

**BURNLEY BOROUGH COUNCIL**

**Food Safety Delivery Plan 2024/25**

**(Reporting 2022/23 performance and 2024/25 Workplan priorities)**



**Burnley**  
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# **Burnley Food Safety Delivery Plan**

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## 1. INTRODUCTION

### 1.1 Burnley Food Safety Delivery Plan

This plan explains how we plan to protect and promote food safety throughout the Borough. It has been produced in accordance with the Food Standard Agency's Framework Agreement on Food Law Enforcement

In its development, consideration has been given to the profound impacts the Coronavirus pandemic has had on public, business and Council activities.

The plan intends to comply with the Food Standards Agency (FSA) Recovery Plan which sets out guidance and advice to local authorities to 31<sup>st</sup> March 2023 during the period of recovery from the impact of COVID-19, and to the Food Law Code of Practice thereafter to ensure local authority resources are targeted effectively to safeguard public health and consumer protection in relation to food.

Local Authority performance against the Recovery Plan and Food Law Code of Practice is regularly monitored by the FSA.

This plan is prepared and reviewed annually by Environmental Health. It is subject to Member approval by the Council's Executive Board & Full Council

### 1.2 Profile of Burnley

Burnley has a diverse population, the size has increased by 8.8%, from around 87,100 in 2011 to **94,700** in 2021. This is higher than the overall increase for England (6.6%), where the population grew by nearly 3.5 million to 56,489,800 (*ONS.28 Jun 2022*). The borough covers an area of 42.7 square miles, 80% of which is rural. Along with Blackburn, Blackpool and Preston, Burnley is a key business, service, and retail centre in Lancashire.

Burnley has strong sense of identity and pride that stems back from its long manufacturing history. The connectivity of the Borough today is primarily by its road and rail links that services the town's residents, employers, and service suppliers.

Manufacturing and Engineering, including aerospace and automotive, account for 7,000 jobs in Burnley – approximately 20% of total jobs in the town.

Burnley is a growing university town. The University of Central Lancashire (UCLan) plan to offer courses to 4,000 students by 2025. Plans include transformation of an empty Victorian factory into a canal-side university campus to expand UCLan's existing campus in the town centre.

The town is home to Burnley Football Club and Historic houses and parks such as Towneley Hall and Gawthorpe. It also has a large luxury hotel and leisure complex. This makes it home to a thriving leisure, retail and tourism sector which accounts for around 9,250 jobs. 2023 saw the opening of Pioneer Place, an exciting new retail and leisure development for the town.

The town's high street recovered well following the national COVID-19 lockdown of 2020. Burnley's town centre was noted in the top ten of the Centre for Cities Recovery Tracker for both footfall and spend.

Burnley has a diverse range of food businesses within the borough from home bakers to multi-site food manufacturers. Most food businesses in the borough however employ less than five people.

### 1.3 The Council Structure

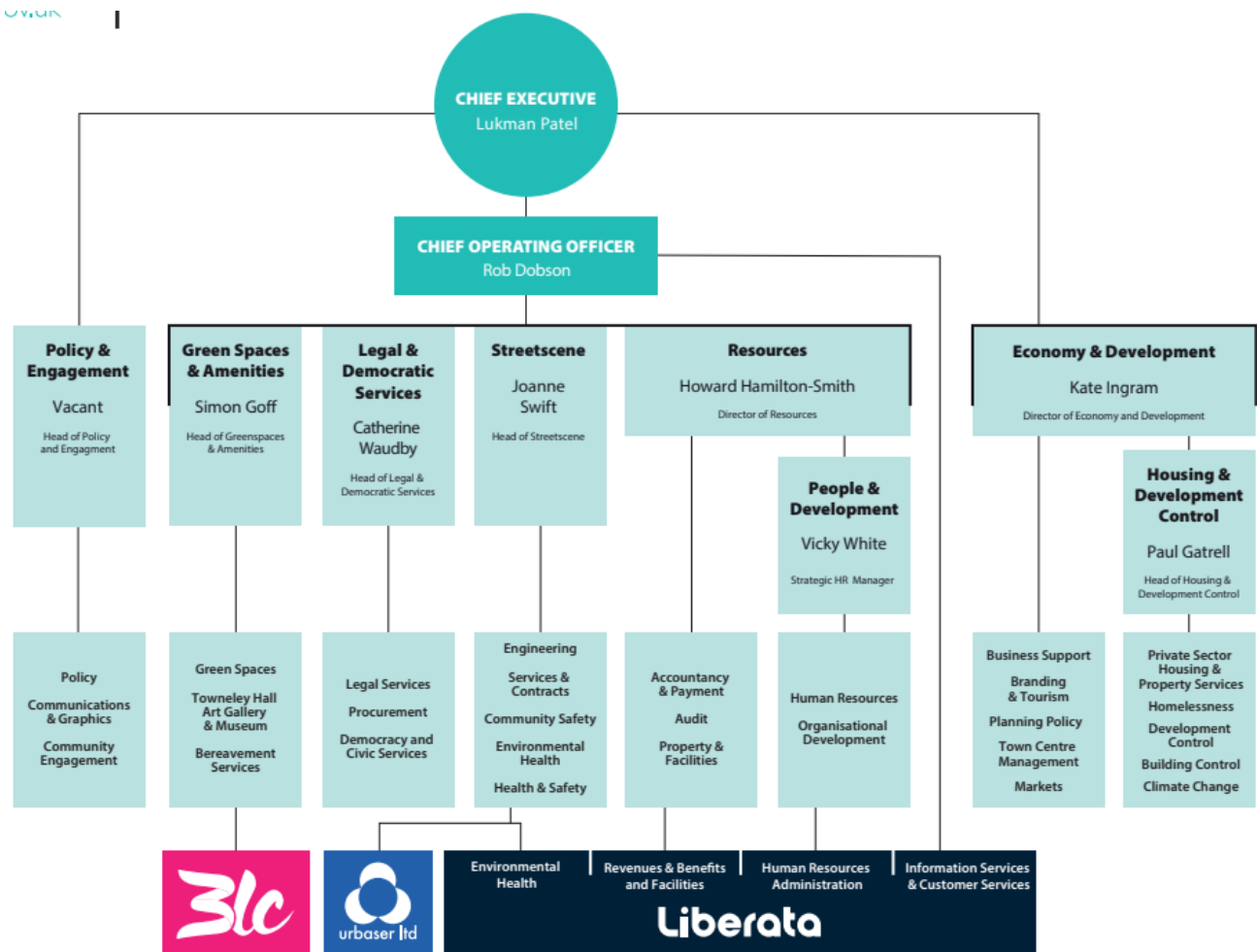
Burnley Council is divided into 15 wards served by 45 councillors. The Council is based on a Cabinet structure with 6 Portfolios, a Leader, Deputy Leader and 5 Executive portfolio holders. The Food Safety Team sits within the Community, Health & Environmental Services portfolio.

