



**TEST VALLEY**  
BOROUGH COUNCIL

# COMMERCIAL TEAM SERVICE PLAN

Housing, Health and Communities

May 2010

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## **1. Executive Summary**

Detailed below are the major highlights and significant projects, undertaken by the Commercial Team over the last year.

### **Work Over The Past 12 Months**

**The Better Regulation Executive's (BRE) Retail Enforcement Pilot:** In July 2008 the Commercial Team embarked on the Hampshire Retail Enforcement Pilot (REP) project, organised by the BRE, along with five other Hampshire Local Government organisations. This 12 month project was an initiative to rationalise inspection and enforcement of the retail sector at a local level. The Retail Enforcement Pilot supported the delivery of the Hampton agenda in terms of reducing burdens on business and improving delivery of regulatory enforcement services and outcomes. The Retail Enforcement Pilot involved four main areas of regulatory services – trading standards, environmental health (food safety and health and safety) and fire authorities, all of which undertake planned inspections of retail businesses. Following the completion of the 12 month project, additional funding has been secured to further develop the principles across the whole of Hampshire.

**Primary Authority Agreements:** The Regulatory Enforcement and Sanctions Act 2008, introduced the Local Better Regulation Office (LBRO) as an Agency of the Government, as well as requiring local authorities to have regard to any list of enforcement priorities published by LBRO. The Act creates a general duty for local authority regulatory services to have regard to any guidance issues by LBRO. One part of the Act is the ability for LBRO to create a Primary Authority agreement scheme between a business operating Nationally/ Regionally and a chosen local authority's regulatory service. Test Valley Borough Council was approached by Merytyre in 2009 to set up a Primary Authority agreement for health and safety, and this concluded in March 2010, with the scheme being launched following Cabinet approval.

**Twin Peaks Project:** As part of a National Pilot Test Valley Borough Council along with a number of other Hampshire Councils Health and Safety Regulatory Services have taken on a number of additional premises in four industry sectors of Nursing Homes, Dry Cleaners, Motor Vehicle Repair and Courier Depots. There is a synergy between these businesses and the work the Environmental Health Unit already undertakes, such as food hygiene inspections of nursing homes, health and safety inspections and accident investigations of tyre and exhaust premises, and Pollution Control visits to Dry Cleaners. Early evaluation of the project has already been undertaken, and this interest in the project will continue for the five years of the pilot.

### **Future Challenges**

**Shared Services:** Consideration is being given for the introduction in April 2011 of a Shared Regulatory Service, between four Hampshire Local Authorities, Test Valley BC, East Hants DC, Havant BC & Winchester CC. The definition of Regulatory Services includes the statutory functions of: Food Hygiene; Occupational Health & Safety; Animal Welfare; Private Sector Housing; Environmental Protection; Contaminated Land; and Environmental Health Licensing. At the time of writing an exercise has been undertaken to cost and profile the aforementioned activities for the service provided by Test Valley BC.

**National Score on the Doors Scheme:** The Food Standards Agency (F.S.A) will introduce a National Scores on the Doors scheme in 2010 so that consumers across the UK can obtain consistent information, and a uniformed approach on food hygiene standards of food businesses in their area. The primary purpose of the 'scores on the doors' scheme is to empower consumers so that they can make more informed choices about the places from which they purchase or consume food. Currently there are many differing schemes supported by local authorities which could create confusion to both businesses, and members of the public. When further information on the National scheme is known a report will be taken to Cabinet.

**The Revised Section 18 Standard for Health and Safety Regulatory Services:** The Health and Safety Executive (H.S.E) updated the existing Section 18 Standard in 2008, with further updates in 2009. The Standard is statutory guidance, and it requires that local authorities provide adequate resources and deliver effective occupational health and safety regulatory services. In doing this we are required to use interventions, including enforcement action, in accordance with our enforcement policy. Councils are under a statutory obligation to follow the standard, and must be compliant with all the new requirements by April 2011. One of the requirements is a written intervention plan to be agreed by the Portfolio Holder. A programme of Inter Authority Auditing in Hampshire is planned in the third quarter of the year.

**Flexible Health and Safety Warrants Scheme:** Hampshire was the first County group to sign up to flexible warranting in 2005 with the HSE, with the objective of the scheme is to increase the flexibility and responsiveness of health and safety regulators to situations of significant risk, to increase communication between health and safety regulators and to facilitate the collective use of resources. To enable the Flexible Warranting Scheme to work, health and safety inspectors will work to common principles in order to ensure a consistent approach and allow for effective communication and handover of any relevant information. Initial interventions covered by the scheme relate to an inspector making a timely, local, national or technical intervention in an effort to increase the flexibility and responsiveness of the regulatory system. This approach will not result in significant diversion of resources from existing activities.

