



**DEVELOPMENT SERVICES  
ENVIRONMENTAL HEALTH**

**FOOD LAW ENFORCEMENT  
SERVICE DELIVERY PLAN**

**2015-2016**

# **THE MORAY COUNCIL**

## **FOOD LAW ENFORCEMENT SERVICE DELIVERY PLAN**

### **1. SERVICE, AIMS AND OBJECTIVES**

#### **1.1 The Service**

The service has two main aims:

- a. To maintain and improve public health within Moray by carrying out the Council's food safety enforcement responsibilities in a consistent, planned and accountable manner ensuring that:
  - Food is safe to eat.
  - Food is handled and produced hygienically.
  - Foreseeable incidents of food poisoning or injury as a consequence of the consumption of food are identified and prevented.
  - The quality, composition, labelling, presentation and advertising of food and materials in contact with food are satisfactory.
- b. To provide an effective, efficient, support and advice service to the public, the commercial sector or other agencies on food safety matters.

Food Standards Scotland (FSS) replaced the Food Standard Agency Scotland on 1 April 2015 and will adopt national Government responsibility in Scotland for food and feed safety, standards, nutrition, food labelling and maintaining policy and operational delivery.

A new strategy has been developed for 2015-2020. The plan has been developed looking at the future challenges facing the food supply. The new strategy outcomes are that:

- Food is safe to eat
- Food is what it says it is
- Consumers can make informed choices about what to eat and have access to an affordable healthy diet

The priority partners for the work undertaken are the public and businesses in The Moray Council area.

Due regard is given to guidance issued by FSS the Scottish Government, the Royal Environmental Health Institute of Scotland (REHIS), Health Protection Scotland (HPS), the Scottish Food Enforcement Liaison Committee (SFECLC) and the Society of Chief Officers of Environmental Health in Scotland (SOCOEHS).

## **1.2 Links to Corporate Plans**

The Food Law Enforcement Service Delivery Plan is delivered by the Environmental Health Team which forms part of Development Services. Development Services has many roles including developing partnerships with business and local and national agencies to promote economic development, attracting external funding, assisting vulnerable groups with financial and welfare benefit issues and ensuring public health and community safety. It seeks to protect and enhance our environment, heritage and culture and enable opportunities for development and growth. We seek to ensure development in Moray is sustainable providing a safe and valued environment both now and in the future.

The Food Law Service Delivery Plan is linked to the Development Services Service Plan which in turn is linked to The Moray 2023 A Plan for the Future which identifies the need to work in partnership to deliver the necessary outcomes to ensure Moray is an area where people choose to live, learn, work and enjoy.

## **1.3 Priorities**

The Service will prioritise tasks in the following order:

- a) Emergencies and threats to public health
  - Food alerts, outbreaks/incidents, infectious diseases notifications,
  - Food fraud
  - Formal action to protect public health, including revisits, Hygiene Emergency Prohibition Notices, Remedial Action Notices and
  - High priority food and water complaints.
- b) Planned highest risk inspections
  - Food hygiene – category A/B risk rated premises
  - Approved establishments
  - New or unrated premises where there are cross contamination risks
  - Food standards – category A risk rated premises).
- c) Planned higher risk inspections
  - Food hygiene – category C risk rated premises where there are potential risks of cross contamination; those that are not broadly compliant with food law and those that are overdue for inspection\*
  - Food standards – new or unrated potentially high risk premises
  - Advice to high risk establishments.
  - Licensing of high risk establishments

\* This authority adopted a cross contamination strategy between 2012-2015 (See Page 11). This strategy focused on the inspection of premises with a higher risk of cross contamination from E.Coli 0157 and consequently a lower priority was placed on lower risk category 'C' premises.

- d) Planned lower risk inspections
  - food hygiene – category C risk rated premises (not included in 3 above)
  - category D risk rated catering premises;
  - food standards – category B.
- e) All other work and lowest rated establishments inspected as resources permit.

These priorities have been established to ensure the best practical service in addressing the food safety and public health needs of Moray within existing resources. The priorities are also based on the principles contained in the new Scottish Regulators Strategic Code of Practice.

## **2. BACKGROUND**

### **2.1 Profile of the Local Authority**

Moray is the 8<sup>th</sup> largest Council area in Scotland, covering an area of 2,238 square kilometres, from the Cairngorm Mountains in the south to the coast of the Moray Firth in the north. In terms of its population it ranks 22<sup>nd</sup> out of 32 with a population of 93,350. Around 57% of the population live in the 5 main towns of Elgin, Forres, Buckie, Lossiemouth and Keith,

Within Moray, Food and Drink is the largest of the Scottish Governments' six private sectors set out in the Government economic strategy 2015 dominated key sectors. The main industries are agriculture, whisky distilling, fishing, food processing and tourism. There are also 2 MoD Establishments namely RAF Lossiemouth and Kinloss Barracks that contribute to the local economy.

