

FOOD SAFETY REVIEW GROUP

FINAL REPORT

Introduction

1. This is the final report of the Food Safety Review Group, established by the Public Protection and Community Partnerships Scrutiny Committee to undertake a review of the food safety in relation to food standards and food hygiene.

Background Information

2. At the meeting of the Environment Scrutiny Committee held on 27th April, 2006, it was agreed that a Task and Finish Review Group be established to examine Food Safety in relation to food standards and food hygiene. A further meeting of the Group held on 27th March, 2006 agreed that the best way forward was to progress investigations by way of a full Review. This was agreed by Members at the Scrutiny meeting held on 4th April, 2005 and Monitoring and Co-ordination Group gave its approval for a full Review Group to be established on 4th April, 2005.
3. A wide number of issues have been considered and discussed at the meetings and are referred to in the notes attached (**Appendix 2**). This report describes the outcome of the Review Group, it summarises the work undertaken, the findings from the processes and the subsequent recommendations.

Terms of Reference

4. The following terms of reference had been established for the Review Group :-
 - (a) To examine food safety and food hygiene.
 - (b) To examine statutory inspection requirements and targets.
 - (c) To examine staffing structures/qualifications.
 - (d) To investigate the numbers of premises at risk including targets and documentation.
 - (e) To examine the requests for service including the role of the contact centre.
 - (f) To investigate links with other organisations.

Membership of the Review Group

5. The membership of the Food Safety Review Group comprised Councillors Holmes, D. Jones, Lister, Maddison, Newall, Dr. Reynolds, Ruck and Mrs. Swift.

Acknowledgements

6. The Review Group acknowledges the support and assistance provided in the course of their investigations and would like to place on record their thanks to the following :-

Bill Westland, Assistant Director of Public Protection;
Barry Pearson, Environmental Health Manager;

Nigel Green, Trading Standards Manager,
Steve Todd, Environmental Health Officer;
Alan Richards, Public Analyst, Darlington/Durham;
Ian Richardson, Technical Laboratory Manager, Newcastle Health Protection Agency;
Dr. Deborah Wilson, Consultant in Communicable Disease, National Health Protection Agency; and
Nonnie Crawford, Director of Public Health.

Aim

7. The overall aim of the Review Group was to make an assessment of the service based on statutory inspection requirements for food hygiene and food standards.

Methods of Investigation

8. The Review Group have met formally six times between March, 2006 and March, 2007 and a detailed record of the topics discussed at those meetings are contained in the notes produced following each meeting attached for information (**Appendix 2**). The Group also undertook a consultation exercise with the various agencies working with Darlington Borough Council to provide a food safety service (meeting held on 15th August, 2006).

Legal Considerations

9. On 1st January, 2006 the Food Hygiene (England) Regulations 2005 came into force and replaced all previous food hygiene regulations. Although most of the previous hygiene requirements remained the same, the new regulations set out the need for all food businesses to establish written food safety procedures based on the principles of the Hazard Analysis Critical Control Point System (HACCP) and keep written records.
10. The Freedom of Information Act, as from 1st January, 2005, entitles a member of the public, or press, to request copies of correspondence sent to food businesses by the Council's enforcement officers.

The Food Service/Inspection Programme

11. The Council is a Food Enforcement Authority as defined in the Food Safety Act 1990 and the food enforcement service is delivered by officers working in the Commercial Team (Environmental Health Section) and the Trading Standards Section. The Environmental Health Commercial Team is responsible for the delivery of services relating to food hygiene, microbiological food sampling, food poisoning investigations, drinking water and food safety complaints. They are also responsible for maintaining the Food Premises and Notifiable Diseases Register.
12. The Trading Standards Section is responsible for the delivery of services relating to food standards, feeding stuffs, sampling foods for composition and labelling and sampling feeding stuffs.
13. Premises inspections are carried out and an inspection programme is based upon the premises profile on the 1st April of each year. The number of enforcement visits required to be carried out is decided by the risk rating calculated for each business.

14. Group Members examined the food hygiene premises profile, food standards premises profile, feeding stuffs premises profile and the Trading Standards Sampling Programme 2005/06.
15. A particular area of concern for the Group was the cleanliness of toilets at food premises, not only for the visitors to the premises, but also staff toilets and Members wanted to know how much importance was placed on cleanliness of toilets at inspection time. We were surprised to learn that although public toilets are inspected, even if in poor condition, this would not affect the overall food hygiene risk rating score (or star rating). However, staff toilets would affect the risk rating score. It was also highlighted to us that this Council did not adopt parts of the Local Government Miscellaneous Provisions Act requiring operators of catering businesses to provide public toilets as this would have had an affect on the smaller family run cafés as costs may have been prohibitive.

