



Food Safety Enforcement Service Plan 2022-23

Setting out the organisation and delivery of food safety enforcement by Melton Borough
Council from 1 April 2022 to 31 March 2023

FOOD SAFETY ENFORCEMENT SERVICE PLAN 2022-2023

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1 Service Aims and Objectives

1.1 Aims and Objectives

Melton Borough Council (the Council) is designated as a competent authority by The [Food Safety and Hygiene \(England\) Regulations 2013](#) for the purposes of [Regulation \(EC\) No 178/2002](#) and carries out official controls as laid down in [Regulation \(EC\) No 882/2004](#) and has a duty to execute and enforce the Hygiene Regulations. The European Union (Withdrawal) Act 2018 (EUWA) provides that, from 1 January 2021, certain directly applicable legislation of the EU has been converted into UK law. Converted law is referred to as 'retained EU law'. The EUWA provides powers to make corrections to retained EU law to ensure it operates effectively as UK law. Examples of retained EU law relating to food and animal feed, include Regulation (EC) No 178/2002 on General Food Law and Regulation (EC) No 852/2004 on the hygiene of foodstuffs. Most food and feed safety law applied from 1 January 2021 in the UK in much the same way as it did before the UK exited the EU.

The team that undertakes this work is the Environmental Health Service (the Service) of the Growth and Regeneration directorate, and it aims to provide clear and transparent advice and information to consumers and food businesses and to be easily accessible.

Effective support of food business compliance within the district will be achieved by focusing on an effective, risk-based and proportionate approach to interventions, having regard also to the Food Standards Agency (FSA) [Covid Recovery Plan](#). A food business is legally defined as any undertaking, whether for profit or not and whether public or private, carrying out any of the activities related to any stage of production, processing and distribution of food.

The objectives of the Service are:

- a) To approve or register food businesses within the district which are subject to food law
- b) To maintain an accurate database of food businesses and interventions in accordance with the FSA Covid Recovery Plan (This has replaced the Local Authority Enforcement Monitoring Scheme ([LAEMS](#)) up to at least 2023, due to the Coronavirus pandemic).
- c) To provide appropriate support in the form of education, information, guidance and advice to consumers, food business operators, architects, developers and others, on matters relating to food and food safety, including working with business organisations such as the [Leicester & Leicestershire Enterprise](#)

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[Partnership](#) (LLEP), [Leicestershire Food and Drink Forum](#) and other Melton focused groups to contribute to economic growth.

- d) To advise and / or attend, in respect of food safety and health and safety matters associated with large scale outdoor events that occur in the district, e.g East Midlands Food and Drink Festival and Pie Fest.
- e) To ensure that food produced, distributed or placed on the market in the district is safe and conforms to relevant food law.
- f) To inspect or carry out interventions at premises programmed for interventions in accordance with the FSA Covid Recovery Plan until 2023 and statutory codes of practice.
- g) To remove food which is found to be unsafe from the market and to take action as required in response to [food alerts](#), especially those identified as For Action issued by the [Food Standards Agency](#) .
- h) To take and analyse food and environmental samples associated with food businesses or food investigations at interventions to verify conformance with national and international microbiological standards, to participate in applicable local, national, or imported food sampling programmes or to investigate food safety associated matters.
- i) To investigate complaints about food or food establishments in accordance with the service's procedures and to respond effectively when intelligence about non-compliance at food businesses is received.
- j) To take appropriate enforcement action having regard to relevant codes, policies and procedures, including but not limited to the [Melton Borough Council Corporate Enforcement Policy](#), the current [Food Law Code of Practice \(England\)](#), the [Regulators' Code](#) and the [Code for Crown Prosecutors](#).
- k) To identify and investigate cases and outbreaks of food-borne illness, liaising effectively with the [UK Health Security Agency](#) (UKHSA replaced Public Health England in 2021) and other local authorities and agencies and to maintain a database of food-borne disease notifications and investigations and interventions carried out as a result.

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- l) To provide information, education, guidance and advice to consumers and food businesses in the district to reduce the incidence of food-borne disease.

- m) To provide advice to businesses and members of the public in the district with respect to food safety

- n) To promote national food safety campaigns as required by the Food Standards Agency (such as Food Safety Week)

- o) To ensure that the service's authorised officers adhere to the Corporate and Food Safety Enforcement Policies when making enforcement decisions

- p) Continue to ensure that the Service's authorised officers are suitably qualified, experienced and competent to carry out the range of tasks and duties they are authorised to perform, including providing additional training where required

- q) Continue to support the Primary Authority principle, including consulting with authorities where appropriate following inspections and when dealing with food complaints

- r) To liaise with other local authorities and associated organisations to achieve consistent enforcement

- s) To continue to participate in the operation of the Leicestershire Food Liaison Group

1.2 Links to Corporate Objectives

Melton Borough Council's [Corporate Strategy 2020-2024](#) aims to improve the standards throughout the borough. This work is aligned to the following Corporate Priorities;

- Priority 1- Excellent services positively impacting on our communities;
- Priority 3- Delivering sustainable and inclusive growth in Melton
- Priority 4- Protect our climate and enhance our rural, natural environment

2 Service Background

2.1 Profile of the local authority

The Borough of Melton is a rural district in the East Midlands with an area of 185.9 sq. mi., ranking it 92 out of 317 English districts, made up of one town and seventy villages. The district in 2020 had a recorded population of 51394 ranking it 311 out of 314 local authorities in terms of population size. Melton Borough is informally known as the Rural Capital of Food and is world renowned for both Melton Mowbray pork pies and Stilton cheese both of which have been designated by the European Union as protected foods. Melton Mowbray Pork Pies are designated as Protected Geographical Indication linking their production, processing or preparation specifically to the area, whilst Stilton Cheese has been designated a food of Protected Designated of Origin meaning that its method of production is also restricted.

