

During the summer of 2018 a new countywide scheme to assist event organisers in ensuring their event will be safe and have all the necessary permissions and licenses in place was trialled in the borough with the eventual aim of the whole county using the system. An Event Notification Form was agreed and developed with the assistance of all the county emergency services, Leicestershire County Council and all Borough and District Councils, and which event organisers were asked to complete.

The form brings together all the initial information that all agencies, which may be involved in an event, may require together in one form. Once completed the form is sent direct to Environmental Health, who inform all relevant agencies such as the Police, Fire, Ambulance and relevant internal council services, reducing the burden on organisers to do so.

The form also provides the organiser with a template to follow as to what matters they need to consider with references to various documents which can provide additional information to aid their planning. Within the first few months of operation, issues were identified upon which this council was able to advice on and make those events compliant and safer which probably would not have been the case without the form being received. Compliments have also been received from event organisers on the 'one notification' system that reduces their burden of trying to establish the correct person in the Emergency Services to notify their events to.

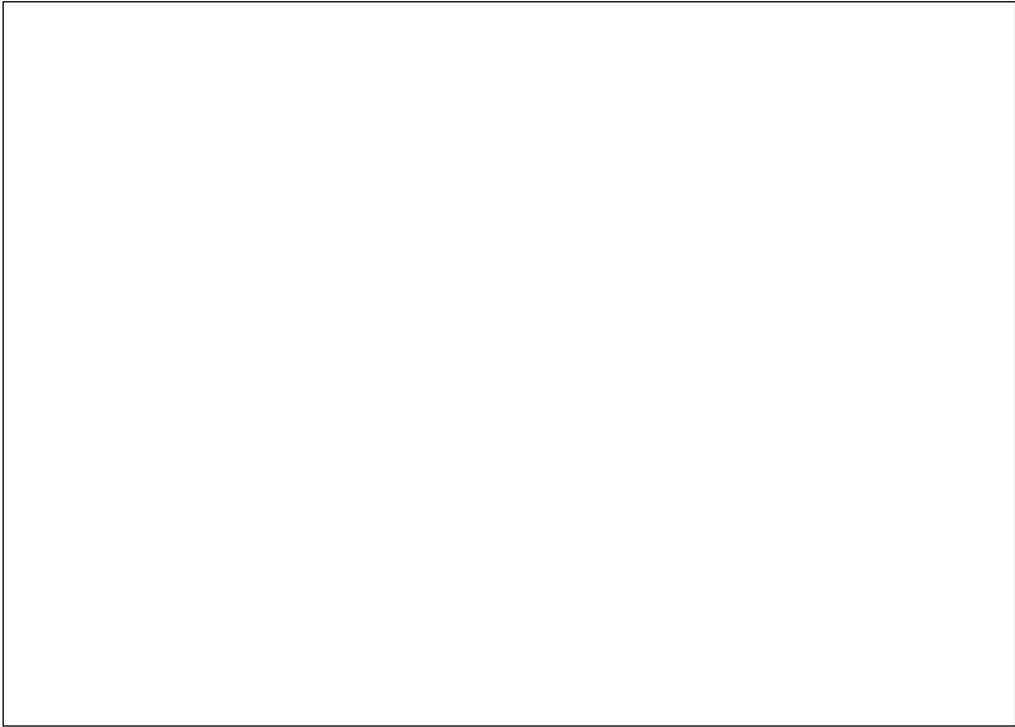
Following a six month trial period, the Event Notification Form was reviewed and the amended form and system is hoped to be adopted across the county for the festival season in 2019.

6.4.4 Manual Handling in the Care Sector

LAC67-2 (Revision 7) 2018 identified as a national priority manual handling risks to employees in the Care sector. Along with county colleagues through the CIEH Health and Safety Best Practice Group a campaign to highlight manual handling issues in the sector was to be devised. A pro forma to assist officers with a campaign was discussed, but found over prescriptive for the purposes intended. In addition Leicestershire Fire and Rescue Service approached the group wishing to provide some fire hazard awareness training for officers, specifically aimed at Care Homes, in order for officers to hazard spot and report major issues to the Fire and Rescue Service. Having considered the offer of training and the stage of development of the pro forma, it was decided to roll the two campaigns together, once officers had been provided with training from the Fire Service in 2019.