### **2.2 Organisational Structure**

The Service Structure is attached at **Appendix 1(A)**.

The structure of Development Services was formed during 2000. The Head of Development Services has overall managerial responsibilities for all Development Services functions. The Environmental Health Manager has responsibility for management of the Food Law Enforcement Service and a Principal Environmental Health Officer is designated as having special responsibility for food hygiene and food standards.

### **2.3 Scope of the Food Service**

The Food Law Enforcement Service is provided through two multi-disciplinary teams divided on a geographical basis covering East and West Moray. In addition to food law, officers have responsibilities for other aspects of environmental health including health and safety at work, public health,

environmental protection and housing. The full scope of the food service is set out at **Appendix 1(B)**.

The Food Law Enforcement Service involves:

- Implementing and maintaining a documented programme of food hygiene/food standards interventions. The interventions are designed to ensure the safety of food by means of a programme of inspections designed to check compliance with current laws and codes of practice and to educate, train and work in partnership with all parts of the food industry. This Authority will ensure, as far as practicable, that interventions are carried out in accordance with that programme. Interventions are applied in a risk based manner so that more intensive intervention is directed at those businesses that present the greatest risk to public health.
- Carrying out visits/re-visits between programmed interventions where significant contraventions are found or following intelligence or complaints.
- Implementing a documented Food Safety Enforcement Decision Procedure, based on the Environmental Health Enforcement Policy, which is published and available to businesses and consumers.
- Preparing and publishing a Microbiological and Chemical Food Sampling Policy and making it available to businesses and consumers.
- Identifying sampling priorities and preparing a microbiological and chemical sampling programme in consultation with the Aberdeen Scientific Services Laboratory (ASSL), Aberdeen City Council and Aberdeenshire Council.
- Implementing a documented policy in relation to food complaints ensuring timeous and proportionate action.
- Implementing the Infectious Disease Incident Plan, in respect of cases of food borne diseases. This plan contains clear links of communication and responsibility and is produced in conjunction with NHS Grampian, Aberdeen City Council and Aberdeenshire Council.
- Implementing and documenting the procedures for responding to 'food alerts' received from FSS and reacting to emergencies and immediate threats to public health. Food alerts secure the withdrawal of any suspect foods from premises in Moray.
- Providing 'drop in' advice to businesses and the public at The Moray Council Access Point and providing advice during inspections.
- Liaising with colleagues in Moray Council, other local authorities, professional bodies, central government to ensure a coordinated approach to food related matters including representation on the following groups:

North of Scotland Food Liaison Group; Fish and Shellfish Working Group (Scotland and Northern Ireland), and the Society of Chief Officers of Environmental Health in Scotland.

- Participating in food safety initiatives such as; the Food Hygiene Information Scheme (FHIS), Food Safety Week, Eat Safe and the Healthy Living Award.
- Promoting the implementation of CookSafe, a written food safety management system designed to assist caterers comply with food safety law.
- Providing guidance and raising awareness of food safety to public and businesses to ensure compliance with food law. This is achieved through leaflets, seminars, display stands and training as resources permit.

## 2.4 Demands on the Food Service

There are 1,235 food businesses in Moray, all of which are included in the Intervention Programme and are subject to the Enforcement Policy.

The Moray area has a relatively large number of food manufacturing companies within its boundaries. Approximately 10% of premises are manufacturers and Moray is the Home Authority for major food manufacturers including Baxters of Speyside and Walkers of Aberlour. There are 9 catering establishments associated with the 2 MOD establishments.

In addition there are 12 premises Approved in terms of EC Regulation 853/2004 for producing, manufacturing, or storing products of animal origin. These premises include an ice cream manufacturer, an egg pasteuriser, a cold store and several meat and fish processors. There are also 7 registered egg packers and due to the packing activity involved, these businesses now require to be Approved in accordance with EC Hygiene Regulation 853/2004. In total there are 19 premises requiring approval within Moray.

There is a regular turnover in many of the catering businesses with new owners and changes in operation of the businesses. There is an increasing number of ethnic language food workers which identifies a need for interpretation and translation services.

