



Hinckley & Bosworth Borough Council

Document no.1 Environmental Health Commercial Services Enforcement service delivery plan 2023/2024 - June 2023

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1. Introduction

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

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

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

2. Equal opportunities statement

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

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

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

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

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

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

3. Service aims and objectives

3.1 The corporate planning framework

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

3.2 Vision, priorities and values

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

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

Underlying these priority ambitions the council has four key values:

OUR VALUES



LEAD

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



INVOLVE

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



FAIR

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



EFFICIENT

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

3.3 The Corporate Plan

The Corporate Plan, refreshed in 2022 until 2025 sets out in more detail how our vision will be delivered for each of the underpinning priority ambitions. This enables everyone to know what the council will be focusing on to provide the right opportunities and services and provide them in the best way to improve the quality of life for everyone who lives and works in the borough of Hinckley and Bosworth. For each of the priority ambitions a set of overarching statements of what the council will achieve is given in the Corporate Plan along with further explanation as to 'what's is going to happen' to achieve these statements. A full copy of the Corporate Plan 2022 to 2025 can be obtained at: <https://hinckley-bosworth.corporateplan2022-25>

3.4 Service improvement plans

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

3.5 Environmental Health's objectives

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

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

Within Environmental Health Services, these objectives are the responsibility of officers employed in the Commercial Section. This plan sets out how the Commercial Section intends to work towards achieving the objectives in 2023/24, through education, training and enforcement

3.6 Links to strategic aims

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

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

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

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

3.7 Continuous improvement

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

4. Background

4.1 Profile

The borough of Hinckley and Bosworth is situated in the south west of Leicestershire, covering an area of 300 square kilometres. The Office for National Statistics census of 2021 estimate the population of the borough to be 113,600 and 51,017 homes. The population is overwhelmingly white (94.3%) with the largest group from the ethnic population (2.8%) being Asian with 1.8% being identifying themselves within the Mixed or Multiple category.

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

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

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

The council is also part of the national two tier arrangement for enforcement of health and safety legislation along with the Health and Safety Executive. Health and Safety enforcement in factories, construction sites and utilities is administered by the Health and Safety Executive from their Bedford offices (Telephone 0203 0281707).

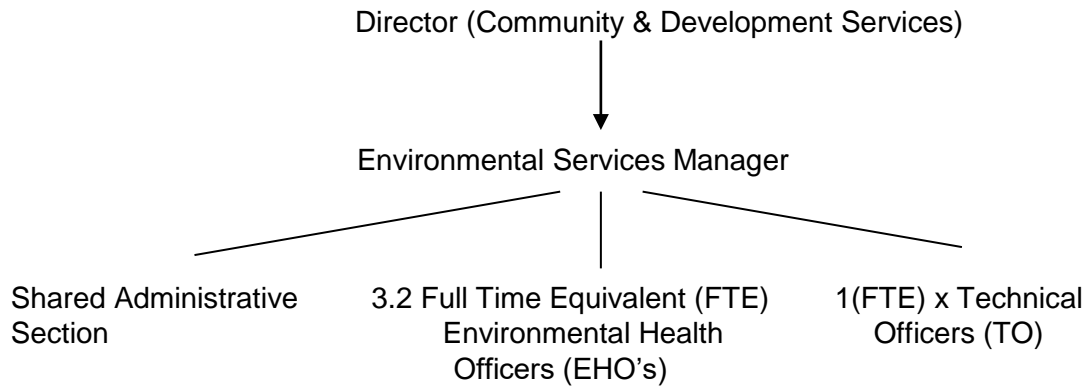
4.2 Organisational structure

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

Officers headed by the Chief Executive carry out strategic and operational management of the council services. The Chief Executive and two directors form the Strategic Leadership Team who are responsible for the strategic management, with service managers, responsible for operational management of council services reporting direct to a director.



The Environmental Services Manager, whose role includes the management of the Commercial Section that deals with Food Safety and Health and Safety Enforcement, reports to the Director (Community & Development Services) as shown in the structure of the Commercial Section of Environmental Health Services below:



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

	Name	Telephone number
Executive member for climate change, licensing, environmental health and rural affairs.	Councillor Martin Cartwright	0116 2874500 Mobile: 07850 707050
Chief Executive	Bill Cullen	01455 255606
Director (Community & Development Services)	Sharon Stacey	01455 255934
Environmental Services Manager	Steven Merry	01455 255735
Lead Officer – Food hygiene & health & safety	Steven Merry	01455 255735

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

5. Food safety enforcement service delivery plan 2023/2024

5.1 Scope of the food safety service

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

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

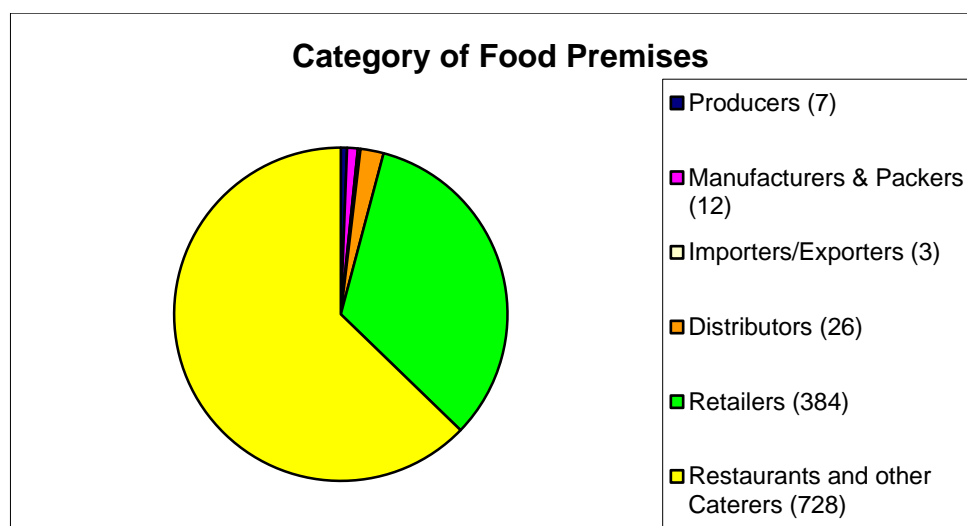
The Commercial Section is managed by the Environmental Services Manager who also has lead responsibility for food matters. At 1 April 2023, four Environmental Health Officers, (representing 3.26 full time equivalents) were in post undertaking the full range of duties of the Commercial Section, plus one full time Technical Officer with a Higher Certificate in Food Control, awarded by the Environmental Health Registration Board. All officers have considerable experience of food safety and therefore competent to inspect all food premises risk categories and to carry out all the duties of the section.