The Key Corporate objectives, governance arrangements, and decision-making timetables are outlined in 4 key corporate documents:

- The Council’s Constitution & Scheme of Delegation
- Strategic Plan (updated 2022)
- Forward Plan of key Decisions and Private Meetings
- Burnley’s Community Strategy

### 1.4 The Management Structure

Burnley Council’s senior management structure is made up of the Chief Executive of the Council, supported by the Chief Operating Officer. There are seven heads of service responsible for the council’s main departments, plus the Strategic HR Manager who leads the Human Resources function.



As a Borough Council, the Authority is responsible for a range of food safety duties under the Food Safety Act 1990 and the Food Safety and Hygiene (England) Regulations 2013. Responsibility for Food Standards and Animal Feeding Stuffs fall to Lancashire County Council Trading Standards.

The Council's Food Safety Service is delivered by the Environmental Health & Licensing Team which sits within Streetscene. Streetscene has a wide range of duties covering the spectrum of public health, environmental health, community safety, waste management and licensing matters.

The aim of the Environment Health and Licensing Service is to:

*“Ensure that Burnley is a safe and healthy place of choice to live work and enjoy leisure time. We act on the front line directly providing services that affect people’s daily lives. We provide protection to users of taxis, customers of food businesses, employees in offices, shops and warehouses and help to those suffering the effects of noise nuisance. We police premises which pollute the atmosphere and monitor a whole range of activities that make the Borough a healthier place to be”.*

From 1<sup>st</sup> January 2016 the Council procured a strategic partner to deliver a range of services within a reduced cost base. The Environmental Health and Licensing functions form part of the suite of services that are now outsourced to the private sector.

The overall aim of the contract with respect to Environmental Health is:

“To provide a professional environmental health and licensing service that protects the public and assists businesses to meet their public health obligations”.

Officers currently working for Burnley Borough Council delivering the food safety service are seconded to the strategic partner, Liberata. A detailed contract for delivery has been developed to ensure an effective contractual relationship, continuity of service delivery, risk management and the maintenance of high-quality services.

The Strategic Partnership arrangements that are in place between the Council and Liberata maintain a robust approach to ensure that strong performance of the Council’s regulatory provisions and services are maintained. In relation to the purpose of this report and the Council’s annual review of food safety enforcement, Members of the Council’s Scrutiny Committee have reviewed the Delivery Plan, and activity to date and have recognised the strong performance of the Team in maintaining food hygiene standards.

## **1.5 Burnley Borough Council Statement on the Food Safety Service**

The overarching purpose of the service is to:

- protect the health of the public through its statutory and non-statutory responsibilities in food safety and a variety of public health measures; and
- ensure quality food for healthier communities.

## 2 SERVICE AIMS AND OBJECTIVES

### 2.1 Service Aims - Food Hygiene and Infection Control Service

- Safeguard public health through the regular inspection of food premises at a frequency appropriate to the risk
- Respond to complaints from the public and other agencies relating to food safety.
- Promote good practice in food hygiene through the provision of education, advice and training.
- Discharge the Council's statutory and other responsibilities in a positive and efficient manner, in line with relevant enforcement protocols.
- Ensure advice and assistance is readily accessible to the public and businesses alike.
- Investigate the occurrence of food related infectious disease, prevent the spread and take action to prevent recurrence or enforcement action as appropriate.
- Carry out targeted and reactive food sampling and microbiological swabbing to support investigations & monitoring of the performance of local manufacturers.

### 2.2 Links to Council Objectives

Burnley Borough Council has a range of corporate objectives covering the four themes, "People", "Places", "Prosperity" and "Performance".

People - creating flourishing, healthy and confident communities. We will work on the wider determinants of poor health and will keep residents informed about changes to health services and how to access them by

- Carrying out interventions prioritised by risk and regulating to help ensure that all food businesses are providing safe food to consumers.
- Providing help, advice and support to consumers to protect health and promote healthier lifestyles and consumer choice e.g. National Food Hygiene Rating Scheme.
- Providing transparent, robust and consistent approaches to investigating and resolving consumer complaints about food and food businesses.
- Taking part in targeted food sampling programmes and taking action to remove unsafe food from the market.
- Working towards increasing overall food hygiene ratings for food businesses, thereby protecting food consumers within the borough.
- Investigating all substantiated food poisoning allegations and notified food poisoning outbreaks.
- Ensuring we are delivering services to all communities proportionally and consistently.
- Supporting the relaunch of Recipe 4 Health award alongside Lancashire County Council Trading Standards colleagues to promote businesses that focus on healthy eating, environmental issues, and social responsibility.