6.5 Delivery of the health and safety service priorities 2019/20

The following chart illustrates the category profile of the 1520 Health and Safety premises within the borough for which the council has enforcement responsibilities at the 1 April 2019:



6.5.1 Health and safety planned inspections 2019/20

Based on the risk rating scheme the risk profile of premises whose health and safety

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enforcement responsibility falls to this council is shown in Table 1 below:

Table 1 – Risk profile of health and safety premises at 1 April 2019

Category	A Highest risk	B1 Medium risk -1	B2 Medium risk - 2	(C) Lowest risk	Unrated
Summary of appropriate intervention (LAC 67/2 (Rev 8))	Proactive inspection	Reactive intervention only			Alternative intervention other than proactive inspection
Total number of premises	1	70	375	966	108
Total number of interventions due 2019/20	1	0	0	0	108

In accordance with LAC 67/2 (Rev 8) it is proposed in 2019/20 to target the Category A business for a proactive inspection, resulting in an inspection target of 1 premises. Inspections of medium risk businesses (categories B1 and B2 premises) will only occur if during a food hygiene inspection a matter of evident concern is seen or reports of accidents, complaints or other intelligence suggests the premises requires an intervention. All unrated and new premises will receive either an advisory visit or questionnaire and be risk rated following the visit or return of the questionnaire. This is expected to result in a further 108 interventions. There will be no proactive interventions to low risk businesses (C rated premises) in 2019/20, however these premises will receive a visit should a reactive visit be required for instance should a service request be made or a serious accident arise.

In summary therefore it is anticipated that the service will in 2019/20 conduct 1 proactive inspection and 108 interventions by questionnaires or advisory visits. In total therefore the health and safety service aims to achieve 109 interventions in 2019/20.

6.5.2 Revisits

Revisits are carried out to confirm that employers and other duty holders have undertaken any necessary measures to comply with their legal obligations identified following an inspection or other intervention such as a complaint or accident investigation.

A revisit will be undertaken following all interventions at which significant contraventions have been identified.

Priority will be given to revisiting those premises where:

- Formal enforcement action such as the service of an improvement or prohibition notice has been necessary to secure compliance with the law
- The premises are rated Category A

6.5.3 Accident investigation

In 2018/19 the council received 77 accidents/dangerous occurrences reported to it under the

It is not necessary to investigate all of these notifications. However, we will investigate all accidents, cases of disease and dangerous occurrences that meet the criteria set out in our policy document No7 - Procedures for the selection and investigation of accidents, diseases, dangerous occurrences and other statutory notifications. This policy is based upon Health and Safety Executive/Local Authority Enforcement Liaison Committee (HELA) circular 22/13 'Incident selection criteria', which was reviewed and implemented in 2010. A high priority will be given to selecting for investigation slip, trips and fall accidents and incidents involving workplace transport.

In 2018/19 we investigated 16 (21%) of accident notifications received. In 2019/20 it is anticipated that we will investigate approximately 25% of all the accidents reported to us.

6.5.3.1 Fatality at a Golf Course

April 2018 saw the commencement of the case against Hinckley Golf Course Ltd brought before a jury at Leicester Crown Court for three health and safety breaches that contributed to the golf course manager, being fatally injured by a falling branch while working at the Club in December 2013.

During the two week trial the jury was told that the Course Manager was believed to have been using a chainsaw to clear a heavy branch that had broken away from the main tree trunk and was lying in an unstable position across a number of smaller trees. He died alone at the scene and his body was discovered by a colleague the following morning, 28 December 2013. Investigations by the Environmental Health Service discovered that the Course Manager was not qualified to use a chainsaw, that he was working alone at night at the time of the accident and that he was not wearing sufficient safety clothing or equipment. Officers were also concerned that the Golf Club had insufficient and inadequate risk assessments and safe working systems in place for its employees at the time of the accident.

