

Public Document Pack

Executive Member Decisions

Friday, 15th July, 2022
10.00 am

AGENDA

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food service plan 2022_23 v1.0

Date Published: Friday 15th July 2022
Denise Park, Chief Executive

EXECUTIVE MEMBER DECISION



BLACKBURN
with
DARWEN
BOROUGH COUNCIL

REPORT OF: Executive Member for Public Health and Wellbeing

LEAD OFFICERS: Director of Public Health and Wellbeing

DATE:

PORTFOLIO/S AFFECTED: Public Health and Wellbeing

WARD/S AFFECTED: All

SUBJECT: Procurement for Safe and Warm Homes Service 2023-26

1. EXECUTIVE SUMMARY

The Safe and Warm Homes service for Blackburn with Darwen is commissioned jointly by Public Health and the Better Care Fund. The service was originally delivered internally as the Decent and Safe Homes (DASH) service. Since 2016 the service has been delivered by Care Network, with DASH staff being transferred into the new provider. An open tender process has not been carried out to date and permission is now being sought to undertake this with a view to a new contract starting in April 2023.

The Safe and Warm Homes programme supports residents of all ages to live in a home which supports and promotes health and wellbeing. Due to a number of emerging challenges post COVID, including the cost-of-living crisis, physical deconditioning brought about by extended a period of shielding, along with historical issues around poverty and housing stock which is difficult to make more energy efficient, a review and recommission of this service is timely to ensure a robust and effective service for residents.

2. RECOMMENDATIONS

That the Executive Member:

1. Notes the commencement of a tendering and procurement activity to offer this service to the wider market, with revised contractual and commissioning arrangements to be in place from 1st April 2023. This contract will cover the life course and will be awarded for three years with an option to extend for up to two years subject to satisfactory delivery which will be monitored via robust contract review processes.
2. Delegates responsibility to the Director of Public Health for the award of the final contract.

3. BACKGROUND

The purpose of the Safe and Warm Home service is to increase the awareness of the link between health and housing, develop a network of healthy homes champions to promote safe and warm home messages and provide targeted and coordinated support for residents who may need help in keeping their home warm and safe to live in. The current service provider is Care Network who carry out home risk assessments and provide advice and signposting for suitable interventions to keep the home environment safe and warm. Advice and

signposting are a universal provision but the targeted provisions and interventions are for the most vulnerable households within the borough. The tendering of this service provides the opportunity to identify areas for growth and development of the service to help meet the demands of the population.

A study conducted by Building Research Establishment (2021)¹ found that the cost to the NHS from poor housing was £1.4 billion in 2018. This was primarily due to the category one hazards (Housing Health and Safety Rating System rating) of excess cold, falls and dampness. However, it was noted that the wider societal costs could equate to £18.5 billion from the need for long-term care, educational achievement and mental health impacts.

A new model by Public Health England² has shown that the return on investment for home assessments and improvement is significant, for both the local authority and the NHS. For every £1 spent, there are £2.17 financial savings to health and social care. The wider societal benefits which are measured by quality adjusted life years, or number of years spent good health and not requiring substantial health and social care input, are £7.34 for every £1 spent.

Local authorities have a statutory responsibility to provide affordable housing of a good quality to its residents and provide accommodation for the homeless. By ensuring houses are safe and warm, health can significantly be improved as basic needs are met and independence is maintained. The service will align with the following NICE guidance ensuring it is evidence based:

- NG6 Excess winter deaths and illness and the health risks associated with cold homes³
- CG161 Falls in older people: assessing risk⁴
- PH30 Unintentional injuries in the home: interventions for under 15's⁵

The proposed timeline for the tender process is available in Appendix A.

4. KEY ISSUES & RISKS

A study has found that families who are already the most deprived will be hit the hardest by the increase in the cost of living as they have nothing left to cut. This is subsequently a driver of poor mental health and will cause an increase in the demand for both safe and warm home services and mental health services. (BMJ, 2022)⁵. This will be particularly true for Blackburn with Darwen.

Key statistics for Blackburn with Darwen⁶

- 46.9% of children are living in relative poverty in BwD
- 16.4% of houses are in fuel poverty (10,000 and expected to double due to cost of living crisis)
- 32.7% of older people live alone in the borough
- 1143 formal diagnoses of dementia within the borough for those aged 65 and over (35% increase expected by 2030)
- 30.3% of residents have a limiting long-term illness/disability

From the evidence presented, this service is necessary to improve the health of the borough. Through this tender process and specification, the service can be expanded to include a dementia provision, increase volunteer training and target additional resources at the BAME community. As housing has moved into the public health portfolio, this will only increase the demand of the service.