The town has a thriving market which was first mentioned in the Domesday Book and is the third oldest in England. In addition, the town also hosts a twice weekly farmers' market at the Cattle Market. Launched in 2022, the Stockyard at the Cattle Market creates a hub of activity for food and drink businesses, including artisan food producers such as Round Corner Brewery and Brentingby Gin.

The markets provide an excellent opportunity to promote local food businesses who sell from them, as well as attracting businesses from across the region, many of which are registered with other local authorities. Melton and the local area also host several large food manufacturers, including the head office of [Samworth Brothers](#), and three associated factories. [The area is also strongly linked with the Long Clawson dairies](#) in Long Clawson and

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Bottesford, producing Stilton and other blended cheeses and the Arla Creamery in the town centre primarily producing Stilton Cheese. [Belvoir Farm Drinks](#) manufactures a range of specialist soft drinks with international distribution.

Melton Mowbray hosts several prominent food events including the [Artisan Cheese Fair](#), [The British Pie Awards](#), Choc Fest and the [East Midlands Food Festival](#). Officers often attend these events to offer advice to event organisers and traders, and enforce where necessary. It also allows for feedback to be provided to traders' own home registering authorities. These visits are in addition to the annual food intervention programme.

2.2 Organisational Structure

Food hygiene enforcement is carried out by the Environmental Health Service (the Service), which is part of Governance and Regulatory Services. The Service reports its food safety functions to the Director for Growth and Regeneration, and Cabinet.

The management structure of the Service as a whole is detailed below, with resources allocated to food comprising of;

- Director for Growth and Regeneration
- Environmental Health and Licensing Manager (EHLM) – combined responsibilities, including overseeing food hygiene enforcement (role currently vacant)
- 2 Senior Environmental Health Officers (SEHO) – combined responsibilities, including food enforcement
- Part-time (0.8 FTE) Lead Food Safety Officer holding the Higher Certificate in Food Control

The EHLM reports to the Director for Growth and Regeneration.

It should be noted that at the time of writing, the post of EHLM is currently vacant. The duties of the EHLM are currently divided between the Director for Growth and Regeneration and the two Senior Environmental Health Officers, who are 'stepping up' on a temporary basis to take more of a managerial role. Currently only the Lead Food Officer and the two Senior Environmental Health Officers are competent and therefore authorised for food enforcement duties.

The Environmental Health Service as a whole also comprises a Technical Officer and Senior Technical Officer whose duties do not currently involve food safety, however as part of their Environmental Health training, may begin to undertake certain duties under supervision.

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There is no direct administrative support allocated to the Service, but the service has access to the business support at directorate level

All officers confirmed as Food Officers by the Council and authorised to undertake food hygiene inspections and interventions have been assessed and confirmed as being food competent for the work they need to do, in accordance with the requirements of the FSA's Competency Framework. Each officer should update and review this document with the EHLM confirming competency as part of the officer's annual review procedure.

Sampling analysis is undertaken by either Public Analyst Scientific Services of Wolverhampton, for contamination issues or The United Kingdom Health Security Agency laboratory at Colindale, London for food safety issues.

2.3 Scope of the Food Service

Melton Borough Council is the competent authority for food hygiene, whilst food standards and feed control enforcement is carried out by the [Leicestershire County Council Trading Standards](#) service. Members of the Service carry out pro-active programmed, risk-based interventions at food establishments and reactive investigations of complaints about food or food establishments registered with the Council, including food alerts or targeted investigations at the request of the Food Standards Agency. The Service also provides providing guidance, advice and education to consumers and businesses appropriate to their need, including participation in food safety awareness campaigns such as Food Safety Week and can issue food export certification on request.

As well as being authorised Food Officers, the SEHOs also undertake other enforcement work associated with the Service, including health and safety enforcement, and any other environmental health functions as the service demands. The Lead Food Officer also serves as the lead sampling officer, administers the local management of the Council's private water supplies and swimming pool water quality, investigates infectious disease control, as well as assisting enforcing health and safety in food businesses.

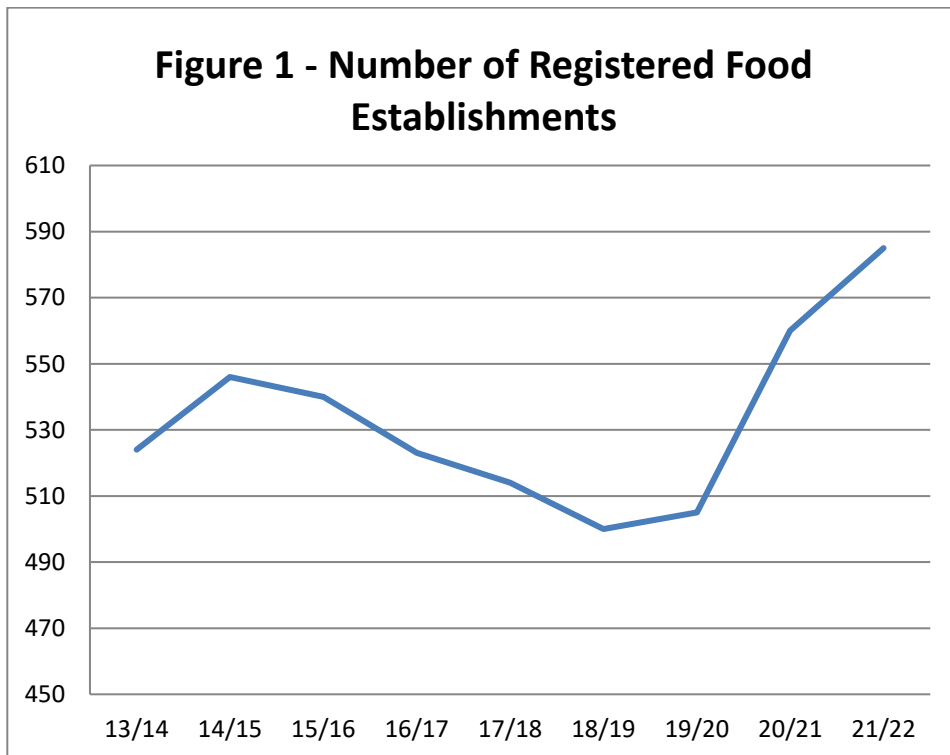
The service is also responsible for taking and analysing various samples associated with food or food safety. Microbiological samples and samples as part of the national or regional sampling programme are taken to [Colindale Laboratory, North London](#). Samples of suspected food poisonings or other infectious diseases will be analysed under the guidance of [UKHSA](#) (UK Health Security Agency) at Birmingham Good Hope Hospital. Private water samples are analysed by [Anglian Water](#). [Public Analyst Scientific Services](#) Wolverhampton analyse compositional complaints.

