

**CYNGOR SIR POWYS COUNTY COUNCIL.****Portfolio Holder Delegated Decision Report  
7th July 2015**

**REPORT AUTHOR:** County Councillor John Powell  
Portfolio Holder for Environment and Sustainability

**SUBJECT:** Food Standards Agency Audit

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**REPORT FOR:** Discussion / Information

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## **1. Background**

1.1 The Food Standards Agency (FSA) is an independent food safety watchdog set up by an Act of Parliament in 2000 to protect the public's health and consumer interests in relation to food. The FSA provides advice and information to the public and Government on food safety from farm to fork, nutrition and diet. It also protects consumers through effective food enforcement and monitoring.

## **2. Local Authority Audits**

2.1 Audits of local authorities' food law enforcement services are part of the FSA's arrangements to improve consumer protection and confidence in relation to food. The FSA's local authority audit scheme, which was launched in 2001, is the process by which the Agency conducts a qualitative assessment of local authority performance.

2.2 Local Authorities are audited against the Food Law Enforcement Standard in a Framework Agreement, which sets out minimum standards of performance expected from local authorities across the full range of their food law enforcement activities. The assessment includes the local authority arrangements in place for inspections of food businesses and foodstuffs, sampling and analysis, internal management, food safety promotion and educational activities.

## **3. Powys County Council Audit**

3.1 The Food Standards Agency visited Powys County Council in November 2013 to ascertain how the Council was meeting the standards set in the Framework Agreement on Local Authority Food Law Enforcement, in respect of food hygiene, food standards and animal feeds. The on-site element of the audit took place across the Authority's offices between 25 and 29 November 2013 and included reality checks at a number of the Authority's establishments.

3.2 Following the on-site audit, a report has been produced. This report incorporates an executive summary report which highlights the key strengths and key areas for improvement for the Authority as follows:

### **3.3 The Authority's Strengths**

#### **Food Standards and Feed Complaints**

The authority had carried out timely and thorough investigations in response to food standards and feed complaints, ensuring complainants were informed of the outcome of investigations.

#### **Advice to Business**

It was clear that the authority placed importance on the provision of helpful advice to businesses to assist them in complying with food hygiene, food standards and feed legislation. Targeted advice had been provided to childminders and butchers specific to their needs and drop-in sessions had been provided across the authority's area to increase business awareness of the Food Hygiene Rating Scheme. Comprehensive business information was available on the authority's website in respect of food hygiene, food standards and feed.

#### **Control and Investigation of Outbreaks and Food Related Infectious Disease**

The authority was able to demonstrate that it had responded appropriately to notifications of food related infectious disease and outbreaks and had maintained detailed records of its actions on file.

#### **Food Safety Incidents**

The authority was able to demonstrate that it had implemented its documented Food Alerts and Incidents Procedure. Effective liaison arrangements were in place between food hygiene and food standards officers to provide a response. Incidents arising locally with wider food safety implications had been notified to the FSA.

#### **Food Hygiene Records and Interventions/Inspections Reports**

Comprehensive records of food hygiene interventions were being maintained which were easily retrievable.

#### **Liaison with Other Organisations**

The authority was able to demonstrate that it had arrangements in place for effective liaison with other organisations on food and feed issues. The food hygiene service had been involved in developing and effectively delivering consistency training in the application of the Food Hygiene Rating Scheme to local authority officers across Wales.

#### **Food Safety and Standards Promotion**

The authority had delivered a number of initiatives with the aim of promoting food safety and standards.

### **3.4 The Authority's Key Areas for Improvement**

#### **Authorisation of food standards and feed officers**

The criteria for determining feed and food standards officer competencies prior to authorisation and arrangements for authorising new or returning officers had not been documented. Further, insufficient resources had been allocated to the delivery of official feed controls.