**Food Standards Agency Audit of Commercial Team:** The auditors of the F.S.A are due to carry out a focused audit of the food hygiene inspection work of the Commercial Team in May 2010. This will be the first audit for 10 year. It is anticipated that the final report will be published in August 2010, with recommended actions if any are identified.

## **2. Introduction**

This Commercial Team Service Plan is produced in order to meet Test Valley Borough Council's statutory obligations under the Health and Safety at Work, etc. Act 1974 section 18 Standard, and the Framework Agreement between Local Authorities and the Food Standards Agency.

This Plan combines the annual Food Service Plan, and Health and Safety Service Plan. It reflects the role of the Commercial Team, which provides the Council's Food

Safety, Food Borne Disease investigations and Occupational Health & Safety regulatory services through the use of multi-skilled officers. By combining both disciplines this Service Plan illustrates the effective use of the available resources through integration, yet at the same time satisfying the demands of the Test Valley taxpayers, the Food Standards Agency and the Health & Safety Executive.

The Food Standards Agency have Direction and Default Powers under the Food Standards Act 1999, and where an Authority is failing to discharge their functions adequately or failing to meet the statutory obligations to apply the law, and Food Standards Agency can temporarily take over the LA Food Service.

Test Valley Borough Council's Corporate Plan 2007 – 2011, Maximising Impacts details the Strategic Objectives and Key Priorities for Test Valley, which are covered by the six strategies SCHEME priorities for the next five years, and they are:

- **Creating stronger and safer communities;**
- **Improving Cultural Opportunities;**
- **Promoting Health and Well-being;**
- **Protecting and Enhancing the Environment;**
- **Maximising Capacity and Impact; and**
- **Enabling a Prosperous Economy.**

Some of the Commercial Team's work links well to the following priorities:-

**Creating Stronger and Safer Communities** - The main strands in this objective include protecting and improving the health of the community. As a Health and Safety Regulatory Service the Officers of the Team assist employers and employees to reduce levels of occupational injury and ill health. One of the Team's roles is to investigate accidents so that employers learn from the event, and stop future similar accidents occurring.

**Promoting Health and Well-being** – The Commercial Team supports this objective through its work in the commercial and industrial sector by providing high quality interventions to reduce occupational health and safety risks to employees, and reducing the potential burdens on employers. The Commercial Team offers advice and support, providing relevant and timely health and safety interventions, e.g. the Insight newsletter published twice a year. The Commercial Team is tasked with securing high standards of occupational health and safety from employers, to protect employees and people who may be affected by work activities. In addition, the Service investigates complaints, accidents, dangerous occurrences and cases of occupational disease with a view to securing a safe and healthy working environment.

The Service also recognises its role in health education with much to offer in meeting the wider public health remit not least through the role of the team as the primary

lead for the Council in respect of the smoke free legislation, with implications for the Council as enforcers of the smoking ban.

### Relevant National Performance Indicators

The Government has set out national indicators to reflect the national priorities, which are in addition to statutory services. The indicators which are relevant to the work of the Commercial Team include:

- NI 41 – Perceptions of drunk or rowdy behaviour as a problem;
- NI 119 – Self-reported measure of peoples overall health and wellbeing;
- NI 120 – All age cause mortality rate;
- NI 122 – Mortality from all cancers at ages under 75;
- NI 123 – 16+ current smoking rate prevalence;
- NI 137 – Healthy life expectancy at age 65;
- NI 173 – People falling out of work and on to incapacity benefits;
- NI 182 – Satisfaction of business with local authority regulatory services;
- NI 184 – Food establishments in the area which are broadly compliant with food hygiene law.

### Key Priority National Indicator of the Commercial Team

The Commercial Team undertakes the inspection of all food businesses in the Borough, in line with the qualitative and quantitative requirements set down by the Food Standards Agency. National Indicator 184 requires each Local Authority to set a target locally for the percentage of food establishments which achieve the Broadly Compliant standard following a routine food hygiene inspection. The target set is detailed in the table below.

Year	Food Establishment Broadly Compliant percentage
Target 2008 - 2009	90%
Actual 2008 - 2009	89.9%
Target 2009 - 2010	90%
Actual 2009 – 2010 * (Provisional figure)	89%*

### National Enforcement Priorities for Local Authority Regulatory Services

In 2007 the *National enforcement priorities for local authority regulatory services* was detailed in the Rogers Report produced by the Cabinet Office, setting out the six national enforcement priorities for the next three years. Those enforcement priorities recommended in the report were:

- Hygiene of food businesses;
- Fair Trading;
- Improving health in the workplace;

- Alcohol licensing;
- Air Quality;
- Animal and public health.

This report followed on from the Hampton Review which recommended that there be National and Local enforcement priorities set. This followed concerns about the consistency on enforcement locally and the lack of co-operation and priority setting centrally.