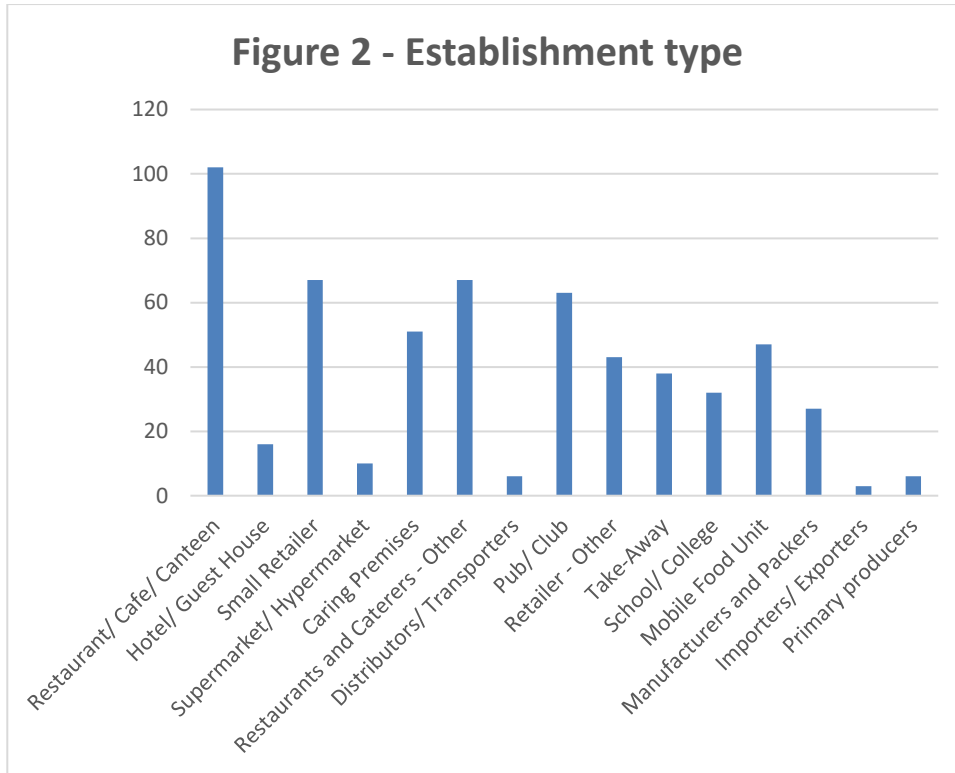
2.4 Demands on the Food Service

On 31 March 2022 there were **585** food establishments which are **registered** or **approved** and liable for routine food hygiene inspections. Comparisons with neighbouring authorities are difficult as these figures change daily, however as a general guide in Leicestershire the average number of food businesses registered was over 1100, with the majority in Leicester City, Hinckley & Bosworth and Charnwood. In terms of numbers of registered food businesses, Melton ranked 6 out of the 7 Leicestershire authorities.

The **13** approved establishments include **3** egg producers, **5** dairies and **5** meat products/ preparations manufacturers. Following a dip in new registrations between 2015 and 2019 there was a significant upturn in 2020 onwards, fuelled in part by the Coronavirus Pandemic and lockdowns encouraging people to set up small enterprises from home (as shown in Fig 1). Each new business requires, under the Food Law Code of Practice an inspection, which has placed a drain on resources as numbers have risen. These initial inspections have been prioritised to ensure that new businesses have been properly assessed, however this has been at the expense of the ongoing inspection regime.

The general profile of registered or approved food businesses is shown in figure 2 below, with the predominant type being customer facing premises such as restaurants and pubs.





Premises are risk rated in accordance with the Food Law Code of Practice in respect of food hygiene on a scale of A for highest risk to E for the lowest risk premises. Highest risk premises receive more frequent interventions and inspections, for example A rated premises require an inspection at 6 monthly intervals. The risk rating for a premises is re-evaluated following an inspection and could increase or decrease depending on the overall risk.

The Service continues to operate the national Food Hygiene Rating Scheme (FHRS). This scheme helps customers choose where to eat or shop by giving them information about food hygiene standards in food premises. The scheme also promotes trade for compliant businesses. A key message of the FHRS is ‘Good Hygiene is Good for Business’ supporting the business growth agenda. FHRS scores are calculated and delivered as part of the routine inspection programme, though there is the opportunity for businesses scoring less than 5 to request and pay for a new scoring inspection. The service accepts approximately ten such requests per year. These are charged for as they are additional inspections that take resources away from the routinely programmed interventions.