¹ [BRE Report the cost of poor housing 2021.pdf \(bregroup.com\)](#)

² [A Return on Investment Tool \(publishing.service.gov.uk\)](#)

³ [Overview | Excess winter deaths and illness and the health risks associated with cold homes | Guidance | NICE](#)

⁴ [Overview | Falls in older people: assessing risk and prevention | Guidance | NICE](#)

⁵ [Overview | Unintentional injuries in the home: interventions for under 15s | Guidance | NICE](#)

⁵ [Cost of living crisis: we cannot ignore the human cost of living in poverty | The BMJ](#)

⁶ [fingertips.phe.org.uk](#)

A 3 year contract will enable the successful provider to develop the service to meet the changing needs of the residents in the borough. A three year contract may also attract a variety of providers to bid for the service.

5. POLICY IMPLICATIONS

This process will be aligned with local and national guidelines, including the NICE guidelines stated above. The service will also link with the borough's Fuel Poverty Toolkit. The service also supports the Climate Emergency action plan.⁷

6. FINANCIAL IMPLICATIONS

The service is jointly funded through the Public Health ring fenced grant and Better Care Fund (BCF). Current annual funding from BCF is £20,000 plus £58,785 funded from the public health ring fenced grant totaling £78,785 per annum.

An uplift to the BCF funding element to £27,000 for the lifetime of the contract has been agreed by the BwD Joint Commissioning Recommendations Group on 6th June. The total value of the contract will be £257,355 over the initial three years of delivery starting 1st April 2023.

7. LEGAL IMPLICATIONS

An open tender process will be followed to ensure this tender attracts providers with sufficient knowledge and expertise to enable quality delivery. The tendering process will need to comply with the Public Contracts Regulations and the Council's Contract and Procurement Procedure Rules.

8. RESOURCE IMPLICATIONS

The management of the tender process and subsequent implementation, roll out and monitoring of the service will be managed by the public health team and supported by the Lancashire and South Cumbria Integrated Care Board commissioning team. Clarity is required as to where Better Care funding will sit within the new commissioning landscape. Contract management will be supported through contracting and procurement.

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 ☒ Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 ☐ In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 ☐ In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

A programme of consultation and engagement is planned during the summer of 2022. This will include consulting with a range of partners, stakeholders and the public.

See Appendix B for full consultation plan

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

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| VERSION: | 1 |
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| CONTACT OFFICER: | Hannah Dean, Public Health Development Manager Beth Wolfenden, Public Health Specialist |
| DATE: | 6 th June 2022 |
| BACKGROUND PAPER: | Appendix A Procurement Timeline Appendix B Consultation Plan EIA Checklist Fuel Poverty Toolkit - Fuel Poverty Toolkit - Be Well BWD |

Safe and Warm Homes Tender

Consultation Process

Council

Public
Health

Services

External

Partners

Care
Network

Referral
Services

NHS

Public

Service
Users

COVID
Champions

Council

Public
Health

Services

External

- What resources PH team has to support
- Bullet point most important elements of specification
- Take to working groups within relevant agendas and strategies it aligns with
- Present to relevant services (Children's services and Adults)
- What support is already given to their service through this tender and what can be done better
- Research statistical neighbours and what their councils have in place
- Look at the specifications for their service and what can be pulled out

Partners

Care
Network

Referral
Services

NHS

- Talk to current provider to understand their experience of the current tender
- Review current outcomes against specification
- Liaise with each service that CN refers users to e.g CHiL
- Understand their capacity and how they can develop
- Go through each PCN to understand what worked well and what can be improved
- ICS- expansion across Lancs

Public

Service Users

COVID Champions

- Use Care Network to send out questionnaires to service users to gain feedback of service
- Go through working groups PH team is involved with to target potential users and what they would expect from this service
- Utilise COVID Champions to gain access to communities, especially BAME
- Understand barriers to access e.g shame, language

Additional Research

- What other providers are out there
- Clarify the referral path and the target audience (private vs rented housing)
- Legislation changes as contract is for 3 years

