

# **West Suffolk Council Food Safety and Health and Safety Service Plan 2024-2025**

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<b>Contents</b>	<b>Page</b>
<b>Food Safety Service Plan .....</b>	<b>4</b>
Preface .....	4
1. Vision, purpose, aims and objectives .....	5
1.1 Service vision and purpose .....	5
1.2 Range of functions and activities .....	5
1.3 Customers .....	5
1.4 Aims and objectives .....	6
1.5 Links to the strategic priorities .....	6
1.6 Enforcement policy .....	8
2. Resourcing.....	8
2.1 Financial allocation .....	8
2.2 Staffing allocation .....	8
2.3 Resource to deliver Food Law Code of Practice (FLCoP).....	10
2.4 Calculating resource to meet FLCoP .....	10
2.5 Administration and systems specialist resourcing.....	12
2.6 Staff development plan .....	12
3. Service delivery .....	12
3.1 Demands on the food safety service.....	12
3.2 Interventions at food establishments .....	13
3.4 Food hygiene practices or hygiene of premises complaints.....	18
3.5 Food sampling.....	18
3.6 Control and investigation of outbreaks and food related infectious diseases .....	20
3.7 Food safety incidents .....	20
3.8 Endorsement for Export (EfE).....	21
3.9 Primary authority .....	22
3.10 Advice to business .....	22
3.11 Liaison with other organisations .....	23
3.12 Food safety promotion.....	23
4. Quality assessment.....	24
4.1 Annual review .....	24
4.2 Food Standards Agency service plan audit .....	24
4.3 Inter-authority audits, peer review and FHRS consistency.....	25
4.4 Internal monitoring arrangements .....	25
4.5 Benchmarking .....	25
Summary of priorities for 2024-2025.....	26
<b>Health and Safety Service Plan 2023-24 .....</b>	<b>27</b>
Preface .....	27
1. Vision, purpose, aims and objectives .....	27
1.1 Service vision and purpose .....	27
1.2 Aims and objectives .....	27
2. Service delivery .....	28
2.1 The national code .....	28
2.2 The national strategy .....	28
2.3 Scope of the health and safety service .....	28
2.4 Section 18 compliance .....	29
3. Demands on the health and safety service .....	30
3.1 Investigation of accidents and complaints .....	30
3.2 Health and safety interventions and achievements.....	31

3.3 Safety Advisory Group.....31  
3.4 Formal enforcement intervention .....32  
4. Overview of key service challenges in 2023-24.....32  
4.1 Intervention plan .....32  
**Appendix -West Suffolk Council Business Plan 2023-24 for  
Environmental Health ..... 35**

# Food Safety Service Plan

## Preface

The Food Standard Agency (FSA) Framework Agreement sets out what the FSA expects from local authorities in their delivery of official controls on food law including within service plans.

The [Food Law Code of Practice \(FLCoP\)](#) states that each competent authority must have an up-to-date, documented food service plan which is readily available to food business operators and consumers. The plan must be subject to regular review and clearly state the period during which the plan has effect.

The plan must cover all areas of food law that the competent authority has a duty to enforce and set out how the authority intends to deliver official controls within its area. The plan must include imported food responsibilities and the control arrangements in place. The plan must include reference to the authority's approach to enforcement including its alternative enforcement strategy for dealing with those premises rated as low risk under the Food Establishment Intervention Rating Scheme set. The plan must include a clear explanation of all the demands placed on the Service, including any backlog of interventions from previous years.

The authority must clearly set out a calculation of the numbers of posts/full time equivalent staff members (FTE) required to deliver the Service in accordance with the FLCoP. This must be measured against the current level of resource with any shortfall clearly identified. The FSA has highlighted this requirement through an audit and associated report.

This document has been developed with due regard to all available regulations, conditions, codes of practice, statutory guidance, and practical experience of legislation. Should anything in future publications, legislative or regulatory changes or case law impact upon the content of this service plan document, then it will be considered, and the document may be updated at a later stage and with due consideration to the resource implications for the regulating food authority.

# **1. Vision, purpose, aims and objectives**

## **1.1 Service vision and purpose**

To protect public health and safety and the environment, by carrying out programmed and reactive interventions, investigations, and research to detect, eliminate and control hazards by applying fair, transparent, and proportionate enforcement.

## **1.2 Range of functions and activities**

The food safety function is delivered by the Commercial Environmental Health (CEH) team, located within the Regulatory Service in the HR, Governance and Regulatory Directorate.

The range of food safety functions undertaken by the CEH team are varied and include the following:

- Programmed interventions, inspections, and revisits in food premises for which the West Suffolk Council is the enforcing authority.
- Investigation of complaints concerning food, the full range of food establishments, and food handling practices.
- Providing food safety advice and support to new and existing food business operators, including help by promoting the Food Standards Agency's 'Safer Food, Better Business' food safety management system.
- Food sampling in accordance with the programme prepared by the UK Health Security Agency and the Eastern Region Food Sampling Group.
- Investigation of suspected and confirmed food poisoning cases and outbreaks, and other notified infectious disease cases.
- Action in respect of food alerts issued by Food Standards Agency
- Acting as 'originating authority' to food manufacturers and producers within West Suffolk and issuing endorsement for export documents for those who export foodstuffs.
- Ensuring the removal of unfit food from the food chain by seizure, detention, or voluntary surrender.
- Consultees for food safety guidance and policies, planning applications, and licensing applications.
- Food safety promotional and educational campaigns.
- Health development in areas related to the functions above.
- Checks on inland imported food control at retail, catering and other establishments.
- Registration of all food establishments, including applications for approval where appropriate.

## **1.3 Customers**

Our customers are diverse and include:

- all members of the public residing in or visiting West Suffolk
- food establishments for which we are the responsible enforcing food authority
- UK Health Security Agency (formerly Public Health England)
- Food Standards Agency
- Other local authorities
- Trading Standards
- Port Health
- internal services

## **1.4 Aims and objectives**

Within the broader work covered by the West Suffolk Council Service Plan 2024-25 for Environmental Health, West Suffolk Council has responsibilities as a food authority.

Our aims are:

- To work with businesses and consumers to promote and secure high standards of food safety and minimise risks to the health of residents and visitors, by ensuring that all food processes, premises, and food handlers within West Suffolk follow good food hygiene practice.
- To seek to continually improve health, safety, and welfare standards and to reduce health inequalities of all individuals working in and visiting places of work within the district.
- To protect public health and safety by carrying out targeted inspections, interventions, enquiries, investigations, and research to detect, eliminate and control hazards by applying fair, proportionate, and transparent enforcement.
- To help businesses, through smarter ways of regulation to reduce the burden, so that they can make a beneficial contribution to the local economy.

These aims are supported by a number of objectives:

- Carry out an annual planned programme of food hygiene inspections in accordance with Food Standards Agency framework guidance, codes of practice and relevant statutory requirements.
- Investigate food and food premises complaints and take appropriate action in accordance with our service standards, procedures, and national guidance.
- Inform businesses of their legal obligations under relevant legislation.
- Carry out routine microbiological sampling in accordance with national guidance and participate in local, regional, and nationally coordinated surveys.
- Investigate and monitor reports of infections and notifiable diseases in partnership with UK Health Security Agency.
- Respond to food alerts issued by the Food Standards Agency in accordance with local and national guidance.
- Act as originating authority for certain food businesses and investigate or respond to any enquiries made by other authorities or agencies.
- Provide advice, assistance, training and development opportunities to both businesses and consumers. Help businesses improve their standards by promoting best practice, self-regulation and enhancing the competence skills of employees.
- Promote food safety and, where appropriate, participate in local and national campaigns.
- Provide appropriate training and development opportunities for staff to ensure an appropriate level of competence.
- Work in partnership with other agencies to help secure and promote good food hygiene.
- Ensure the work of the service accords with West Suffolk Council policies.

## **1.5 Links to the strategic priorities**

West Suffolk Council's Strategic Priorities 2024-2028 set out what the council aims to achieve with our partners, local businesses, communities and residents. This means focusing our efforts and resources in the areas that are the biggest priorities for West Suffolk.