Melton Borough Council has a relatively high number of premises Approved under Regulation 853/2004, in comparison to its size and in comparison with its neighbours. This is partly due to the prevalence of dairy related industry in the district and partly through the establishment of the Samworths Brothers Head Office in the town, which has resulted in three large manufacturing sites being built here. Approved premises are businesses that process products of animal

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origin and must comply with additional regulations and traceability requirements. They usually involve a greater amount of work for authorised food officers both in terms of their initial approval and subsequent inspections and audits.

The authority has observed in recent years a move, particularly by farmers to diversify their businesses. This has resulted, for example in a small number of on farm pasteurisation units being registered and approved. It is anticipated that this general diversification will continue and involve the business requiring Approval. This will place a small but nonetheless increased burden on the department in terms of providing advice and assistance as these businesses come online, and then their subsequent inspections.

The Service is based at [Parkside](#), Burton Street in Melton Mowbray. This also hosts the Customer Service Centre, which is open to the public from 9am to 5 pm on Monday to Friday. There is an out-of-hours emergency contact service for the Council as a whole. Food hygiene inspections can be carried out outside of normal office hours where necessary to ensure that we inspect food businesses when they are operating. Officers have the IT capability to operate remotely.

The authority has no border inspection points within the district, however officers are encouraged to maintain competency in inland imported food enforcement via training, so that they are capable of responding to incidents that may arise. This could include, for example, the importing of prohibited foods from abroad by food business owners who then wish to use them in their food business. Such incidents are very rare, though this means that food officers may not have the required level of experience when incidents do occur. In these circumstances the Service would likely seek advice from a neighbouring authority or the FSA.

Most registered businesses operate all year round, however there are two seasonal slaughterers operating only in the weeks prior to Christmas. These generally do not require an on site intervention and are classed as low risk.

2.5 Regulation Policy

The Service is included in the Melton Borough Council Enforcement Policy which follows the principles requirements of the [Regulators' Code](#). The Service also has a separate Food Safety Enforcement Policy which runs parallel to the above. This means that when carrying out food law enforcement officers will:

- a) Support those we regulate to comply and grow;
- b) Engage with businesses and hear their views;
- c) Base our regulatory activities on risk;
- d) Share information about compliance and risk with other regulators;
- e) Ensure clear information, guidance and advice is available to help those we regulate to comply; and
- f) Ensure that our approach to regulatory activities is transparent.

3 Service Delivery

3.1 Interventions

Until the Covid19 outbreak in 2020, food businesses registered with the Council were selected for proactive intervention using the risk-based scheme contained in Section 5.6 of the [Food Law Code of Practice \(England\) \(CoP\)](#). This risk based approach allocates a grading from A (those businesses deemed highest risk) to E (those deemed lowest risk) after the inspection. It should be noted that a rating of A does not immediately mean that the business is non compliant. High scores can be achieved due to the use of novel processing methods, the potentially wide nature of the distribution of the food or the focus on a group of customers in a high risk category (for example those who are immunocompromised).

Intervention Frequency (pre Covid Recovery Plan)

Risk rating	Frequency of intervention
A	Six months
B	Twelve months
C	Eighteen months
D	Two years
E	Three years

The overall number of premises in each risk rating category varies throughout the year, but as at 30 June 2022 was as follows:

Establishment Profile

Risk rating	Number of premises
A	0
B	20
C	93
D	171
E	291
Unrated	15

Following the outbreak, when many food businesses were closed and Service resources were diverted to Covid matters, the Service adopted in full the FSA's [Covid Recovery Plan](#) (CRP) which targets instead new businesses as a priority for inspection, along with those businesses deemed higher risk (such as those rated A or which are non compliant). Category D and E premises are currently no longer prioritised for intervention under the CRP, though there is scope for the Service to include these lower risk premises should resources allow in future or if intelligence suggests a visit is necessary. The Food Standards Agency have also expressed a desire for local authority food teams to 'move faster' than the deadlines in the CRP, meaning that the category D and E premises should be included in the inspection regime as soon as resources allow. On current resourcing levels it is not anticipated that this will be significantly achievable during 2022/23.

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Covid Recovery Plan – Intervention frequency

Risk rating	Deadline for completion	Number of premises requiring intervention
A	March 2022	1
B	June 2022	12
Non compliant C	September 2022	3
Non compliant D	December 2022	1
C	March 2023	55
D & E	No intervention required unless local intelligence suggests one is warranted (e.g. a food complaint)	nil

There is also a requirement to prioritise for inspection newly registered businesses. In 2021-22 there were **89** new registrations, which continues the upward trend seen since the pandemic. It is anticipated there will be a similar number in 2022-23 and are therefore in addition to the number of inspections listed above. There is a Key Performance Indicator requiring completion of inspections at new premises within 28 days of registration or when they actually open, depending on which occurs latest.

New business registrations

Year	Number of registrations
2018-19	49
2019-20	53
2020-21	81
2021-22	89

In addition, those inspections that *were* carried out during the Covid period 2020 onwards have been ‘re-inserted’ into the rolling food inspection programme under the requirements of Section 5.6 of the Food Law Code of Practice, e.g. those rated as a B and therefore due again in 12 months. This means that they are inspections required **in addition to** those listed above in the CRP.

Non CRP interventions due 2022-23 naturally under Section 5.6 of the Food Law Code of Practice

Risk rating	Number of premises requiring intervention
A	0
B	13
C	38
D	146

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It is anticipated that current resources within the Service should allow for the completion of the FSA Covid Recovery Plan prior to the staggered deadlines ending in 2023. This is the minimum requirement of the Food Standards Agency. Further resources, such as the employment of an outside contractor would be required to enable the inspection of those premises outside of the CRP, namely those that have become due again and the CRP low priority category D premises. There should however be inroads made into the backlog, once the CRP has been achieved.