Hinckley Golf Club, which is a limited company, entered not guilty pleas to three health and safety charges under the Health and Safety at Work etc. Act 1974 of failing to:

1. Ensure the health and safety of employees regarding a safe system of work in place for the management of trees
2. Provide a sufficient risk assessment
3. Provide adequate training in equipment, namely chainsaws, between January and December 2013

However, at the end of the two week trial the jury delivered unanimous guilty verdicts on all three counts after seven hours of deliberation. Following financial and mitigation submissions the judge on the 27 July 2018 sentenced Hinckley Golf Club Ltd to a fine of £75,000 with an additional £75,000 costs.

6.5.4 Service requests

All service requests relating to standards of occupational health and safety will be investigated and appropriate enforcement action taken. We aim to respond to 100% of requests within two working days.

In 2018/19 we received 51 requests for service. In 2019/20 it is anticipated that a similar number, 50 service requests will be received.

Additionally where we are notified of asbestos removal activities, we will investigate them to ensure removal of asbestos material is being carried out in accordance with the legislation and codes of practise. In 2018/19 no asbestos removal activities were notified to us.

6.5.5 Intervention plan 2019/20

The service intends to be involved in several projects during 2019/20:

Activity	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Outcome / output measures
Proactive interventions				
To continue to take an active role and promote the work of the Leicester and Leicestershire Local Enterprise Partnership (LLEP) Better Business For All Partnership	Research undertaken by Office Product Safety and Standard (OPSS) has identified that Regulators are viewed by some businesses as being a barrier to growth	Partnerships	It is expected that by developing a new, positive, transparent relationship between businesses and regulatory services, regulators will be perceived by businesses as supportive and helpful resulting in legal compliance and business growth	Perception survey
Inspection and provision of advice and guidance at businesses identified as risk category A	Standards found at time of last intervention	Inspection (Cat A) – 1 Premises identified for 2019/20	Undertake an intensive programme of support for all Cat A premises until the risk at the premises is reduced and can be categorised as B1	Number of premises inspected Number of visits made Number of premises moving from A to B1
Undertake advisory visits or self-assessment questionnaires to all unrated and new businesses	Part of the Better Business For All campaign to ensure business 'get it right first time'.	Advisory visit or Self-Assessment Questionnaire to all new and unrated businesses	To ensure business receive advice at an early stage in order for them to comply with their legal responsibilities and prevent injuries occurring in the work place.	Number of premises in receipt of either an advisory visit or self-assessment questionnaire.
Following work carried out since 2017/18, examine the handling of beverage gases in independent food businesses raising awareness of the risks	National priority outlined in LAC67 -2 (Revision 6) January 2017	Campaign to highlight the need to provide safe systems of work and emergency procedures for cellar work.	To ensure businesses in the hospitality industry understand the hazards and their legal responsibilities in handling beverage gases in confined spaces	Number of businesses Inspected on the hazards of handling beverage gases.

Continue to Work with the County Safety Advisory Group (SAG) to develop consistent policies and processes for large scale public gatherings.	National priority outlined in LAC67 -2 (Revision 6) January 2017	Examine the potential to develop a countywide one stop website for event organisers and liaise and support the County SAG.	To ensure the effective crowd management at large scale public gatherings	Systems in place to highlight the necessity for a SAG for large public gatherings and provide a one stop portal for event organisers.
Develop with the County CIEH Health and Safety Best Practice Group and Leicestershire Fire and Rescue Service a campaign highlighting manual handling risks to employees and fire hazards in the Care sector	National priority outlined in LAC67 -2 (Revision 7) 2018	Campaign to Highlight manual handling risks to employees in the Care sector	To ensure businesses in the care sector understand the hazard and their legal responsibilities in manual handling	Number of businesses informed on the hazards of manual handling.
Develop a campaign to raise awareness of the risks associated with the operation of inflatable amusement devices.	National priority outlined in LAC67 -2 (Revision 8) 2019	Campaign to highlight the risks associated with the operation of inflatable amusement devices	To ensure businesses operating inflatable amusement devices understand the hazards and their legal responsibilities	Number of businesses contacted and informed of the risks associated with the inflatable amusement devices

