

**Portfolio Holder for Environment and Sustainability**

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County Hall  
Llandrindod Wells  
Powys  
LD1 5LG

4 November 2016

For further information please contact

**Stephen Boyd**

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**NOTICE OF INTENDED PORTFOLIO HOLDER DELEGATED  
DECISION**

The Portfolio Holder has received the following report for a decision to be taken under delegated authority. The decision will be taken on **10 November 2016** (i.e. 3 clear days after the date of this note). The decision will be published on the Council's website but will not be implemented until 5 clear days after the date of publication of the decision) to comply with the call-in process set out in Rule 7.37 of the Constitution.

<b>1.</b>	<b>FOOD AND HEALTH AND SAFETY PLANS</b>
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**CYNGOR SIR POWYS COUNTY COUNCIL.**  
**PORTFOLIO HOLDER DELEGATED DECISION**  
**by**  
**COUNTY COUNCILLOR W JOHN T POWELL**  
**PORTFOLIO HOLDER FOR ENVIRONMENT AND SUSTAINABILITY**

**November 2016**

**REPORT AUTHOR: Professional Lead – Environmental Health - Commercial**

**SUBJECT: Food and Health and Safety Plans**

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**REPORT FOR: Decision**

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## **1 Summary**

1.1 Approval is sought for two operational plans, the Food Plan (Appendix A) and the Health and Safety Plan (Appendix B).

### **1.2 Food Plan**

The Framework Agreement on Official Feed and Food Controls by Local Authorities provides the Food Standards Agency with a mechanism for implementing its powers under the Food Standards Act to influence and oversee local authority enforcement activity.

The Agreement applies to local enforcement of all feed and food laws, and incorporates the latest guidance and standards on feed and food law enforcement.

The Agreement requires for publicly available local service plans to be produced covering specific areas as detailed within the framework agreement to increase transparency of local enforcement services.

The attached food plan (Appendix A) has therefore been produced in line with the standards as laid out within the framework agreement.

### **1.3 Health and Safety Plan**

The Health and Safety Executive (HSE) has issued guidance to Local Authorities under Section 18 of the Health and Safety at Work etc. Act 1974 (HASWA). Under this Act, Local Authorities are required to make adequate arrangements for the enforcement of health and safety in their areas.

Every Enforcing Authority is required to set out its priorities and plan of interventions for the current year which should take into account, national & regional priorities, targets and plans, locally derived objectives and relevant guidance and policies.

The attached health and safety plan (Appendix B) has been produced to comply with these requirements

## **2 Proposal**

2.1 It is a requirement of both plans that they be approved at the appropriate member level. This report attaches the two plans for their consideration and approval.

## **3 One Powys Plan**

3.1 Food Safety and Health and Safety contribute in a cross cutting manner to various aspects of the One Powys Plan and these plans will serve to build on this.

## **4 Options Considered/Available**

4.1 These Plans set out the way in which food and health and safety enforcement work is carried out in the County of Powys by the Environmental Health and Trading Standards services of the Authority in 2016/17. The Plans aim to ensure that national and local priorities and standards are addressed.

## **5 Preferred Choice and Reasons**

5.1 The proposals outlined in both plans are designed to be delivered within existing budgets and ensure compliance with our statutory requirements. It is therefore recommended that both the Food Plan and the Health and Safety Plan for 2016-2017 be approved.

## **6 Sustainability and Environmental Issues/Equalities/Crime and Disorder,/Welsh Language/Other Policies etc**

6.1 The proposal does not have any impact on any of the above.

## **7 Children and Young People's Impact Statement - Safeguarding and Wellbeing**

- 7.1 The proposal does not have any impact, other than a positive one in the context of securing the safety of protection of children and young people.

## **8 Local Member(s)**

- 8.1 The proposal will apply with equal force across the whole County.

## **9 Other Front Line Services**

- 9.1 The proposal has no implication on other front line services.

## **9 Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)**

- 9.1 Legal - the Professional Lead –Legal recognises that this report follows both the aims duties and guidance under the Health and Safety at Work etc. legislation that this authority is required to follow and will be supported by Legal Services in its operation
- 9.2 Finance – The Finance Business Partner Place notes the contents of the report.

## **10 Local Service Board/Partnerships/Stakeholders etc**

- 10.1 This report has no implications in respect of the above.

## **11 Corporate Communications**

- 11.1 Communication Comment: No proactive communications action required.

## **12 Statutory Officers**

- 12.1 The Strategic Director Resources (S151 Officer) has commented as follows: The Strategic Director Resources (S151 Officer) notes the comments made by finance

12.2 The Solicitor to the Council (Monitoring Officer) has commented as follows: "I note the legal comment and have nothing to add to the report."

### 13 Members' Interests

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If the Portfolio Holder has an interest he should declare, complete the relevant notification form and refer the matter to Cabinet for decision.

Recommendation:	Reason for Recommendation:
<p>That the Food Plan in Appendix A to the report and the Health and Safety Plan for 2016-2017 in Appendix B to the report be approved.</p>	<p>These Plans set out the way in which food and feeding stuffs and health and safety enforcement work is carried out in the County of Powys by the Environmental Health and Trading Standards services of the Authority in 2016/17. The Plans aim to ensure that national and local priorities and standards are addressed.</p>

Relevant Policy (ies):			
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	All Members
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Person(s) To Implement Decision:	Professional Leads for Environmental Health Commercial and Trading Standards
Date By When Decision To Be Implemented:	Immediate

Contact Officer Name:	Tel:	Fax:	Email:
Beverley Cadwallader	01938 551222		bevcad@powys.gov.uk

#### Background Papers used to prepare Report:

Food Standards Agency Framework Agreement - FSA  
<http://www.food.gov.uk/enforcement/enforcework/frameagree/>

s18 Standard – Health & Safety Executive - HSE



# **ENVIRONMENTAL HEALTH AND TRADING STANDARDS**

## **FOOD SERVICE PLAN**

**2016/17**

**Powys County Council  
County Hall  
Llandrindod Wells  
Powys  
LD1 5LG**

# ENVIRONMENTAL HEALTH AND TRADING STANDARDS FOOD SERVICE PLAN 2016/17

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## EXECUTIVE SUMMARY

This Service Plan sets out the way in which food hygiene and food standards enforcement will be carried out in the County of Powys by the Environmental Health and Trading Standards services of the Authority in 2016/17. The Plan aims to ensure that national and local priorities and standards are addressed.

There are 2,916 food premises in Powys, ranging from major manufacturing businesses to small corner shops. There are also an estimated 6,000 premises that may be subject to food hygiene and food hygiene at primary production controls, ranging from large livestock and arable farms to small scale producers of fruit and vegetables.

The Service Plan is produced on an annual basis and is effective from 1<sup>st</sup> April 2016. The Plan is published widely and is available on the Authority's website. Copies are also available from each area office. Comments on the Plan are invited throughout the year, and these are taken into account when the following year's Plan is produced. The Plan is approved by the Authority prior to publication.

## INTRODUCTION

The Food Standards Agency (FSA) Framework Agreement<sup>1</sup> gives guidance to local authorities on how their Food Service Plan should be structured and what it should contain. Service plans developed under these arrangements will provide the basis on which local authorities will be monitored and audited by the Food Standards Agency.

Service plans are seen to be an important part of the process to ensure national priorities and standards are addressed and delivered locally. Service plans will also:

- focus debate on key delivery issues;
- provide an essential link with financial planning;
- set objectives for the future, and identify major issues that cross service boundaries;
- take into account potential regional structures and changes to plans for the delivery of Trading Standards Services and
- provide a means of managing performance and making performance comparisons.

A Food Service Plan template is provided by the FSA to ensure that all the areas of the food enforcement service are included in the plan whilst allowing scope for the inclusion of any locally defined objectives. The template will ensure that local authorities will include in their service plans:

- information about the services they provide;
- the means by which they will provide those services, including the various requirements of the Standard;
- the means by which they will meet any relevant performance targets or performance standards;
- a review of performance in order to address any variance from meeting the requirements of the service plan.

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<sup>1</sup> Framework Agreement [www.food.gov.uk/enforcement/enforcework/frameagree/](http://www.food.gov.uk/enforcement/enforcework/frameagree/)

# **1. SERVICE AIMS AND OBJECTIVES**

## **1.1 AIMS AND OBJECTIVES**

### **1.1.1 Aims**

Local Authorities have a statutory duty to enforce food law as part of the UK's national "Official Controls" overseen and audited by the Food Standards Agency. Local Authorities must produce a plan setting out how they will deliver that function. This document discharges that duty for Powys County Council and has been written in accordance with The Food Standards Agency's Framework Agreement, which is based on statutory Codes of Practice. The service aims to ensure that food (including drink) intended for supply for human consumption that is produced, stored, distributed, handled or consumed in Powys is accurately labelled, compositionally satisfactory and without risk to the health or safety of the consumer.

### **1.1.2 Objectives**

In producing this plan, Powys County Council has included a range of strategies, activities and interventions to discharge its statutory duties and to support the achievement of the Council's wider strategic objectives and relevant National Enforcement Priorities. We seek to balance a risk-based, proactive inspection programme (and, where necessary, proportionate enforcement action) with tailored advice and support for local businesses to help them comply. We compliment this by providing information to the general public to enable them to make informed choices about the food they consume. To aid us in this we will:-

- Maintain an accurate and current record of all food premises.
- Conduct a co-ordinated sampling programme of food supplied or produced in Powys.
- Conduct a planned risk based inspection programme of local businesses.
- Deal with complaints about food in a consistent and co-ordinated manner.
- Provide timely and informative advice to local food businesses.
- Investigate and control outbreaks and food related infectious diseases.
- Respond to food safety incidents in relation to the food hazard warning system.

## **1.2 LINKS TO CORPORATE OBJECTIVES AND PLANS**

1.2.1 The Food Service Plan links to the key outcomes detailed in the One Powys Plan.

## **1.3 LINKS TO FOOD STANDARDS AGENCY (Wales) PRIORITIES**

### **1.3.1 Food**

Following the problems relating to the presence of horsemeat in beef products the FSA have focussed this year's priority area as the speciation of meat and fish products. Other areas may emerge from the FSA `emerging risks` team.

## 2. BACKGROUND

### 2.1 PROFILE OF THE AUTHORITY

#### 2.1.1 Population and area

Powys is a rural area covering a quarter of the land mass of Wales.

Population:	132,705
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Area (hectares):	519,700
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#### 2.1.2 Administration

The Authority's headquarters is located in County Hall, Llandrindod Wells. Service delivery points are located around the County.

### 2.2 ORGANISATIONAL STRUCTURE

2.2.1 Environmental Health and Trading Standards is part of the Place Directorate, reporting through Professional Lead Officers to the Regulatory Services Manager; the Head of Regeneration, Property and Commissioning and to the Director of Place.

2.2.2 Section 13 of The Council's Constitution sets out the responsibility for functions. The Leader's Scheme of Delegation of Executive Functions sets out the responsibilities of the eight Cabinet Members and is covered in Section 13.

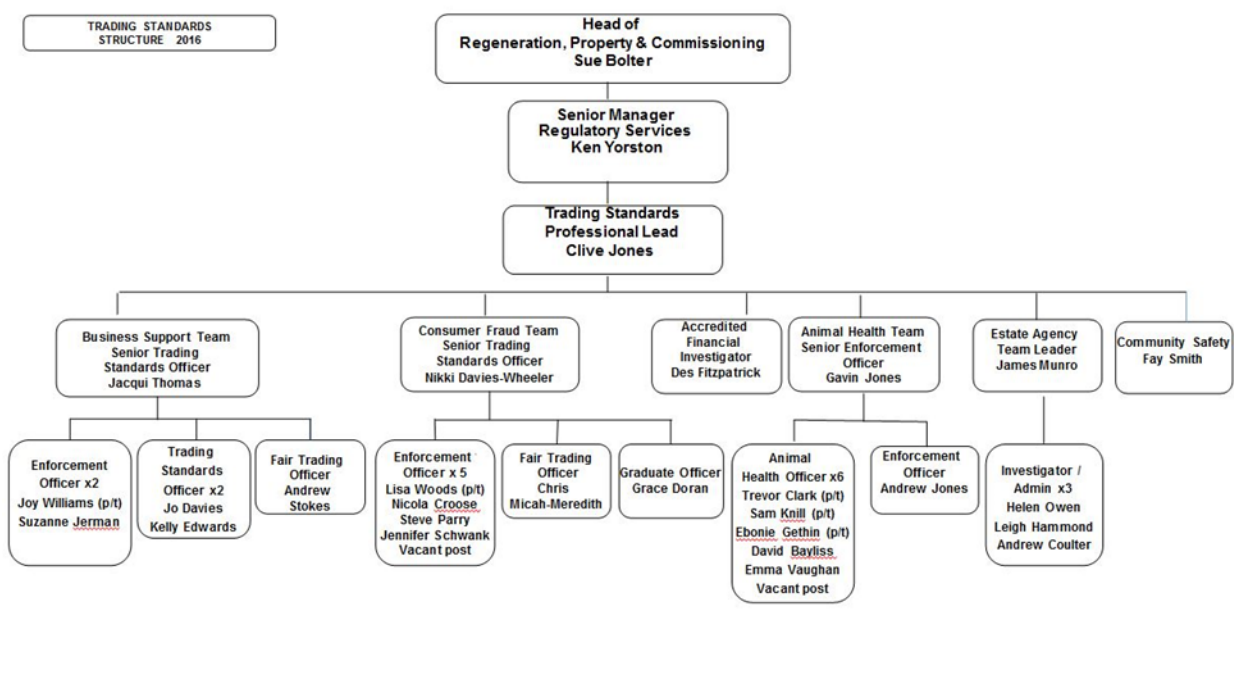
County Councillor John Powell is responsible for Food Official Controls exercised through The Group Director Place and The Service Director Regeneration, Property and Commissioning. Cllr Powell is the Portfolio Holder for Environment and Sustainability, his full portfolio is as follows:

- County Farms Estate
- Waste Management
- Refuse Collection
- Environmental Health
- Trading Standards
- Emergency Planning
- Community Safety
- Woodland Management
- Landscape Design
- Countryside Services (Countryside Rights of Way, Maintenance, Open Access, Biodiversity, Coed Cymru, Commons Registration, National Trails).
- Sustainability
- Climate Change & Sustainable Development
- Sustainability, Green Dragon and Carbon Management
- Sustainability Strategy
- Central Wales In Collaboration
- Human Resources
- Human Resources Strategy, Advice and Policy Development

- Organisational Development (Equalities, Training, Pay and Policy)
- Occupational Health and Safety
- Powys Training
- Corporate Policy
- Equalities

2.2.4 The Food Service is located within the Place Directorate and is delivered and is delivered by the Environmental Health Commercial Food Team (dealing with food hygiene and infectious disease control) and the Trading Standards Business Support Team (dealing with food standards and food hygiene at primary production).