Our strategic vision is that working across West Suffolk, we will support the district to flourish by focusing on the delivery of:

- affordable, available and decent homes
- environmental resilience
- sustainable growth
- thriving communities.

Within the strategic priorities document there is a section on 'getting the essentials right'.

The council recognises that West Suffolk's businesses and residents rely on the council to get the essentials right every day.

The council will continue to improve, by listening to feedback about how we are doing and monitoring our own performance. One of the ways we do this is through the use of key performance indicators (KPIs), which portfolio holders from cabinet monitor regularly, and which are reported publicly to Performance and Audit Scrutiny Committee whose role is to independently scrutinise them.

Every year, we also publish an annual report on our progress in delivering our priorities across the council's areas of responsibility.

More information on the strategic priorities can be found on our website: [Strategic priorities](#) page.

## **1.6 Enforcement policy**

The West Suffolk Council Enforcement Policy came into effect on 1 April 2019, providing a framework for all of our regulatory services, including the food safety service.

The policy includes changes brought about by the Regulators' Code which establishes how non-economic regulators should interact with those they are regulating. The code requires regulators to:

- carry out their activities in a transparent way that helps those they regulate to comply and grow
- design simple and straightforward ways to engage with and hear the views of those they regulate
- base their regulatory activities on risk and share information about compliance and risk
- ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities.

Officers, including those with responsibility for the enforcement of food and health and safety laws, have regard to the Enforcement Policy when making enforcement decisions.

## **2. Resourcing**

### **2.1 Financial allocation**

Details of budgetary provision are included as annual corporate budgets published annually on our website.

The council utilises its Legal Services provision. There is also financial provision made to enable the use of external legal services, where appropriate.

The service will not receive any external funding this year, as opposed to previous years related to supporting councils through and beyond the pandemic. The team has been able to restore inspections to pre- pandemic levels. However, there are increasing numbers of food premises and regulatory requirements that will impact on the demands of the team.

Given the financial constraints on the council, we will need to maximise the available resource to deliver this plan in line with our budgetary controls. Prior to any decisions being made about the resourcing levels required in the team, a demand led review will be undertaken by the council's transformation and improvement programme this year.

### **2.2 Staffing allocation**

West Suffolk Council's food hygiene controls are delivered by the Commercial Environmental Health Team (CEH), consisting of 6 officer posts with a total of 3.2 FTE allocated to food hygiene delivery.

There have been changes to the CEH team staffing allocation during 2023. During 2022-2023 West Suffolk Council used the remainder of the Contain Outbreak Management Fund (COMF) to fund additional temporary resource, this allowed the team to recruit staff to undertake proactive food hygiene inspections and reactive investigations. This allowed for 9 officer posts with a total of 5.4 FTE allocated to food



hygiene delivery.

In addition, the service was able to set up a contract with an agency to supply a contractor on a per-inspection basis.

This resource has been fundamental in preventing the current inspection backlog of 206 outstanding inspections from increasing further.

This additional resource comes to an end in March 2024, after which the team will be primarily reliant on retained staff to meet service demands. There are 6 officer posts with a total of 3.2 FTE allocated for food hygiene delivery.

The CEH team consists of the following retained staff (as of 2 January 2024).

**Table 1. Breakdown of current staffing levels withing CEH Team January 2024**

<b>Position</b>	<b>Full time equivalent</b>
Commercial Environmental Health Team Leader	1.0
Environmental Health Officer (EHO)	3.6
Technical Officer (TO)	1.7
Regulatory Systems Officer (shared database support)	0.3
<b>Total</b>	<b>6.6</b>

In addition to the above retained staff the team currently have a contract with an agency to provide contractors to carry out 250 low-risk food hygiene inspections during the 2023-2024 financial year. As this contract was partially funded using COMF monies it will reduce in scale to 130 D rated premises inspections each financial year.

The Commercial Environmental Health Team Leader is the Lead Officer for food hygiene and food safety matters, in accordance with the Food Safety Act Food Law Code of Practice.

In addition to the food safety work undertaken by the CEH team, the officers also carry out many other statutory and discretionary duties, including accident investigations, health and safety regulation and enforcement, animal licensing inspections, active participation in other groups such as the Mid-Anglia Environment Safety and Health Group, skin piercing registration and regulation, smoke free regulation and enforcement.

These additional duties, and those within this plan, are carried out by a professional team of Environmental Health staff who have the qualifications, knowledge, skills and experience to undertake such a wide variety of activities.

As these are also statutory functions that the team must deliver, this affects the amount of time that the team can dedicate to undertaking food safety interventions. The following table demonstrates how the time is split between the various activities that the CEH team are responsible for.

**Table 2. Full time equivalent (FTE) split across full range of Commercial Environmental Health work**

Area	Total FTE	Description	TL	EHO	EHO2	EHO3	EHO4	TO	TO2
Food service requests	1.6	Food complaints related to premises and food poisoning		0.25	0.25	0.2	0.2	0.3	0.4
Food inspections (A-D rating and new/unrated)	1.4	Risk rated inspection programme; ensuring premises are broadly compliant		0.25	0.25	0.3	0.3	0.3	
Alternative interventions (D-E rating)	0.2	Self-assessment questions for low-risk premises							0.2
Health and safety or accident investigations	0.9	Includes investigations and court actions	0.3	0.2	0.20	0.1	0.1	0.1	
Animal welfare (application, inspections, service requests)	1.2	Licensing responsibilities				0.4	0.4		0.4
Infectious disease control	0.2	Investigations and business advice or enforcement to protect public	0.2						

## 2.3 Resource to deliver FLCoP

There are currently 1,853 registered food establishments within West Suffolk that the local authority is responsible for inspecting and enforcing.

The Commercial Environmental Health Team are responsible for a wide variety of regulatory work including food safety checks, health and safety investigations, and animal licensing compliance checks and investigations.

As a result, only a proportion of the 5.5 FTE within the CEH Team is dedicated to undertaking statutory food safety work.

3.2 FTE is the current level of resource within West Suffolk Council that is available to undertake food safety interventions.

## 2.4 Calculating resource to meet FLCoP

West Suffolk Council recognises the importance of calculating necessary resource, as highlighted by the FSA. We will always seek to meet the FSA requirements, whilst recognising the value of the non-food safety work we undertake within this plan.

We have committed to working alongside the council's Change and Service Improvement (CSI) team to carry out detailed analysis of the full range of work for which CEH is responsible.

The tools that the CSI team will use should enable the team to utilise the benefits of efficient systems. In so doing it should allow a more accurate assessment of the FTE to deliver this plan, satisfying the FSA requirements and the FLCoP.

This process will seek to utilise the Target Operating Model (TOM) and maximise the digital offer, which is encompassed in the principles of CSI.

This work will aim to free up capacity and allow the team to undertake more proactive work.

The objective of the review is to allow the team to work in a more efficient way through the implementation of these actions and by adopting the new ways of working.

This will result in CEH adopting a "new normal" and working to ensure the team has the right resource, in the right place. It will look at a number of areas regarding resilience, succession planning, and horizon scanning against impending legal changes (e.g., Martyn's Law and Cosmetic Beauty Licensing), which will impact on future work.

## **2.5 Administration and systems specialist resourcing**

During 2022-2023 there were 4 FTE posts identified as available to provide systems specialist support to Regulatory Services, which were tailored to having an in-depth of understanding the management information system used with the service (NEC ASSURE) and working with the software provide to address issues and realise improvements. This Systems Team provided the equivalent of two dedicated individuals to Regulatory service.

Following a review, a specialist role was created within Regulatory Services. This post is shared across the entire Regulatory Services, including CEH.

A new model was adopted. It is reliant on professional officers building and managing the Assure system, which will inevitably impact on their time to deliver the enforcement interventions in the plan.

A priority for 2024 is to review the necessary support for the Regulatory service. This will be informed by the CSI work and a more accurate assessment of available capacity understood on completion.