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

5.2 Demands on food safety service (as at 1 April 2023)

In the borough there are 1160 premises subject to food hygiene inspection in the following risk categories:

Risk category	Number of premises
A	0
B	13
C	109
D	449
E	538
Unrated	51
Total	1160



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

There are also three premises approved under European legislation as being egg grading establishments. No other specialist or complex food processing is carried out in the borough.

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

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

5.3 Enforcement policy

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

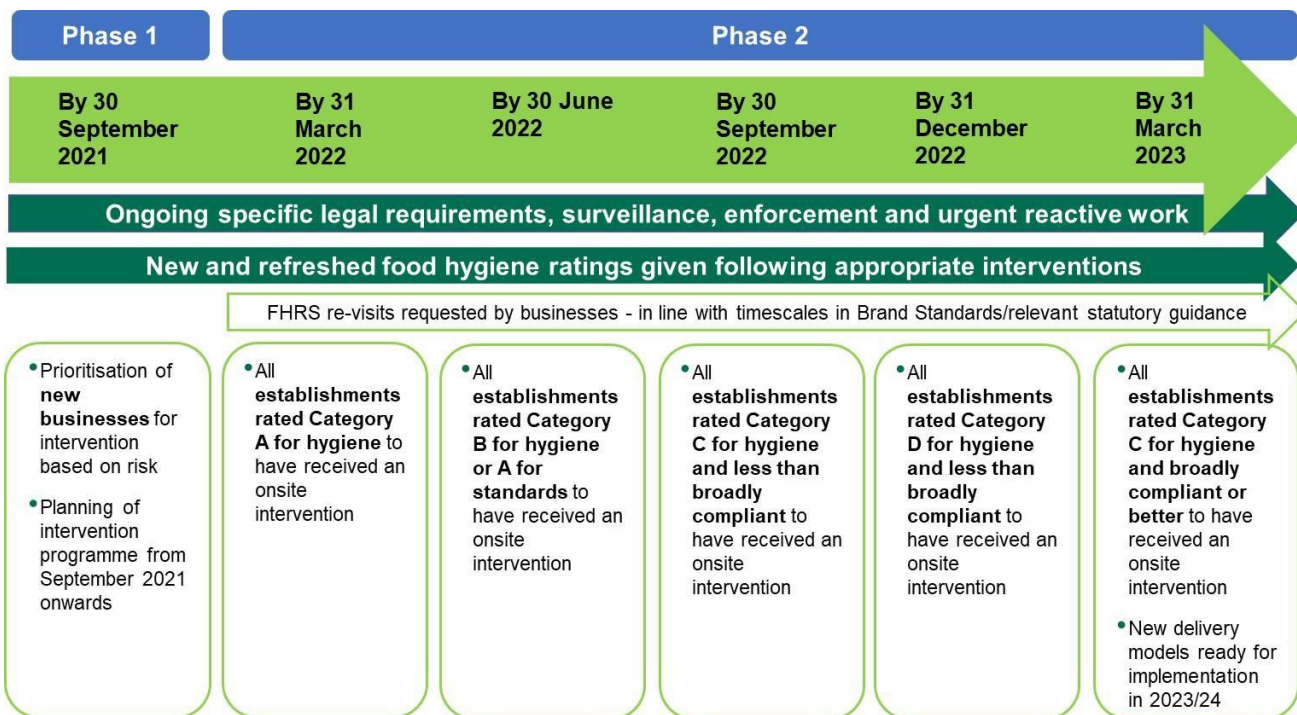
In developing these policies through the Leicester and Leicestershire Local Enterprise Partnership (LEEP) these policies help ensure consistency of approach across Leicestershire and have been developed with input of business.

5.4 Service delivery

5.4.1 Intervention programme

All food premises receiving a food hygiene intervention will be risk rated following the intervention. The rating scheme used by Hinckley & Bosworth Borough Council is that set out Chapter 4.4 and Annex 1 to the Food Law Code of Practice (England) (March 2021), produced by the Food Standards Agency. This means that all premises will receive an intervention within a range of six months to three years, depending upon the risk associated with the premises.

Following the suspension of routine food hygiene interventions in March 2020 due to the Covid pandemic the FSA launched on 16 June 2021 its 'COVID-19 Local Authority Recovery Plan: guidance and advice to local authorities for the period from 1 July 2021 to 2023/24'. This plan provided a framework for resumption of food hygiene interventions in line with the Food Law Code of Practice (England) for new food establishments and for high-risk and/or non-compliant establishments while providing flexibility for lower risk establishments. An outline of the recovery plan is provided below:



There were two phases to the Recovery Plan. Phase 1 required prioritisation of new businesses that had been registered with the Council from March 2020 and was completed by the service by 30 September 2021. The service had also commenced from May 2021 an inspection programme based on risk for these newly registered premises along with the inspection of A and B rated businesses, resulting in the first milestone within Phase 2 of 31 March 2022 being achieved ahead of Schedule. During 2022/23 we continued to achieve all other milestones, to end on the 31 March 2023 in a position where all but 1 'C' rated premises remained to be inspected, which had been visited on several occasions but could not be inspected due to change of business opening and ownership details.