Places: making the Borough a place of choice. We will implement a range of initiatives to maintain a clean, safe, attractive and environmentally friendly borough by

- Inspecting food premises in accordance with Food Law Codes of Practice
- Inspecting and sampling food and water to ensure its quality and safety.
- Investigating complaints about food and food premises

- Investigating all reported cases of food poisoning and taking action to prevent the spread of infection.
- Taking appropriate action in response to food incidents
- Promoting key food safety messages through a variety of media

Prosperity – promoting transformational economic change for Burnley. We will proactively support the borough’s businesses to innovate and expand, and make the borough a natural choice for business relocation by

- Working with new businesses and event organisers to ensure that they understand and meet their statutory responsibilities before they begin to operate.
- Targeting advice and coaching on key food safety matters in high-risk businesses.
- Working with new food business operators to help them understand and meet legal standards.
- Offering advice and guidance as part of routine inspections
- Providing Food Hygiene Rating Scheme (FHRS) rerating visits for Food Business Operators.
- Promoting businesses achievement (Food Hygiene Rating Scheme) through the Council’s website.
- Supporting local businesses to export products not of animal origin (PNAO) through the issuing of Export Health Certificates/Attestations to confirm the premises meet the import requirements of other EU & non-European countries.
- Signposting food hygiene guidance in languages other than English as required.

Performance- ensuring a continuous focus on improvement in all aspects of the Council’s performance. We will manage our contract with Liberata robustly, so it delivers value for money and good services by:

- Identifying what we are currently delivering in our Food Safety Service.
- Progressing all key areas of service activity & reporting performance in a balanced scorecard which is reported to Members throughout the year. The key performance indicator relating to environmental health compliance services is EHLPI 1: % of Programmed EH&L compliance inspections and interventions delivered in line with statutory targets.
- Following the formal close of the FSA Recovery plan 31<sup>st</sup> March 2023, resources continue to be prioritised and targeted to realign with Food Law Code of Practice.

### 3 FOOD SAFETY SERVICE

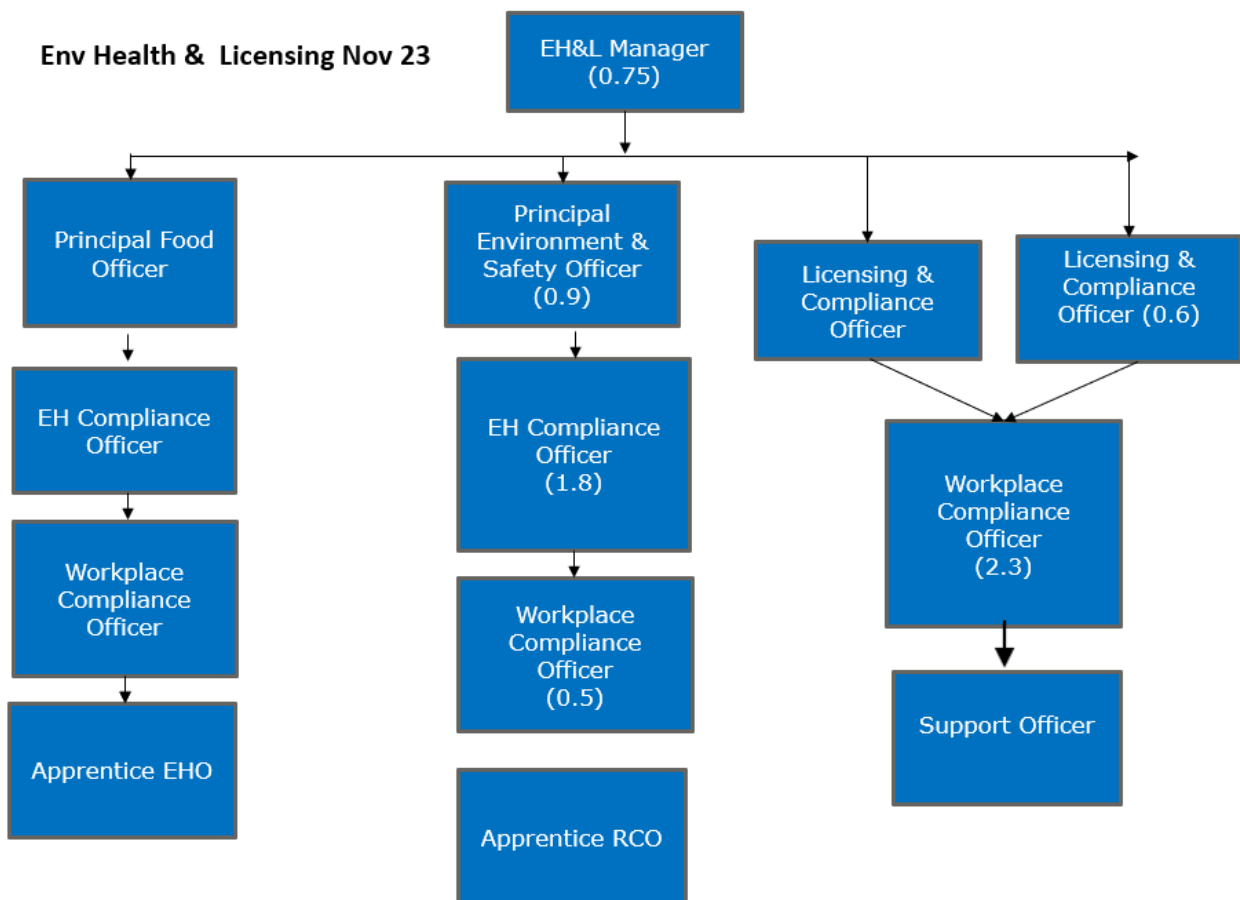
#### 3.1 Environmental Health Team Structure

The Environmental Health and Licensing Manager has responsibility for environmental health and licensing functions. The team shares an office with the Environmental Protection and Safety Team, this is beneficial to service delivery and joint working.