## **2.6 Staff development plan**

The council has a staff performance review scheme. As part of the scheme, officers formally discuss and agree individual performance targets, training, and personal development plans with their line manager every 12 months. Progress with the plan is reviewed periodically so any issues can be raised and addressed.

Relevant training areas are identified to ensure the requirements for authorised officers in accordance with the Food Law Code of Practice are met. The FSA's Authorised Officer Competency Assessment form is used to help identify training and development needs. This is needed for any new staff as per the FLCOP and the other CEH team members who are not legally required to have it are working towards the completion of it. This piece of work will be done by 1 March 2024.

The CEH team ensures that all enforcement officers are appropriately qualified and receive regular training to maintain and improve their level of competency. All officers are expected to have access to the equivalent of at least 20 hours update training (30 hours for certain staff). A mixture of both internal and external training is provided for officers to achieve this. Following the decision by the Food Standards Agency to cease the provision of free training opportunities for EHOs, Suffolk authorities are working collaboratively to ensure that adequate training opportunities are available for all officers in the future.

## **3. Service delivery**

### **3.1 Demands on the food safety service**

There are 1853 food establishments registered or approved under food safety legislation in West Suffolk. A profile of registered or approved food establishments classified in accordance with the Food Standards Agency's main use code is given in table 3. Due to the migration from M3 to Assure there have been some data issues which we are working to resolve therefore data may not be as accurate as we would like. These issues are being worked on as time allows.

#### **Table 3. Profiles of registered or approved food establishments in West**

## Suffolk

Source: Assure Database 9 December 2023 (2022) (2021 figures)

Food Standards Agency (FSA) category	Number of establishments		
	2023	2022	2021
Primary producers	26	25	27
Manufacturers and packers	65	52	48
Importers	2	2	1
Distributors and transporters	57	73	80
Retailers	331	392	401
Restaurants and caterers	1,088	1,309	1,385
<b>Total</b>	<b>1,569</b>	<b>1,853</b>	<b>1,942</b>

**Please note:** Total food establishments for 2023 are not correct due to issues with the migration to Assure from the previous M3 database.

West Suffolk Council have approved establishments that produce meat, fish, dairy and egg products. The number of West Suffolk food establishments approved or conditionally approved under EU Regulation 853/2004 is: 14 (2022 = 15) Source: Assure database 9 December 2023.

West Suffolk attracts many tourists and visitors due to the range of things to do, from outdoor family fun and historical events to live music. Events and activities such as the Newmarket Races, and Forest Live see the team working with event organisers and others during the planning and delivery of their events to ensure that the food stored, prepared and served is safe to eat and complies with food safety laws.

The CEH team perform out-of-hours inspections where this is necessary, for example some large outdoor events and Sunday or farmers' markets. Some food businesses that are open for business at night, at weekends or in the early hours of the morning, are identified for occasional inspection at these times.

There are many food businesses associated with, or operated by, the ethnic minority communities in West Suffolk – including Chinese or Cantonese, South Asian, Turkish, Greek, Thai, Portuguese and Polish. Most food businesses run by these groups are takeaways, restaurants, and retail shops. The CEH team makes use of translated information made freely available by the FSA through their website. Additional translation services may be used where there is a legal requirement to do so, where it is necessary to help ensure that food business operators understand where action needs to be taken to protect against serious risk to public health, or to assist in efficient and effective service delivery. These additional translation services are rarely needed as part of our routine work.

Correspondence with food business operators or customers known to have a poor understanding of English may be provided in appropriate languages advising the recipient of the legal importance of the letter and the need to obtain a full translation.

Several food businesses cater specifically for people who are vulnerable because of age, disability and so on. This is considered by appropriate risk scoring criteria used in the risk rating of such premises to determine intervention and inspection frequencies.

### 3.2 Interventions at food establishments

The CEH team aims to ensure that food in the West Suffolk area is fit for human consumption, and that outbreaks of food poisoning and other infectious diseases are controlled. To achieve this, inspections and interventions at food establishments are carried out using a risk-based approach, in accordance with the Food Law Code of Practice. Specialist computer software is used to record all food business establishments. These records are kept up to date and are used to administer the programme of risk-based inspections and other interventions.

The Food Law Code of Practice requires that all new food establishments should receive an initial inspection. This should normally take place within 28 days of registration or from when the authority becomes aware that the establishment is in operation. This reflects the importance of ensuring new food establishments are complying with food law. It should be noted that new high-risk food establishments are to be prioritised under the FSA’s recovery plan, with local authorities deferring the inspection of new low-risk food businesses until a later date. The team are currently seeing a growing number of new food businesses within West Suffolk. These range from small independents to contract changes within set establishments.

Food establishments are risk-rated using criteria set out in the Food Law Code of Practice. Establishments receive a risk rating according to:

- the nature of their business, for example the risk associated with the type of food handled, processing methods, number, and vulnerability of customers
- the standard of food safety compliance with food law achieved.

Establishments may be rated as higher risk either because of the high-risk nature of the food and processing methods at their business, because of the low standards of food safety, or a combination of both. Establishments receive a risk rating ranging from A (highest risk) to E (lowest risk). Unrated establishments include new businesses that are waiting for an inspection to be carried out. Some establishments are outside the risk-based intervention and inspection programme, such as primary producers.

Profiles of the food establishments by risk are shown below, in Table 4.

**Table 4. Profiles of food establishments according to risk**

Source: Assure database 9 December 2023, 2022, and 2021

**Please note:** Total food establishments for 2023 are not correct due to issues with the migration to Assure from the previous M3 database.

The ‘not rated’ category consists of either new premises awaiting inspection, outside the inspection programme, or premises requiring database recoding, for example as a non-food premises.

<b>Risk category and number of food establishments in each category</b>							
<b>Year</b>	<b>A</b>	<b>B</b>	<b>C</b>	<b>D</b>	<b>E</b>	<b>Not rated</b>	<b>Total</b>
2023	1	15	141	301	351	333	1,142
2022	3	33	245	659	749	147	1,836
2021	5	27	174	734	632	370	1,942

Due to the migration over to Assure from M3, it has highlighted some discrepancies with the data in table 4 above. The figure is missing approximately 896 businesses and we are working with NEC to solve these issues.

The minimum intervention frequency as required by the Food Law Code of Practice, and the estimated time per intervention for each risk category, are set out below in Table 5.

The range of available interventions for food establishments includes inspections, monitoring, surveillance, verification, audit, sampling, education, advice, coaching, information, and intelligence gathering. The regulatory burden is minimised by selecting the most appropriate intervention for the risk category of the establishment. Alternative enforcement strategies (AES) include the use of questionnaires for lower risk category E food business establishments.

Note that all estimated times in the following sections are based on previous experience.

**Table 5. Food Law Code of Practice minimum intervention frequency and locally estimated time per intervention for each risk category**

Source: Food Law Code of Practice, Food Standards Agency

<b>Category</b>	<b>Minimum intervention frequency</b>	<b>Estimated time per intervention (hours)</b>
A	6 months	6
B	12 months	6
C	18 months	5
D	24 months	3
E	Alternative enforcement every 3 years	2
Unrated or Uncategorized	-	2

The numbers of food interventions still due (including outstanding) up to 31 March 2024 by risk category are shown below, in Table 6. This also includes inspection due pre-March 2023 that are still outstanding. These are all low-risk inspections and are likely to be carried out before 31 March 2024.

**Table 6. Number of food interventions due, including outstanding up to March 2024**

Source: Assure database 9 December 2023

Risk category	Number due up to March 2024	Number due Pre-March 2023	Estimated time to complete (hours)
A	2	0	12
B	9	0	54
C	58	0	290
D	105	8	315
E	147	57	294
Uncategorised	56	9	759
<b>Total</b>	<b>377</b>	<b>74</b>	<b>1,724</b>

**Table 7. Inspections due April 2024 – March 2025**

Source: Assure database 9 December 2023

Risk category	Number due up to March 2025	Estimated time to complete (hours)
A	Unable to classify as they will come through from current inspections during the year. 1	6
B	22	132
C	197	985
D	339	1,017
E	88	176
Uncategorised	New inspections from new food registrations, this is an approximate figure for the year but will fluctuate. 240	480
<b>Total</b>	<b>887</b>	<b>2,796</b>

The table above does not include any backlog inspections, please refer to Table 6 above for total numbers of outstanding including backlog from previous years.