Key Specification Elements

- Warmth, Energy and Humidity – tariff checking, insulation, ventilation
- Safety- accident prevention (slips, trips and falls, burns, poisoning etc), safer sleeping etc
- Supporting people with Dementia to live at home for as long as possible
- Addressing health inequalities with a focus on the BAME community

Appendix A- Key Tender Dates

| Activity | Date |
|--------------------------------|-------------------------|
| EMD Paper Published | 13th July 2022 |
| Consultation Period | June-July 2022 |
| Final Specification | w/c 26th September 2022 |
| CHEST | Early October 2022 |
| Panel Decision | Early December 2022 |
| Award | January 2023 |
| Provider Implementation | 1st April 2023 |

EXECUTIVE MEMBER DECISION



REPORT OF: Executive Member for Environment

LEAD OFFICERS: Director of Environment and Operations

DATE:

PORTFOLIO/S AFFECTED: Environment

WARD/S AFFECTED: All

SUBJECT: Food Law Service Plan 2022-23

1. EXECUTIVE SUMMARY

1.1 This report seeks approval for the Food Law Service Plan for the year 2022/23. It details Public Protection and Environmental Health Service's performance in 2021/22 on delivering the Council's obligations to make sure food is safe to eat and is what it claims to be, explains what work is required in 2022/23 and what resource is available to deliver the work.

1.2 The current staffing resource is sufficient to deliver the work required.

2. RECOMMENDATIONS

That the Executive Member:

2. 1 Approves the Food Law Service Plan 2022/23.

3. BACKGROUND

3.1 The Food Standards Agency's (FSA) "Framework agreement on official feed and food controls by local authorities" (Framework agreement) sets out what the FSA expects from local authorities in their delivery of official controls on feed and food law.

3.2 One of the requirements of the framework agreement is that local authorities agree a service plan for the delivery of the official feed and food controls. The Food Law Service Plan for 2022/23 is at appendix 1 to this report.

4. KEY ISSUES & RISKS

4.1 The food law service plan has been drawn up in accordance with the common format suggested within the framework agreement. It therefore provides all of the details required by the FSA.

4.2 It makes reference to the requirements in the FSA's Food Law Code of Practice. This in particular details the frequency at which food businesses should be inspected or have some other intervention to ensure compliance with legislation designed to make sure food is safe and is what it claims to be. The frequency of inspection depends on the risk of the business causing food poisoning or selling food which is unsatisfactory in some other way. The risk is calculated using a formula in the Food Law code of practice which takes account, amongst other things, of the type of foods sold, suitability of food handling practices, state of repair and cleanliness of the premises and confidence in management in maintaining safe standards. The higher the risk the more often an inspection needs to be carried out.

4.3 Due to the Covid-19 pandemic for almost 2 years the food safety inspection programme was severely curtailed. This is because the staff normally employed to carry out food safety work were diverted to deal with Covid-19 control work. Duties included monitoring and ensuring compliance with the various business closure requirements, local contact tracing and supporting workplaces experiencing outbreaks of Covid-19. Additional temporary staff resources were recruited using the Covid Outbreak Management Fund (COMF) support for local authorities. This has allowed significant numbers of food safety inspections to be carried out to catch up with the programme. In total 527 food safety inspections were carried out in the year.

4.4 During the pandemic the Food Standards Agency issued periodic instructions on how staffing resources available should be used to prioritise food safety work. The revised requirements continue into 2022/23 and 2023/24 and this plan sets out how we will meet those requirements. The details of this work are on pages 9-10 of the Service Plan.

4.5 At the end of 2021/22 the amended requirements of the FSA have been met but there is still a backlog on the usual inspection programme. It is anticipated that for 2022/23 there is sufficient resource within the Public Protection Service to deliver the Council's obligations under the FSA's Recovery Plan with 480 inspections planned for the year.

4.6 In 2021/22 94% of food businesses in Blackburn with Darwen were broadly compliant with food hygiene regulations (this is a score of 3 or above on the Food Standards Agency's Food hygiene Rating Scheme).

5. POLICY IMPLICATIONS

5.1 The work detailed in this Food Law Service Plan supports the corporate plan objectives of reducing health inequalities and improving health outcomes, safe and clean environment and, supporting our town centres and businesses.

5.2 The Environment portfolio corporate scorecard has a measure of the number of food businesses achieving a rating of 3 and above on the FSA Food Hygiene Rating Scheme. Completing the inspection element of the food law delivery plan allows this measure to be reported on.