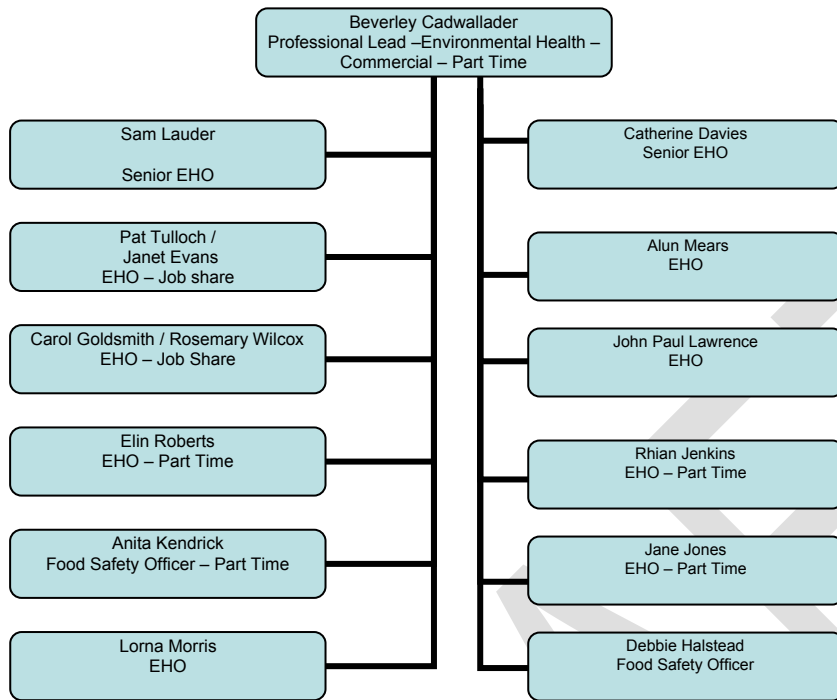
### 2.2.5 Trading Standards staff structure



Business Support: 1.6 FTE Enforcement Officers

Consumer Fraud: 3.8 FTE Enforcement Officers

## 2.2.6 Environmental Health staff structure



## 2.2.7 Analytical Arrangements

Due to the large geographical area of the County a selection of Analysts have been appointed as follows:

### Public Analysts

Mr J Robinson, Mrs S Brookes and  
Mr Alastair Low  
Minton, Treharne and Davies Ltd  
Unit 5, Llwyn-yr-Eos  
Cross Hands  
LLANELLI  
SA14 6RA

Ron Ennion, Gary Burton,  
Jeremy Wootten and  
Duncan Arthur  
Eurofins Ltd.  
Consulting Chemists and  
Microbiologists,  
Woodthorne,  
Wergs Road,  
Wolverhampton,  
WV6 8TQ

## Public Health Laboratory Service

Food Water & Environmental Services Public Health England Food, Water & Environmental Microbiology Laboratory, Birmingham	Food Water & Environmental Services, Public Health Wales, Llandough Hospital, Penlan Road, Penarth CF64 2XX
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### 2.3 SCOPE OF THE FOOD SERVICE

#### 2.3.1 Inspections and Joint Working Arrangements

The Environmental Health and Trading Standards services share their responsibilities for food enforcement in line with the Food Law Code of Practice and accompanying guidance<sup>2</sup>. The managers of these two teams work closely together in order to facilitate cohesive, joint working between the two teams and outside bodies. When required, they will liaise with the Food Standards Agency and other regulatory bodies to co-ordinate any responses required.

#### 2.3.2 Environmental Health

The Service holds responsibility for food hygiene inspections and complaints, microbiological food sampling, food safety promotional work, food poisoning investigations and management and handling of food hazard warnings. Other services delivered alongside the food hygiene service include some health and safety and very occasionally licensing inspections.

#### 2.3.3 Trading Standards

The Service holds responsibility for food standards inspections and complaints, food hygiene at primary production premises, food sampling for compositional and labelling requirements and chemical contamination, and food standards promotional work. Other services for which Trading Standards are responsible include licensing and registration of fireworks/explosives/petroleum, animal health and welfare, fair trading, intellectual property crime, rogue traders, consumer fraud prices, descriptions, product safety, consumer credit and weights and measures.

#### 2.3.4 Contractors

External contractors are occasionally employed by the Environmental Health Service to carry out some food hygiene inspections. Analytical and testing functions are carried out by external Public Analyst and testing laboratories.

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<sup>2</sup> Food Law Code of Practice Wales & Food Law Practice Guidance Wales  
[www.food.gov.uk/enforcement/enforcework/foodlawcop/codepracticewales/](http://www.food.gov.uk/enforcement/enforcework/foodlawcop/codepracticewales/)

## 2.4 DEMANDS ON THE FOOD SERVICE

### 2.4.1 Premises Profile

The demands on the food service vary from year to year as premises open and close. Interventions are chosen and programmed at a frequency dependent upon the risk that they pose to food safety and food standards. A breakdown of the establishment profiles that are located within Powys, subject to food safety and/or food standards regulation (as at 1<sup>st</sup> April 2016) is provided below.

Type of Premises	Number of Premises
Primary Producer	124
Manufacturer / Packer	91
Importer / Exporter	1
Distributer/Transporter	61
Retailers	520
Restaurants	2119
<b>Total number of premises</b>	<b>2916</b>

There are 2916 food premises in Powys, of which 2,428 are registered food premises.

### 2.4.2 Approved Premises

The breakdown above includes approved premises under product specific regulations of which there are currently the following number:

<b>TYPE OF PREMISE</b>	<b>TOTAL</b>
Minced Meat Products	2
Meat Products	4
Milk Products	0
Fishery products	0
Egg Products	7

There are also a total of 4 water-bottling plants within the County which require specific application of legislation.



The Authority has a high turnover of businesses, for example in 2015/16, 125 premises closed for Food Hygiene and 151 closed for Trading Standards. 227 new businesses were added to the database for Food Hygiene/Food Standards and a significant proportion was found to have changed hands on inspection. This results in a high turnover of catering staff with varying food safety/food standards knowledge and experience. Last year 2015/16, 225 new businesses were inspected and risk rated for Food Hygiene and 134 for Trading Standards.

#### 2.4.3 Environmental Health (Food Hygiene) premises profile by risk rating

Category	Minimum Inspection Frequency	No. of premises
A	At least every 6 months	16
B	At least every 12 months	100
C	At least every 18 months	532
D	At least every 2 years	244
E	Alternative enforcement strategy	1022

#### 2.4.4 Trading Standards (Food Standards) premises profile by risk rating

RISK	Inspection Frequency	NO. OF PREMISES
A	At least every 12 months	44
B	At least every 2 years	929
C	At least every 5 years	1000

#### 2.4.5 Service Delivery Points

Service is delivered from a number of locations throughout the County as detailed below. Normal office hours are 8.30am - 4.45pm Monday to Thursday and 8.30am - 4.15pm Friday. The Authority operates a 24-hour 'Careline' – 0845 0544874 and a separate manned emergency service is operated out of normal office hours.

#### Trading Standards

The service has a delivery point in the following areas:

The Gwalia Ithon Road Llandrindod Wells Powys LD1 6AA 01597 826032	The Park Newtown Powys SY16 2NZ 01686 617524	Neuadd Brycheiniog Cambrian Way Brecon Powys LD3 7HR 01874 623420
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On 8<sup>th</sup> July 2014 the Trading Standards Service was restructured, the functions in respect of food standards were transferred to the Business Support Unit; work on illicit food products is to be dealt with by the Consumer Fraud Team.

## Environmental Health

The service has a delivery point in the following areas:-

The Gwalia Ithon Road Llandrindod Wells Powys LD1 6AA	Neuadd Maldwyn Severn Road Welshpool Powys SY21 7AS	Neuadd Brycheiniog Cambrian Way Brecon Powys LD3 7HR
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Service delivery points are also located throughout the County in the majority of outlying towns.

In addition to the hours indicated above, officers conduct unannounced visits and investigations at other hours than those listed above.

### 2.4.6 External factors which impact on the service / Food Fraud

A seasonal activity that impacts considerably on the food service is the Royal Welsh Agricultural Show, which is held annually at Llanelwedd, near Builth Wells. As one of the largest agricultural shows in Europe with more than 200,000 visitors it demands a lot of proactive work prior to and a considerable amount of enforcement and reactive work during the week-long show. Routine work during this period is curtailed and officers' attentions centred on the event. The showground is also used during the year for many other special events.

Other major annual events impacting on routine work are the Brecon Jazz Festival and the Hay on Wye Literature Festival.

Trading Standards are increasingly moving to an intelligence based model of delivering public services (Intelligence operating model) in line with national guidelines laid down by the National Trading Standards Board and under the Welsh Head of Trading Standards control strategy. Intelligence is received on matters such as illicit products (alcohol for example) supplied from numerous sources coming into the County including the threat of travelling criminality which provide a threat to Powys consumers and legitimate traders. Intelligence is shared through a Memex intelligence system maintained by Trading Standards and the FSA Intelligence system. Threats can also exist at markets, car boots, and fairs and the service has to adopt an intelligence based risk analysis approach to target reactive food related criminality which may pose a threat to Powys consumers and legitimate Powys traders. We will also assess problem areas from previous years and use these, with emerging threats to constantly review our priorities and amend our plans accordingly. We call this process 'horizon scanning'.

Powys is a target for groups involved in the illegal slaughter and supply of meat. A substantial amount of officer time has been taken up investigating these activities. Officers are also actively involved in partnership work with the Police and the Food Fraud Co-ordination Unit in relation to these and other issues.

We are not able to quantify with certainty the number of businesses whose owners' first language is not English. We communicate effectively with most using friends or family members to translate where necessary and using "Safer Food Better Business" available in many different languages. Where necessary we use the translators from the Welsh Interpretation and Translation Services. It is estimated that less than 1% of all food premises have owners whose first language is not English.

We have no direct importers of food. However, we have several businesses, which supply imported foods and they are included in our programmed inspections

## **2.5 LINKS WITH POWYS COUNCIL PLANS/ ENFORCEMENT POLICY**

2.5.1 The Powys County Council One Powys Plan 2014 -17, is a programme of change to create a better future. Our strong vision is "Strong Communities in the Green Heart of Wales". The council's key priorities:-

- Remodelling council services to respond to reduced funding
- Supporting people within the community to live fulfilled lives
- Developing the economy
- Improving learner outcomes for all, minimising disadvantage

2.5.2 To achieve this, the Council will support, direct and enhance its services to and with our local communities, working closely with our partners. We will encourage people to comply with the law in the interests of our wider communities. When this is undermined, and the Council has legal powers to protect our communities from harm, we will use them. The use of these legal powers is enforcement, and this ranges from serving notices requiring people to carry out certain actions, to prosecution which could result in fines, imprisonment, and being prohibited from carrying out certain activities.

2.5.3 The Enforcement Policy sets out the Council's approach to enforcement of its legal powers. It is intended to establish a uniform approach to enforcement throughout the Council, without placing too onerous a burden on local businesses, organisations, consumers, and the public. The policy has been developed with the Enforcement Concordat's principles of good enforcement as its foundation as well as the principles of the Regulators' Code. Trading Standards and Environmental Health enforcement officers receive ongoing training on RIPA, PACE and any other evidential enactments to support the enforcement competencies and development of officers.

### **3. SERVICE DELIVERY**

#### **3.1 FOOD INSPECTIONS**

- 3.1.1 Powys County Council will undertake food hygiene and food standards interventions as specified in the Food Law Code of Practice (Wales). The frequency of the inspections will depend upon the risk rating of the premises. The purpose of these interventions is to ensure that legal requirements are being met. Where they are not being met, appropriate enforcement action will be undertaken in accordance with the Authority's Enforcement Policy.
- 3.1.2 We aim to bid for any external funding that may become available throughout the year. The Food Standards Agency have, in previous years, invited local authorities to bid for grant funding to undertake targeted intervention activity in relation to food safety management systems and sampling. We intend to submit bids for such funding during 2016/17. This work will be carried out by existing members of the food safety and trading standards teams in addition to their existing workloads.
- 3.1.3 Local Performance Indicator targets exist in relation to Food Hygiene and Trading Standards (including Food Standards) and are; The proportion of high risk inspections of food premises that are completed, target set at 100%. Percentage of new businesses identified during the year which are subject to an inspection, target set at 95% for Food Hygiene and 55% for Food Standards.
- 3.1.4 We will investigate instances of food fraud as they arise in conjunction with partner organisations. Food fraud is committed when food is deliberately placed on the market, for financial gain, with the intention of deceiving the consumer. The Authority takes the issue of food fraud very seriously and when it does occur has a responsibility to protect the consumer. Incidents where there are concerns about the actual or suspected threat to the safety or quality of food that could require intervention to protect consumers' interests will be investigated.
- 3.1.5 Our routine food hygiene and food standards inspections/interventions and complaint investigation work will take account of importers and other businesses handling imported food and imported food related issues. Steps will be taken to assess the legality of imported food from non-EU countries and effective action taken on non-compliance in order to protect public health. We will aim to identify businesses importing food into Powys, prioritising those imported from outside the EU. Risk based, systematic and proportionate checks on imported food will be carried out at a frequency that prioritises and reflects the risks presented by individual food businesses. We will pro-actively undertake food sampling at businesses that have been identified as either importing food directly or displaying for sale food which has been imported.

### 3.1.6 Trading Standards

#### Food Standards

The primary aim of food standards inspections is to ensure that the legal requirements are met covering:

- the quality, composition, labelling, presentation and advertising of food, and
- materials or articles in contact with food
- traceability, origin of food and claims concerning nutrition and health benefits.

3.1.7 All qualified food officers are appropriately trained and competent to fulfil their duties in accordance with the requirements of the Food Law Code of Practice and possess the appropriate expertise to enable competent inspection of any specialised processes with the Authority.

3.1.8 Annual targets are set for officers to carry out inspections to high, medium and low risk premises. These are agreed and reviewed at regular Individual Performance Review and Business Support Team meetings. The Business Support Activity Matrix is documented in the 'Shared Area' on service computer systems and this provides continuous monitoring of the current position in respect of food standards interventions. Overall targets are placed in the Trading Standards Service Delivery Plan<sup>3</sup> for the forthcoming year. This Plan is approved by the Director and then by Members of the Authority.

The number of food standards interventions due for 2016/17 is as follows:-

Risk Category	A	B	C	Total
No. of inspections	39(5)	93(169)	62(59)	199 (228)*

*\*This figure includes the outstanding A - rated premises.*

*The figures in brackets are the numbers of overdue visits for 2015/16.*

The application of the Annex V Risk Rating Scheme from the Food Safety Act statutory Code of Practice, has not yet resulted in the correct frequency of interventions being generated through the Northgate M3 Crystal reporting process. This will be addressed over time. All of the A rated premises will receive a visit in 2016/17; the 93 'due' B rated premises will be visited and the 62 C rated premises will be reviewed to ensure that they have been correctly risk rated and visited where appropriate. Where resources permit the 169 'outstanding' B rated premises from 2015/16 will receive a visit and a plan will be devised for this. The new business process will identify additional B rated premises; this is due to the nature of the activities being undertaken. This figure is not included in the above table; 227 new businesses were identified in 2015/16; the majority of these being B rated.