## Premises Profile

The food premises in Moray can be categorised as follows:

Type	Number
Primary Producers	30
Abattoirs	1
Manufacturers/Packers	108
Importers/Exporters	2
Distributors/Transporters	24
Retailers	277
Restaurants/Caterers	793
<b>Total</b>	<b>1235</b>

## Primary Product Enforcement

EC Regulation 852/2004 Annex 1 provides food safety requirements for primary producers such as livestock, crop and horticulture farm premises. Enforcement in these businesses is shared between Scottish Government Rural Inspections Payments Directorate Agricultural Inspections (SGRIPD) and Local Authority Environmental Health and Trading Standards Enforcement Officers. The enforcement regime for primary producers is driven by FSS, who are responsible for developing a premises database and issuing the required inspection programme. The additional expenditure for these inspections is recouped from FSS. Duplication of farm visits by SGRIPD is avoided and farms subject to quality assurance schemes are visited less frequently than those that are not part of these schemes.

Moray entered into an agreement with the FSS to carry out 21 food/feed programmed inspections from 1 April 2015 to 31 March 2016.

There are now only 4 dairies (production holdings) in Moray.

## Official Controls of Wild Pectinidae (Scallops)

The official sampling controls for harvested wild scallops have been transferred from offshore to the first point of arrival at the processor and are now the responsibility of the Local Authority Environmental Health Service. One establishment is Approved for processing scallops within Moray. A sampling programme under the official control regime has been developed and implemented.

## Shellfish Sampling

In accordance with EC Regulations 854/2004 shellfish harvesting sites may require to be sampled to ensure compliance with official controls. There are two sites within Moray namely Culbin Sands and Findhorn Bay. No sampling at present is being carried out because harvesting from these sites is subject to restriction by Scottish Natural Heritage.

### Imported Food

There are currently no requirements for most non-animal product imports to be inspected at the point of entry into the country. It is important therefore, that checks are carried out by authorities such as Moray to maintain public health safeguards. This is achieved by ensuring imported food is inspected for fitness and legitimate import, during routine inspections and by ensuring that imported food control legislation is enforced in accordance with the Enforcement Policy. In addition Moray participates annually in the FSS National Risk Based Sampling Programme which includes the sampling of imported foods. This programme is funded by FSS.

### External Factors

A number of events such as agricultural shows, music festivals, charity events, continental markets, farmers markets and highland games are held throughout Moray on an annual basis, particularly during the summer months. Intervention (advice, guidance or enforcement) is required in response to 'one off' businesses, food retailers and caterers from outwith Moray attending these events. This places an additional demand on resources.

### Service Delivery Points

All authorised food enforcement officers are based at The Annexe Council Office, High Street, Elgin. Moray Council service delivery points are based at the Access Points in the towns of Elgin, Forres, Keith and Buckie. The Access Points are available from 8.45am until 5pm Monday to Friday. The Environmental Health team provides a service from 7am until 7pm. Officers are available outwith these hours should the situation demand. The Council's emergency telephone number is available 7 days a week.

## 2.5 **Enforcement Policy**

The Environmental Health Enforcement Policy provides detailed enforcement procedures with action taken being proportionate to the scale of the identified problem.

The enforcement policy due for review and will incorporate the principles of the Scottish Regulators Strategic Code of Practice.

A detailed Food Safety Enforcement Decision Procedure has been implemented to ensure compliance with food legislation, the FSS Framework Agreement on Local Authority Food Law Enforcement, the Food Law Code of Practice (Scotland) and associated Guidance.

The Enforcement Policy and the Enforcement Decision Procedure apply to establishments owned and operated by The Moray Council. All serious breaches

of food law in these establishments will be brought to the attention of the Chief Executive without delay.

### **3. SERVICE DELIVERY**

#### **3.1 Food Premises Interventions**

##### General

The Food Hygiene and Food Standards Intervention Programme is produced annually on 1 April.

The annual programme includes the name and address of the premises, the risk category, the due date and the number of interventions programmed.

Food Standards Interventions are carried out jointly with Food Hygiene Interventions. Where the food standards risk rating requires a more frequent intervention than the food hygiene risk rating the date of the Food Standards Intervention determines the programmed intervention date.

##### Performance Monitoring

All premises are held on the Uniform database and all officers have individual measurable intervention targets based on risk. Uniform generates reports on interventions due and completed on a weekly, quarterly and annually basis. A fortnightly manager's monitoring report is also generated. A new monitoring system to measure the quality of interventions is being introduced during 2015/2016

##### Food Law Code of Practice (Scotland)

A new Code of Practice was published on 1 April 2015 following formation of FSS and it contains details of an enforcement regime based on 'official control interventions'. These include:

- Inspections
- Monitoring
- Surveillance
- Verification
- Auditing
- Sampling

This code allows enforcement authorities to select the most appropriate choice of intervention, dependent on the level of compliance of specific premises, which is not mandatorily based on inspection.

The interventions must provide sufficient information to establish that food related activities carried out at food establishments comply with Food Law.

The official control intervention choice for Moray during 2015/2016 has been agreed as inspection only.