Once identified as requiring a proactive intervention, the nature of the assessment is based upon their risk-rating, and guidance offered by Section 5.2 of the CoP. Interventions may also occur as part of regional or national targeted programmes, as a result of local intelligence received or at the request of businesses. Interventions will not be carried out without a valid reason, so as to avoid placing unnecessary burdens on businesses.

The primary database that is used to record information about food establishments and interventions is [Uniform provided by Idox plc](#). The premises information for each food business is stored as a separate commercial premises record. When there is a change to the record, for example a change of food business operator, a significant change of processes undertaken by the business or a new food business establishment is set up, any existing commercial premises record is either updated or closed and a new record is opened.

The three Authorised Food Officers have between them a significant amount of experience at a wide variety of food premises and it is not anticipated that any external expertise will be required. This though remains under constant review and the Service has the combined resources of the Local Leicestershire Food Liaison Group and the Food Standards Agency available to provide advice if circumstances beyond their expertise present themselves. If necessary, the Service would also seek external specialist support.

3.2 Additional Interventions and inspections

The Service attends a number of locally staged food events, such as Pie Fest and the East Midlands Food and Drink Festival to carry out basic food hygiene inspections and interventions. Owing to the large numbers involved and the limited amount of time, attendees are usually targeted based on risk or intelligence factors. These interventions are in addition to the programmed intervention scheme identified above and do not form part of the Covid Recovery Plan, but are deemed necessary to maintain public confidence at events, assist event organisers and enable the inspection of some attendees who may not ordinarily be inspected by their local authority due to them trading outside of their local area.

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Where a food business is non compliant following an Intervention, the Food Law Code of Practice requires a revisit to be carried out to check compliance since that intervention.

OBJECTIVE: full compliance with the FSA's Covid Recovery Plan timescales for completion of outstanding food hygiene inspections and inspection of new (unrated) businesses.

OBJECTIVE: All new food businesses to have received an onsite intervention within 28 days of registration OR commencing food service OR from when the Service first became aware of them.

OBJECTIVE: For 5% of those businesses outstanding an inspection in Category D (and therefore not requiring a visit under the CRP) to receive an intervention during 2022/23

OBJECTIVE: all non compliant food businesses to receive a revisit to check compliance within 3 months

OBJECTIVE: Attendance by Authorised Food Officers at least one externally organised food event within the district each year to carry out routine food hygiene interventions.

3.3 Food Hygiene Rating Scheme (FHRS)

The Food Standards Agency's National Food Hygiene Rating Scheme has operated in the borough since 2011. This scheme features a numerical 6 tier award system and is based on the FSA's Code of Practice for enforcement officers

5 (Top tier)	very good premises
4 (Second tier)	good premises
3 (Third tier)	generally satisfactory premises
2 (Fourth tier)	improvements necessary
1 (Fifth tier)	major improvement necessary
0 (Lowest tier)	urgent improvements necessary

The Food Hygiene Rating Scheme allows public access to the ratings awarded to food businesses, and enables them to make an informed choice about where they choose to purchase food. It gives recognition to compliant food businesses and gives non-compliant businesses the incentive to improve. The scheme involves a wide range of premises including caterers and retailers. Currently around 560 Melton Borough Council food businesses are rated and uploaded to the [national website database](#).

Under the provisions of the Localism Act, a charge to recover costs can be made for Food Hygiene Rating Re-score visits. Accordingly, and in-line with Food Standards Agency policy, a charge of £150 was introduced for Food Hygiene

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Rating Re-score visits in April 2018. It is hoped to increase this charge in 2023 to reflect the increase in costs associated with carrying out these extra inspections and acting as a deterrent to potentially under performing businesses.

During 2021-22, seven requests for Food Hygiene Rating reinspections were made. This requires an additional full inspection to be carried out at the requesting premises, to then provide a new rating. In comparison there were four requests in 2020-21 and is likely reflective of the pandemic subsiding. It is anticipated there will be a similar increased demand during 2022-23.

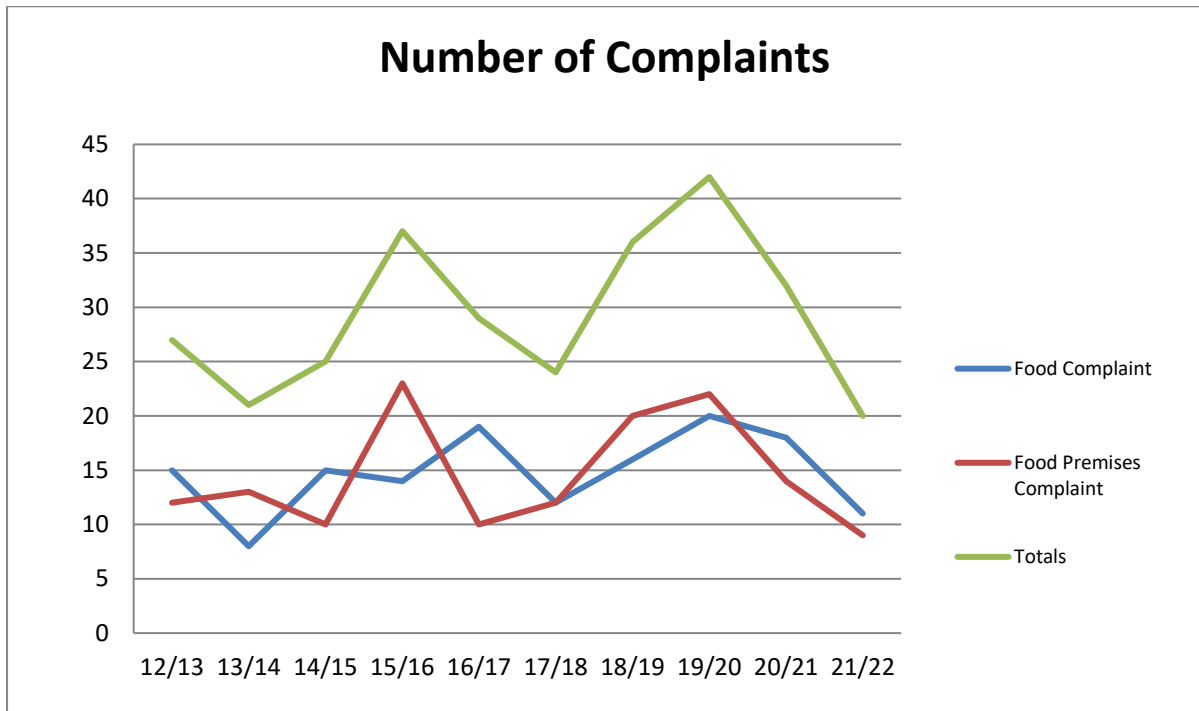
The scheme also features an appeals process which, according to demand, will also impact on officer time in assessing the inspection documentation, re-evaluating the score and replying to the applicant.