### 3.1.9 Revisits

It is estimated that around 40 revisits will be carried out to food premises in 2016/17, based upon a figure of 38 revisits carried out in 2015/16.

<sup>3</sup> available from [www.powys.gov.uk/tradingstandards](http://www.powys.gov.uk/tradingstandards)

### 3.1.10 Food Hygiene at primary production

The Food Standards Agency has hypothecated funding for the delivery of Feed Hygiene in 2015/16 to a predetermined programme; the delivery of food hygiene at primary production has been incorporated into the visit but is not currently funded under this programme and is retained within the Revenue Support Grant.

### 3.1.11 Environmental Health

The primary aim of all food safety interventions shall be to:-

- Identify potential hazards and assess their risks to public health arising from activities within the food business;
- Assess the effectiveness of management control to achieve safe food;
- Identify specific contraventions of food hygiene law.

3.1.12 The service will ensure that interventions are carried out in accordance with the Food Safety Act Code of Practice. The Inspection Rating System will be used to determine the frequency of programmed interventions within a range of 6 months to 3 years. Programmed inspections alone shall be used for the purpose of determining the frequency of further programmed interventions.

The probable number of premises to be targeted for inspection for 2016/17 are as follows:-

Risk Category	A	B	C	D	Total
No. of inspections due in 2016/17	32	100	532	244	908
No. of inspections overdue from 14/15	0	0	0	0	0

The number of food hygiene inspections to be carried out by the food hygiene service in total during 2016/17 is therefore 908.

3.1.13 Premises rated as Category E no longer need to be subject to primary inspection but must be subject to an alternative enforcement strategy not less than once in any 3 year period. It is therefore intended to target those premises by newsletter where they do not receive any visit to verify that there have been no significant changes within the business. A proportion will also be verified via spot checks. Other triggers for inspections of such premises would be consumer complaints, new proprietors identified via planning/licensing, or where other inspectors trigger an inspection (such as Health and Safety or Licensing Officers). Other intelligence-based projects may also be adopted during the year based on sampling results or new regulations or guidance. This year it is hoped that the majority (target figure 75%) of these premises will be targeted via this means as the service is setting up an email database of all food businesses by which regular communication will be possible with the trade.

3.1.14 In addition to the programme of inspections it is anticipated that approximately 750 revisits will be required in 2016/17 based on figures of 626 for 2015/16, 723 for 2014/15 and 782 for 2013/14. Furthermore last year 227 new businesses started up so it is estimated that this year a similar number will be requiring start up visits.

3.1.15 To ensure adequate expertise is available to enable competent inspections of specialised processes, officers are generally given a specialism in a product specific field, e.g. milk products, meat products, etc. and concentrate on the development of consistent and thorough inspections in these specific fields of food safety. These officers are then identified for appropriate training available in these fields.

3.1.16 Furthermore should a situation arise where expertise was not available in-house this would either be achieved by the necessary training or by identifying and bringing in the necessary expertise.

3.1.17 Officers will carry out inspections of those businesses open outside office hours as required.

## 3.2 FOOD COMPLAINTS

### 3.2.1 Trading Standards

The service is responsible for dealing with complaints about the labelling and composition of food. Complaints are dealt with in accordance with documented procedures which require a response within two working days of receipt.

COMPLAINTS RECEIVED	
Food Standards	
2011/12	4
2012/13	24
2013/14	15
2014/15	10
2015/16	27
2016/17 (Estimated)	40

Of the food complaints received in 2015/16 investigations resulted in 1 sample being sent for analysis.

It is estimated that 3 food complaint samples will be submitted for analysis in 2016/17. This will require the following resources:

- Food complaints (3 samples analysed):

Analyst fees (3 x £100) = £300  
Officer time (6 days) + expenses = £1800  
Total = £2100

### 3.2.2 Environmental Health

The service is responsible for investigating complaints of contamination of food by micro-organisms or toxins and the contamination of food by mould or foreign matter. Chemical contamination of the food will be investigated if the food poses an imminent risk to health.

Food complaints are dealt with in accordance with departmental procedure and Codes of Practice and guidance.

The number of food complaints received is as follows:

<b>Year</b>	<b>No. of food complaints</b>
2012/11	63
2013/14	84
2014/15	74
2015/16	46
2016/17 (estimated)	50

Resources required to deal with food complaints can vary dramatically from the straightforward to the more complex requiring significant research and analytical fees.

### **3.3 PRIMARY/HOME AUTHORITY PRINCIPLE**

3.3.1 Powys County Council has adopted the Home Authority principle and remains committed to providing that service if required. The Authority currently acts as Home Authority for 15 food businesses in the area. Each of these businesses is classified as a high priority and receives at least one visit per year. These arrangements are being reviewed in the forthcoming period. Powys County Council recognises the legal status of the Regulatory Enforcement Sanctions Act 2008 and businesses operating under Primary Authority arrangements developed by the Better Regulation Delivery Office (BDRO) now called Regulatory Delivery (RD) since March 2016. Regulatory and enforcement action is undertaken in a manner which is consistent with this. The Authority will consider participation in the Primary Authority Scheme if approached by a business.

These are informal arrangements and are currently under review and we are looking to formalising the Home Authority process and advising local businesses of the option of Primary authority.

### **3.4 ADVICE TO BUSINESSES**

#### **3.4.1 Scope of Advice Service**



The Authority recognises the importance of responding positively to all requests for advice or guidance from food businesses. Providing advice and guidance will promote compliance, reduces the need for formal enforcement action and will help build a positive working relationship between the enforcement officers and businesses. Advice to existing and new business is provided in the following ways:-

- In the course of routine inspections
- In response to a complaint
- In response to a service request from the business
- In response to information passed on by another local authority or agency.
- In the course of a Primary Authority/Home Authority liaison
- Signposting via the Internet
- At trade seminars e.g. promoting the Food Hygiene Rating Scheme at Licensing forums, promoting Food Information Regulations (particularly allergens) to local businesses

Advice may be provided following a specific request, or may be given proactively to update businesses on changes in legislation. A range of nationally produced guidance leaflets is available from each of the website. We are developing new approaches to provide business advice which are the most economically viable for Powys traders and the council including increase use of the corporate website.

During the course of the year the Environmental Health Service is planning to adopt a charging service for more extensive food hygiene advice provided beyond that required by statute. This will be reviewed as it progresses taking into consideration the feedback of businesses concerned as part of the process.

### **3.4.2 Contacts from Business**

The Food Service Teams give advice to businesses (especially new businesses). New entrants into the food business are unknown quantities. In Powys many have proved to be inexperienced, untrained and under-funded. New businesses therefore pose a potentially high risk, which needs to be addressed. We believe that early advice (ideally at the planning and design stage) helps Food Business Operators appreciate the systems and investment that are needed to run a food business safely and to ensure that their financial outlay is planned, minimised and wisely targeted. This drives up structural standards and provides an opportunity for early engagement with the FBOs to establish good food safety management systems. This supports local business at their most vulnerable stage and increases their chances of survival and prosperity. A reduced turnover rate of food business also brings dividends to the enforcing authority. It drives up the rate of “broadly compliant” premises and builds competence and stability in the food business workforce. It reduces the need for us to start from scratch with new entrants to the business and hence saves officer time and reduces the need for enforcement intervention.

Whilst we would ideally like to inspect all new premises within 28 days of them opening, in accordance with the Code of Practice, this is not always practicable due to other demands on our service. We have therefore set a target to inspect

95% for food hygiene and 55% for food standards. In 2015/16 we were able to complete 99.12% food safety inspections and 47.68% food standards of new businesses. Food hygiene inspected 225 out of 227 and for food standards 134 out of 281 were inspected and given appropriate advice.

An estimated total of 110 advisory visits by Environmental Health will be carried out during 2016/17, based on previous year's figures of 211 in 2013/14 ,186 in 2014/15 and 101 in 2015/16.

An estimated total of 60 requests for advice on food issues will be received by Trading Standards in 2016/17 based upon the figure of 56 for 2015/16.

### 3.5 FOOD SAMPLING

#### 3.5.1 Trading Standards

Food Standards sampling is undertaken to protect public health, detect and deter fraudulent activities, verify that official control checks are effective, give customer's sufficient information to make informed choices, ensure that food standards are maintained, inform the enforcement approach, provide product quality advice to the producer, promote fair trade and deter bad practice. The Sampling Programme, is formulated based on the National Sampling Priorities produced by the Food Standards Agency and discussed with the council's Public Analyst to address issues that may have arisen locally and will be informed by guidance, liaison groups, intelligence, topical issues and public demands.(See Appendix E).

Participation in national and regional sampling surveys is included wherever possible. A contingency is made for complaint samples, which are dealt with as and when received. Monitoring of the sampling programme is continuous, with the sampling information being recorded in the Business Support Team Sampling Matrix, including results and actions. A service level agreement with the Public Analyst is in place that covers the storage and transportation of samples, reporting times and payments.

The Service will bid for additional food samples where the opportunity arises through the Food Standards Agency.

Samples	
Food Standards	
2011/12	114
2012/13	72
2013/14	154
2014/15	110
2015/16	114
2016/17 (Planned)	133

In addition product screening takes place in the course of the routine inspection programme at licensed premises to check the specific gravity of spirits using a

hydrometer. Screening also takes place using commercially developed indicators to ensure lesser quality brands of spirits have not been substituted and passed off as better known brands.

### **3.5.2 Environmental Health**

The service participates in and is represented on the Welsh Food Microbiological Forum. Samples are obtained as part of the Welsh Food Microbiological Forum and initiatives and further targeting of local producers not included within these initiatives is also carried out to monitor the quality of locally produced foods. In addition to these locally driven sampling programmes the Authority also participates in national microbiological food surveys. It is anticipated that a total of approximately 200 food samples will be taken during the year 2016/17 based on previous year figures of 578 in 2013/14 and 464 in 2014/15 and 186 in 2015/16. All such samples are submitted via the NPHS/HPA as detailed earlier in the plan for analysis. The sampling plan for 2016/17 is attached as Appendix F to this document.

## **3.6 CONTROL AND INVESTIGATION OF OUTBREAKS AND FOOD RELATED INFECTIOUS DISEASE**

The Council works with Public Health Wales/ England in managing cases and outbreaks of food related infectious diseases. The Management and organisational arrangements for dealing with outbreaks of infectious disease are contained in 'The Communicable Disease Outbreak Plan for Wales', an All Wales model, agreed by the NPHS and Local Authority, and subject to annual review.

All cases are contacted, the necessary details collected, and advice given on precautionary measures to prevent the spread. Where necessary, exclusions are placed on persons considered to be within a high risk category to ensure control of the organism in accordance with the Powys Plan.

It is anticipated that approximately 200 cases of infectious diseases are likely in 2016/17 based on statistics from previous years of 232 in 2013/14, 224 in 2014/15 and 190 in 2015/16. The Authority is committed to the 'lead officer' concept introduced across Wales through which each Authority has a nominated officer undertaking more detailed training in communicable disease control. These officers not only provide a well-informed resource for their own Authority but could be called upon should a serious incident arise in another Authority to assist in the investigation and control.

The number of bovine tuberculosis reactor herds has substantially increased in recent times, and this has involved considerable officer time in investigations on the farms concerned to ensure no risk exists with milk production and consumption. In 2015/16 the department responded to 82 notifications of TB in herds.

## **3.7 FOOD SAFETY INCIDENTS**

- 3.7.1 The Authority recognises its obligations under section 40 of the Food Safety Act 1990 and the Code of Practice in relation to the food alerts and incidents system. Where the Authority identifies that food fails to comply with food safety requirements they will inform all other potentially interested Authorities. The Authority will assess the scale, extent and severity of the hazard. In the event of it being a serious incident or a wider problem then they will liaise/notify the appropriate Central Government Department and formulate a food incident report that will be forwarded immediately to the relevant Government Department.
- 3.7.2. Both the food safety team and the trading standards teams have policies and procedures in place that deal with the action to be taken following the receipt of initiation of a food alert. The Food Standards Agency has the contact details for the Authority, including outside of normal working hours. The warning procedure for food incidents recognises that Food Alerts for Action (FAFA) are required to be dealt with quickly and are treated as a very high priority which often takes priority over other work of the sections. During 2016/17 the Food Standards Agency will be issuing such information through the Regulatory Information and Management System (RIAMS) electronic system which operates in a similar manner. Powys County Council has appointed Authorised Officers who are available for out of hours contact. Several officers also receive Food Alerts via mobile SMS.
- 3.7.3 All food and feed safety incidents will be responded to in a reasoned, measured and co-ordinated manner. Any response will comply with the Food or Feed Law Codes of Practice.
- 3.7.4 The number and scale of incidents and the risk associated with them cannot be predicted. Nor is it possible to provide a dedicated staff resource on standby to deal with any incidents that may arise. However, we have never failed to deal appropriately with any incident that has been reported. We have good working relationships with other organisations involved with providing emergency responses and we have tried and tested systems in place to facilitate a coordinated response. We are confident that, by deploying appropriately skilled staff from our establishment and working with partners, we shall continue to be able to provide a robust response on demand.
- 3.7.5 Allegations of food fraud are taken seriously and the Authority will undertake investigations as necessary. Any food intelligence received is reported to the Regional Intelligence Analyst who will inform the Food Fraud Co-ordination Unit.

### **3.8 LIAISON WITH OTHER ORGANISATIONS**

- 3.8.1 Close liaison exists between all twenty two local authorities in Wales through the Directors of Public Protection Wales (DPPW), its Trading Standards and Environmental Health Groups and their Expert Panels.
- 3.8.2 Where our activities involve law enforcement it is important that we act consistently and proportionately. Our Enforcement Policy ensures that we follow due legal process and our involvement with professional networks facilitates technical debate leading to sharing of best practice and consistency between Local Authorities in Wales. These groups are also attended where appropriate

by representatives from other bodies with coordinating roles such as the Food Standards Agency, Food Fraud Co-ordination Unit, Public Health Wales, Communicable Disease Surveillance Centre (Wales), Public Analyst, the Welsh Local Government Association, Welsh Government, Local Government Regulation, Chartered Institute of Environmental Health, Trading Standards Institute and the Regulatory Delivery Office.