### Food Hygiene

The minimum frequency for Food Hygiene Interventions is determined by the rating scheme in accordance with the new Food Law Code of Practice (Scotland) Annex 5 the frequency is as follows:-

<b>Category</b>	<b>Point Range</b>	<b>Minimum Frequency</b>
A	92 or higher	(at least) every 6 months
B	72-91	(at least) every 12 months
C	52-71	(at least) every 18 months
D	31-51	(at least) every 2 years
E	0-30	Alternative Enforcement Strategy or Intervention every 3 years

### Food Hygiene Inspections Due 1/04/15 – 31/03/16

<b>Category</b>	<b>Number of Inspections</b>
A	30
B	71
C	140
D	89
E	29
Unrated	159
<b>Total</b>	<b>518</b>

### Cross Contamination Strategy

The Pennington Report into the 2005 Outbreak of E.coli O157 in South Wales was published on 19 March 2009. In response, the former Food Standards Agency Scotland issued guidance for food businesses, to clarify the steps that they need to take to control the risk of food becoming contaminated by E.coli O157 and what businesses should be doing to protect their customers.

Although E.coli is the key focus of this guidance, the measures outlined also helped in the control of other bacteria, such as Campylobacter and Salmonella.

A framework was developed by SFELC and agreed by Food Standards Agency Scotland to allow local authorities to temporarily focus resources on addressing cross contamination controls. The framework provided local authorities with an alternative to following the Food Law Code of Practice (Scotland) risk rating methodology for determining the inspection frequency for a fixed duration.

Moray implemented the Cross Contamination Focussed Inspection Strategy from 01 October 2012 to 31 March 2015. The strategy has now finished and the inspection programme has now reverted back to the frequency described in Annex 5 of the Food Law Code of Practice.

## Alternative Enforcement Procedure

An Alternative Enforcement Procedure for food hygiene consisting of a self explanatory letter, and an assessment questionnaire was in place for all E rated premises. This strategy which was put on hold until the end of the Cross Contamination Strategy will be reintroduced during 2015.

### Revisits

Revisits are carried out when an officer gives any premises inspected a score of 15 or more in any of the 3 compliance elements of the food hygiene inspection rating scheme contained in the Food Law Code of Practice (Scotland) Annex 5. This score (which consists of an assessment of food safety procedures, structural compliance and confidence in management) acts as a ‘trigger value’ for a revisit to be scheduled and these inspections are added to the intervention programme.

### ‘Broadly Compliant’ with Food Law

The Food Law Code of Practice (Scotland) introduced a performance outcome measure, namely the number of premises ‘broadly compliant’ with Food Law.

In respect of food hygiene ‘broadly compliant’ premises have a rating score of no more than 10 in relation to those parts of the rating scoring scheme that can be influenced by enforcement officers i.e. compliance with hygiene requirements, structural requirements and confidence in management. The performance target for 2015/16 is 85%.

Similarly for food standards a score of no more than 10 in parts relating to current level of compliance and confidence in management are considered ‘broadly compliant’.

### Additional Interventions

Additional reactive food interventions are required in respect of complaints, communicable disease notifications, training, advice and sampling.

### Food Standards

The minimum frequency for Food Standards Inspections is also determined by the rating scheme in the Food Law Code of Practice (Scotland). The rating scheme is as follows:

<b>Category</b>	<b>Point Range</b>	<b>Minimum Frequency</b>
A	101-180	At least every 12 months
B	46-100	At least every 24 months
C	0-45	Alternative enforcement strategy

## Food Standards Inspection Due 1/04/15 – 31/03/16

<b>Category</b>	<b>Number of Inspections</b>
A	6
B	118
C	332
<b>Total</b>	<b>456</b>

Priority is given to Category A rated premises requiring inspections every 12 months.

In accordance with the Food Law Code of Practice (Scotland) all interventions should be completed within 28 days of the due date.

## Approved Premises

There are presently 12 premises subject to EC Approval for the production/manufacture/storage of products of animal origin and 7 egg packing stations.

## Approved Premises at 01/04/14

<b>Premises</b>	<b>Number</b>
Fish Products	5
Meat Products	3
Fish/meat product	1
Egg Products	1
Dairy Products	1
Stand alone cold store	1
Egg Packing Stations	7
<b>Total</b>	<b>19</b>

Inspections of Approved premises are carried out across Moray by 3 officers who have experience in inspection of these premises and have HACCP evaluation qualifications as specified in the Food Law Code of Practice (Scotland).

## Food Hygiene Information Scheme (FHIS)

This authority launched the national Food Hygiene Information Scheme (FHIS) project on 26 April 2011. All 32 Scottish local authorities now participate in the scheme.

The Scheme provides basic information to the public about a business compliant with the Food Hygiene (Scotland) Regulations 2006.

