



Report on the Food Law Enforcement Service

Isle of Wight Council

3 – 6 September 2002

Foreword

Audits of local authorities' food law enforcement services are part of the Food Standards Agency's arrangements to improve consumer protection and confidence in relation to food. These arrangements recognise that the enforcement of UK food law relating to food safety, hygiene, composition, labelling, imported food and feeding stuffs is largely the responsibility of local authorities. These local authority regulatory functions are principally delivered through their Environmental Health and Trading Standards Services.

The attached audit report examines the Local Authority's Food Law Enforcement Service. The assessment includes the local arrangements in place for inspections of food businesses and foodstuffs, sampling and analysis, internal management, food safety promotion and educational activities. It should be acknowledged that there will be considerable diversity in the way and manner in which local authorities may provide their food enforcement services reflecting local needs and priorities.

Agency audits assess local authorities' conformance against the Food Law Enforcement Standard "The Standard", which was published by the Agency as part of the Framework Agreement on Local Authority Food Law Enforcement and is available on the Agency's website at:

www.food.gov.uk/enforcement/role/framework/

The main aim of the audit scheme is to maintain and improve consumer protection and confidence by ensuring that local authorities are providing an effective food law enforcement service. The scheme also provides the opportunity to identify and disseminate good practice and provide information to inform Agency policy on food safety.

The report contains some statistical data, for example on the number of food premises inspections carried out. The Authority's activity data for 2000 has also been reproduced at Annex A. The Agency's website contains enforcement activity data for all UK local authorities and can be found at:

www.food.gov.uk/enforcement/role/39188.

The report also contains an action plan, prepared by the Authority, to address the audit findings.

For assistance, a glossary of technical terms used within the audit report can be found at Annex B.

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1. Introduction

- 1.1 This report records the results of the audit under the headings of the Food Standards Agency Food Law Enforcement Standard and has been made publicly available on the Agency's website at www.foodstandards.gov.uk/enforcement/audits/auditreport_july_sept2002. Hard copies are available from the Food Standards Agency Library at Aviation House, 125 Kingsway, London WC2B 6NH, Tel: 020 7276 8181. These are subject to a reproduction and handling fee of £7.50 plus £1.50 postage and packing.

Reason for the Audit

- 1.2 The power to set standards, monitor and audit local authority food law enforcement services was conferred on the Food Standards Agency by the Food Standards Act 1999. The audit of the food service at The Isle of Wight Council was undertaken under section 12(4) of the Act as part of the Food Standards Agency's annual audit programme.
- 1.3 The Authority was included within the audit programme because monitoring information provided to the Agency under section 13 of the Food Standards Act 1999 indicated that the Authority had carried out a low level of food standards inspections in high risk premises in 2000. Further details of monitoring statistics can be found at www.food.gov.uk/enforcement/role/39188.

Scope of the Audit

- 1.4 The audit covered the Isle of Wight Council's food hygiene, food standards and feeding stuffs law enforcement service. The on-site element of the audit took place at the Authority's office at St Nicholas, 58 St John's Road, Newport, Isle of Wight on 3-6 September 2002.
- 1.5 The audit assessed the Authority's conformance against the Standard, using audit protocols FSA/AP3/1 – FSA/AP21/1. The Standard was adopted by the Food Standards Agency Board on 21 September 2000 (as amended in March 2002) and forms part of the Agency's Framework Agreement with local authorities. The Framework Agreement and the audit protocols can be found on the Agency's website at:
www.food.gov.uk/enforcement/role/framework/ and
www.food.gov.uk/multimedia/pdfs/auditprotocol respectively.

Background

- 1.6 The Isle of Wight is rural in character covering an area of 381 square kilometres. The population in 2001 was estimated to be 132,719 with 26 percent of the population over pensionable age and a further 6 percent below the age of 5 years. Tourism remains an important industry with large seasonal demands in terms of catering, entertainment and accommodation with over 2.5 million visitors every year. There is also a high number of dairy establishments on the island, the produce of which is uneconomic to import and for which there is a ready market.
- 1.7 Officers from the Environmental Health Department carried out food hygiene enforcement in the Authority. Food standards and feeding stuffs enforcement was the responsibility of officers from Trading Standards. Both of these services were part of the Authority's Consumer Protection Service within the Directorate of Finance and Information. Staff carrying out food hygiene enforcement were also responsible for public health legislation whilst officers enforcing food standards and feeding stuffs law were also enforcing the full range of trading standards legislation.
- 1.8 The Council Offices were open from 08:30-17:00 Monday to Thursday and 08:30-16:30 on Friday. The Council also operated a 24-hour emergency service and arrangements were in place to contact food officers if necessary.
- 1.9 The Authority's Official Control of Foodstuffs Directive (OCD) 2001/2002 monitoring return to the Agency indicated that the Authority was responsible for enforcing food hygiene in 2,401 premises and food standards legislation in 1,797 premises. These food businesses were predominantly within the catering (75%) and retail (20%) sectors. The monitoring returns for the 4 quarters making up 2001/2002 indicated that the Authority carried out:

Food Hygiene Activity	No.
Inspections	783
Other visits	141
Revisits	260
Advisory/sampling visits	45

Food Standards Activity	No.
Food standards inspections	595
Other food standards visits	204
Food standards revisits	8
Advisory/sampling visits	88

2. Executive Summary

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| 2.1 | The Authority was providing an effective food service across most areas of activity. This was particularly noticeable with regard to its Food Hygiene Service, which was undertaking thorough, well documented inspections and was proactive in providing advice to businesses. The Food Hygiene Service also demonstrated a clear, graduated approach to enforcement activity. |
| 2.2 | The Authority needed to ensure that food premises inspections are carried out at the required minimum frequencies, according to risk and that food standards inspections and complaints are clearly recorded. |

2.3 The Authority's Strengths:

Food Hygiene Inspections – The inspection record form used for food hygiene inspections was comprehensive and encouraged a detailed and systematic approach to inspection and ensured that accurate records were maintained. It was clear from these records that officers were carrying out detailed assessments and were providing clear advice.

Food Hygiene Follow-up Action – There was evidence of a graduated approach to enforcement of food hygiene legislation in all files examined, particularly in relation to enforcement of the hazard analysis requirement. Non-compliances were routinely followed-up with informal action, re-visits and formal action where appropriate.

Food Hygiene Advice to Business – The Food Hygiene Service was being proactive in this area particularly in relation to its “Safer Food, Food Safety and Hazard Analysis Pack” which appeared to be very successful. The level and quality of advice given both during inspections and in follow up letters was of particular note.

Food Hygiene Enforcement – The Food Hygiene Service consistently demonstrated a graduated approach to enforcement. In all cases enforcement action had been taken with due regard to central guidance and the Authority's own policies. The decision making process on enforcement action was clear, comprehensive and logical.

Food Hygiene Records – Overall, the recording of relevant information was thorough and was carried out in a manner which provided information for subsequent inspections, enabled appropriate enforcement decisions to be taken and allowed for effective internal monitoring.

2.4 Key Areas for Improvement:

Inspection Frequencies – Inspections for food hygiene and food standards were not being carried out at the minimum inspection frequencies according to risk although the Authority were aware of this and taking appropriate action to address it. The minimum frequencies determined by the Code of Practice risk rating schemes are devised to ensure that enforcement authorities are regularly monitoring food safety and standards in businesses and to enable timely interventions to be made where necessary. There was also no programme for inspection of feeding stuffs establishments.

Food Standards Records – The records relating to inspections and complaints were not all complete, clear or sufficiently detailed. Records are important to provide information for subsequent inspections, to enable decisions to be taken on appropriate enforcement action and to allow internal monitoring.