Service Level Agreements

16. There is a Service Level Agreement with the Public Analyst at Durham County Council to provide analytical services for food and agriculture and a fee is payable for each sample. There is also a Service Level Agreement with the North East Microbiological Service (NEMS) to provide food examiners and carry out microbiological examination of food, water and environmental samples. This is currently a free of charge service provided by the Health Protection Agency.
17. There were no obvious problems encountered with these Service Level Agreements.

Liaison with Other Organisations

18. Darlington Borough Council is a member of the Tees Valley Local Authorities Group which includes Middlesbrough, Stockton, Hartlepool and Redcar and Cleveland Councils. Reporting to this group is a Tees Valley Food Safety Liaison Group which considers food enforcement and meets every two months. There is also a regional Public Protection Liaison Group comprising of authorities in the North East which meets for half a day once a year. Reporting to this Group is a North East Trading Standards Liaison Group which considers issues relevant to Trading Standards and meets every two to three months. There are also local area Environmental Health Groups considering issues relevant to environmental health.
19. There is also liaison with voluntary groups and other public sector bodies e.g. Health Authorities, Darlington Primary Care Trust, Health Protection Agency, Darlington College of Technology and other services within the authority e.g. Building Control, Planning, Economic Regeneration and Darlington Partnership.
20. On 15th August, 2006, the Review Group Members interviewed the Public Analyst at Durham County Council, a representative from the Newcastle Health Protection Agency, the Consultant in Communicable Disease at the National Health Protection Agency and the Director of Public Health and each representative gave an overview of their link with this Council in relation to food safety and trading standards. The notes of this meeting can be found in Appendix 2 referred to above in paragraph 8.

Development of a Food Hygiene Award Scheme

21. Several local authorities have taken the initiative to publish details of the standards of hygiene in food businesses located within their boundaries. This has taken several forms from presenting a simple award for display on the business premises to the more sophisticated, publication of a star, or tick, rating scheme know widely as 'scores on the doors'. A few also make available on their website both the details of the star rating of all premises and the report sent to the proprietor detailing the standard of hygiene found during the most recent inspection.
22. There is growing pressure from consumer groups for more Local Authorities to publish information about food safety standards in food premises as they feel it empowers the consumers choice and will have the effect of improving standards of food safety.
23. Benefits of a published rating system include openness and transparency; encouraging lower scoring premises to improve their hygiene levels and encouraging higher scorers to maintain their standards; cleaner and safer food premises; positive publicity for premises; and cleaner and safer food premises require less frequent inspections allowing officers to carry out more focused or in-depth food safety work.
24. There are currently two companies known to be developing websites to provide national information on standards of hygiene in food premises by directly linking to data published by local authorities. Both offer software to assist the production of public information from the Council data base of food hygiene risk rating scores.
25. Scores on the Doors (operated by Transparency Data) (www.scoresonthedoors.org.uk) were the first website to offer a national platform. They are a company that provide the service by making a charge to Council's and at present eighteen Councils have signed up. A discounted charge has been offered if the Tees Valley Authorities join together, at present three authorities are in the process of signing up. Hygienewatch (www.hygienewatch.co.uk) is a more recently established website offering services at a charge.
26. Food Safety Enforcement Officers representing the five unitary Council's in the Tees Valley have also been discussing the development of a Food Hygiene Award as part of the grant funded Safer Food Better Business (Tees Valley) project. The Award will be for display on business premises and details of the star rating of all food premises will be accessible on the Council websites. The Award Scheme has been agreed in principle and it is proposed that the five authorities will agree the start date for the Award Scheme linked directly to the risk assessment score, and the 'stars' awarded will remain in place until the time of the next planned inspection.
27. With regard to a scoring system as above, the Group Members are in favour of such a system however we anticipate potential problems with the scoring being based on the last inspection, as premises may have made necessary improvements following a bad inspection but this will not be reflected on the website. We feel therefore that there should be a facility for premises to be able to request a new inspection, however we acknowledge that there would be a cost implication and agree that this should be met by the premises requesting any additional inspection.