It is likely that the display of Food Hygiene Ratings will become mandatory in future and that requests for reinspections or appeals will increase. This would impact on officer time resources.

OBJECTIVE: Full adherence to the Food Hygiene Rating Scheme Brand Standard, particularly around timescales for adjudicating Appeals (21 days) and carrying out re-inspections (three months from date of application)

3.4 Food Complaints

A total of **20** complaints were received in 2021-22, comprising **11** about food contamination and **9** about the hygiene of food premises. This continues a decrease seen since the pandemic most likely due to many premises being closed and general footfall significantly reduced. It would be expected that complaints will rise post pandemic as premises reopen fully.



Each complaint requires a thorough investigation, often involving an additional visit to the premises to observe practices and discuss further. Some complaints require the input of outside agencies, for example complaints where a product has been bought locally but manufactured outside of the district. This increases the time needed to resolve the matter.

Most complaints are resolved informally using targeted advice and warnings, however occasionally formal enforcement action is required. This has the potential to be an expensive undertaking for the Council, financially and in officer time, especially where large companies are pursued.

As overall food business compliance levels have stayed reasonably consistent over this period it is likely that consumers have an increased awareness of food hygiene, for example via the FHRs scheme or TripAdvisor.

3.5 Home Authority and Primary Authority

Melton Borough Council does not act as [home or primary authority](#) for any food businesses in the area, but it does act as the originating authority for Samworth Brothers Ltd who produce chilled and ambient foods and have their head office and three large production facilities in Melton Mowbray.

Officers of the service are fully aware of the requirements when dealing with businesses which have home or primary authority and will follow requirements of the respective inspection plans as they are published. The Council also recognises the potential benefits of working in such partnerships, and should it be approached by a local business seeking such a relationship, the Council would consider such approach accordingly, however would need additional resources to undertake this.

3.6 Advice to Business and Requests for Service

The Council recognises the benefits of aiming to achieve compliance of our food businesses by working with the Food Business Operator (FBO). This relationship can be made available at the time of any intervention or following the receipt of a request for guidance from the FBO. 57 requests for advice were recorded and actioned in the 2021-22 period, down from 81 in 2020-21. This may be reflective of the closure of many food businesses during the pandemic or most likely under-reporting by Officers. Many of these requests for service can be resolved by email or telephone.

The Service is from time to time requested to provide an export certificate for the transport of low risk foodstuffs into Third countries. These are chargeable and require approximately an hour of officer time each for the production of a paper certificate, though if the consignment requires a physical check then the time increases accordingly. Requests are currently limited to a single business and around six certificates per year. The Service does not offer the separate [Export Health Certificate](#) as these require considerable officer time, knowledge of export controls and Defra certification which the Service currently does not possess.

The Service participate with the [Leicester and Leicestershire Enterprise Partnership \(LLEP\) Business Gateway](#) which is a 'one-stop shop' growth hub which has the key objective to raise awareness of the different forms of business support that are available for startup and existing businesses. The service also provides leads for the [Leicestershire Food and Drink Forum](#) and the new Melton Food Enterprise Centre which provide tailored assistance to food businesses.

Planning applications are considered by the team and advice is given to food business operators as necessary with regard to food safety and advice on structures and layout.

The Service also works closely with several other local organisations who are involved in trying to support and develop local businesses, including local food businesses. These partners include the Melton BID, the FEZ and the recently awarded Sustainable Food Cities partnership.

3.7 Food Sampling

The service participates in sampling programmes organised by the Colindale laboratory and UK Health Security Agency (UKHSA - previously known as Public Health England), along with targeted sampling visits encompassing foods and environmental swabs. Sampling programmes are organised using feedback from the Leicestershire Food Liaison group and national surveys.

Melton Borough Council receives an allocation of credits from UKHSA in respect of sampling, which can be 'spent' on proactive sampling as the service deems appropriate. In 2021-22 the service used **509%** of its sampling credit allocation, compared to an average for the remaining Leicestershire authorities of 3.2% though much of this was in relation to water testing for legionella in water systems during the pandemic lockdown. An 'overspend' of this type results in no financial burden for the authority as credits are instead reallocated from other underspending authorities, but does allow the service to provide a very effective and thorough sampling service. There will continue to be a strong commitment to sampling by the Service as it is a useful tool in supporting advice given to food businesses, and also provides the Services with a method of verifying that food businesses are following their own procedures satisfactorily. Sampling requires preparation, taking around a day's work to plan, take samples and then feedback to businesses when results are received. There are usually at least one sampling days per month. These are often targeted, taking similar samples from different premises so that a general trend in compliance can be determined. Recent examples have included the taking of rice samples from takeaway premises and soda water samples from wet sales pubs.

