



**CABINET**

Tuesday 3 September 2019

**EAST SUFFOLK FOOD AND HEALTH AND SAFETY SERVICE PLAN 2019/2020**

**EXECUTIVE SUMMARY**

1. The Council is required to produce a Food and Health and Safety Service Plan in the format prescribed by the Food Standards Agency (FSA) in its Framework Agreement on Local Authority Law Enforcement and as required by the Health and Safety Executive (HSE), as set out in the National Local Authority Enforcement Code – Health & Safety at Work England, Scotland and Wales.
2. The Service Plan must be submitted for member approval and must be reviewed to identify the Council's performance against the Service Plan, any variance from the plan and areas for improvement in the service.
3. This year's Service Plan includes information on the Council's performance in meeting targets, set out in the Service Plan for 2018/19, and recommends to Council the approval of a Food and Health and Safety Service Plan for 2019/20.

Is the report Open or Exempt?	Open
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<b>Wards Affected:</b>	All
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<b>Cabinet Member:</b>	Councillor Mary Rudd, Cabinet Member for Community Health
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## **1 INTRODUCTION**

- 1.1 The Food Standards Agency (FSA) Framework Agreement and Health and Safety Executive (HSE) National Local Authority Enforcement Code require the Council to review its performance against the 2018/19 Food and Health and Safety Service Plan, identify any variance from the plan and areas for service improvement.
- 1.2 As well as reviewing past performance the Council is also required to approve a new Food and Health and Safety Service Plan for 2019/20 (Appendix A).

## **2 REVIEW OF SERVICE PLAN 2018/19**

- 2.1 The Council's performance in meeting targets identified within the 2018/19 Service Plan, and any variance, is contained in paragraphs 7.1, 13.1 and 19.1 of this year's Service Plan, which is attached as Appendix A to this report.
- 2.2 Members' attention is also drawn to the key achievements delivered in 2018/19, which are set out in paragraphs 7.2, 13.2 and 19.2
- 2.3 Areas for service improvement are set out in paragraphs 8, 14 and 20.
- 2.4 The Council's performance in 2018/19 shows a small reduction in the percentage of food businesses broadly compliant with food safety requirements but the overall figure remains high and above the national average. The number of food businesses rated 0 or 1 under the Food Hygiene Rating Scheme (urgent or major improvement necessary) has decreased but there has also been a small reduction in the number of 5 rated premises (very good). Given the overall high levels of compliance, achieving further sustained improvement is challenging and some small fluctuations up and down are to be expected.
- 2.5 As in previous years the team's performance in meeting the intervention programme remains very strong. This has been achieved along with the additional work necessary to prepare for the creation of a single authority and following the departure of two long-serving members of staff who retired in 2018/19.
- 2.6 In 2017 members asked for some comparative national data to benchmark the Council's performance against. At the time of drafting this report the FSA were still to publish national performance data for 2018/19 and so the national performance data in the following table is derived from the 2017/18 information published on the FSA website.

	<b>East Suffolk Performance 2018/19</b> (compared with 2017/18)	<b>National Performance 2017/18</b> (compared with 2016/17)
% food businesses Broadly Compliant	97%	90%
% Businesses Registered but Not Rated	1.6% (down from 2.1%)	90% LAs have less than 10% of businesses registered but unrated
% Change in Full-Time Equivalents dealing with food hygiene	0% (no change in establishment but some posts remained vacant due to recruitment difficulties)	-1.0%
% Food Hygiene Interventions achieved	97.0%	87%
% Change in Hygiene Complaints	+28.9%	-2.5%
% Change in food sampling	-38%	-10%

### **3 FOOD STANDARDS AGENCY REGULATING OUR FUTURE PROGRAMME**

- 3.1 The FSA's Register a Food Business digital service, which went live in September 2018, is continuing to connect local authorities to the service. The service captures registration data from food business operators and provides guidance to support food businesses and help them understand their responsibilities for producing food that is safe and described correctly.
- 3.2 The new service is being tested with early adopting local authorities and East Suffolk Council has recently signed up for the service and will provide feedback to inform the future development of the system.
- 3.3 The service has been developed by the FSA with food business operators in mind and will enable central oversight by the agency of all food businesses registered in the UK. At present food business registration is coordinated and controlled by individual local authorities.
- 3.4 National Inspection Strategies (NIS) are also being developed by the FSA and Primary Authorities and their partner food businesses which have multiple outlets in a number of local authority areas are working together to develop National Inspection Strategies for those businesses. The FSA intend to 'go live' with two NIS for multi-site retailers soon. These will be the first NIS covering food hygiene so they will be treated as extended trials / pathfinders and will evolve as necessary. The FSA also plan further consultation on how the NIS will work alongside the National Food Hygiene Rating Scheme.

#### **4 EAT OUT AND TAKE OUT EAT WELL HEALTHIER FOOD AWARDS**

- 4.1 In 2018 east Suffolk councils worked with the Public Health Team and other Suffolk local authorities on the launch of the Take out Eat Well scheme which builds on the success of the Eat out Eat Well Scheme both of which are designed to encourage and reward food businesses that provide healthy food choices on their menu.
- 4.2 The Council continues to promote both schemes through its website, through publicity on social media and during inspections. East Suffolk currently has 12 award winning takeaway premises and 43 premises holding an award in the Eat out Eat Well scheme. The schemes encourage food businesses to offer customers food which is low in fat, sugar and salt content with fruit and vegetables widely available on their menu and offering some main meals which are high in starchy carbohydrates.

#### **5 PORT HEALTH SERVICE**

- 5.1 The Port Health Team has continued to work with government departments, the FSA, Defra, Port of Felixstowe, ferry operators and importers to plan for the consequences of a no deal Brexit. This has involved further development of the PHILIS (Port Health Interactive Live Information System) online module as a possible national contingency for Traces, the European import declaration system. Officers have also provided input into various Brexit related steering groups and have sat on the IPAFFS (the UK import / export system) project delivery group which has overseen the development of a new UK declaration system.
- 5.2 2018/19 has also seen a major restructuring of the Management Team at Port Health helping the service to achieve a more businesses structured approach. The management restructure was a recommendation arising from an external review of the service and has now been fully implemented with some excellent new appointments. The team are currently working on the next phase of the review which recommended the implementation of a competency framework and the My Conversation staff appraisal scheme.

#### **6 HOW DOES THIS RELATE TO THE EAST SUFFOLK BUSINESS PLAN?**

- 6.1 One of the Council's three priorities within the East Suffolk Business Plan is economic growth and recognition that a strong local economy is essential for vibrant local communities. Given the importance of local food production, preparation and sale to local tourism, the food and safety service provides essential advice, guidance, training and regulation to ensure that local food businesses provide safe food and can prosper.
- 6.2 One of the critical success factors underpinning the Vision in the Business Plan is enabling people to take responsibility for their own mental and physical health and well-being, helping them to live active and healthy lives, while remaining safe within their homes and communities. To achieve this the service is not only focussing on the safety of food on offer in the district but is supporting wider public health objectives designed to tackle obesity by

encouraging food businesses to offer healthy food options. The service has been working closely with the other Suffolk local authorities and the Health & Wellbeing Board on the Eat out Eat Well and the Take out Eat Well healthier food award schemes.

## **7 FINANCIAL AND GOVERNANCE IMPLICATIONS**

- 7.1 There are no new financial implications for the Council from the proposals within this year's Service Plan. Targets and service improvements will be met from budgets already approved for the delivery of the services in 2019/20.

## **8 CONSULTATION**

- 8.1 Scrutiny Committee was consulted on the Service Plan at its meeting on 25 July 2019 and recommended the Plan to Council.

## **9 OTHER OPTIONS CONSIDERED**

- 9.1 The FSA Framework Agreement and HSE National Local Authority Enforcement Code set out in detail the requirements of local authority Food Safety and Health and Safety Service Plans and the framework and guidance has been used in the drafting of the Service Plan attached to this report. No other options were considered.

## **10 REASON FOR RECOMMENDATION**

- 10.1 The Council is required under the FSA Framework Agreement and HSE National Local Authority Enforcement Code to approve a Food and Health and Safety Service Plan for 2019/20 and review its performance in 2018/19.

### **RECOMMENDATIONS**

1. It is recommended that Cabinet:
- a) Notes the Food Safety and Health and Safety performance against the Service Plan for 2018/19, and
  - b) Considers and comments on the Service Plan for 2019/20 prior to consideration by Council on 25 September 2019.

### **APPENDICES**

#### **Appendix A**

East Suffolk Food and Health and Safety Service Plan 2019/20

## BACKGROUND PAPERS

Date	Available From
April 2010	FSA Framework Agreement <a href="http://www.food.gov.uk/multimedia/pdfs/enforcement/frameworkagreementno5.pdf">http://www.food.gov.uk/multimedia/pdfs/enforcement/frameworkagreementno5.pdf</a>
May 2013	National Local Authority Enforcement Code <a href="http://www.hse.gov.uk/lau/publications/national-la-code.pdf">http://www.hse.gov.uk/lau/publications/national-la-code.pdf</a>



# East Suffolk Food and Health and Safety Service Plan

## 2019/20

Approved by

Scrutiny on XX/XX/XXXX  
Cabinet on XX/XX/XXXX  
East Suffolk Council on XX/XX/XXXX



**EAST SUFFOLK COUNCIL**  
**EAST SUFFOLK FOOD AND HEALTH AND SAFETY SERVICE PLAN 2019/2020**

**1. SERVICE AIMS AND OBJECTIVES**

1.1 Aims and Objectives

1.1.1 Food and Safety Service

To ensure that all food businesses comply with the relevant standards, are hygienic and have adequately trained staff.

To ensure that food is fit for human consumption and that any outbreaks of food poisoning and other infectious diseases are controlled.

To secure and maintain a safe and healthy environment, for employees and members of the public, in those establishments for which we have an enforcement responsibility.

1.1.2 Port Health Service

The protection of public and animal health at the border by:

- Ensuring the control of infectious diseases into the United Kingdom via the Port of Felixstowe.
- Ensuring that all vessels within the Port Health District comply with international and United Kingdom health requirements, and are maintained in a hygienic condition.
- Operating the Border Inspection Post at the Port of Felixstowe and enforcing the Trade in Animals and Related Products Regulations 2011.
- Operating the Designated Point of Entry for products not of animal origin and enforcing of The Official Feed and Food Controls (England) Regulations 2009, The Contaminants in Food (England) Regulations 2013 and relevant European Union (EU) legislation at Felixstowe.
- Controlling melamine and Polyamide kitchenware from China in accordance with The Plastic Kitchenware (Conditions on Imports from China) (England) Regulations 2011.

- Ensuring the safety of products not of animal origin imported through Harwich International Port, Harwich Navyard and Mistley Quay in accordance with the Agreement made between Tendring District Council and East Suffolk Council.
- Delivering the port health service at the Port of Ipswich in accordance with the agreement made between Ipswich Borough Council and East Suffolk Council.
- Ensure the safety of high risk animal feed imported through Felixstowe in accordance with the agreement made between Suffolk County Council and East Suffolk Council.
- Support and further developing of the Port Health Interactive Live Information System (PHILIS).

## 1.2 Links to Council Objectives and Plans

In April 2019 the new East Suffolk Council was launched. One of its early priorities will be to agree a new Business Plan for the new Council. Until then the existing East Suffolk Business Plan 2015 -2023<sup>1</sup> remains in place.

The Business Plan sets out the vision of the council and its commitment to improving the quality of life for everyone living in, working in, and visiting east Suffolk and encapsulates how the Council seeks to achieve this.

The Plan has three key strands:

- Economic growth
- Enabling communities
- Financial self sufficiency.

For each of these strands the Plan sets out critical success factors and for community health this is:

Enabling people to take responsibility for their own mental and physical health and well-being, helping them to live active and healthy lives, while remaining safe within their homes and communities.

Sitting beneath the critical success factors are a range of actions to help deliver the vision in the Plan. These include:

- Develop and launch 'Eat Out Eat Well', a healthy food award scheme, to encourage food businesses in Suffolk to offer healthy food choices. This has been completed but work continues to promote the scheme and encourage more food businesses to provide healthy food options on their menu. The scheme has recently been extended to take-away food businesses.

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<sup>1</sup> <http://www.eastsuffolk.gov.uk/assets/Your-Council/Business-Plan/East-Suffolk-Business-Plan.PDF>

- Continue to work, with partners, to ensure east Suffolk remains a safe place for our communities.
- Further improve the efficiency, effectiveness and marketing of the Council owned Port Health service software. During 2017/18 work on adapting the software for use at Heathrow Animal Reception Centre has been completed and the software successfully launched.
- Complete a pilot project to inform HMRC's One Government at the Border programme for the control of the movement of goods. This pilot has been completed and government departments are now focusing on a successful exit from the EU.

1.3 All of these actions have been delivered and this will be reflected in the new Council's Business Plan which will identify new actions to support the revised Plan when published later this year.

1.4 Corporate Team Service Plans for Food and Safety Services and Port Health have been agreed for 2019/20 and are posted on the Council's intranet and are updated throughout the year. The Council's performance against the East Suffolk Business Plan will be reported to both Cabinets on a quarterly basis and will be published separately in the Council's Annual Reports.

1.5 Budget Plans have also been prepared for each service area matching resources to anticipated workloads. These are set out in East Suffolk's Budget Book 2019/20<sup>2</sup>.

1.6 Regular performance review meetings are held between Heads of Service, their Cabinet Member and the team to monitor performance against targets and to assist in identifying areas for improvement within the service.

## 2. BACKGROUND

### 2.1 Profile of the Local Authority

The profile of East Suffolk is set out in the published East Suffolk Economic Growth Plan, 2018-2023<sup>3</sup>. The plan sets out:

- East Suffolk – in numbers
- Profile of East Suffolk
- Summary SWOT analysis
- Strategic context for the refreshed Growth Plan
- East Suffolk Economic Growth Plan, 2018-23: Vision and Strategy
- Key sectors
- Place-based and regeneration priorities

<sup>2</sup> <https://www.eastsuffolk.gov.uk/assets/Your-Council/Financial-Information/Budgets/East-Suffolk-Budget-Book-2019-20.pdf>

<sup>3</sup> <http://www.eastsuffolk.gov.uk/assets/Business/East-Suffolk-Growth-Plan.pdf>

- Delivering the Plan
- Measuring progress and KPIs
- Annex A: Looking back – and projecting forward.

## 2.2 Organisational Structure

### 2.2.1 The Council

On 1 April 2019 East Suffolk Council came into being and on 2 May elections were held. The new Council has 55 members, and the Conservative Group holds the majority of seats. The Council operates a Leader and Cabinet structure and the Cabinet Member with responsibility for food safety matters is Councillor Mary Rudd.

The Council comprises of 11 Service Areas:

- Legal and Democratic Services
- Planning and Coastal Management Services
- ICT Services
- Economic Development and Regeneration Services
- Environmental Services and Port Health
- Financial Services
- Housing Operations and Landlord Services
- Operations
- Communities
- Customer Services and
- Audit Partnership.

We work in partnership with Norfolk County Council to provide operational functions such as property maintenance, refuse collection and grounds maintenance.

Each Service Area has a Head of Service, Phil Gore being the Head of Environmental Services and Port Health.

The Corporate Management Team comprises the Chief Executive, two Strategic Directors and 11 Heads of Service. The Chief Executive, Stephen Baker, has overall responsibility for the efficient management and execution of the Council's functions. See Appendix 1 for further information on the management structure.

### 2.2.2 Service Area for Environmental Services and Port Health

The Service Area for Environmental Services and Port Health comprises six teams:

- Food and Safety
- Port Health
- Environmental Protection

- Environmental Sustainability
- Emergency Planning and
- Corporate Health & Safety.

The Food and Safety, Port Health and Corporate Health & Safety Teams contribute to the Council's aims through activities that include:

- food safety
- imported food controls
- food hygiene regulation and promotion
- health and safety regulation and promotion
- the monitoring and control of infectious diseases including food poisoning
- the management of health, safety and welfare within the Council and
- joint working with others on environmental sustainability.

The Port Health Team is responsible for protecting public and animal health by monitoring the standards of safety of all products of animal origin, non-animal origin products and plastic kitchenware imported into the European Union and the United Kingdom at the Port of Felixstowe and for ensuring the control of hygiene and infectious disease on board vessels. The food and safety service undertakes port health work as Lowestoft Port Health Authority.

The structures of the Food and Safety, Port Health and Corporate Health & Safety Teams are provided in Appendix 2.

The Food and Safety Manager, one Port Health Technical Lead and Port Health Manager have been appointed as Lead Officers for food hygiene and food safety matters, in accordance with the Food Safety Act Food Law Code of Practice. A letter of appointment is contained in Appendix 3.

The Clinical Microbiology Laboratory, Ipswich Hospital and Public Health England (PHE), Colindale Food, Water and Environmental Laboratory (United Kingdom Accreditation Service (UKAS) Testing Laboratory No. 1734) provide specialist services in food microbiology and pathology. The laboratory services provided by PHE have been formalised in Service Level Agreements. The Council has appointed a number of Public Analysts to provide specialist advice on food composition, labelling, and chemical and physical contaminants of food. Public Analysts are listed in Appendix 4. Port Health has regular meetings with our Public Analysts to exchange information about forthcoming requirements and developments and to keep procedures and performance under review. Port Health identified which Public Analyst is used based on a number of factors including the ability to undertake the required analysis, the service delivery timelines and costs.