For lower risk establishments not shown in the figure above, local authorities were given the flexibility to defer planned interventions and only undertake intervention where information/intelligence suggested that risks have increased/standards have fallen or if the establishment is otherwise considered a priority for intervention due to the risk posed.

During 2022 /23 the service completed the following interventions per risk category:

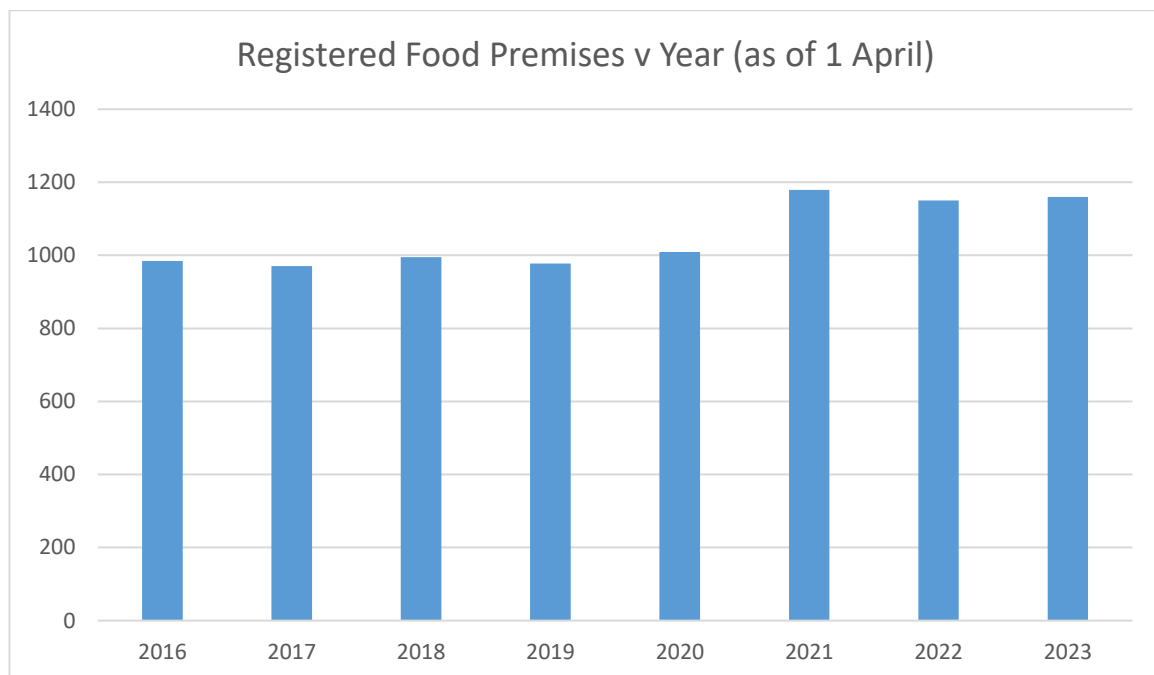
Category	Minimum frequency of intervention	Interventions Carried out 2022/23
A	at least every six months	2
B	at least every year	10
C	at least every 18 months	117
D	at least every two years	39
E	at least every three years	20
Unrated		147
		335

For 2023/24 the current premises profile, as of 1 April 2023, with respect to risk rating is shown below with the number of premises requiring an intervention per category of premises in column four.

Category	Minimum frequency of intervention	No. premises	Interventions due 2023/24
A	at least every six months	0	0
B	at least every year	13	13
C	at least every 18 months	109	72
D	at least every two years	449	347
E	at least every three years	538	348
Unrated		51	51
		1160	831

The service devotes 3.2 full time equivalent officers in food hygiene interventions and, so long as the service is not impacted by any additional serious incidents is usually able to conduct 400/420 interventions per annum and will clearly not achieve the 831 interventions required in 2023/24. It is also noted that, officers are spending more time encouraging businesses to correct falling hygiene standards in food premises since the Covid pandemic due to businesses struggling financially, staff resourcing, energy and cost of living impacts and also anecdotally a lack of officer interaction. This combined with a reduction in the intervention methods available to officers due to FSA requirements has led to a fall in the number of interventions feasible in a year.

In addition to the strains on the service outlined above, during the Covid pandemic, the service saw the number of registered food premises rise as demonstrated in the chart below.



During this period it would appear that people re-evaluated their occupations and used furlough and redundancy funds to set up food businesses, with registration levels rising to over 1200 food businesses at one stage, a 20% increase over previous registered numbers. Whilst the sustainability of these businesses is questioned, and levels of registered businesses has now fallen to 1160, there has not been an equivalent increase in staff resources to deal with this demand, but it may be prudent to keep a watching brief on this situation over the next few years to establish if there will be a substantial reduction in registered food premise numbers or whether extra resources are required.

The strain on the food hygiene service outlined above for this Council is not unique to ourselves. These exact strains are also being encountered in adjacent county authorities, regionally and nationally and known of by the FSA. In part response to this, the FSA issued a letter to all local authorities on 20 February 2023, indicating that `due to the positive work undertaken by local authorities` a decision was made to end the recovery plan outlined above on the 31 March 2023. This stance was reiterated in a letter sent to all local authorities Chief Executives on 2 May 2023 from the Chief Executive of the FSA which also thanked officers for engaging with the Recovery Plan, monitoring surveys and verification assessments and for their ongoing vital work in striving to return to pre-pandemic levels of service. The letter from the FSA Chief Executive further acknowledges that `many local authorities still have a backlog of lower risk businesses to work through, alongside a return to normal performance expectations` adding that they `will take a risk-based and pragmatic approach to performance management as

services work to realign with the Food Law Code of Practice and to 'catch up' on backlogs of lower risk premises created by the pandemic. `