3.8.3 We currently attend the following liaison groups:

- Directors of Public Protection Wales
- Wales Heads of Trading Standards
- Wales Heads of Environmental Health
- South West Wales Food Safety Task Group
- Food Safety Expert Panel
- South West Wales Communicable Disease Task Group
- Communicable Disease Expert Panel
- Wales Food Microbiological Forum
- Wales Heads of Trading Standards Food Standards and Labelling Group
- Wales Heads of Trading Standards Regional Feed Group
- Mid and West Wales Food and Feed Group
- National Agriculture Panel
- Wales Heads of Trading Standards Animal Health and Welfare Panel
- Cross Compliance Co-ordinating Board

3.8.4 Environmental Health and Trading Standards are Responsible Authorities under the Licensing Act 2003 and Environmental Health are consultees to the Council's Development Control Committee. Formal consultation networks are established within the Authority in respect of both planning and building control and licence applications including Street Trading and Temporary Event Notices. Liaison also occurs with business through a planned inspection programme.

3.8.5 These functions can be time consuming but the benefits justify the activity. With our existing staff resource it has been possible to engage appropriately and meet the service delivery standards set by the applicable Food and Feed Law Codes of Practice. We expect to be able to continue in the same way during 2015/16.

3.8.6 **Trading Standards**

Regionalisation places Powys County Council in the Mid and West Wales Region, with Carmarthenshire, Ceredigion and Pembrokeshire. Regional co-ordination of food sampling was undertaken in 2015/6; regional targets and bids for additional work for the year 2016/17 have been made.

A liaison meeting is held at least twice a year with both Public Analysts, the other South West Wales Authorities and other stakeholders. The meeting provides a forum to discuss current enforcement issues and co-ordinated sampling programmes.

3.8.7 **Environmental Health**

To ensure enforcement action taken in the County is consistent with neighbouring Authorities a representative attends the SW Wales Regional Food

Safety Group and the SW Wales Regional Communicable Disease Group. These are sub-groups of the Directors of Public Protection Wales (DPPW).

Attendance is also present on the following groups leading to further consistency in approach:

- All Wales Food Safety Expert Group
- All Wales Communicable Disease Expert Group
- Welsh Food Microbiological Forum.

Regular liaison is undertaken with the National Public Health Service in relation to the investigation and control of food poisoning incidents, and with DEFRA in relation to zoonoses issues.

### **3.9 FOOD SAFETY AND STANDARDS PROMOTION**

3.9.1 The service will participate in National Food Safety Week. This annual event, held to promote the importance of good food hygiene in the home, this year aims to help people better understand how to waste less food safely, by making more use of their freezers.

This will be promoted across the County through various initiatives.

3.9.2 The service participates in the Food Hygiene Rating Scheme, which helps consumers choose where to eat out or shop for food by giving them information about the hygiene standards in restaurants, cafés, takeaways, hotels and food shops. The schemes also encourage businesses to improve hygiene standards. 2000 premises across Powys have been rated so far and work continues with rating the remainder. The overarching aim is to reduce the incidence of food borne illness. Promotional work will continue to be carried out to promote the scheme.

Additional work required as a result of the rating scheme has involved in 2015/16 69 requests for re-ratings, 10 appeals against ratings and 122 monitoring checks for non-display. A number of premises across County have been prosecuted for non-display to date.

3.9.3 The Environmental Health Service in Powys routinely works with food business operators to highlight the importance of and assist with the implementation of suitable food safety management systems. The Safer Food Better Business (SFBB) food safety management system has been recommended during programmed inspections since the pack was launched.

3.9.4 The Environmental Health Service has used previous funding provided by the Food Standards Agency to run a number of Safer Food Better Business training events for food business operators and to undertake individual coaching sessions with a CMI consultant to assist further with the introduction of a system. The service was successful last year in its bid to the FSA for additional funding to enable the service to set up an email database for their businesses through which regular communications can be channelled along with Twitter feeds. An educational programme relating to Food Safety Management System Requirements was then provided to food businesses across County via these

channels. Providing a more efficient and economical means of communication with the food business operators.

- 3.9.5 Business advice to micro businesses may be initially provided by signposting to websites such as Erwin (Everything Regulation When Its Needed) and the promotion of `ts - broadcast`. Offering a bilingual business advice service will continue to support and promote the growth of the local economy. Specific business sector advice is provided through the Chartered Trading Standards Institute's Business Companion a web based information service.
- 3.9.6 The Trading Standards Service in Powys routinely works with food business operators in respect of the requirements of European and United Kingdom/Wales legislation specifically for food standards. Trading Standards actively engages with businesses, to promote the requirements in respect of allergens and to highlight the importance of conveying potentially life-saving information to consumers. Trading Standards advises businesses on the implementation of suitable allergy safety and food standards management systems.
- 3.9.7 The Service publicises food issues to inform businesses and the public, using a variety of techniques including:-
- Press releases about current issues
  - Postings on council website
  - Powys Staff magazine
  - Business seminars
  - Talks to interest groups i.e. to schools, Women's Institute, Pensioners Clubs, Probus / Business Groups (where resources permit)
  - Attendance at agricultural shows e.g. Royal Welsh Show, Winter Fair
  - Social media through Facebook and Twitter pages
  - Attend Business tea events (where resources permit).
- 3.9.8 In addition to food standards work required by the Food Law Code of Practice the Trading Standards team operate the Intelligence Operating Model. IOM uses an annual control strategy and tasking process to use and share intelligence with relevant enforcement agencies. This intelligence is used to inform evidence-based intervention and targeted enforcement where applicable. Such intelligence can be used to carry out a programme of enforcement activities to target significant illegal activities.
- 3.9.9 It is not cost effective to evaluate the benefits of food standards promotional work; some feedback will be obtained from business/consumer satisfaction surveys. Promotional work is undertaken as an integral part of the duties of staff engaged in food law enforcement and the adoption of preventative measures to improve business compliance has a positive impact on the development of the local economy.

## **4. RESOURCES**

### **4.1 FINANCIAL ALLOCATION**

4.1.1 Details of the budgets allocated for 2016/17 can be found in the Appendices.

## 4.2 STAFFING ALLOCATION

### 4.2.1 Trading Standards

Number of FTE involved in Food:	2.6
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	Qualifications				
	DTS (or equiv)	DCA (inc Paper IV)	DCATS	Lead Auditor	HACCP
<b>Qualified Officers (Actively engaged in food enforcement)</b>					
Clive Jones*	✓			✓	
Jacqui Thomas	✓			✓	✓
Jo Davies	✓				✓
Kelly Edwards	✓			✓	
Suzanne Jerman		✓			✓
Joy Williams		✓			✓
<b>Qualified Officers (Not actively engaged in food enforcement)</b>					
James Munro	✓			✓	
Nikki Davies	✓			✓	
Gavin Jones		✓			
Lisa Woods		✓			
Nicola Croose			✓		
Steven Parry			✓		

\* Professional Lead Trading Standards – managerial involvement in food enforcement activities.



## 4.2.2 Environmental Health

Number of FTE involved in Food Hygiene:	8.1*
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\*estimated

<b>Officer</b>	<b>Qualifications</b>
Beverley Cadwallader	EHO/EHORB Registered
Carol Goldsmith	EHO/EHORB Registered
Pat Tulloch	EHO/EHORB Registered
Janet Evans	EHO/EHORB Registered
Rosemary Wilcox	EHO/EHORB Registered
Elin Roberts	EHO/EHORB Registered
Alun Mears	EHO/EHORB Registered
Catherine Davies	EHO/EHORB Registered
John Paul Lawrence	EHO EHORB Registered
Jane Jones	EHO EHORB Registered
Sam Lauder	EHO/EHORB Registered
Lorna Morris	EHO/EHORB Registered
Rhian Jenkins	EHO/EHORB Registered
Anita Kendrick	Higher Certificate in Food Premises Inspections
Debbie Halstead	EHO/EHORB Registered

In addition to these professional qualifications all officers are trained in HACCP and the auditing of HACCP and a number of officers have the lead auditor qualification.

### 4.3 STAFF DEVELOPMENT PLAN

4.3.1 All staff are encouraged and supported in the attainment of formal qualifications. Staff currently active in food law enforcement, complete a minimum currently of 10 hours competency training annually, in accordance with the Food Law Code of Practice and Practice Guidance. This may become a 20 hour requirement later in 2016/17.

4.3.2 Ongoing training requirements are identified in both Trading Standards and Environmental Health's, Individual Performance Reviews and Team Meetings. Staff apply to attend training events in order to consolidate or update their knowledge. Whenever practicable, they feedback to their peers at office or other staff meetings on their new found knowledge. Additional internal training courses are also arranged where appropriate to ensure that officers attain the required amount of continuous professional development stipulated in the Food Law Code of Practice.

4.3.3 Training identified at present for 2016/17:-

<b>Officer(s)</b>	<b>Course/training</b>	<b>Organised By</b>	<b>Cost</b>
Trading Standards enforcement staff	FSA Funded Training and online training	FSA	Nil
Trading Standards enforcement staff	Consistency training	In-house	Nil
All enforcement staff	PACE / RIPA/ Prosecution manual	TBA	TBC
Environmental Health food safety staff	Consistency training	In-house/FSA	Nil
Environmental Health food safety staff	Training in specialist fields of food hygiene such as dairy production, water bottling	FSA	Nil

## **5. QUALITY ASSESSMENT**

### **5.1 MONITORING ARRANGEMENTS**

The Authority supports the system of local authority audits organised by DPPW in Wales. The Food Standards Agency have carried out a number of audits of the Authority and copies of reports are published on the Food Standards Agency website.

#### **5.1.1 Trading Standards**

The Trading Standards Service was restructured in July 2014. This has resulted in greater officer specialism. Monitoring of progress towards targets occurs at Business Support Team Meetings/Individual Performance Reviews/90 Day Individual Action Plan meetings and the Trading Standards Management Team meetings; here a review of Key Management Statistics are undertaken.

In order to ensure uniformity in standards of intervention, consistency training is undertaken on a regular basis; a system of monitoring is in place, which includes the following:-

- The standing agenda item of “Consistency” at meetings of the Business Support Team to ensure consistency of approach in the completion of the Food Standards Intervention forms produced by the WHOTS Food Standards and Labelling Group.
- Internal audits by the Senior Trading Standards Officer of a random sample by officer, of completed food standards intervention documentation to access data collection and standards.
- ”Shadowing” of a random sample by officer, of interventions carried out each year. The inspecting officer will be accompanied by the Senior Trading Standards Officer in order to evaluate consistency in respect of procedures and standards.

#### **5.1.2 Environmental Health**

The service is also committed to improving its services' and following best practice standards wherever possible.

In order to ensure uniformity of standards consistency training exercises are carried out at least annually and a system of monitoring is in place, which includes the following:

- regular meetings of the team to ensure consistency of approach throughout the County.
- in-house audits of a random sample of files, inspection documents etc.
- a random number of inspections carried out each year when the inspecting officer will be accompanied by another experienced officer in order to evaluate procedures and standards.
- The service has been pro-active in bringing all Welsh and All English neighbouring Local Authorities to discuss consistency issues through a training event instigated and run by Powys County Council.

## **6. REVIEW**

### **6.1 REVIEW AGAINST THE SERVICE PLAN**

#### **6.1.1 Trading Standards and Environmental Health**

The plan is used as a means of reviewing performance and any variance in meeting the previous years plan is addressed within the current years plan. Performance is also measured via quarterly monitoring of key performance indicators and these are reported on and tracked throughout the year. Areas of variation from set targets are identified and reasons explored for such variations. An improvement plan is produced if necessary.

Annual returns to the FSA under the monitoring arrangements are scrutinised by the lead officers prior to being submitted.

6.1.2 Each year an Environmental Health and Trading Standards Framework Service Delivery Plan is also produced. This plan links the work of the Food Service Teams to the various corporate plans and business plans. It specifically indicates the surveys planned, along with how the service will be delivered to meet national and local priorities.

6.1.3 The headline actions for the Food Service in 2015/16 were:

- To maintain the percentage of food establishments which are broadly compliant with food law.
- Carry out a proactive; risk-based programme of inspection of A, B, C & D rated food premises in accordance with the Code of Practice.
- Continue programme of alternative enforcement in E rated food premises.
- Participate in the National Food Hygiene Ratings Scheme, which is now mandatory, to provide informed consumer choice and drive up food safety standards in food businesses
- Respond to notifiable infectious diseases as reported.
- Continue to monitor the safety standards of food and feed products manufactured, imported and supplied within the Authority, with particular emphasis on food fraud, chemical contamination, allergens, GM and pesticides
- Working with the businesses to promote awareness within the catering sectors of allergen and nutritional information.

6.1.4 The Food Service monitored the following performance indicators during 2015/16:

- PPN/001 – The percentage of high risk businesses that were liable to a programmed inspection that were inspected, for food hygiene; Trading Standards (including Food Standards);
- PPN/008 – Combined Food Hygiene; Health and Safety; Trading Standards & Animal Health – Percentage of high risk businesses that were liable to a programmed inspection.

- PPN/005 – The percentage of new businesses identified during the year which were subject to an inspection by Trading Standards; Food Hygiene;

6.1.5 The Authority achieved 100% for Food Hygiene and 91.11% for Trading Standards (including Food Standards) for PPN/001: 98.48% for PPN/008. The percentage of Broadly Compliant Food Businesses for 2015/16 is 92.76%.

6.1.6 The percentage of new businesses identified during the year which were subject to an inspection, PPN/005:-

Year	Trading Standards %	Food Hygiene %
2013/14	39.49	97.3
2014/15	54.12	99.65
2015/16	47.68	99.12

## 6.2 VARIATION FROM THE PREVIOUS YEAR'S SERVICE PLAN

### 6.2.1 Environmental Health

The Environmental Health service has achieved well against food hygiene inspection targets this year. 100% of the high risk food premises targeted for inspection have been achieved.

The service have achieved particularly well against the target in relation to making contact with new businesses as regeneration is recognised as a key issue and this first contact is seen as a key step in business set up.

### 6.2.2 Trading Standards

The Trading Standards service has achieved some of its key targets for 2015/16 in respect of inspections and samples.

Activity	2014/15 Projected	2014/15 Achieved	2015/16 Projected	2015/16 Achieved	2016/17 Projected
A Rated Inspections	51	44 <sup>1</sup>	41	41	44
B Rated Inspections	229	89	220	161/112 <sup>2</sup>	93
C Rated Inspections	0 (Unless through AES)	95	60	216/24 <sup>2</sup>	62
Revisits	50	18	40	38	40
Food Complaints	20	10	20	76	70
Complaint Samples	3	1	3	1	3
Requests for Advice	50	85	80	63	60
Food Samples	111	110	81	114	133
New Businesses	250 (Estimate)	294	250 (Estimate)	134	280 (Estimate)
Total Interventions	764	746	795	844/603 <sup>2</sup>	785

1 100% of food businesses rated as A at start of the year were visited – the reduced number reflects changes in risk/closure, following LAEMS return.

2 The first figure includes desktop risk rating to address errors in the database – the second figure indicates actual interventions.