Officers will also consider taking samples at poor performing establishments, in response to food borne illness allegations and to verify the effectiveness of procedures based on the HACCP principles during Official Control visits.

The service also offers sampling, using the UKHSA Colindale laboratory for ongoing businesses wishing to verify their procedures. This is done on a commercial basis and provides a small but useful source of income. It is anticipated that the service will continue to receive requests for commercial sampling, particularly artisan and small scale producers who require verification for their processes but lack the purchasing power or technical knowledge of the larger manufacturers.

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For samples that require compositional analysis rather than microbiological (for example, foreign body investigation), the Service has an arrangement with [Public Analyst Scientific Services Ltd](#). Samples of this nature are chargeable to the Service and are infrequent in nature. No such samples were submitted in 2021-22.

Whilst sampling is not a statutory function, the overall benefit of isolated sampling in identifying compliance amongst businesses is deemed to outweigh the cost in officer time. The Food Standards Agency are also very keen on local authorities using sampling as a form of intervention at premises. It also maintains levels of officer competency, which is essential in case an emergency or formal sampling situation arises in future.

OBJECTIVE: continuation of a proactive sampling programme with at least one food hygiene based sampling day every 8 weeks.

3.8 Food Safety Incidents

National [Food Alerts](#) issued by the FSA are monitored and a local response is initiated when action is required at businesses within the Borough. An average of two are received that require action each year, but when action is required there may be a significant amount of work involved, such as visiting all food businesses of a certain type and taking enforcement action requiring the detention or seizure of food. Food Alerts are actions in accordance with the Food Law Code of Practice. No out of hours resource is required. Food Alerts for Action are in addition to the standard Food Alerts, which total around 200 per annum. These are usually associated with national recalls of particular products direct from retailers and customers, often in response to issues with allergen labelling or accidental contamination. These are unlikely to require action by the Service.

OBJECTIVE: All applicable Food Alerts for Action to be actioned within 48 hours of receipt and recorded on Idox database where necessary

3.9 Liaison with other organisations

This authority works closely with other organisations such as [Leicestershire County Council Trading Standards](#), [UK Health Security Agency](#), the [Food Standards Agency](#), the [Care Quality Commission](#), the [Animal and Plant Health Agency](#) and other local food authorities. Melton Borough Council also attends and plays an active role in the Leicestershire Food Liaison Group where Leicestershire local authorities and representatives of the agencies listed above meet on a quarterly basis to discuss overarching food issues. Joint visits with officers from other organisations may be

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occasionally required, such as the Egg Marketing Inspectorate or Trading Standards.

Where interventions have been carried out on food businesses registered with a different local authority (such as those attending an event or market in the district), then suitable feedback on compliance is provided to the registering authority.

The Service will also continue to work closely with and have regard to the principles of the Leicester and Leicestershire Enterprise Partnership (LLEP), and promote the [LLEP Business Gateway](#) to food business operators.

Internally, there is informal cooperation between Licensing, Building Control, Planning and the Food Team in relation to food businesses. This includes advice being provided at the planning stage, where requested and intelligence being provided to Planning Enforcement teams where a food business is suspected of not having the requisite permissions. The Environmental Health Senior Technical Officer, who is outside of the Food Safety Team, comments on planning applications, including those from food businesses that may contribute to nuisance issues. This therefore does not have a significant impact on resources.

OBJECTIVE: an Authorised Food Officer from the Service to attend each quarterly meeting of the Leicestershire Food Group

3.10 Food Safety Promotional Work

Melton Borough Council continues to operate and promote the FSA Food Hygiene Rating Scheme with the aim of providing consumers with an informed choice about where to eat, give recognition to compliant food businesses and to give non-compliant businesses the incentive to improve.

Food Safety Week, organised by the Food Standards Agency is observed and where possible content will be loaded to corporate social media streams and the website. Active participation by food officers in organising educational events or promotions is not possible due to a lack of resources, though the Service's ongoing sampling activities as described in point 3.5 above, do contribute to the promotion of good hygiene practices and education amongst food businesses.

The Service no longer has the resources to offer classroom based food hygiene training, though it is recognised that most food handler training is achieved now via online service providers at a cost lower than what the Service could offer.

OBJECTIVE: The Service to contribute towards Food Safety Week (or similar) by organising suitable activities or online content

3.11 Control and Investigation of outbreaks and food related infectious disease

Melton investigates notified cases of food borne illness as directed by the UKHSA and Consultant in Communicable Disease Control (CCDC), where the patient lives within the district. The authority follows the *Communicable Disease Outbreak Management: Operational Guidance* and follows current guidance in terms of division of responsibility between Environmental Health and UKHSA teams.

Where a questionnaire is required to be completed by the patient, this will be advised by the UKHSA direct to the Service, detailing contact details, date of onset and any other appropriate information. Contact is usually made with the patient via telephone prior to posting out any questionnaire. This will be done usually within two days and is recorded on the Idox database. Certain illnesses are no longer nationally investigated, such as Campylobacter. Other illnesses may require an in person interview be conducted, though this is very infrequent and will be as directed by UKHSA.

Currently there are approximately two cases per month notified to the Service as requiring a questionnaire be completed and followed up where necessary.