Added to the issues above, the service in 2023/24 will also come under further pressure on staff resourcing due to one member expected to take Maternity leave from October, for at present, an unknown period of time. To address these issues a report on the Food Hygiene Intervention Programme for 2023/24 was taken to the Senior Leadership Team on the 6 June where it was agreed that:

- 1) The emphasis for food hygiene Inspections in 2023/24 will be on ensuring that all high risk rated food premises (Category A to C) and unrated premises (prospective new businesses or new registrations) will be inspected. Category D premises will follow in priority with those previously rated highest and longest period since last inspection carried out first, or where intelligence raises concerns on public health/ consumer protection. Category E premises will be the lowest priority unless intelligence raises concerns of public health/ consumer protection or can be undertaken by alternative means eg. Questionnaire.
- 2) To begin to address the back log and cover expected maternity leave the service will employ a suitably qualified bank staff member, currently undertaking work experience to enable him to qualify as a Technical Officer for food hygiene on a 7 month 3 day per week contract.

So long as the service is not impacted by any additional serious incidents it is hoped that, besides the 85 interventions programmed for the high risk A –C premises in 2023/24, an additional 450 premises, mostly D rated and newly registering food businesses during the year will receive an intervention in 2023/24. This will mean that the service target for interventions in 2023/24 is 535 interventions.

For 'new businesses', we will continue to give consideration of registration information and intelligence with appropriate onsite interventions carried out where there are concerns around public health/consumer protection. Where consideration of registration information and intelligence does not raise concerns about public health/consumer protection, initial visits will be prioritised and undertaken in accordance with the Codes of Practice and Practice Guidance taking account of the flexibilities provided. In practice, this flexibility enables us to postpone the initial inspection of low risk establishments beyond 28 days where conducting it would delay planned interventions to higher risk establishments or to delay initial inspection of an establishment that has registered 28 days or more prior to trading until commencement of operations.

The number of revisits required following a programmed inspection is dependent on the level of compliance found and the action taken by the officer. Re-visits to premises following a programmed inspection will be made where significant contraventions of food hygiene or processing regulations and/or poor hygiene practices are found. In addition revisits due to proprietors requesting a revisit to improve their Food Hygiene Rating (see 5.6), will also be undertaken, last year 8 requests were received for this service. In addition 11 revisits to check on progress of remedial works following an inspection were also undertaken, equating to 19 revisits in total being undertaken in 2022/23. It is likely that a similar number to previous preceding years of 20 revisits will be required this year, at approximately 1.5 hours per re-visit, including any follow up administration, this will require approximately 30 hours of the section's time.

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

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

No targeted inspection activity is envisaged in 2023/24 unless requested by the Food Standards Agency. Equally no priorities relating to nationally or locally driven issues are expected or known of for that period.

In previous years a measure of the councils performance with respect to food hygiene has been through a National Performance Indicator NI 184, 'The number of broadly compliant food premises'. The service has seen a consistent and substantial percentage of broadly compliant premises in the borough in recent years, usually around 95%. Whilst, the performance indicator is no longer required to be reported to national government, it is seen by the Food Standards Agency as a useful measurement as to the continuing performance of local authorities and also to this council as to a useful guide as to the overall indicator of food hygiene levels in businesses in the borough. As such it is intended to continually monitor this indicator with the aim of improving further the number of food businesses in the borough who are broadly compliant with legislation. During the pandemic it was noted, due to the large number of newly registering food business in this period, the number of broadly compliant food businesses fell substantially to around 84% by July 2021. It is therefore pleasing to note that by March 31 2023, the number of broadly compliant food business had risen to 94%. This year our target for March 2024 has therefore been set to achieving a level of 95%.

In order to help achieve a level of 95% of food businesses in the borough being broadly compliant, this year, officers will continue to make use of the interventions allowed by the Food Standards Agency for those businesses which have a high level of compliance and thereby using released resource to increase attention on non-compliant businesses. Therefore all food businesses with a risk category of C and rated 5 in the Food Hygiene Rating Scheme (see 5.6) at their last inspection dated post 1 July 2021 may be subjected to only a sampling and verification visit or partial inspection to establish that conditions found on the last inspection remain. A full inspection will be made at their next programmed inspection date.

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

5.4.2 Food complaints

Complaints about food will be dealt with in accordance with procedures for the handling of complaints and enquiries to the service, including guidance given in a 2023 revised Memorandum of Understanding with County Trading Standards Service and the requirements of Food Law Code of Practice (England) in respect of complaints.

In 2022/23 the service received 42 complaints about defective food and 55 other complaints and requests for advice concerning premises or practices, totalling 97 requests for service. 7 of the service requests related to enquiries from prospective businesses for advice.

In 2023/24 it is anticipated, in line with recent trends, there will be, in total, approximately 100 complaints and enquiries to be dealt with by the service. 1000 officer hours have been allocated to this area of work.

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

5.4.3 Primary Authority principle

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

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

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

5.4.4 Advice to business

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

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

In the past targeted information to specific food industry sectors has been sent out from the service, for instance on the Food Information Regulations and to all nursing and residential care homes issuing advice on the prevention of listeria infection. However, no topical issues on food hygiene were subject to a mailshot emerged during last year. Should a suitable topic arise in 2023/24, consideration will be given to distributing an information mailshot.

The service continues to be able to deliver food hygiene courses for food handlers using the Chartered Institute of Environmental Health Level 2 (Foundation Certificate). However during the pandemic no courses were held and there are no plans for courses in 2023/24 as the service concentrates on ensuring all food businesses receive a current intervention.

5.4.5 Food sampling and inspection

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

In 2022/23 we submitted for analysis 2 foods only for analysis, in part due to staffing resource issues at the laboratory meaning they were not accepting routine samples for the majority of 2022, but additionally our aim to ensure interventions in compliance with the FSA Recovery Plan were carried out.

In 2023/24 it is anticipated that we will submit 160 samples to the London United Kingdom Health Surveillance Agency laboratory. A resource of 80 officer hours has been allocated to this area of work.