Reactive interventions				
Investigate reports of incidents and ill health using the incident selection criteria	Reporting of injuries, diseases and dangerous occurrences regulations 2013 (RIDDOR) statistics	Incident and ill health Investigation.	To investigate to establish if there are any issues or poor management performance.	Number of incidents reported Number of incidents investigated Number of notices served Number of prosecutions / cautions.
Investigate reports of concern and complaint from employees or members of the public	Reports of complaint	Dealing with Issues of complaint	To investigate to establish if there are any issues or poor management performance.	Number/nature of complaints investigated Number of notices served.

Respond to professional officers concerns on the performance of a business.	Reports of concern	Dealing with Issues of concern	Respond to matters of evident concern / or significant breaches of health & safety law identified during a visit undertaken for another primary purpose for example, a food hygiene inspection or licensing inspection or referred from another regulator for example, Fire Service	Number of referrals from other regulators Number of matters of evident concern / significant breaches Number of notices served
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6.5.6 Delivery mechanisms

In order to deliver our priorities for 2019/20 the mechanisms illustrated in the following table will be utilised.

Priority	Delivery mechanism	Deadline
Section 18 Compliance	Service Plan approved by Executive	31 August 2019
Appropriate enforcement	Continue to ensure enforcement decisions are consistent with our enforcement policy, the Health and Safety Executive's (HSE's) enforcement policy statement and the enforcement management model. This will ensure proportionate, consistent, transparent and accountable enforcement in line with the Better Regulation agenda.	31 March 2020

Staff Training	Complete personal development appraisals for all staff	31 July 2019
	Review personal development appraisals and monitor officers progress	30 November 2019
	Ensure officers attend revision/training on relevant health and safety topics to ensure they are appropriately trained and developed ensuring their competence and credibility with local businesses and encouraging staff retention/recruitment	31 March 2020

6.6 Performance indicators

Description	2018/19	2018/19	2019/20
	Target	Actual	Target
Local performance indicators			
Number of workplace interventions carried out	131	131 (100%)	108
Service Performance Indicators			
Percentage of service requests investigated	100	100	100
Percentage of service requests responded to within two working days	100	92% (51)	100
Percentage of asbestos notifications investigated	100	100 (0)	100

6.7 Provision of information

A key objective of the council's health and safety enforcement service is to provide advice and guidance to businesses and employees.

In the past targeted information to specific industry sectors has been sent out from the service, for instance on legionella control to all nursing and residential care homes. However, no topical issues or legislation changes worthy of issuing an information mailshot emerged during the year. Should a suitable topic arise in 2019/20, consideration will be given to distributing an information mailshot.

6.8 Health and safety enforcement policy

On the 6 April 2014 a revised Regulators Code from the Better Regulation Delivery Office, now known as the Office for Product Safety & Standards, came into force. Through the Regulatory Partnership set up under the Leicester Leicestershire Enterprise Partnership, the service drafted a Corporate Enforcement Policy and Service Standards applicable to all regulatory services within the council which was formally adopted at the Council's Executive in September 2015. This Corporate Enforcement Policy details the general principles of good enforcement that the service is committed to adhere to and is available on the Council website. The general principles of good enforcement practice are further enhanced by a Health and Safety Enforcement Policy adopted by the council in January 2002, with revised versions in 2008, 2011 and 2015. These

detail what businesses and others being regulated can expect from officers and how specific health and safety legislative powers are applied to their premises.