In addition to food hygiene duties, the Food Safety Team also assists with enforcement of Health and Safety in food premises, investigates cases of infectious disease and carries out outbreak investigations and has responsibility for enforcing Private Water Supplies regulations.

Hybrid working arrangements are in place.

#### Team Structure



The Food Safety Team is overseen by the Environmental Health and Licensing Manager, an experienced and qualified Environmental Health Officer.

The Principal Food Officer holds the EHORB Higher Certificate in Food Control and leads a team of 3 (1.9 FTE). Key responsibilities are service development; day to day management of the Team, official returns; product specific premises inspection; high risk premises inspection; service requests; food sampling; infectious diseases, mentor to the Apprentice EHO & oversees officers undertaking Private Water Supplies enforcement.



The Environmental Health Compliance Officer 1 FTE (0.8 FTE). The EHCO holds the EHORB Higher Certificate in Food Premises Inspection & is currently attending University on day release working towards an Environmental Health degree qualification. This officer undertakes high risk food interventions, responds to complaints and service requests & undertakes inspection of new food businesses.

The Workplace Compliance officers (0.9 FTE) are shared across both Food & Environment & Safety Teams. They undertake complaint work, sampling, investigate infectious diseases, provide advice & support the work of the qualified officers, food database management.

Authorisations, activities and enforcement options are undertaken and limited in line with the professional requirements as outlined in the Food Law Code of Practice.

The team is currently supporting an apprentice EHO & an apprentice Regulatory Compliance Officer to undergo structured work experience and develop expertise as they work towards achieving Level 4 & 5 qualifications.

The service is also supplemented through the use of consultants who undertake a range of lower risk inspections (Categories C and D) but no enforcement activity. On occasions, further technical expertise is sought from external professionals to assist with more complex matters.

### **3.2 Food Standards**

All Food Standards functions within the Borough are carried out by Lancashire County Council. These responsibilities are described in a Memorandum of Understanding. There is a good working relationship between the two services and a good track record of liaison via the Lancashire Food Officers' Group and through the delivery of joint working initiatives.

### **3.3 Scope of the Food Service**

The Service is delivered by the Food Safety Team with additional support as outlined above. The team complies with the Food Standards Agency Codes of Practice and Local Government Regulation guidance for the purposes of food safety including the Regulators' Code. Enforcement action is undertaken in accordance with the Council's Enforcement Policy and follows a graduated approach.

The team are responsible for enforcing the provisions of the Food Safety Act 1990, the Food Safety and Hygiene (England) Regulations 2013 and the European Union (Withdrawal) Act 2018 as amended by the European Union (Withdrawal Agreement) Act 2020 relating to retained EU regulations.

Areas of core service delivery include:

- Developing and delivering a programme of planned food hygiene interventions meeting statutory obligations as set out in the Food Standards Agency Code of Practice. The programme will be focussed on those businesses that are not broadly compliant and with Food Hygiene Ratings of 0, 1 or 2, to those premises.
- The programme of interventions will be carried out in line with the FSA Recovery Plan 2021-2023 and realigned with the Food Law Code of Practice from April 2023.
- Implementing alternative approaches such as coaching and mentoring to deal with non-compliance.
- Operating the FSA Food Hygiene Rating Scheme in accordance with the Brand Standard for all relevant food businesses.
- Approving and regulating any food activities and premises requiring approval and subject to Regulation EC No 853/2004

- Responding to complaints about food premises and the fitness and wholesomeness of food sold in the Borough.
- Planning and carrying out a targeted food and environment sampling programme for microbiological quality and chemical purposes and participation in the Lancashire Food Officer Group programmes as resources permit.
- Acting on Food Standards Agency alerts and incidents in accordance with recommended action and relevant parts of the Code of Practice
- Maintaining and recording food establishment registration applications and maintaining the register in accordance with the relevant statutory provisions and Code of Practice.
- Investigating and liaising with UKHSA to deliver infectious disease and outbreak investigation and control.
- Preparation of evidential files and reports to the Council for use in legal action, court proceedings or formal Committee hearings.
- Preparation & implementation of contingency plans in the event of an incident or when the Major Incident Plan is invoked.
- The management of contractors engaged to undertake duties.
- Consideration of requests to establish a Primary Authority relationship.
- Where resources permit, service promotion including press releases and articles, leaflets, talks and presentations to relevant parties, seminars, conferences, displays and exhibitions. This includes national initiatives such as National Food Safety Week.

### **3.4 Food Exports**

The EU require that some UK food and drink exports are certified by a UK certifying authority before being exported. In Great Britain, the Animal and Plant Health Agency (APHA) is responsible for issuing export health certificates (EHC) for certain products of animal origin (POAO) to specific countries.

Local authorities can provide export certification for certain products not covered by official EHCs issued by APHA. This can relate to products that are:

- not of animal origin
- manufactured food and drinks

The type of certification that needs to be provided is specific to the product being exported and the requirements of the destination country. Certification will be limited to the provision of “Attestations” to describe that food has been produced in a premises in accordance with domestic hygiene rules.