3. Audit Findings

3.1 Organisation and Management

General

- 3.1.1 The Council's political management structure included an Executive with responsibility for implementing Council policies. One Member on the Executive had portfolio responsibility for Fire, Emergency Planning and the Consumer Protection Service of which the Environmental Health Department and Trading Standards were a part.
- 3.1.2 Delivery of the food hygiene service was the responsibility of the Food Safety Team within the Environmental Health Department whilst food standards and feeding stuffs enforcement was carried out by the Inspection Team within Trading Standards.
- 3.1.3 The Authority had produced a Best Value Performance Plan (BVPP) for 2001/2002. The BVPP identified the following core aims:
- To raise standards of achievement, encourage learning and promote opportunities for all;
 - To develop the knowledge and skills needed for employment opportunities;
 - To care for vulnerable and disadvantaged people;
 - To protect and enhance the health, safety and environment of the island and its people;
 - Reducing crime and the fear of crime;
 - To develop the Island's transport network for the benefit of the local people.
- 3.1.4 The national performance indicator for the Authority's Food Service was a score against a checklist of enforcement best practice for environmental health/trading standards, National Best Value Performance Indicator (BVP1)166. The estimated score for Environmental Health and Trading Standards for 2001/2002 in the Authorities BVPP was 3.375 and its target for 2002/2003 was 5. The Food Hygiene Service element scored 8.035 (80.35%) in 2001/2002.

Food Hygiene

- 3.1.5 The local performance indicators used for food hygiene in the BVPP were:

Local Performance Indicator	Hazard Rating	Target for 2001/2002	Achieved
Reduction in number of food businesses that have not carried out a systematic hazard analysis for their businesses	High	10%	15%
	Medium	5%	14%
	Low	1%	10%
Reduction in number of food businesses that fail to ensure the effective implementation of food safety management controls	High	5%	-12%
	Medium	3%	-10%
	Low	1%	-37%

- 3.1.6 The Service saw these local performance indicators as experimental. The Service reported in its performance review for 2001/2002 that the figures achieved for the implementation of food safety management controls reflected its feeling that the Authority were now dealing with a small number of premises that either would not or could not comply with this requirement.
- 3.1.7 A Service Plan for food hygiene for 2002/2003 had been drawn up by the Authority but had not been approved by Members. The Service Plan for food hygiene was in full accordance with the Service Planning Guidance in the Framework Agreement on Local Authority Food Law Enforcement and included estimates of the staff in terms of full time equivalents (FTE) required to provide the Service. A review against the previous year's performance had been carried out and included a plan to address any variance in meeting the 2001/2002 Service Plan during 2002/2003.
- 3.1.8 The staffing resources available to deliver the Service in 2002/2003 were:

Resources Available	Posts (FTE)*
Environmental Health Officers (EHOs)	2
Food Safety Officer (FSO)	5
Food Safety Technician (FST)	1
Administrative Support	1
TOTAL	9

*Full Time Equivalent

- 3.1.9 At the time of the audit, the establishment allowed for 4 EHOs, 5 FSOs, 1 FST and 1 Administrative Officer. However, the food safety team were carrying 1 EHO vacancy, 1 EHO had been seconded to another work area and 1 member of staff was on maternity leave for part of the year.
- 3.1.10 The total budget available for providing the food safety and hygiene Service for 2002/2003 was given in the Plan as £515,924. However, this includes a sum of approximately £125,000 to support general environmental health management and administration costs. Nevertheless, this figure included an increase in the budget, which had allowed for the appointment of 2 food premises inspectors on a permanent basis. The Plan detailed some areas of expenditure as follows:

Areas of Expenditure	Financial Allocation
Staffing	265,728
Travel and Subsistence	14,600
Training	2,600
Food Sampling	9,800
TOTAL	292,728

Food Standards and Feeding Stuffs

- 3.1.11 The local performance indicators used for food standards in the 2001/2002 BVPP were:
- Percentage of high risk premises inspected per annum
 - Percentage of medium risk premises inspected per annum
- 3.1.12 The Authority had set a target inspection rate of 100% for high risk premises and 50% for medium risk premises. The Review of Trading Standards Food Law Enforcement 2001/2002, produced by the Service, reported it had inspected 47% of high risk and 29% of medium risk premises. The report stated that the actual figures achieved would have been 86% and 38% respectively if inaccuracies identified in the risk rating of premises on the database were taken into account.

3.1.13 A Service Plan for food standards and feeding stuffs for 2002/2003 had been drawn up by the Authority but had not been approved by Members. The Service Plan was not in full accordance with the Service Planning Guidance in the Framework Agreement on Local Authority Food Law Enforcement. The variance in programmed inspections identified in its "Review of Trading Standards Food Law Enforcement Service 2001/2002" had not been properly addressed to include premises overdue an inspection. The review had also not been submitted to Members.

3.1.14 Auditors were advised that the staffing allocation for food standards and feeding stuffs at the time of the audit was as follows:

Resources Available	Established Posts (FTE)	Staff in Post (FTE)
Trading Standards Officer	0.20	0.20
Enforcement Officer	0.90	0.85
Administration Support	0.10	0.10
TOTAL	1.20	1.15

3.1.15 The Service estimated that it had in total 1.15 FTE officers involved in food standards and feeding stuffs enforcement, which included management and support staff. Auditors were advised that the officer responsible for feeding stuffs enforcement had reduced their working hours by half, which meant that the total amount of staff resource committed to this area was now 0.05 FTE.

3.1.16 The financial allocation for food standards and feeding stuffs enforcement work was estimated in the Food Law Enforcement Service Plan for 2002/2003 as £32,974. The breakdown of resources was given as follows:

Areas of Expenditure	Financial Allocation
Staffing	21,012
Travel and Subsistence	1,648
Administration/ IT/ Accommodation	2,163
Food Sampling	8,151
TOTAL	32,974

Recommendations

3.1.17 The Authority should:

- (i) Submit the review of its Food Service Plan for 2001/2002 and its Food Service Plan for 2002/2003 for Member approval. [The Standard – 3.1 and 3.2]
- (ii) Ensure that any variance in the Trading Standards Food Law Enforcement Service Plan is addressed in the subsequent year's Service arrangements. [The Standard – 3.3]

3.2 Review and Updating of Documented Policies and Procedures

Food Hygiene

- 3.2.1 The Service had drawn up documented procedures covering some areas required by the Standard and had a clear action plan for developing the remainder. The Service had a system for ensuring policies and procedures were updated although when, and how updates took place had not been reflected in its Document Control Procedure.
- 3.2.2 Officers had access to a set of relevant legislation contained in a commercial food law encyclopaedia. Hard copies of guidance documents were also available.

Food Standards and Feeding Stuffs

- 3.2.3 The Service had recently drawn up documented procedures for many areas of its food law enforcement activity. A procedure had been written regarding document review but this required further development to ensure that policies and procedures were reviewed when changes to legislation and centrally issued guidance occurred.
- 3.2.4 Officers had access to legislation and guidance documents via an electronic version of a commercial food law encyclopaedia. Some superseded copies of Food Safety Act 1990 Codes of Practice were available to officers.

Recommendation

- 3.2.5 The Authority should:

Develop its procedures for document control to ensure that documented food hygiene and food standards procedures and policies are reviewed at regular intervals, or whenever there are changes to legislation or centrally issued guidance. Ensure that any superseded documents are removed from use. [The Standard – 4.1 and 4.2]

3.3 Authorised Officers

General

- 3.3.1 The Authority had a scheme of delegation that authorised the Environmental Health Manager and the County Trading Standards Officer as the persons with authority to appoint inspectors and to exercise all the powers and functions of the Council with respect to food law enforcement, registration and prosecution.
- 3.3.2 The Authority did not have documented procedures detailing how the authorisation of officers complied with Food Safety Act Code of Practice No.19: Qualifications and Experience of Authorised Officers.
- 3.3.3 The Authority had appointed lead officers for food hygiene, food standards and feeding stuffs who had the necessary specialist knowledge.