- It was evident that our activity in 2015/16 had not produced the outcomes we aspired to achieve in some areas. There has however been a 41% increase in the number of projected food samples and a 280% increase in number of food complaints over that projected, which had a significant impact on resources available for other food interventions.
- Our performance was fed back quarterly to the Portfolio Holder and a meeting set up to review performance.

### **6.3 AREAS FOR IMPROVEMENT**

- 6.3.1 The Food Service has been audited by the Food Standards Agency and on these occasions has responded positively to the areas for improvement identified. Areas of improvement for the forthcoming year are detailed within the Appendix A.
- 6.3.2 Due to the need to reduce the cost of delivering Council services it was necessary to restructure the Trading Standards Service in July 2014 to realise efficiency savings, which will mean we have to adapt the way that food interventions are carried out.
- 6.3.3 We will continue to develop our content on the Councils website and through the newly introduced use of Facebook and Twitter to improve the provision of information to both the public and businesses as well as developments with the ability to email our food business operators with current information.
- 6.3.4 We will continue to take part in sampling surveys both nationally, regionally and locally with relevant partners to achieve common goals in standards, health and nutrition, as well as looking for increased value for money for the services we operate.
- 6.3.5 Development of an intelligence based approach to food standards enforcement through the Intelligence operating model.
- 6.3.6 Partnership working with the FSA Wales Food Fraud Unit and the development of proceeds of crime investigations into food crime to target criminal monies.

Areas for Improvement	Appendix A
Action	Outcome
1. Address the matters noted in the action plan produced in response to areas identified by the Food Standards Agency Audit report.	Work towards aims set out within the action plan and meet the deadlines set.
2. Produce various promotional articles including a newsletter for businesses etc. to be distributed via the email database developed.	Improved promotional work within the food safety service
3. To continue to carry out consistency training with officers in-house but also across boundary whenever possible.	Ensure the food hygiene rating scheme is being applied fairly and consistently to all businesses.
4. Ensure we are in a position to apply to the FSA for additional funding for project work and to deliver such work	Deliver an extended service beyond our own financial constraints which benefits consumers and businesses within the County

**Performance Measures**

**Appendix B**

Description	Performance 2013/2014		Performance 2014/2015		Performance 2015/2016		Performance 2016/17	
	Target	Actual	Target	Actual	Target	Actual	Target	Actual
PPN/001 The percentage of high risk businesses that were liable to a programmed inspection that were inspected for:								
Food Hygiene	100%	99.86%	100%	100%	100%	100%	100%	
Trading Standards	100%	100%	100%	100%	100%	91.11%	100%	
PPN/005 The % of new businesses identified during the year which were:								
a)subject to an inspection by each of the following areas:								
Food Hygiene	90%	97.3%	95%	99.65%	95%	99.12%	95%	
Trading Standards	55%	39.5%	55%	54.12%	55%	47.68%	55%	
Percentage of Broadly Compliant Food Premises	83%	90.28%	91%	94.69%	91%	92.76%	91%	



Environmental Health

## Food Hygiene and Infectious Disease Budget 2016/17

FOOD SAMPLING, INFECTIOUS DIS.	434,400
OTHER APT & C - PAY	287,510
OTHER APT & C - NI	26,540
OTHER APT & C - SUP	66,700
PROFESSIONAL SUBSCRIPTIONS	1,260
TRAVEL EXPENSES - STAFF	11,740
GENERAL EQUIPMENT	1,300
STATIONERY	50
GENERAL OFFICE EXPENSES	300
LAUNDRY	200
TELEPHONE LINE CALL CHARGES	200
SUBSISTENCE ALLOW STAFF	50
CONFERENCE EXP. STAFF	150
CATERING PROVISIONS	550
ANALYSTS FEE	500
OTHER HIRED & CONTRACT SERVICE	1,000
PURCHASE OF TEST SAMPLES	400
TELEPHONE RECHARGE (IT)	680
FEES, TOLLS & CHARGES	-13,350
RECOVERY OF COURT COSTS	-400
GRANTS - OTHER	-5,830
OFFICE ACCOMMODATION RECHARGES	13,850
FINANCE DEPT RECHARGE	910
IT RECHARGE	25,380
PERSONNEL RECHARGE	9,620
CENTRAL PURCHASING RECHARGES	90
PUBLIC RELATIONS UNIT	1,240
MODERN RECORDS MANAGEMENT	690
BPU	0
EMPLOYEE INSURANCE	1,150
LEASED CAR INSURANCE	1,920

**Trading Standards****Business Support Team**

OTHER APT & C - PAY	£130,730.00
OTHER APT & C - NI	£12,430.00
OTHER APT & C - SUP	£30,340.00
TUITION FEES ETC.	£500.00
TRAVEL EXPENSES - STAFF	£5,000.00
STAFF CAR LEASING	£2,960.00
GENERAL EQUIPMENT	£150.00
REFERENCE BOOKS	£700.00
GENERAL OFFICE EXPENSES	£100.00
CLOTHING & UNIFORM - STAFF	£60.00
TELEPHONE LINE CALL CHARGES	£200.00
SUBSISTENCE ALLOW STAFF	£50.00
SUBSCRIPTIONS	£120.00
ANALYSTS FEE	£10,630.00
PURCHASE OF TEST SAMPLES	£300.00
MISCELLANEOUS EXPENSES	£4,680.00
PRINT/POST/COPY FOR INT DEPT	£550.00
CONT STAFF LEASE CARS	-£1,130.00
PETROLEUM LICENCES	-£6,300.00
EXPLOSIVE LICENCES	-£3,770.00
WEIGHTS & MEAS. VERIFICATION	-£5,000.00
RECOVERY OF COURT COSTS	-£430.00
EMPLOYEE INSURANCE RECHARGE	£520.00
OFFICE ACCOMMODATION RECHARGE	£6,520.00
Mos Depot Accommodation Recharge	£40.00
LEASED CAR INSURANCE RECHARGE	£640.00
FINANCE RECHARGE	£1,290.00
LEGAL RECHARGE	£22,930.00
IT RECHARGE	£11,950.00
HUMAN RESOURCES RECHARGE	£1,640.00
Employment Services Recharge	£840.00
PURCHASING RECHARGE	£200.00
GRAPHIC DESIGN RECHARGE	£610.00
HEAD-REGEN, PROPERTY AND COMM (PLACES)	£5,400.00

Month	Sample	Code	Cost per Individual Sample (£)	Total Sample Cost (£)	Total cost
April	N/A	N/A	N/A	N/A	N/A
May	5 x fish speciation	24g (PO05B)	123	615	615
June	5 x beer alcoholic strength	PO4M + PO1D	64 + 24 = 88	440	1055
	4 x honey HMF/Sugar Profile	PO11B + PO11A	50 + 59.50 = 109.50	438	1493
July	5 x meat content	PO6J	75	375	1868
	5 x meat speciation	PO6S	141.50	707.50	2575.50
	5 x minced beef	PO6B	65.50	327.50	2903
August	10 x gluten free meals	71ao	SURVEY	SURVEY	SURVEY
	5 x wholemeal bread	POADM2 + PO12A	50	250	3153
September	8 x takeaway speciation	SURVEY	SURVEY	SURVEY	SURVEY
	8 x colours in sauce	SURVEY	SURVEY	SURVEY	SURVEY
	8 x colours in pilau rice	PO1A	62	496	3649
October	4 x meat origin	SURVEY	SURVEY	SURVEY	SURVEY
	4 x heavy metal in shellfish	PO5J	60	240	3889
	5 x egg allergen	POADM2 + PO8J	50	250	4139
November	5 x spirits adulteration	PO4G + PO4D	SURVEY	SURVEY	SURVEY
	7 x QUID cakes	PO9E	50	350	4489
	4 x Ice cream fat content	PO9H	67	268	4757
December	3 x eggs	71U	SURVEY	SURVEY	SURVEY
	4 x preserves	POADM2 + PO13A	50	250	5007
January	5 x food supplements	SURVEY	SURVEY	SURVEY	SURVEY
	4 x ham on pizza	PO6R	75	300	5307
February	5 x meat content	PO6J	75	375	5682
	5 x meat speciation	PO6S	141.50	707.50	6389.50
	5 x minced beef	PO6B	65.50	327.50	6717
	5 x Nutritional Labelling	PO7A	145	725	7442

No Samples Planned for March 2017

**Food Safety Sampling Plan 2016/17**

Powys will be participating in the following sampling surveys over the forthcoming year:

1. **WFMF All Wales Shopping Basket** – the Local Authority will be participating in this survey when no other survey prevails.
2. **Approved Premises/Large Manufacturers** - on occasions throughout the year, samples from approved premises/large manufacturers will be submitted for surveillance.
3. **Imported Food** - Imported Ready-to-Eat Foods during the year
4. **Ready to eat Olives** – the Authority may be undertaking surveys on ready to eat olives during the year.
5. **Potable water at mobile premises** – the authority may be undertaking surveys on potable water from mobile premises during the year.
6. **WFMF Surveys** -South Powys will be participating in targeted surveys set by WFMF including:
  - Survey of cream and ice-cream dispensed by machine, running from July 2016 – October 2016
5. **PHE National Study 58 Hygiene in catering premises**  
North Powys will be participating in this survey which runs from May 2016 - November 2016.
6. **PHE National Study 59 TBC**  
North Powys will be participating in this survey which has yet to be confirmed, and will run from November 2016 – May 2016.
7. **PHE National Study 60 – Reactive Response Study**  
North Powys will be participating in this survey which has yet to be confirmed

We will continue to sample according to limits set by the lab.



## **Powys County Council**

# **Health and Safety Enforcement Service Plan 2016/17**

**Environmental Health Department  
Commercial Section**



Cymunedau cryf yng nghalon werdd Cymru - Strong communities in the green heart of Wales

# Introduction

This Service Plan sets out the way in which health and safety enforcement will be carried out in the County of Powys by the Commercial Section of the Environmental Health Service of the Authority in 2016/17.

The Service Plan is produced on an annual basis and is effective from 1<sup>st</sup> April 2016. Copies are also available from each area office. Comments on the Plan are invited throughout the year, and these are taken into account when the following year's Plan is produced. The Plan is approved by the Authority prior to publication.

Powys County Council is an "enforcing authority" under the Health and Safety at Work etc. Act 1974 and is required by Section 18 of the Act to set out the arrangements it has in place to discharge that duty. This Service Plan is produced in response to that requirement and is designed to inform the business community of Powys and the wider audience, of the arrangements Powys has in place to regulate health and safety in the workplace. It also shows how these activities contribute to and support others in delivering Corporate and statutory objectives to the community as a whole.

The Service Plan contains two elements:

- The arrangements, supporting structures and controls that enable these interventions to be delivered.
- An Intervention Plan which details the type, method and number of interventions to be used in order to fulfil the major purpose of working with others and to contribute to the reduction in the number of fatal and major injuries and ill health in people in work and those affected by work activities.

It is therefore designed to meet both the requirements laid down by the Health and Safety Executive under the National Local Authority Enforcement Code and LAC 67(2) revision 5 and to clearly show how through the enforcement of regulation and provision of guidance, advice and support, workplace health, safety and welfare will be assured in Powys within the resources available to do this.

The plan will illustrate how by various methods and teams, the service will meet the objectives of the Health and Safety at Work etc. Act 1974, and:-

- Secure the health, safety and welfare of persons at work;
- Protect persons other than persons at work against risk to health or safety arising from work activities;

# Service Aims and Objectives

## 1.1 Service aims and objectives

The Commercial Section within Environmental Health is committed to improving health and safety outcomes by ensuring the highest health and safety standards are maintained throughout the County of Powys in order to protect employees, the self-employed and members of the public. To demonstrate this, the Team has adopted the following aims and objectives.

The overall aim of the Service is:-

***“To work with others to protect people’s health and safety by ensuring risks in the changing workplace are managed effectively.”***

To achieve this, the service has adopted the following 5 key delivery priorities:-

- To target activity in accordance with national guidance, to manage the risk in high risk businesses;
- Investigate notified Accidents, Disease and Dangerous Occurrences in accordance with the Accident Investigation Policy;
- Respond to all service requests received as complaints from employees or members of the public in accordance with the Complaint Investigation Policy;
- To respond in a timely manner to requests on matters such as asbestos notifications, lift reports, licensing applications etc.; and
- Contribute to the delivery of the HSE’s National Strategic programme.

## 1.2 Links to Corporate Objectives

Powys County Council has three main plans that set out how the authority will deliver services. These plans document how the Council will improve services, spend budgets and save money. The key documents are:

- One Powys Plan 2014-17 plus annual update;
- Budget, Medium Term Financial Strategy and Capital Strategy 2016/19; and
- Service Improvement Plans 2016/19

The authority’s vision is a council that places working with our communities at the heart of its response;

***“Strong Communities in the Green Heart of Wales”***

The council's key priorities being:-

- ***Remodelling council services to respond to reduced funding;***
- ***Supporting people within the community to live fulfilled lives;***
- ***Developing the economy; and***
- ***Improving learner outcomes for all, minimising disadvantage***

To achieve this, Powys County Council will support, direct and enhance its services to and with our local communities, working closely with our partners. The Commercial Team of Environmental Health through its core business activities supports the Corporate Plans by sitting within the Council's Regulatory Services portfolio and contributing to priorities of ***supporting people within the community, developing the economy and responding to reduced funding.***

**Supporting people within the community** – Amongst other factors impacting on health, the service works with people to contribute to the reduction in the number of fatal and major injuries and ill health in people and those affected by work activities, including the public.

**Developing the economy** – The provision of timely advice and education on health and safety issues to businesses, stakeholders, and other local authorities and bodies can benefit the economic viability of businesses. The equitable enforcement of regulations helps to maintain a level playing field, allowing businesses to compete on equal terms.

**Responding to reduced funding** - The service constantly strives for ways to remodel the service delivery to find more efficient means of providing the service; this is a constantly evolving process and has involved service shrinkage.

Nationally the service also contributes to the **Welsh National Enforcement Priorities for Wales** for local regulatory delivery, which highlights the positive contribution that regulatory services, together with local and national partners, can make in delivering better outcomes:

- Protecting individuals from harm and promoting health improvement;
- Ensuring the safety and quality of the food chain to minimise risk to human and animal health;
- Promoting a fair and just environment for citizens and business;
- Improving the local environment to positively influence quality of life and promote sustainability

The **Chief Medical Officer for Wales** Annual Report for 2014-15, entitled '**Healthier, Happier, Fairer**' focused on evidence and opportunities, detailing the whole journey, from a healthy start in life, through to making the right choices to maintain a healthy lifestyle and ageing well in Wales.

Chapter 4 of the report '**Protecting the Public's Health**' specifically recognises the importance of protecting the public's health and the important contribution that local



government plays in this. The first section of Chapter 4 'The Role of Local Government' describes the challenges of ensuring sustainable environmental health services, and the opportunity of further linking the public health system across the NHS and Local Government to support the ambition of the Well-being of Future Generations (Wales) Act 2015.