Whilst UKHSA still have the availability to use the United Kingdom Food Surveillance System (UKFSS), a national database that centrally holds a record of all food and feed samples taken by local authorities and port health authorities, the contract between the Food Standards Agency (FSA) and software supplier has now ended. This system has enabled greater intelligence gathering leading to targeting of resources to risk based sampling programmes at local and national levels and thereby improved public protection. It is also efficient for officers allowing sampling forms to be completed in the field and then transmitted electronically, saving officer time in completing paperwork, printing and duplications in data entries. The indications are that the FSA wish to find an alternative system and further monitoring of this matter will occur in 2023/24.

5.4.6 Water sampling

A programme of water samples is usually undertaken from large food businesses within the district. In 2022/23, 6 samples were taken and it is anticipated that 10 water samples will be taken for bacteriology quality in 2023/24, 20 officer hours have been allocated to this area of work.

5.4.7 Imported foods

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

5.4.8 Control and investigation of outbreaks and food related infectious diseases

All formal notifications of food poisoning and food borne illness, except campylobacter (unless in a risk group), are investigated within two days of receipt in accordance with the appropriate policy. During 2022/2023, 40 notifications were received, of these there were 10 salmonella, 16 cryptosporidium, 6 Giardia lamblia , 1 E.coli, 2 Hepatitis E, 5 suspected food poisoning. In addition 1 Legionella was notified and investigated by the service.

Based on historic rates it is anticipated that approximately 40 cases of food poisoning and food borne illness will be notified and require investigation in 2023/2024. Hence 40 officer hours have been allocated to the investigation of individual cases.

5.4.9 Food safety incidents

The service has a documented procedure which deals with the action to be taken following the receipt or initiation of food alerts. The procedure complies with the requirements of the Food Law Code of Practice (England). During 2022/23 there were:

- 76 Allergy alerts
- 52 Product recalls
- 6 Incidents
- 2 Alert for action by Local Authorities

One of the alert for action applicable to this Council was that concerning several Product Recall notices published by the Food Standards Agency (FSA) in early April 2022 in

relation to a Salmonella outbreak linked to Kinder chocolate products produced in Belgium and distributed across the UK, Europe and other countries. The service was alerted by the FSA to concerns regarding the efficacy of the product withdrawal and recall in reaching small independent and franchise retailers, and that some of the affected products may remain on sale. In light of the seriousness of the foodborne outbreak, with a number of young children becoming seriously unwell and many reported cases being admitted to hospital, the FSA sought the assistance of local authorities in ensuring that smaller food retailers, both independent and franchise chains, were aware of the product recall and that the affected products had been withdrawn and removed from sale.

Officers immediately set about either contacting by phone or email small and independent retailers in the borough, or where it was considered more appropriate, visiting the retailers to carry out spot checks on whether the product was for sale. 67 contacts were made by email or phone with retailers and 31 spot check visits made, representing a total of 98 premises being contacted. The products were found available for sale in 10 of the premises, all of which removed them on advice from officers. It is known that no associated Salmonella cases investigated by Officers in the borough around that time implicated any Kinder products.

The visits also identified one premises who was receiving Kinder products direct from Poland with labelling information only in Polish. This premises was referred to Leicestershire County Council's Trading Standards Service for further investigation.

The other alert to action for the Service was that of Romanian pork and pork products which were subject to restrictions due to that country being within the highest risk zone of identified African Swine fever risk (ASF) and the possibility of them being on sale in England. It appears that product only permitted for the domestic Romanian market and not be distributed outside Romania had been discovered in retail premises in England. We were asked to raise awareness with relevant businesses in the Borough and act where affected product was identified. Three premises were visited in the Borough, but none of the suspect product was observed on sale.

No major food incidents of note have occurred within the borough over the past years since April 2019.

5.5 Liaison

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

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

The Environmental Services Manager along with other representatives of the East Midlands Area are usually represented at an annual liaison meeting with Severn Trent Water Authority, which in 2022 was cancelled by Severn Trent due to low expected numbers of participation by local authorities.

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

5.6 Food hygiene promotion

5.6.1 Food hygiene rating scheme

The Council operates the national Food Hygiene Rating Scheme operated by the Food Standards Agency. When inspected food businesses are scored against a set of criteria for hygiene compliance, structural compliance and food safety management/control systems. The subsequent rated results are then posted on a website to provide members of the public details of the premises' hygiene rating at the last inspection. Each business is also supplied with a sticker displaying their rating which they were encouraged (but not legally required to do) to display either on the entrance door to the premises or adjacent windows. At the beginning of April 2023, the hygiene rating of 1062 food premises in the borough were available at <http://ratings.food.gov.uk/>

5.6.2 Food safety management systems

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

5.6.3 Food safety week

Due to Covid restrictions there has been no Food Safety Week campaigns organised by the Food Standards Agency or Council since 2019.

5.6.4 E.coli 0157

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

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

5.6.5 Future food hygiene strategy

In February 2016 the Food Standards Agency (FSA) began consultation on the future of food safety regulation. It is recognised that the existing food regulatory system, which has operated some 30 plus years, still works well however, is coming under strain with technological and market advances, therefore the FSA is looking at a new regulatory model

fit for a further 30 years. Whilst initially ambitious ideas for improvement were suggested by the FSA, the practicality of implementation has tempered both the scope of change and timescales.

One of the improvements the Council has though implemented through this review is the introduction of a new digitally-enabled approach to make it easier for businesses to register and easier for them to access information and guidance that will enable them to get things right from the start. This now means that whereas previously a food business registered with the Council, since February 2020, a business registers with the FSA, whose systems forward registration details to the local authorities for their data bases.

The FSA have now rebranded their improvement programme as Achieving Business Compliance (ABC) and have set up working and stakeholder groups to look at improvements to the Food Hygiene Delivery Model. We will continue to watch and participate on consultations on strategies as they develop.

