

ABERDEEN CITY COUNCIL

COMMITTEE	Communities, Housing, and Infrastructure
DATE	15 March 2016
DIRECTOR	Pete Leonard
TITLE OF REPORT	Protective Services Food and Feed Regulatory Service Plan 2016/2017 including Review of the 2014/2015 Service Plan
REPORT NUMBER:	CHI/16/004
CHECKLIST COMPLETED	YES

1. PURPOSE OF REPORT

The Food Standards Agency's 'Framework Agreement' (adopted by Food Standards Scotland) requires local authorities to prepare a service plan and annually review their performance against it. In contrast to Food, there is no such requirement for Feed, however, Food Standards Scotland (FSS) does set out on an annual basis what the priorities for the coming year will be in respect of feed enforcement.

The report presents to the Committee a revised Food and Feed Regulatory Service Plan (Appendix A) for approval by the Committee which also contains an improvement plan for the forthcoming year.

At this time it is impossible to predict accurately the number of food businesses that will be operating in the City or the number of hygiene interventions required for each category of business in 2016/2017; however following examination of the figures for the last few years it can be assumed that there will be a slight increase in intervention numbers due to the emergence of new catering businesses.

The review of performance against the 2014/2015 Food Safety Service Plan is also presented to the Committee.

2. RECOMMENDATION(S)

1. That the Committee approves in principle the maintenance and development of food and feed regulatory services necessary to satisfy the requirements of the Food Standards Agency's Framework Agreement
2. That the Committee approves the Food and Feed Regulatory Service Plan 2016/2017.(Appendix A)
3. That the Committee notes the Review of the 2014/2015 Food Regulatory Service Plan.(Included in Appendix A)

3. FINANCIAL IMPLICATIONS

Currently the service as proposed within the Regulatory Service Plan can be provided within the existing budget.

4. OTHER IMPLICATIONS

None

5. BACKGROUND/MAIN ISSUES

Food and Feed enforcement services provided by Aberdeen City Council are located in Protective Services, a city-wide service within Communities, Housing and Infrastructure. The majority of food enforcement work takes place within the Commercial Section of this Service, with a number of enforcement officers having a dual role being qualified to enforce both food and health and safety law.

With respect to the animal feed registration enforcement, colleagues in Aberdeenshire Trading Standards have in the past agreed to carry out this work on behalf of Aberdeen City Council. However, we have not yet asked them to carry out any such work on our behalf because there has been no need; we have been able to do this work ourselves.

Local authorities are required by Food Standards Agency's 'Framework Agreement on Official Feed and Food Controls by Local Authorities to prepare a Service Plan and review their performance against it on an annual basis.

The FSS sees the Service Plan as an important part of the process to ensure national priorities and standards of food enforcement are addressed and delivered locally. Service plans also:

- a. Focus debates on key delivery issues;
- b. Provide an essential link with financial planning;
- c. Set objectives for the future, and identify major issues that cross service boundaries; and
- d. Provide a means of managing performance and making performance comparisons.

FSS suggests a common format for Food and Feed Regulatory Service Plans which should assist local authorities in performance reviews under the Best Value regime.

FSS has a key role in overseeing local authority food and feed enforcement activities and is proactive in setting and monitoring standards and auditing local authorities' enforcement activities in order to ensure these are effective and undertaken on a consistent basis. Powers to enable FSS to monitor and audit local authorities are contained in the Food Standards Act 1999. It should be noted that FSS has default powers by virtue of any order made by ministers under section 42 of the Food Safety Act to discharge the duties of an authority in its place.

Aberdeen City Council, as a 'food authority', is subject to routine audit by the Food Standards Scotland (the most recent of which was in July 2015). The results of audits are published on the FSS web-site. The FSS has powers to require an action plan after audit which authorities must implement within a specified period.

6. IMPACT

Improving Customer Experience –

Protective Services has two categories of customers:

- i. The general public: .
the Service Plan ensures that consumers are protected and that food which is provided by businesses in the City is safe to eat. This is achieved through various means including routine inspections, provision of advice and enforcement action where appropriate

- ii. **Businesses:**
Businesses are given advice and support to ensure that they have the necessary knowledge to comply with the relevant legislation. Officers take a graduated approach to enforcement and actively work with businesses to achieve compliance with the law.

Improving Staff Experience –

Enforcement staff are appropriately authorised and trained. The Service is committed to ensuring that staff competencies are maintained through both internal and external training.

Improving our use of Resources –

The Commercial team operates a priority based preventative inspection programme designed to concentrate resources on businesses involved in higher risk activities. A risk based approach to each inspection is adopted by officers, concentrating on those aspects which are most important to ensure food safety and food quality are maintained. In addition all complaints received about food or food businesses are investigated where sufficient supporting evidence/information is available.

Corporate

The work of the Commercial Team of Protective Services contributes to making Aberdeen a highly successful City which is a great place to live, work and visit.

- i. **Links to the Aberdeen – the Smarter City Vision**

The Service Plan has links with the visions contained within Aberdeen- the Smarter City. The Service assists with the promotion of Aberdeen as a great place to do business and visit and works with partners to promote the City as a place to export from.

- ii. **Links to the Community Plan and Single Outcome Agreement**

The Service Plan contributes to making Aberdeen an attractive, clean, healthy and safe place to live and work; a City that is welcoming to business and values its business community.

- iii. **Links to the Strategic Infrastructure Plan**

The Service Plan contributes to ensuring that providing a level playing field and an environment for business to flourish

iv. Links to Aberdeen- the Smarter City

The Service Plan also has links with the visions contained within Aberdeen- the Smarter City. The Service assists with the promotion of Aberdeen as a great place to do business and visit and works with partners to promote the city as a place to export from.

Public

This report may be of interest to the public as it details how the food safety regulatory service is provided within the City. The Public are aware that there is the potential to contract food poisoning after consuming food made in premises that do not comply with food hygiene legislation.

7. MANAGEMENT OF RISK

Failure to provide a Food Regulatory Service Plan and associated implementation of that plan is a failure to comply with the Framework Agreement and would be classed as a “hazard risk” in accordance with the Enterprise Risk Management model. This could potentially damage the reputation of the Council as well as putting the citizens of Aberdeen at risk if food businesses are allowed to operate unchecked. Ultimately Food Standards Scotland has default powers by virtue of any order made by ministers under section 42 of the Food Safety Act to discharge the duties of an authority if it is considered that the authority has not been discharging its obligations satisfactorily under the Act. The powers also allow FSS to recover any reasonable expenses incurred by them from the defaulting local authority.

8. BACKGROUND PAPERS

Food Standard Agency’s (FSA) ‘Framework Agreement on Official Feed and Food Controls by Local Authorities

9. REPORT AUTHOR DETAILS

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Appendix A 2016/2017 Food Regulatory Service Plan including the Review of Performance against the 2014/2015 Food Regulatory Service Plan