Food Hygiene

- 3.3.4 The Authority aimed to achieve Investors in People (IIP) accreditation by the end of 2004 for each Directorate.
- 3.3.5 The qualifications, competency, skills and experience of each officer were recorded. All officers were appropriately authorised, although only one officer was authorised to issue Emergency Prohibition Notices.
- 3.3.6 The Service identified the individual and generic training needs of officers through 6 monthly personal performance reviews. The Service had drawn up a training programme for 2002/2003 and there was evidence of these being addressed, although more detail needed to be recorded regarding the content, objectives, assessment and duration of the training provided.
- 3.3.7 Auditors were advised that the 2002/2003 training budget for food hygiene training was £2,400.

Food Standards and Feeding Stuffs

- 3.3.8 Officers were issued with generic authorisations. There was no evidence to indicate how the process of limiting authorisations according to the qualifications, training, experience and competency of each officer was carried out. There was evidence that 1 officer had been carrying out inspections of high risk premises without the appropriate qualifications, although the Authority had addressed this at the time of the audit.

- 3.3.9 The Service assessed individual training needs on an ad hoc basis, although the Service was planning to start formal staff appraisals. A training programme had not been drawn up for 2002/2003 but there was evidence that both individual and generic training needs were being identified and addressed.
- 3.3.10 Auditors were advised that the training budget for the whole Trading Standards Service for 2002/2003 was £2,737. Separate figures were not available to show how much of the budget was specifically for food law enforcement training.
- 3.3.11 Copies of qualification certificates and information regarding the duration of training courses were retained on file for all staff but these did not include details of the content, objectives and any assessment of the courses attended.

Recommendations

- 3.3.12 The Authority should:
- (i) Develop and implement a documented procedure for the authorisation of all officers based on their competence and in accordance with Food Safety Act Code of Practice No.19: Qualifications and Experience of Authorised Officers. [The Standard – 5.1]
 - (ii) Establish and maintain a documented training programme for Food Standards. [The Standard – 5.4]
 - (iii) Ensure that the records of training for all officers involved in food standards, feeding stuffs and food hygiene enforcement include details of the content, objectives, duration and any assessment of courses attended. [The Standard – 5.4]
 - (iv) Ensure that sufficient officers with the relevant qualifications and experience are authorised and available to issue Emergency Prohibition Notices at all times. [The Standard – 5.3]

3.4 Facilities and Equipment

General

- 3.4.1 The Authority had made available the necessary facilities and equipment to permit all activities associated with food and feeding stuffs enforcement to be carried out.
- 3.4.2 The Authority's existing computer software package was capable of providing the Agency with any statistical information required. Plans were well advanced for the implementation of a new joint database with both Services scheduled to be using this by the end of March 2003.

Food Hygiene

- 3.4.3 The Service had not drawn up a procedure for the calibration and maintenance of its equipment but regular calibration checks on thermometers and probes were being carried out and recorded.
- 3.4.4 The Service had adequate systems in place to minimise the risk of corruption or loss of information held on its database, including the regular back up of data and appropriate off site storage.

Food Standards and Feeding Stuffs

- 3.4.5 The Service had drawn up a procedure for the calibration and maintenance of equipment. This required some further development to ensure that equipment was being properly maintained and taken out of use when found to be defective.
- 3.4.6 Appropriate back-up systems were in place for the existing database but there was no system for ensuring that back-up data was being safely stored against potential damage/loss.

Recommendations

3.4.7 The Authority should:

- (i) Draw up and implement a procedure on the calibration and maintenance of equipment for food hygiene law enforcement. Develop the existing procedure for Food Standards to include regular maintenance of all equipment and its removal where it becomes defective. [The Standard – 6.2]
- (ii) Ensure that food standards database back-up data is securely stored to minimise the risk of loss. [The Standard – 6.5]

3.5 Food and Feeding Stuffs Premises Inspections

Food Hygiene

3.5.1 The Authority's draft Food Safety and Hygiene Service Plan 2002/2003 showed the following profile for food hygiene premises:

Risk category	No.	%*
A	15	1
B	60	2
C1	81	3
C2	1100	43
D	395	15
E	537	21
F	282	11
Unrated	97	4
Total	**2,567	

* figures rounded to nearest %

**total figure incorrectly stated as 2,494 in the Service Plan

3.5.2 The Authority had split the C risk rating category to overcome a local problem caused by the large number of seasonal businesses falling within this risk category. The requirement in Code of Practice No. 9: Food Hygiene Inspections that category C premises be inspected once every 18 months means that every other inspection for seasonal businesses will arise when the premises are closed. Members therefore agreed that 2 new categories would be created:

- C1 – premises requiring annual inspection; and
- C2 – premises requiring inspection once every 2 years.

Those premises assessed as falling within the top third of the C rating bracket are categorised as C1, whilst those within the bottom two thirds are categorised as C2.

3.5.3 The Service Plan estimated that 1,761 inspections were due for inspection in 2002/2003 and that 1,448 inspections would be carried out. The inspection programme would focus on those premises falling within the highest risk categories.

- 3.5.4 The preceding 2 years' inspection records were examined for 11 general premises, 10 butchers' shop licensing assessments and 10 Approved Premises. Seven of the 11 general premises and 9 of the Approved Premises had not been inspected at the minimum frequencies, according to risk, in line with Food Safety Act Code of Practice No. 9: Food Hygiene Inspections.
- 3.5.5 All of the premises examined had been inspected by officers with appropriate levels of qualification, training and experience and the correct level of authorisation.
- 3.5.6 Standard report forms were in use and left at the time of each food hygiene inspection. These reports, together with letters sent to businesses following the inspections, indicated that all premises were being appropriately assessed for compliance with legally prescribed standards in accordance with the relevant official guidance.
- 3.5.7 The majority of the inspection follow-up letters examined were issued in accordance with the Authority's enforcement policy.
- 3.5.8 In all cases there was a copy of the approval document on file. However, in 3 cases these did not list the products approved.
- 3.5.9 The 10 files examined relating to the licensing of butchers' shops showed that thorough, well documented and consistent assessments were being carried out in accordance with centrally issued guidance.
- 3.5.10 The Service had a food hygiene inspection procedure, including formal follow-up actions but this required further development to include approval of premises and butchers' shops licensing.

Food Standards and Feeding Stuffs

- 3.5.11 The Authority's draft Food Law Enforcement Service Plan 2002/2003 showed the following profile for food standards premises:

Risk category	No.	%*
High	132	7
Medium	524	29
Low	784	43
No Inspectable Risk	374	21
Total	1,814	

* figures rounded to nearest %

- 3.5.12 The total number of food premises given in the Service's Food Law Enforcement Service Plan (1,814) was considerably lower than that stated in the Environmental Health Department Food Safety and Hygiene Plan for 2002/2003 (2,494). The Trading Standards Service expected this anomaly to be resolved once it began using the same database as Environmental Health. Reports requested by the auditors also showed some anomalies with the figures given in the table above, there being 625 premises with no inspectable risk (NIR) and 108 high risk premises. This had already been recognised by the Service and auditors were advised that this was due to the review of premises' risk profiling that was on going at the time of the audit.
- 3.5.13 The Service's Food Law Enforcement Service Plan for 2002/2003 specified that inspections would take place in accordance with Food Safety Act Code of Practice No. 8: Food Standards Inspections. At the time of the audit a report of high risk food premises showed that 10 of the 108 premises listed (9%) were overdue an inspection. A similar report for medium risk food premises showed that 118 (23%) were overdue a visit. Forty-one of the medium risk premises appeared to have received no previous food standards inspection. Auditors were advised that priority was being given to high risk premises and it was expected that these would all be visited during 2002/2003.
- 3.5.14 The Authority had 40 registered feeding stuffs premises, which were mainly on-farm mixers.
- 3.5.15 The Authority did not have an inspection programme for on-farm mixers and had been prevented from carrying out any on-farm inspections during 2001 due to the foot and mouth outbreak. However, all registered premises had been sent a guidance note regarding The Feeding Stuffs (Establishments and Intermediaries) Regulations 1998 and records relating to registration up dated. A comprehensive checklist for use during on-farm visits had been produced.
- 3.5.16 The Service had drawn up a general procedure on the "Food Standards Inspection" and a "Food Premises Inspection Aide Memoire" for use by officers. The procedure did not address the Authority's policy on whether visits should be announced, the use of experts or inspections of new premises and did not address feeding stuffs inspections.