The Food and Environment Research Agency (FERA) analyse antimicrobial residue samples submitted by the Authority. Samples of fishmeal which are checked for the presence of

mammalian bone are submitted to the Veterinary Laboratories Agency at Luddington which is now part of the Animal and Plant Health Agency (APHA\*) as advised by the Department of Environment, Food and Rural Affairs (DEFRA).

The review of the legislation covering foodstuffs at risk of contamination from mycotoxins and pesticides and the introduction of the high risk product legislation has seen an increase in the number of non animal origin samples taken and submitted to the Public Analysts.

We are a member of Campden BRI and as such have access to technical support on food and safety related matters.

### 2.3 Compliance and Enforcement Policy

We readopted our Compliance and Enforcement Policy in April 2019 covering all of the regulatory services delivered by the Council including the food safety, health and safety and port health services.

The policy reflects changes brought about by the Regulators' Code which establishes how non-economic regulators should interact with those they are regulating. The code requires regulators to:

- carry out their activities in a transparent way that helps those they regulate to comply and grow
- design simple and straightforward ways to engage with and hear the views of those they regulate
- base their regulatory activities on risk and share information about compliance and risk
- ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities.

Officers, including those with responsibility for the enforcement of food and health and safety laws, must have regard to the policy when making enforcement decisions.

## 3. **FOOD SAFETY SERVICE**

### 3.1 Scope of the Food Safety Service

East Suffolk's Food and Safety Team carry out all functions relating to food safety eg:

- carry out interventions, inspections and other visits at food establishments
- contribute to the national Food Hygiene Rating Scheme
  - provide advice to food business operators including help on implementing the FSA's Safer Food, Better Business food safety management system
  - make checks on inland imported food control at retail and catering establishments etc.

- register and where appropriate, approve food establishments
- issue Export Health Certificates and Food Safety Premises Endorsements for Export
  - investigate complaints concerning food, food establishments and food handling practices
- investigate cases of suspected and confirmed food poisoning
  - deliver a food safety education programme, including the level 2 Award in Food Safety in Catering and
  - the Lowestoft Port Health Authority service carries out all functions relating to food safety at ports eg inspect ships and issue Ship Sanitation Control Certificates.

### 3.2 Demands on the Food Safety Service

The numbers of food establishments approved/registered under food safety legislation in East Suffolk is 2,518. A profile of registered/approved food establishments classified in accordance with the FSA's main use codes is given in table 1.

Table 1. Profiles of registered/approved food establishments in East Suffolk. Source: Suffolk Coastal and Waveney aggregated LAEMS returns 2018/19.

FSA Category	Number of establishments in East Suffolk
Primary producers	16
Manufacturers and Packers	99
Importers/Exporters	7
Distributors/transporters	18
Retailers	610
Restaurants and caterers	1,768
Total	2,518

There are 34 food establishments in East Suffolk that are approved/conditionally approved under EU Regulation 853/2004 producing fish, meat and dairy products etc. We have wholesale fish businesses, together with a variety of other fish-related businesses eg smokehouses and two shellfish producers with harvesting and depuration facilities. We also have a dairy that pasteurises milk and produces cream, yogurt and ice cream. Two establishments supply raw cows' drinking milk. We are the originating authority for a large frozen food manufacturer and we also have food businesses that manufacture and export yeast for the bakery industry, mill rice, and one that manufactures sauces and condiments.

Our visitor economy offers a diverse range of tourism experiences. Events attracting several thousands of people are held, these include the Suffolk Show at Trinity Park and the Latitude Festival that takes place at Henham Park. The Food and Safety Team works with the event organisers and others during the planning and delivery of the festival to ensure that the food stored, prepared and served is safe to eat and complies with food safety laws.

The Food and Safety Team perform out of hours inspections where this is necessary eg large outdoor events and Sunday/farmers' markets. Food businesses that are open for business at

night, at weekends or in the early hours of the morning may be identified for occasional inspection at these times.

Lowestoft Port Health Authority (as established by The Lowestoft Port Health Order 1981 No. 88) inspects ships under the International Health Regulations 2006 to ensure ships are controlling health risks. We issue Ship Sanitation Control Certificates and charge fees for this service. Port Health Authorities are Category 1 Responders under the Civil Contingencies Act 2004.

The following estimate is based on recent demand and expected future circumstances:

Ships sanitation inspections anticipated in 2019/20:			
	Number of inspections	Time per inspection (hours)	Total time (hours)
Lowestoft Port Health Authority	36	2.5	90
Suffolk Coastal Port Health Authority	See part 15 of this service plan		

We have a diverse range of food businesses operated by and/or associated with ethnic minorities. This includes Chinese, Bangladeshi, Turkish, Greek, Thai, Portuguese and Polish. The majority of food businesses run by these groups are takeaways, restaurants and retail shops. The food and safety service makes use of FSA translated. Additional translation services may be used where there is a legal requirement to do so, or where it is necessary to help ensure that Food Business Operators (FBOs) understand where action needs to be taken to protect against serious risk to public health, or to assist in efficient and effective service delivery. Additional translation services are rarely needed.

Letters sent to FBOs or customers known to have a poor understanding of English may include sentences in appropriate languages/alphabets advising the recipient of the legal importance of the letter and the need to obtain a full translation. Ship Sanitation and Vessel Food Hygiene Inspections carried out by Lowestoft Port Health Authority frequently involve working with crew and staff from all parts of the world, with the inevitable difficulties associated with a limited understanding of English.

Several food businesses cater specifically for people who are vulnerable eg as a result of age or disability. This is taken into account by appropriate risk scoring criteria used in the risk rating of such premises to determine interventions.

If the UK leaves the EU without a deal, the UK will be treated as a third country and our exports of animals and animal products to the EU will need to be accompanied by Export Health Certificates (EHCs). Those EHCs will be requested from APHA\* by the exporter and they will need to be signed by Official Veterinarians and, for fish and fish products and composite products of animal origin (POAO) only; officials in local authorities. Local



authorities with enforcement responsibilities in establishments wishing to export fish and fish products or composite products to the EU can expect an increase in the demand for EHCs. Whilst local authorities do not have a statutory obligation to provide this export health certification, we are well placed to support local businesses and may elect to expand their service as mitigation against the impact of EU exit. The demand for EHCs could be up to 1,530 EHCs per calendar year. Fees for issuing EHCs are set on a cost recovery basis and published in the Council's discretionary Fees and Charges.

#### **4. SERVICE DELIVERY – FOOD SAFETY**

##### **4.1 Interventions at Food Establishments**

The Food and Safety Team aim to ensure that food in the districts is fit for human consumption and those outbreaks of food poisoning and other infectious diseases are controlled. To achieve this inspections and other interventions are carried out at food establishments using a risk based approach in accordance with the Food Law Code of Practice. Specialist computer software is used to record all food business establishments. These records are updated daily and are used to administer the programme of risk based inspections and other interventions.

Food establishments are risk rated using criteria set out in the Food Law Code of Practice. Establishments receive a risk rating comprised of two sets of criteria:

- the nature of their business eg risk associated with the type of food handled, processing methods, number and vulnerability of customers and
- the standard of food safety achieved and compliance with food safety law.

Hence establishments may be rated as higher risk either because of the high risk nature of their business or because of the lower standards of food safety or both. Establishments receive an overall risk rating ranging from A (highest risk) to E (lowest risk).

Unrated establishments include new businesses that are waiting for an inspection to be carried out eg they may have registered but are not ready to start trading. Examples include new businesses starting up and existing trading businesses where a new food business has registered to take over in the future. New food businesses should give at least 28 days' notice before starting food operations.

Establishments in the outside category include premises such as primary producers that do not form part of our risk based intervention programme. The procedure for handling food registrations, including the initial action to be taken where businesses should be registered but are not, is set down in working procedures.

Profiles of the food establishments in East Suffolk by risk rating categories A to E are shown below in table 2. The proportion of broadly compliant premises, this means businesses that had compliance levels at the time of the last inspection equivalent to a FHRS rating of 3, 4 or 5, is shown for each risk rating category A to E.

Table 2. Profiles of food establishments in East Suffolk according to risk. Source: Suffolk Coastal and Waveney aggregated LAEMS returns 2018/19.

	A	B	C	D	E	Un-rated	Out-side	Total
Total in category	7	46	385	968	995	41	76	2,518
Broadly compliant in category (number)	2	25	347	963	995	-	-	2,332
Broadly compliant (% rounded)	29%	54%	90%	99%	100%	-	-	-

The minimum intervention frequency as required by the Food Law Code of Practice and the estimated time per intervention for each risk category are set out below in table 3.

The range of available interventions for food establishments includes inspections, monitoring, surveillance, verification, audit, sampling, education, advice, coaching, information and intelligence gathering. The regulatory burden is minimised by selecting the most appropriate intervention appropriate for the risk category of the establishment. Alternative enforcement strategies include the use of questionnaires for appropriate lower risk category E food business establishments.

Table 3. Food Law Code of Practice minimum intervention frequency and locally estimated time per intervention for each risk category.

Category	Minimum intervention frequency	Estimated time per intervention (hours)
A	6 months	5
B	12 months	5
C	18 months	3.5
D	24 months	2
E	Alternative enforcement every 3 years	1
Unrated	-	2

The numbers of food interventions due in 2019/20 by risk category in East Suffolk are shown below in table 4.

Table 4. Number of food interventions due and time taken by risk category in 2019/20.  
Source: Uniform reporting

Category	Interventions (number)	Estimated time per intervention (hours)	Total time for interventions (number x hours)
A	7 (x2)	5	70
B	45	5	225
C	209	3.5	731.5
D	488	2	976
E	359	1	359
Unrated (estimate)	110 <sup>4</sup>	2	220
Total		-	2581.5

The food interventions at predominantly lower risk premises that were not completed in 2018/19 will be picked up during 2019/20 and are shown below in table 5. These are often as a result of access issues with seasonal businesses or because resources were focused on higher risk premises.

Table 5. Number of food interventions due in 2018/19 to be carried forward into 2019/20.  
Source: East Suffolk's aggregated LAEMS returns 2018/19.

Category	Interventions (number)	Estimated time per intervention (hours)	Total time for interventions (number x hours)
A	0	5	0
B	0	5	0
C	4	3.5	14
D	15	2	30
E	17	1	17
Unrated	41	2	82
Total	77	-	143

Interventions are undertaken following documented procedures. The date of a primary inspection may be brought forward eg in response to a complaint, a new food registration, material change in the business, receipt of information from the FSA, an outbreak, or seasonal business that may be closed at the time of the next date due etc. Other interventions are carried out at other times eg in response to customer complaints, alleged cases of food poisoning, food alerts, sampling, revisits and requests for advice.

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<sup>4</sup> Estimate based on interventions of unrated businesses carried out in 2018/19.

Most food businesses that supply food direct to the public receive a rating under the Food Hygiene Rating Scheme (FHRS). These ratings range from 0 (urgent improvement necessary) to 5 (very good). Businesses that receive a rating of 0, 1 or 2 have a poor level of compliance with food safety and hygiene law ie they are poor compliers. Businesses that are broadly compliant with these laws will receive at least a rating of 3 and the businesses that reach at least the minimum standards of food safety law will receive the top rating of a 5. Interventions will be brought forward for poor compliant businesses ie even if the next minimum inspection frequency date is after 31 March 2020. These interventions aim to achieve better and sustained compliance rates at poor compliant businesses. Revisits of poor compliant businesses due in 2019/20 will also be carried out. An estimate of the number of these types of interventions expected in 2019/20 and the estimated time to complete is shown in table 6.

Table 6. Estimated interventions at poor compliers and approved premises in 2019/20.

Task	Interventions (number)	Estimated time per business (hours)	Total time for interventions (number x hours)
Interventions at poor compliers	47	6	282
Approved premises	34	15	510
Total			792

The estimated number of interventions at poor compliers is based on the number of businesses with a FHRS of 0, 1 or 2 as at April 2019.

The Trading Standards Department of Suffolk County Council has responsibility for food standards matters. Liaison arrangements are in place through the Suffolk Food Liaison Group to develop joint work arrangements and to help ensure that matters of joint interest, such as food labelling, imported food, Animal By-Products and allergens are discussed. Joint visits with Trading Standards Officers are made where appropriate. Copies of all food registrations received are forwarded to Suffolk County Council's Trading Standards Department.

#### 4.2 Food/hygiene of premises complaints

Officers investigate food complaints in accordance with documented procedures and, where necessary, liaise with Primary, Originating and Home Authorities during the course of investigations. In determining an appropriate course of action, the Food and Safety Team takes into consideration any reports received from the Primary, Home or Originating Authorities, and the food business identified as the cause of the complaint, and will have regard to the Council's Compliance and Enforcement Policy.

Food/hygiene of premises complaints anticipated in 2019/20: Estimate based on 2018/19 complaints.

Number of complaints	Time per complaint (hours)	Total time (hours)
330	2	660

#### 4.3 Food Sampling Policy

We recognise the contribution sampling can make to the protection of public health and the food law enforcement functions of the Authorities. We are committed to providing the resources necessary to carry out a sampling programme. Authorised Officers are responsible for undertaking our food sampling functions and we have a food sampling programme for microbiological and algal toxin purposes. The food sampling is prioritised to concentrate upon one or more of the following criteria:

- foods which are produced within East Suffolk
- the risk ratings of the premises
- any local, regional or national coordinated sampling surveys or programmes.

The majority of samples taken are done so for the purpose of monitoring, surveillance and intelligence gathering. Samples are taken in compliance with the relevant Code of Practice and consideration of our Compliance and Enforcement Policy. Official laboratories as designated by the FSA will be used for samples obtained during the sampling programme. The Public Health England Laboratory, London, Eurofins trading as Public Analyst Scientific Services, the Council's Public Analyst, CEFAS laboratories at Lowestoft and Weymouth and other accredited laboratories are used for the analysis of samples.

Samples may be taken during manufacturing/production processes, for the purposes of ensuring food safety and for ensuring the effectiveness of the critical controls in the process. Sampling may include swabs taken from surfaces where they are sent to an official control/accredited laboratory. The manufacturer will be notified of the result of any such sample analysis or examination.

We do not currently act as a Home Authority or Primary Authority for any food business. Where sampling identifies a problem with food manufactured outside the districts, the relevant primary, home or originating authority will be notified, and a copy of the certificate of analysis or examination forwarded to them.

Food sampling will not normally be undertaken as a constituent part of food safety intervention. It may take place if, during the intervention, the authorised officer identifies a particular problem that needs further investigation.

Samples of food received as a food complaint may require microbiological examination, chemical analysis or expert identification.

Where a particular premise or food produced in the districts is implicated with a case or cases of food borne disease, food samples may be taken and submitted for examination, for the purpose of identifying any likely source of infection, and controlling any risk to public health.

Food samples may be taken and submitted as part of a special investigation eg in response to a food hazard warning, or to other intelligence received about potential food safety and quality issues.

Samples anticipated in 2019/20		
Number of samples	Time per sample (hours)	Total time (hours)
60	3	180

The sampling of shellfish and river water in commercial shellfish production areas is carried out in consultation with the FSA and CEFAS for the purpose of maintaining the necessary EU classifications for those areas and for monitoring the risk of algal toxins. Shellfish and river water is sampled from shellfish beds in the River Deben and Butley Creek and their associated depuration plants. Samples of shellfish flesh and water are sent to CEFAS laboratories in Weymouth and Lowestoft. It is anticipated that the main shellfish sampling and follow up action will require up to two working days per month. The majority of the sampling work at these producers is undertaken by the Student Environmental Health Officer.

#### 4.4 Control and Investigation of Outbreaks and Food Related Infectious Disease

The Food and Safety Team will assess and respond accordingly to reports of communicable diseases, including food-associated illness. The investigation of outbreaks of food poisoning is conducted in liaison with the Consultant in Communicable Disease Control (CCDC) having regard to the PHE East of England Public Health Response to Notifiable Gastrointestinal Infections (July 2015). Certain infections requiring particular information will be collected as a matter of urgency and passed to the Anglia Health Protection Team, PHE in accordance with the East of England Standard Approach to Investigating Gastro-Intestinal Disease Cases.

Responses to reports of communicable diseases, including food-associated illness are undertaken following documented procedures.

Gastrointestinal disease case notifications anticipated requiring follow up in 2019/20:		
Number of cases*	Time per case (hours)	Total time (hours)
70	2.5	175

\*Excluding Campylobacter.

Joint civil contingency and emergency stand-by arrangements exist to respond to suspected or confirmed outbreaks of infectious disease or food poisoning with either the potential to cause serious harm or death to any person, or debilitating illness or disease to significant numbers of people, or illness or disease to particularly vulnerable populations.

#### 4.5 Food Safety Incidents

Arrangements are in place to receive FSA Food Alerts for Action and take specified action on behalf of consumers.