Upon receipt of the completed questionnaire, should a likely source of the infection be determined then this may require further investigation by the Service, particularly if that is a local food business. This may therefore require the involvement of other local authority food teams, though this is usually carried out centrally via UKHSA.

Where major, ongoing outbreaks occur then additional resources may be required either locally or from the Food Standards Agency so that Officers can be diverted to the outbreak but ongoing food interventions can continue. These circumstances are rare, though in 2019 a significant Norovirus outbreak at the Twinlakes Park in Melton Mowbray resulted in the initiation of an Outbreak Control Team by Public Health England (PHE) and the diverting of an officer to work on the matter alongside the Health and Safety Executive and PHE, including delivering sample pots to local residents, collecting water samples and responding to initial public enquiries. This was required a significant allocation of resources albeit for a short duration.

4 Resources

4.1 Financial allocation

For the 2022/23 period, approximately **£70,000** is allocated for the food law enforcement service.

4.2 Staffing allocation

Three officers are fully authorised as food officers, able to undertake the full range of interventions however their time is split with other Environmental Health duties. This results in potential FTE of 1.65, notwithstanding their other non food duties.

At present, as per section 2.2 the two SEHOs are currently 'acting up' in managerial roles and not able to carry out day to day food safety functions, though remain available in case of emergency situations. The Service should therefore be currently considered as under resourced. An outside contractor has agreed to provide cover for Quarter 4, carrying out a limited number of routine inspections, however this is not a permanent solution. It is anticipated that recruitment and general restructuring will occur in early 2023.

4.3 Staff Development Plan

The training needs of the officers are identified during the Council's internal appraisal process and a rolling training programme is developed in accordance with the requirement for professional development in the [Food Law Code of Practice](#). This means that Authorised Officers must obtain a minimum of 20 hours Continuing Professional Development (CPD) per year, at least 10 hours of which is focused on core food matters relating to the delivery of official controls.

This will be achieved primarily through [FSA-funded training for food law authorised officers](#), but also by attending Leicestershire Food Liaison Group organised training, internal training courses and training provided by UKHSA and the CIEH.

Records of Authorised Officer training are kept and reviewed by the Lead Officer and the Environmental Health and Licensing Manager to ensure compliance with the [requirements set down in the Food Law Code of Practice](#). All authorised food officers must also maintain competency by continuing to undertake food hygiene interventions.

It is the responsibility of the Officer to ensure they maintain competency and CPD levels.

OBJECTIVE: All authorised food officers to maintain required levels of CPD and competency to deliver full range of interventions

5 Quality Assessment

5.1 Quality Assessment and Internal Monitoring

There is an internal monitoring procedure to ensure officers are following procedures and acting in accordance with statutory requirements. This includes quarterly quality checks on paperwork and data entries by the Lead Food Officer, and accompanied visits between officers for consistency purposes.

The Service takes part in the annual FSA Food Hygiene Rating Scheme Consistency Exercise, designed to ensure that standards are being applied consistently across the country.

The Service participates in the Leicestershire Food Liaison Group inter-authority audits, to ensure consistency amongst peer authorities.

All food hygiene inspection reports contain an invitation for the food business operator to complete an online questionnaire on how the inspection was carried out. This is sent automatically to the Environmental Health and Licensing Manager.

OBJECTIVE: Participation in any Leicestershire inter-authority audit

OBJECTIVE: Participation in the FSA's annual FHRS Consistency exercise

OBJECTIVE: Customer satisfaction level of 80% from online questionnaires

6 Review

Objectives - 2021-22	Target	Actual
% of Category A inspections completed under the Covid Recovery Plan*	100%	100%
% of unrated premises inspected within 28 days of opening	90%	84%

- *Note – the Covid Recovery Plan only required the completion of all outstanding category A premises by the end of March 2022. Deadlines for remaining category B-D premises are during the period 2022-2023.*

6.1 Objectives for 2022/23

Objective	Target
OBJECTIVE: full compliance with the FSA’s Covid Recovery Plan timescales for completion of outstanding food hygiene inspections and inspection of new (unrated) businesses.	100%
OBJECTIVE: All new food businesses to have received an onsite intervention within 28 days of registration OR commencing food service OR from when the Service first became aware of them.	100%
OBJECTIVE: For 5% of those businesses outstanding an inspection in Category D (and therefore not requiring a visit under the CRP) to receive an intervention during 2022/23	5% of outstanding category Ds to be inspected by March 2023
OBJECTIVE: all non compliant food businesses to receive a revisit to check compliance within 3 months	100%

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Objective	Target
OBJECTIVE: Attendance by Authorised Food Officers at least one externally organised food event within the district each year to carry out routine food hygiene interventions.	One event to be attended per annum
OBJECTIVE: continuation of a proactive sampling programme with at least one food hygiene based sampling day every 6 weeks.	Eight routine food sampling days per annum
OBJECTIVE: All applicable Food Alerts for Action to be actioned within 48 hours of receipt and recorded on Idox where necessary	100%
OBJECTIVE: an Authorised Food Officer from the Service to attend each quarterly meeting of the Leicestershire Food Group	Four Leics Food Group meetings per annum
OBJECTIVE: The Service to contribute towards Food Safety Week (or similar) by organising suitable activities or online content	One online contribution per annum
OBJECTIVE: All authorised food officers to maintain required levels of CPD and competency to deliver full range of interventions	100% of CPD
OBJECTIVE: Participation in any Leicestershire inter-authority audit	One occurrence per annum, where applicable
OBJECTIVE: Participation in the FSA's annual FHRS Consistency exercise	One occurrence per annum, where applicable

Objectives for 2022/23 will be assessed in the Food Safety Enforcement Plan issued in 2024.

-END-