The total number food hygiene interventions carried out by the CEH team during April 2023 -December 2023 are shown below, in Table 8. Alongside the figures from previous years.

**Table 8. Number of food interventions completed during April 2023 December 2023 and for previous years**

Source: Assure database 9 December 2023

Risk category	April 2023 – December 2023	2022 –2023	2021 - 2022
A	3	4	2
B	21	16	11



<b>Risk category</b>	<b>April 2023 – December 2023</b>	<b>2022 –2023</b>	<b>2021 - 2022</b>
C	111	169	141
D	162	349	261
E	130	332	15
Other	38	72	30
<b>Total</b>	<b>465</b>	<b>870</b>	<b>532</b>
AES Questionnaire	13	66	17

The total figures for April to December seem low however the CEH team have a cycle from 1 April to 31 March so there are three months left of our inspection cycle. In next year's plan these figures will increase due to the inspection cycle.

Food safety interventions are undertaken following documented procedures. The date of a primary inspection may be brought forward, for example in response to local intelligence, a complaint, a new food registration, a material change in the business, receipt of information from the FSA, an outbreak, or being a seasonal business that may be closed at the time of the next date due. Other reactive interventions are carried out at other times, for example in response to customer complaints, alleged cases of food poisoning, food hazard warnings, sampling, revisits, and requests for advice.

Most food businesses that supply food direct to the public receive a rating under the Food Hygiene Rating Scheme (FHRS). These ratings range from **0** (urgent improvement necessary) to **5** (very good). Businesses that receive a rating of 0, 1 or 2 have a poor level of compliance with food safety and hygiene law.

Businesses that are broadly compliant with food safety and hygiene law will receive at least a rating of **3** (satisfactory). On 13 December 2023, **98.5 per cent**, (2022 = 98.5 per cent) (2021 = 98.5 per cent) of FHRS-rated West Suffolk food businesses were rated **3-5**. Businesses that have a good level of compliance with food safety law will receive the top rating of **5**. On 13 December 2023, **85.7 per cent** (2022= 85.6 per cent per cent) (2021 = 87.4 per cent) of FHRS-rated West Suffolk food businesses were rated **5**.

Interventions are undertaken more frequently for poorly compliant businesses due to the increased food safety risk identified. These interventions aim to achieve better and sustained compliance rates at poorly compliant food businesses. Revisits of poorly compliant businesses are carried out to secure the necessary improvements to protect public health. However, it should be noted that these revisits do not lead to an automatic review of their FHRS rating, and some businesses choose not to apply for a re-rating visit. Such businesses can be seen to have a low FHRS rating for a long period of time, however the CEH team will have carried out the necessary intervention visits to ensure any critical improvements have been made.

The CEH team received 16 requests for a re-rating inspection between 1 April 2023 and December 2023.

The Trading Standards department of Suffolk County Council has responsibility for food standards matters. Liaison arrangements are in place through the Suffolk Food Liaison Group to develop joint work plans and to help ensure that matters of joint interest, such as food labelling, imported food, BSE controls, animal by-products, avian influenza and genetically modified foods are discussed. Joint visits with trading standards officers are made where appropriate. Copies of all food registrations

received are forwarded to Suffolk County Council’s Trading Standards department.

### 3.4 Food hygiene practices or hygiene of premises complaints

Officers investigate food complaints in accordance with documented procedures and, where necessary, liaise with a business’ primary authority during the course of investigations. Officers also check the primary authority website to ensure that any published inspection plan is adhered to. In determining an appropriate course of action, the team take into consideration any reports received from the primary authority and the food business identified as the cause of the complaint and will have regard to the West Suffolk Council Enforcement Policy. The figures below have been impacted by the migration from the previous database to the current one and changes in the way in which complaints are recorded on the database. Very quick complaints or responses (five minutes or less) may not get recorded on the system. This is estimated to present an additional 20 per cent per cent in the number of complaints received. Planned resource optimisation work later in the year will tease this out.

**Table 9. Food hygiene complaints 2023-24**

Source: Assure database 13 December 2023 (2022)

<b>Complaint type</b>	<b>Number (2022 in brackets)</b>	<b>Estimated time per task (hours)</b>	<b>Estimated time to complete (hours) (2022 in brackets)</b>
Unsatisfactory practices	14 (25)	6	84 (150)
Unsatisfactory premises	24 (29)	6	144 (174)
Food complaint (biological)	3 (2)	6	18 (12)
Food complaint (foreign body)	17 (8)	6	102 (56)
Food complaint (labelling)	5 (0)	5	25 (0)
Food complaint (other)	76 (23)	5	380 (115)
Food complaint (chemical)	0 (0)	4	0 (0)
Food complaint (undercooked)	0 (3)	6	0 (18)
<b>Total</b>	<b>139 (90)</b>		<b>207 (535)</b>

### 3.5 Food sampling

Microbiological food sampling makes an important contribution in protecting the public and discharging the council’s responsibility in food law enforcement. Microbiological food sampling is used as part of a planned approach to gather information about the microbiological quality, and possible presence of harmful microorganisms, in particular foods which are produced or sold locally. Based on this information appropriate action can be taken to protect the consumers.

West Suffolk Council is committed to providing the resources necessary to carry out a sampling programme and the CEH team are responsible for undertaking the food sampling functions. Microbiological food sampling is carried out to a national and regional programme coordinated through the UK Health Security Agency (formerly PHE) and the Suffolk Food Safety Liaison Group. The food sampling is prioritised to concentrate upon one or more of the following criteria:

- foods which are produced within West Suffolk

- the risk ratings of the premises
- any local, regional, or national coordinated sampling surveys or programmes.

Most food samples, including environmental hygiene swabs, are taken informally for the purpose of monitoring, surveillance and intelligence gathering. Formal samples will be taken where enforcement action is anticipated and these samples will be taken in full compliance with the legislation, relevant Code of Practice and with consideration of the West Suffolk Council Enforcement Policy.

Official laboratories as designated by the FSA will be used for samples obtained during the sampling programme. The designated laboratory is the UK Health Security Agency (UKHSA) Laboratory at Collindale, London. Other samples will be sent to the council’s nominated public analyst, Public Analyst Scientific Services Limited. Samples are recorded using the NEC Assure database.

Samples may be taken during manufacturing or production processes for the purposes of ensuring food safety and establishing the effectiveness of the critical controls in the process. The food business will be notified of the result of any such sample analysis or examination.

West Suffolk Council does not currently act formally as a primary authority for any food business. Where sampling identifies a problem with food manufactured outside the districts, the relevant primary or originating authority will be notified, and a copy of the certificate of analysis or examination will be forwarded to them.

Food sampling will not normally be undertaken as a constituent part of food safety inspections. It may take place if, during the inspection, the authorised officer identified a particular problem that needs further investigation.

Samples of food received as a food complaint may require microbiological examination, chemical analysis, or expert identification.

Where a particular premises of food produced in West Suffolk is implicated in a case, or cases, of foodborne disease, food samples may be taken and submitted for examination, for the purpose of identifying any likely source of infection and controlling any risk to public health. These samples are likely to be formally taken and examined.

Food samples may also be taken and submitted as part of a special investigation, for example in response to a food hazard warning or other intelligence received about potential food safety and quality issues.