3.5.17 Ten premises files, including 4 rated as high risk, were examined in relation to food standards inspections. Four of the premises had not been inspected at the minimum frequency set out in Food Safety Act Code of Practice No.8: Food Standards Inspections. Four database records were found to have higher risk ratings on the database than was recorded on the on the risk assessment forms completed at the time of their last inspection. Consequently, 2 of the premises were incorrectly rated as high on the database.

3.5.18 Officers were generally assessing compliance of food premises to legally prescribed standards and were taking appropriate follow-up action in all cases where non-compliance was found.

Recommendations

3.5.19 The Authority should:

- (i) Ensure that premises are properly risk rated for food standards and that food hygiene and food standards inspections are carried out at the minimum frequency in accordance with Food Safety Act Code of Practice No.8: Food Standards Inspections and Code of Practice No.9 Food Hygiene Inspections. [The Standard – 7.1 and 7.2]
- (ii) Develop its documented inspection procedures and extend them to cover the full range of inspections carried out. [The Standard – 7.4]

3.6 Food, Feeding Stuffs and Food Premises Complaints

Food Hygiene

- 3.6.1 The Authority had a documented policy on food hygiene complaints and a draft food complaints procedure.
- 3.6.2 Records relating to 12 food complaints were examined. All files showed that complete data had been recorded about the complaint and appropriate investigations had been carried out.

Food Standards and Feeding Stuffs

- 3.6.3 The Authority had a documented policy and procedure on food and feeding stuffs complaints. The procedure did not fully address those issues outlined in centrally issued guidance with regard to the determination of enforcement responsibility, contact with suppliers/manufacturers, the submitting of samples for scientific investigation, the involvement of Home or Originating Authorities and notification of other agencies where appropriate.
- 3.6.4 Records relating to 10 food complaints were examined. In 3 cases files showed that complete data had not been recorded about the businesses subject of the complaint. In 2 cases there was insufficient detail on the files to determine whether an appropriate investigation had been carried out. In 4 cases there was no evidence to show that all the parties involved had been kept informed of the progress of the complaint.

Recommendations

- 3.6.5 The Authority should:
- (i) Extend its written procedures relating to food standards and feeding stuffs complaints to ensure that they comply fully with centrally issued guidance. [The Standard – 8.1]
 - (ii) Ensure that appropriate action is taken on all food standards complaints in accordance with the Authority's policy and procedures and centrally issued guidance. [The Standard – 8.3]

3.7 Home Authority Principle

Food Hygiene

- 3.7.1 The Authority's Service Plan 2002/2003 contained its commitment to the Home Authority Principle. The Service had 1 formal Home Authority agreement and a number of informal agreements with businesses where their decision making was based in the area.
- 3.7.2 An examination of Home Authority files showed that the Service had dealt with issues referred from other authorities and advice was provided on legal compliance.
- 3.7.3 Two of the 12 food hygiene complaint files examined contained no evidence that the business' Home Authority had been contacted where this would have been appropriate. There was however evidence that Home Authority contact had been made in other relevant cases.

Food Standards and Feeding Stuffs

- 3.7.4 The Authority's Service Plan 2002/2003 contained a policy of endorsing the Home Authority Principle. The Authority had no formal Home Authority agreements but had notified the Local Authorities Co-ordinators of Regulatory Services (LACORS) of a number of businesses for whom they assumed Home Authority responsibility.
- 3.7.5 An examination of Home Authority files showed that the Authority had dealt with issues referred from other authorities. There was also evidence from referred complaints and food standards sampling records that liaison with Home Authorities was taking place.

Recommendation

- 3.7.6 The Authority should:

Ensure that Home Authorities of businesses are notified of food hygiene complaints in accordance with Food Safety Act Code of Practice No. 2 and centrally issued guidance. [The Standard – 9.4]

3.8 Advice to Business

Food Hygiene

3.8.1 The Service was providing advice during inspections and responding to requests for advice from businesses based in the area. The Service was also carrying out a wide range of activities aimed at helping businesses comply with food hygiene legislation which included the following:

- Production of a wide range of food safety fact sheets, also available for download from the website;
- Production of a “Safe Food Safe Environment” booklet aimed at child carers;
- As part of its aim for 30% of all food businesses on the Island to have documented Hazard Analysis Critical Control Points (HACCP) systems by 2004, the Authority had produced a “Food Safety Guidelines and Hazard Analysis Pack” (also translated into Bengali and Chinese and available on the Authority’s website);
- Training courses in food hazard analysis for caterers;
- Training on rice safety in Chinese;
- A seminar on viral gastro-enteritis;
- Website page dedicated to advice and control of viral gastro-enteritis;
- Website guidance on how to register food premises and ability to download a food premises registration form;
- Regular meetings with the local Chamber of Commerce;
- Membership of the Island Business Partnership.

Food Standards and Feeding Stuffs

3.8.2 The Authority’s advice to business in the 12 months preceding the audit had involved responding to requests for advice and on the spot advice during routine visits and inspections. The Service had also sent advice leaflets to all farmers who might be affected by the Feeding Stuffs (Establishments and Intermediaries) Regulations 1998.

3.9 Food and Feeding Stuffs Database

- 3.9.1 The Authority maintained separate computer databases for food hygiene and food standards/feeding stuffs which were to be combined by April 2003. A check on the accuracy of the databases showed that 15 businesses selected at random from a local commercial directory were on both databases and had been included in the Authority's inspection programmes.
- 3.9.2 The Authority had a documented procedure for ensuring the accuracy of the food hygiene database and that it was kept up to date. A similar procedure had not been produced for the food standards/feeding stuffs database although the auditors were advised that this would be remedied once the databases were combined.
- 3.9.3 Reasonable security measures were in place to prevent access and amendment of data by unauthorised persons.

Recommendation

- 3.9.4 The Authority should:

Develop and implement a documented procedure to ensure that the accuracy of its food standards and feeding stuffs premises database is maintained and kept up to date. [The Standard – 11.2]

3.10 Food and Feeding Stuff Inspection and Sampling

Food Hygiene

- 3.10.1 The Authority had a documented sampling policy but needed to develop a sampling procedure and programme.
- 3.10.2 Sampling was being carried out in accordance with the Authority's policy and was based on local high risk foods, also taking into account national and regional sampling surveys.
- 3.10.3 The Service Plan for 2002/2003 stated that the Authority had a credit allocation of £11,790 for microbiological samples. It also reported that the Service had taken 70 samples during 2001/2002 utilising £2,440 of that years credit. This credit allocation was in addition to the £9,800 financial allocation available to the Service for food sampling also reported in the Service Plan for 2002/2003.
- 3.10.4 The records of 9 samples that had received unsatisfactory results were examined and all were found to have received appropriate follow-up action.

Food Standards and Feeding Stuffs

- 3.10.5 The Authority had a documented sampling policy for food that took account of the nature of its food establishments and centrally co-ordinated surveys. This policy did not include feeding stuffs sampling. The Service had drawn up a sampling programme for 2002/2003 and this was being implemented.
- 3.10.6 The Authority's Service Plan for 2002/2003 estimated the budget available for food sampling to be £8,626.
- 3.10.7 The Authority had a documented sampling procedure but this did not deal with all issues detailed in Food Safety Act Code of Practice No. 7: Sampling for Analysis or Examination. In particular, the procedure did not make reference to further action with regard to unsatisfactory samples and there was no link to the food hazard warning procedure.
- 3.10.8 The records of 6 food and feeding stuffs samples that had received unsatisfactory results were examined. The samples were all taken in accordance with the Service's sampling programme and appropriate follow-up action had been taken in all cases.
- 3.10.9 All of the laboratories used by the Service were properly accredited and the Authority had properly appointed the Public Analyst and Agriculture Analyst.