Food alerts for action anticipated in 2019/20		
Number of alerts	Time per alert (hours)	Total time (hours)
4	14	56

#### 4.6 Primary Authority and Home Authority Schemes

The Regulatory Enforcement and Sanctions Act 2008 introduced into law the principle of the Primary Authority (PA). All local authorities are required by law, when considering enforcement action against a business with multiple outlets, to follow advice agreed between the business and its PA. The purpose of these requirements is to achieve greater consistency in enforcement action in large, multi-outlet businesses.

We support PA and Home Authority (HA) schemes. Where PA partnerships are registered with the Office for Product Safety & Standards (OPS&S), an officer will contact the PA to ensure that proposed actions are not contrary to appropriate advice that the PA has previously issued.

#### 4.7 Advice to Business

We endeavour to build on their existing liaison arrangements with businesses, both to improve existing consultation arrangements, and to encourage and facilitate business growth. The team provides advice to businesses eg:

- the provision of proformas to assist businesses in complying with the law
- directing enquiries to relevant sources of competent and reliable advice eg FSA website
- provision of advice to businesses during interventions, via our own website, over the telephone and via partners etc. and
- responding to requests for advice from businesses and members of the public.

Requests for food safety advice/assistance anticipated in 2019/20:		
Number of requests	Time per request (hours)	Total time (hours)
375	1.5	562.5

Our website gives information on setting up a new business, online channels for food business registration/application for food establishment approval, an online training course

booking and payment system and online forms to submit complaints and notifications. It has other information such as allergens and Safer Food Better Business packs with links to the FSA's website for more information.

Food Registrations/changes to registrations anticipated in 2019/20:		
Number of registrations/changes	Time per registration (hours)	Total time (hours)
360	1	360

#### 4.8 Economic Challenge

We are conscious of the need to help deliver conditions for business success whilst meeting our aims and objectives. We are particularly aware of the benefits of listening to the needs of businesses and will continue to:

- provide information and advice
- signpost sources of information
- provide local low cost training
- monitor and respond as appropriate to regular feedback from questionnaires
- deal with applications to trade in a prompt manner eg food business registration applications and applications for the approval of food business establishments
- take account of and respond to national and local influences
- regularly review our procedures.

We have supported the work of engaged Suffolk and Norfolk regulatory services working with the Norfolk and Suffolk Local Enterprise Partnership (LEP) to develop stronger links to help improve the effective and efficient delivery of regulatory services via the New Anglia Better Business for All (BBfA) partnership.

There continues to be a significant number of enquiries received from people seeking advice who are exploring the setting up of their own small business from home eg home catering. Although these tend to be low risk activities they do involve some time in tailoring appropriate advice.

The ministerial Food Law Code of Practice requires that all food establishments should receive an initial inspection. This should normally take place within 28 days of registration or from when the Authority becomes aware that the establishment is in operation. This reflects the importance of ensuring new food establishments are complying with food law.

#### 4.9 Liaison with other Organisations

We have extensive liaison in place with a wide range of other organisations. For food safety matters these include:

- Food Standards Agency



- Suffolk Food Liaison Group
- Eastern Region Sampling Group
- East of England Port Health Network
- Association of Port Health Authorities
- CCDC and the East of England Health Protection Team, PHE
- Food, Water and Environmental (FW&E) Laboratory, PHE
- DEFRA
- The Thames Estuary, Essex and Suffolk Shellfish Liaison Group
- Liaison with HM Revenue and Customs nationally and locally in relation to imported food controls and smuggled products of animal origin
- Liaison with Planning and Building Control Teams
- Campden BRI - an independent membership-based organisation carrying out research and development for the food and drinks industry
- Associated British Ports
- Maritime and Coastguard Agency
- Trading Standards/Environmental Health Departments nationally as required
- Care Quality Commission
- Suffolk Adult Safeguarding Board
- New Anglia Better Business for All partnership
- Marine Management Organisation
- Public Health, Suffolk County Council.

#### 4.10 Food Safety Promotion

We promote food safety using materials made available by the FSA that are intended for businesses or the public. Examples include helping business operators meet regulations on food hygiene through promoting and supporting the FSA's Safer Food, Better Business packs together with the use of FSA material via social media eg Food Safety Week.

The team has a programme to deliver the Level 2 Award in Food Safety in Catering.

## 5. RESOURCES

### 5.1 Financial Allocation

Details of budgetary provisions are included in East Suffolk's Budget Book 2019/20<sup>5</sup>. Our corporately managed legal services provide support to service areas. There is also financial provision made to enable the use of external legal services, where appropriate.

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<sup>5</sup> <http://www.eastsuffolk.gov.uk/assets/Your-Council/Financial-Information/Budgets/East-Suffolk-Budget-Book-2019-20.pdf>

## 5.2 Staffing Allocation

### 5.2.1 Head of Service

The Head of Environmental Services and Port Health is Phil Gore who provides a 0.45 FTE towards achieving the Food and Health and Safety Service Plan.

### 5.2.2 Food and Safety Team

The Food and Safety Team has full time equivalents available for food safety related work as follows in table 7.

Table 7. FTE food safety

Professional staff	Support staff
Food safety 7.07 FTE	0.98 FTE

The resource allocation set out in table 7 above is sufficient to complete the estimated programme of work outlined in the service plan for 2018/19 and set out in table 8. Additional unplanned work may require reprioritisation within the plan.

Table 8. Summary of food work programme: East Suffolk professional staff time allocation

Tasks	Time allocation (hours)
Lowestoft Port Health Authority Ships inspections	90
Food interventions due 2019/20	2,581.5
Food interventions carried over from 2018/19	143
Poor compliers	282
Approved premises	510
Complaints	660
Sampling	180
Gastrointestinal cases investigations	175
Food alerts	56
Advice/assistance	562.5
Food registrations	360
Revisits, report writing, myConversations, procedure updating, officer training and development, lead officer roles, peer review, CPD, team meetings, student training, Eat Out Eat Well and Take Out Eat Well awards, food export/health certificates, FOIs and EIRs, media enquiries, data protection requests, further enforcement and advisory work, teaching courses, and website updates etc.	4,996
Total	10,596

### 5.2.3 Staff Development Plan

Our People Development Strategy has the development of our workforce at its heart. Evidence requirements are around good understanding of objectives and drivers, meeting skills needs, reviewing the learning.

The Council has agreed a set of values and behaviours and has adopted a staff performance and development scheme called myConversation. The values are about a collective, positive attitude; about working together as one team, every day and how we aspire to behave collectively. The five values are proud, dynamic, truthful, good value and united. These values have been embedded as an important part of staff culture and development. As part of the myConversation scheme, officers formally discuss their performance and development with their line manager every few weeks. Progress with the plan is reviewed so any issues can be raised. Relevant training areas are identified to ensure the requirements for authorised officers are met.

Relevant training areas are identified to ensure the requirements for authorised officers in accordance with the Food Law Code of Practice are met.

The Food and Safety Team ensures that all enforcement officers are appropriately qualified and receive regular training to maintain and improve their level of competency. All officers are expected to have access to the equivalent of at least 10 hours of core food CPD and 10 hours of other professional matters ie CPD that will support an officer's profession. A combination of both internal and external training helps officers to achieve this aim.

The Council supports a well established student EHO training programme. The appointment of the student is coordinated by an officer from the Food and Safety Team who also manages and oversees the student's training programme.

## 6. **QUALITY ASSESSMENT**

### 6.1 Quality Assessment

The Food and Safety Team has a range of documented procedures which are subject to monitoring and review. A countywide common procedure template, aligned to the current Food Law Code of Practice, has been adopted.

### 6.3 Inter Authority Audits and Peer Review

The principle of inter authority audits (IAA) is fully supported. The Food and Safety Team has undertaken inter authority inspection and quality and monitoring. Peer review takes place amongst the team eg discussions during team meetings and joint visits.

### 6.4 Internal Monitoring Arrangements

The Food and Safety Team has the following arrangements in place to assist in the quality assessment of the work carried out:

- documented work procedures (under a process of continuous review)
- samples of post-inspection reports, letters and notices are checked
- a sample number of inspections, either by shadowing or a follow-up visit or file review at team meetings
- one to one meetings.

The contents of statutory notices are discussed and agreed, where appropriate, with the appropriate manager or colleague before service.

#### 6.5 Customer Satisfaction Surveys and Complaint Procedures

Customer satisfaction is collected on training courses and business satisfaction is collected via online surveys. A statistical summary of the results of these surveys is shown in Appendix 5.

The Council's complaint procedures are published on our website. A summary of complaints received in 2018/19 is produced in Appendix 6.

The FSA introduced an Independent Business Appeals Panel in response to the government's small food manufacturers review (part of the Focus on Enforcement Campaign). The Independent Business Appeal Panel considers complaints or appeals against advice given by local authorities in England about food safety and food standards that a food business operator thinks is incorrect or goes beyond what is legally required. No cases relating to our service have been taken to the Independent Business Appeal Panel to date.

#### 6.6 Team Meetings

The Food and Safety Team schedules monthly meetings to discuss all matters relating to operational issues of the service, including issues relating to competency and consistency. The meetings are used to review procedures and provide an opportunity to promote, explore and produce benefits of partnership working.

#### 6.7 Bench Marking

The Food Standards Agency (FSA) publishes on their website the food safety enforcement activity carried out by all local authorities in the UK. This information is collated from the Local Authority Enforcement Monitoring System (LAEMS) statistical returns provided by local authorities and provides a resource to bench mark performance with other local authorities. The FSA also reports this performance data to Government and Europe.

Monitoring performance against the standards set out in the Food and Health and Safety Service Plan is via management meetings and annually to full Council.

## 7. REVIEW – FOOD SAFETY

### 7.1 Identification of any Variation from the Service Plan – Food Safety

The Food and Safety Team continue to work hard and perform well during another year of significant challenges.

All officers are authorised over a range of legislation that includes the food safety activities set out in parts 4 to 8 of this service plan and the occupational health and safety activities set out in parts 9 to 14. Officers and support staff work flexibly across both of these types of activities so the proportion of time spent on food safety compared with health and safety varies according to workloads and priorities.

Factors that adversely affected the team's capacity to deliver the service in 2018/19 were predominantly unplanned and not routine.

- Three long standing and experienced officers, one following long term sickness absence, retired during 2018/19. A fourth experienced officer resigned to pursue other interests. We have actively tried to fill the vacancies but, along with other LAs in the East of England, there is a shortage of applicants. A combination of contractors, flexible working and additional hours were used to help cover the resource gap caused by unfilled vacancies.

These factors put pressure on staff but the team responded well to ensure that consumers were protected by adopting a risk based approach to prioritise work.

The Food and Health and Safety Service Plan 2018/19 was largely completed with regards to food safety.

- We liaised with Suffolk County Council (SCC) with the aim of reviewing our database of childminders and follow up with information/advice and check compliance as necessary. However, SCC did not share data they hold on childminders with us. Childminders receive information on food safety from other agencies and typically have low risks associated with food handling.
- We planned to adopt a new KPI: % East Suffolk food businesses improved or remained the same in the FHRS but were unable to because of the migration to a FHRS database for East Suffolk.

### 7.2 The food safety key achievements in 2018/19 worthy of note are:

- Appointed and coached the team's first corporately funded Food and Safety Apprentice. The apprentice has become well established and is carrying out core roles to support Environmental Technical Support Officers and authorised officers.

- Adopted and reported on the KPI: % East Suffolk food businesses rated 3-5 FHRS. Target: 95%. End of year actual: 98%.
- As part of a corporately led project we continued to explore improving mobile working options.
- Reviewed, revised and updated many document templates that we use to include changes ready for East Suffolk Council.
- Took samples of shellfish/river water as part of the statutory shellfish harvesting classification programme and algal bio-toxin monitoring programme. This work was largely undertaken by the student EHO as part of practical training.
- Delivered the food hygiene training programme with 42 candidates attending the full day Level 2 Award in Food Safety in Catering. Three candidates failed, two took the examination again and one passed. Customer satisfaction surveys show that 97% of delegates rate training courses with the top rating of 'good' and 3% rated them 'average'.
- Over 97% of businesses who responded to an online survey following an intervention said that they were treated fairly.
- We published new e-forms on our website to replace paper based forms. The new forms improve our business processes eg by reducing steps involved in processing payments, reduces the risk of accounting errors, and eliminates the risk of returned cheques. It also makes it easier for customers to:
  - Apply and pay for Export Health Certificates and Food Safety Premises Endorsements for Export
  - Complete and return a food alternative enforcement questionnaire
  - Apply for a food business establishment approval
  - Apply for a food business establishment registration
  - Submit a Food Hygiene Rating Scheme 'Right to reply'
  - Submit a Food Hygiene Rating Scheme Appeal
  - Submit and pay for a Food Hygiene Rating Scheme: Request for a re-visit
  - Request live bivalve molluscs or shellfish registration documents and
  - Apply and pay for Lowestoft Port Health Authority Ships Sanitation Inspections.
- We continued working with other Suffolk local authorities to encourage businesses to sign up to the Suffolk Health and Wellbeing Board supported Eat Out Eat Well (EOEW) award. To qualify for the award, businesses must show their commitment to providing healthier choices; this includes keeping fat, sugar and salt to a minimum, making fruit and vegetables widely available and basing main meals on starchy carbohydrates. There are three levels of award: bronze, silver and gold. The level awarded is based on an

assessment that takes into account the type of food on offer, cooking methods, and how businesses promote healthy choices to their customers. As at June 2019 there were 43 businesses with an EOEW in East Suffolk award: 10 gold, 25 silver and eight bronze.

- Suffolk's Take Out Eat Well award was launched in 2018. 12 businesses in East Suffolk have this award. Action point in the East Suffolk Business Plan 2015 – 2023.
- Lowestoft Port Health Authority issued 36 Ship Sanitation Control Certificates/Ship Sanitation Control Exemption Certificates. These certificates are routinely issued to ships engaged in international journeys to identify and record all areas of ship-borne public health risks together with any required control measures to be applied. The certificates carry a six month period of validity and can only be renewed at a port authorised to issue such renewals.
- Produced a Port of Lowestoft Public Health Emergency Contingency Plan.
- Arranged with the FSA to submit our 2018/19 Local Authority Enforcement Monitoring System (LAEMS) return as a joint East Suffolk set. A summary of the interventions, enforcement actions and compliance data is shown in table 9 below (2017/18 data provided for comparison). Higher risk establishments were prioritised for inspection. Outstanding interventions will be rolled over to 2019/20.

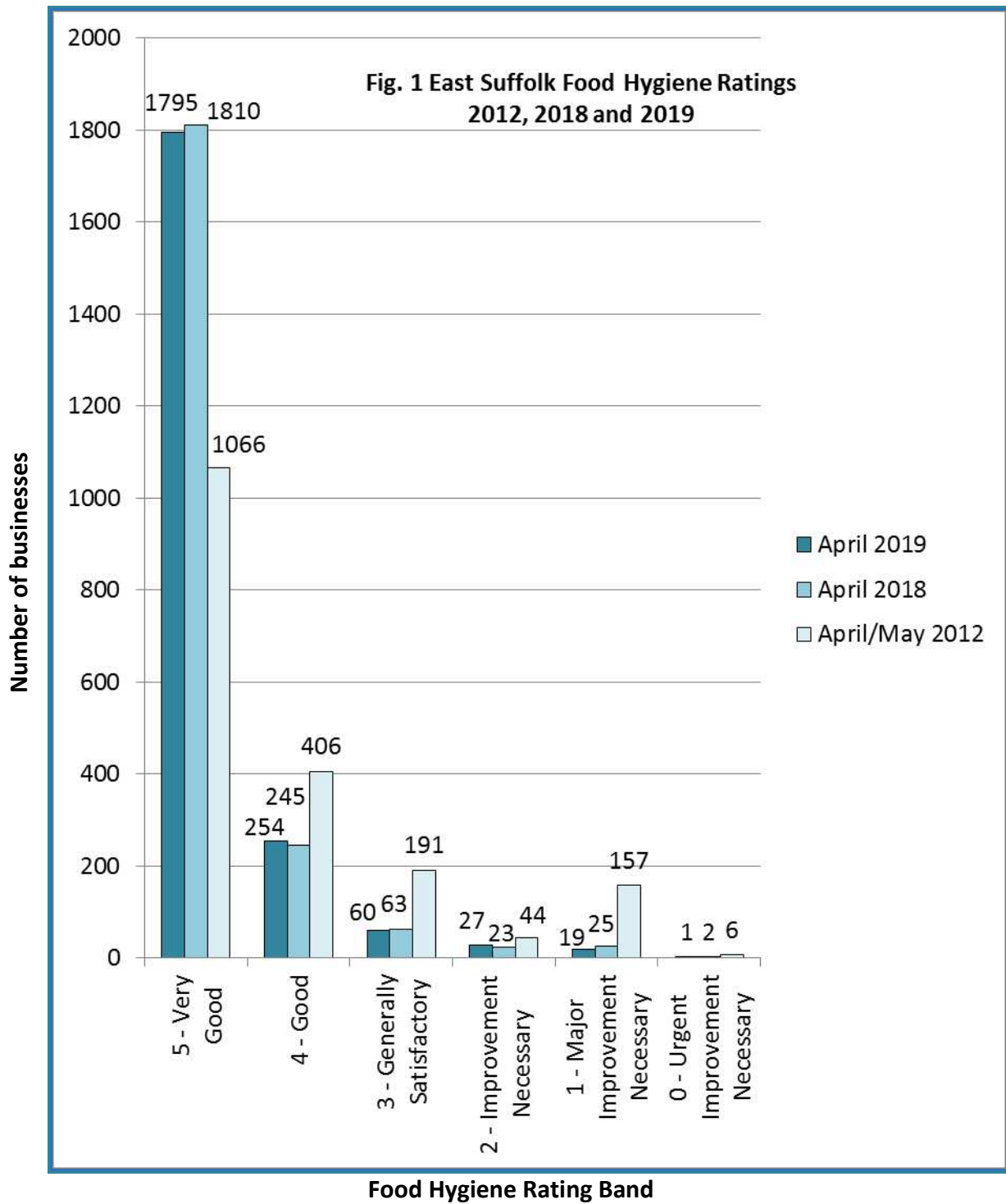
Table 9. Summary of food interventions, enforcement actions and compliance data for East Suffolk. Source: LAEMS return for 2018/19.