### **3.5 Access to the Service**

The Service is delivered from offices at Parker Lane, Burnley. The Public can access the service via telephone 01282 425011, e-mail [envhealth@burnley.gov.uk](mailto:envhealth@burnley.gov.uk) or in person by visiting the Contact centre on Parker Lane in Burnley. Some services can be accessed via online forms including registering a food business, reporting a problem with food or a food premises & applying for a food hygiene re-rating inspection. Normal business hours are 9 am to 5pm Monday to Friday. Out of hours work is also undertaken in line with service needs.

In addition, a 365-day/24 hour telephone contact service is available for appropriate emergencies.

### 3.6 Demands on the Food Service

#### Data Profiles

The majority of food premises in the borough of Burnley are predominantly small to medium sized catering or retail businesses.

The following table provides a summary of Food Businesses and their risk rating profiles over a period of 5 years. The ratings are defined in the FSA Food Law Code of Practice with A representing the highest risk premises and E the lowest which are subject to a self-assessment and reporting procedure.

**Table1: Number of Food premises by Risk Rating Category**

<b>Risk Rating Category (Inspection Frequency)</b>	<b>No. of Food Premises 2018/2019</b>	<b>No. of Food Premises 2019/2020</b>	<b>No. of Food Premises 2020/2021</b>	<b>No. of Food Premises 2021/2022</b>	<b>No. of Food Premises 2022/2023</b>
A (At least every 6 months)	2	0	0	0	<b>2</b>
B (At least every 12 months)	27	29	25	30	<b>16</b>
C (At least every 18 months)	123	120	123	129	<b>124</b>
D (At least every 24 months)	352	349	336	325	<b>312</b>
E (Alternative strategy for inspection)	378	392	405	414	<b>361</b>
Unrated	24	30	34	68	<b>116</b>
Outside Programme	23	17	18	21	<b>19</b>
<b>TOTAL</b>	<b>929</b>	<b>937</b>	<b>941</b>	<b>987</b>	<b>950</b>

**Table 2: Premises Approved Under EC Regulation 853/2004**

The following table highlights those premises which require approval under EC Regulation No. 853/2004 due to the specific nature of their activities.

Approved premises	2018/2019	2019/2020	2020/2021	2021/22	2022/23
Approved Fish processing premises	2	2	1	2	2
Meat and meat products approved premises	2	2	2	2	1
Milk and milk products approved premises	1	1	1	1	1
The approved treated stomachs establishments	1	1	0	0	0
Stand - alone Cold Store	1	1	1	1	1

**Table 3: Premises Profile**

The following table provides the detail of the types of premises within the Borough.

Description	No. of premises 2018/2019	No. of premises 2019/2020	No. of premises 2020/2021	No. of premises 2021/2022	No. of premises 2022/2023
Primary producers	3	3	4	4	4
Manufacturers/processors	24	23	24	25	24
Distributors/transporters	14	13	12	14	14
Retailers	268	269	255	268	255
Restaurants and other caterers	615	626	625	675	652
Importers/Exporters	5	3	3	1	1
<b>TOTAL</b>	929	937	923*	987	950

### 3.7 Local Challenges

The service faces the following challenges:

- A high number of takeaways/restaurants undertake their food preparation out of traditional office hours.
- Numbers of new food business registrations continue to increase.
- A high turnover of businesses, food business operator changes are frequent, this prompts requirement for a new inspection and a new rating.
- Understanding the cultural issues and needs of the ethnic minorities who operate food businesses in the borough and whose first language may not be English.
- Reducing staff resources and uncertainties regarding the future FSA model for delivery and the potential impact on the service.
- Officers are noting that standards of compliance at inspections has fallen.
- Economic downturn and local economic deprivation is reflected in the reluctance of some smaller local food businesses to invest in repairs and refurbishment of their premises.

### 3.7 Enforcement Policy

The Food Safety service operates in accordance with the Regulators Code, the Code for Crown Prosecutions and the Human Rights Act.

Copies of the Compliance and Enforcement Policy for the Food Safety Team are currently unavailable and are under review.

### 4. SERVICE DELIVERY

The aim of the Food Safety Team is to ensure the protection and good health of consumers in the Borough by enforcing relevant statute, Regulations and by educating and promoting high standards of quality and safety within the food manufacturing, catering and retail establishments of the Borough.

Delivery of the Food Hygiene Control Service is carried out in accordance with national procedures, Good Practice and guidance including:

- Food Law Code of Practice
- Food Law Practice Guidance
- Food Standards Agency Guidance
- The Brand Standard for FHRs
- Burnley BC Compliance and Enforcement Policy
- The Regulators' Code

In addition our Food Safety priorities are:-

- At each business intervention provide advice on legal obligations and use a graduated approach to enforcement action.
- Improve the proportion of food businesses with Food Hygiene Ratings of 3, 4 or 5.
- Monitor, record and report on the programme of activities to relevant bodies to ensure the Council's obligations are being met, resources are targeted appropriately, and steps are taken to make any necessary improvements.
- Investigate the occurrence of food related infectious disease and take the necessary action to prevent the spread or recurrence, working collaboratively with UKHSA and other key partners.
- Deliver a programme of targeted proactive sampling of food products.
- Investigate complaints about food products or food establishments and take any action that is required on a coordinated local, sub-regional, regional or national basis.
- Where resources permit, offer a comprehensive advice and support service to business regarding any relevant food legislation and compliance, offering specific support for those wishing to establish a food business within the Borough.
- Work collaboratively across Lancashire with other Environmental Health and Trading Standards professionals to ensure consistency, improvement and the delivery of an effective high-quality service.
- Advise, provide support and enforce Health and Safety standards within food businesses.
- Work in collaboration with partners in addressing key health inequalities in the Borough.
- Proactively obtain feedback from food businesses regarding the service to ensure continuous improvement in service delivery.
- Support the on-going professional development of officers to deliver high quality services that meet the needs of the public and the requirements of the Gold Standard Investors in People status of the Council.