6. Health and safety enforcement service delivery plan 2023/24

6.1 Description of service

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

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

6.2 Aim of health and safety enforcement service

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

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

6.3 Priorities of health and safety enforcement service

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

Guidance produced by the HSE through their National Local Authority Enforcement Code launched in

May 2013 and the Health and Safety Executive/local authorities' enforcement liaison committee revised Local Authority Circular 67/2 (Rev 12) 2023 'Setting Local Authority Priorities and Targeting Interventions for 2023/24' have therefore been used to determine this council's key priorities for 2023/24.

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

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

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

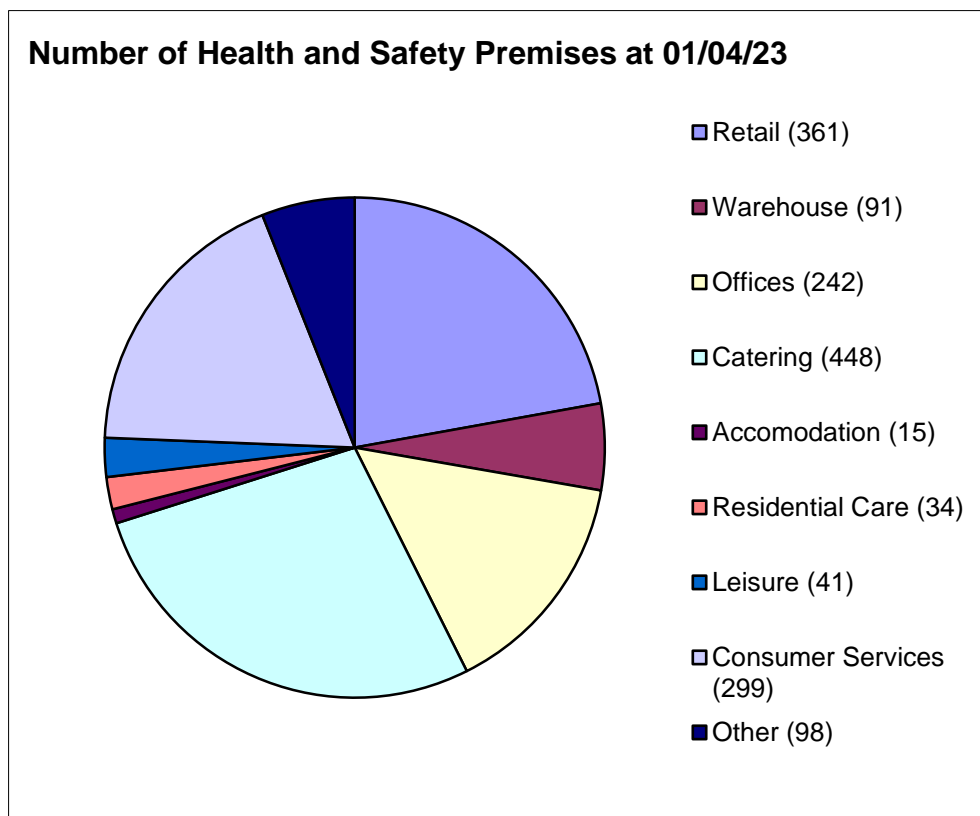
The service will need in 2023/24 to continue to keep a watching brief on national developments in health and safety policy especially as we continue to emerge from the pandemic.

6.4 Delivery of the health and safety service priorities 2022/23

The service had planned during 2022/23 to develop with the County CIEH Health and Safety Best Practice Group and Leicestershire Fire and Rescue Service a campaign highlighting manual handling risks to employees and fire hazards in the care sector. Unfortunately, due to the need to allocate resource to achieve the FSA Covid 19 Recovery Plan, no work was undertaken on this subject.

6.5 Delivery of the health and safety service priorities 2023/24

The following chart illustrates the category profile of the 1629 Health and Safety premises within the borough for which the council has enforcement responsibilities at the 1 April 2023:



6.5.1 Health and safety planned inspections 2023/24

Based on the risk rating scheme the risk profile of premises whose health and safety enforcement responsibility falls to this council is shown in Table 1 below:

Table 1 – Risk profile of health and safety premises at 1 April 2023

Category	A Highest risk	B1 Medium risk -1	B2 Medium risk - 2	(C) Lowest risk	Unrated / New Premises
Summary of appropriate intervention (LAC 67/2 (Rev 12))	Proactive inspection	Reactive intervention only			Alternative intervention other than proactive inspection
Total number of premises	1	55	347	1037	189
Total number of interventions due	1	0	0	0	189

In accordance with LAC 67/2 (Rev 12) it is proposed in 2023/24 to target the Category A businesses for a proactive inspection, resulting in an inspection target of 1 premises. Inspections of medium risk businesses (categories B1 and B2 premises) will only occur if during a food hygiene inspection a matter of evident concern is seen or reports of accidents, complaints or other intelligence suggests the premises requires an intervention. All unrated and new premises will receive either an advisory visit or questionnaire and be risk rated following the visit or return of the questionnaire. This is expected to result in a further 189 interventions. There will be no proactive interventions to low risk businesses (C rated premises) in 2023/24, however these premises will receive a visit should a reactive visit be required for instance should a service request be made or a serious accident arise.

In summary therefore it is anticipated that the service will in 2023/24 conduct 1 proactive inspection and 189 interventions by questionnaires or advisory visits. In total therefore the health and safety service aims to achieve 190 interventions in 2023/24.

6.5.2 Revisits

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

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

Priority will be given to revisiting those premises where:

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

6.5.3 Accident investigation

In 2022/23 the council received 27 accidents/dangerous occurrences reported to it under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 (RIDDOR).