#### **Food Standards and Feed Interventions and Inspections**

The authority was not carrying out food standards or feed interventions at the minimum frequencies required in the Codes of Practice. Interventions carried out at the minimum

frequency ensure that risks associated with food and feed businesses are identified and followed up. Where food standards and feed inspection records were available, these were not sufficiently detailed to establish that effective interventions had been carried out, or to inform a graduated approach to enforcement. A significant number of feed establishments had not been subject to an intervention.

### **Food Standards and Feed Inspection Reports**

Records relating to feed inspections were not consistently being maintained by the authority for the minimum period required by the Feed Law Enforcement Code of Practice. Further, food standards and feed reports provided to food/feed businesses operators following inspections did not contain all of the information required by the relevant Codes of Practice.

### **Internal Monitoring Food Standards and Feed**

The authority was performing some quantitative monitoring of food standards and feed law enforcement activities, but needs to confirm conformance across all food and feed law enforcement activities with the requirements of the relevant Codes of Practice.

### **Food Standards Sampling**

The authority had not taken appropriate follow-up action in response to unsatisfactory food standards sampling results.

## **4. Next Steps**

4.1 A copy of the full report is attached to this report as Appendix A.

4.2 In response to the audit an action plan has been produced by the Authority and this is incorporated within the audit report attached. The action plan places particular emphasis on securing improvements in the areas identified.

4.3 A copy of the final report will be made publicly available and placed on the Agency's website ([www.food.gov.uk/enforcement/auditandmonitoring](http://www.food.gov.uk/enforcement/auditandmonitoring)), this has not yet occurred but when they do so they will also announce the publication to the local media.

### **One Powys Plan**

Food Safety contributes in a cross cutting manner to various aspects of the One Powys Plan and the audit and subsequent action plan will serve to build on this.

### **Options Considered/Available**

Whilst the authority accepts the FSA `s Audit Report in full, discussions with the FSA in regard to the findings on Food Standards and Feed controls have revealed that in a time of diminishing resources within local authorities, the Trading Standards `Intelligence Operating Model` (IOM) will inevitably mean resources being targeted at areas of most concern, rather than blanket inspection of premises as previously required by the Code of Practice. An action plan has been produced and agreed with the Food Standards Agency to address the issues raised by the audit and the service will ensure that the areas of concern highlighted are actioned.

## **Preferred Choice and Reasons**

The actions required to address the issues raised have been incorporated within the action plan approved by the Food Standards Agency. This will be the subject of review by the FSA to ensure progress is made against the action plan.

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

The report does not directly impact on any of the above policies, although the work of the authority in tackling Food Fraud was noted within the report as good practice.

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

There is no impact in relation to the above.

## **Local Member(s)**

This applies with equal force across the whole County.

## **Other Front Line Services**

There are no implications for other front line services.

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

Senior Manager Property notes that the report has no implications.

ICT note that this report has no implications

HR - no implications

BSU – no implications for support services

Legal – The recommendation can be accepted from a legal point of view

Finance – there appears to be no implications

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

This report has no implications in respect of the above.

## **Corporate Communications**

Report noted – no comments required.

## **Statutory Officers**

The Strategic Director Resources (S.151 Officer) notes the comments made by Finance

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

**Members’ Interests**

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If Members have an interest they should declare it at the start of the meeting and complete the relevant notification form.

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
<b>To note the contents of the audit report and the action plan devised in response.</b>	<b>To ensure compliance with Food Standards Agency requirements</b>

<b>Relevant Policy (ies):</b>	
<b>Within Policy:</b>	<b>Y</b>
<b>Within Budget:</b>	<b>Y</b>

<b>Relevant Local Member(s):</b>	<b>All Members</b>
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<b>Person(s) To Implement Decision:</b>	<b>Bev Cadwallader / Clive Jones</b>
<b>Date By When Decision To Be Implemented:</b>	<b>As per action plan</b>

<b>Contact Officer Name:</b>	<b>Tel:</b>	<b>Fax:</b>	<b>Email:</b>
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**Background Papers used to prepare Report:**

Appendix A – Food Standards Agency Audit Report in relation to Powys County Council