- Implement the Council’s appraisal system for training needs and performance based on the principles of Continuing Professional Development (CPD) and meeting the requirements of the relevant professional bodies including the Chartered Institute of Environmental Health

#### 4.1 Food Premises Interventions

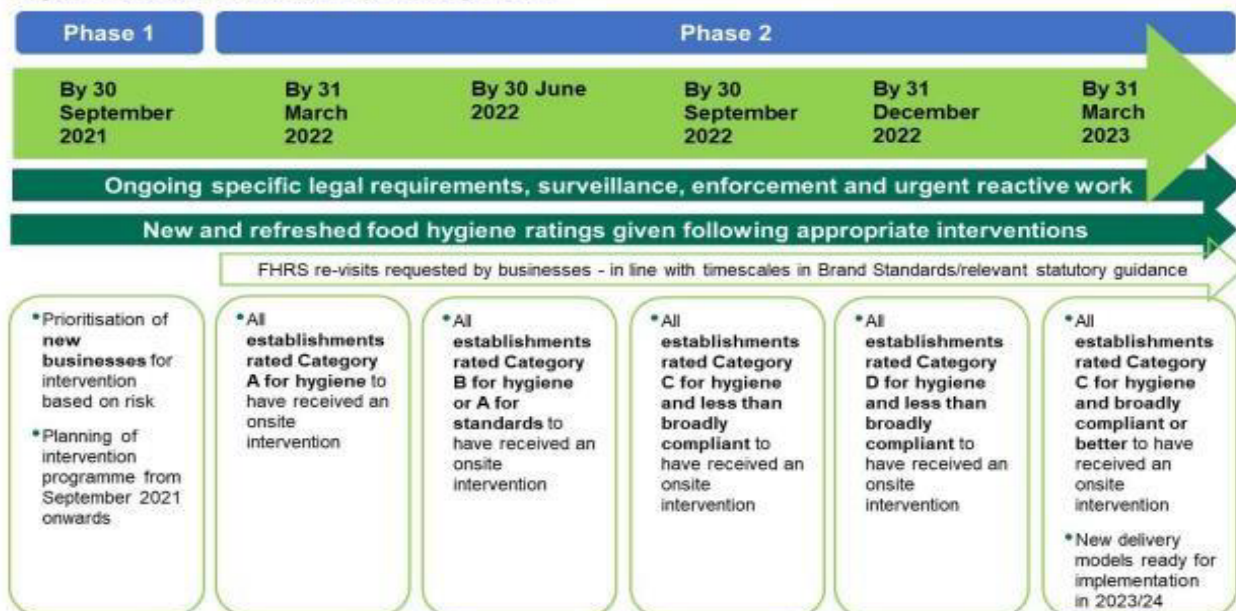
The term “Intervention” refers to any reactive or planned visit to a food business in the course of delivering the Food Safety service. The Food Safety Team will undertake a programme of comprehensive and targeted interventions at food premises to ensure compliance with relevant legislation and the promotion of best practice. The frequency of inspection is prescribed by Food Law Code of Practice and is determined by risk assessment. Following risk assessment each food business is allocated a risk category ranging from A to E. “A” is considered to be highest risk and requires more frequent intervention.

##### Food hygiene

Risk category	Minimum intervention frequency
A	At least every 6 months.
B	At least every 12 months.
C	At least every 18 months.
D	At least every 24 months.
E	A programme of alternative enforcement strategies or interventions every three years.

For the period 2021- 31<sup>st</sup> March 2023, the frequency and intervals between interventions were carried out in accordance with the FSA Recovery Plan.

Figure 1: Outline of the Recovery Plan



##### Notes

The key milestone dates within the Recovery Plan for higher risk establishments are shown.

For lower risk establishments not shown in the figure, local authorities have the flexibility to defer planned interventions and only undertake intervention where information/intelligence suggests that risks have increased/standards have fallen or if the establishment is otherwise considered a priority for intervention due to the risk posed.

In the case of food standards, the impact on the business of the new requirements on allergen labelling for products prepacked for direct sale - that apply from 1 October 2021 - should also be taken into account.

#### 4.2 Food Related Complaints

The Food Safety Team will consider, and where appropriate investigate food complaints or requests for service in accordance with internal procedures and relevant Codes of Practice.

Where necessary, samples will be submitted for analysis. Where appropriate intelligence will be gathered from complaint investigations and used to inform sampling programmes or project-based work.

### **4.3 Advice to Businesses**

The Food Safety Team provides an advice service, which, encourages, advises and assists businesses to comply with food safety legislation.

If a business requires more detailed bespoke advice which can only be delivered at the premises, there is a charge per hour for this advice.

### **4.4 Food Sampling and Inspection**

The Food Safety Team undertakes targeted and reactive local sampling in a manner specified by relevant legislation, Codes of Practice and other guidance sources. Ad hoc project-based sampling of food, drink and the food environment is undertaken in liaison and co-ordination with other Lancashire Environmental Health Services and UKHSA in accordance with an agreed sampling programme and available resources.