Recommendation

3.10.10 The Authority should:

Draw up and implement documented procedures and a programme for food hygiene sampling and develop its procedures for food standards to comply with Food Safety Act Code of Practice No.7: Sampling and Analysis or Examination and centrally issued guidance. [The Standard – 12.4]

3.11 Control and Investigation of Infectious Disease

- 3.11.1 The Authority had a contingency plan (developed with the local Health Authority) for the investigation of food poisoning outbreaks, which had recently been revised. The Service did not have a documented procedure for investigating individual notifications of outbreaks and food related infectious disease. It had produced a questionnaire for investigating all notifications together with a number of advice sheets on food poisoning organisms.
- 3.11.2 The file relating to 1 outbreak and notifications of 8 food related infectious disease notifications were examined. The cases were thoroughly investigated and well documented.

Recommendation

- 3.11.3 The Authority should:

Draw up and implement documented procedures in accordance with centrally issued guidance for the investigation of outbreaks and food related infectious disease. [The Standard – 13.2]

3.12 Food Safety Incidents

- 3.12.1 The Authority had a documented procedure for responding to food hazard warnings (FHWs) issued by the Food Standards Agency, in accordance with Food Safety Act Code of Practice No.16: Enforcement of the Food Safety Act 1990 in Relation to the Food Hazard Warning System. The Authority's computer system was capable of receiving FHWs.

- 3.12.2 The Service's responses to a sample of FHWs issued by the Agency were examined, and all were found to have received appropriate action. The Authority maintained records of the warnings and the responses taken by the Service.

3.13 Enforcement

General

3.13.1 The Authority had adopted the Local Authority Enforcement Concordat in June 1998. This is a Cabinet Office and Local Government Association scheme that sets out the principles of good enforcement practice, based on the following criteria:

- Standards of service and performance
- Openness and clarity
- Helpfulness
- Effective complaints procedures
- Proportionality of enforcement actions
- Consistency.

Food Hygiene

3.13.2 The Service had an Enforcement Policy that had been approved by Members in July 2002 and reflected the principles of the Local Authority Enforcement Concordat. A summary of the Service's Enforcement Policy had been produced and auditors were advised that a copy was sent to local businesses with every written communication. The Policy was also on the Authority's website and had been made available in braille, large print, tape and various other languages.

3.13.3 The following formal enforcement actions had been taken by the Authority in the 2 years preceding the audit:

- 4 prosecutions
- 9 formal cautions
- 36 improvement notices served on 15 premises
- 15 voluntary surrenders
- 2 detentions
- 6 voluntary closures

3.13.4 The following formal enforcement actions were pending at the time of the audit.

- 7 prosecutions
- 1 heat treatment order

- 3.13.5 Files of 11 businesses, which had a total of 23 improvement notices served on them, were examined. Thirteen of the improvement notices were checked. All improvement notices were properly preceded by “minded to” notices where appropriate. The notices were signed by a correctly authorised officer who had witnessed the contravention. In 2 notices the full name of the proprietor was not used but in all other respects the files carried evidence that the notices had been properly served. The notices properly detailed the Regulation contravened clearly specifying the reasons why and reflecting centrally issued guidance. The works required were clearly set out also giving an indication of works of equivalent effect together with details of appeal procedures and time periods for appeal. Timely checks on compliance were carried out and written confirmation of compliance had been issued in all cases.
- 3.13.6 Six voluntary closure files were examined. These had all been properly dealt with in accordance with Food Safety Act Code of Practice No. 6: Prohibition Procedures.
- 3.13.7 Files relating to 8 formal cautions and 4 prosecutions were examined. All had been properly authorised, were taken without unnecessary delay and were in accordance with the Service’s Enforcement Policy. The prosecutions also took account of the Police and Criminal Evidence Act 1984 and complied with the provisions of the Criminal Procedures and Investigation Act 1996.

Food Standards and Feeding Stuffs

- 3.13.8 The Service had an Enforcement Policy that had recently been re-written but had not yet been approved by Members. A summary of the previous Policy had been published and the auditors were advised that the summary would be updated once the new Policy had been approved.
- 3.13.9 Files relating to 2 prosecutions and 1 formal caution carried out by the Service during the 2 years preceding the audit were examined. The reports were comprehensive and showed compliance with the provisions of the Police and Criminal Evidence Act 1984. There was no evidence of compliance with the Criminal Procedure and Investigations Act 1996 on the 2 prosecution files examined although the auditors were advised that this was now standard practice. All formal action appeared to have been taken in accordance with the Authority’s Enforcement Policy and had been properly authorised.

Recommendation

3.13.10 The Authority should:

Ensure that food standards prosecution reports comply with the provisions of the Criminal Procedures and Investigation Act 1996.
[The Standard – 15.2]

3.14 Records and Inspection Reports

Food Hygiene

- 3.14.1 The Authority's food premises records, which were held on individual files and on a computerised database, were well organised and retrievable. The amount of detail in the files was generally thorough and comprehensive.
- 3.14.2 In the case of food hygiene inspections, the records were complete and comprehensively detailed the type of food activity, the hygiene training given to staff and the assessments of businesses' hazard analysis.
- 3.14.3 The Service had a combined general inspection report form used for both food manufacturers and non-manufacturers. Copies of these reports were left with proprietors following general food hygiene inspections and complied fully with centrally issued guidance. An aide memoir was also in use by officers, which encouraged thorough, well recorded inspections.
- 3.14.4 The Service had separate inspection reports for Approved Premises. File records for Approved Premises generally contained sufficient details of business operations and inspection findings.
- 3.14.5 In the case of butchers' shop licences, a standard assessment record form was in use by officers. There was detailed information on the files to allow officers carrying out subsequent inspections to assess what had been examined and provide evidence that thorough assessments of premises were being carried out by officers in accordance with centrally issued guidance.

Food Standards and Feeding Stuffs

- 3.14.6 Database records and recent paper records of food and feeding stuffs premises were retrievable although this was not the case with historical records.
- 3.14.7 The Authority had separate standard report of inspection forms for both manufacturing and non-manufacturing food premises. These forms contained most of the information required by Food Safety Act Code of Practice No.8: Food Standards Inspections, but there was no provision on either form for indicating the type of food premises and this had not been recorded by officers. Reports had been left on site following all the inspections examined.

- 3.14.8 Records for 10 premises where food standards inspections had been carried out were examined. Inspection records were limited. In 7 cases it was not possible to identify what had been assessed on site. In addition, in 7 cases the address of the premises was not recorded and in 4 cases the person seen was not entered on the report. None of the reports included the time of the inspection.
- 3.14.9 Information provided to proprietors on 2 reports of inspection was unclear and it would have been difficult for the proprietor to determine whether any remedial action was expected.

Recommendation

3.14.10 The Authority should:

Ensure that records of food standards inspections and inspection reports include all of the information required by Food Safety Act Code of Practice No.8: Food Standards Inspections.
[The Standard – 16.1]

3.15 Complaints about the Service

- 3.15.1 The Authority had a procedure for dealing with complaints about the Service.
- 3.15.2 A corporate leaflet summarising how to make a complaint had been made available to the public in the reception area of the Council offices.
- 3.15.3 Auditors were advised that no complaints about the Food Standards and Feeding Stuffs Service had been received during the 2 years preceding the audit. One complaint had been made against the Food Hygiene Service. This had been referred to the Ombudsman and was found to be unsubstantiated.

3.16 Liaison with Other Organisations

Food Hygiene

3.16.1 The Service had liaison arrangements in place with other local authorities through membership of the Hampshire and Isle of Wight Food Advisory Committee. Minutes of these meetings showed that a representative regularly attended. The Service was also represented at the following food groups:

- Public Health Laboratory Service (PHLS) / Wessex Environmental Microbiological Services Food Sampling Group
- Southern Water Services Liaison Group
- Southern Shellfish Liaison Committee
- Portsmouth and Southeast Hampshire Infectious Disease Forum
- Local Authority Coordinators of Regulatory Services (LACORS) Food Focus Group
- PHLS Advisory Committee for Food & Dairy Products.