### **3. Background**

#### **Profile of the Borough of Test Valley**

The population of Test Valley is approximately 112,000 and the borough encompasses an area of 63,751 hectares or 240 square miles. There are two principal settlements; the market towns of Andover in the north and Romsey in the south, and many rural villages. The ethnic minority population in the Borough is lower than the national average. Further demographic information is available on the Test Valley Borough Council website under Borough Profile.

The Council has a Cabinet structure with a Leader of the Council, Deputy Leader and Portfolio holders. The Commercial Team's activities are represented by the Housing, Health and Communities Service Portfolio holder.

#### **The Commercial Team**

The Environmental Health Manager is responsible for the Commercial Team's work. The Principal Environmental Health Officer (Commercial), is responsible for delivering the team's day to day functions, and has a team of 5 staff (with one post currently vacant), that undertake the health and safety, food safety, and infectious disease roles.

In 2009 - 2010 the Commercial Team received 353 service requests (down on the previous year), which were responded to across the broad range of statutory functions the Commercial Team has the responsibility for. The number of primary food hygiene inspections completed during the year was 398.

## **4. Role and Scope of the Commercial Team**

The work of the Commercial team is principally focused around statutory duties and powers, to protect, maintain and improve standards of food hygiene, health, welfare, and safety for workers, visitors and residents of Test Valley. The Commercial Team investigates allegations of food poisoning, infectious intestinal disease and enforces food safety legislation, health and safety legislation, and some pollution legislation in commercial premises. The Team also deals with the registration of ear piercers, tattooists and those practicing acupuncture, or where electrolysis is undertaken. The Team runs the Council's Street Trading scheme, and is a statutory consultee for Licensing Act 2003 applications.

### **Public Health – Intestinal Infectious Disease**

Under the Public Health (Control of Disease) Act 1984 (as amended), the Commercial Team fulfils the Council's statutory function to investigate notifiable infections, most of which are food borne. This work is carried out in partnership with the Health Protection Agency, and the Hampshire Health Protection Unit run by the Consultant in Communicable Disease Control (CCDC). The Council has a duty under the Health Protection Agency Act 2004, to co-operate with the Agency in the exercise by the body of any relevant function it has. In collaboration with the Health Protection Unit, the Commercial Team ensures that food related outbreaks of disease are controlled. In April 2010 regulations under the Public Health (Control of Disease) Act 1984 were revoked by the Health and Social Care Act 2008. New regulations under this Act, the Health Protection (Local Authority Powers) Regulations 2010, allow Environmental Health Officer's to request that an individual food handler stop working with food, where for example that person is a Salmonella carrier. If necessary the Environmental Health Officer may then apply to a Justice of the Peace under the Health Protection (Part 2A Orders) Regulations 2010 to have an order granted that requires the food handler to stay off work.

### **Licensing and Registrations**

Under Health and Safety legislation and the Local Government (Miscellaneous Provisions) Acts the Commercial Team registers those businesses which carry out one or more of the following functions: ear piercing; electrolysis; acupuncture; tattooing. Inspections are carried out of the businesses before they are registered and then again periodically (according to guidance issued by Health and Safety Executive) after registration to ensure compliance. Hairdressers are also required to register with the Commercial Team under the Hampshire Act, and relevant Byelaws. Those businesses with either a Zoo or Pet Shop license are also inspected and have their license administered by members of the Commercial Team.

All the streets in the Test Valley Borough Council area are designated as Consent Trading under the Street Trading Consent Licensing Scheme. This allows mobile traders to be regulated and charged for the trade they carry out. All interested parties are consulted on applications and if there are no objections then licences are issued for either 6 months (new applications), or 12 months (renewals).



## **5. Aims and Objectives of the Commercial Team**

The Commercial Team aims to *ensure that food businesses operating in Test Valley control risks to health that may be associated with any food sold, prepared, handled or stored, and high standards of food hygiene are encouraged.* For health, safety and welfare we *aim to protect people at work and those affected by work, who may be exposed to work activity risks.*

The Commercial Team has the following objectives which are reviewed annually:

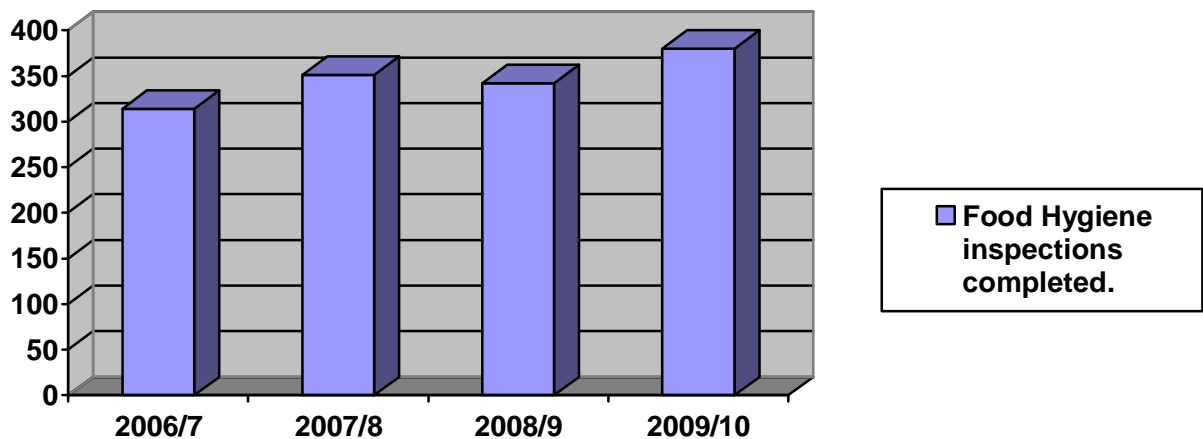
- Carry out a programme of targeted inspections of businesses in accordance with FSA Codes of Practice, and Health and Safety Executive Guidance.
- Investigate complaints regarding food safety, food hygiene in businesses, smoking in the workplace, or occupational health and safety issues.
- Undertake a food sampling programme which is regionally and nationally co-ordinated and targeted to the highest risk premises and foods. Newly identified food risks will also be targeted.
- Investigate cases of intestinal infectious disease, accidents, dangerous occurrences and cases of occupational disease.
- To ensure that businesses operating in Test Valley comply with the law, and have regard to nationally recognised standards, and best practice.
- To ensure that businesses operating in Test Valley protect the health, safety and welfare of employees, the public and others affected by their undertaking.
- To ensure a high level of public confidence in the safety of food prepared, handled and sold in Test Valley, and the provision of information on the avoidance of health risks associated with the eating and preparation of food.
- To promote, in conjunction with partner organisations, good standards of health, e.g. healthy diet.
- Support of the Test Valley Borough Council SCHEME priorities.
- Participate in the national Food Standards Agency Food Alert scheme to ensure that widely distributed contaminated food is withdrawn from sale;
- Participate and work in partnership with the HSE to support the National Programme of targeted projects and inspections/ interventions.
- Enforce the law fairly in accordance with the principles of the Regulators Compliance Code.
- Provide food hygiene and health & safety training to local businesses in partnership with other Local Authorities, private suppliers and educational establishments;
- Provide advice and information to the public, and meet the needs of businesses, having regard for the nature and size of the enterprise.
- To update and maintain an accurate Food Premises Register, and database of all commercial premises within the Borough for which the Commercial Team has enforcement responsibility for.
- To ensure the continued provision of a trained and competent inspectorate through appropriate training to ensure consistency, improved and continued knowledge of food safety, public health and health and safety legislation and related issues.

## **6. Premises in the Commercial Database**

The proactive work of the Commercial Team revolves around the Commercial Premises Database; it is these computer records which allow a programme of inspections and interventions to be met, in line with Food Standards Agency's Code of Practice, and Health and Safety Executive guidelines and standards. The Database holds detailed records of past visit information, and also risk scores which determine the frequency of inspections.

Food premises inspections are carried out in accordance with the minimum frequency stated in Food Standards Agency Food Law Code of Practice (2008). For health & safety inspections the frequency of visits is in accordance with the Health and Safety Executive standards on priority planning, with a focus on targeted interventions.

**Graph 1 – Annual Food Hygiene Inspections 2006/7 – 2009/10**



The graph above shows an increase in food hygiene inspections undertaken by the Commercial Team over the last 4 years. This can be explained due to the increased number of inspections caused by the Safe2eat scheme, where unsatisfactory premises are re-inspected after 3 months, the increased turnover of business ownership, and a small rise in registered food businesses.

Table 1 below, details the number of premises in Test Valley categorised in the National risk rating system for health and safety priority planning programme. For the last financial year the number of due premises which had received an inspection has been lower as a percentage than in past years. A part time Environmental Health Officer post within the Commercial Team has been vacant since April 2009.

Table 1. Showing Premises forming the Health and Safety Intervention Programme 2009/10

## Risk Rating System for Health and Safety Priority Planning Programme

Category	Description	Total Number	Inspection/ intervention frequency	% Inspections due completed
<b>A</b>	Highest Risk	12	Not less than once per year	50
<b>B1</b>	Medium Risk	217	Not less than one intervention per 18 months	30
<b>B2</b>	Medium to lower Risk	277	Premises for an intervention, as part of a directed programme or local project.	Not Applicable
<b>C</b>	Lowest risk	1374	Use alternative intervention strategies	N/A

Table 2. Showing Premises included in the Food Hygiene Inspection frequencies 2009/10

Category	Number due for inspection	Inspection frequency	% Inspections due completed
<b>A (highest risk)</b>	13	Not less than twice per year	100
<b>B</b>	66	Not less than once per 12 months	100
<b>C</b>	415	Not less than once per 18 months	96
<b>D</b>	97	Not less than once per 24 months	89
<b>E (lowest risk)</b>	330	Use alternative intervention strategies	Not Applicable.