LAEMS Criteria		East Suffolk	
		2018/19	2017/18
Total % of interventions achieved by premises category. Interventions include: inspections and audits, verification and surveillance, sampling visits, advice and education visits, and information/intelligence gathering.	A	100% (23 interventions)	100% (35 interventions)
	B	100% (82 interventions)	100% (94 interventions)
	C	98.72% (308 interventions)	99.36% (314 interventions)
	D	97.47% (577 interventions)	97.95% (586 interventions)
	E	94.85% (313 interventions)	97.93% (387 interventions)
	Unrated	107 interventions	199 interventions
% Broadly compliant. All categories (excluding unrated and outside)		97.13%	97.6%
% Broadly compliant. All categories (including unrated)		95.5%	95.47%
No. of establishments subject to:			
– Written warnings		543	621
– Improvement notices		1	3
– Emergency Prohibition Notices		0	0
– Prohibition Orders		0	0
– Voluntary closures		4	0
– Seizure, detention and surrender of food		2	2
– Remedial Action Notices		1	2
– Prosecutions		0	0
– Simple cautions		0	0
– Suspension/ revocation of approval		0	0
Samples taken		39	63
Complaint investigations - food		49	38
Complaint investigations – hygiene of premises		279	262



- Arranged with the Food Standards Agency (FSA) to publish Food Hygiene Ratings Scheme (FHRS) ratings as East Suffolk.
- The Food Hygiene Rating scheme (FHRS) helps people choose where to eat out or shop for food by giving information about hygiene standards in places supplying food direct to the public. It also recognises businesses that achieve good standards of food safety and hygiene. Each food business is given a food hygiene rating on a scale from 0 to 5 when it is inspected by a local authority officer. The top rating is '5' – this means the hygiene standards are very good. A business that meets the legal minimum standard will achieve a 5. The bottom is '0' – this means urgent improvement is required. Food businesses are given a sticker that they can put on their window/door. All ratings are published on the FSA's website. The distribution of ratings is shown in Figure 1 below. Over the seven years up to April 2019, 729 more businesses in East Suffolk achieved a top FHRS rating of 5 compared to 2012.
- In conjunction with our Communication Team we continued to use Twitter to regularly highlight businesses that achieve a top FHRS rating of 5.
- By the end of 2018/19, 2,109 food businesses in East Suffolk, almost 98% of the food businesses in scope, had a FHRS rating of 3-5. A risk based approach will continue to be applied to poor complying businesses. Compliance by businesses that have a history of poor performance is often subject to fluctuation because standards sometimes drop after intervention. The FHRS provides businesses with an incentive to maintain improvements. The mandatory display of ratings, as in Wales and Northern Ireland, would provide a further incentive.

Fig 1. Distribution of Food Hygiene Ratings in East Suffolk 2012<sup>6</sup>, 2018 and 2019.



<sup>6</sup> 2012 baseline year when the scheme was introduced locally.

- In order to ensure that the FHRs is fair to businesses, it has been designed to include a number of safeguards. These are: an appeal procedure; a right to reply; and an opportunity to request a re-visit when improvements have been made in order to be re-assessed for a new rating. Information about these safeguards is provided to food businesses when they are told of their rating and it is also available on the Council and FSA websites.

Table 10. Food Hygiene Rating Scheme Revisit Requests, Right to Reply and Appeals received 2018/19.

FHRs safeguard	Number
Revisit requests	40
Right to Reply	1
Appeals - upheld	0
Appeals - not upheld	0
Appeals - over 21 days	0

- We registered 361 new food business operators/recorded changes to registrations as detailed below.

East Suffolk	
2018/19	2017/18
361	408

- We responded to 375 food safety advice/assistance service requests.

East Suffolk	
2018/19	2017/18
375	406

- Infections requiring particular information to be collected were promptly followed up and passed to the Public Health England (PHE) Anglia Health Protection Team, in accordance with the East of England Standard Approach to Investigating Gastro-Intestinal Disease Cases. A national records system is used to help identify common factors and detect links to cases and outbreaks at an early stage. Cases are confirmed when a stool sample is provided by someone suffering from food poisoning symptoms and is sent to a laboratory by a GP or other health professional. Not all people suspected of having food poisoning contact their GP or provide a stool sample for testing. Therefore, the exact numbers of cases of food poisoning are not known and there is under reporting. Tables 11 and 12 below show cases of infections.

Table 11. Gastrointestinal disease cases in East Suffolk April 2018 to March 2019 and April 2017 to March 2018. Source East of England Health Protection Team, Public Health England Centre.

Disease	2018/19	2017/18
E coli O157 VTEC	<10	<10
Salmonellosis	24	22
Campylobacteriosis	287	227
Cryptosporidiosis	19	35
Giardiasis	20	14
Shigella dysentery	<10	<10

Table 12. Gastrointestinal disease cases in East Suffolk April 2018 to March 2019 and April 2017 to March 2018, rate per 100,000 population\*. Source East of England Health Protection Team, Public Health England Centre.

Disease	2018/19	2017/18
E coli O157 VTEC	0.4	0.8
Salmonellosis	9.7	8.9
Campylobacteriosis	116.2	91.9
Cryptosporidiosis	7.7	14.2
Giardiasis	8.1	5.7
Shigella dysentery	1.6	0.4
Total	143.8	121.9

\* ONS mid-year estimates 2017

## 8. AREAS FOR IMPROVEMENT – FOOD SAFETY

8.1 In 2019/20 the Food and Safety Team plan to:

- Utilise laptop/tablet technology on site to facilitate more effective communication following interventions and to record observations, photographs etc. at the time of the visit.
- Volunteer to adopt the FSA’s new register a food business digital service. This service has been developed to make it easier for food business operators to register and receive relevant information and guidance and will also enable local authorities to capture consistent and high-quality registration data.
- Continue supporting the local New Anglia Better Business for All programme which will include the New Anglia Compliance Partnership website.

- Work with Public Health Suffolk to promote the Eat Out, Eat Well and Take Out, Eat Well healthy eating awards as part of the Council's presence at the Suffolk Show and supporting the theme of the investments we are putting into the future of the District.

## 9. HEALTH AND SAFETY SERVICE

### 9.1.1 Scope of the Health and Safety Service

We carry out interventions relating to health and safety matters in those premises for which it has enforcement responsibility eg retail, leisure, catering and hospitality, care homes (employee related only), retail and wholesale distribution warehousing etc.

- proactive inspection will be used to target the high risk activities in sectors specified by HSE in the National Local Authority Enforcement Code or where intelligence suggests risks are not being effectively managed
- engagement with event organisers in partnership with other agencies via the Safety Advisory Group to address public safety at events
- investigation of complaints concerning work premises and practices
- investigation of accidents and dangerous occurrences reported under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013
- health and safety education programme, including Level 2 Award in Health and Safety in the Workplace
- Sunday trading laws
- consultee as a responsible authority under the Licensing Act 2003
- registration of skin piercing activities.

### 9.10 Demands on the Health and Safety Service

East Suffolk attracts many tourists particularly during the summer months. Events attracting several thousands of people are held, these have included the Suffolk Show at Trinity Park and the Latitude Festival that takes place at Henham Park. The Food and Safety Team works with the event organisers and others during the planning and delivery to ensure that persons involved in the events and the members of the public that attend them are protected from risks to their health or safety.

## 10. SERVICE DELIVERY – HEALTH AND SAFETY

### 10.1 Health and Safety Premises Inspection and other Interventions

The responsibility for the enforcement of the Health and Safety at Work Act etc. 1974 and relevant statutory provisions is governed by the Health and Safety (Enforcing Authority) Regulations 1998 that allocate enforcement to either the Health and Safety Executive or Local Authority according to the main work activity. Since 1974 local authorities have been

responsible for enforcement of the health and safety laws in places such as shops, retail and wholesale warehouses, offices, catering, restaurants, bars, hotels, care homes (without nursing care), leisure and cultural services such as golf courses, horse riding establishments and motor sports together with consumer services such as undertakers and workshops fitting tyres and exhausts.

The Health and Safety Executive is responsible for the remainder of activities eg factories, building sites, farms, vehicle repair workshops, railways, power stations, care homes providing nursing care, docks, fairgrounds, schools, colleges and Council run services.

Under a Memorandum of Understanding (MoU) the Care Quality Commission (CQC) now have responsibility for the regulation of health and safety in registered care homes that principally affects the service user under the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014. Local Authorities still have powers under the Health and Safety at Work etc. Act 1974 in relation to the health and safety of employees. The MoU is currently being reviewed following concerns raised by Local Authorities that the level of protection under health and safety law has been diminished as CQC appear to have more limited powers in the case of a imminent serious health or safety risks.

In May 2013 HSE published the National Local Authority Enforcement Code. The Code is designed to ensure that LA health and safety regulators take a more consistent and proportionate approach to their regulatory interventions. It sets out the Government expectations of a risk based approach to targeting. Each year the HSE hosts national update sessions to cascade the priorities for regulation for the following year. One of the Food and Safety Team officers chairs the Norfolk and Suffolk Health and Safety Liaison Group and attends this session. The HSE also publish a list of activities in types of premises that are deemed suitable for proactive intervention. The HSE use national accident data, labour force surveys and intelligence from Local Authorities to shape the annual list to ensure that resources are focused in the businesses that present the greatest risk.

HELA Circular LAC 67/2 (rev 8) provides a nationally consistent framework for guiding the Local Authority as to the appropriate interventions based on risk and efficacy where local authorities regulate health and safety. There are no predetermined inspection frequencies as it is expected that the LA will follow the Code and use intelligence such as reported incidents or complaints to decide whether a proactive inspection is justified. We are committed to improving health and safety outcomes where there is greatest risk and will reserve proactive planned inspections for those premises that present a comparatively high risk. Alternative interventions such as awareness raising campaigns and invitations to particular sectors to engage with the management of health and safety will be incorporated into the workplan.

Intelligence will also be sought via the Norfolk and Suffolk Health and Safety Liaison Group which is chaired by the Senior Environmental Health Officer. The group holds quarterly meetings, with one of these meetings reserved for training, with an objective to share

information and successful project plans. These groups are attended by the HSE's Enforcement Liaison Officers for Norfolk and Suffolk (ELO) or their representative.

The Food and Safety Team have used the LA National Code and local intelligence to identify the following priorities for intervention:

National Priorities:

- Fatalities and significant injuries resulting from being struck by vehicles in high volume warehousing or distribution
- fatalities and significant injuries resulting from falls from height, amputation and crushing injuries in industrial retail or wholesale premises eg steel stockholders, builders/timber merchants
- falls from height, unstable loads and manual handling in high volume warehousing or distribution
- crowd management and injuries or fatalities to the public at large scale public gatherings eg cultural events, sports, festivals and live music
- buried pipework and bulk storage of Liquefied Petroleum Gas (LPG) used in food premises and natural gas safety in catering premises will continue to be assessed when the premises are visited for food safety purposes
- manual handling in residential care homes
- gas safety in catering establishments.

Local Priorities:

- risk of drowning in leisure pools
- promoting the safe use of inflatable play equipment eg bouncy castles.

How these national and local priorities will be addressed within the Council's intervention plan:

- Health and safety in warehousing is a national priority and has been chosen as a priority for all Norfolk and Suffolk authorities. The Norfolk and Suffolk Health and Safety Liaison Group's annual training day in June 2019 is focussed on warehousing activities.
- In 2017 the Health and Safety Executive issued revised guidance on the safe management of swimming pools. There have been two deaths in leisure pools in Norfolk and Suffolk recently and more near miss incidents and a successful prosecution of both a pool owner and their health and safety consultant in Norfolk following a near drowning incident. The revised guidance advises that more effective controls are necessary in relation to supervision and life saving at small leisure pools. In 2018/19 the Food and Safety Team brought this new publication to the attention of pool operators and advised them to ensure that the risks of drowning are

adequately controlled. In the summer of 2019 all leisure pools in East Suffolk, including those operated on behalf of the Council under contracts with Sentinel Leisure Trust and Places for People, will be visited and assessed on their management of the risks of drowning. The HSE’s Enforcement Management Model will be used to determine the appropriate enforcement action to be taken if any pool operators are found to be failing to control the risk of drowning.

- Inflatable play equipment (bouncy castles) – following a child’s death in Norfolk when playing on an inflatable trampoline and a recent high profile investigation and subsequent prosecution following a child’s death in Essex the Food and Safety Team will be promoting the safe use of inflatable play equipment and ensuring that commercial operators have the appropriate safety documentation, including inspection reports, for the equipment and are able to monitor wind conditions on site.
- Musculoskeletal disorders associated with moving people in the health and social care sector. Nationally there is evidence that employees in the residential care sector are suffering from musculoskeletal injuries as a result of manual handling practices. There is a hierarchy of controls that should be in place that means individuals should not be put at risk and the best way to achieve this is to carry out suitable risk assessments and to use the appropriate equipment to reduce the forces needed to move people and to respect the dignity of the individual being moved. The Food and Safety Team will be investigating any reports of musculoskeletal injuries sustained by employees in the health and social care sector where the LA is the enforcing authority.
- Falls from height - falls from height, including where the person only falls a few feet, are known to cause significant injury and death. Working at height will be included in the selection criteria used to determine whether the Food and Safety Team will respond to injuries and complaints.
- Gas safety in catering businesses – gas safety is a national high priority due to the extreme risks that it poses. Gas safety will be assessed when officers from the Food and Safety Team are visiting catering premises for food safety purposes.

## 10.2 Investigation of complaints about work activities and workplaces

In addition to planned interventions the Food and Safety team will respond to complaints made by employees or other interested parties about either the place of work or work activities that they believe will affect their health or safety. Officers will use previous history and other intelligence to prioritise complaints.

Health and safety related complaints anticipated in 2019/20:	
Number of complaints	
	155



### 10.3 Investigation of Accidents and Dangerous Occurrences

The Food and Safety Team will have regard to the national Health and Safety Executive/Local Authority Enforcement Liaison Committee (HELA) Circular 22/13 (rev1) Incident Selection Criteria Guidance to deliver a common proportionate, transparent and targeted approach for the selection and investigation of accidents and incidents. When deciding which incidents to investigate and the level of resource to be allocated to the investigation, account will be taken of the:

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

The Care Quality Commission (CQC) have responsibility for investigating injuries and ill health suffered by service users in registered care settings although the provider is still required to notify the relevant health and safety enforcing authority. Such incidents are passed to CQC by Food and Safety Team officers as soon as they are initially received.

It is anticipated that there will be the following numbers of Reporting of Injuries Diseases and Dangerous Occurrences Regulations reports in 2019/20:

Reporting of Injuries, Diseases and Dangerous Occurrences Regulations reports anticipated in 2019/20:	
	Number of reports
	148

### 10.3 Notification of Asbestos Removal

Notifications of asbestos removal anticipated in 2019/20:	
	Number of reports
	1

### 10.5 Registration, Licensing and Planning consultations

The Council's Food and Safety Team is involved in the registration process for skin piercing activities eg tattooing under the Local Government (Miscellaneous) Provisions Act 1982. The team is also a responsible authority under the Licensing Act 2003 and is consulted on licensing applications.

## 10.6 Primary Authority and Home Authority Schemes

In April 2009, the Regulatory Enforcement and Sanctions Act 2008 introduced into law the principle of the Primary Authority (PA). All local authorities are now required by law, when considering enforcement action against a business with multiple outlets, to follow advice agreed between the business and its PA. The purpose is to achieve greater consistency in enforcement action in large, multi-outlet businesses.

We support the Primary Authority (PA) scheme managed by the Office for Product Safety and Standards. Where PA partnerships are registered the team will contact the PA to ensure that proposed actions are not contrary to appropriate advice that the PA has previously issued. We do not have a PA agreement with any company in their districts.

## 10.7 Advice to Business

The Food and Safety Team endeavour to build on their existing liaison arrangements with businesses, both to improve existing consultation arrangements, and to encourage and facilitate business growth. The team provides free advice to businesses and responds to requests for advice from businesses, members of the public and other partner agencies.