Food Standards and Feeding Stuffs

3.16.2 The Authority had liaison arrangements in place with neighbouring authorities regarding food standards and feeding stuffs enforcement, regularly attending the South East Trading Standards Authorities group (SETSA). The minutes of these meetings were retained and confirmed regular attendance by a representative of the Service.

3.17 Internal Monitoring

Food Hygiene

- 3.17.1 The Service had a comprehensive procedure on “Officer Monitoring” that addressed both the quantitative and qualitative aspects of officers’ work and the Service’s compliance with all areas of the Standard.
- 3.17.2 There was evidence that the procedure had been implemented and this included detailed assessment records of accompanied visits with officers by the lead officer for food hygiene.
- 3.17.3 Other measures taken to monitor the Service’s food law enforcement activities included the following:
- Monitoring performance and file records
 - Customer surveys
 - Team meetings to discuss issues of interpretation
 - Review of correspondence
 - Monitoring of the administrative process of food registration.

Food and Feeding Stuffs

- 3.17.4 The Service had recently introduced an “Internal Monitoring Procedure”. The procedure did not ensure verification of its conformance with all areas of the Standard, in particular it did not include sampling, enforcement actions and Home Authority advice.
- 3.17.5 The measures taken to monitor the quantity and quality of food law enforcement activity included:
- Monitoring of inspection reports and visit details
 - Monitoring of food complaints
 - Review of correspondence
 - Number of inspections and samples carried out.

Recommendation

3.17.6 The Authority should:

Extend and implement the documented internal monitoring procedures for Food Standards in relation to sampling and formal enforcement action in order to verify its conformance with the Standard, relevant centrally issued guidance and the Authority's own policies and procedures. [The Standard – 19.1 and 19.2]

3.18 Third Party or Peer Review

Food Hygiene

- 3.18.1 The Service had been subject to an Inter-Authority Audit (IAA) in March 2002, carried out by members of the Hampshire and Isle of Wight branch of the Chartered Institute of Environmental Health, as part of a 3 yearly audit programme. The audit undertook an assessment of the Service against many areas of the Standard in the Framework Agreement on Food Law Enforcement. Corrective actions were identified during the IAA but it was too early for these to have been fully implemented at the time of this audit.

Food Standards and Feeding Stuffs

- 3.18.2 The Authority had not been subject to any third party or peer review but had plans to do so in the coming year through its membership of South East Trading Standards Authorities group (SETSA), although nothing was scheduled at the time of the audit.

3.19 Food and Feeding Stuff Food Safety and Standards Promotion

Food Hygiene

3.19.1 The Service had plans to extend its promotional work on food hygiene at primary schools, which it felt had been particularly effective in the previous year. During the last 18 months the Service had carried out the following promotional activities:

- Health promotion presentation at a primary school
- A poster display on food hygiene awareness at a hospital
- Guidance notes and information for child minders
- A presentation at a seminar for local businesses on viral gastro-enteritis
- The production of various fact sheets on food safety
- Publicity of food hazard warnings.

Food Standards and Feeding Stuff

3.19.2 The Service had been involved in the following promotional activities:

- Providing displays on food standards at 2 major local events
- Presentations had been given to a local forum on healthy eating on a low income
- Presentations to a number of Business Link meetings on various issues including food standards.

Auditors: **Julian Blackburn**
Ron Cheesman
Mark Davis
Sally Hayden
Rob Wilkins

Food Standards Agency

Local Authority Enforcement Division

Action Plan for: Isle of Wight Council

Audit date: 3 – 6 September 2002

IMPROVEMENTS PLANNED	BY (DATE)	TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	COMMENTS
1(i) The review of the Food Service Plan for 2001/02 and the Food Service Plan for 2002/03 will be submitted to the portfolio holder for Consumer Protection.	Completed	3.1.17(i) Submit the review of its Food Service Plan for 2001/2002 and its Food Service Plan for 2002/3 for Member approval. [The Standard – 3.1 and 3.2]	We will have regard for delegated decision making powers of portfolio holders.
1(ii) Variances in the Service Plan will be addressed in subsequent years arrangements.	30 April 2003	3.1.17(ii) Ensure that any variance in the Trading Standards Food Law Enforcement Service Plan is addressed in the subsequent year's Service arrangements. [The Standard – 3.3]	We will continue to re-assess risk procedures and ensure more staff time is allocated to Feeding Stuffs Inspection.
2. Documented procedures will be extended to include the requirement to review when legislation changes and at fixed periods of time.	1 June 2003	3.2.5 Develop its procedures for document control to ensure that documented procedures and policies are reviewed at regular intervals, or whenever there are changes to legislation or centrally issued guidance. Ensure that any superseded documents are removed from use. [The Standard – 4.1 and 4.2]	Most procedures already include a date at which they must be reviewed and approved by the relevant manager. Superseded documents are removed already by the system of document control operating. Any officer identifying weaknesses in procedures is charged with bringing it/them to the attention of their line manager.

IMPROVEMENTS PLANNED	BY (DATE)	TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	COMMENTS
3(i) A documented procedure for the authorisation of officers based on their competency and in accordance with Code of Practice N ^o 19 will be produced	Completed	3.3.12(i) Develop and implement a documented procedure for the authorisation of all officers based on their competence and in accordance with Food Safety Act Code of Practice No.19: Qualifications and Experience of Authorised Officers. [The Standard – 5.1]	Chichester City Council and East Riding of Yorkshire's Procedures were used as a template.
3(ii) & (iii) The training plan will be developed to include details of course content, objectives, assessment and duration of training provided	Completed	3.3.12(ii) Establish and maintain a documented training program for Food Standards. [The Standard – 5.4]	Training plans are informed by the Authority's personal performance review process and by issues arising from Internal Monitoring procedures.
		3.3.12(iii) Ensure that the records of training for all officers involved in food standards, Feedingstuffs & food hygiene enforcement include details of the content, objectives, duration and any assessment of courses attended. [The Standard – 5.4]	
3(iv) Appoint a suitably qualified and experienced EHO to serve EPNs and ensure that such authorised officers are always available to serve such Notices	Completed	3.3.12(iv) Ensure that sufficient officers with the relevant qualifications and experience are authorised and available to issue Emergency Prohibition Notices at all times. [The Standard – 5.3]	An EHO was appointed on 20 th January 2003. He has 2 years recent and relevant experience. He has satisfactorily completed his period of induction, and has been authorised to serve EPNs. A system has been devised preventing the two officers authorised to serve EPNs from taking leave at the same time.

IMPROVEMENTS PLANNED	BY (DATE)	TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	COMMENTS
4(i) A procedure for the calibration and maintenance of equipment will be produced and implemented.	1 April 2003	3.4.7(i) Draw up and implement a procedure on the calibration and maintenance of equipment for food hygiene law enforcement. Develop the existing procedure for Food Standards to include regular maintenance of all equipment and its removal where it becomes defective. [The Standard – 6.2]	Maldon District Council's procedure will be used as a template for food hygiene enforcement.
4(ii) Food Standards database backup data is now securely stored.	Completed	3.4.7(ii) Ensure that food standards database back-up data is securely stored to minimise the risk of loss. [The Standard – 6.5]	Back up data now stored in secure small safe. Larger fire proof cabinet on order.
5(i) The Authority will continue to make efforts to fill vacancies in the food team and to set challenging but achievable inspection targets to ensure all premises are inspected at appropriate frequencies according to risk, and to remove its backlog of inspections. The Authority will introduce revised risk assessments for food standards and ensure that inspections are carried out at the minimum frequencies required by Code of practice 8.	1 April 2005 1 June 2003	3.5.19(i) Ensure that premises are properly risk rated for food standards and that food hygiene and food standards inspections are carried out at the minimum frequency in accordance with Food Safety Act Code of Practice No.8: Food Standards Inspections and Code of Practice No.9 Food Hygiene Inspections. [The Standard – 7.1 and 7.2]	On 1 April 2003, the project manager for the integrated software for Environmental Health will return to his post in Health & Safety, releasing the appointed food EHO who has been seconded there since 1 April 2002. An EHO (food) was appointed on 20 th January 2003. Two vacancies have been advertised with a closing date for applications of 24 th February 2003. A backlog of inspections has however accumulated. In relation to food standards we have adopted Code of Practice No. 8 risk assessment criteria. This results in fewer high risk premises for Food Standards Inspections. We must have regard for wider budget decisions of the Council.