The Chief Medical Officer notes the valuable role that Environmental Health teams across Wales play in delivering the preventative interventions that protect health and wellbeing. She furthermore calls for immediate action to preserve and to build the service, including maintaining experience and knowledge within it and recommends that action should be taken to ensure the sustainability of the service within local government.

The '**Powys Teaching Health Board (PTHB) Integrated Medium Term Plan 2015-2018**', published as part of the Local Public Health Strategic Framework provides details of how local Public Health teams work in partnership to improve and protect the health and wellbeing of the local population. The Plan sets out several priority work areas and actions necessary to achieve improvement. Priority areas include:

- **Smoking**
- Obesity
- Immunisation
- **Health at work**
- Healthy Weights
- Mental Health & **Wellbeing**
- **Health Protection**
- Alcohol & Substance Misuse
- **Healthy Schools Programme**

The Commercial Team contribute to at least the priorities highlighted above through their daily work activity.

## 2. Overview of the Service

### 2.1 Profile of the Authority

#### Population and area

Powys is a rural area covering a quarter of the land mass of Wales.

Population:	132,705
Area (hectares):	519,700

#### Administration

The Authority's headquarters is located in County Hall, Llandrindod Wells. Service delivery points are located around the County.

### 2.2 Organisational Structure

Environmental Health is part of the Place Directorate, reporting through Professional Lead Officers to the Regulatory Services Manager; the Head of Regeneration, Property and Commissioning and to the Director of Place.

Section 13, of The Council's Constitution sets out the responsibility for functions. The Leader's Scheme of Delegation of Executive Functions sets out the responsibilities of the eight Cabinet Members and is covered in Section 13.

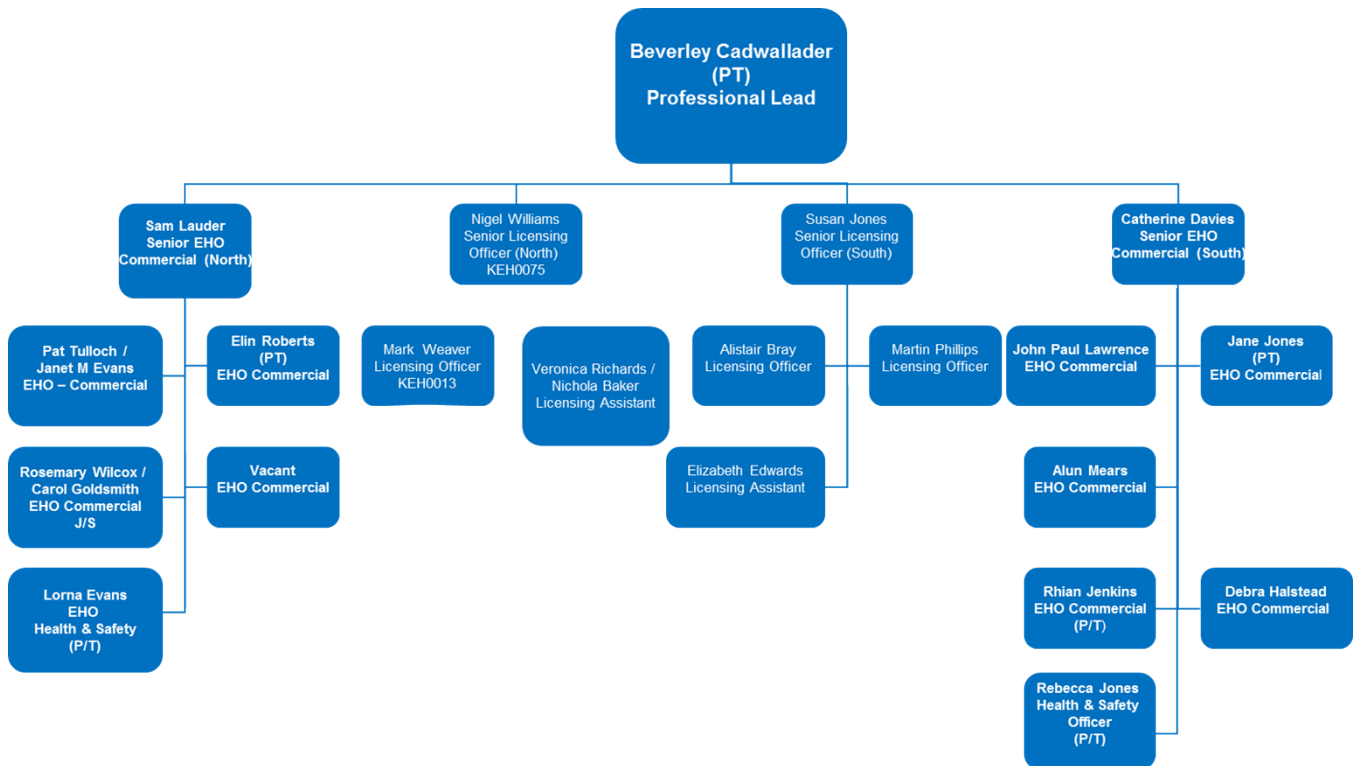
County Councillor John T Powell is responsible for Health and Safety Enforcement exercised through The Group Director Place and The Service Director Regeneration, Property and Commissioning. Cllr Powell is the Portfolio Holder for Environment and Sustainability, his full portfolio is as follows:

- County Farms Estate
- Waste Management
- Refuse Collection
- Environmental Health
- Trading Standards
- Emergency Planning
- Community Safety
- Woodland Management
- Landscape Design
- Countryside Services (Countryside Rights of Way, Maintenance, Open Access, Biodiversity, Coed Cymru, Commons Registration, National Trails).
- Sustainability
- Climate Change & Sustainable Development
- Sustainability, Green Dragon and Carbon Management
- Sustainability Strategy

- Central Wales In Collaboration
- Human Resources
- Human Resources Strategy, Advice and Policy Development
- Organisational Development (Equalities, Training, Pay and Policy)
- Occupational Health and Safety
- Powys Training
- Corporate Policy
- Equalities

The Health and Safety Service is located within the Place Directorate and is delivered by the Commercial Team within Environmental Health.

## Commercial Team Structure



## 2.3 Scope of the Health and Safety Enforcement Service

Powys County Council is responsible for providing a comprehensive health and safety service combining education, advice and enforcement. The enforcement of Health and Safety at Work legislation is shared with the Health and Safety Executive (HSE) and division of responsibilities is laid down by Regulation. The Service is responsible for enforcement in premises such as offices, retail premises, warehouses, consumer services premises, places of entertainment, hotels and residential accommodation and catering establishments. Activities are categorised as reactive and proactive and include full health and safety

inspections, national and local evidence-based projects and interventions. The full scope of the Health and Safety Service includes:

## Reactive

- Investigating reported accidents, diseases and dangerous occurrences;
- Responding to complaints and requests for service including smoking in public places;
- Registration and licensing activities including tattooists, skin piercers, asbestos activities and lift reports;
- Responding to consultations from Licensing, Planning, Building Control etc.;
- Providing advice and information to businesses;
- Securing safety standards at outdoor events covering sporting, cultural and entertainment through Event Liaison Meetings and Safety Advisory Groups (SAGs); and
- Prioritised and targeted health and safety promotional campaigns.

## Proactive

- Planned high risk premises inspection which focuses on priority topics;
- Undertaking targeted initiatives, based on evidence of risk, including the national strategic programme of national and local projects and interventions;
- Providing advice and information to new businesses;
- Evidence based education of employers, employees and contractors through guidance and information;
- Undertaking and participating in health and safety promotion campaigns;
- Liaising with other internal and external organisations including:- Planning, Building Control, Licensing, Trading Standards, Emergency Planning, Housing Department, Corporate Health and Safety Team, HSE, other Technical panels etc.; and
- Devising material to help businesses comply with the law and good practice.

All reactive and proactive work is underpinned by local, regional and national liaison. This is an appropriate mechanism for ensuring consistency between enforcers; for sharing good practice; for sharing information and for informing other enforcers of potential difficult situations. The main liaison arrangements are as follows:

- Working in partnership with HSE Wales;
- Complying with HELA and other guidance;
- Participation in the Directors of Public Protection Wales Regional Liaison Group via Welsh Heads of Environmental Health Group and Expert Panels;
- Participation in the South West Wales Health and Safety Task Group and the All Wales Health and Safety Expert Panel;
- Liaison with and complying with any advice and guidance from the HSE;
- Working with organisations and stakeholders to promote health and safety;

- Working with other services within the respective authorities such as Licensing, Planning and Building Control, Recreation and Leisure, Corporate Health and Safety and Events Teams;
- Liaison with and commitment to Local Government Regulation (formerly LACORS);
- Ongoing work with Regulatory Delivery (formerly BRDO);
- Welsh Government; and
- Local Government Data Unit.

## Service Delivery Points

Health and Safety Services are delivered from three service delivery points located across the County as detailed below. Normal office hours are 8.30am - 4.45pm Monday to Thursday and 8.30am - 4.15pm Friday and the daytime enquiry number is 0845 602 7037. Alternative methods of contact include email [environmental.health@powys.gov.uk](mailto:environmental.health@powys.gov.uk) and the newly launched Twitter feed [Twitter@PowysEnvHealth](https://twitter.com/PowysEnvHealth). The Authority operates a 24-hour 'Careline' – 0845 0544874 which is a separate manned emergency service, operated out of normal office hours.

The Gwalia Ithon Road Llandrindod Wells Powys LD1 6AA	Neuadd Maldwyn Severn Road Welshpool Powys SY21 7AS	Neuadd Brycheiniog Cambrian Way Brecon Powys LD3 7HR
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In addition to the hours indicated above, officers conduct unannounced visits and investigations at other hours than those listed above.

The Powys County Council website provides information on the services and the website address is [www.powys.gov.uk](http://www.powys.gov.uk).

## 2.4 Enforcement Policy

We will encourage people to comply with the law in the interests of our wider communities. When this is undermined, and the Council has legal powers to protect our communities from harm, we will use them. The use of these legal powers is enforcement, which ranges from formal letters containing schedules; serving notices requiring people to carry out certain actions; to prosecution which could result in fines, including imprisonment.

Fair and effective enforcement is essential to protect the economic, environmental and social interests of the public and business. Decisions about enforcement action and in

particular the decision to prosecute, has serious implications for all involved and for this reason, the Service has adopted an Enforcement Policy.

The Enforcement Policy sets out the Council's approach to enforcement of its legal powers that will be applied by the Service when dealing with issues of non-compliance, and what residents, consumers and businesses can expect. Such a policy is intended to establish a uniform approach to enforcement throughout the Council, and help promote efficient and effective approaches to regulatory inspection and enforcement, and balances the need for improvement in regulatory outcomes with minimising unnecessary burdens on business.

Specifically to health and safety regulators the Enforcement Management Model (EMM) has been produced by Central Government as a basis by which regulators, i.e., HSE and LA make decisions about what is the appropriate action to take in any situation. The authorised officers within Powys also use this guidance to reach proportionate enforcement decisions, determining the risk gap; risk-based decisions and compliance issues.

Traditionally based upon the principles of the Enforcement Concordat and the Regulators Compliance Code, local authority Enforcement Policies must now reflect the Regulators Code of 2014 and the regulatory principles required under the Legislative and Regulatory Reform Act 2006.

The Regulators Code is based upon six broad principles:

- Regulators should carry out their activities in a way that supports those they regulate to comply and grow;
- Regulators should provide straightforward ways to engage with those they regulate and hear their views;
- Regulators should base their regulatory activities on risk;
- Regulators should share information about compliance and risk;
- Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply; and
- Regulators should ensure that their approach to their regulatory activities is transparent

Environmental Health enforcement officers receive ongoing training on RIPA, PACE and any other evidential enactments to support the enforcement competencies and development of officers.

# 3. Service Delivery

## 3.1 Intervention Plan

All local authorities are required to base their approach to health and safety enforcement and thus their Intervention Plan on the:

- National Local Authority Enforcement Code and
- Local Authority Circular (LAC) 67/2 (rev 5)

The National Local Authority Enforcement Code developed by Health and Safety Executive (HSE) sets out Government expectations for a risk based approach to targeting health and safety regulatory interventions. It provides a principle based framework that recognises the respective roles of business and the regulator in the management of risk. Importantly the Code is designed to ensure that local authorities take a more consistent and proportionate approach to their regulatory intervention.

Local Authority Circular 67/2 (rev 5) is provided under Section 18 of the Health and Safety at Work etc. Act 1974 and gives LAs guidance and tools for priority planning and targeting their interventions to enable them to meet the requirements of the national Enforcement Code. In March 2011, the Minister of Employment published '**Good Health and Safety, Good for Everyone**'. The focus of which was for LAs to concentrate on higher risk industries and tackle serious breaches of the rules. In May 2011 the Local Government Group (LGG) and HSE produced further guidance 'Reducing Proactive Inspections' for LAs to determine their proactive interventions. In simple terms, inspections are now limited to the highest risk premises only. In addition, a range of other proactive interventions should be applied to other premises to improve awareness and management of health and safety. Selection of an intervention type will be based upon the health and safety risk rating of the business.

Typical interventions include:-

- Whole premises inspections of the highest risk business operations identified in line with the National Code and LAC 67/2 (rev 5) (sometimes referred to as 'A' rated);
- Evidence based projects developed to target:
  - key work activities such as working at height, the management of legionnaires, workplace transport and infection control risk;
  - Unitisation; inspection of key parts of the workplace e.g. the management of Cryptosporidiosis in leisure and hospitality facilities, the management of infection control in nurseries and residential care homes;
  - Targeting management of businesses e.g. new businesses identified and existing business through other departmental actions;
  - Targeting of specific workplace activities such as sunbeds, tattooing.
- Advice and information via targeted promotional campaigns

The highest risk premises (A) will be subject to full routine proactive inspection, these premises are identified on an annual basis by local historical accident and complaint trends, local and national industry and accident data and the findings of local accident investigations. HSE strategy requires that the inspection must concentrate on management, competency and worker involvement. Areas of work activity known to contribute to the cause of accidents in any given industry sector will continue to form a major part of that inspection, these activities include:-

- Falls from height;
- Workplace transport;
- Slip, Trips and Falls;
- Manual handling;
- Asbestos, duty to manage;
- Legionella and water quality management systems.

When inspecting high risk premises officers are also required to consider matters of “evident concern”. Matters of “evident concern” in the workplace could include not only a complete failure of health and safety management arrangements but a history of accidents or complaints, or a failure to identify well known and understood sector risks and repeated enforcement action on common themes. Where there is “evident concern” the scope of the inspection will widen to include whatever aspects of workplace health and safety is necessary.

In addition to programmed risk based inspections, other inspections/visits will be carried out as appropriate, for example:-

- As a result of complaints or other information;
- Accident notifications;
- New businesses;
- Outdoor events.