FHIS is easy for consumers to understand and simple for local authorities to apply. The 'Pass' standard represents a single level of compliance that is satisfactory in terms of consumer expectations and also as an enforcement

outcome. Establishments are assessed during programmed inspections; there is no need for separate inspection scheduling. It is designed to simply reflect the local authority's most up to date information and to fit existing enforcement procedures.

The two outcomes of compliance assessment under the Scheme are 'Pass' or 'Improvement Required' (failure to achieve a Pass). The designation 'Pass' provides reassurance that the establishment has been inspected and meets food hygiene legal requirements. The 'Pass' standard essentially represents a situation where the officer does not consider it necessary to revisit the establishment for enforcement purposes until the next programmed intervention. 'Pass' is incompatible with the existence of even minor recurring contraventions notified at successive visits. Any establishment that falls below the required standard for a 'Pass' is classified as 'Improvement Required'.

Establishments that have registered under hygiene legislation but have not yet been inspected are classed as 'Awaiting Inspection'.

The Scheme applies to all catering and retail operations but allows for exemptions in prescribed circumstances where both the local authority and the food business operator agree.

The Scheme includes the following measures to ensure that it is fair to businesses:

- procedures for appeal against an officer's judgement.
- procedures for requesting reassessment where compliance has been achieved.

Experience has shown that reassessments do not result in a significant additional burden for enforcement staff and there have been no appeals since the Scheme was introduced.

### **3.2 Food Complaints**

All complaints regarding food stuffs or the hygiene of premises are investigated in accordance with the Council's Food Complaint Policy.

Investigating food complaints can be quite involved and often requires working with colleagues from other authorities. This, along with the time taken to receive reports from the analyst etc, can increase the time taken to resolve the complaint. Complaints about food very rarely result in formal action, mainly due to the lack of evidence which could be relied on in court.

Complainant's details are confidential unless otherwise agreed. Where the complainant has agreed to have their name and address divulged, this will only occur once the investigation had been concluded.

It is recognised that food complaints help identify failings in food processing and handling which require to be rectified to prevent future problems. The outcome of investigations can lead to improvements to food produced in Moray.

### 3.3 Home Authority Principle

A Home Authority is the local authority where the relevant decision making base of a business is located. The Moray Council supports the Home Authority Principle as specified in the Food Law Code of Practice (Scotland). This Principle has been developed by Food and Trading Standards Authorities to provide contact points for advice and guidance to encourage good enforcement practice. The aims are to protect the consumer, encourage fair-trading, consistency and common sense by:

- Encouraging authorities to place special emphasis on goods and services originating within their area.
- Providing businesses with a Home Authority source of guidance and advice.
- Supporting efficient liaison between local authorities.
- Providing a system for the resolution of problems and disputes.

The Principle is supported by local authorities, central government, trade and industry associations, consumer and professional regulatory bodies. Approximately 10 Home Authority complaint referrals are received by Moray from other food authorities per annum.

### 3.4 Advice to Businesses

The Environmental Health Service is keen to provide support and advice to businesses. This includes:

- Advice during programmed interventions.
- 'Drop in' advice to businesses.
- Distributing advisory booklets/leaflets and business information sheets.
- Responding promptly to queries.
- Provision of training/seminars as resources permit.
- Promote the FSS CookSafe Food Safety Assurance System during inspections.

### **3.5 Food Sampling**

Food sampling is carried out to a set annual programme for microbiological, compositional and labelling parameters agreed between ASSL, Aberdeenshire Council, Aberdeen City Council and The Moray Council.

The purpose of the sampling is to ensure that food manufactured, distributed, prepared and retailed within Moray is fit for human consumption and complies with the relevant food safety and food standards legislation and/or guidelines for the type of food.

The type of food sampled varies but sampling is targeted towards food produced locally for local consumption or for distribution outwith Moray. Whenever possible, sampling is carried out in accordance with local, regional and national surveys, projects and/or investigations initiated by local intelligence or by regional and national bodies such as the North of Scotland Food Liaison Group, the Fish and Shellfish Working Group (Scotland and Northern Ireland), the Scottish Food Enforcement Liaison Committee, Local Government Regulation, the Health Protection Agency or The Society of Chief Officers of Environmental Health in Scotland. Imported food sampling funded by FSS is also undertaken as part of their National Risk Based Sampling Programme.

ASSL is included on the list of Official Food Control Laboratories in the United Kingdom as notified to the European Commission for both chemical analysis and microbiological examination. The target for microbiological samples is 1.5 per 1000 of population and the chemical sample target is 2 per 1000.