**Table 10. Food samples 2023-24 against anticipated in 2024-25**

Source: Assure database 13 December 2023

<b>Year</b>	<b>Number of samples</b>	<b>Estimated time per sample hours)</b>	<b>Total time (hours)</b>
<b>Anticipated 2024-2025</b>	20	2.5	50
Actual 2023-2024 (Current as of 13 December 2023)	40	2.5	100.0
Actual 2022-2023	11	2.5	27.5

Following strategic direct from the FSA the CEH team undertook additional sampling during the period of January to March 2023. This was carried out in line with the

current surveys that are agreed with UKHSA, using a Covid grant funded officer. The additional sampling work was only possible due to the extra resource provided by Covid funding. This resource finished on 31 December 2023.

### 3.6 Control and investigation of outbreaks and food related infectious diseases

The CEH team will assess and respond accordingly to reports of communicable diseases, including food-associated illness. The investigation of outbreaks of food poisoning is conducted in liaison with the Consultant in Communicable Disease Control (CCDC), having regard to the Norfolk, Suffolk and Cambridgeshire Joint Communicable Disease Incident and Outbreak Management Plan. Information relating to certain infections will be collected as a matter of urgency and passed to the Anglia Health Protection Team, UK Health Security Agency, in accordance with the East of England standard approach to investigating gastro-intestinal disease cases.

The CEH team response to a report of communicable disease, including food-associated illness, is undertaken following documented procedures.

**Table 11. Gastrointestinal disease cases notifications 2023-2024 against anticipated in 2024-25**

Source: Assure database 13 December 2023

	<b>Number of notifiable cases (individuals)</b>	<b>Number of food poisoning complaints</b>
<b>Anticipated 2024-2025</b>	100	50
2023-2024 (Current as of 13 December 2023)	28	17
Actual 2022-2023	3	54

Joint civil contingency and emergency stand-by arrangements exist to respond to suspected or confirmed outbreaks of infectious disease or food poisoning with either the potential to cause serious harm or death to any person, or debilitating illness or disease to significant numbers of people, or illness or disease to particularly vulnerable populations.

On 12 December 2023 the Health Protection Agency Group (HPAG) recommenced and West Suffolk Council (WSC) was notified that from 1 February 2024 we will go back to pre-covid notification processes. WSC will be notified of all infectious diseases requiring investigation, which will see an increase in the numbers for 2024 to 2025.

### 3.7 Food safety incidents

Arrangements are in place to receive FSA Food Alerts for Action and take specified action on behalf of consumers. These come in via the Food Standards Agency to the Food Safety Lead Officer for action.

**Table 12. Food alerts requiring action 2022-23 against anticipated in 2023-24**

Source: Assure database 13 December 2023

	Number of alerts requiring local action	Time per case (average)	Total time (hours)
<b>Anticipated 2024 – 2025</b>	5	4	20
2023-2024 (Current as of 13 December 2023)	3	4	12
Actual 2022-2023	3	4	12

### 3.8 Endorsement for Export (EfE)

A number of West Suffolk food businesses export products outside the EU, a process that requires each consignment to be accompanied by an Endorsement for Export (EfE).

The UK’s exit from the EU, BREXIT, reached its conclusion on 31 December 2020. The current trade arrangements in place with the EU have not necessitated the need for EfE’s to be issued for products being exported into the EU from the UK.

All approved West Suffolk food businesses who had confirmed to the FSA that they currently export products of animal origin (POAO) to the EU and would continue to do so after Brexit was obtained and processed to enable them to export to the EU without the requirement to be accompanied by an EfE. West Suffolk Council also took steps to become listed as a supplier of EfE’s where only a certificate of attestation was required by the destination country.

During 2021 the CEH team launched an online EfE offering. The CEH team are offering an electronically signed and emailed EfE, where destination countries allow for this. Wet-signed hard copy EfE’s will continue to be available on request.

A review of the fees charged was undertaken due to the changes made regarding electronic and wet signed copies. The new process for providing electronic email EfE’s have indicated that a reduced fee of £21.01 per EfE from 4 October 2021. The fee charged for wet-signed hard copy EfE’s has changed to £63.03 In May 2023 the fees changed in line with increases and these fees have been calculated on a cost-recovery basis. EfE’s are now charged at £75.60 for hardcopies and £25.21 for electronic.

**Table 13. Endorsement for Exports (EfE) issued during 2023-24 against anticipated in 2024-2025**

Source: Finance figures 15 December 2023

Year	Number of EfEs issued	Fee charged per EfE	Income generated
<b>Anticipated 2024 - 2025</b>	800	£75.60 £25.21	£18,900 + £13,865.50 = £32,765.50
Actual 1 April 2023 - December 2023	573 total (218 Hardcopies 361 Electronic)	£63 / £75.60 £21.01/£25.21	£11,239.20 + £10,277.41 = £21,516.61

Year	Number of EfEs issued	Fee charged per EfE	Income generated
2022 - 2023	892 total (247 hardcopies 645 electronic)	(247 - £63.00) (645 - £21.01)	£15,573.60 £13,551.45 = £29,125.05

### 3.9 Primary authority

The Regulatory Enforcement and Sanctions Act 2008 introduced into law the principle of primary authority (PA). All local authorities are required, by law, when considering enforcement action against a business with multiple outlets, to follow advice agreed between the business and its PA. The purpose of these requirements is to achieve greater consistency in enforcement action in large, multi-outlet businesses.

The CEH team supports the PA schemes. Where PA partnerships are registered with the Office for Product Safety and Standards (OPSS), an officer will contact the PA to ensure that proposed actions are not contrary to appropriate advice that the PA has previously issued.

The CEH team will support requests from appropriate business for West Suffolk Council to become the PA for that business. Costs incurred by the authority in the setting up and management of the PA arrangement can be recovered from the business.

### 3.10 Advice to business

The CEH team actively support businesses to help them grow and become a success. The team provides advice to businesses, for example:

- the promotion of information guidance notes to assist businesses comply with the law and good food hygiene practices.
- directing enquiries to relevant sources of competent and reliable advice, for example the FSA website.
- distribution of FSA and other guidance to businesses relating to specific and topical issues.
- provision of advice to new and existing businesses during and following inspections
- mailshots.
- through the corporate social media accounts.
- responding to requests for advice from businesses and members of the public.

#### Table 14. Requests for advice 2023-24 against anticipated in 2024-25

Source: Assure database 15 December 2023

Year	Number	Time per case (average)	Total time (hours)
<b>Anticipated 2024-2025</b>	142	0	0
Actual 2023-2024 (Current as of 13 December 2023)	111	4.5	499.5
Actual 2022 -2023	142	4.5	639

Many of these enquiries and advice requests take time for the officers to research and compile the advice, often very specialised, with some requiring visits to the premises.

The CEH team takes all opportunities to engage with businesses, for example when a food registration form is received, to provide advice by telephone or by visits to the premises. Telephone advice is preferred in the first instance to start to engage with businesses. The advice visits enable businesses to commence their operations in a safe manner and in compliance with regulations, with appropriate signposting to other departments for further guidance relating to licensing, planning, building control, available grant funding, and so on. This proactive support enables the business to receive the higher FHS food ratings at their initial food hygiene inspection, essential for a new business to present to customers.

The CEH team contributes updates to the West Suffolk Council website pages and social media content. These offer a range of information on setting up a new business, Safer Food Better Business, commonly used forms to download, how to lodge complaints or make an enquiry, general food safety information and a link to the FSA's website for further information.

Time per case figures that have been anticipated for 2024-2025 will be reviewed as part of the pending service review work planned later this year.

### **3.11 Liaison with other organisations**

The CEH team has extensive liaison in place with a wide range of other organisations. For food safety matters these include:

- Food Standards Agency
- Suffolk Food Liaison Group
- Eastern Region Co-Ordinated Food Sampling Group
- CCDC and the Suffolk Health Protection Team, Suffolk UK Health Security Agency
- DEFRA
- Immigration Compliance and Enforcement Team - East of England (Home Office)
- West Suffolk Council's Planning and Building Control teams (to review relevant applications)
- Trading Standards and Environmental Health Departments nationally as required
- Care Quality Commission
- Suffolk Adult Safeguarding Board
- Suffolk Regulatory Services and New Anglia Local Enterprise Partnership Working Group

### **3.12 Food safety promotion**

The CEH team has historically promoted food safety using materials provided by the FSA or produced in-house that are intended for businesses or the public. Examples included:

- helping business operators meet regulations on food hygiene through promoting and supporting the FSA's Safer Food Better Business packs
- the use of FSA materials during Food Safety Week
- the development of guidance for market stalls trading in West Suffolk
- the writing of articles for distribution to businesses by external organisations.