**7. Demands on the Commercial Team**

This section reviews the principle demands placed on the Commercial Team for the year ahead, and the team's outputs in the past 12 months. These include:

**Occupation Health and Safety**

National Health and Safety Profiles of accident and ill health statistics for individual local authorities, allow the teams inspection figures to be compared to the Regional and National averages.

Table 3 Reported Workplace Injuries in Test Valley 2009/2010

	Number of work related accidents
Dangerous Occurrence/ other	<b>10</b>
Major injuries to employees	<b>16</b>
Over three day injuries to employees	<b>149</b>
Total number of accidents/ incidents received	<b>175</b>
LPI - Percentage of accidents investigated which meet national investigation criteria.	<b>100%</b>

Table 4 Health and Safety Visits per 1000 premises data 2008/09

Local Authority Inspections/ Visits comparison data 2008/09

2008/09	Test Valley	South East	Great Britain
Number of LA controlled premises	2139	-	-
Number of visits	473	-	-
Visits per 1000 premises	218	159	187

Table 3 shows that the Commercial Team investigated all the accidents which met the national criteria for investigation. Table 4 shows that for the period 2008/09 the Commercial Team completed more health and safety inspections than the regional or national averages (figures are not currently available for the last financial year). The National Local Authority profiles for occupational health and safety accidents and ill health estimates the costs (representing the full economic and social costs compiled by H.S.E economists) against the local economy of accidents and occupational ill health. In Test Valley Borough Council the costs of health and safety accidents is between **£5.2 million** and **£9.4 million**. The estimated costs for ill health is between **£25.6 million** and **£39.2 million**.

As a service performance indicator, customer satisfaction questionnaires are sent to all businesses following an inspection by a Commercial Team officer, with a satisfaction target of 95%. For 2009/10 of those questionnaires returned after a food hygiene or health and safety inspection 94.8% of customers were satisfied or very satisfied with the inspection, see table 5 below.

Table 5. Post inspection customer questionnaire satisfaction rate

Year	Percentage of satisfied returned questionnaire
Target 2009/10	95%
Actual 2009/10	95%

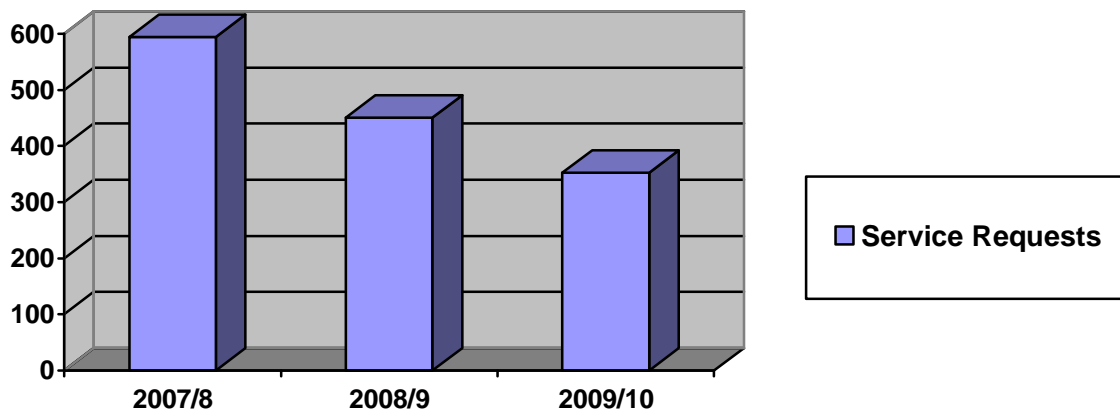
### Licensing Act 2003

The Commercial Team is a statutory consultee, as the relevant body for health and safety enforcement issues, and makes comments on applications where necessary. As a “Responsible Authority” under Licensing Act 2003, the Service has statutory responsibility to be consulted on appropriate applications. Approximately 25 premise license applications were received by the authority during the year.

### Service Requests

The Team dealt with 353 service requests in 2009/2010. The Commercial Team has the responsibility for investigating a broad range of activities regarding the public health issues in commercial premises. The number of service requests has reduced since 2007/8, which can partly be explained due to the large number of smoking related requests received in previous years.

Graph 2 – Service Requests received by Commercial Team 2007/08 – 2009/10



## **Food Hygiene/ Safety Issues**

### **Score on the Doors Scheme**

The Food Standards Agency intend to introduce a National Scores on the Doors scheme in late 2010 so that consumers across the UK can obtain consistent information, and a uniformed approach on food hygiene standards of food businesses in their area. The primary purpose of the 'scores on the doors' scheme is to empower consumers so that they can make more informed choices about the places from which they purchase or consume food. Currently there are many differing schemes supported by local authorities which could create confusion to both businesses, and members of the public.