#### Food Samples Due 1/04/15 – 31/03/16

<b>Category</b>	<b>Number of Samples</b>
Microbiological	140
Chemical	187

### **3.6 Control and Investigation of Food Related Outbreaks and Infectious Disease**

The NHS Grampian Infectious Disease Incident Plan has been developed to control major outbreaks of food poisoning and communicable disease. The document which is reviewed every 2 years describes the actions to be taken to manage an incident or outbreak that presents an actual or potential risk to the public health in any setting in Grampian. The document is prepared by the NHS Grampian Clinical Lead of the Health Protection Team; reviewed by NHS Grampian Director of Public Health and approved by NHS Grampian Board, and the Environmental Health Sections of Aberdeen City, Aberdeenshire and The Moray Council.

All cases of food related infectious disease notified “for action” by Grampian Health Board are contacted within 24 hours. Outbreaks are investigated to ensure adequate controls are in place to prevent further spread. There are

monthly meetings between Grampian Health Board, Aberdeen City, Aberdeenshire and The Moray Council.

A documented procedure is available for the investigation of notifications of food related infectious disease.

A Memorandum of Understanding between NHS Grampian Health Protection team and Moray Council Environmental Health Service is presently being drafted.

Food poisoning and other communicable disease outbreaks can place a major demand on resources but it is anticipated that such incidents can be dealt with utilising existing staff. Informal arrangements exist with neighbouring authorities to share resources if required.

### **3.7 Food Safety Incidents**

Food safety emergencies and incidents which pose a serious risk to public safety are identified as a priority issue for the Service.

FSS issues information about product withdrawals and recalls to informs consumers and local authorities about problems associated with food.

Food alerts marked "for action" by local authorities are issued by FSS and are dealt with by enforcement officers in accordance with the Food Law Code of Practice (Scotland). Action taken following food alerts ensures that any suspect foods supplied to premises in Moray are withdrawn from sale.

Procedures are in place to ensure that food alerts issued by the FSS and local incidents which need to be reported to the FSS, are dealt with promptly.

Out of hours contact arrangements for authorised officers are arranged through the Environmental Health Directory issued by the FSS, the emergency planning provisions and The Moray Council's Emergency Out of Hours Contact Telephone Service.

There are documented procedures for responding to Food Alerts and Food Safety incidents.

### **3.8 Liaison with other Organisations**

Arrangements are in place to ensure that enforcement action taken is consistent with those of neighbouring local authorities. This includes representation on the following committees:

- The North of Scotland Food Liaison Group.
- Fish and Shellfish Working Group (Scotland and Northern Ireland).
- The FSA Food Fraud Advisory Unit.

- The NHS Grampian Health Protection Group.

In addition there is regular liaison with other services within The Moray Council to review building warrant applications, planning applications, and licensing applications. The Service also works with Legal, Education and Social Care, Environmental Protection and Corporate Communications to ensure a joined up approach.

### **3.9 Food Safety and Standards Promotion**

The Environmental Health Section has a limited involvement in food safety promotional work in view of the resource implications. Moray participates in Food Safety Week, promoted by FSA(S), in June each year. There is also participation in the Healthy Living Award Scheme a national award scheme that rewards catering businesses for serving healthy food and helping their customers make better food choices. Award holders in Moray are:

- Royal Voluntary Service Cafe (Dr Gray's Hospital), Elgin.
- Fleming Community Hospital, Aberlour.
- Manna Juice, Elgin.
- Leanchoil Community Hospital, Forres.
- Stephen Community Hospital, Dufftown.
- Turner Community Hospital, Keith.
- Seafield Hospital, Buckie.
- Dr Gray's Hospital, Elgin.
- The Moray College, Main Campus Refectory, Elgin.
- Cedarwood, Elgin.
- Elgin Youth and Development Group

This authority also supports the Eat Safe Award Scheme launched in 2005. The Scheme provides an incentive for caterers to strive for standards beyond those required by law and also assists consumers to make informed choices about where to eat by providing a recognisable sign of excellence in food hygiene.

## **4. RESOURCES**

### **4.1 Financial Allocation**

The current budget for 2015/2016 for food safety enforcement is contained in an overall budget for Environmental Health of net budget of £992,250.

### **4.2 Staff Allocation**

A total of 9 Environmental Health Officers, inclusive of the Environmental Health Manager are involved in food safety enforcement and 2 part-time Food Safety Officers (1 full time post equivalent).

All Environmental Health Officers are multi disciplinary, undertaking a wide range of environmental health duties, and it is therefore difficult to establish the exact

number of full-time equivalent officers dedicated to food safety enforcement. It is estimated that the present staff complement approximates 4 FTE Officers for food law enforcement.

The level of FTEs has been reduced by approximately 33% due to deletion of posts through DBS, budget savings and vacant posts which cannot be filled because of the national shortage of qualified EHOs and Morays difficulty in recruitment to the area. The expected efficiencies of utilising mobile working systems as identified by DBS are still not in place, continue to experience ongoing technical difficulties and when in place will require committed rapid IT support to ensure the efficiencies are maintained at an adequate level.