In developing these policies through the Leicester and Leicestershire Local Enterprise Partnership (LLEP) these policies help ensure consistency of approach across Leicestershire and have been developed with input of business.

6.9 Improved contact with employee representative

It is acknowledged that an essential contact to improve health and safety standards in workplaces is the workplace Health and Safety Representative. In order to establish these contacts an effort is made to liaise with them and record their contact details at appropriate interventions. Furthermore standard inspection report letters emphasise the legal requirement to inform employees on any health and safety items which may affect them.

6.10 Smoke free legislation

Smoke Free legislation came into force on 1 July 2007. These laws were introduced to protect individuals in public places and in the work place from the harmful effects to health of smoking and second hand smoke (passive smoking). The legislation meant that virtually all enclosed public places and workplaces became smoke free. Enforcement in this borough is by officers from within the commercial section.

The legislation had and continues to have the support of the vast majority of the public, even amongst smokers themselves. This has been demonstrated by the level of compliance noted by the council since the introduction of the legislation. In 2018/19 enforcement in the borough by officers from within the Commercial Section resulted in one informal warnings being issued from an officer observing a driver of a work vehicle smoking. In addition there was one request for service relating to workers smoking in a passageway during breaks. Passageways are not covered by smoke free legislation.

The service also continued to proactively monitor compliance with emphasis at all food hygiene, health and safety and licensing inspections, and observations of commercial drivers, but no action was found required to be taken during the year.

Continued monitoring and appropriate enforcement will continue in 2019/20.

7. Resources

7.1 Financial allocation

Resources allocated to the Commercial Team are not kept separate from the general allocation of funds in the budget for the Environmental Health Section. In 2017/18 a net total budget of £754,490 was allocated to Environmental Health and revised during the year to £759,551. At the beginning of 2019/ 20 a budget of £780,520 has been allocated and represents an increase in budget of 3.3 % on the original budget for 2018/19. This was mainly due to increase in staff costs.

Operational staff all have essential user car status. They are supported with appropriate equipment to carry out their inspections and sampling activities. Specific resources are made available annually for the rolling replacement of equipment, food sampling and analysis, training and other specific aspects of service provision; again these are funded from the general Environmental Health budget.

The Idox computer system is used for planning and recording food safety and health and safety activities.

Formal enforcement action for example, prosecution of a food business proprietor would involve

activity by the authority's Legal Services section. Costs incurred by legal services would be included in the annual recharge to the team and as such it is not classed as controllable expenditure.

7.2 Staff Allocation

At the 1 April 2019 five Environmental Health officers and one Environmental Health technical officer, with appropriate qualifications and experience that meet the requirements of the Food Safety Act Code of Practice, were involved in food hygiene enforcement. This is represented by one manager and five field staff and taking into account the services provided by the team, in 2019/20 the service will have 3.5 Full Time Equivalent (FTE) officers engaged in field food hygiene enforcement.

The service has an administration section and a systems administrator which supports the team.

The five Environmental Health officers and one Environmental Health technical officer have the appropriate qualifications and experience to enforce Health and Safety legislation and this equates to 0.76 FTE officers employed in Health and Safety.

All field staff are competent and appropriately qualified, trained and supervised commensurate with Food Law Code of Practice (England) and with Health and Safety Executive Section 18 Mandatory Guidance 'The Standard for Health and Safety Enforcing Authorities' (2008).

7.3 Staff development plan

Every member of staff has a Personal Development Review annually, usually May, with a six month review. These reviews draw out any training and development needs required of officers.

In addition the service has a documented Training Policy which is adhered to and stipulates the ongoing training requirements for staff in compliance with the Food Law Code of Practice (England) and with Health and Safety Executive's Section 18 Mandatory Guidance: 'The Standard for Health and Safety Enforcing Authorities' (2008).

Should any staff return to food hygiene or health and safety work after some time out, appropriate structured refresher training in compliance with the 'Food Law Code of Practice (England)' and for 'The Standard for Health and Safety Enforcing Authorities (2008)' will be given.