The Food and Safety Team contributes updates to the Council's website pages and Twitter feeds. These give general health and safety information together with links to the HSE's website for more information.

## 10.7 Economic Challenge

The Food and Safety Team endeavour to build on their existing liaison arrangements with businesses, both to improve existing consultation arrangements, and to encourage and facilitate business growth. The team provides advice to businesses eg

- provide free information and advice
- provide signposts to sources of free information
- provide local low cost training
- monitor and respond as appropriate to regular feedback from questionnaires
- process imported food controls promptly
- deal with applications to trade in a prompt manner eg food establishment approvals/skin piercing/general food establishment registrations
- respond to national influences and
- regularly review our procedures.

We have supported the work of engaged Suffolk and Norfolk regulatory services working with the Norfolk and Suffolk Local Enterprise Partnership (LEP) to develop stronger links to help improve the effective and efficient delivery of regulatory services via the New Anglia Better Business for All (BBfA) partnership.

## 10.8 Liaison with other Organisations

There are benefits to be gained by working in close partnership with the Health and Safety Executive and other local authorities. The Food and Safety Team has demonstrated commitment to this by having already undertaken or have plans to liaise with the Health and Safety Executive eg via meetings, other communication and initiatives involving:

- our Health and Safety Executive partnership inspectors at district level
- the Norfolk and Suffolk Health and Safety Liaison Group at county level
- the Health and Safety Policy Forum at national level.

We have also been involved in the co-ordination and conduct of joint visits and campaigns with Health and Safety Executive inspectors and participated in initiatives involving the Health and Safety Executive and neighbouring local authorities.

The Food and Safety Team has extensive liaison in place with a wide range of other organisations on health and safety matters:

- Norfolk and Suffolk Health and Safety Liaison Group
- CIEH
- LGA Practitioner Forum on Health and Safety
- HSE eg staff at the local offices, Local Authority Unit
- Planning and Building Control
- Trading Standards Officers at Suffolk County Council
- Clinical Commissioning Groups
- Suffolk Fire and Rescue Service
- Other LAs directly and through EHCnet
- Public Health England
- Licensing Team (Licensing Act 2003)
- Waveney Safety and Environment Group
- Care Quality Commission
- Suffolk County Council Adult and Child Safeguarding Teams
- Suffolk County Council Trading Standards Team
- Highways England
- Suffolk Resilience Forum
- Suffolk Joint Emergency Planning Team
- HSE/LA Eastern Region Partnership Forum
- Suffolk Police
- Maritime Coastguard Agency
- Home Office Security Industry Authority
- East of England Ambulance NHS Trust and
- New Anglia Better Business for All partnership.

## 10.9 Flexible Warranting and local agreements

All of the Suffolk local authorities have signed an agreement under section 113 of the Local Government Act 1972. The agreement provides mutual aid between the participating local authorities by enabling suitably qualified, experienced and competent officers to carry out relevant enforcement functions across the local authorities in the event of:

- a major incident such as a significant human or animal health outbreak or a serious incident in a workplace where considerable additional resources are required
- an emergency where the enforcing authority does not have a suitably authorised officer available when required
- in response to an incident where an officer from another local authority has particular skills, experience or expertise.

## 11. RESOURCES

### 11.1 Financial Allocation

Details of budgetary provision are included in East Suffolk's Budget Book 2019/20.<sup>7</sup>

We maintain our own legal services to provide support to service areas. There is also financial provision made to enable the use of external legal services, where appropriate.

### 11.2 Staffing Allocation

#### 11.2.1 Head of Service

The Head of Environmental Services and Port Health is Phil Gore who provides a 0.45 FTE towards achieving the Food and Health and Safety Service Plan.

#### 11.2.1 Food and Safety Team

The Food and Safety Team has full time equivalents available for health and safety regulatory work as follows:

Table 13. FTE health and safety.

Professional staff	Support staff
Health and safety 1.2 FTE	0.64 FTE

The resource allocation set out in table 13 is sufficient to complete the estimated programme of work outlined in the service plan for 2019/20. However, any additional unplanned work may require reprioritisation within the plan.

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<sup>7</sup> <http://www.eastsuffolk.gov.uk/assets/Your-Council/Financial-Information/Budgets/East-Suffolk-Budget-Book-2019-20.pdf>

### 11.3 Staff Development Plan

Our People Development Strategy has the development of our workforce at its heart. Evidence requirements are around good understanding of objectives and drivers, meeting skills needs, reviewing the learning.

The Council has agreed a set of values and behaviours and has adopted a staff performance and development scheme called MyConversations, harmonised their staff appraisal schemes and have published their agreed values and behaviours. The values are about a collective, positive attitude; about working together as one team every day and how we aspire to behave collectively. The five values are proud, dynamic, truthful, good value and united. These values have been embedded as an important part of staff culture and development. As part of the myConversation scheme, officers formally discuss their performance and development with their line manager every few weeks. Progress with the plan is reviewed so any issues can be raised. Relevant training areas are identified to ensure the requirements for authorised officers are met.

To maintain competence, enforcement officers attend training courses run by various organisations including the HSE. The Food and Safety Team will continue to access both local and national training initiatives to ensure that all of its enforcement officers are well trained and competent. Officers will also use the online Guidance for Regulators – Information Point that is part of the Regulators’ Development website.

In past years, individual team members were allocated project areas to research and then provide a training workshop on that subject to help officers increase their own in depth knowledge of a subject and then share their experiences with other officers.

A well established programme helps to provide practical training to student EHOs. Arrangements are in place for Suffolk Coastal Port Health Authority to fund the annual appointment of a student EHO to receive practical training. The appointment of the student is coordinated by an officer from the Food and Safety Team who also manages and oversees the student’s training programme.

## 12. **QUALITY ASSESSMENT**

### 12.1 Quality Assessment

The Food and Safety Team has a range of documented procedures which are subject to monitoring and review.

### 12.2 Inter Authority Audits and Peer Review

The principle of inter authority audits (IAA) is fully supported. The Food and Safety Team has undertaken inter authority inspection and quality and monitoring. Peer review takes place amongst the team eg discussions during team meetings and joint visits. In 2018 the Norfolk

and Suffolk Health and Safety Liaison Group hosted and facilitated a peer review consistency exercise on effective regulation for health and safety Inspectors from Suffolk, Norfolk, Essex and the Health and Safety Executive. The health and safety regulatory service is also subject to peer review with Local Authorities in Suffolk and Norfolk via the Norfolk and Suffolk Health and Safety Liaison Group.

### 12.3 Internal Monitoring Arrangements

The Food and Safety Team has the following arrangements in place to assist in the quality assessment of the work carried out:

- documented work procedures (under a process of continuous review)
- samples of post-inspection reports, letters and notices are checked
- a sample number of inspections, either by shadowing or a follow-up visit or file reviews and
- one to one meetings.

The contents of statutory notices are discussed and agreed, where appropriate, with the relevant manager or colleague before service or, in the case of an immediate prohibition notice, soon after.

### 12.4 Customer Satisfaction Surveys and Complaint Procedures

Customer satisfaction is collected on training courses and business satisfaction is collected via online surveys. A statistical summary of the results of these surveys is shown in Appendix 5.

We publish complaint procedures and customer service standards on our website. A summary of complaints received in 2018/19 is produced in Appendix 6.

In 2012 the Government established an independent panel to consider challenges to health and safety regulatory advice. The panel looks into issues raised by business where they believe a HSE or local authority health and safety inspector has given advice that is incorrect or disproportionate. The panel will not look at issues where other independent appeals processes exist, such as for enforcement notices or prosecutions. Ministers asked for the panel to be established following a recommendation in the Löfstedt report, which proposed that the Government introduced a challenge mechanism that allows for cases of incorrect, over-application of health and safety legislation to be addressed. No cases relating to our service have been taken to the panel to date.

## 12.5 Team Meetings

The Food and Safety Team holds meetings to discuss all matters relating to the service, including issues relating to competency and consistency. Officers are encouraged to summarise interesting cases and highlight learning points at the regular meetings.

## 12.6 Bench Marking

We complete the annual LAE1 return to the HSE that can form the basis of national benchmarking. The Norfolk and Suffolk Health and Safety Liaison Group is a forum to exchange approaches in the way that local authorities and the HSE work.

Monitoring performance against the standards set out in the Food and Health and Safety Service Plan will be via management meetings and annually to full Council.

## 13. **REVIEW – HEALTH AND SAFETY**

### 13.1 Identification of any Variation from the Service Plans - Health and Safety

See also para 7.1 above.

We are continuing to work through a period of significant change to existing working practices and face up to the challenges facing local authorities and reduced staff resources in recent years.

Three long standing and experienced officers retired during 2018/19. A fourth experienced officer resigned to pursue other interests. Two of those posts were filled by officers without recent experience of health and safety enforcement. The Council is actively trying to fill the remaining vacancies but, along with other LAs in the East of England, there is a shortage of applicants with the required competencies as a health and safety regulator. Flexible warranting with neighbouring LAs gives some resilience.

The Food and Safety Team were not engaged in any health and safety enforcement projects in 2018/19 which accounts for the reduction in proactive inspections. However the team has focused on training and increasing regulatory competence and will be targeting health and safety in swimming pools (following recent fatalities and near misses in the Eastern Region), warehousing and MSDs in the movement and handling of persons in residential care.

These factors put pressure on staff but the team responded well to ensure that consumers were protected.

### 13.2 The health and safety key achievements in 2018/19 worthy of note are:

- Public safety, in particular crowd safety, has been identified by HSE as a priority and there has been a growth in East Suffolk in commercial and community events that might pose a risk to those who attend them. The multi agency Safety Advisory Group (SAG) routinely meets on a monthly basis and is made up of representatives from local authorities, the emergency services and other relevant bodies and is chaired by a member of the Food and Safety Team. SAGs review event applications to ensure that the emergency services will be prepared in the event of an emergency and advise the organisers on public safety.
- The increasing number of events self-referring to SAG shows that event organisers welcome the opportunity to gain knowledge and assistance in running a safe event. The larger events such as Latitude Festival and the Suffolk Show will always require a multi agency review by SAG due to the nature of the events. The inquiry into the events at Hillsborough 25 years ago has highlighted the need for all involved to understand how their actions might affect others and SAG is a useful forum for this.
- The East Suffolk Safety Advisory Group (SAG) reviewed 60 events in 2018/19, held meetings with the organisers of 18 of those events and was involved in daily site meetings at the Suffolk Show, Latitude Festival and the OVO Women's Tour international cycle race. The SAG is becoming increasingly important as an intelligence sharing forum as public events are increasing in numbers and diversity across the district. Many event organisers are not established businesses and despite having attended such events they have shown they have little appreciation of health and safety risks associated with running an event.
- In 2018/19 the Senior Environmental Health Officer in the Food and Safety Team chaired the county wide Suffolk Event Safety Advisory Group when the OVO Women's Tour cycle event that had stages of the race in Suffolk was reviewed. The Senior Environmental Health Officer also contributed to a training initiative on behalf of the Suffolk Resilience Forum for environmental health, building control, licensing, police, fire and emergency planning personnel who were new to the SAG process.
- Supported the progress of the New Anglia Better Business for All (BBfA) partnership. BBfA is a Government supported partnership approach to creating the conditions to support growth. Providing more effective business support to facilitate the growth of Small and Medium-sized Enterprises is an Action point in the East Suffolk Business Plan 2015 – 2023.
- Reviewed work procedures based on Health and Safety Executive/Local Authorities Enforcement Liaison Committee (HELA) Local Authority Circulars eg incident selection criteria and targeting local authority interventions etc.



- The Food and Safety Team supported two Business Showcase events hosted by the Council’s Economic Development and Regeneration Team and gave health and safety advice to business representatives that attended.
- The Food and Safety Team was represented at the Norfolk and Suffolk Health and Safety Liaison Group which is chaired by the Senior Environmental Health Officer from the Food and Safety Team. Six of the seven Suffolk LAs work in partnership which has reduced the number of officers at the county liaison group and is less effective for peer review and benchmarking so Suffolk and Norfolk have joined together and will share best practice.
- Buried pipework and bulk storage of LPG serving food premises was assessed when the relevant premises were visited for food hygiene purposes; this initiative will be continued in 2019/20.
- Submitted annual data return to the HSE relating to occupational health and safety (LAE1 Local Authority Health and Safety Return). A summary is shown in table 14 below.

Table 14. LAE1 Local Authority Health and Safety Return summary 2018/19.

LAE1 Criteria	East Suffolk
Proactive inspections	6
Non-inspection interventions	15
Any other targeted contact (not face to face) to educate, advise or engage duty holders	38
Reactive visits	60
Revisits following earlier intervention	3
Improvement Notices	1
Deferred Prohibition Notices	0
Immediate Prohibition Notices	0
Simple cautions	0
Prosecutions resulting in conviction	0

- Acted as responsible authority under the Licensing Act 2003 for public safety.
- Received, considered and responded where necessary to licensing consultations and processed skin piercing registrations:

Task	Number
Temporary Event Notifications	762
Other licensing consultations	111
Skin piercing registrations processed	35

- We published a new and local e-form on our website to enable online registration and payment for skin piercing, tattooing, electrolysis, acupuncture or semi-permanent makeup. The new form improves our business processes eg by reducing steps involved in processing payments, reduces the risk of accounting errors, and eliminates the risk of returned cheques.
- 149 events were notified to the Food and Safety Team. SAG considered 60 events at 18 meetings with the organisers and a further 34 event management plans were reviewed by SAG members as a virtual SAG.

## **14. AREAS FOR IMPROVEMENT – HEALTH AND SAFETY**

14.1 In 2019/20 the Food and Safety Team plan to:

- Utilise laptop/tablet technology on site to facilitate more effective communication following interventions and to record observations, photographs etc. at the time of the visit.
- Recruit qualified officers to replace those who retired in 2018 which will enable the Food and Safety Team to undertake more health and safety interventions than in 2018/19.
- Continue supporting the local New Anglia Better Business for All programme which will include the New Anglia Compliance Partnership website.
- Harmonise skin piercing byelaws for East Suffolk.

## 15. SUFFOLK COASTAL PORT HEALTH AUTHORITY

### 15.1 Scope of the Port Health Service – Suffolk Coastal Port Health Authority (SCPHA)

The Port Health Service has responsibility for all food safety and food standards matters relating to imported foods and materials in contact with food. The service includes the following:

- operation of Felixstowe Border Inspection Post (products of animal origin)
- imported food control (non-animal origin products) at Felixstowe, Harwich International Port, Harwich Navyard and Mistley Quay
- checking catch certificates for specified products to ensure the legitimacy of the products caught and to prevent the Illegal Unreported and Unregulated activities of fishing vessels
- enforcement of The Plastic Kitchenware (Conditions on Imports from China) (England) Regulations 2011 at Felixstowe, Harwich International Port and Ipswich
- imported food control, vessel inspection, and control of infectious disease at the Port of Ipswich
- control of feed covered by EU 669/2009 and EU 884/2014 at the Port of Felixstowe
- inspection of vessels to ensure compliance with international and United Kingdom health requirements
- food hygiene inspections of vessels within the dock
- control of infectious disease
- verification of organic produce at point of importation
- undertaking monitoring programmes.

Suffolk County Council is responsible for all food standards matters within the District, outside of the Port of Felixstowe and is responsible for non-animal origin (NAO) animal feed arriving at the Port. A contract has been negotiated that sees SCPHA deliver the day to day statutory controls on high risk feed and we are continuing to work with Trading Standards to ensure an effective monitoring procedure for other animal feed imported through Felixstowe.

### 15.2 Demands on the Port Health Service

The Port Health Service has a number of competing demands which it has to balance in order to remain effective and efficient. These demands can be identified as:

- Commercial Activity
- Legislative Framework
- Organisational / Business Development
- BREXIT
- Other.

### 15.3 Commercial Activity

The Port of Felixstowe is the UK's busiest container port and one of the largest in Europe. It provides some of the deepest water close to the open sea of any European port.

The Port of Felixstowe is a primarily container port handling more than four million TEUs per year and welcoming over 3,000 ships each year including the largest container ships afloat today. Over 40% of the UK's import and export trade passes through the Port of Felixstowe. Around 17 shipping lines operate from Felixstowe offering approximately 33 services a week to and from 700 ports around the world.

As well as being the UK's largest container port, Felixstowe is also a key gateway for roll-on/roll-off trade with Europe. Demand on the service to Rotterdam has been growing steadily for a number of years. In early 2019 the Port of Felixstowe and leading Danish ferry operator DFDS agreed to increase roll-on/roll-off (ro/ro) capacity by over 40%; investment will be made in a new linkspan, tractor units and additional trailer parking facilities for unaccompanied ro/ro traffic.

The Port continues to expand its rail services with the launch of a new daily GB Railfreight service to the Midlands. The ongoing improvements to the Felixstowe branch line will further support the development of rail.

The Port has developed additional container yard behind 8/9 berth to generate additional container storage and handling facilities. This will allow for the optimisation of container handling operations between the berth and the yard to further enhance the service offered to customers. The yard has added 18,000 TEUs of stacking capacity to the 130,000 TEU already available.