Promotional Activity

28. The Group were keen to examine what promotional work is undertaken and established that food safety promotional work tends to be targeted on businesses during inspection visits and at consumers when the need and opportunity arises. There is however a comprehensive range of information and advice leaflets available to businesses and consumers, including information on the Council's website.
29. There are currently two types of annual award available in Darlington being The Heartwise School Food Award and the Heartbeat Award, both developed by this Council in partnership with NHS Darlington Primary Care Trust and administered by the Public Protection Division. This authority also participates in the National Food Safety Week held in June. It was reported that it was the intention of officers to discontinue the National Clean Air Award and the Heart Beat Awards so that resources can be concentrated on the new proposed Tees Valley Health Award Scheme.

Financial Implications

30. The cost per annum for 'scores on the doors' is £2,300, and this charge reflects a discount for all the Tees Valley Authorities joining together.
31. Hygiene Watch do not charge but rely on local businesses to advertise on their website for a fee. The Council would however have a final say on what information would be displayed on the website.
32. The cost of any additional premises inspections is estimated at £150.00 per inspection.

Conclusions

33. We were concerned to learn that although public toilets are inspected, the condition does not affect the risk rating of the premises and also that catering premises are not actually required to provide public toilets.
34. Although there were some initial concerns, following discussions with the outside organisations that this authority was under resourced should there be an outbreak situation. Members of this Review Group are now satisfied that we are resourced to meet inspection targets and should there be a major outbreak, extra resources are accessible via an agreement with neighbouring authorities.
35. With regard to communication between the various organisations, it became apparent that amongst the other organisations, there seemed to be a general lack of knowledge of working practices in Darlington and their evidence was usually based on a regional basis.
36. With regard to communication between the Tees Valley Authorities, this remains good. However, there were some concerns raised that communication with the trade may not be as good as it should be.
37. There are no major concerns with regard to labelling and food composition in Darlington, mainly due to the fact that we have no national or regional food factories so work is generally with smaller retailers and butchers. However, it was acknowledged this can be time consuming as there are 1,000 food premises within Darlington.

38. The Group were pleased to note that Trading Standards and Environment Health work well together as a team, when required, allowing for valuable resources to be shared.
39. The Group noted that this authority does not operate an 'on-call' system, however, were satisfied that the informal arrangement that is in place was adequate at the present time.
40. Following a point raised by one of the outside organisations regarding language barriers, the Group discussed this with the Environmental Health Manager and are satisfied that this is not a problem within Darlington. Each Environmental Health Officer has made available to them methods of establishing language and use of an on-line translation service if required.
41. The Group did feel however that more resources could be put towards education programmes within Darlington and that there was a need to do more than just 'support national campaigns from the Food Safety Agency'. The Group felt that raising awareness of good food hygiene in the home, prevention and education being key to the successful management of food hygiene.
42. After discussing in detail the principles of a food hygiene award and promotion via the website, the Group were confident that a Food Hygiene Award would help promote food hygiene in Darlington and are very keen to support the work being undertaken by officers to develop this further.
43. The Group also felt that this authority would benefit from a scoring system i.e. 'scores on the doors', not least by cleaner and safer premises but also by alleviating pressures from 'freedom of information' requests and helping towards self-regulation. It was acknowledged that a system like this would not be free from problems, especially a reluctance from some premises, however the benefits would outweigh any problems and give consumers more 'freedom of choice'.

Recommendations

44. It is recommended that :-
 - (a) This Scrutiny Committee endorses the Tees Valley Food Hygiene Award Scheme to be launched in Darlington and requests that a high importance be given to the publication of the scheme.
 - (b) Officers examine ways of improving communications with the trade.
 - (c) Continue to work towards the concept of 'scores on the doors' and liaise with the other Tees Valley Authorities who are in the process of signing up.
 - (d) Examine ways of improving public awareness of food safety issues within Darlington and actively seek to promote these issues, especially within schools.
 - (e) That, should a 'scores on the doors' system be introduced, premises be able to request additional inspections outside the routine inspection programme, however, the cost of such inspection to be met by the individual premises.

- (f) That this Scrutiny Committee examine further by way of Review, the feasibility of introducing a scheme specifically for public toilets.
- (g) That the Public Protection and Community Partnerships Scrutiny Committee continue to monitor the progress of the Tees Valley Hygiene Award Scheme and the 'scores on the doors' initiative.

Food Safety Review Group