Training will be given to all staff, either by external or internal means, on any new legislation or Food Standards Agency/HSE requirements.

8. Quality assessment

8.1 Quality assessment

The Food Safety service has developed 19 documented procedures to ensure the quality of its service. These cover areas of:

- Food hygiene inspection procedures (revised 2016)
- Documentation and Implementation of a Service Delivery Plan
- Enforcement policy (revised 2015)
- Food sampling procedures (revised 2018)
- Food sampling programme (revised 2019)
- Alternative enforcement strategy
- Authorisation of officers
- Infectious disease investigation procedures
- Outbreak control procedure (revised 2017)
- Food complaints

- Operational complaints
- Internal monitoring procedures (revised 2017)
- Food hazard warnings
- Database maintenance
- Prevention of loss of data from database
- Quality monitoring (revised 2017)
- Documented control system
- Training systems
- Equipment maintenance and calibration
- Local liaison arrangements
- Third party or peer review arrangements
- Promotion of food safety issues
- Food hygiene rating consistency framework policy (2017)

These documents were developed in 2001/2 and revision of all was completed in 2008/09. In light of recent revisions of the Code of Practice issued by the Food Standards Agency, several have been revised since, and in 2017 a new policy on Food hygiene rating consistency framework was introduced.

The Health and Safety Service also has documented procedures developed in 2001/02 these being:

- Enforcement policy (revised 2009, 2010 and 2015)
- Enforcement procedures
- Inspection procedures
- Health and safety information policy
- Health and safety accident and Reporting of injuries, diseases and dangerous occurrences regulations 2013 (RIDDOR) notifications, incident selection process (Revised 2010)
- Formal cautions
- Notice procedure
- Core competencies and training for enforcement offices

The Enforcement Policy for both services was revised in 2015 to incorporate changes relating to the 2014 Regulators Code. The Incident Investigation Selection Procedure was revised in 2010 as part of the process to ensure the council is fully compliant with Section 18 guidance. The remaining documents have all been revised in 2011/12.

Historically sound management practices and the professionalism of officers have assured quality management, due the small size of the team. The quality management procedure for the Food Safety service was revised in 2017, which included relevant monitoring arrangements to ensure all procedures are complied with in relation to enforcement work and the training and development of staff. Similar procedures also apply to Health and Safety activities.

Correspondence emanating from the officers of the section is sampled by the Environmental Services Manager for his perusal before dispatch, in order to ensure accuracy and consistency in content. Additionally all notices are checked before service to ensure consistency, legal accuracy and compliance with our enforcement policies.

Assurance

The council works with other Leicestershire authorities to assure its service meets its legal obligations and responsibilities flowing from the 'Framework Agreement on Local Authority Food Law Enforcement' and the Health and Safety Executive's (HSE's) Section 18 Mandatory Guidance. This assurance is usually carried out by way of Inter Authority Audits or peer reviews.

The last peer review exercise was completed in February 2017 when Lead Food Hygiene officers across the county were assessed as to their competency against the Food Law Code of Practice.

The lead officer at Hinckley & Bosworth Borough Council was deemed as meeting requirements with significant and wide ranging Food Hygiene experience, very familiar with the needs of the borough and local issues and had clear links to colleagues in neighbouring and regional authorities and associated organisations.

The last Inter Authority Audit was conducted in March 2018 on the application of the Food Hygiene Rating Service. The summary of findings stated the authority was committed to delivering the Food Hygiene Rating Scheme successfully within the borough and to be generally operating the Food Hygiene Rating system in accordance with the obligations of the scheme.

March 2018 also saw the service receive an internal audit focusing on the governance mechanisms which provide the council with assurance that it remains in compliance with its legal requirements and fulfils its responsibilities. The audit identified no issues and consequently graded the service low risk.