6. FINANCIAL IMPLICATIONS

6.1 None

7. LEGAL IMPLICATIONS

7.1 The carrying out of inspections follows the Food Standards Agency's Framework Agreement on Local Authority Food Law Enforcement, and the Food Law Code of Practice.

Each Competent Authority must have an up-to-date, documented Food Service Plan that covers all areas of food law that the Competent Authority has a duty to enforce and set out how the authority intends to deliver Official Controls within its area.

8. RESOURCE IMPLICATIONS

8.1 None

9. EQUALITY AND HEALTH IMPLICATIONS

Please select one of the options below. Where appropriate please include the hyperlink to the EIA.

Option 1 ☒ Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2 ☐ In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. *(insert EIA link here)*

Option 3 ☐ In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. *(insert EIA attachment)*

10. CONSULTATIONS

10.1 The food law service plan will be made available on the council's website for comment.

11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

12. DECLARATION OF INTEREST

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded and published if applicable.

| | |
|-----------------|------------|
| VERSION: | 0.1 |
|-----------------|------------|

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| CONTACT OFFICER: | Denise Andrews |
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| | |
|--------------|--------------------|
| DATE: | 25 May 2022 |
|--------------|--------------------|

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|--------------------------|-------------|
| BACKGROUND PAPER: | None |
|--------------------------|-------------|

**BLACKBURN WITH DARWEN
BOROUGH COUNCIL
PUBLIC PROTECTION SERVICE**

**FOOD LAW SERVICE PLAN
2022-23**

CONTENTS

1. SERVICE AIMS AND OBJECTIVES

2. BACKGROUND

3. SERVICE DELIVERY

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5. QUALITY ASSESSMENT

6. REVIEW

INTRODUCTION

This plan explains how Blackburn with Darwen Borough Council will deliver its responsibilities for food law enforcement through its Public Protection Service (PPS) for 2022/23. In addition it reviews the work carried out in the previous year to meet the Council's plans and obligations.

Due to the Covid-19 pandemic the food safety inspection program has been severely curtailed for almost 2 years. The Food Standards Agency issued periodic instructions on how available staffing resources should be used to prioritise food safety work. The revised requirements continue into 2022/23 and 2023/24 and this plan sets out how we will meet those requirements.

Blackburn with Darwen Borough Council is a unitary authority which has responsibility for regulating businesses with regards to food hygiene, safety, standards and food and feed hygiene at primary production.

The plan has been produced in accordance with the Food Standards Agency Framework Agreement on Local Authority Food Law Enforcement.

The plan seeks to provide clarity on what we do and why we do it.

The plan is reviewed and updated annually. It is presented before the Executive Elected Member for Environment for consideration and approval.

1. SERVICE AIMS AND OBJECTIVES

1.1 Aims and Objectives

Aims

To ensure a fair and safe trading environment and to improve standards of health and reduce inequalities in the Borough through the development and implementation of effective inspection programmes.

The aims and objectives have been set with reference to the Council's corporate strategic objectives, The Food Standards Agency Framework Agreement and Food Standards Agency Codes of Practice and Practice Guidance.

Objectives

The prime objectives of the service in relation to food are:

- Deliver the Food Safety Inspection Regime
- Deliver the Food Standards Inspection Regime
- Promote and administer the Recipe 4 Health Scheme

1.2 Links to Corporate Objectives and Plans

Corporate Plan 2019-23

The Corporate Plan has 4 strategic themes underpinned by eight corporate priorities – these are:

- **People – A good quality of life for all our residents**
 - P1. Supporting young people and raising aspirations
 - P2. Safeguarding and supporting the most vulnerable people
 - P3. Reducing health inequalities and improving health outcomes
- **Place – Community pride in a vibrant place to live and visit**
 - P4. Connected Communities
 - P5. Safe and clean environment
- **Economy – A strong and inclusive economy with continued growth**
 - P6. Strong, growing economy to enable social mobility
 - P7. Supporting our town centres and businesses
- **Council – Delivered by a strong and resilient council**
 - P8. Transparent and effective organisation

FOOD LAW SERVICE PLAN 2022/23

The work detailed in this Food Law Service Plan supports the corporate plan objectives of reducing health inequalities and improving health outcomes, safe and clean environment and, supporting our town centres and businesses.

