

Cabinet (Resources) Panel

15 June 2022

Report title	Food Service Plan	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Steve Evans City Environment and Climate Change	
Key decision	Yes	
In forward plan	Yes	
Wards affected	All Wards	
Accountable Director	John Roseblade, Director City Housing and Environment	
Originating service	Regulation	
Accountable employee	Emma Caddick Tel Email	Service Manager 01902 554320 emma.caddick@wolverhampton.gov.uk
Report to be/has been considered by	City Housing & Environment Leadership Team	7 June 2022
	Strategic Executive Board	9 June 2022

Recommendations for decision:

The Cabinet (Resources) Panel is recommended to:

1. Approve the draft 2022 Food Service Plan as summarised in Appendix 1.
2. Delegate authority to the Cabinet Member for City Environment and Climate Change, in consultation with the Head of Regulation Service, to approve the final version of the Food Service Plan.

Recommendations for noting:

The Cabinet (Resources) Panel is asked to note:

1. The requirement to prepare a Food Service Plan.
2. The Service's key achievements for the year 2021.

1.0 Purpose

- 1.1 To inform the Cabinet (Resources) Panel of the legal requirement to produce a Food Service Plan.
- 1.2 To present, for consideration and approval, the draft Food Service Plan for 2022.
- 1.3 To obtain authority for the Cabinet Member for City Environment and Climate Change, in consultation with the Head of the Regulation Service, to approve the final version of the plan.

2.0 Background

- 2.1 Service delivery plans are recognised by central government as important expressions of a local authority's commitment to the development of their various services. They serve as a quality framework against which a service may be audited and provide a focus on resourcing and delivering aims and objectives. They also establish mechanisms for managing performance.
- 2.2 In January 2001 the Food Standards Agency produced the Framework Agreement on Local Authority Food Law Enforcement. It included the requirement to prepare a Food Service Plan and prescribed in detail which areas of the service should be covered by the plan. This is the 20th City of Wolverhampton Council Food Service Plan.
- 2.3 The Food Service Plan provides a framework upon which a scrutinising body, such as the Food Standards Agency (FSA) can conduct an official audit. It also sets out, within an overall commitment to quality and continual improvement, the general aims and objectives of the service, the scope and levels of the service and the means by which it is delivered. To this end, it also contains a breakdown of the financial and staffing resources available to deliver the service.
- 2.4 The main elements of the plan are summarised in Appendix 1. A full copy of the draft Food Service Plan 2022 can be found in Appendix 2. A copy will be placed on the intranet when final approval is confirmed.
- 2.5 The plan describes how the service is discharged and details the numbers, types and priority ratings of the City's food premises, the frequencies of planned interventions, sampling programmes, reactive work, including responding to food complaints, food hazard warnings and investigating cases of infectious disease.
- 2.6 The Food Standards Agency have recognised the impact the Covid-19 pandemic has had on local authorities and has set out a recovery plan, which deviates from the traditional inspection regime. The expectation for 2022 is that local authorities will prioritise new businesses for intervention based on risk, that all establishments rated B, C and non-compliant D for hygiene should be inspected, and enforcement work should be undertaken where premises are of poor standards.

3.0 Key Achievements in 2021/2022

3.1 The Environmental Health Service has played an integral role in responding to the Covid-19 pandemic and maintaining the provision of the food service during the period. Officers from within the service have achieved a significant amount in 2021, some of the key achievements are:

- Exceeding the Food Standards Agency's 'Recovery Plan' for 2021/2022
- 575 Food hygiene interventions undertaken
- 520 Food standard interventions undertaken
- 1281 complaints relating to food hygiene and standards dealt with
- Established a new Primary Authority Partnership with Little Dessert Shop
- Implemented 'Natasha's Law' including provision of webinar for business and updated website advice
- 541 Covid-19 enquiries dealt with

4.0 Progress

- 4.1 The Food Service Plan is a Statutory Document and is required to be produced annually.
- 4.2 The overall resource provision required to deliver the requirements of the plan fall within the City Housing and Environment Portfolio. For this reason, the Cabinet Member for City Environment and Climate Change is the signatory of the approved plan.
- 4.3 The Service is committed to working towards the inspection and intervention regime prescribed by the Food Standards Agency. It is envisaged that the service will meet all of the requirements of the recovery plan programme this year and will be able to bring forward some visits from 2023/2024 to reduce the overdue inspection numbers. The focus will continue to be on the higher risk businesses detailed on the programme.

5.0 Evaluation of alternative options

- 5.1 Option 1 not produce the statutory service plan, which would be in breach of the requirement set out in the Framework Agreement on Local Authority Food Law Enforcement. The work undertaken by the Service would not be endorsed by members and would be in breach of the requirement set by the Food Standards Agency.
- 5.2 Option 2 produce the statutory service plan, which is set out in the Framework agreement on Local Authority Food Law Enforcement. The work of the Service would be endorsed by members and we would not be in breach of the requirement set out by the Food Standards Agency.

6.0 Reasons for decisions

- 6.1 The Food Service Plan is a Statutory document and is required to be produced annually. The plan sets out the priorities for the Service and is available for members of the public to view so that they are aware of what the authority is doing to help ensure that the food they eat is safe.

7.0 Financial implications

- 7.1 This will be delivered within the approved 2022/2023 revenue budget of £950,000 for the Regulation Service, which includes a budget of £653,070 for Environmental Health. This is monitored as part of the Council's routine quarterly monitoring.
- 7.2 It should be recognised that a wide range of other non-food related services are delivered within the £653,070 Environmental Health team budget which include health and safety, investigation and control of infectious disease and permitted industrial process regulation.
[SB/16052022/O]

8.0 Legal implications

- 8.1 Powers to enable the Food Standards Agency to monitor and audit local authorities' enforcement action are contained in the Food Standards Act 1999. This was the statutory basis for the development of the Framework Agreement that was initially established in 2001 and which has been subsequently amended. The requirement for local authorities to develop and maintain annual Food Service Plans is an important part of the process to ensure national priorities and standards are addressed and delivered locally.
[DA/17/05/2022/1]

9.0 Equalities implications

- 9.1 Implementation of the Food Service Plan will have no adverse equality implications as the same levels of advice and support are provided to all food business proprietors from all sections of the community.
- 9.2 Certain sectors of the food trade are predominantly owned by one or other ethnic groups. In order to ensure a consistent and proportionate approach, all decisions are based solely on considerations of risk, public safety, evidence and public interest. All enforcement policies reflect this approach.

10.0 All other implications

- 10.1 The report may have some indirect environmental implications in so far as it affects the working and commercial environment in Wolverhampton.
- 10.2 A number of food businesses operate from Council assets/properties. In some of these cases the Council will have duty holder responsibilities in ensuring the structure and facilities provided are compliant with food safety legislation. In these cases, the service is advised of its responsibilities by the visiting officer.
- 10.3 Implementation of the Food Service Plan and the subsequent inspection of food businesses within the City helps to ensure that food businesses comply with the law and produce food which is safe to eat. All of the work undertaken by the Service is aimed at securing the health and wellbeing of residents and visitors to the City.

11.0 Schedule of background papers

- 11.1 [Food Service Plan 2021](#) – Cabinet (Resources) Panel 7 July 2021.

12.0 Appendices

- 12.1 Appendix 1 – Summary: Food Service Plan 2022
- 12.2 Appendix 2 – Food Service Plan 2022