A documented sampling programme for each year will be followed, considering local needs and priorities, subject to available resources and using a risk- based approach.

Examples of food sampled examined as part of the programme included the following foods made by local manufacturers:

- Milk
- Ready to eat cooked meats and meat products
- Pies

Other sampling may also be carried out;

- As part of an official control intervention
- In response to complaints
- Where local intelligence indicates a potential risk to health

All formal food samples will be submitted to the Lancashire County Public Analyst for compositional analysis or to the UKHSA Food, Water and Environmental Laboratory Service for microbiological examination.

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

This Food Safety Team is responsible for investigating the notification of infectious diseases or suspected infectious diseases. The objective is to minimise the risk of spread of the disease and where possible, identify the source.

Notifications may arise as formal notifications from laboratories, GPs & UKHSA or through informal routes such as self-notifications.

Investigations are carried out by either the Council or UK Health Security Agency depending on the nature of the specific disease notification. Some investigation may require an immediate response to ensure/require exclusion from work, nursery and schools.

We will take a risk-based approach to suspected viral outbreaks. Environmental Health will only carry out intervention or further investigations where:

- The risk assessment indicates that there is a suspected food/food handler link in the source of the outbreak or significant further spread of the infection; or
- The risk assessment indicates that food/food handlers are not significant features in the outbreak but the circumstances indicate a need for regulatory intervention (e.g. under HASAWA, Health Protection Regulations etc.) which will be considered in liaison with other regulators as appropriate (e.g. CQC, HSE).

In these cases, the EH intervention may focus on regulatory action for non-compliance with relevant legislation as opposed to following up individual cases or pursuing specimens.

The Council has a Joint Major Outbreak Plan for Managing an Outbreak of Food Poisoning or Communicable Disease in the Community developed in conjunction with UKHSA & partner agencies.

#### **4.6 Food Safety Alerts and Incidents**

This Food Safety Team responds to food safety alerts and incidents in accordance with FSA Code of Practice and good practice to ensure that public health is safeguarded. Alerts are received directly from the FSA using their automated notification system and acted upon accordingly.

#### **4.7 Home Authority Principle & Primary Authority Scheme**

The Team support both the Home Authority Principle and the Primary Authority Scheme. We do not currently have any formal primary authority agreements in place.

The Primary Authority scheme permits any business to register with one local authority as a source of advice on environmental health issues. Officers are required to contact the Primary Authority before taking any enforcement action against that company. The Primary Authority direct proposed action if it believes that it is inconsistent with their published advice. The scheme builds on the foundation created by voluntary home and lead authority initiatives.

All authorised officers are registered with the online database and are familiar with the requirements of the scheme.

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

The Food Safety Team works with other enforcement agencies, partners and other stakeholders for the purpose of developing consistency of enforcement, openness and transparency. The following table details the regular, ongoing liaison with external partners:

Partner Organisation type	Brief description
Other Local Authorities/Scientific support	Lancashire Food Liaison Group – Enforcement issues, sampling, policies, best practice, training, inter-authority audits etc. UKHSA – Food Sampling and examination, Communicable Disease control. Public Analyst – Chemical analysis etc. Environmental Health Lancashire



	Lancashire County Council Trading Standards – Food Standards/Allergens/PPDS labelling/Novel Foods
Local professionals	East Lancs Primary care Trust – working together on health promotion, infectious disease control, health inequalities etc.
Professional bodies and Agencies	CIEH- professional practice, consultation, training. FSA – statutory plans, guidance, training, annual returns, consistency of enforcement, best practice, training.

Within Burnley Borough Council, the Food Safety Team currently links with all services. Liaison is particularly strong for food safety issues with:

- Development control – for planning and building control applications
- Legal and Corporate Services – for litigation purposes
- Licensing
- Environmental Protection & Safety Team
- Market Hall Management
- Streetscene
- Building Control

#### **4.9 Consumer Food Safety & Health Promotion**

We participate in the national Food Hygiene Rating Scheme. The aim of the scheme is to help consumers to make informed choices about where they purchase food from. Most of our food business are included in the scheme and it is well received by both food business and consumers.

Where resources permit, we share information with the Council’s Communications Team with a view to publicise businesses achieving the top Food Hygiene Rating of 5 and highlight National Food Safety Campaigns using the Council’s website & social media accounts.

We will work in partnership with the Trading Standards team at Lancashire County Council to promote the relaunch of the Recipe 4 Health award. The scheme will be promoted during routine inspections to potentially eligible businesses.

Health promotion remains an important element to the on-going commitment to improving public health and tackling health inequalities. Although this element of the service is non-statutory, Burnley remains committed to supporting local Health promotion activity where resources permit.

We will continue to support local initiatives and local campaigns, working closely with other local or National partners to maximise the impact and resources.

## **5. RESOURCES**

## 5.1 Staffing

The Food Safety Team has an establishment of **2.9** FTE:

	Officer	FTE - Management	FTE- Operational	FTE Regulatory Support
Delivery	Team Manager	0.2	0.8	0
	Env Health Compliance Officers	0	1 (0.2 day release)	0
	Workplace Compliance Officers	0	0	0.9
Total		0.2	1.8	0.9

NB This core is supplemented by the use of consultants to undertake some lower risk inspection work.

All Food enforcement staff involved in service delivery meet the Qualifications, Experience and Training and Competence criteria contained within the Food Law Code of Practice. Each Officer has been individually authorised in accordance with their qualification and experience as described in this Code.

## 5.2 Staff Development

The Council has successfully obtained Investors in People award and is committed to retaining this. As part of this process all staff undergo an annual Performance and Development review which includes training needs. These individually identified training and development needs are carried forward after consideration by Managers.