Currently in Hampshire the majority of the Food Authorities support the safe2eat scheme, which following a routine food hygiene inspection categorises food businesses into one of three bands "Excellent", "Satisfactory" or "Unsatisfactory" overall. A certificate displaying the rating is then provided to the food business which they can display in their premises, also details are put on to the [www.safe2eat.com](http://www.safe2eat.com) website. Once the national scheme has gone live a report will be taken to Cabinet Committee to get a lead on whether or not Test Valley Borough Council should transfer over to this new scheme

**Table 6 - Food Requests for Service received by the Commercial Team**

<b>Type of complaint/ service request</b>	<b>Numbers 2007/2008</b>	<b>Numbers 2008/2009</b>	<b>Numbers 2009/2010</b>
Food Complaints received	16	25	18
Food Premises Hygiene Complaint	86	64	45
<b>Totals</b>	<b>223</b>	<b>201</b>	<b>204</b>

Compared to large urban Food Authorities Test Valley Borough Council receives a small number of food complaints, and food premise related hygiene complaints. The number of complaints received can fluctuate from one year to the next. Recent years have shown a downward pattern. A similar number of requests for the service are predicted for the year ahead.

### **Enforcement Activity**

No prosecutions were taken during the last 12 months, although two case files are currently with Legal Services awaiting summons to be completed. The number of Improvement Notices served under the Health and Safety at Work, etc. Act 1974 during 2009/10 was 9, and the number of Hygiene Improvement Notices served was 26 (see Table 5 on page 17).

**Service of Formal Notices** - If serious contraventions of the law are found as a result of an inspection or investigation then statutory enforcement notices are served upon the proprietor or operator of the business (see Table 7 below).

Table 7 – Enforcement Notices Served 2009/10

Activity	Written Warnings	Improvement Notices	Prohibition Notices	Voluntary Closures
Food	161	26	0	0
H&S	55	9	1	N/A

The number of Statutory Notices served by the Commercial Team increased on the last year, but is low when compared to urban/city Authorities, however, the FSA and HSE have promoted working with business to achieve compliance rather than resorting to the use of enforcement action. This approach also reflects the requirements of the Regulator's Compliance Code and is in accordance with the Council's Enforcement Policy.

It is anticipated that a similar number of formal notices are likely to be served for the year ahead.

### **Food Sampling Policy and Programme**

As part of the Food Standards Agency Framework Agreement the Commercial Team undertakes a programme of food sampling in order to:-

- Assess the microbiological quality of food manufactured distributed or retailed in an authority's area;
- Give advice and guidance, if appropriate, on food hygiene matters;
- Help evaluate temperature control, food handling and processing practices at food premises in relation to hazard analysis (and where relevant HACCP) requirements;
- Help determine whether advice or enforcement action would be appropriate where it is suspected that poor practices and procedures exist.
- Identify foods that could pose a hazard to the consumer because they may contain significant levels of pathogenic bacteria.
- Identify any contraventions of food safety legislation, e.g. food which is unfit or food which is so contaminated it is injurious to health;
- Support food hygiene promotional campaigns.

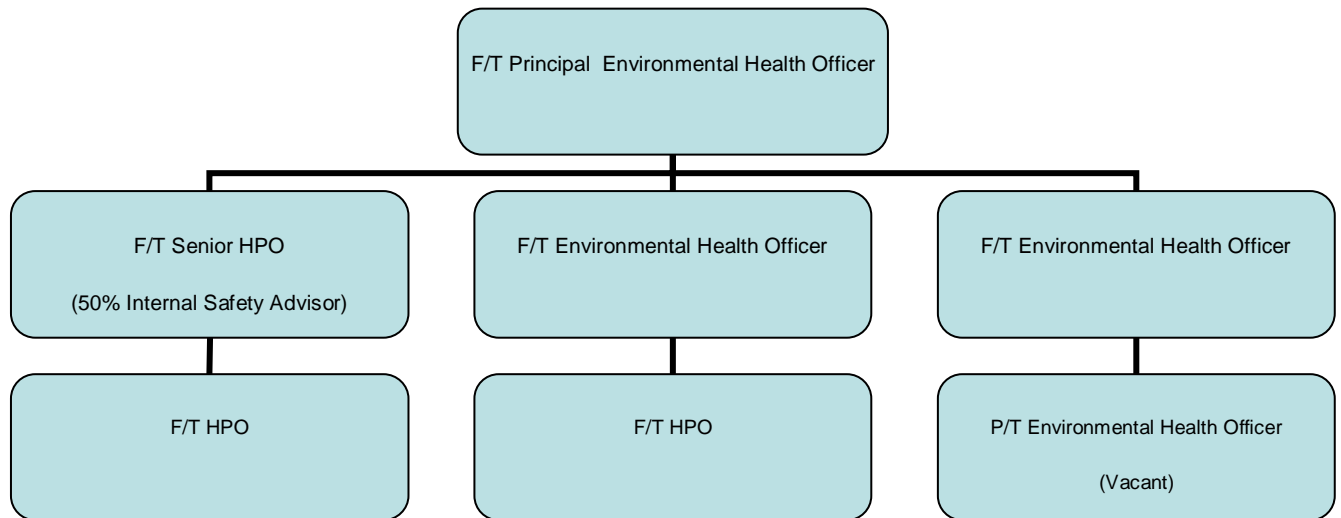
During 2009/10 the officers of the Commercial Team supported the County sampling projects. Of the Food Standards Agency Food Sampling budget provided, 62.5% was spent against a target of 85%.

