

| | |
|---------------------------|---|
| Scrutiny Committee | COMMUNITIES SCRUTINY COMMITTEE |
| Date of Meeting | 10th of OCTOBER 2017 |
| Title | Food Standards Agency Audit of Gwynedd Council's Food Law Enforcement Services, 22nd -26th of February 2016. |
| Author | DAFYDD WILLIAMS, HEAD OF THE ENVIRONMENT DEPARTMENT |
| Cabinet Member | COUNCILLOR DAFYDD MEURIG |
| Purpose | To inform the committee of the progress made to meet the recommendations listed in the improvement plan published following the audit of the Wellbeing unit. |

1. BACKGROUND

- 1.1 The Food Standards Agency (FSA) carry out a programme of planned audits of the provision of food law enforcement services by Local Authorities in Wales on a 3 yearly cycle. The audit focus on all aspects of service provision.
- 1.2 On occasion the FSA will also undertake a focused audit of food law enforcement by a Local Authority. The last focused audit of Gwynedd Council occurred on the 6th and 7th of March 2014.
- 1.3 The Service's efforts to meet the recommendations of the focused audit was subject to scrutiny by the Communities Committee on the 1/10/14 and 21/5/15.
- 1.4 The FSA completed a full audit of Gwynedd Council's food law enforcement services over five days from the 22nd of February to the 26th of February last year (2016).
- 1.5 The purpose of the audit was to assess the Council's conformance against the feed and food law enforcement standard. The standard was published by the Agency as part of the framework agreement on official food and feed controls by local authorities (2010).
- 1.6 In the full audit three FSA officers attended the Council Office at Dolgellau for 5 days and scrutinised records, interviewed officers and attended inspections of food businesses.

1.7 The ASB's final report following the full audit (22/2-26/2/16) was received on the 14/2/17. The report contained 34 recommendations for the Council to meet and one recognition of good practice. A copy of the report is attached.

1.8 As part of the process the Service provided a plan detailing how the we were to address the 34 recommendations. A current version of the plan is also attached to this report as Appendix 1.

2. THE FOOD STANDARDS AGENCY REPORT ON GWYNEDD COUNCIL'S FOOD LAW ENFORCEMENT SERVICES, 22-16/2/16.

2.1 The FSA's report identifies service failings in the following areas.

- i) The Annual Service Plan
- ii) Officer Authorisations
- iii) The number of officers available to undertake food law enforcement work
- iv) Logging and keeping records
- v) Undertaking interventions in line with current guidance with particular reference to the number and frequency.
- vi) Resources and service performance issues
- vii) Contact / communications under the primary authority scheme
- viii) Procedures
- ix) Enforcement Policy

2.2 Following receipt of the draft audit report a plan was finalised which addressed the failings / recommendations listed.

2.3 The Service has met 21 of the recommendations to date.

2.4 Work to meet the outstanding 13 recommendations continues. Complying with 5 of these recommendations will only be possible with the allocation of further resources to the Service.

2.5 With reference to the attached action plan in Appendix 2, the five recommendations are listed under points 5.10 (iii), 7.26 (i) 7.26 (ii), 7.46 (i) a 7.46 (ii).

2.6 The five recommendations involve ensuring that the service has sufficient resource in terms of the number of authorised officers, that interventions in food businesses are undertaken within a specified timescale and in accordance with the requirements of the food law code.

- 2.7 With the resource available it is not possible to undertake a percentage of interventions within the time specified and also some interventions may not comply in full with the code requirements. This will result in some businesses not receiving an inspection for a considerable period of time. Potentially, such businesses may be operating illegally and posing a risk to the health of customers.
- 2.8 Gwynedd Council is not meeting its obligations in full under the framework agreement. Where the Welsh Government deems such failures to be serious it has the power to intervene in the management of the service.
- 2.9 It is expected that we will have met the majority of the work listed in the improvement plan by the 1/12/17.

3. CONCLUSION

- 3.1 Following the Food Standards Agency's full audit of the Council's food law enforcement services in February 2016 an effort was made to remedy failings that were identified at the time.
- 3.2 In February of this year the Agency published the finalised audit report and the improvement plan.
- 3.3 We have since met the majority of the recommendations but work to achieve some of them remains ongoing.
- 3.4 The FSA will be revisiting the Authority to assess compliance with the improvement plan. The date for the revisit has not as yet been set.