

WRS BOARD

5th October 2017

Food Standards Agency Audit 2017

Recommendation

That Members note the report

Introduction

The Food Standards Agency is the national competent body for food law enforcement in England. Similar bodies operate in the devolved administration areas. The Agency came into being in the early 1990s following a number of food scares in the late 1980s.

Unlike many national regulators, the Agency has always had a limited role in actually enforcing the law. Its main roles have been the promotion of better standards in the food industry and the oversight of local authorities which deal with food law enforcement in their areas. In two tier areas, food law enforcement is split between the County Council (food composition/ labelling and animal feed,) and district councils (food hygiene/ safety.)

All local food authorities must make an annual data return to the Agency on their activities. The Agency then uses this data to report back to the EU on food law enforcement, effectively being required to demonstrate that UK enforcement is meeting the requirements of the relevant harmonised EU directives. It also undertakes routine audits of activity being undertaken by local authorities. These can be focused on particular areas of activity or they can cover the whole range of work undertaken by an authority.

This is the first time that any WRS food activity has been subject to the audit process. When WRS was developing its Systems Thinking approach, the then Head of Service met with the Agency and the service was given some leeway to explore new approaches and time to get its new database system in place and functioning. This resulted in the service

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not being subject to audit until now.

Two auditors from the Food Standards Agency visited the service on 24th and 25th May 2017. Their focus was on the broad delivery of food hygiene interventions by the service on behalf of Wyre Forest District Council. The Agency can only audit against individual local authorities, it cannot audit the service as a whole. We were however, able to reference work for other partners where we had not done a particular activity on behalf of Wyre Forest, which was helpful in demonstrating the broad competence of the service.

Over the two days, the auditors worked with the Food Lead Officer for the service and the Database Administrator to review records of inspection and sampling activities. They seemed very impressed with the levels of reporting that we were generating from the system. Officer training records were reviewed to ensure that the competency requirements were being addressed. Officer authorisation processes and the scheme of delegation was also part of the review process. The Community Environmental Health Manager was also engaged with the process and the Head of Service was present for the initial and closing meetings on each day, demonstrating to the Agency the seriousness with which we take these matters.

Generally the auditors were happy with what WRS was achieving and that the service was delivering the required official food controls regime in the spirit of the Directive and in a manner that fitted with the Food Standards Agency's current policy direction of travel, focusing on supporting legitimate traders and using information and intelligence to tackle the rogues and those who are less willing to meet standards.

They noted the section in the latest Business Plan document which indicated that the service was operating at close to the minimum numbers required to deliver services and they were pleased that this had been flagged to members and that members appeared to have acknowledged this.

They did however make a number of key areas for improvement that the service has already begun to resolve. There were:

1. The service had a number of overdue, lower risk food hygiene interventions outstanding for Wyre Forest and, whilst these were generally at lower risk previously compliant businesses, they did include a number of businesses in the catering sector potentially involved with serving vulnerable groups.



These have already been reviewed and assessed by the Food Lead Officer. Those that need to be visited have been programmed for an inspection.

This part of the audit highlighted some of the issues with the data transferred from the previous systems with some very old premises data which had been missed, so a wider review of the database has been undertaken and similar premises identified in other partner areas have also been programmed for inspection.

2. The service should review and expand its service planning document to include details of any overdue or unrated interventions.

In our service plan we have never provided this level of detail for members, in effect giving a number of inspections due, number of premises which are overdue and part of the inspection regime and the numbers of unrated premises (i.e. new food businesses that have registered and have yet to be visited or rated. It is proposed that we do this for the service plan in 2018/19.

3. Although the service had recently carried out a range of internal monitoring activity across some sections of the Service, the focus has tended to be on quantitative monitoring with qualitative monitoring being more ad-hoc. The service needs to ensure that qualitative monitoring of all service activities is considered in a more programmed way to compliment the quantitative approach being undertaken.

The auditors recommended a more risk based approach to monitoring and that managers should factor in time during service planning to account for this.

The Food Lead Officer is in the process of documenting the current approach to qualitative monitoring and will develop a fuller programme to be included in the 2018/19 service plan.

Other actions that have resulted from the audit include updates to our Operating Principles document covering:

- How we document decisions on what to authorise officers to enforce and how we link officer authorisation to competence through our management control processes,
- Including some references to the Food Law Code of Practice in the Operating Principles documentation to help officers to see the links between the two,
- An updated inspection form to make it easier for officer's to record all areas that they have reviewed during interventions. This is relatively simple as we

already have a very thorough form that we use for newly registered premises on their first intervention.

These are relatively straight forward updates and have no impact on what we do. It simply brings us into line with best practice.

Overall, we are pleased with the outcome of the audit. The officers involved were all concerned as the Systems Thinking approach meant a rationalisation and streamlining of the service's approach to food interventions, taking us outside of the letter of the Code of Practice. However, the auditors engaged with the team in a positive way and were very positive about the more modern approach that the service was taking.

No areas of significant concern were identified and the actions recommended are relatively straightforward to put in place. The issue of the small number of overdue catering premises highlighted the failings in some of very old data and this has helped us to identify what to review. The numbers of overdue premises did not cause great concern to the auditors.

The Food Standards Agency are currently looking to radically change the way food law enforcement is undertaken through its "Regulating the Future," review and it seems clear that the approach to these activities being used by WRS falls in line with the new approach being developed by the Agency. So, yet again the Worcestershire authorities are ahead of the curve in innovation in relation to delivery.

Financial Implications

None

Contact Points

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Background Papers

None