## **8. Resourcing the Commercial Team During 2009/2010**

The Commercial Team within the Housing, Health and Communities Service has seven operational posts: Principal Environmental Health Officer; two full time

Environmental Health Officers; one part time Environmental Health Officer post; a Senior Health Protection Officer (HPO) who has a split role, 50% as internal Safety Advisor; and two full time Health Protection Officers (see Structure Chart below).

Chart 1 Commercial Team Structure/ Resources



Time spent on each discipline within the Commercial Team, can be calculated from the internal time sheets completed by officers. For the last financial year the timesheets detail that food hygiene inspections and other food related matters continues to dominate the work of the team. Time spent on occupational health & safety interventions decreased compared to the previous year. Currently with a part time Environmental Health Officer post vacant, this has resulted in some reductions in the service, although these have not significantly affected the higher risk work. It is hoped to fill the vacant post in due course.

**Financial Allocation**

The overall net expenditure of the Commercial Team cost centre H220 for 2010/11 is £340,000, which is a reduction on the previous years original estimate. The authority has provided sufficient funds for laboratory analysis, equipment, information resources, and training for Officers to enable effective food and health & safety enforcement for the year.



## Officer Competencies - Provision of a Trained and Competent Inspectorate

Section 19(1) of the Health and Safety at Work etc. Act 1974 provides that any local authority, which is an enforcing authority under the Act, to appoint officers who have suitable qualifications for their duties. The Council is committed to ensuring that officers undertaking health and safety responsibilities have the required skills, experience and competencies commensurate with the work requirements. Competence will be assessed on an ongoing basis. Officers will carry out joint exercises to ensure a consistent interpretation of legislation, codes of practice and national guidance. This is to be facilitated by consistency exercises, inspections and case reviews.

Likewise the Food Standards Agency Framework Agreement and Food Law Code of Practice details the experience and qualifications needed for officers to be authorised to undertake food hygiene enforcement work. This is an ongoing part of the training and development element of the appraisal process.

The Commercial Team has a range of competencies, and the work officers undertake reflects their individual competence, see table 9.

Table 8 – Matrix of Commercial Team Officer’s Competency 2009/10

Officer competency	Principal EHO. HH46	EHO HH50	EHO HH51	E.H.O (Vacant) HH49	SHPO HH47	HPO HH48	HPO HH65
Prosecution Experience	x	-	-	N/A	x	-	-
Food Hygiene (England) Regulations 2006 – Part authorisation	-	X	x	N/A	-	x	x
Food Hygiene (England) Regulations 2006 - Full	x	x	-	N/A	-	-	-
EHRB High. Cert (Inspection of Higher Risk premises)	x	x	x	N/A	-	-	-
HACCP training	x	x	x	N/A	-	x	x
Imported Foods Training	x	x	-	N/A	-	x	-
HASAWA full powers	x	X	x	N/A	x	-	-
Public Health (Control of Disease) Act 1984 (as amended)	x	x	x	N/A	-	x	x

The Senior Health Protection Officers has their role split between Duty Holder Safety Officer for Test Valley Borough Council, and occupational health and safety enforcement work, with no food work being undertaken. However, the whole of the post is resourced through the Commercial Team budget. One of the Health Protection Officers will shortly be completing their F.S.A approved food hygiene training, so that they can be fully authorised to inspect all food businesses.

### **Staff Development Plan**

The Council ensures that each and every officer authorised to carry out food hygiene inspections, health & safety inspections and associated enforcement activities receives structured on-going training, which is managed, assessed and recorded. The training received includes new legislation, procedures, practices and technological developments that may take place in commercial businesses subject to their inspection. The aim is a minimum ongoing training of at least 10 hours per year, in each discipline (where necessary) based on the principles of continuing professional development. Chartered Practitioners of the CIEH are obliged to undertake 20 hours Continuous Professional Development per year.