The Public Protection Service in turn draws up an annual Service plan which details work priorities to contribute to the Council's overall priorities. This food service delivery plan is aligned to it. Each individual member of staff, through the annual appraisal process, is set work objectives to ensure the overall achievement of these plans.

2. BACKGROUND

2.1 Profile

Blackburn with Darwen lies on the boundary between the Lancashire countryside and the Greater Manchester conurbation.

The central urban areas of the Borough have many problems more often associated with inner cities – high population density, and many people from disadvantaged or vulnerable groups.

2.1.1 Population

The latest population figures for 2018 show a population of 148,900.

Almost 30% of the borough's population are from Black and Minority Ethnic groups.

The people of Blackburn with Darwen face exceptional challenges to their health and wellbeing. These challenges are associated with a number of factors including relatively low educational attainment, low income, high unemployment, and poor and often overcrowded housing. Blackburn with Darwen is in the worst 10% of areas in terms of deprivation.

Life expectancy data from the early 1990s onwards has shown that in Blackburn with Darwen resident's average life expectancy has been below that of the England and Wales and North West averages. The health of people in the borough lags behind the England average on a range of indicators.

2.2 Organisational arrangements

The delivery of the Food Service Plan sits with the Council's Public Protection and Environmental Health Service. This is part of the Environment and Operations Department.

The authority has made provisions with the following bodies in order to deliver certain specialist areas:

Public Analyst Services provided by Lancashire County Analyst

The Consultant in Communicable Disease Control is drawn from a pool of staff at Public Health England.

2.3 Scope of the Food and feed service

Food hygiene, safety and standards matters are dealt with by Environmental Health Officers (EHOs) within the business compliance team. Higher risk food standards inspections are carried out by Trading Standards Officers.

Animal feed inspections are undertaken by Oldham Council acting on our behalf.

The range of work undertaken is:

- Taking appropriate action on all food alerts
- Investigating food poisoning outbreaks
- Investigating food complaints
- Completing risk-based inspections (including revisits) for food hygiene and standards.
- Responding to service requests and complaints
- Responding appropriately to all non-outbreak infectious disease notifications
- Completing all new registrations, including risk rating within 28 days where resources allow
- Completing the sampling programme
- Providing advice to food business operators
- Maintaining the APP/FLARE database
- Maintaining the food safety website
- Improving partnership working
- Working with EHL and TSNW to provide coordinated and consistent food safety/trading standards activities throughout North West and Lancashire
- Providing publicity campaigns and promotional activities
- Establishing and maintaining Primary Authority relationships
- Supplying accurate and timely information to stakeholders, internal management and customers
- Providing advice on planning and building control applications where there are significant developments
- Deliver Recipe 4 Health Award scheme on behalf of the Council's Public Health Service

2.4 Demands on the feed and food service

There are 1379 food premises currently registered in Blackburn with Darwen.

Profile of establishments

Primary Producers – 5
Manufacturer/Packer – 51
Food Importer/Exporter – 4
Distributor/Transporter – 17
Supermarket/Hypermarket – 30
Small Retailer – 260
Retailer/Other – 55
Restaurant/Cafe/Canteen – 196
Hotel/Guest House – 15
Pub/Club – 111
Take Away – 239
Caring Premises (care homes and child minders) – 203
School/College – 75
Mobile Food Unit – 21
Restaurant/Caterer Other – 97

Approved premises

Meat Preparation Establishments – 2
Meat Product Establishments – 12
Dairy Establishments – 4
Egg Processors - 2

Demand for out of hours inspections can come from any of these premises ranging from clubs and pubs to take away premises.

There is also a large resource demand from premises which change hands, swapping from experienced owners to new investors who need guiding through food hygiene and trading standards legislation.

The Public Protection Service is delivered from Davyfield Depot, White Dove Building, Roman Road Industrial Estate, Blackburn, BB1 2LX.

The service is available from 9am to 5pm Monday-Friday. Telephone callers are routed through the Council contact centre which is open 9am-5pm Monday-Friday.

First point of contact for trading standards matters is provided by Citizens Advice Consumer Service.

The emergency out of hours contact number is 01254 51098.

2.5 Enforcement policy

The Council's enforcement policy embraces the policies and procedures detailed in the Regulators Code. The policy is published on the Council's website.