IMPROVEMENTS PLANNED	BY (DATE)	TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	COMMENTS
<p>5(ii) The documented inspection procedure will be extended to include butchers' licensing and approved premises.</p> <p>Food Standards & Feedings Stuffs Inspection procedures now include procedure for visiting new premises, referrals to FSA and other authorities and policy re. when visits are to be announced or un-announced.</p> <p>Procedures for feeding stuff inspections to be developed.</p>	<p>Completed</p> <p>Completed</p> <p>1 September 2003</p>	<p>3.5.19(ii) Develop its documented inspection procedures and extend them to cover the full range of inspections carried out. [The Standard – 7.4]</p>	<p>The butchers' licensing inspection procedure produced by Maldon District Council was used as a template. The inspection of approved premises was delegated to other officers.</p>
<p>6(i) We will incorporate LACORS food complaints guidance into written food standards and feeding stuffs procedures.</p> <p>Training will be given whenever new procedures are adopted or amended and the lead food standards officer shall monitor actions taken in response to food standards and feeding stuffs complaints.</p>	<p>31 March 2003</p>	<p>3.6.5(i) Extend its written procedures relating to food standards and feeding stuffs complaints to ensure that they comply fully with centrally issued guidance. [The Standard – 8.1]</p>	

IMPROVEMENTS PLANNED	BY (DATE)	TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	COMMENTS
6(ii) Training will be given whenever new procedures are adopted or amended and the lead food standards officer shall monitor actions taken in response to food standards and feeding stuffs complaints.	1 September 2003	3.6.5(ii) Ensure that appropriate action is taken on all food standards complaints in accordance with the Authority's policy and procedures and centrally issued guidance. [The Standard – 8.3]	More information now recorded on paper complaint forms and on database.
7. Officers to be reminded to contact the Home and Originating Authorities (as appropriate) when investigating complaints. A 20% sample of all complaints investigated every 2 months will be scrutinised to assess whether the HA/OA were contacted.	Completed	3.7.6 Ensure that home authorities of businesses are notified of food hygiene complaints in accordance with Food Safety Act Code of Practice No. 2 and centrally issued guidance. [The Standard – 9.4]	
8. New computer software package will combine Trading Standards and Food Hygiene premises. The database will be kept up to date by Food Hygiene for food premises and by Trading Standards for feeding stuffs premises updates.	1 May 2003	3.9.4 Develop and implement a documented procedure to ensure that the accuracy of its food standards and feeding stuffs premises database is maintained and kept up to date. [The Standard – 11.2]	

IMPROVEMENTS PLANNED	BY (DATE)	TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	COMMENTS
<p>9. A sampling procedure will be produced and programme for food hygiene sampling.</p> <p>Food standards sampling procedures are being revised to comply with Code of Practice No.7.</p>	<p>Completed</p> <p>1 April 2003</p>	<p>3.10.10 Draw up and implement documented procedures and a programme for food hygiene sampling and develop its procedures for food standards to comply with Food Safety Act Code of Practice No.7: Sampling and Analysis or Examination and centrally issued guidance. [The Standard – 12.4]</p>	<p>A draft policy and procedure already exists. The food sampling procedure from Tonbridge and Malling and the Food Sampling Protocol from Telford and Wrekin Councils will be used as templates for food hygiene sampling.</p>
<p>10(i) A documented procedure for investigating outbreaks and food related infectious disease will be drawn up and implemented in accordance with centrally agreed guidance.</p>	<p>1 June 2003</p>	<p>3.11.3 The Authority shall draw up and implement documented procedures in accordance with centrally issued guidance for the investigation of outbreaks and food related infectious disease. [The Standard – 13.2]</p>	<p>There are flow diagrams and questionnaires in place at present to guide officers. Procedures and questionnaires used within the Authorities of Portsmouth and South East Hampshire will be used as templates. Guidance will be drawn from the Department of Health guidance (burgundy book).</p>
<p>11. Prosecution reports will be submitted to the food standards team leader who will check evidence and compliance with HR legislation and that RIPA has been complied with. The team leader will countersign the report and act as disclosure officer. The Trading Standards Manager will review the report for compliance with the enforcement policy and will then sign it.</p>	<p>Completed</p>	<p>3.13.10 Ensure that food standards prosecution reports comply with the provisions of the Criminal Procedures and Investigation Act 1996. [The Standard – 15.2]</p>	<p>All prosecution reports now comply with provisions of CPIA 1996.</p>

IMPROVEMENTS PLANNED	BY (DATE)	TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	COMMENTS
<p>12. Food standards inspection records are now completed as per Food Safety Act Code of Practice No.8. All food inspection reports are now monitored quarterly by the Food standards Team Leader. Training will be given whenever inconsistencies are found or new /amended procedures are implemented.</p>	<p>Completed</p>	<p>3.14.10 Ensure that records of food standards inspections and inspection reports include all of the information required by Food Safety Act Code of Practice No.8: Food Standards Inspections. [The Standard – 16.1]</p>	
<p>13. We will strengthen internal supervision arrangements. The internal monitoring procedure will be reviewed to include monitoring of food sampling against sample plan and code of practice and that complaints and enforcement actions are in accordance with enforcement policy. A monitoring form on similar lines to the one used by Food Hygiene will be produced and used.</p>	<p>31 March 2003</p>	<p>3.17.6 Extend and implement the documented internal monitoring procedures for Trading Standards in relation to, sampling, and formal enforcement action and verify its conformance with the Standard, relevant centrally issued guidance and the Authority's own policies and procedures. [The Standard – 19.1 and 19.2]</p>	

ANNEX A

ISLE OF WIGHT COUNCIL ENFORCEMENT ACTIVITY OFFICIAL RETURN 2000

The UK enforcement data is reported to the European Commission on a calendar year basis. Therefore the information in this Annex, and on the Agency website at www.food.gov.uk/enforcement/role/39188, will not match the data in the main body of the report which is based on the local authority reporting year (1 April-31 March).

ISLE OF WIGHT – OCD NO 867

	Primary Producers	Manufacturers and Packers	Importers and Exporters	Distributors and Transporters	Retailers	Restaurant and other Caterers	Total
Number of establishments	13	69	1	35	486	1,869	2,473
Number of establishments inspected	5	57	0	2	302	936	1,302
Number of inspections	3	30	0	5	198	750	986
Number of establishments committing infringements*	0	12	0	0	37	267	316
Hygiene general (handling procedures, equipment and condition of premises)	0	0	0	0	0	1	1
Hygiene of personnel (in conformity with article 8 of the Control Directive)	0	0	0	0	0	1	1
Composition (including raw materials and additives)	0	0	0	0	0	2	2
Contamination (other than microbiological)	0	0	0	0	0	0	0
Labelling and presentation	0	0	0	0	0	0	0
Others	0	0	0	0	0	0	0

