

NAME OF SCRUTINY COMMITTEE	COMMUNITIES
DATE OF MEETING	1 October 2014
TITLE	Food Standards Agency Focused Audit of Gwynedd Council's arrangements for enforcement of the Food Safety Act 1990: 6th and 7th March 2014 – Update Report.
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CABINET MEMBER	Cllr John Wyn Williams
PURPOSE	To update the Committee on progress made by the Public Protection Service in addressing the findings of the FSA Focussed Audit

Background

1. The Food Standards Agency carried out a Focused Audit of Gwynedd Council's arrangements for enforcement of the Food Safety Act 1990 on 6th and 7th March 2014.
2. The Audit focused on the following topics:
 - a. The implementation of the Recommendations of the Public Inquiry into the September 2005 Outbreak of E. coli O157 in South Wales, and
 - b. The Management of Interventions at New Food Businesses.
3. The Council has received a report giving the findings of the Audit. The report does not make comfortable reading for Gwynedd Council as a number of serious non-compliances were found.
4. An Action Plan to address the failings identified in the Audit Report has been prepared and submitted to the FSA on 9th May 2014. The Action Plan itemizes 13 areas where improvements are planned to address the recommendations.
5. There are several common threads running through the improvements planned:
 - Fundamental review of format and content of Procedure Notes and Forms
 - Review of internal monitoring procedures
 - Review adequacy of training and provide refresher training.
 - Ensure that all training records and details of qualifications are retained
 - Review of resources required to deliver Food Safety Service

6. A report was submitted to the Communities Scrutiny Committee on 4th July 2014. The Committee resolved as follows:

RESOLVED TO EXPRESS THE COMMITTEE'S REAL DISSAPPOINTMENT WITH THE REPORT AND TO REQUEST A REPORT BACK TO THE NEXT MEETING OF THE COMMITTEE ON THE ACTION PLAN AND PROGRESS MADE AND TO INVITE AN OFFICER FROM THE FOOD STANDARDS AGENCY TO ADVISE THE COMMITTEE ON THE EFFECTIVENESS OF THE ACTION PLAN.

Progress with addressing the shortcomings identified by the FSA

7. A Task and Finish Group consisting of four field officers from the Food Hygiene Team and led by a Public Protection Manager, who had previously had no involvement with the Food Hygiene, was set up to address the shortcomings listed in the Action Plan. This Group was given the following tasks:
 - a) Undertake a fundamental review of the format and content of all Food Procedure Notes.
 - b) Undertake a fundamental review of the format and content of Food Inspection Forms to be used by officers undertaking Food Hygiene inspections.
 - c) Undertake a fundamental review of all internal monitoring procedures and determine adequate levels of monitoring.
 - d) Provide detailed guidance and training to all Food Hygiene staff regarding any new Food Procedure Notes and Food Inspection forms.
 - e) Provide refresher training regarding recording breaches of legislation and the provisions of Code of Practice Annex 5 (Risk Assessments).
 - f) Review adequacy of training received by all staff delivering food hygiene official controls.

Details of the Tasks are given in Appendix 1.

8. At an early stage, the Task and Finish Group established contact with the Food Standards Agency (Wales) and Agency staff have been consulted in respect of the development of procedures and documents. On 15th August, the Auditor was invited to visit Gwynedd and to meet with the Task & Finish Group to review progress. She was accompanied by the FSA(Wales) Local Authority Delivery and Support Team Leader and both expressed satisfaction with progress made.
9. Work has continued throughout August and September and Tasks (a), (b) and (c) above are due to be completed by 26th September in respect of all but Approved Premises, which have special procedures. Revised Food Inspection Forms, which address the failings identified by the FSA Audit, have been trialled and have been redrafted in the light of feedback from field officers. Revised Monitoring Procedures have been simplified but are targeted on achieving the required outcomes.
10. The revised procedures and forms have been shared with the Food Hygiene Team staff and Task (d), formal training, will be rolled out during October.

11. Task (e), Refresher training regarding recording breaches of legislation and consistency training relating to the provisions of Code of Practice Annex 5 (Risk Assessments), was provided to Food Hygiene Team staff in July.
12. The shortcomings identified by the FSA Audit in the training records of two former employees cannot be rectified but it has been confirmed that the training, and records of that training, for all Food Hygiene enforcement staff currently employed by the Council complies with the requirements of the Food Law Code of Practice.

Conclusion

13. The Task & Finish Group has addressed the failings identified by the FSA Audit within a very tight schedule at a time when there are other pressures on them to perform their normal duties. Some of this pressure has been relieved by the temporary appointment of an experienced Environmental Health Officer who has been able to undertake inspection of premises which had been previously allocated to officers serving on the Group. Nevertheless, the members of the Group are to be congratulated on the completion of the Tasks given to them.
14. On conclusion of the work of the Task & Finish Group, responsibility for reviewing procedures and monitoring performance on an ongoing basis will revert to the Public Protection Manager (Food Hygiene).
15. The management structure within the Public Protection Service is currently under review but these responsibilities will continue to be a high priority for whoever the duties are assigned.

Appendix: Tasks assigned to the Task & Finish Group

1. Food Procedure Notes Undertake a fundamental review of the format and content of all Food Procedure Notes including
 - the identification and allocation for inspection of new businesses to ensure compliance with FLCoP,
 - an appropriate system for red-flagging issues of concern,
 - ensuring that all training records and qualifications are retained and are accessible for all staff, including staff that have left the authority.
2. Food Inspection Forms Undertake a fundamental review of the format and content of Food Inspection Forms to be used by officers undertaking Food Hygiene inspections. The new form to incorporate an appropriate system for red-flagging issues of concern. The need for red-flagging issues on hardcopy premises files and/or database also to be considered..
3. Internal Monitoring Procedures Undertake a fundamental review of all internal monitoring procedures and associated checklists, including those for the monitoring of
 1. interventions at New Businesses,
 2. Significant Breaches,
 3. escalating/ taking enforcement action where appropriate,
 4. the capture and recorded of Critical Control Points
 5. the verification of Risk Ratings,and determine adequate levels of monitoring so that inconsistencies and errors are detected and corrected and that active feedback is given to officers.
4. Training Provide detailed guidance and training to all Food Hygiene staff regarding any new Food Procedure Notes and the use and completion of new Food Inspection forms.
5. Refresher Training Provide refresher training regarding recording breaches of legislation as 'Significant Breaches' to officers and the provisions of Code of Practice Annex 5 (Risk Assessments).
6. Review adequacy of training Review adequacy of training received by all staff delivering food hygiene official controls.