
FOOD STANDARDS AGENCY AUDIT

**Responsible Cabinet Member(s) - Councillor Stephen Harker,
Consumer and Environmental Services Portfolio**

Responsible Director(s) - John Buxton, Director of Development and Environment

Purpose of Report

1. To inform Members that the Food Standards Agency (FSA) Enforcement Division carried out an audit in October 2004 and report the results of their findings and the agreed improvement plan.

Information and Analysis

2. 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, as they are in Darlington, through their Environmental Health and Trading Standards Services.
3. Audits of local authorities' food law enforcement services are part of the Food Standards Agency's arrangements to assess if local authorities are providing an effective food law enforcement service and provide an opportunity to identify and disseminate good practice and provide information to inform Agency policy on food safety.
4. The Darlington audit was carried out in October 2004 as part of a programme of 15 local authority audits focusing on local authority internal monitoring arrangements and peer/third party review arrangements, such as inter-authority audit (IAA) schemes. Three auditors took 4 days to complete the audit that included interviews with managers and Enforcement Officers. The audit concentrated on examining internal monitoring arrangements ie that procedures were followed and that there were arrangements in place to carry out checks on the procedures and on consistency to maintain a quality service.
5. The audit also examined the arrangements in place for 'third party' review as this is a requirement of the FSA. Darlington has recently agreed with the other Tees Valley Authorities to engage an external consultant and the audit for Darlington is currently being carried out.
6. The audit team also reviewed the general arrangements for implementing food safety and there were no issues identified in the number or quality of inspections carried out.

7. A summary report of the findings of the focused audit programme together with a full copy of the report on each audited local authority is available from the Food Standards Agency as a hard copy or on the Agency's website – www.food.gov.uk/enforcement. Copy attached as **Appendix B**.

Required Improvements

8. The audit identified various service improvements and the Council has to produce and agree an Action Plan with timescales with the Agency and the agreed action plan is attached as **Appendix A**.

Outcome of Consultation

9. No formal consultations were undertaken in the preparation of this report.

Legal Implications

10. This report has been considered by the Borough Solicitor for legal implications in accordance with the Council's approved procedures. There are no issues which the Borough Solicitor considers need to be brought to the specific attention of Members, other than those highlighted in the report.

Section 17 of the Crime and Disorder Act 1998

11. The contents of this report have been considered in the context of the requirements placed on the Council by Section 17 of the Crime and Disorder Act 1998, namely, the duty on the Council to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area. It is not considered that the contents of this report have any such effect.

Council Policy Framework

12. The issues contained within this report do not represent change to Council policy or the Council's policy framework.

Decision Deadline

13. For the purpose of the 'call-in' procedure this does not represent an urgent matter.

Recommendation

14. It is recommended that:
 - (a) the Director of Development and Environment take the necessary steps to implement the service improvements identified in the action plan;
 - (b) Public Protection and Community Partnerships Scrutiny Committee monitor the implementation of the Action Plan.

Reasons

15. The recommendations are supported to deliver an effective food law enforcement service that meets the requirements of the Food Standards Agency.

John Buxton
Director of Development and Environment

Background Papers

Food Standards Agency report on the Internal Monitoring and External Review Arrangements for the Food Law Enforcement Service – Darlington Borough Council 11 – 14 October 2004
Framework Agreement on Local Authority Food Law Enforcement – Food Standards Agency

Appendices

- 1 Report on the Internal Monitoring and External Review Arrangements for the Food Law Enforcement Service (FSA)
- 2 FSA Action Plan

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