* Only the ones which have led to formal action by the competent authorities

LABORATORY RESULTS

Product	Samples with infringements*					Total number of samples
	Number of samples#	Microbiological contamination	Other contaminants	Composition	Labelling and presentation	
Dairy products	0	0	0	0	0	18
Eggs and egg products	0	0	0	0	0	0
Meat and meat products, game and poultry	0	0	0	0	0	32
Fish, crustacea and molluscs	0	0	0	0	0	115
Fats and oils	0	0	0	0	0	0
Soups, broths and sauces	0	0	0	0	0	1
Cereals and bakery products	0	0	0	0	0	25
Fruit and vegetables	0	0	0	0	0	15
Herbs and spices	0	0	0	0	0	0
Non-alcoholic drinks	0	0	0	0	0	2
Wine	0	0	0	0	0	8
Alcoholic drinks (other than wine)	0	0	0	0	0	8
Ices and desserts	0	0	0	0	0	4
Cocoa and cocoa preparations, coffee and tea	0	0	0	0	0	0
Confectionery	0	0	0	0	0	3
Nuts, nut products and snacks	0	0	0	0	0	0
Prepared dishes	0	0	0	0	0	12
Foodstuffs intended for special nutritional uses	0	0	0	0	0	2
Additives	0	0	0	0	0	0
Materials and articles intended to come into contact with foodstuffs	0	0	0	0	0	0
Others	0	0	0	0	0	2

* Only the ones which have led to formal action by the competent authorities

A few samples had more than one type of infringement on which formal action was taken

Product from which Informal Samples were taken during 2000	Number of Informal Samples which were Unsatisfactory				Total No. of Informal Samples
	Microbiological contamination	Other contamination	Composition	Labelling and Presentation	
Dairy products	0	0	0	0	1
Eggs and egg products	0	0	0	0	0
Meat and meat products, game and poultry	0	0	0	0	0
Fish, crustacea and molluscs	0	0	0	0	16
Fats and oils	0	0	0	0	0
Soups, broths and sauces	0	0	0	0	0
Cereals and bakery products	0	0	1	0	1
Fruit and vegetables	0	0	0	0	0
Herbs and spices	0	0	0	0	0
Non-alcoholic drinks	0	0	2	0	3
Wine	0	0	0	0	0
Alcoholic drinks (other than wine)	0	0	0	0	341
Ices and desserts	0	0	0	0	0
Cocoa and cocoa preparations, coffee and tea	0	0	0	0	0
Confectionery	0	0	0	0	0
Nuts, nut products and snacks	0	0	0	0	0
Prepared dishes	0	0	0	0	0
Foodstuffs intended for special nutritional uses	0	0	0	0	0
Additives	0	0	0	0	0
Materials and articles intended to come into contact with foodstuffs	0	0	0	0	0
Others	0	0	0	0	0

Glossary

Agricultural Analyst	A person, holding the prescribed qualifications, who is formally appointed by a local authority to analyse feeding stuffs samples.
Approved premises	Food manufacturing premises that has been approved by the local authority, within the context of specific legislation, and issued a unique identification code relevant in national and/or international trade.
Authorised officer	A suitably qualified officer who is authorised by the local authority to act on its behalf in, for example, the enforcement of legislation.
Best Value	<p>A Government policy which seeks to improve local government performance in the delivery of services to local communities – from education and care for the elderly through to environmental health and road maintenance. Best Value aims to ensure that the cost and quality of these services are of a level acceptable to local people by:</p> <ul style="list-style-type: none"> • increasing the role of local people in deciding the priorities for local government services • improving the way authorities manage and review their business • building on the experience and expertise of staff.
Border Inspection Post	Point of entry into the UK from non-EU countries for products of animal origin.
Codes of Practice	Government Codes of Practice issued under Section 40 of the Food Safety Act 1990 as guidance to local authorities on the enforcement of food legislation.
County Council	A local authority whose geographical area corresponds to the county and whose responsibilities include food standards and feeding stuffs enforcement.
District Council	A local authority of a smaller geographic area and situated within a County Council whose responsibilities include food hygiene enforcement.
Enforcement Concordat	Government guidance setting out principles and procedures of good enforcement which local authorities may adopt. Developed in consultation with businesses, local and central government, consumer groups and other interested parties. It sets out what businesses and others being regulated can expect from enforcement officers.
Environmental Health Officer (EHO)	Officer employed by the local authority to enforce food safety legislation.
Feeding stuffs	Term used in legislation on feed mixes for farm animals and pet food.

Food Examiner	A person holding the prescribed qualifications who undertakes microbiological analysis on behalf of the local authority.
Food Hazard Warnings	This is a system operated by the Food Standards Agency to alert the public and local authorities to national or regional problems concerning the safety of food.
Food hygiene	The legal requirements covering the safety and wholesomeness of food.
Food standards	The legal requirements covering the quality, composition, labelling, presentation and advertising of food, and materials in contact with food.
Framework Agreement	<p>The Framework Agreement consists of:</p> <ul style="list-style-type: none"> • Food Law Enforcement Standard • Service Planning Guidance • Monitoring Scheme • Audit Scheme <p>The Standard and the Service Planning Guidance set out the Agency's expectations on the planning and delivery of food law enforcement.</p> <p>The Monitoring Scheme requires local authorities to submit quarterly returns to the Agency on their food enforcement activities i.e. numbers of inspections, samples and prosecutions.</p> <p>Under the Audit Scheme the Food Standards Agency will be conducting audits of the food law enforcement services of local authorities against the criteria set out in the Standard.</p>
Full Time Equivalents (FTE)	A figure which represents that part of an individual officer's time available to a particular role or set of duties. It reflects the fact that individuals may work part-time, or may have other responsibilities within the organisation not related to food enforcement.
HACCP	Hazard Analysis Critical Control Point – a food safety management system used within food businesses to identify points in the production process where it is critical for food safety that the control measure is carried out correctly, thereby eliminating or reducing the hazard to a safe level.
Home Authority	An authority where the relevant decision making base of an enterprise is located and which has taken on the responsibility of advising that business on food safety/food standards issues. Acts as the central contact point for other enforcing authorities' enquiries with regard to that company's food related policies and procedures.

Improvement notice	A notice served by an Authorised Officer of the local authority under Section 10 of the Food Safety Act 1990, requiring the proprietor of a food business to carry out suitable works to ensure that the business complies with the requirements of food hygiene or food processing legislation.
Inter Authority Auditing	A system whereby local authorities might audit each others' food law enforcement services against an agreed quality standard.
Member forum	A local authority forum at which Council Members discuss and make decisions on food law enforcement services.
Metropolitan Authority	A local authority normally associated with a large urban conurbation in which the County and District Council functions are combined.
Minded to notice	A notice served by an Authorised Officer of the local authority under the Deregulation (Improvement and Enforcement Procedures) (Food Safety Act 1990) Order 1996. This notice is served prior to an 'improvement notice' and gives food business proprietors a specified period to make either a written or oral representation to the enforcement authority about the enforcement action. A repeal to the above Order means that from 10 April 2001 'minded to notices' no longer need to be issued prior to the issue of an 'improvement notice'.
OCD returns	Returns on local food law enforcement activities required to be made to the European Union under the Official Control of Foodstuffs Directive.
Originating Authority	An authority in whose area a business produces or packages goods or services and for which the Authority acts as a central contact point for other enforcing authorities' enquiries in relation to the those products
Port Health Authority	A local authority within whose boundaries there is a point of entry into the UK for imported foods.
Public Analyst	An officer, holding the prescribed qualifications, who is formally appointed by the local authority to carry out chemical analysis of food samples.
Risk rating	A system that rates food premises according to risk and determines how frequently those premises should be inspected. For example, high risk premises should be inspected at least every 6 months.
Service Plan	A document produced by a local authority setting out their plans on providing and delivering a food service to the local community.

Trading Standards	The Department within a local authority which carries out, amongst other responsibilities, the enforcement of food standards and feeding stuffs legislation.
Trading Standards Officer (TSO)	Officer employed by the local authority who, amongst other responsibilities, may enforce food standards and feeding stuffs legislation.
Unitary Authority	A local authority in which the County and District Council functions are combined, examples being Metropolitan District/Borough Councils, and London Boroughs. A Unitary Authority's responsibilities will include food hygiene, food standards and feeding stuffs enforcement.