## **4. Quality assessment**

### **4.1 Annual review**

The Food Safety Service Plan is reviewed annually and considers the following:

- performance and resources available over the previous 12 months.
- advice and guidance issued by the FSA during the year.
- new legislative requirements within food as well as the other areas under CEH remit review into impact this has had over the last 12 months.
- priority for all reactive work relating to food, health and safety and infectious disease.

### **4.2 Food Standards Agency service plan audit**

West Suffolk Council was selected to take part in a pilot audit to assist the FSA in how they carry out their audits of service plans and prioritising inspections within local authorities. Due to the previous involvement the CEH team had with the FSA around services plans and inspections we were chosen. The audit ran between 27 -30 June 2023.

Following the audit, the Food Standards Agency sent through their observation for the content of the 2023-2024 service plan and provided their requirements for how the 2024-2025 service plan could be improved to better meet the requirements of the FLCoP. These observations have been taken on board and directly addressed within the current service plan.

The FSA has instructed West Suffolk Council to not only set out the current available resource to undertake official food safety controls, but also necessary resource required to deliver 100 per cent of scheduled food safety interventions.

The FSA have highlighted the following measures within their action plan for West Suffolk Council.

- a. Make sure that service plans include a clear explanation of all the demands placed on the service, including any backlog of interventions from previous years.
- b. Service plans should include a calculation of the numbers of posts or FTE required to deliver the service in accordance with the FLCoP, compared to the number available, identifying any shortfall.
- c. Make sure that service plans identify any variance and steps taken to address these variances.

Although we take on board the findings of the audit, as a council and service we are due to undertake wider transformation work within CEH and this will be done before we refer to all the points above.

The council's internal transformation team will undertake detailed resource optimisation work to enable targeted process and system improvement, which will in turn enable demand management to be undertaken.

This will build on time and motion studies carried out across CEH and will look at the full range of work that CEH undertake, rather than food safety in isolation.



### **4.3 Inter-authority audits, peer review and FHRs consistency**

The principle of inter-authority audits (IAA) is fully supported. The CEH team has previously undertaken inter-authority inspection and quality monitoring, with some benchmarking against our similar neighbouring authorities of Babergh and Mid Suffolk District Councils.

Peer review also takes place amongst Suffolk authorities through the Suffolk Food Liaison Group and amongst the team, for example discussions during team meetings and joint visits. Consistency exercises are carried out amongst Suffolk authorities on a quarterly basis and discussions around multiple site operators.

The Food Standards Agency issue a National FHRs Consistency Exercise annually which the CEH team always complete, ensuring that the interpretation of the regulations and guidance are consistently being applied in relation to the FHRs rating scheme.

### **4.4 Internal monitoring arrangements**

The CEH team is implementing the following arrangements to assist in assessing and improving the quality of the work carried out:

- checking samples of post-inspection reports, letters, and notices. This is carried out prior to one-to-one meetings to feedback on any issues.
- undertaking at least two shadow-inspections or follow-up visits for each officer for each year, especially where there are high risk or significant issues.
- performance reviews during team meetings based on the Food Safety and Health and Safety Service Plan.
- one-to-one meetings for all team members, discussion around performance and specific issues.
- The CEH Team Leader is allocated four category C or D food hygiene inspections per year (one per quarter) to help maintain professional competency.

The contents of statutory notices will be discussed and agreed with the CEH Team Leader, or other suitably experienced colleagues before service, where appropriate.

### **4.5 Benchmarking**

The Food Standards Agency (FSA) require bi-annual returns, and these are monitored, by the FSA, with action taken as necessary. The FSA also reports this performance data to central Government.

During 2020 the FSA removed the requirement for a full Local Authority Enforcement Monitoring System (LAEMS) data submission due to the ongoing COVID-19 pandemic response. A much-simplified version of the return was completed by West Suffolk Council within the specified deadline. The FSA used to require a 'temperature check' return to be completed quarterly, which West Suffolk Council have complied with. The FSA have now put in place a bi-yearly return which occurs in April, full return and October, mid-year return. As with previous years WSC will continue to provide the return as requested.

Monitoring performance against the standards set out in the West Suffolk Council Food Safety and Health and Safety Service Plan will be through management meetings and performance dashboards.

## Summary of priorities for 2024-2025

- To undertake a demand led review of the team to inform the most efficient and effective ways of working, in terms of people and processes.
- To implement Food Standards Agency's recommendations as set out in their report following June 2023 audit.
- To ensure implementation of the Food Standards Agency FLoP requirements, following the end of the recovery plan.
- To continue to monitor the resource provided to food safety enforcement to ensure it is adequate to meet the demands of the service, including new food business interventions in a timely manner. To continue with the timely food safety interventions.
- Continue internal monitoring of officers and review regularly.
- Review competency frameworks (There is a requirement in the Food Law Code of Practice and Guidance to monitor professional competency and consistency. Officers have completed self-assessments under this framework. These self-assessments need to be reviewed by the lead officer for food and practical onsite assessments of inspection techniques undertaken).
- Develop officer's training plans.
- Continue Lead Officer upskilling.
- Manage and update Food Safety pages on the council's web site.
- Continue to implement electronic processes for customers to access the service.
- Continue with public facing integrations using the Database as a tool for various areas of the team's work.
- Continue to support businesses and work with Trading Standards to achieve compliance with Food Information to Consumers regulatory requirements in respect of food allergens.
- Continue to look at ways of improving and utilizing the capabilities of the Team's database management system (ASSURE). This will improve use of the database, making improvements to allow improved customer facing services. Storing our data and information electronically.

# Health and Safety Service Plan 2023-24

## Preface

West Suffolk Council is both an employer and a health and safety regulator and is part of the overall health and safety system for Great Britain. This service plan covers the work of the council as a regulator for certain health and safety activities, rather than its role as an employer.

The Commercial Environmental Health (CEH) team within the Environmental Health service works in partnership with the Health and Safety Executive (HSE), other local authorities, private businesses and with other internal services where appropriate to regulate statutory health and safety provisions and to provide enforcement, education, guidance, and emergency intervention to ensure the health and safety of employees and other persons.

Part of this work involves appointing persons as authorised inspectors under the Health and Safety at Work etc. Act 1974 to regulate health and safety in West Suffolk.

This health and safety service plan provides a summary of the work which has been undertaken and a commitment to work which will be undertaken.

## 1. Vision, purpose, aims and objectives

### 1.1 Service vision and purpose

To protect public health and safety and the environment, by carrying out interventions, investigations, and research to detect, eliminate and control hazards by applying fair, transparent and proportionate enforcement.

### 1.2 Aims and objectives

Within the broader work covered by the West Suffolk Council Service Plan 2024-25 for Environmental Health, West Suffolk Council has responsibilities as a health and safety enforcing authority.

Our aims are:

- to focus resources on proactive enforcement of the relevant statutory provisions and provide advice and education in high-risk workplaces in order that duty holders can achieve and maintain a good standard of compliance
- to investigate workplace accidents in accordance with the incident selection criteria guidance
- to respond to health and safety related aspects of civil emergencies and serious workplace incidents, including fatalities, where the council has enforcing responsibility
- to help businesses, through smarter ways of regulation to reduce the burden, by providing advice and support to help them achieve a good standard of compliance and safe working conditions so that they can make a beneficial contribution to the local economy
- to operate the service in accordance with the National Local Authority Enforcement Code and the Regulators Compliance Code to protect public health and safety by carrying out targeted inspections, interventions, enquiries, investigations, and research to detect, eliminate and control hazards by

applying fair, proportionate, and transparent enforcement.