<https://www.blackburn.gov.uk/legal-notice/enforcement-and-prosecution-policy>

3 SERVICE DELIVERY

3.1 Interventions in food and feeding stuffs establishments

Inspections for all food premises are risk-based and pre-programmed. For food hygiene purposes the Food Standards Agency Food Law Code of Practice risk rating scheme is used. These scores are fed into the national Food Hygiene Rating Scheme which publishes business ratings for food hygiene on the website: <http://ratings.food.gov.uk/>

Food standards inspections are also scored using the Food Standards Agency Food Law Code of Practice risk rating scheme.

Food hygiene rating & non-compliant premises

The rating profile of food businesses within the Food Hygiene Rating Scheme (FHRS) is as follows:

| Rating | Number of premises |
|---------------------|--------------------|
| 0 | 3 |
| 1 | 41 |
| 2 | 18 |
| 3 | 92 |
| 4 | 206 |
| 5 | 672 |
| Awaiting Inspection | 67 |
| Exempt | 125 |

The total number of broadly compliant premises operating within the Borough in 2021/22 was 94% of the premises within FHRS eligibility.

The FHRS scores can be viewed on the Food Standards Agency website at <http://ratings.food.gov.uk/>

FOOD LAW SERVICE PLAN 2022/23

Due to the response to the covid-19 pandemic required by Environmental Health Officers the food safety inspection programme was severely curtailed during 2020/21 and 2021/22. The Food Standards Agency recognised this impact and have issued a recovery plan. The inspection programme detailed in this service plan is in line with the FSA recovery plan.

At the end of 2021/22 all inspections due under the recovery plan were completed. This was only possible to achieve because of the additional, temporary staffing resources provided through the Covid Outbreak Management Funds (COMF). This still leaves a back log from the inspections due under the usual inspection frequency as laid out in the Food Law Code of Practice.

The following table identifies the inspection requirements for 2022/23:

| | Number of inspections required | Comment |
|-------------------------------|--------------------------------|---|
| Cat A hygiene | 6 | Min 6 monthly inspection |
| Cat B hygiene | 56 | Min 12 monthly inspection |
| Cat C hygiene | 156 | Min 18 monthly inspection |
| Cat D hygiene | 262 | Min 24 monthly inspection – intervention inspection |
| Cat E hygiene | 217 | Min 36 monthly inspection |
| Outside the programme | 161(no inspection required) | Child minders, some church halls supplying very low risk foods |
| Primary producers | 5 | Farms |
| Unrated hygiene premises | 67 | Premises that have sent in a food registration form but which have not yet been inspected. These premises will be inspected during this calendar year |
| Cat A food standards premises | 12 | Inspection every 12 months |
| Cat B food standards premises | 200 | Inspection every 2 years |
| Cat C food standards premises | 269 | Alternative enforcement/Intervention every 5 years – alternative enforcement questionnaire |
| Outside the programme | 161 | Child minders, some church halls supplying very low risk foods |
| Unrated standards premises | 67 | Premises that have sent in a food registration form but which have not yet been inspected. These premises will be reviewed during this calendar year |

FOOD LAW SERVICE PLAN 2022/23

Many of the programmed inspections carried out require revisiting to ensure work required to bring the premises back into compliance with the standards set out in the regulations has been completed. Averaged over the last 8 years there have been 170 revisits per year. It is anticipated a similar number of revisits will be required in 2022/23. Food businesses will be brought into compliance through the use of advice, both verbally during the inspection and in writing. Where this proves to be insufficient we will use more formal methods such as improvement notices, remedial action notices and prosecutions.

In 2022/23 we will not be relying on an alternative enforcement strategy of gathering information by questionnaire from very low risk food businesses. Temporary staffing resource has been made available to assist the Public Protection Service with recovery following the pandemic. In order to update our database of food businesses category E low risk premises will be visited to gather information on the following.

Type of food business
Number of vehicles used
Water supplier
Name of manager
Number of people engaged in the business
Opening times
Training of the owners and staff
Off site facilities

New legislation for 2021 and 2022

“Natasha’s Law” was introduced in 2021 placing duties on food businesses to fully label foods prepared on the premises and pre-packed for sale. A typical business affected by the change would be a sandwich shop where sandwiches are pre-prepared and displayed in a customer facing fridge. The intention of Natasha’s Law is to ensure all allergens are declared on the packaging to protect the lives of those who are allergic to certain ingredients.