This drop in staffing numbers without the introduction of the efficiency savings has made and continues to make its effect on performance. The general downturn in the nation's economy has not resulted in a drop in premises in Moray but has increased the pressure on businesses who are trying to cut costs and this in turn adds pressure to the service by requiring more time being spent with business to provide the necessary advice, education and support to ensure food safety and business viability is maintained.

Prioritisation of the highest and higher risk premises continues but the longer time between interventions inevitably results in more premises entering the high risk category. To combat the recruitment issues with qualified staff a Graduate Development Scheme has been introduced. This will reduce the time for qualification from 4 years to 2 years. The service also has an aging profile which over the next few years will cause significant loss in experienced qualified staff.

Emerging nation and international issues along with the drop in staffing levels has caused a heightened risk that the service may fail if there is no alteration to the current status. Resilience of this service to deal with any significant outbreak or national crisis is currently low.

Significant streamlining of work processes in preparation for the mobile working as aided efficiencies and the service continues to monitor workload and direct resources as necessary to provide a quality service within the budget restrictions in place.

#### **4.3 Staff Development Plan**

The Food Law Code of Practice (Scotland) requires a minimum of ten hours food safety training for every officer annually. Officers who are members of the Royal Environmental Health Institute of Scotland are also required to complete twenty hours training and development every year as part of the Continuous Professional Development Scheme. Where this is achieved officers can be awarded Chartered status.

8 Environmental Health Officers in Moray have attained Chartered status.

This Authority is committed to the ongoing training of all officers involved in food safety enforcement through attendance at update courses and conferences

organised by FSS, the Royal Environmental Health Institute for Scotland, and Health Protection Scotland. All Environmental Health Officers and the Food Safety Officer participate in the Continuing Professional Development (CPD) Programme required by the Royal Environmental Health Institute for Scotland. Cascade training is provided and there are regular staff meetings. During 2014/15 food focus meetings were introduced to discuss case loads, to improve consistency and ensure compliance with current legislation and guidance. All officers participate in the Employee Review and Development (ERDP) process, which identifies and addresses staff development needs. A record of staff training is maintained.

This Authority ensures that authorised officers dealing with the specialist food processes such as canning, thermal processing, vacuum packing etc have access to adequate expertise to enable competent inspections. This includes releasing officers to relevant courses and providing relevant guidance and documentation and providing suitable resources to support CPD.

#### **4.4 Designing Better Services (DBS)**

The review and redesign of Environmental Health Procedures, commenced in February 2011.

The main aims of DBS are better services to the customer, improving efficiency of services and reducing cost.

During 2014 – 2015 the DBS continued to impact on staff time with one officer seconded to the project for 6 months.

During 2015-2016 all officers will be involved in testing and implementing the new mobile working solutions. This will result in double entry until validation of the systems and data collection/movement has been completed.

### **5. QUALITY ASSESSMENT**

#### **5.1 The measures taken to assess the quality of the food safety service include:**

- Business and service user customer satisfaction surveys. These are analysed annually for trends.
- Fortnightly audits of the Food Hygiene Inspection Programme are carried out by the Environmental Health Manager.
- Ad hoc monitoring of inspection reports and letters.
- Food Focus meetings.
- Food Hygiene/Food Standards Self Audit Check List – 10% audited by Principle Officer.

- Quarterly monitoring of risk ratings.
- Regular database monitoring to ensure accuracy and consistency in database management; interventions and inspections; follow-up actions and enforcement.
- Annual Employee Review and Development Programme (ERDP).
- External audit by the FSS which is carried out approximately every three years. Food Standards Audit during 2014 has been signed off with some good practices identified within the report.

## **6. REVIEW**

### **6.1 Review against the Service Plan**

The Development Services Improvement Plan which incorporates Environmental Health performance is reviewed on a quarterly basis. Due attention is paid to specific performance targets, performance standards, targeted outcomes. Stakeholders comments and complaints against the service are monitored regularly.