Accidents and ill health at work can cost money and ruin lives. Good health and safety is good business – and it's the law. At West Suffolk our overall aim is to work with others to protect people's health and safety by ensuring risks in the changing workplace are managed properly.

## **2. Service delivery**

### **2.1 The national code**

We follow the Health and Safety Executive (HSE) 'National code' for local authorities, to ensure consistent and proportionate inspection and enforcement. This code has legal effect as HSE guidance under section 18(4) of the Health and Safety at Work etc. Act 1974 and must therefore be the standard to which services are operated to ensure 'adequate arrangements for enforcement' are met.

The code sets out the expectations for a risk-based approach to targeting regulatory interventions and recognising that the primary responsibility lies with the business that creates the risk. The council's regulatory role involves ensuring the effective and proportionate management of risks, supporting business, protecting the community, and contributing to the wider public health agenda.

### **2.2 The national strategy**

The council commits to playing its part to implement the themes of the national strategy, 'Protecting people and places' 2022 to 2032 and the work to be undertaken in this regard is set out later in this service plan.

The five strategic themes are:

- Reduce work-related ill health, with a specific focus on mental health and stress.
- Increase and maintain trust to ensure people feel safe where they live, where they work and, in their environment.
- Enable industry to innovate safely to prevent major incidents, supporting the move towards net zero.
- Maintain Great Britain's record as one of the safest countries to work in.
- Ensure West Suffolk Council remains a great place to work, and we attract and retain exceptional people.

### **2.3 Scope of the health and safety service**

The health and safety service covers the following areas of work:

- Health and safety interventions as part of a national priority, a significant local issue or where there is sufficient intelligence to require intervention.
- Health and safety inspections of higher risk businesses and revisits.
- Health and safety enforcement.
- Raising health and safety standards through education and awareness, this includes working with businesses as part of the growth agenda.
- Health and safety advice and guidance to a variety of stakeholders, including the public, employers, event organisers, partner enforcement agencies (for example emergency services).
- Dealing with issues of health and safety concern and complaints.

- Incident and ill health investigations.
- Maintaining a cooling tower register.
- Reviewing and responding to planning and licensing applications received for health and safety consultation.
- Processing registrations for new skin piercing premises or practitioners, carrying out inspections and providing advice as appropriate.

The service is delivered predominately in normal office hours, but also out of normal working hours to inspect businesses when operational or where circumstances such as accident investigations demand that officers remain on site. There is also a continual reactive service for emergencies, which includes the investigation of fatal or very serious workplace incidents.

## **2.4 Section 18 compliance**

Section 18 of the Health and Safety at Work etc. Act 1974 (HASWA) puts a duty on the Health and Safety Executive (HSE) and local authorities (LAs) to make adequate arrangements for enforcement of health and safety law.

The HSE has published guidance (National Local Authority Enforcement Code) to assist local authorities in achieving the s.18 principles and standards.

The council recognises the need to provide a competent inspectorate. The code has provided guidance for the training and competence of inspectors. All authorised inspectors will be appropriately qualified and through this service plan the council commits to them receiving regular training to maintain and develop their competence.

Section 26 of the Health and Safety at Work etc. Act 1974 allows local authorities to indemnify inspectors appointed under that act under specified circumstances. As set out in the corporate enforcement policy it is the policy of the council to indemnify inspectors appointed under that act against the whole of any damages and costs or expenses which may be involved, if the council is satisfied that the inspector honestly believed that the act complained of was within their powers and that their duty as an inspector entitled them to do it, providing the inspector was not wilfully acting against instructions.

The authority recognises and affirms the importance of achieving and maintaining consistency to their approach in making all decisions concerning enforcement action. All enforcement decisions are made in line with our enforcement policy and with reference to the HSE's Enforcement Management Model (EMM) where necessary and appropriate. The corporate enforcement policy covers all the council's enforcement activities.

Inspectors apply the principles of the EMM in all their regulatory actions, but they will only formally apply the EMM and record the outcome in certain circumstances, such as the service of an improvement notice or where evidence and professional opinion suggests the consideration of a prosecution.

Where a management review is needed, this will be undertaken by the Commercial Environmental Health Team Leader with responsibility for Health and Safety or by the Food, Safety and Licensing Manager.

Liaison with primary authorities, lead authorities or other regulatory bodies is a useful means of determining previous compliance when making assessments of health and safety management compliance, preventing duplicity in enforcement, and ensuring consistency in approach. The service will continue to liaise with other parties. All

statutory enforcement notices are subject to internal peer review prior to service to ensure accuracy and enforceability.

### 3. Demands on the health and safety service

Much of the work undertaken over recent years has been reactive, either through advice and guidance within the scope of the council's CEH team or through accident investigations. We recognise that our proactive initiatives have significantly reduced over several years due to the service demands for reactive investigation and other work streams.

The CEH team have a variety of demands these range from high profile accident, investigations and health and safety project and the work this generates.

#### 3.1 Investigation of accidents and complaints

The CEH team receive notifiable incidents both from the HSE Incident Contact Centre and sometimes directly from employers. Allegations of inadequate health and safety practices or hazardous situations are also received.

Investigations are targeted on activities that give rise to serious risks or where hazards are least well controlled and have resulted in a fatality, major injury or occupational disease, as defined in the Reporting of Diseases and Dangerous Occurrence Regulations 2013.

Investigation work places a significant demand on the CEH team but is also a good source of intelligence regarding business compliance. The number and seriousness of accident notifications received can vary significantly from year to year. Nationally it is believed that there continues to be significant under reporting in this area.

All reported work-related accidents notified to the service were reviewed based on incident selection criteria. The highest risk incidents were selected for further investigation and have either been brought to proper conclusion or are ongoing currently. All of our ongoing investigations involve triable either way offences under the act which means the time period for investigation is unlimited subject to no unnecessary delays by the service.

The CEH team have been involved in eight serious investigations recently and all involve a large amount of resource. Recently there have been several high-profile accidents, which have led to serious injuries and court action. One resulted in a prosecution and a guilty plea, the company was fined £34,000 and ordered to pay another £13,810.19 in costs. The current standing of a fatality case is at £58,000 however this will be more once case is closed.

The seriousness of these accidents does mean that this impacts the food delivery plan due to resource.

#### Table 1. Accident notifications received in 2023 against anticipated in 2024-25

Source: Assure database 15 December 2023

	Number	Time per case (estimated hours)	Total time (hours)
<b>Anticipated 2024-2025</b>	150	6	900

2023-2024 (Current as of 13 December 2023)	130	6	780
Actual 2022-2023	136	6	816

We have continued to maintain the cooling towers register to aid rapid investigation of potential sources in the case of a Legionella outbreak.

We also continue to inspect new businesses that require registration for skin piercing activities including tattooing, micropigmentation, electrolysis, body piercing and acupuncture. These inspections involve looking at the structure of the proposed work environment, equipment, sterilisation procedures, clinical waste arrangements and infectious disease control.

### **3.2 Health and safety interventions and achievements**

During 2023 - 2024 the additional flexibility afforded by the food hygiene inspection contract allowed the team to spend time carrying out a bespoke Health and Safety project looking to reduce accident rates associated with workplace transport.

Workplace transport was selected as a priority area for enforcement following a series of significant accidents associated with this work activity.

The inspection contract has allowed the team to carry out 80 engagements with businesses, 12 health and safety visits, and four revisits to ensure improvements to Health and Safety practices have been put in place. The team have additionally served one Prohibition Notice where an imminent risk to safety was identified following a health and safety visit. The project has also led to further improvement notices being served on a number of companies following visits that were carried out in this time. This included liaising with a variety of different agencies to get the number of problems resolved.

### **3.3 Safety Advisory Group**

The Contain Outbreak Management Fund (COMF) funding also contributed to an events officer for Commercial Environmental Health during 2023-2024, who was able to take on a significant amount of the event stakeholder response and administration that typically sat within the team.