It is not necessary to investigate all of these notifications. However, we will investigate all accidents, cases of disease and dangerous occurrences that meet the criteria set out in our policy document No7 - Procedures for the selection and investigation of accidents, diseases, dangerous occurrences and other statutory notifications. This policy is based upon Health and Safety Executive/Local Authority Enforcement Liaison Committee (HELA) circular 22/13(rev1) 'Incident selection criteria ', which was last reviewed and implemented in 2017. A high priority will be given to selecting for investigation slip, trips and fall accidents and incidents involving workplace transport.

In 2022/23 we investigated 5 (18%) of accident notifications received. In 2023/24 it is anticipated that we will investigate approximately 25% of all the accidents reported to us.

6.5.4 Service requests

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

In 2022/23 we received 29 requests for service. In 2023/24 it is anticipated that 50 service requests will be received.

Additionally where we are notified of asbestos removal activities, we will investigate them to ensure removal of asbestos material is being carried out in accordance with the legislation and codes of practise. In 2022/23 no asbestos removal activities were notified to us.

6.5.5 Intervention plan 2023/24

The service has the following priorities during 2023/24:

Proactive interventions				
Activity	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Outcome / output measures

Inspection and provision of advice and guidance at businesses identified as risk category A	Standards found at time of last intervention	Inspection (Cat A) – 1 Premises identified for 2023/24	Undertake an intensive programme of support for all Cat A premises until the risk at the premises is reduced and can be categorised as B1 or lower	Number of premises inspected Number of visits made Number of premises moving from A to B1
Undertake advisory visits or self-assessment questionnaires to all unrated and new businesses	Part of the Better Business For All campaign to ensure business 'Get it right First Time'.	Advisory visit or Self-Assessment Questionnaire to all new and unrated businesses	To ensure business receive advice at an early stage in order for them to comply with their legal responsibilities and prevent injuries	Number of premises in receipt of either an advisory visit or self-assessment questionnaire.
Continue to Work with the County Event Planning Oversight Group (EPOG) to develop consistent policies and processes for large scale public gatherings.	Concerns nationally following Manchester Arena enquiry and locally through EPOG	Continue to develop a countywide 'one stop' website for event organisers and liaise and support the County EPOG.	To ensure effective crowd management at large scale public gatherings	Systems in place to highlight the necessity for a EPOG for large public gatherings and provide a one stop portal for event organisers.

Proactive interventions

Activity	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Outcome / output measures
Develop with the County CIEH Health and Safety Best Practice Group a gas safety campaign in commercial catering premises	National priority outlined in LAC67 -2 (Revision 12) 2023/2024	Campaign to highlight gas safety in commercial catering premises	To ensure commercial catering businesses understand the hazard and their legal responsibilities in relation to gas safety	During 1st Quarter Officers to receive gas safety training and develop a questionnaire/ for officers to complete during food hygiene inspections

Develop with the County CIEH Health and Safety Best Practice Group an Outdoor Electrical Safety campaign in hospitality settings	National priority outlined in LAC67 -2 (Revision 12) 2023/2024	Campaign to highlight outdoor electrical safety in hospitality settings	To ensure hospitality settings understand the hazard and their legal responsibilities in relation to outdoor electrical safety	During 1 st Quarter develop a newsletter for distribution to known hospitality businesses with outdoor electric equipment and an inspection proforma for officers to complete on selected businesses.
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Reactive interventions

Activity	Evidence that identified the concern and set its priority	Planned intervention type	Rationale for intervention	Outcome / output measures
Investigate reports of incidents and ill health using the incident selection criteria	Reporting of injuries, diseases and dangerous occurrences regulations 2013 (RIDDOR) statistics	Incident and ill health Investigation.	To investigate to establish if there are any issues or poor management performance.	Number of incidents reported Number of incidents investigated Number of notices served Number of prosecutions / cautions.
Investigate reports of concern and complaint from employees or members of the public	Reports of complaint	Dealing with Issues of complaint	To investigate to establish if there are any issues or poor management performance.	Number/nature of complaints investigated Number of notices served.

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

In order to deliver our priorities for 2023/24 the mechanisms illustrated in the following table will be utilised.

Priority	Delivery mechanism	Deadline
Section 18 Compliance	Service Plan approved by Senior Leadership Team	31 July 2023
Appropriate enforcement	Continue to ensure enforcement decisions are consistent with our enforcement policy, the Health and Safety Executive's (HSE's) enforcement policy statement and the enforcement management model. This will ensure proportionate, consistent, transparent and accountable enforcement in line with the Better Regulation agenda.	31 March 2024
Staff Training	Have regular 1:1 meetings with staff to assess their progress against targets and any personal development needs.	31 March 2024
	Ensure officers attend revision/training on relevant health and safety topics to ensure they are appropriately trained and developed ensuring their competence and credibility with local businesses and encouraging staff retention/recruitment	31 March 2024

6.6 Performance indicators

Description	2022/23	2022/23	2023/24
	Target	Actual	Target

Local performance indicators			
Number of workplace interventions carried out	204	194 (95%)	190
Service Performance Indicators			
Percentage of service requests investigated	100	100	100
Percentage of service requests responded to within two working days	100	21% (6)	100
Percentage of asbestos notifications investigated	100	100 (0)	100

6.7 Provision of information

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

In the past targeted information to specific industry sectors has been sent out from the service, for instance on legionella control to all nursing and residential care homes. However, no topical issues or legislation changes worthy of issuing an information mailshot emerged during last year. Should a suitable topic arise in 2023/24, consideration will be given to distributing an information mailshot.

6.8 Health and safety enforcement policy

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

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

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

6.9 Improved contact with employee representative

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

6.10 Smoke free legislation

Smoke Free legislation came into force on 1 July 2007. These laws were introduced to protect individuals in public places and in the work place from the harmful effects to health of smoking

and second hand smoke (passive smoking).The legislation meant that virtually all enclosed public places and workplaces became smoke free. Enforcement in this borough is by officers from within the Commercial section.