Advice has been provided to businesses affected by the new requirements and checks on compliance built into food safety and standards inspections.

Businesses are required to comply with additional legislation in 2022 designed to help tackle the worsening problem of over-weight and obese people in the UK. These are:

- From April the requirement for businesses employing more than 250 people to provide calorie information displayed at the point of choice for the customer, such as physical menus, online menus, food delivery platforms and food labels on non-prepacked foods for immediate consumption. Restaurants, cafes and takeaways will need to comply

with the legislation to inform customers and allow healthier decisions to be made.

- From October some restrictions on the promotion of foods high in fat, salt and sugar (HFSS) by volume price (for example, 'buy one get one free') and location, both online and in store will be introduced for medium and larger businesses. Some of these measures have been postponed for a year due to the cost of living crisis. We await final details of what changes will be required when.

The current staffing levels are considered sufficient to deliver the food hygiene and standards inspection program for 2022/23.

3.2 Feed and Food complaints

We deal with complaints as detailed in the Code of Practice from the FSA and we adopt a business compliance approach to all regulatory activity.

3.3 Home authority principle and primary authority scheme

Under the Regulatory Enforcement and Sanctions Act 2008 local authorities may agree to become a primary authority for a food business – this principle is supported by the Public protection service.

The service currently has a number of informal home authority arrangements with food businesses and as primary authority for 2 businesses. In 2022/23 we will continue to work to maintain our current primary authority partnerships.

3.4 Advice to businesses

In 2022/23 we will continue to provide a basic level of advice either during inspections or by signposting businesses to information freely available on the internet etc. In 2021/22 advice was given to premises during a programmed inspection on 52 occasions. In addition, on a further 131 occasions advice was requested by businesses.

Where more in-depth advice is requested by a business, which may include a visit to a business premises, costs will be recovered for the time spent providing the advice. The current fee is published on the Council's website <http://www.blackburn.gov.uk/Pages/Fees-and-charges-booklet.aspx>

3.5 Feed and food sampling

The Service will continue to participate in sampling surveys organised through the Lancashire Food Officer group and TSNW where the study is relevant to Blackburn with Darwen and our staff resources allow.

FOOD LAW SERVICE PLAN 2022/23

Samples from manufacturing premises will remain a priority for the service. Should a specific local problem be identified, then a themed sampling survey may be undertaken. In addition, food samples may be taken during investigations of food safety problems originating in Blackburn with Darwen notified by other authorities.

Feeding stuff and feed hygiene enforcement is undertaken by Oldham Council as part of the animal health enforcement contract.

During 2021/22 we took 1 sample.

3.6 Control and investigation of outbreaks and food related infectious diseases

Infectious and communicable disease control is an important factor of food safety. The responsibility for the delivery of investigations into outbreaks is a co-operative venture between the Public Health England, Local Authorities and other agencies.

Notifications are followed up by visit, phone call or questionnaire depending on the nature of the disease and numbers of people affected. As far as possible we follow the Public Health Operational Guidelines for Enteric Fever together with the "Procedure for the management of an outbreak of food poisoning and gastro intestinal illness". In 2022/23 we will prioritise our response with samples only being taken for high risk cases with high risk infections such as Typhoid, E. coli 0157 and Salmonella. We will not respond to residential home outbreaks where symptoms and onset patterns suggest the most likely cause to be a non-food borne virus.

The following shows the number of confirmed cases of food borne illness over recent years:

16/17 - 212 cases
17/18 - 199 cases
18/19 - 193 cases
19/20 – 212 cases
20/21 – 125 cases
21/22 – 167 cases

This requires resources from officers up to the equivalent of 0.15 FTE.

3.7 Feed/food safety incidents

The public protection service will respond promptly to all food alerts issued by the FSA and notify the Agency of any serious localised issue or wider food safety incident identified, in accordance with the code of practice.

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We currently receive all food alerts to individual officers via email and through the FSA Inbox.

Any food alerts needing notification out of normal office hours can be done by contacting the Council's emergency contact number - 01254 51098.

Estimate of resource needed 0.05 FTE.

3.8 Liaison with other organisations

The Service is a member of Environmental Health Lancashire and Trading Standards North West (TSNW). Each has several subgroups where specialist areas of work are considered. It is estimated that the staff resource to attend meetings of these groups amounts to 8 days per year.