The Port continues to invest and innovate. The ongoing work to heighten the cranes on Trinity berth continues – once completed the Port will be able to accommodate 3 mega vessels at the same time. The introduction of remotely operated cranes functionality and trials of remote controlled plant on 8/9 berth all contribute to maintaining the Port of Felixstowe as the UK's premier port.

The increasing size of vessels and frequency of arrivals at Felixstowe continues to deliver significant challenges for our resource planning. The arrival of larger vessels possibly two or even three at a time gives rise to peaks in workload volume. When this is coupled with the service expectations of our customers and the desire of HM Government (HMG) to ensure flow and trade across borders there is a real challenge for the Port Health service, especially as our role is bound by a comprehensive legislative framework.

As SCPHA works closely with the examination facilities on the Port, the effects of the changes made by the Port can be felt by Port Health.

#### 15.4 Legislative Framework

The legislative framework within which we operate generally continues to evolve incrementally with regular amendments to the products subject to import control measures.

However, a significant change is expected in late 2019 as Regulation 882/2004 is replaced by the new Regulation (EU 2017/625) otherwise known as the Official Control Regulations (OCR). This amalgamates controls across sectors such as plant and animal health, consolidates port approval status into one covering all commodities for which the port has approval – Border Control Point (BCP) and merges the current CVED and Common Entry Document (CED) documents into one document; the Common Harmonised Entry Document (CHED) for use for all products requiring statutory controls.

The provisions of Council Directive 97/78 have been incorporated into the new Regulation and the Directive will be repealed. Currently we are awaiting the subsidiary implementing legislation which will provide the details of how this will affect our day to day work. These implementing regulations are expected in late 2019.

It is anticipated that risk based checks, in particular those relating to physical examination, will be implemented which may lead to a reduction in the number of physical checks being carried out. Once the detail is known we will need to review our procedures and working methods to ensure they are in-line with the requirements. The move to a risk based approach is welcomed as this will reduce the number of compliance monitoring checks, freeing up resource to target the identification of and intervention on non-compliant trade.

A change in the import requirements for composite products (food containing processed animal products combined with vegetable material) has been recently published and the implications of the legislation are under review. There are likely to be procedural changes required, however the implementation date is not until 2021.

The six monthly reviews of the High Risk Products in the Annex to Commission Decision 669/2009 continue. Some advance notice of the likely changes to the list has been available, allowing us to prepare for the changes and ensure information is available for our customers.

Any change to the legislation requires consideration as to how SCPHA implements the requirements and consideration of how that change is best communicated to our staff, service users and the organisations we work alongside. The failure to implement legislative requirements in a timely, fair and effective manner carries a significant reputational risk.

#### 15.5 Organisational / Business Development

The review of the Port Health Service has seen the introduction of a revised management / leadership structure. The process of embedding this into Port Health is currently ongoing. The new structure (see Appendix 2) will facilitate the focus on three key areas: People,

Organisation and Technical. This is the first stage of a series of initiatives to enhance the effectiveness and efficiency of the Port Health service.

PHILIS, the IT system developed by SCPHA, and currently licensed to London, Mersey and Southampton and Heathrow Animal Reception Centre (HARC) won the LGC Award for Innovation in March 2018, recognising the significant impact it has had on delivering effective services within Local Government.

Interest in the PHILIS system continues with other Port Health Authorities making enquires about implementation in their locations and a number of online demonstrations to the interested parties have been undertaken. Implementation of PHILIS into Dover PHA is currently ongoing.

The SCPHA ICT team has been actively involved in the development of IT systems to ensure effective port health systems in a post BREXIT environment – not only developing contingency systems for Felixstowe, and our PHILIS customers, but also engaging with BREXIT IT initiatives undertaken by DEFRA and the FSA. This has included representations to the project management board for the future UK Consignment Notification system – IPAFFS (Imports of Products, Animals, Food and Feed System).

The Port Health service continues to embrace technological change and pioneer the use of innovative solutions. It is engaged in National initiatives that are investigating use of artificial intelligence, machine learning, virtual reality and other processes to facilitate the border control process.

## 15.6 BREXIT

The preparations for exiting the EU have and continue to place significant demands on the service. A number of Government led projects and initiatives have been instigated to identify impacts and contingency measures across the range of exit options. SCPHA has been engaged with the Border Delivery Group and other HMG departments to advise and shape the discussion in relation to Port Health, not just in Felixstowe but also in the wider sense. SCPHA has, and continues to host, many visits from HMG departments who value the opportunity to see how port health is successfully and effectively delivered in the UK's premier container port. SCPHA has built relationships with numerous HMG departments, and this has facilitated an insight into the potential challenges ahead.

As part of the early engagement activity, SCPHA hosted a delegation from the NVWA – the body that delivers Port Health across the Netherlands – including the Port of Rotterdam, one of the key Northern European ports. There is significant trade between Felixstowe / Harwich and the Netherlands.

At a local level, BREXIT presents the potential for significant change. The extent and timing of any change is dependent on the outcome of the ongoing negotiations. The uncertainty

around the future requirements, coupled with the HMG priority to maintain trade across the border, has required the development of a wide range of contingency measures.

The Port of Felixstowe and Harwich were identified by the Border Delivery Group (BDG) as ports with a high risk of potential change due to BREXIT. As part of this high risk categorisation SCPHA was awarded extra funding in order to prepare for BREXIT. In addition SCPHA has been successful in bidding for additional FSA funding to assist with the engagement and BREXIT preparations it has undertaken. A further bid to the FSA for 2019/20 has been made and is currently awaiting determination.

#### 15.7 Other Service Demands

Whilst the BREXIT decision is awaited, HMG has been looking to the future with the Smarter Risking project and the Infrastructure projects; SCPHA is engaged with both of these HMG initiatives to provide expert opinion, practical information and guidance to help shape future arrangements.

Animal and Plant Health Agency (APHA\*) continue to conduct audits on Products of Animal Origin controls. We receive one visit per year which will alternate between focusing on the facilities and veterinary checks procedures. Liaison visits will not be undertaken unless audit findings necessitate this. To ensure / assure our internal processes we continue to undertake our own in house verification checks; our revised structure with a compliance manager and two technical leads (subject matter experts) will further enhance the veracity of these checks and facilitate their delivery. We expect audits under the terms of our Contracts from Tendring District Council, Ipswich Borough Council and Suffolk County Council.

The Food Standards Agency has not made funding available for additional monitoring of non-animal origin products for this year. The FSA's Food Fraud Team is targeting products of interest and providing funding on a case by case basis to look at these consignments. SCPHA has recognised the importance of continued monitoring of non-animal origin products to identify any products which may need to be considered for inclusion in the High Risk Product Legislation and so requiring additional checks. We undertake our own sampling plan to ensure full monitoring is undertaken of products imported through Felixstowe. Our monitoring and investigative work helps to inform and shape future UK policy.

A new contract has been negotiated between ourselves and Tendring District Council for the continuation of the delivery of the port health service at Harwich International Port, Harwich Navyard and Mistleley Quay. Consideration has been given to changes the exit from Europe may bring to Harwich International Port and the new contract is written to the satisfaction of both Councils to allow each some flexibility within the contract.

We will continue to monitor any changes which affect our role as a Category 1 responder under the Civil Contingencies Act 2004.

We continue to undertake routine monitoring and testing of products which pass through our district. All our laboratories are linked into the UKFSS Network. This has been a nationally promoted system supported by the FSA which contains details of samples taken and their results. Submission of sample information here can be done automatically through PHILIS. The future of the UKFSS Network is unclear as the system is no longer fully supported.

## **16. SERVICE DELIVERY – PORT HEALTH**

### **16.1 Port Health Service**

Suffolk Coastal Port Health Authority's (SCPHA) Mission;  
Protection of Public and Animal Health

SCPHA Vision:

To be a Port Health Authority where people are at the forefront of delivering an EU leading service

SCPHA Service delivery principles:

Effective and Efficient

SCPHA Challenge

Is 'this' in the best interests of Port Health

Through the implementation of the relevant legislative requirements, SCPHA has undertaken an extensive range of monitoring, documentary, identity, and physical checks, sampling activity and enforcement action. Table 15 below is the Local Authority Enforcement Monitoring (LAEMs) report for 2018/19.



Table 15. Key activities during 2018/19

Products at Point of Entry into the UK SCPHA 2018/19		Products of Animal Origin	Products Not of Animal Origin
1	Number of Food Consignments Entering the Port	21,246	201,689
2	Percentage of Manifests Checked	100%	100%
3	Number of Food Consignments Checked at Port (Documentary Checks)	21,246	50,639
3a	Number of Food Consignments Checked at Port (Identity Checks)	21,246	1,387
3b	Number of Food Consignments Checked at Port (Physical Checks)	7,884	1,261
4	Number of Food Consignments Checked at External Temporary Storage Facility (Documentary Checks)	N/A	N/A
4a	Number of Food Consignments Checked at External Temporary Storage Facility (Identity Checks)	N/A	N/A
4b	Number of Food Consignments Checked at External Temporary Storage Facility (Physical Checks)	N/A	N/A
5	Number of Food Consignments Rejected	195	101
6	Reason for Rejection		
	a) Microbiological Contamination	2	6
	b) Other Contamination	1	62
	c) Composition	0	5
	d) Labelling	15	0
	e) Other	177	28
7	Number of rejected consignments subject to:		
	a) Destruction	112	34
	b) Special treatment or processing	0	1
	c) Re-dispatch	83	37
	d) Re-directed for use other than human consumption	0	14
Continued...			

<b>Table 15. Key activities during 2018/19 - continued</b>		<b>Products of Animal Origin</b>	<b>Products Not of Animal Origin</b>
<b>Imported Food Enforcement Activity at Point of Entry and Inland - Samples</b>			
8	Number of Imported Food Samples Taken for Microbiological Examination	116	88
8a	Number of Samples Recorded in (8) Found to be Unsatisfactory	3	6
9	Number of Samples Taken for Chemical/Compositional Analysis	676	1,032
9a	Number of Samples Recorded in (9) Found to be Unsatisfactory	6	71
10	Other Samples Taken (Radiation monitoring)	0	5
10a	Number of Samples Recorded in (10) Found to be Unsatisfactory	0	0
<b>Imported Food Enforcement Activity at Point of Entry and Inland - Formal Enforcement</b>			
11	Number of notices served for Products of Non-Animal Origin		96
12	Number of notices served for Products of Animal Origin	195	
13	Number of Seizures	0	0
14	Number of Voluntary Surrenders	0	1
15	Number of Simple Cautions	0	0
16	Number of Prosecutions	0	0

In addition to the statutory samples of NAO required to be taken, SCPHA has recognised the demands of controlling imported foods of non-animal origin and undertakes a risk based sampling programme. A Food Sampling Policy and associated risk targeting helps us to determine where to focus our sampling activity. Where financial resources allow, enhanced sampling programmes are undertaken when potential problems are identified with a product or range of products. The Food Standards Agency has developed an early warning system for products not of animal origin. The Rapid Alert System for Food and Feed information is being analysed to look at the frequency of notifications for particular hazards. This information can then be used to target products for sampling and analysis. We are currently using this information to target consignments for sampling.

TRACES, through the reinforced check process, continues to facilitate the checking of the next 10 consignments across Europe where an infringement has been found. Further consignments of the same product which fall outside of the 10 consignments and which must be sampled have to remain on the port to await satisfactory results of the 10<sup>th</sup> consignment sampled. Alternatively the importer may choose to have these consignments sampled at their expense; these can then be released on satisfactory results for that

consignment. The national controls on products where an infringement has been identified remain in place.

We have continued to operate our own routine monitoring programme for POAOs received at Felixstowe. This is based on the types of products imported through Felixstowe and is informed by priorities set by the FSA as part of the National Control Plan.

The statutory sampling of NAO products continues with changes to the six monthly lists being accommodated through our internal procedures and delivered through administrative changes to the PHILIS system which allow seamless movements between the old and new lists at the appropriate time. Enhanced sampling of NAO products deemed to be high risk but which fall outside the statutory controls is on-going through our monitoring programme.

Rapid Alerts are monitored to check whether any of the products found to be unsatisfactory elsewhere are imported through Felixstowe. Work done by the FSA on consolidating such information is also assisting to identify sampling priorities. The submission and completion of CED documents for NAO products on TRACES means that rapid alerts for such products are now also being completed on TRACES. Recent revisions of existing Emergency control legislation have incorporated a pre-notification requirement on TRACES for those products so we are able to control and release more consignments via the TRACES system.

Emerging issues are Novel Foods, this complex area is one which is likely to expand in the coming years as greater awareness of issues surrounding these 'foods' becomes more widely available. Legislation covering Novel Foods updates the definition of what constitutes a Novel Food and streamlines the application process. It is anticipated the changes will help reduce the burdens on EU and third country business seeking to place novel food products on the market and facilitate consumer access to new food innovations which have been risk assessed and whose proposed use is considered safe. We will monitor what impact these changes have on our service.

Charges for water sampling and examination for legionella and standard drinking water parameters, where such sampling is requested by the master or agent of the vessel, remain. The charges cover the examination cost and the time taken to draw the samples. We will continue to undertake water sampling free of charge where such sampling is undertaken due to public health concerns about conditions on board the vessel.

All samples submitted for examination by the Port Health Team will be tested by the Public Health England, London, Colindale Food, Water and Environmental Laboratory, and all samples or complaints submitted for analysis will be tested by one of the Council's appointed Public Analysts. CEFAS are undertaking the analysis of food and feed samples from Japan.

## 16.2 Primary Authority Schemes

SCPHA has not been approached by any importer organisations to set up a Primary Authority Scheme and is not seeking to engage in any.

## 16.3 Advice to Business

We have continued to update our website with all new and any relevant changes to legislation or procedures so Felixstowe importers and agents have the most up to date information and details as to how the clearance process will be affected by the changes and what practical actions they need to take to ensure swift clearance. Links to the relevant information on our website appear on standard faxes sent out to importers and agents, allowing them to obtain further background information about any request/information we have sent to them. A specific BREXIT area has been added to help guide our service users to the relevant information sources.

The Agents' Forum meetings - a three-way partnership with the Port of Felixstowe Inspection Facilities, major agents and ourselves have continued. The meetings allow discussion around each others' developments, legislation and its impact, and the efficiencies of the Port Health service.

## 16.4 Economic Challenge

Under the existing arrangements SCPHA recovers the cost of its activities through the charges levied. Foremost amongst the challenges of the future is to ensure that these or similar arrangements are maintained. Significant representations have been made to HMG with regard to arrangements in a post BREXIT environment.

SCPHA has to be in a position to react to the changing legislative framework, HMG guidance and requirements and the demands of the trade, both in terms of Port developments or service user expectations. Variability of these often competing demands does present a number of economic challenges in terms of resourcing, facilities and developing new income streams.

The BREXIT consideration adds another complicating dimension to these challenges however SCPHA is relatively well placed to accommodate change. It has, through a considered and informed approach, maintained a high quality service and is looking to maximise opportunities that will come with change.

SCPHA continues to attempt to identify new income streams, be that through the application of legislative or cost recovery methods, through to identifying ways in which income can be generated from alternative or non-legislative requirements – such as expanding the PHILIS user base.

## 16.5 Liaison with other Organisations

The Port Health Team have extensive liaison in place with a wide range of other organisations: (excludes BREXIT specific groups)

### HMG Departments/ Agencies

- FSA Import and Export Division
- FSA Contaminants Division
- Animal and Plant Health Agency
- DEFRA – Organic Imports Section
- DEFRA - International Trade Division
- Marine Management Organisation
- Maritime and Coastguard Agency
- Health Protection Team and Public Health England
- State Veterinary Service
- Other Enforcement Authorities:  
HMRC, Border Force, PHSI, HMI, Forestry Commission, MHRA

### Ports & Port Health Departments

- Liverpool Port Health Authority
- London Port Health Authority
- Port of Felixstowe
- Port of Ipswich
- Harwich International Port
- Harwich Navyard
- Heathrow Animal Reception Centre
- Associated British Ports

### Other Bodies and Groups

- Suffolk Food Liaison Group
- CIEH East of England Region
- Haven Ports Welfare Committee
- Local Government Association
- Major Port Forum
- EETSA Agricultural Focus Group
- National Animal Feed Ports Panel
- National Trading Standards Board
- Campden BRI
- Felixstowe Port Users Association
- Mistley Quay and Forwarding

- Public Health England/Port Health Liaison Group
- Trading Standards/Environmental Health Departments nationally as required
  - World Health Organisation (Facilitator for the Ports and Shipping Group of PAGNet is a member of the port health team)
  - SHIPSAN Act project - *the project aims at developing and establishing an EU integrated strategy for safeguarding the health of travelers and crew of passenger ships and for preventing the international and trans-national spread of diseases through ships.*

## 17. RESOURCES

### 17.1 Financial Allocation

Details of budgetary provision are included in East Suffolk Budget Book 2018/19<sup>8</sup>.

The Council maintains its own Legal Section to provide support to service areas. There is also financial provision made to enable the use of external legal services, where appropriate.