The service also presented a report in March 2019 to Finance and Performance Scrutiny on the operation of the Health and Safety enforcement service. Members were satisfied with the service in the borough and no recommendations made.

In previous years the section has conducted post inspection satisfaction surveys by way of a questionnaire sent out to premises which have received an inspection. Each returned questionnaire was monitored for any individual issues and then additionally compiled for analysis. Unfortunately due to this exercise being time intensive and with already high satisfaction levels (100% in 2010/11 being satisfied with the sections inspection service), and the service having to focus on more core activities with reduced resources, surveys have not been conducted since 2010/11. However, as part of a wider analysis of business satisfaction with regulators, organised through the Better Business for All project, surveys following inspections were again introduced from September 2015. Following inspections businesses are given information on an online survey form, the results of which are analysed to show satisfaction levels with the inspections carried out in Environmental Health to both officer's approach and service provided. Unfortunately no survey forms were returned in 2018/19 for commercial inspections.

8.2 Better Business for All (BBfA)

The Better Business for All (BBFA) project was launched in September 2011 by the Leicester and Leicestershire Local Enterprise Partnership (LLEP) to build a new relationship between businesses and regulators in the Leicester and Leicestershire area. The aim was for regulators to be seen by businesses as supporting enterprise, growth and investment.

This past year has seen the project continue to deliver notable improvements in the way regulators and business interact and has continued to build on the achievements already made.

Key Achievements 2018-19 include:

- 18 case studies placed on the business gateway pages to demonstrate the benefits to business of engaging with regulators
- Progress made with development and enhancement of the Business Gateway web site with LLEP agreement to procure new provider.
- Worked with the Food Standards Agency in the development of their enhanced registration project
- East Midlands Chambers BREXIT business toolkit promoted to local businesses with links on council website.

Initiatives for 2019/20 include:

- Roll out an e-learning tool for officers to understand business support roles
- Review, update and develop the regulatory content of the business gateway
- Continue to work with the Food Standards Agency in the development of their

- enhanced registration project
- Provide fire safety hazard spotting training for field officers to enhance intelligence between regulators

Information and advice for business can be made through the business gateway at:

www.llepbizgateway.co.uk

Also, the BBFA Advice Pack (formerly the BBFA Start-up brochure) has, with input from a Hinckley and Bosworth representative, been revised to be an easy to follow generic advice guide for all businesses and the updated format, information and advice is available on the Business Gateway, at :

[BBfA Advice Pack](#)

9. Review

9.1 Review

Procedures are in place to review the service plan on an ongoing basis and annually.

The plan is regularly monitored during its year of operation by the Environmental Services Manager who subsequently reports progress at service management meetings. Each quarter a report is produced for all members highlighting the performance of all services in Environmental Health. In these, performance of the Commercial Section is annotated and any issues highlighted. The Executive Member responsible for the Environmental Health portfolio regularly meets with the Environmental Health managers and may also take periodic monitoring reports to the Executive. Any service adjustments required during the year may then be instigated to ensure if possible that the targets set can be met.

At the end of the year the Environmental Services Manager will review the Commercial Sections activities during that year. The review will report through this service plan information on the previous year's performance against the service plan, and any other specified performance target, and performance standards and targeted outcomes. Any identified variance from the service plan and where appropriate the reasons for that variance, will be brought to the attention of the appropriate executive member.

The Scrutiny Commission of the council has a function to review service delivery plans. The Commission may call for the plan at any time and make comment or recommendations to the executive or the council. Additional, as occurred this year (see 8.1) Finance and Performance Scrutiny may call for reports on service performance at any time.

9.2 Identification of variance from the Service Plan 2017/18

9.2.1 Interventions

In total the Section made 655 interventions during 2018/19, representing 98.7% of the target of 663 for the year.

A. Food Hygiene

The section has inspected 480 food premises for food safety and received 44 self-assessment questionnaires, totalling 524 interventions for 2018/19.