3.9 Food and food safety and standards promotional work and other non-official controls interventions

The Public Protection Service is committed to promoting initiatives which impact on the health, safety and wellbeing of residents and visitors to the borough. In 2022/23 the service will contribute to the following projects:

- Recipe 4 Health
- Maintenance of the Food Hygiene Rating Scheme

Information and guidance on food matters is included on the services website pages.

4. RESOURCES

4.1 Financial allocation

The annual budget for food safety and health and safety includes:

| | £ |
|--------------------------|----------|
| Staffing | 213,000 |
| Travel and subsistence | 4,900 |
| Equipment (including IT) | 5,200 |
| Total | 223,100 |

4.2 Staffing allocation

The staff engaged in delivering the food/feed service are as follows:

| | FTE |
|---|------------|
| Public protection service lead | 0.01 |
| Business compliance and licensing manager | 0.25 |
| Principal officer | 0.8 |
| Senior environmental health officer | 0.6 |
| Environmental health officer | 2.0 |
| Trading Standards officer | 0.1 |
| Administrative support is provided through a Business Support hub | |

All technical members of staff hold a certificate of registration with the Environmental Health Registration Board (EHRB) or the Diploma in Environmental Health or Diploma in Trading Standards.

4.3 Staff development plan

Training needs are identified for each individual member of staff through the annual appraisal process. As a minimum 20 hours CPD training will be provided with additional hours for those staff undertaking official controls at approved dairy establishments.

5. QUALITY ASSESSMENT

The public protection service subscribes to an externally controlled quality system called RIAMS

6. REVIEW

6.1 Review against service plan

The food law enforcement delivery plan forms part of the Public protection services annual service plan. Progress against the objectives set within it is reviewed on a six monthly basis. Any deviations from meeting objectives are reported to the Strategic Director of Environment and Operations.

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6.2 Review of 2021/22 including variances from service plan

| Task | What was achieved |
|---|--|
| Carry out food hygiene and food standards inspections (as required by Codes of Practice and the Framework Agreement) and take all necessary follow-up action to bring businesses into compliance. | <p>All the category A, B, C and D food hygiene risk inspections identified for priority using the FSA's recovery plan were carried out. Those premises found to be out of compliance were addressed through both formal and informal enforcement action and brought back into legal compliance</p> <p>The team carried out 527 inspections for food safety.</p> <p>The % of food businesses within the borough that were classified as broadly compliant with the legislation 2016 -17 % broadly compliant 92.2% 2017 – 18 % broadly compliant 91.96% 2018 – 2019 % broadly compliant 91.7% 2021 2022 % broadly compliant 93.9%</p> <p>This increase of 2.2% represents an additional 22 premises found to be compliant.</p> |
| Monitor all infectious disease notifications (and investigate those falling within the criteria set out in the infectious disease policy) | 167 cases of foodborne infectious disease were reported. Those requiring further action, such as salmonellosis, were fully investigated. No cases were formally associated with food businesses within the Borough. |
| Respond to all food alerts and take all necessary follow-up action | The food alerts published by the FSA were monitored electronically. Those requiring action were prioritised and implemented |
| Respond to service requests and enquiries | 258 service requests were responded to within the appropriate timescale |
| Make arrangements to license, register and give approval to all those premises that require such actions | 105 new business registrations were received. . |
| Raise food safety awareness and standards in the business sector. | In all our contacts with businesses our officers provide professional advice and information to raise standards within that business sector |
| Raise food safety awareness of customers and the general public. | Where resources allow we promote locally FSA public information campaigns |
| Develop the food safety website further, publishing details about our performance and why we do things but only when resources are available | This year the food website was subject to maintenance only resourcing. The site however continues to offer important compliance information and signposts enquiries to the externally supported web pages of the FSA |
| Carry out a food sampling programme subject to resources available | The food sampling programme was completed with 1 sample. |
| Explore opportunities for external funding | Funding for the Recipe 4 Health award scheme was provided by BwD Public Health |
| We will maintain close contact channels with Citizens Advice Consumer Service. | Channels were maintained with work regularly being passed from Citizens Advice Consumer Service to Public Protection Service for both food standards and food hygiene issues. |

6.3 Areas for Improvement

In 2022/23 we will restart our proactive sampling programme which has been on hold for the past 2 years. The aim is to determine if businesses are providing food which is what it says it is, especially in relation to allergens.