Local authorities are then required to make proper use of non-inspection interventions which are considered capable of achieving better overall outcomes than inspections alone, although their delivery will require similar level of resources. These include targeted non face to face interventions.

Health and safety interventions are thus planned and targeted by considering the risks to be addressed and having regard to the intervention available, the risk profile of the business/sector, national information and local knowledge and priorities.

An intervention plan showing the programme of interventions for 2016/17 has been developed demonstrating how through re-active and pro-active work and project based activity both national and local, the service will secure improvements to health in workplaces in Powys. Powys’s Intervention Plan for 2016/17 can be found on **Pages 14, 15 and 16** below.



## Accident and Incident Investigation

All accident notifications received are assessed against specified criteria in the Accident Investigation Policy which has regard to the detail of the accident and refers to LAC 22/13 Incident and Accident Selection Guidance and Summary. The decision to investigate an accident is based on a formal Incident Selection Criteria document which is intended to ensure that resources for the investigation are directed at those incidents considered most likely to identify deficiencies and demand improvements in the safety management systems of the business. The most commonly reported accidents relate to: slips, trips and falls, falls from height, manual handling, or being struck by moving object. The core objectives of accident investigation are to:

- Identify the relevant duty holder(s) and witnesses;
- Establish the key facts relating to the causes of the incident;
- Identify immediate and underlying causes;
- Identify any lessons learned;
- Ensure appropriate remedial action is taken to prevent a recurrence;
- Identify the relevant law and whether there are any breaches;
- Form a view about appropriate further action using the EMM framework (Enforcement Management Model)

An investigation may range from an enquiry by a single officer about a minor incident to a notification of a fatality or major injury involving a team of officers. As a result the timeliness and thoroughness of the investigation and the quality of the evidence collected are critical to its successful outcome.

## Advice to businesses

Powys County Council assists businesses wherever possible by providing health and safety advice through a variety of channels and situations, such as:-

- Advice provided as part of the inspection process, registration/licensing requests and sampling regimes;
- Responding to complaints and requests for service;
- A variety of free information leaflets are available on all aspects of workplace health and safety;
- The provision of training seminars;
- Participation in national events, such as European Health and Safety Week;
- Through Powys County Council's website.

## Intervention Plan 2016/17

Intervention Plan 2016 -2017			
Reactive work activity		Activity detail	
1.	Accident investigation	Receive notifications of all reportable injuries, disease and dangerous occurrences from the HSE website or employees or members of the public and investigate in accordance with Accident Investigation Policy.	
2.	Complaint investigation	Receive and investigate all complaints (service requests) from employees, members of the public and others.	
3.	Permissioning Activities	Respond to licence and registration applications for skin piercing and tattooing activities, statutory equipment/ plant reports, and asbestos notifications in a timely and effective manner.	
4.	Outdoor events	Respond to public safety matters on outdoor events with regard to public safety matters.	
Proactive work activity		Activity detail	Performance Indicator
1.	Premises/ workplace inspections	Inspect those premises identified as 'A' rated (poor performing) on the M3 database at April 2016. Some of these businesses will require a 2 officer visit because of the complexity of the work activities involved.	Inspections at 100% of identified premises
Project based activity – National projects		Activity detail	Performance Indicator
1.	Gas Safety in catering businesses	This was originally a 2 year evidence based project focused on the maintenance of gas appliances and installation with catering businesses. This project has significantly raised the standards of gas safety in catering businesses, and as a result it will be extended for another year to target further businesses. Interventions will include visits to known higher risk businesses and advice letters where risk is unknown.	At least 20 premises selected across the LA
2.	Early Years Infection Control project (Appendix C)	The project has developed following outbreaks of infectious diseases in nurseries and child care settings across LAs in Wales. Environmental Health staff with CSSIW and Public Health Wales developed an Infection Control Audit Tool for Early Years Settings. Children can potentially spend a large amount of time in childcare settings where there are frequent opportunities for the spread of infection. Young children particularly those under the age of five years are recognised at particular risk of contracting and transmitting gastrointestinal and respiratory infections.  This is the third year of the collaborative project between H&S and communicable disease.	At least 20 premises selected across the LA

Project based activity – National projects (cont.)		Activity detail	Performance Indicator
3.	Residential Care Homes (RCH):  Lifting equipment Managing legionella Falls from height	This project combines 3 interventions and follows an initial pilot project undertaken in a number of South Wales LAs, following a successful prosecution of a RCH, as a result of the death of a resident using a passenger lift and officer observations regarding poor management of legionella and falls from height within this care sector. This cost effective approach will result in an initial campaign through mail merge, followed by unannounced visits to the premises and will cover all 3 projects.	Mail shot 100% of identified premises (Spring 2017)  Visits 17/18
Project based activity – Local projects		Activity detail	Performance Indicator
1.	New Business Advice	Provide new businesses with advice and guidance relevant to their activities, utilising mail merges; advice packs and visits.	80% of new premises identified in 2016/17
2.	Beauty Sector i.e., Sun beds; Teeth Whitening; Tattooing; Piercing and body modification procedures (Appendix B)	Following the implementation of The Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011, a 5 year review was undertaken in early 2016 within Powys. 10 premises were visited as a pilot and only 2 were fully compliant.  The Beauty Sector is continuously changing and as a result illegal practices are continuing. Therefore, this project will be extended for another year as there is still much work to be undertaken in ensuring that standards are maintained and on-going education to local businesses is given, in order to protect public health. Intelligence led interventions through local knowledge and complaints will also continue, as required.	At least 10 premises selected across the LA and intelligence led investigations as required.
3.	E.coli Event safety Letter (Appendix F)	Organisers of shows and events that are known to take place on agricultural land have been identified as a high risk sector/activity in Annex A of the National Code. Powys continues to be the source of E.coli O157 infection in the human population following outdoor events/ activities and therefore the advice letter on infection control. I.e. E.coli/Cryptosporidium especially in children will continue to be forwarded to outdoor event organisers as identified.  Targeted risk based selection of premises for a visit, as required.	All newly identified events  Visits as required
4.	Spa pools (Appendix D)	Spa pools and hot tubs are considered to be high risk water systems and careful management of them is essential to ensure that Legionella bacteria are controlled. Research into the increasing trend in the installation of hot tubs in commercial premises, notably holiday homes and leisure facilities, has highlighted a need to disseminate and provide targeted guidance to assist duty holders to understand and reduce the risk of legionella infection.	Mail shot 100% of identified premises.

Project based activity – Local projects (cont.)		Activity detail	Performance Indicator
	Spa pools (cont.)	Targeted risk based selection of premises for a visit, as required including follow up visits incorporating sampling to verify that suitable controls are in place to manage the presence of Legionella bacteria.	Undertake targeted risk based selection of premises for intervention/ sampling visit.
5.	Cellar Access	Due to a historic fatal accident and recent incidents involving cellars within Powys, including a successful prosecution taken in December 2015, information will be provided through mail shots and intervention visits to aid new and existing business operators with minimising the associated risks.	All identified.

## 4. Resources

### 4.1 Financial and staffing allocation

#### Financial allocation

The expenditure directly involved in providing the Health and Safety Service for 2016/17 is included in the Service budget and can be found in Appendix A of this document.

#### Staffing allocation

The table below indicates the number of staff authorised to work on Health and Safety enforcement and related matters, within the Commercial Team.

Officer	Qualifications
Beverley Cadwallader (p/t)	EHO/EHORB Registered
Catherine Davies	EHO/EHORB Registered
Janet Evans (j/s)	EHO/EHORB Registered
Carol Goldsmith (j/s)	EHO/EHORB Registered
Debbie Halstead	EHO/EHORB Registered
Rhian Jenkins (p/t)	EHO/EHORB Registered
Jane Jones (p/t)	EHO/EHORB Registered
Rebecca Jones (p/t)	BSc (HONS) Environmental Health
Sam Lauder	EHO/EHORB Registered
John Paul Lawrence	EHO/EHORB Registered
Alun Mears	EHO/EHORB Registered
Lorna Morris (p/t)	EHO/EHORB Registered
Elin Roberts (p/t)	EHO/EHORB Registered
Pat Tulloch (j/s)	EHO/EHORB Registered
Rosemary Wilcox (j/s)	EHO/EHORB Registered

(p/t) – Part-time employee

(j/s) – Job share employee

### 4.1 Staff Development Plan and Competency

Powys County Council has adopted and implemented Individual Performance Reviews (IPRs) and each staff member has a formal one-to-one conversation with their line manager every 90 days. IPRs are intended to support staff, provide feedback, and give praise and also to ensure that they remain on track with personal objectives. This policy is based on the underpinning principle that managing performance is key to enabling all employees to effectively contribute to the quality of life for Powys residents.

Continuing Professional Development (CPD) will be actively encouraged and officers will be offered the opportunities to attend a wide range of training courses, seminars, meetings and briefings to help maintain competency and improve technical, legal and administrative knowledge. The Chartered Institute of Environmental Health have mechanisms in place to monitor CPD.

The Service also recognises the need for full technical support to be available to all Health and Safety Officers and this is achieved through a variety of ways, namely:-

- Internet subscription and library;
- HSE liaison;
- External Specialist services.

Powys County Council operates systems to appoint, authorise, train, monitor and maintain a competent inspectorate. Part of this approach uses the framework developed jointly by HSE, CIEH and LG Regulation which focuses on generic inspection skills as well as specific technical knowledge needed in health and safety enforcement. The Regulators Development Needs Analysis (RDNA) tool assists in identifying training and developmental needs of Inspectors. The Service ensures that competency is secured by appointing appropriately qualified and experienced personnel to health and safety enforcement duties. There are specific job descriptions and person specifications for all employees and all appointments are made in accordance with the Council's procedures for recruitment and selection.

## 5. Performance

In managing its performance and activity, the Health and Safety Service uses the M3 premises database to record, collate and share data and activity. The database is used to record details of premises, inspections, complaints and other activities including assessment of risk rating and is used to assist in targeting interventions and designing the work programme.

### 5.1 Performance Measures

Previously the Welsh Government had only one performance indicator pertinent to the delivery of the Council's Health and Safety service which no longer exists. However results are still monitored internally and the PIs for this financial year include:

- 100% completion of A rated high risk inspections
- 80% of new premises identified given appropriate advice

**LAE1 – Local Authority Health and Safety Annual Return** - Under Annex G LAC 67/2 Revision 5 all local authorities in England and Wales are required on an annual basis to record health and safety activity and enforcement data and submit to the HSE. This is

documented in a standardised format which outlines the work activities undertaken in the previous year 2015/16 (see Table One below).

<b>Table One - Summary of local authority health and safety activity</b>			
<b>1 April 2015 – 31 March 2016</b>			
<p><i>Only include information where health and safety was targeted as a priority for intervention</i>  <i>For guidance on targeting interventions see:</i></p> <ul style="list-style-type: none"> <li>• <a href="#">National LA Enforcement Code</a></li> <li>• <a href="#">List of higher risk activities in specific sectors suitable for proactive inspection</a></li> <li>• <a href="#">Supplementary Guidance</a></li> <li>• <a href="#">LAC 67/2 (rev4) (Annex G)</a></li> </ul>			
	<b>Intervention</b>	<b>Number of visits/ Inspections/ contact</b>	<b>Guidance</b>
<b>Proactive inspections</b>	Risk category A	3	Record proactive inspection activity only where the premises were targeted for HSWA intervention. Record activity against the rating category prior to the inspection. Do not record issues encountered that were incidental to other regulatory work e.g. matters of evident concern noticed and dealt with during a visit for another purpose.
	Risk category B1	0	
	Risk category B2 and C	0	
<b>Non-inspection interventions</b>	Other visits/face to face contacts	265	Any visit/face to face contact to educate, advise or engage duty holders, employees or other bodies such as trade associations e.g. awareness days and advisory support visits.
	Other contact/interventions	257	Any other targeted contact (not face to face) to educate, advise or engage duty holders, employees or other bodies such as trade associations e.g. to raise h&s awareness through provision of information packs. Do not include non-targeted general newsletters, service magazines or the number of website hits.
<b>Reactive visits</b>	Visit to investigate health & safety related incidents	11	Record the number of actual visits made under the relevant category. HSE has developed a risk-based approach to <a href="#">complaint handling</a> and incident selection criteria ( <a href="#">LAC 22/13</a> ) which LAs should adopt to help target interventions and make best use of resources.
	Visits to investigate health & safety complaints	12	
	Visits following requests for H&S service from businesses	18	
	Revisits following earlier intervention	25	Visits following an earlier intervention to confirm action previously required has been completed e.g. to check compliance with notices.

## Appendix A – Health and Safety Budget 2016/17

HEALTH & SAFETY	200,650
OTHER APT & C - PAY	120,880
OTHER APT & C - NI	11,020
OTHER APT & C - SUP	28,050
PROFESSIONAL SUBSCRIPTIONS	400
TRAVEL EXPENSES - STAFF	5,140
GENERAL EQUIPMENT	600
TELEPHONE LINE CALL CHARGES	1,000
OTHER HIRED & CONTRACT SERVICE	500
TELEPHONE RECHARGE (IT)	220
OFFICE ACCOMMODATION RECHARGES	7,650
FINANCE DEPT RECHARGE	410
IT RECHARGE	14,050
PERSONNEL RECHARGE	5,860
CENTRAL PURCHASING RECHARGES	60
PUBLIC RELATIONS UNIT	630
BPU	2,930
EMPLOYEE INSURANCE	610
LEASED CAR INSURANCE	640



## Appendix B

### CYNGOR SIR POWYS COUNTY COUNCIL. MEMBERS' INFORMATION BULLETIN.

<b>REPORT BY</b>	<b>Professional Lead - Environmental Health - Commercial</b>
<b>SUBJECT</b>	<b>Beauty Sector i.e., Sun beds; Teeth Whitening; Tattooing; Piercing and body modification procedures</b>

1. The Commercial Section of Environmental Health is involved through its work streams and statutory duties in the health and safety of sunbeds and the enforcement of the The Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011.
2. The health case for legislation in the area of artificial tanning devices is clear. Skin cancer incidence is increasing. The main cause of skin cancer is over-exposure to ultra-violet (UV) rays. This may be from natural sunlight or artificial rays from the use of sunbeds and sunlamps. Skin cancer typically takes decades to develop, so may not become apparent until years after the damaging exposure.
3. Growing concerns about the association between skin cancer and sunbeds became evident in 2003 when the World Health Organization (WHO) issued Artificial Tanning Sunbeds: Risks and Guidance to assist governments in developing public health policy on sunbeds. This highlighted that increasing evidence showed that cumulative exposure to UV radiation increases the risk of skin cancers, so sunbed exposure added to natural sun exposure would increase the skin cancer risk. The guide also recognised the particular vulnerability of young skins and recommended that young people under 18 should not use sunbeds.
4. The Sunbeds (Regulation) Act 2010 (Wales) Regulations 2011 came into force in 31 October 2011. The regulations require the following from businesses:
  - require the supervision of sunbed use;
  - extend to businesses that operate from domestic premises the requirement that sunbeds are not used, or offered for use, to under 18s on those premises;
  - prohibit the sale or hire of sunbeds to under 18s;
  - require the provision of prescribed health information to users;
  - prohibit the provision or display of any material relating to the health effects of sunbed use, other than material containing health information that has been prescribed; and
  - mandate the availability and use of protective eyewear by customers.
5. Initial visits were conducted after the regulations came into force in 2011 and appropriate information was given out to local businesses. This year (2016) will be 5 years since the regulations came into force and as a result The Powys Environmental Health team have been involved in checking compliance with these requirements.