The post came to an end in September of 2023, with a significant proportion of the work that the postholder was responsible for finding its way back to Commercial Environmental Health Team Leader and officers.

The CEH Team Leader has historically coordinated and chaired the West Suffolk Safety Advisory Group in reviewing health and safety issues, including Covid controls and food safety, for large scale public events planned within West Suffolk. The CEH team regularly participates in Safety Advisory Group (SAG) meetings and has good partnership working arrangements with other enforcement bodies.

Our involvement with the SAG enabled event organisers to obtain the best advice and guidance to proactively deliver safe events for the public. See table 2 for information regarding SAG events. New measures are due to be implemented by Government regarding Martyn's Law in relation to terrorist threats at events. At present it is not known which enforcement agency will be responsible for enforcement.

The group met and discussed large scale public events which are considered to have the potential to present a significant risk to public safety.

The table below shows that there has been a significant increase in the number of large-scale events that have been run year on year following Covid restrictions being lifted. Recent trends would suggest that this is likely to increase for 2023/2024.

**Table 2. SAG Events and numbers of meetings**

Figures correct as of 1 January 2024

	Number of events	Number of events to SAG meeting	Time per event – 15 hours
<b>Anticipated 2024 -2025</b>	-	0	0
2023-2024 (Current as of 13 December 2023)	19	10	150 hours
Actual 2022-23	30	12	180 hours

### 3.4 Formal enforcement intervention

In accordance with the West Suffolk Enforcement Policy, we take enforcement action in those businesses where there is significant risk or poor compliance history, in a graduated manner. In the first instance we will generally try and resolve health and safety contraventions informally, however we have the enforcement tools of both an 'Improvement' or 'Prohibition' notice that may be used as deemed necessary by the inspector. Notices hold a legal status, where the recipient does not comply with the notice to the satisfaction of the inspector within the timescale specified, a prosecution may follow.

## 4. Overview of key service challenges in 2023-24

The team has seen a gradual decrease in proactive health and safety interventions occurring for several years, however, the team continues to investigate all serious accidents that meet the investigation criteria and to deal with complaints.

The team are continuing their investigations into one fatality and have also undertaken several other major investigations.

### 4.1 Intervention plan

An intervention plan for health and safety will be used. These interventions will be overseen and managed by the CEH Team Leader and are compliant with the National Local Authority Enforcement Code and supplementary guidance, LAC 67/2 (revision 12).

The [Local Authority Circular \(LAC 67/2 \(rev 12\)\)](#) provides LAs with guidance and tools for priority planning and targeting their interventions taking a proportionate and consistent risk-based approach to, enable them to meet the requirements of the National Local Enforcement Authority Code ([National Local Authority \(LA\) Enforcement Code - HSE and LAs Working together - HSE](#)) (the code).

Section 18(4) of the Health and Safety at Work Act etc. 1974 places a duty on Local Authorities to make 'adequate arrangements for the enforcement' of health and safety



and the Code sets out what is meant by 'adequate arrangements for enforcement'. The Health and Safety Executive recommends that local authorities to consider local priorities when assessing the risk within their area and implement a suitable and sufficient strategy to deliver regulatory outcomes.

Our work plan for 2023-24 included national priorities set by the HSE, local priorities and an inspection programme to meet the expectations of this guidance. It should be noted that not all national priorities were undertaken, some did not apply to West Suffolk businesses.

Furthermore, the CEH team are members of the Suffolk Health and Safety Liaison Group that are involved in implementing local priority projects and peer reviewing health and safety activities between the Suffolk authorities. These local projects enable us to share and optimise resources, identify and share good practice and promote effective communications and sustainable productive partnerships.

Total time in hours for the 2022-2023 workplace transport project was 40 hours of visit time and administration and planning was around 25 hours. This project is still being delivered in terms of issues found on those visits and therefore is taking up significant officer time. The extra time after the initial project has been 45 hours with the enforcement work.

Considering the above the team will not be carrying out a proactive health and safety intervention project during 2024-2025

The team will be following up on national trends through undertaking health and safety hazard spotting during their programmed food hygiene inspections.

**Table 3. Intervention planning table 2024-25**

<b>Sector, premises type or specific cross sector activity</b>	<b>Evidence that identified the concern and set its priority</b>	<b>Planned intervention type</b>	<b>Rationale for intervention</b>	<b>Planned activity or resource</b>
<b>Proactive interventions</b>				
Electrical safety in hospitality settings	National priority	Inspection	LAC 67/2 Annex A	Compliance assessments during food hygiene inspections and education
Gas Safety in commercial catering premises	National priority and local intelligence	Inspection	LAC 67/2 Annex A Local intelligence	Compliance assessment during food hygiene inspections and education
<b>Partnership working</b>				

<b>Sector, premises type or specific cross sector activity</b>	<b>Evidence that identified the concern and set its priority</b>	<b>Planned intervention type</b>	<b>Rationale for intervention</b>	<b>Planned activity or resource</b>
<b>Proactive interventions</b>				
Participate in the Suffolk Health and Safety Liaison Group	Section 18 compliance and partnership working	Various	Joined up approach to safety initiatives within Suffolk	Represent WSC at the group
<b>Investigation of complaints</b>				
To respond to requests for service	Reactive referrals	Various	Advice, visits	
<b>Investigation of accidents</b>				
To review all accident notifications and investigate when meet the selection criteria	Reactive referrals	Various	Control immediate hazards, reduce the likelihood of recurrence	Accident investigation

## **Summary of priorities for 2024-2025**

- To make sure accident investigations are prioritised.
- To continue to monitor the resource provided to health and safety enforcement to make sure it is adequate to meet the demands of the service.

## **Conclusion**

This service plan has been agreed with the director of HR, Governance and Regulatory, following consultation with Cabinet Portfolio Holder. It will be formally adopted and approved by Cabinet in due course.

# Appendix - West Suffolk Council Business Plan 2023-24 for Environmental Health

Service manager: Andy Newman

<b>Action, objective or work package</b>	<b>Link to <a href="#">Strategic priorities</a></b>	<b>Funding</b> (service budget, grant funding and so on)	<b>Timing</b>	<b>Monitoring mechanism</b> For example service level indicators, personal development reviews (PDRs)	<b>Lead officer and portfolio holder(s)</b>	<b>Other services or partners involved,</b> including business partner support
<p><b>Food safety</b></p> <p>Service requests will be triaged in line with risk and low-level complaints will be investigated during the next inspection.</p>	<p><b>Statutory duty</b></p> <p>Growth in West Suffolk’s economy using reg and powers to protect public health</p>	<p>Service budget</p>	<p>Ongoing</p>	<p>personal development reviews (PDRs)</p>	<p>CEH Team Leader and Portfolio Holder</p>	<p>Transformation Team</p>
<p><b>Skin piercing</b></p> <p>Following fee changes work to change the system was carried out. Application process needs to be further reviewed due to GOV.UK forms ceasing to exist next year.</p> <p>Work with ICT will start to improve the application form and will tie in at phase 2 of Assure public facing as well as inspections process.</p>	<p><b>Growth in West Suffolk’s economy using reg and powers to protect public health</b></p>	<p>Service budget</p>	<p>Ongoing</p>	<p>Service level indicators</p>	<p>CEH Team Leader and Portfolio Holder</p>	<p>ICT Team</p>

<b>Action, objective or work package</b>	<b>Link to <a href="#">Strategic priorities</a></b>	<b>Funding</b> (service budget, grant funding and so on)	<b>Timing</b>	<b>Monitoring mechanism</b> For example service level indicators, personal development reviews (PDRs)	<b>Lead officer and portfolio holder(s)</b>	<b>Other services or partners involved,</b> including business partner support
<p><b>Animal licensing</b></p> <p>Support required to reduce high risk cases</p> <p>Streamlined process for customer, free up officer time</p>	Family and communities have healthy residents	Service budget	2024	Service level indicators, personal development reviews (PDRs)	CEH Team Leader and Portfolio Holder	IT Team