The provisions within the legislation base enables SCPHA to levy a charge for the undertaking of Port Health control checks. In addition, the licensing of the PHILIS system provides an income stream that enables support / maintenance and further development of the system.

SCPHA continues to seek other funding streams and has secured additional funding from BREXIT preparatory funds and support for non mandatory sampling activities. We continue to monitor new legislative proposals to determine if or how we can ensure cost recovery for services we provide.

The Port Health Service places no financial demands on the wider East Suffolk budget.

### 17.2 Staffing Allocation

#### 17.2.1 Head of Service

The Head of Environmental Services and Port Health is Phil Gore who provides a 0.45 FTE towards achieving the Food and Health and Safety Service Plan.

#### 17.2.2 Port Health Team

The Port Health review has changed the organisational structure within the management team. The new management structure consists of a Port Health Manager, a Compliance Manager, a Business Manager and an Operational Manager. Three Operational posts and

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<sup>8</sup> <http://www.eastsuffolk.gov.uk/assets/Your-Council/Financial-Information/Budgets/East-Suffolk-Budget-Book-2019-20.pdf>

one Business Support Team Leader post have also been created. The ICT Team Leader has been retained. To provide expert subject matter advice two Technical Leads have also been created.

Appendix 2 provides a graphical representation.

### 17.3 Staff Development

The Port Health review recommended the adoption of the myConversation process, this will bring SCPHA into line with the East Suffolk policy and negate the existing appraisal process. The MyConversation process does require adaption to make it suitable for use within Port Health and this process is well underway.

Future work to support and enhance the staff development process is planned with investigation of competency frameworks and career pathways. It is envisaged that this will be supported by a learning and development framework and a performance framework.

These are significant pieces of work which will move SCPHA into a continuous assessment and improvement cycle, enhancing our staff development.

We continue to engage with the Setting the Standard management development programme and all newly appointed Team Leaders and Management Team members will undertake this course.

Alongside initiatives from East Suffolk, Port Health continues to identify training that encourages personal awareness and development of wellbeing skills – topics that have been covered include: Diversity, mental health (individual and support skills for managers), stress, relaxation techniques and wellbeing training.

Within the workplace health and safety awareness is vital, all staff are required to undertake the Port of Felixstowe safety induction course and complete, on an annual basis, the organisational health and safety awareness refreshers that are disseminated through Nautilus, the SCPHA intranet.

As part of ensuring the maintenance of professional registration we support and facilitate staff in the acquisition of the required levels of CPD. This varies between groupings and type of registration.

Member CIEH	20 hrs
Chartered MCIEH	30 hrs
MRCVS	105 hrs over 3 years

A proportion of each of the hours required (10 hrs) must be food related.

Training to ensure competency in NAO feed sampling for those undertaking the work on behalf of Suffolk County Council is ongoing and this is currently being reviewed in light of the new Code of Practice.

Despite the limited number of places available for the UK we have been successful in obtaining a number of places on the EU's Better Training for Safer Food programmes. These free training courses provide a significant amount of relevant CPD. This programme may be curtailed or become a 'pay to attend' course following the UK's exit from the EU.

Relevant training areas are identified from a wide range of sources to ensure the requirements for Food Enforcement Officers in accordance with the Food Law Code of Practice are met.

## **18. QUALITY ASSESSMENT**

### **18.1 Quality Assessment**

A number of arrangements are in place to ensure the quality of the services provided by the Port Health service.

### **18.2 BSI ISO 9001**

SCPHA has successfully transitioned from the ISO 9001:2008 standard to the ISO 9001:2015 standard.

The new standard covers leadership and ensuring the management systems form part of the strategic direction of the business and increases the use of risk assessment in determining outcomes. Changes have been made to our ISO system to ensure it meets the requirements of the 2015 standard. Further in-house training has been done with the new auditors to familiarise them with our auditing process.

One of the new requirements is to ensure a level of understanding of our Quality Management System and the consequences of not following it within the organisation. To achieve this, feedback is being given at Team Meetings.

### **18.4 Internal Monitoring Arrangements**

The Port Health Team currently has the following arrangements in place to assist in the quality assessment of the work carried out:

- written work procedures (under a process of continuous review)
- Technical Leads check all notices and rapid alerts prior to them being served
- ongoing internal monitoring of processed consignments
- verification checks on POAOs
- NAO/quick job monitoring



- team meetings of the technical groupings
- one to one meetings.

A selection of files and correspondence will be monitored during the course of the year.

Nautilus remains our intranet system to provide a single point of contact for relevant legislation and procedures used within Port Health. New information is being entered into Nautilus as it arises and existing information is being reviewed and migrated onto Nautilus on a rolling programme. Nautilus allows for version control of documents, and can be used for online training and assessment of staff understanding of new procedures; this will assist with staff monitoring should we develop the system in this way.

#### 18.5 Customer Satisfaction Survey

Our regular Agents' forum meetings have allowed our customers to raise any issues with us directly. The face to face nature of this interaction allows for discussion around any issues and then an outcome to be agreed for delivery. Progress on any agreed outcomes will be reported on at the next meeting or sooner by alternative methods as appropriate. A facility exists on the website to automatically provide feedback on our service by e-mail; this comes into our main inbox so it can be dealt with promptly.

Feedback at our BSI audit suggested that information about customer satisfaction could be recorded through our day to day interactions with customers and the feedback they give us. The feedback received is evaluated and an appropriate action agreed and delivered. Such information and the actions undertaken in response, along with consequences if any suggestions are not taken on board, is now recorded on Nautilus.

#### 18.6 Team Meetings

The Team meeting structure is being revised to ensure it aligns with the new organisational structure. Management Team holds regular meetings to discuss all matters relating to the People, Organisational and Technical issues. Each grouping within the port health service has its own regular meeting with agendas set in the main by meeting participants with management input into each meeting.

#### 18.7 Multi Annual National Control Plan

The FSA's updated Multi Annual National Control Plan<sup>9</sup> has been extended to 2023 and provides a strategic overview to the provision of official controls.

The intention is to develop a flexible risk based plan that links closely with individual BIP sampling plans and which will not create any unnecessary additional costs for the industry. The centrally administered residue monitoring programme has now ceased.

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<sup>9</sup> [www.food.gov.uk/business-guidance/multi-annual-national-control-plan](http://www.food.gov.uk/business-guidance/multi-annual-national-control-plan)

Monitoring performance against the standards set out in the Food and Health and Safety Service Plan will be via management meetings and annually to full Council.

#### 18.8 Complaint Procedures

The Council publishes its complaint procedures and customer service standards on its website. A summary of complaints received in 2018/19 is produced in Appendix 6.

### 19. REVIEW – PORT HEALTH

#### 19.1 Identification of any Variation from the Service Plans - Port Health

The key targets from the 2018/19 Service Plan have been mainly completed. There are a number of projects in progress which will continue into 2019/20. The delays experienced to some projects have been due to supplier or process issues outside of our direct control. The major project outstanding is the actions required following exiting the EU, we are awaiting the decision as to the type of BREXIT we will be enacting.

#### 19.2 The Port Health key achievements in 2018/19 worthy of note are:

- The external review of Port Health was completed, and its recommendations accepted by Port Health management team. A business case was drafted, presented and accepted by SMT, and implementation of Phase 1 has now been completed. This reorganisation has created a revised management structure to support and facilitate the service in the future.
- Significant engagement in BREXIT related forums. This has enhanced the profile of SCPHA and encouraged Government Departments to use SCPHA as one of their key consultees.
- In conjunction with the FSA, development of a consignment notification system to be used should a BREXIT contingency scenario be declared.
- Continued work with the Food Standards Agency Food Fraud Team to assist with surveillance work on commodities that they have highlighted an interest in.
- Protection of public and animal health via our work with imports from West Africa. A number of prohibited products which posed a substantial risk were identified and these were removed from the food chain in a way which ensured the risk was contained and public and animal health protected.
- Worked in partnership with Suffolk County Council to deliver the statutory controls on feed and the routine monitoring and sampling of imported feed.

- Support to the FSA to provide:
  - Expert port health staff resource at Birmingham International airport to facilitate a multi-agency investigatory work on air freight.
  - Expert port health staff resource at Coventry Postal Hub to facilitate a multi-agency investigatory work on issues arising from the growth of online shopping.
  - Expert port health staff resource to shape and develop the FSA imported food training manual. This work included drafting guidance, developing training materials and delivery of the training.
- Support to the MMO to develop and present an IUU training course at 5 locations around the UK.
- Support to the WHO in the form of a short term secondment by SCPHA officer specialising in Ship/Port Hygiene.
- Installation of the Chronologic workforce management system which brings together in an electronic solution a number of resource activities which are currently being managed by spreadsheets. The application is currently being customised to our requirements and tested by staff usage to ensure it is delivering the expected output before we fully move over to managing our resources through that as the sole system.
- A rebranding of SCPHA to coincide with the establishment of East Suffolk Council. Creating a new brand identity that compliments the East Suffolk identity.
- Hosted a number of visits by officials wishing to see our operations first hand:
  - A delegation from the Food Safety & Standards Authority of India hosted by the Food Standards Agency have visited to look at our processes and procedure for undertaking checks
  - A delegation from the Netherlands NVWA visited to understand the Port environment from a post BREXIT perspective. A reciprocal visit was attended
  - Hosted the Director General DEFRA in the investigation of BREXIT impacts in a high volume container port environment and the use of IT systems
  - Hosted a visit from PD Ports as part of their investigation into facilities and systems required in a BIP/DPE
  - Hosted representatives from the Irish Government
  - Hosted representatives from the Australian High Commission
  - Hosted representatives from the US Embassy / USDA
  - We have assisted colleagues from Norfolk Trading Standards with information and practical activity to demonstrate how we undertake feed controls at Felixstowe

- The number of visits by individual importers, agents and shipping lines who wish to forge a better working relationship with us has increased. We welcome such visits as it allows us to explain the nature of our checks in detail and point them to the areas of information available for them to use and it allows us to get a greater understanding of the difficulties involved for them. We have delivered a workshop for one customer, following their request for this. This allowed us to impart knowledge about our requirements to members of their team. This hopefully will provide benefits for both organisations.

## 20. AREAS FOR IMPROVEMENT – PORT HEALTH

Suffolk Coastal Port Health Authority continues to be held in high regard nationally and internationally. We are the 'go-to' Port Health Authority due to our people, how we are organised and the breadth and depth of our technical knowledge. However, we cannot be complacent and we recognise that there is always room for improvement and development but that such changes need to be balanced with the efficient delivery of the 'day job' so need to be incremental and measured. Areas we intend to work on in 2018/19 are:

- Examining the requirements for public and animal health control at the border in a post BREXIT UK. However in the absence of the UK's exit agreement, which is not expected until later in 2019, a number of options have been considered. SCPHA is relatively well placed to accommodate change. However, it should be noted that some of the potential outcomes could present significant challenges to SCPHA in the short-medium term – but we await the details of the UK's exit agreement and the UK's policy position and will undertake preparation work to ensure we remain well placed to accommodate the changes.
- Continuing the work on implementing the recommendations from the external review of our service. This will ensure the service is ready for future opportunities and challenges and:
  - More effectively manage resources to match workload
  - Ensure that we have the capacity and skills to support our people, deliver our organisational responsibilities and maintain our technical knowledge/capability
  - Ensure that we are ready to take advantage of future opportunities
- Continue the implementation of internal ICT hardware and systems. Bringing online Focus and Sunrise systems (workforce management and helpdesk respectively). This will help with our organisational resourcing.
- Further ongoing improvements to PHILIS including the provisional work on Version 2. The maintenance of PHILIS Online as a contingency to enable electronic declaration of consignments post Brexit if access to TRACES is lost.

- The review and revision of organisational policies and processes to ensure alignment with East Suffolk, but fit for SCPHA.

## Annex

### GLOSSARY OF TERMS

APHA	-	Association of Port Health Authorities
APHA *	-	Animal and Plant Health Agency
ABP	-	Associated British Ports
ALVS	-	Automatic License Verification System
BCP	-	Border Control Point
BIS	-	Department for Business Innovation and Skills
BSE	-	Bovine Spongiform Encephalopathy
BSI	-	British Standard Institute
BTP	-	British Transport Police
CCDC	-	Consultant in Communicable Disease Control
Campden BRI	-	Campden BRI <i>is an independent membership-based organisation carrying out research and development for the food and drinks industry</i>
CEFAS	-	The Centre for Environment, Fisheries and Aquaculture Science
CIEH	-	Chartered Institute of Environmental Health
CED	-	Common Entry Document
CHED	-	Common Harmonised Entry Document
CHIEF	-	Customs Handling of Import and Export Freight
CMT	-	Corporate Management Team
CORE	-	Consistently Optimised REsilient project
CPS	-	Crown Prosecution Service
CQC	-	Care Quality Commission
CVED	-	Common Veterinary Entry Document
DEFRA	-	Department of Environment, Food and Rural Affairs
DExEU	-	Department for Exiting the European Union
DTI	-	Department of Trade and Industry (now Department for Business, Innovation and Skills)
<i>E. coli</i> O157	-	<i>Escherichia coli</i> O157
EC	-	European Commission
EDMS	-	Electronic document management system
EETSA	-	East of England Trading Standards Association
EHO	-	Environmental Health Officer
ELO	-	Enforcement Liaison Officer of the Health and Safety Executive
EMM	-	Enforcement Management Model
EHORB/EHRB	-	Environmental Health Officers' Registration Board/Environmental Health Registration Board
EOEW	-	Eat Out Eat Well
EPLaN	-	Eastern Ports Liaison Network
ERTS	-	Enhanced Remote Transit Sheds
EU	-	European Union
FERA	-	Food and Environment Research Agency
FSA	-	Food Standards Agency
FSA 1990	-	Food Safety Act 1990

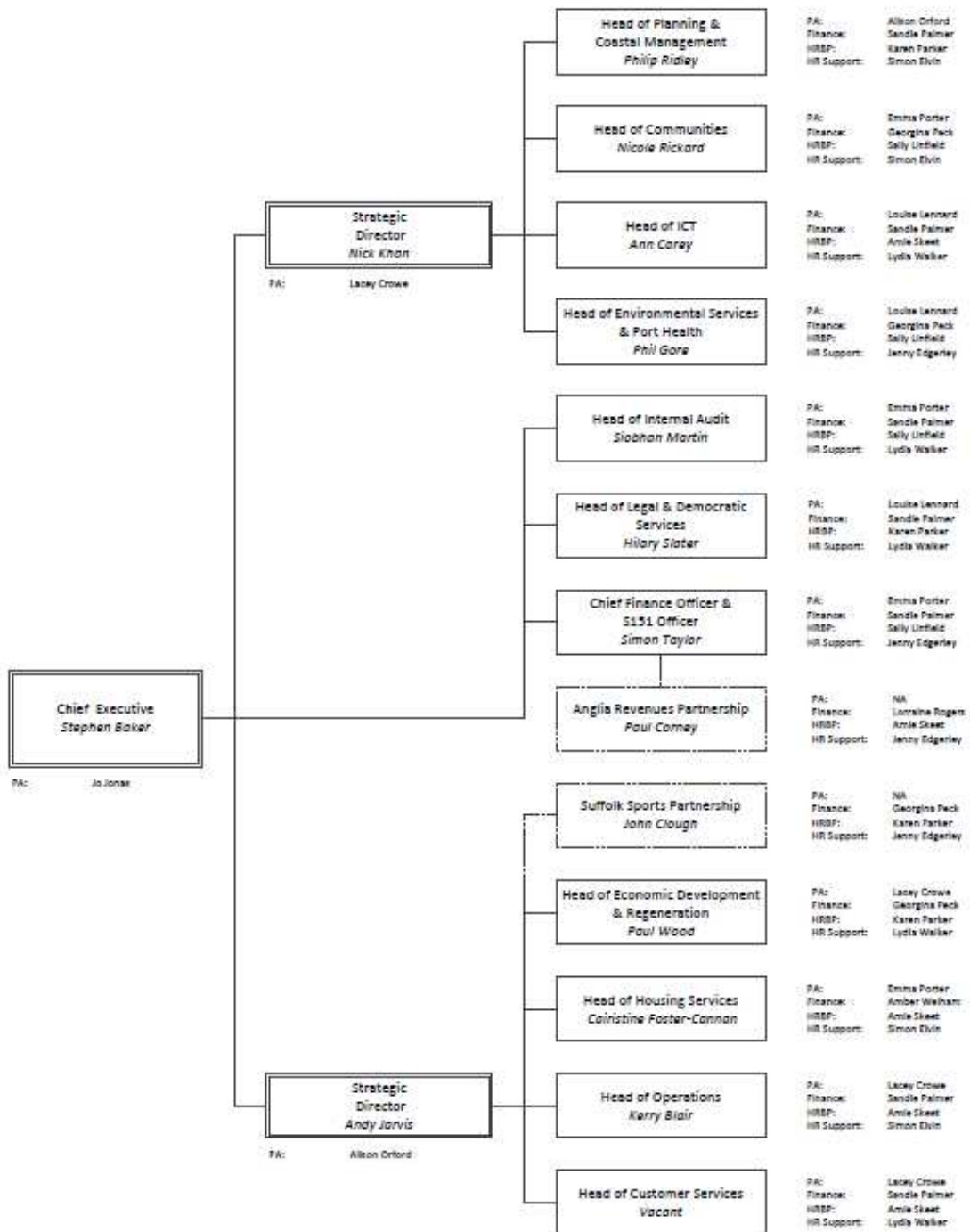
FTE	-	Full-time equivalent
FPUA	-	Felixstowe Port Users Association
FVO	-	Food and Veterinary Office (Audit Branch of the EU)
GM	-	Genetically Modified
HACCP	-	Hazard Analysis and Critical Control Points
HAP	-	Home Authority Principle
HARC	-	Heathrow Animal Reception Centre
HELA-		Health and Safety Executive/Local Authorities Enforcement Liaison Committee
HPA	-	Health Protection Agency
HPU	-	Health Protection Unit
HSE	-	Health and Safety Executive
HMRC	-	Her Majesty's Revenue and Customs
IMS	-	Information Management System
IAA	-	Inter-Authority Audit
ISO	-	International Organisation for Standardisation
IUU	-	Illegal Unregulated and Unreported
KPI	-	Key Performance Indicator
LAEMS	-	Local Authority Enforcement Monitoring System
LAC	-	Local Authority Circular
LAU	-	Local Authority Unit
LGA	-	Local Government Association
LGR	-	Local Government Regulation
LPG	-	Liquefied Petroleum Gas
MSD	-	Musculoskeletal Disorders
MCA	-	Maritime and Coastguard Agency
MCP	-	Maritime Cargo Processing plc
NAO	-	Non Animal Origin product
FHRS	-	Food Hygiene Rating Scheme
OFFC	-	Official Feed and Food Controls
OPS&S	-	Office for Product Safety & Standards
PASS	-	Public Analyst Scientific Services
PDD	-	Plastic Declaration Document
PHSO	-	Port Health Support Officer
PHE	-	Public Health England
PHILIS	-	Port Health Interactive Live Information System
PHMT	-	Port Health Management Team
POAO	-	Product of Animal Origin
PT	-	Phage type
RASFF	-	Rapid Alert System for Food and Feed
RDNA	-	Regulators' Development Needs Analysis
REHIS	-	Royal Environmental Health Institute of Scotland
RIDDOR	-	Reporting of Injuries, Diseases and Dangerous Occurrences Regulations
SCPHA	-	Suffolk Coastal Port Health Authority
SFBB	-	Safer Food, Better Business