Every Officer receives an annual Performance and Development Discussion (PDD) from which a Personal Development Plan identifying training needs is produced. In addition a training matrix is maintained of training received, and where applicable update training topics with the date due and date received.

## **9. Quality Assessment and Service Plan Review**

The Council continues to use the following methods and systems for ensuring that the Commercial Team delivers a quality service. The methods include both internally and externally led systems of assessment:

### **1. Internal Monitoring of Commercial Team Work**

The Principal Environmental Health Officer (Commercial) monitors the work of the Commercial Team officers by:

- Direct daily supervision of all team members;
- Regular monthly appraisal with Team Members;
- Monthly team meetings;
- Annual Performance and Development Discussion, identifying training and development issues, with quantifiable objectives relating to Performance Indicators.
- A planned programme of Internal Monitoring activities;
- File and process audits.

### **2. Corporate Monitoring/ Performance Management**

Commercial Team performance monitoring feeds into the monthly and Quarterly Key Performance Indicators, in the Housing, Health and Communities Service which are reported to the Head of Service, and Council Management Team.

Table 9 – Commercial Team Performance Indicators 2009/2010

Indicator	Result (%)	Target %
Respond to complaints/ service requests within 3 working days (over last quarter of 2009/10)	98	95
Respond to infectious disease notifications and serious accidents within 24 hours.	98	100
Food Hygiene programmed inspection rate for high risk premises (A and B category)	100	100
Responding to serious service requests	95	95
Percentage of accidents investigated which meet the national investigation criteria	100	99
Customer satisfaction	95	95
NI 184 – Food establishments in the area which are broadly compliant with food hygiene law	89	90
Annual Food Sampling budget used	62.5	85
Health and Safety visits per 1000 premises <small>*(2008/09 data)</small>	218	187

### 3. External Peer Review/Audit

The authority takes part in peer review activities co-ordinated through the Hampshire & Isle of Wight Food and Health & Safety Advisory Committees. The Inter Authority Audit for Health and Safety Regulatory Services is due to start in January 2011.

### 4. Customer Led Assessment and Review

The Commercial Team continues to obtain feedback from customers regarding the quality and development of the service through use of the following mechanisms:

- Customer Complaint Survey Programme;
- Inspection Survey Programme;
- Feedback from the INSIGHT newsletter.

### Performance Management

The same process will be followed with this Commercial Team Service Plan, as with the Housing, Health and Communities Service Plan. In addition, quarterly reports are made to the Service Management Teams on the Commercial Team's performance against the Key Performance Indicators. Variations from the Service Plan are identified and the reasons given in the quarterly reports on the Key Performance Indicators. The Principal Environmental Health Officer (Commercial) agrees any necessary rectification plans with the Environmental Health Manager.

The Commercial Team's performance is also assessed through the annual statistical monitoring returns will be made to the Food Standards Agency and Health and Safety Executive .

## **10. Areas of Improvement identified**

### **Achievement of targets set for 2009/2010**

Progressing the areas of improvement identified for 2009/2010 Commercial Team Service Plan are as follows:-

- Review of Food and Health and Safety Enforcement Procedures;
- Review of the Hampshire Safe2eat scores on the doors scheme;
- Full implementation of the EMM for health and safety investigations;
- Ensuring staff have access to the HELA Extranet portal for health and safety inspectors;
- Officer training for the inspecting of premises under the "Twin Peaks" scheme;
- Introduction of transferred premises under "Twin Peaks" into the scheme of programmed inspections;
- Implementation of Phase 2 of the Violence in Pubs project;
- Submission of Hampshire Bench Marking data for Food Hygiene and Health & Safety functions;
- Evaluation and decision on forming a Primary Authority Agreement with Merityres.

The review of the health and safety enforcement procedures is to be rolled over to the next year, with all other areas of work identified having been completed.

The quality assessment processes has suggested a number of service improvements, which are detail in the table below.

Table 10 – Improvements/ Project work planned for 2010-2011

<b>Targeted Service Improvements/ Projects</b>	<b>Completion Date</b>
Participation in the Hampshire Better Regulation Initiative	September 2010 onwards
Review of Safe2eat scheme, following FSA announcing National Scores on the Doors Scheme.	1 <sup>st</sup> September 2010
Completion of the Section 18 Standard Audit tool for the Hampshire Inter Authority Auditing scheme	1 <sup>st</sup> April 2011
Introduction of the revised Joint Warranting Scheme with Hampshire Partners	June 2010
Completion of the new National Priority LPG inspections as allocated by the HSE	April 2011
Review of Health and Safety Enforcement Procedures	April 2011
Health Protection Officer HH48 to complete CIEH/F.S.A approved assessment qualification, higher certificate in food premises inspection	September 2010
Performance indicator on Annual Food Sampling budget used to be met.	April 2011