The Food Safety Enforcement Service Delivery Plan of 2018/198 required 468 premises to be inspected and 64 premises dealt with by way of self-assessment questionnaire, totalling 532 interventions for the year; hence the food safety inspection programme achieved 98.5% of target. The service 44 questionnaires received represented 68.75% of those sent, whilst 480 premises inspected represented 102% of target.

The resultant enforcement actions are described in the table below.

Food safety enforcement actions

Type of premises	Premises issued with informal notices	Premises issued with improvement notices	Voluntary / emergency closure or surrender of food.	Prosecution/ formal caution
Primary producers	0	0	0	0
Manufacturers and packers	5	0	0	0
Importers/exporters	0	0	0	0
Distributors/transporters	3	0	1	0
Retailers	163	0	0	0
Restaurants/caterers	274	0	0	0
Totals	445	0	1	0

The voluntary surrender of food related to the recall of a batch of bottled ready to eat liquid egg white that was contaminated with salmonella outlined in 5.4.9.

B. Occupational health and safety

The section carried out 106 advisory visits for occupational health and safety and assessed 25 self-assessment questionnaires, totalling 131 interventions for 2018/19.

The Health and Safety Enforcement Service Delivery Plan of 2018/19 required 131 interventions for the year; hence 100% of the health and safety intervention programme was achieved.

The intervention programme led to no significant health and safety enforcement action in 2018/19.

9.2.2 Courses and campaigns

During 2018/19 the service took part in several Food and Health and Safety initiatives as listed below:

- Conducted a campaign for Food Safety Week on the theme of 'The people who keep your food safe' rolled into the Hinckley Feast event
- Of the 856 registered food premises in the borough within the scope of the national Food Hygiene Rating Scheme continued to promote 5 rated businesses by 'tweeting' congratulations and promoting at food events.
- Delivered two Level 2 Awards in Food Safety in Catering
- Conducted a campaign aimed at raising awareness of the risks associated with the handling of beverage gases in the hospitality industry
- Conducted a campaign to raise awareness of the risks of unstable loading at distribution and warehousing operations.
- Led a countywide working group which devised an event model to aid event organisers deliver safe events, provide a consistent framework for local authorities to assess events and provide emergency services with information to be able to plan their resources effectively.

9.2.3 Service requests

In total the Section investigated 178 service requests during 2018/19. This represented 51 for health and safety and 127 food related, a sixteen percent decrease on the previous year.

9.2.4 Sampling

The 2018/19 sampling programme was met with 297 samples being submitted for analysis.

9.2.5 Infectious diseases

The Section carried out 34 infectious diseases, mainly food poisoning, investigations in 2018/19.

9.2.6 Areas of improvement 2018/19

The service was able to progress the majority of the key service improvements and objectives for 2017/18 with refreshing health and safety procedures and policy documents not being achieved due to field work priorities.

One of the key areas for improvement was to continue to examine the potential for the use of new technology by officers when in the field, particularly the use of tablet computers to reduce paper usage and streamline administration. During the year trials have been carried out on software systems and assessment of the hardware available. Colleague's experiences of the software appears generally positive though there were areas that need to be improved to ensure that inspections do not become too prescriptive. Assessment of hardware has also identified potential systems. Therefore in 2019/20 a business case will be submitted with a view to officers using tablet computers for their inspections.

9.3 Areas of improvement for 2019/20

Key service improvements and objectives for 2019/20 are:

1. Keep a watching brief on the new government policy reviews and initiatives with respect to food safety enforcement and health and safety and assess their implications on the council's enforcement service
2. Keep a watching brief on the Leicester and Leicestershire Local Enterprise Partnership
3. (LLEP) development and its implications for the 'Better Business for All' project within the borough to improve the confidence of business in approaching the council for advice and
4. guidance on regulation
5. Review administrative arrangements to improve efficiency and consistency in food safety and health and safety activities.
6. Introduce the use of new technology by officers when in the field
7. Refresh health and safety procedures and policy documents