SLIC	-	Senior Labour Inspectors' Committee
SVS	-	State Veterinary Service
TEU	-	Twenty-foot Equivalent Units
TOEW		Take Out Eat Well
TRACES	-	Trade Control and Expert System
TRACES NT		Trade Control and Expert System New Technology
UKAS	-	United Kingdom Accreditation Service
UKFSS	-	United Kingdom Food Surveillance System



**Appendix 1**  
East Suffolk  
Management Structure

## East Suffolk Council Senior Management Team



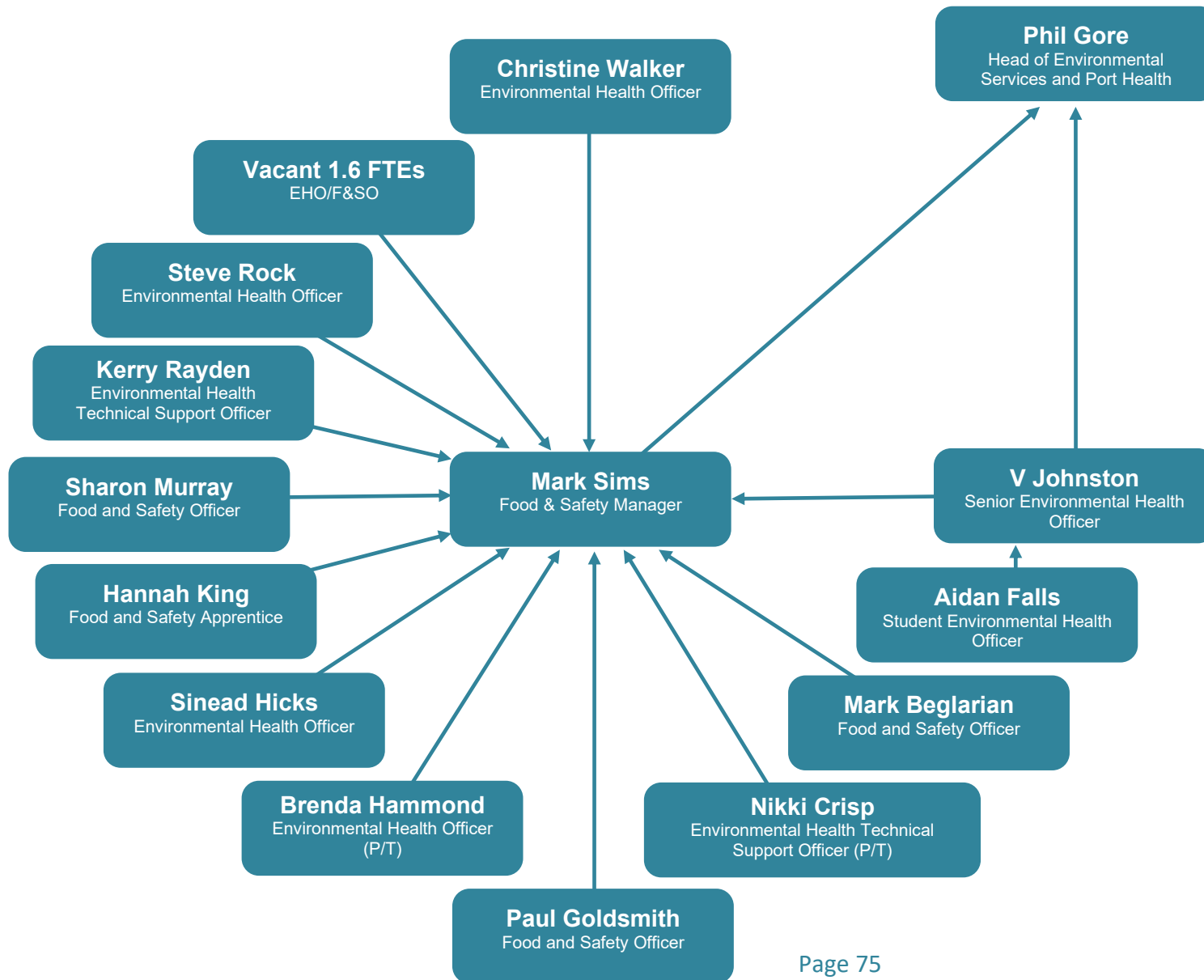
Updated 12 June 2019

## **Appendix 2**

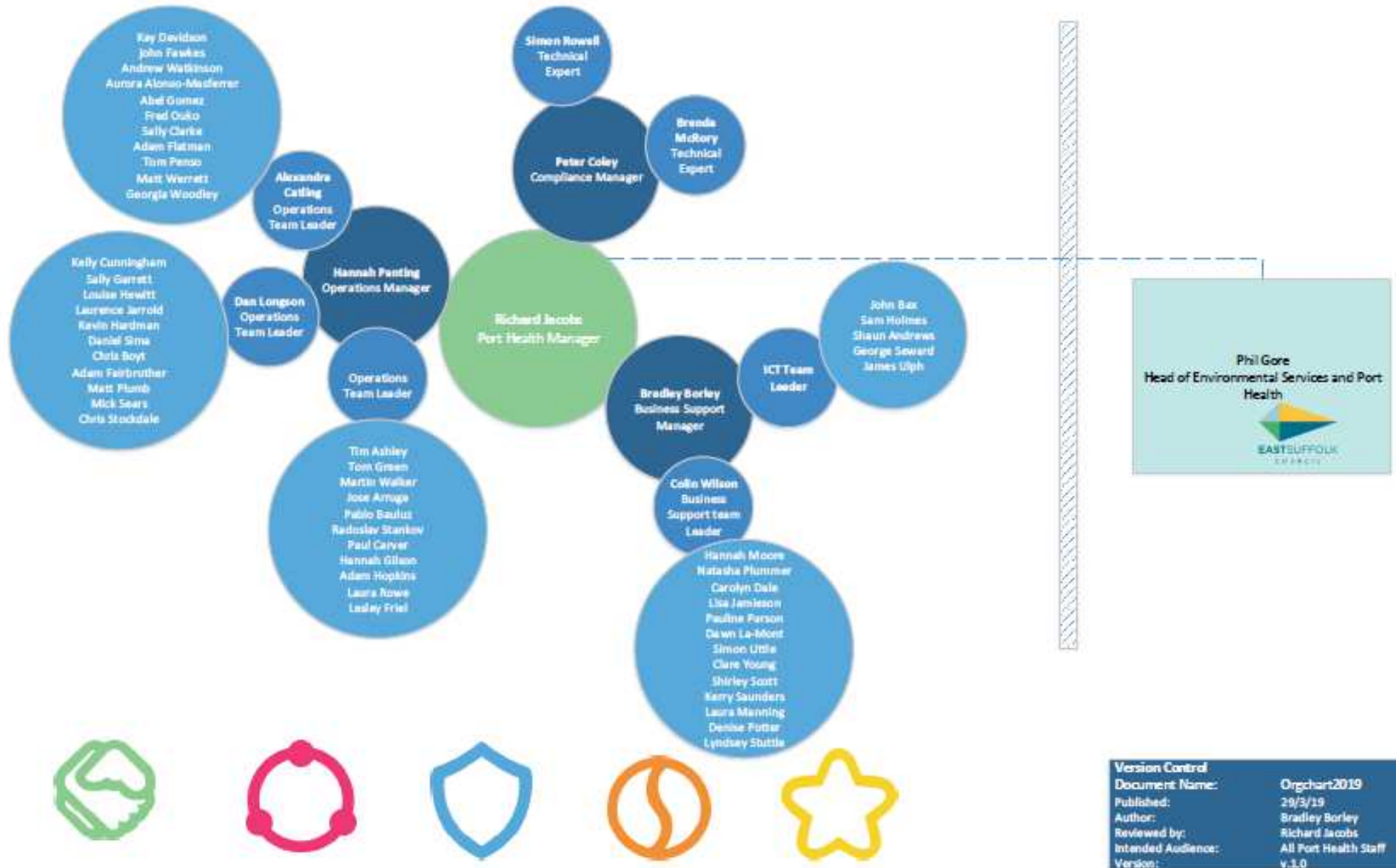
Team structure -  
Food and Safety Team

Team structure -  
Port Health Team

# Food and Safety Team Structure April 2019



# Organisational Chart April 2019



**Phil Gore**  
Head of Environmental Services and Port Health



**EASTSUFFOLK  
COUNCIL**



Version Control	
Document Name:	Orgchart2019
Published:	29/3/19
Author:	Bradley Borley
Reviewed by:	Richard Jacobs
Intended Audience:	All Port Health Staff
Version:	v.1.0

**MT Management Team**

PH Manager	Operations	Business	Compliance	Head of Service
Richard Jacobs	Hannah Panting	Bradley Borley	Pete Coley	Phil Gore

**TE Technical Experts**

TE : NAO / IUU	TE: PoAO
Brenda McRory	Simon Rowell

**TL Team Leaders**

Operational	Operational	Operational	Business support	ICT
Alex Catling	Dan Longson	Steven Dearsley	Colin Wilson	Paul Clack

**TG Technical Groups**

ICA	OVS	PHSO	PHO	ICT
Natasha Plummer	Pablo Bauluz	Hannah Gilson	Sally Garrett	John Bax
Clare Young	Daniel Sima	Tom Penso	Kelly Cunningham	James Ulph
Lisa Jamieson	Kevin Hardman	Adam Hopkins	Laurence Jarrold	Shaun Andrews
Pauline Parsons	Aurora Alonso-Masferrer	Georgia Woodley	Tim Ashley	Samuel Holmes
Simon Little	Frederick Ouko	Mick Sears	John Fawkes	George Seward
Hannah Moore	Jose Arruga	Adam Flatman	Martin Walker	
Denise Potter	Radoslav Stankov	Chris Stockdale	Andrew Watkinson	
Laura Manning	Abel Gomez	Matthew Plumb	Louise Hewitt	
Carolyn Dale		Lesley Friel	Tom Green	
Dawn La Mont		Sally Clarke	Kay Davidson	
Josh Amass		Paul Carver		
Shirley Scott		Adam Fairbrother		
Kerry Saunders		Chris Boyt		
Julie Barker		Laura Rowe		
Lyndsey Stuttle		Matt Werrett		

# Appendix 3

## Letter of Appointment



Food Standards Agency  
Floors 6 and 7 Clive House  
70 Petty France  
LONDON  
SW1H 9EX

Your ref:  
Our ref: PG/LL/FSA/230519  
Date: 23 May 2019  
Please ask for: Phil Gore  
Customer Services: 03330 162 000  
Direct dial: 01394 444286  
Email: phil.gore@eastsoffolk.gov.uk

Dear Sir/Madam

**Food Law Code of Practice (England) 2017**  
**Lead Officers Food Hygiene & Safety**

In accordance with paragraph 2.4.1.5 of the Food Law Code of Practice (England), I am writing to advise you of some minor changes to the Lead Officer roles for food hygiene and safety at East Suffolk Council (formerly Suffolk Coastal & Waveney District Councils).

**East Suffolk Council**

The lead officer for food hygiene and food safety is:

Mark Sims, Food & Safety Manager - Email: mark.sims@eastsoffolk.gov.uk, telephone: 01394 444356

**Suffolk Coastal Port Health Authority**

The lead officers for food hygiene and food safety are:

Richard Jacobs, Port Health Manager – Email: richard.jacobs@scpha.gov.uk, telephone: 01394 613330

Brenda McRory, Technical Manager – Email: brenda.mcrory@scpha.gov.uk, telephone: 01394 613330

Yours sincerely

**Phil Gore | Head of Environmental Services & Port Health**  
**East Suffolk Council**

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DX: 41400 Woodbridge

POSTAL ADDRESS Riverside, 4 Canning Road, Lowestoft NR33 0EQ  
DX: 41220 Lowestoft

## Appendix 4

### Public Analysts

<b>Kent Scientific Services</b> <b>Kent County Council</b> <b>8 Abbey Wood Road</b> <b>Kings Hill</b> <b>West Malling</b> <b>Kent</b> <b>ME19 4YT</b>	<p>Mr Jonathon David Griffin BSc (Hons) MChemA CChem MRSC DMS</p> <p>Ms Carol Gibbons BSc (Hons) MSc MChemA FIFST MRSC CSci</p>
<b>Hampshire Scientific Services</b> <b>Hampshire County Council</b> <b>Hyde Park Road</b> <b>Southsea</b> <b>Hampshire</b> <b>PO5 4LL</b>	<p>Mr Shayne Gordon John Dyer MChemA CChem MRSC DMS</p> <p>Ms Jennifer Ann Darrington Green BSc (Hons) MSc MChemA MRSC</p> <p>Ms Rachel Ann New BSc(Hons) MChemA CChem MRSC CSci</p>
<b>Public Analyst</b> <b>Scientific Services Ltd</b> <b>Woodthorne</b> <b>Wergs Road</b> <b>Wolverhampton</b> <b>WV6 8TQ</b>	<p>Ms Elizabeth Moran MSc MChemA MRSC</p> <p>Mr Kevin Wardle BSc CChem MChemA FRSC MIFST</p> <p>Mr Duncan Arthur MA MChemA CChem MRSC</p> <p>Mr Nigel Payne MSc, MChemA CChem MRSC</p> <p>Ms Joanne Hubbard BSc MChemA CChem FRSC</p> <p>Emma Downie MChem MChemA</p> <p>Michelle Evans BSc MChemA</p>
<b>Lancashire County Scientific Services</b> <b>Pedders Way</b> <b>Ashton-on-Ribble</b> <b>Preston</b> <b>Lancashire</b> <b>PR2 2TX</b>	<p>Mr Peter L. Mayes MChemA., MBA., CChem. FRSC</p> <p>Mrs Bharathi Reddy BSc (Hons), MChemA, CChem, MRSC</p>



## Appendix 5

### Food and Safety

### Customer Satisfaction Summary

Course Evaluation (34 responses)			
	Good 😊	Average 😐	Poor 😞
How satisfied were you with the course overall?	97%	3%	0%

Business satisfaction (72 responses)					
	Strongly agree	Agree	Neither agree/ disagree	Disagree	Disagree strongly
I felt my business was fairly treated.	75%	22%	0%	1%	1%
I felt the contact was helpful.	69%	26%	3%	1%	0%
Communication was clear.	67%	26%	4%	4%	0%

## Appendix 6

### Summary of Corporate Complaints

Complaints statistics 1 April 2018 to 31 March 2019				
	Total complaints	Justified	Unjustified	To be determined
Food and Safety	2	0	2	0
Suffolk Coastal Port Health Authority	6	3	3	0
<b>Totals</b>	<b>8</b>	<b>3</b>	<b>5</b>	<b>0</b>