The legislation continues to have the support of the vast majority of the public, even amongst smokers themselves. This has been demonstrated by the level of compliance noted by the council since the introduction of the legislation. In 2022/23 enforcement in the borough by officers from within the Commercial Section resulted in no informal warnings being issued.

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

Continued monitoring and appropriate enforcement will continue in 2023/24.

7. Resources

7.1 Financial allocation

Resources allocated to the Commercial Team are not kept separate from the general allocation of funds in the budget for the Environmental Health Section. In 2022/23 a net total budget of £836,760 was allocated to Environmental Health and revised during the year to £860,206. At the beginning of 2023/24 a budget of £919,352 has been allocated and represents an increase in budget of 9.87% on the original budget for 2022/23. This was mainly due to increase in salaries.

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

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

Formal enforcement action for example, prosecution of a food business proprietor would involve activity by the authority's Legal Services section. Costs incurred by legal services would be included in the annual recharge to the team and as such it is not classed as controllable expenditure.

7.2 Staff Allocation

At the 1 April 2023 five Environmental Health officers and one Environmental Health technical officer, with appropriate qualifications and experience that meet the requirements of the Food Safety Act Code of Practice were involved in food hygiene enforcement. This is represented by one manager and five field staff and taking into account the services provided by the team, in 2023/24 the service will have 3.2 Full Time Equivalent (FTE) officers engaged in field food hygiene enforcement.

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

The five Environmental Health officers and one Environmental Health technical officer have the appropriate qualifications and experience to enforce Health and Safety legislation and this equates to 1.06 FTE officers employed in Health and Safety.

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

7.3 Staff development plan

Every member of staff has at least one 1:1 interview with the service manager to draw out any training and personal development needs required annually, usually May, with a six month review.

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

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

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

8. Quality assessment

8.1 Quality assessment

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

- Food hygiene inspection procedures (revised 2016)
- Documentation and Implementation of a Service Delivery Plan
- Enforcement policy (revised 2015)
- Food sampling statement (revised 2023)
- Food sampling programme (revised 2023)
- Alternative enforcement strategy
- Authorisation of officers
- Infectious disease investigation procedures
- Outbreak control procedure (revised 2017)
- Food complaints
- Operational complaints
- Internal monitoring procedures (revised 2017)
- Food hazard warnings
- Database maintenance
- Prevention of loss of data from database
- Quality monitoring (revised 2017)
- Documented control system
- Training systems
- Equipment maintenance and calibration
- Local liaison arrangements
- Third party or peer review arrangements
- Promotion of food safety issues
- Food hygiene rating consistency framework policy (2017)

The majority of these documents were developed in 2001/2 and revision of all was completed in 2008/09. In light of recent revisions of the Code of Practice issued by the Food Standards Agency, several have been revised since.

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

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

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

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

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

Assurance

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

The last peer review exercise was completed in December 2019 when Lead Food Hygiene officers across the county conducted an audit of internal monitoring procedures, with no issues arising from the Hinckley and Bosworth Borough Council audit.

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

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

The service also presented a report in March 2019 to Finance and Performance Scrutiny on the operation of the Health and Safety enforcement service. Members were satisfied with the service in the borough and no recommendations made. In February 2020 a report on the operation of Food Hygiene Rating Scheme was presented to Finance and Performance Scrutiny also with no recommendations made.

8.2 Better Business for All (BBfA)

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

The past few years has seen the project continue to deliver information and advice to businesses, but is now reviewing its organisation and relationships with regulatory partners, principally as the LLEP is due be reorganised in 2023.

Information and advice for business can be made through the business gateway at: www.llepbizgateway.co.uk

Also, a BBFA Advice Pack for easy to follow generic advice for all businesses is available on the Business Gateway at: [BBfA Advice Pack](#)

9. Review

9.1 Review

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

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

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

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

9.2 Identification of variance from Service Plan 2022/23

9.2.1 Interventions

In total the Section made 529 interventions during 2023/24, representing 85% of the target of 623 for the year.

A. Food Hygiene

The section has inspected 333 food premises for food safety and received 2 self-assessment questionnaires, totalling 335 interventions for 2022/23.

The Food Safety Enforcement Service Delivery Plan of 2022/23 required 421 premises to receive an intervention for the year; hence the food safety inspection programme achieved 79.6% of target.

The resultant enforcement actions are described in the table below.

Food safety enforcement actions

Type of premises	Premises issued with informal notices	Premises issued with improvement notices	Voluntary / emergency closure or surrender of food.	Prosecution/ formal caution
Primary producers	0	0	0	0
Manufacturers and packers	2	0	0	0
Importers/exporters	0	0	0	0
Distributors/transporters	3	0	0	0
Retailers	46	0	0	0
Restaurants/caterers	95	0	0	0
Totals	143	0	0	0

B. Occupational health and safety

The section carried out 194 advisory visits for occupational health and safety interventions for 2022/23.

The Health and Safety Enforcement Service Delivery Plan of 2022/23 required 202 interventions for the year; hence 95% of the health and safety intervention programme was achieved.

The intervention programme in 2022/23 led to one health and safety Improvement Notice being served on a defective ramp at a Care Home following investigations into an accident to an employee.

9.2.2 Courses and campaigns

No courses or campaigns were undertaken by the service in 2022/23 as resources were directed to achieving the FSA Covid19 Recovery Plan.

9.2.3 Service requests

In total the Section investigated 126 service requests during 2022/23. This represented 29 for health and safety and 97 food related.

9.2.4 Sampling

Limited sampling was undertaken in 2022/23 as resources were directed to achieving the FSA Covid19 Recovery Plan. 8 food and water samples from food businesses were submitted for analysis.

9.2.5 Infectious diseases

The Section carried out 40 infectious diseases, mainly food poisoning, investigations in 2022/23.

9.3 Areas of improvement for 2023/24

Key service improvements and objectives for 2023/24 are:

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