The Food Safety Team operates a documented procedure for the recording of qualifications, training and competencies. As required under the Code of Practice, a minimum of 10 core food related hours per officer per year is undertaken. Training is provided to address needs identified within the Council's Performance Development Review framework and the FSA competency framework. Additional training will be resourced subject to emerging demands.

The Council supports personal development by offering opportunities to attend internal courses and supporting attendance at external courses. In addition, the Authority offers internal training courses on a range of subjects, primarily concerned with personal development issues.

Previous training courses have included:-

1. Best Practice Day
2. Legal training
3. Outbreak Training
4. Sampling training
5. Consistency Training/FHRS Consistency Exercise

## 5.3 Local Initiatives, Joint Working and External Grant Funding

The Food safety Team has an excellent track record of joint working on local initiatives and success in securing external grant funding. Examples include:-

- Food Safety mentoring for local Businesses
- Implementing the National Food Safety Rating Scheme
- Joint initiatives with Trading Standards
- Business Events targeting the lower rated premises to improve compliance and allergen management
- Joint initiative with Public Health England Re: Infectious Disease Studies
- Delivery of Allergen Training with Trading Standards

## **6. SERVICE QUALITY AND DEVELOPMENT**

### **6.1 Quality Assessment**

The quality of the Food Law Enforcement Service in Burnley is monitored in various ways and was audited by the Food Standards Agency in November 2009 as part of its national review of IAA's.

### **6.2 Regional Peer Group Auditing**

The Service is audited by peers from other Lancashire councils as part of the Inter-Authority Audit (IAA) scheme.

### **6.3 National Auditing**

A return of performance data outlining in detail the work of our service is submitted routinely to the FSA. This is a requirement of all Local Authorities.

Throughout the period of the Recovery Plan, the service completed quarterly temperature check surveys reporting performance against the FSAs Recovery milestones. Reporting 2023/2024 will be carried out Bi-annually.

### **6.4 Service Review**

Service delivery will be regularly reviewed in line with this plan, and giving due consideration of National regulations, good practice and local priorities.

## **7. FOOD SAFETY SERVICE DELIVERY OUTPUTS**

The Service will undertake a programme of comprehensive and targeted interventions at food premises in accordance with the Recovery Plan (4.1 above) to ensure compliance with relevant legislation and the promotion of best practice.

### Interventions by Risk Rating 2022/2023

Risk Category	No of Interventions
A	4
B	56
C	112
D	204
E	220
New Business Interventions	128
<b>TOTAL</b>	<b>724</b>

**We carried out 724 interventions in total & carried forward 11 low risk due inspections to the 2023-2024 programme.**

### Other Non-official Control Interventions

Revisits/Verification/Surveillance/Advisory	153
Sampling Visits	7

### Levels of Compliance in Food Businesses

The following table indicates the number of broadly compliant premises across the Borough which is a key performance measure used within the service

Year	Total number premises	Total Number of Businesses within the programme	Total No broadly compliant within the programme	Target %	Actual %
2017/18	929		860	100	98**
2018/19	937		864	100	97**
2019/20	926	771	750	100	97**
2020/21	908	776	761	100	98**
As at 6/12/22	924	813	733	100	94**
As at 8/12/23	907	787	755	100	95**

\*\* This excludes the no. of unrated businesses and premises outside the programme

The number of non-compliant businesses identified at the interventions continues to apply pressure to resources as the Team work hard to bring about necessary improvements. Officers time is diverted to providing advice, reports, letters, coaching, revisits and where necessary moving to the use of more formal enforcement measures. Once improvements have been made, demands on the service are stretched further as businesses request a reinspection and review of the Food Hygiene Rating.

### Service Requests

Request Type	2018/2019	2019/2020	2020/2021	2021/2022	2022/23
Infectious diseases	112	128	63	92	98
Advice requests	287	218	436	157	195
Complaints regarding Hygiene at premises	300	324	93	335	30
Complaints re unfit/contaminated food	66	91	41	79	57
Food Hygiene Re-rating visits	23	15	7	8	25
<b>Total</b>	<b>788</b>	<b>776</b>	<b>640</b>	<b>671</b>	<b>405</b>

## 8 2024/2025 Workplan

In 2024/25 interventions will be planned again in line with the FSA Code of Practice and available resources deployed to meet inspection targets. Priority will be given to completing interventions at premises rated Category A – C, noncompliant businesses (FHRS 0 - 2), and overdue interventions which have been prioritised in order of risk.

New food business registrations will continue to be triaged with an aim to inspect the highest risk operations within 28 days of registration.

Revisits will be limited to non-compliant premises (Food Hygiene Rating 0 – 2 inclusive).

The percentage of compliant premises operating within the Borough is declining, it currently stands (6/12/23) at 95%. This is a consequence of the pandemic and current economic climate which is impacting hospitality businesses. The Team will continue to target the non-compliant businesses using a graduated approach to enforcement.

Good progress is being made towards this year's (2023/24) programme. So far, between 1<sup>st</sup> April 2023 to November 2023, 431 interventions have been carried out at Category A-E businesses & at 76 new businesses.

**Where resources permit & performance is in line with the FSA Codes of Practice the team aim to;**

- Update and implement any policies and procedures required to ensure the service complies with the FSA Framework Agreement.
- Continue to promote the FHRS across the Borough and seek to increase the number of eligible businesses achieving a rating of three and above.
- Further develop the Council's website.
- Develop & improve methods of recording & collating information to improve customer interactions and improve data collection for FSA returns.