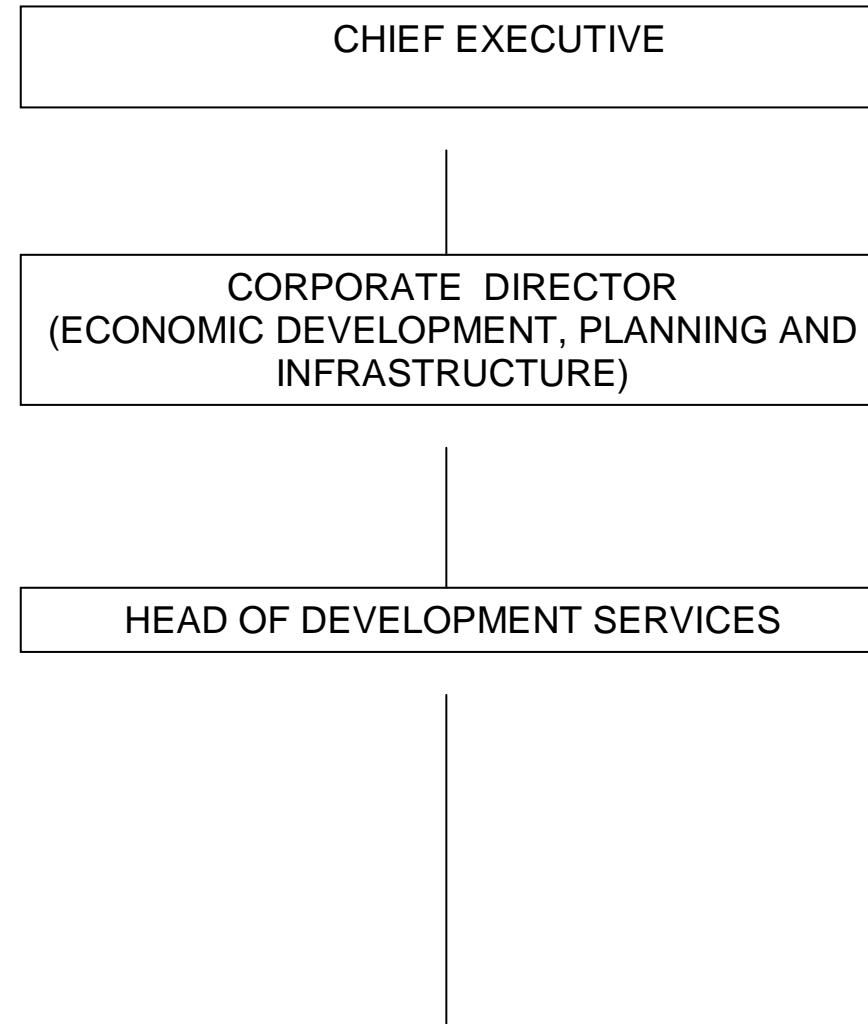
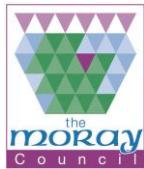
The annual review on the previous year's performance against the Food Law Enforcement Service Delivery Plan is appended to this Plan.

The status and adequacy of the Food Law Enforcement Service Delivery Plan in relation to new objectives resulting from changing circumstances will be revised annually.

### **6.2 Identification of any variation from the Service Plan/Areas for Improvement**

Variations and areas for improvement are incorporated into the Food Law Enforcement Service Delivery Plan Review.

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# ENVIRONMENTAL HEALTH MANAGER

## ANTI-SOCIAL BEHAVIOUR TEAM

Community Safety Officer

Tim Betts – Community Warden (Lossie/  
Lhanbryde)

Iain Sneddon – Community Warden  
(Elgin)(Secondment Cover)

Kathy Grant – Community Warden (on  
secondment until 6/6/2015)

David Haytack – Community Warden (Forres/  
Speyside)

Donna Jamieson – Community Warden (Keith/  
Fochabers/Dufftown)

Andrew Mackie – Community Warden (Buckie)

## EAST TEAM

**SPECIALISMS -**  
**Animal Services**  
**Food Safety**  
**Private Water Supplies**

Roger Allardes – Animal Services Officer  
Maurice Raffan – Animal Services Officer  
Kirsten Clark – Food Safety Officer  
Donnie MacKay – Food Safety Officer  
Ailsa Findlayson – Environmental Health Officer  
Aidan McCormack – Environmental Health Officer  
Barry Parkins – Environmental Health Officer  
VACANT – Environmental Health Officer  
Vacant – Technical Officer (Water Supplies)  
Ewan McNeil – Technical Officer (Water Supplies)  
Vacant – Technical Officer (Private Water Supplies/Water Sampling)

## WEST TEAM

**SPECIALISMS -**  
**Contaminated Land**  
**Health & Safety at Work**  
**Housing**  
**Public Health**

Russell Anderson – Environmental Health Officer  
Douglas Caldwell – Environmental Health Officer  
James Harris – Environmental Health Officer  
Adrian Muscutt – Contaminated Land Officer  
Allan Park – Technical Officer (Contaminated Land)  
Andy Stewart – Environmental Health Officer  
Lorraine Stewart – Contaminated Land Support Officer  
Barry Teunion – Technical Officer (Health & Safety)  
Ian Younie – Houses in Multiple Occupation Licensing Officer

## Food Service Scope