6. Visits were conducted from December 2015 onwards. Issues were noted in the majority of premises, with only 2 out of 10 being fully compliant with current regulations. Common areas of concern included:

- Failing to provide health information to users
- Failing to prohibit the provision or display of any material relation to the health effects of sunbed use

7. The visits conducted also highlighted a growing issue with illegal teeth whitening. Only registered dentists, dental therapists, dental hygienists and clinical dental technicians, working to the prescription of a dentist, can perform tooth whitening. Treatment methods are likely to amount to the practice of dentistry include examples such as:

- Painting on a gel to the surface of the surface of the tooth and activating the gel with an LED lights;
- Providing a patient with trays that are pre-filled with bleach and activating the agent with an LED light.

One tanning salon offered treatments such as this **whilst using** the sunbed.

8. This has been a worthwhile project which Powys County Council will continue with. The Beauty Sector is continuously changing and as a result illegal practices are continuing. There is still much work to do in ensuring that standards are maintained and on-going education to local businesses is given, in order to protect public health.

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## **Appendix C** CYNGOR SIR POWYS COUNTY COUNCIL. MEMBERS' INFORMATION BULLETIN.

<b>REPORT BY</b>	<b>Professional Lead - Environmental Health - Commercial</b>
<b>SUBJECT</b>	<b>All Wales Project - Infectious disease control in Early years settings</b>

1. The Commercial Section of Environmental Health is involved through its work streams and statutory duties in overseeing both the health and safety aspect of Nurseries and day care facilities and infection control and investigation of outbreaks.
2. Infection control is a vital issue in childcare settings. Children can potentially spend a large amount of time in childcare settings where there are frequent opportunities for the spread of infection. Young children particularly those under the age of five years are recognised as at particular risk of contracting and transmitting gastrointestinal and respiratory infections.
3. An All Wales Guidance document for Infection Prevention and Control for Childcare Settings has been produced by Environmental Health Professionals in conjunction with Public Health colleagues in response to numerous large scale and serious outbreaks that have occurred within these types of settings. These guidelines, it is hoped will help to improve the knowledge and understanding of infection prevention and control for staff in childcare settings.
4. In conjunction with this guidance an Infection Control Audit Tool has also been developed. The Audit Tool allows for a review of the premises, policies and procedures in relation to infection control, and to help ensure current best practice standards are being met. As well as the Audit Tool being utilised by the nurseries as part of their annual review, it has been utilised by officers from the local authority and Care and Social Services Inspectorate Wales (CSSIW) as part of their inspection regime.
5. The Powys Environmental Health team have been involved in an All Wales Project with the aim of the project being:
  - To raise awareness of infectious disease control within early year's day care settings including guidance available and best practice.
  - Provide a self-assessment audit tool for child care provider's to assess their own standards.
  - Reduce the number of outbreaks of infectious disease within early year's day care settings.
  - To ensure a consistent approach across Wales.
6. The following are some of the areas that have been considered during the interventions:
  - General management & staff health
  - Suitability of hand washing facilities.

- Current policies and procedures - are they implemented and up to date for the control of infectious disease?
  - Nappy changing facilities & the use of potties
  - General cleaning & play equipment
7. To date, over 50 early years settings have been inspected and these have been selected from across Powys, with the largest nurseries taking priority.
  8. The standards noted across the range have been variable and whilst some have been found to be excellent there have been some areas of concern and common themes and these and the actions taken as a result are detailed within the attached appendix.
  9. This has been a very worthwhile project and has hopefully provided some solid foundations in promoting and preventing the spread of infectious diseases. As mentioned it has hopefully not only been confined to protecting the children who attend these settings but will also prevent and minimise the impact to others including household contacts, members of staff and where nurseries are situated within schools to the other children attending those. There is still much work to do in ensuring that standards are maintained and on-going education is needed to the children and parents about the importance of good hygiene practice and exclusion periods, as well as improving cleaning practices. Officers will continue to promote the values of this project.

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## Appendix D

### CYNGOR SIR POWYS COUNTY COUNCIL. MEMBERS' INFORMATION BULLETIN.

<b>REPORT BY</b>	<b>Professional Lead - Environmental Health - Commercial</b>
<b>SUBJECT</b>	<b>Legionella Intervention: Hot Tubs</b>

4. Spa pools and hot tubs can be found in a variety of settings and using them has increased in popularity. Holiday lettings that advertise the use of a hot tub as part of the package are now much more common and some holiday complexes may have multiple hot tubs on site. Spa pools and hot tubs are considered to be high risk water systems and careful management of them is essential to ensure that Legionella bacteria are controlled.
5. As part of the Environmental Health role when a notification of Legionnaires disease is received officers are required to investigate and attempt to pinpoint the likely source. Many confirmed cases of Legionnaires Disease across the UK have been associated with exposure to hot tubs /spa pools and deaths have been caused by such exposures.
6. Research into the increasing trend in the installation of hot tubs in commercial premises, notably holiday homes and leisure facilities, has highlighted a need to disseminate and provide targeted guidance to assist duty holders to understand and reduce the risk of legionella infection.
7. Commercial premises offering hot tub facilities have been identified across the county, and the **attached information letter** will be sent out to advise duty holders on their legal requirements, and also to signpost sources of information and specialist advice.
8. The information letter is likely to be sent later on in 2015.
9. Businesses who receive a copy of the letter are likely to be contacted later on in the year to establish what measures they have put in place to control the risk of legionella infection in their hot tubs.
10. Public Health England have developed a regional study to examine the risk of contracting Legionnaires Disease from spa pools and hot tubs. Any follow up visits to businesses in Powys may also incorporate sampling to verify that suitable controls are in place to management the presence of Legionella bacteria. This information will be fed into the Public Health England study through the PHE laboratory facilities we work with.

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## **Appendix E** CYNGOR SIR POWYS COUNTY COUNCIL. MEMBERS' INFORMATION BULLETIN.

<b>REPORT BY</b>	<b>Professional Lead - Environmental Health - Commercial</b>
<b>SUBJECT</b>	<b>Smoke-free private vehicles carrying children under 18</b>

1. The Environmental Health Commercial Service is responsible for administering and enforcing the existing smoking ban legislation across Powys.
2. Legislation to ban smoking in enclosed public places was introduced in 2007 to protect the public from second-hand smoke. The smoking ban has been a public health success. Research commissioned by the Welsh Government shows air quality has improved significantly since the smoking ban was introduced and many people are now smoking less. Results from the Welsh Health Survey suggest that the number of adults being exposed to second-hand smoke has also reduced.
3. From the 1 October 2015 it was made an offence to smoke in a private vehicle when a person under the age of 18 is present. It is also be an offence to fail to prevent someone from smoking in a private vehicle when a person under the age of 18 is present.
4. Research shows children are particularly at risk from exposure to second-hand smoke, in the confined spaces of a vehicle where they cannot escape the harmful chemicals in tobacco smoke.
5. Vehicles used by the public such as buses, trains, and work vehicles are already required to be smoke-free under the existing smoke-free legislation.

The changes to the law on 1 October 2015 require a private vehicle to be smoke-free when:

- it is enclosed
- there is more than one person present and
- a person under the age of 18 is present.

The only exemption will be when a 17 year old driver is smoking and is the only person in the car.

6. Enforcement of the new law is the responsibility of the Local Authority and also police officers in conjunction with their wider functions on road safety. A fixed penalty amount of £50 will apply to people caught committing the offences.
7. A number of officers from Environmental Health have recently attended training in relation to the new legislation which is hoped will not be a major enforcement burden. The legislation is seen as 'nudge' legislation meaning it is hoped that:
  1. Some people will comply with it out of a sense of social responsibility as they believe in what the legislation seeks to achieve (ie protection of children)

- II. Some will comply even though they do not necessarily agree with the legislation, because they do not want to commit an offence
  - III. Some will comply because of social pressure to do so.
8. More information including a frequently asked questions page can be accessed via the following link: <http://freshstartwales.co.uk/>

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**Appendix F** CYNGOR SIR POWYS COUNTY COUNCIL.  
MEMBERS' INFORMATION BULLETIN.

<b>REPORT BY</b>	<b>Professional Lead - Environmental Health - Commercial</b>
<b>SUBJECT</b>	<b>Show / Event Guidance</b>

1. Organisers of shows and events that are known to take place on agricultural land have been sent a letter to advise on national guidelines on controlling ill health, and in particular on controlling E. coli O157 infection.
2. The advice provided is taken from the Industry Code of Practice on Preventing or Controlling Ill Health from Animal Contact at Visitor Attractions. This code of practice applies to a number of situations and specifically mentions agricultural shows or country fairs where livestock are present.
3. The guidance lists specific precautions to take if fields that have been used for grazing or keeping stock are used for recreational activities, e.g., picnicking, camping or play areas. These precautions include keeping farm animals off the fields for at least 3 weeks prior to use, the removal of animal droppings and ensuring that the grass is cut. Where agricultural land is used for recreational purposes like country fairs and shows which are likely to attract families with children and the elderly, it is prudent that steps are taken by organisers to reduce the associated risks.
4. E. coli O157 is a bacteria commonly carried by animals and in particular ruminant animals such as cows, sheep and goats. Even healthy looking animals may be carrying E. coli O157, which can be spread through their faecal excretions. E. coli O157 is spread to humans when humans ingest material contaminated with the E. coli O157 bacteria. If hands, food or other items become contaminated with animal faeces, and either the food is eaten or there is hand to mouth contact, the E. coli O157 bacteria can enter the body and cause illness. E. coli O157 infection in humans is thankfully relatively uncommon, but because the illness it causes can be severe or even fatal, it remains a serious public health issue.
5. The advice sent to the show and event organisers contains a summary of the code of practice, and is intended as a means of raising awareness of the risks associated with the use of land used by agricultural animals, whilst also providing some sensible, proactive and proportionate guidance on preventing or controlling ill health.
6. Our intention is purely to bring this topic to the attention of the organisers of those shows and events that take place on land used for grazing and keeping stock. It is not our intention to follow this up with visits etc. We would only follow up on this if we were to receive complaints or any notifications of infectious disease linked to attendance at an event or show.
7. Any representative of the shows/events who may have concerns about managing the risks, or overcoming particular obstacles should contact the department so that Officers can discuss the specifics of a particular event. We want to be in a position where we encourage community activities across the County and hope that the



guidance that is provided along with the practical support of our officers can help organisers to maintain safe environments in which to attract visitors.

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## Appendix G

### CYNGOR SIR POWYS COUNTY COUNCIL. MEMBERS' INFORMATION BULLETIN.

<b>REPORT BY</b>	<b>Professional Lead - Environmental Health - Commercial</b>
<b>SUBJECT</b>	<b>All Wales Project Managing <i>Cryptosporidium</i> in Swimming Pools</b>

1. The Commercial Section of Environmental Health is involved through its work streams and statutory duties for overseeing both the health and safety aspect of privately owned public swimming pools and also infection control and investigation of outbreaks of organisms such as *Cryptosporidium*.
2. *Cryptosporidium* are protozoan parasites that cause acute gastroenteritis. The symptoms range from mild to severe and include watery diarrhoea, abdominal pain, low grade fever, nausea and/or vomiting and generally last up to 2 weeks.
3. Swimming pools are the most common setting for *Cryptosporidium* waterborne outbreaks in England and Wales. Unlike most other pathogens the oocysts of *Cryptosporidium* are resistant to normal chlorine levels used for pool disinfection. This therefore presents an important challenge to swimming pool management.
4. Between May 2013 and February 2014 officers were involved in an All Wales study. The project evolved from a large outbreak of swimming pool associated *Cryptosporidium* which occurred in South East Wales in 2009. The main aim of the study was to assess the management of *Cryptosporidium* in swimming pools in Wales. All 22 local authorities participated in the study, 426 pools were visited between May 2013 and February 2014, in Powys a total of 37 premises were visited. Holiday parks, leisure centres and hotels were the most common settings for swimming pools.
5. The aim of the study was:
  - To raise awareness with pool operators of the engineering, management, and procedural controls required to minimise risks of *Cryptosporidium*.
  - To assess management of cryptosporidiosis in swimming pools across Wales.
  - To gather information about swimming facilities that could be utilised in the event of an outbreak of infectious disease.
6. Where matters of concern were noted these were raised and followed up with the pool owners to ensure standards are maintained. Additional follow up work will also be carried out where identified as necessary.

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## Appendix H

### CYNGOR SIR POWYS COUNTY COUNCIL. MEMBERS' INFORMATION BULLETIN.

<b>REPORT BY</b>	<b>Professional Lead - Environmental Health - Commercial</b>
<b>SUBJECT</b>	<b>Carbon monoxide safety awareness campaign</b>

1. The Commercial section of Environmental Health is responsible amongst many other things for health and safety in certain sectors of businesses which includes the event industry and the holiday business trade such as camping and caravan sites across the County.
2. There have in recent years been several tragic fatalities caused by people being overcome by lethal carbon monoxide fumes emitted from barbeques that have been brought into tents and awnings. A large majority of these deaths have been of children, leaving parents and families devastated after what should have been an enjoyable camping trip.
3. There is a general awareness of carbon monoxide associated with gas appliances in the home, but there is little known about barbeques and the dangers that can be present, particularly when a lit barbeque is brought into a tent, awning, caravan or motorhome. Even a warm smouldering barbeque can give off poisonous carbon monoxide hours after use. Carbon Monoxide is often referred to as the silent killer being colourless, odourless and tasteless.
4. Following on from our own campaign last year Public Health Wales is this year leading a carbon monoxide-related 'Summer Safety Campaign' in conjunction with a number of organisations, including the gas and solid fuel industries, Welsh Government, Local Authorities, Health Boards, RoSPA and the Emergency Services. The aim of the campaign is to promote important carbon monoxide safety messages amongst those involved in:
  - Camping and caravanning
  - Boating
  - Attending festivals
5. As part of this campaign we are working with Public Health Wales and have provided them with a list of all known event organisers to enable them to distribute the campaign material they have produced. Furthermore our officers will be spreading the message and sharing the campaign material with event organisers, campsite managers etc. as they go about their routine work. We are also working with our PR team to ensure the message is communicated widely.
6. It is hoped that by getting the message out there any further tragic incidents may be avoided.

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