

Local Authority Performance Update

FSA BC 26/03/06 - Report by: Nathan Barnhouse

Summary

1.1 The paper updates the Business Committee on local authority (LA) performance in enforcing food law for the first 6-months of the financial year 2025/2026.

1.2 The Business Committee is asked to:

- **Consider and comment on** local authority performance including the ability of local authorities to deliver all interventions as prescribed by the Food Law Code of Practice
- **Consider and comment on** the challenges being managed in relation to the rollout of the new food standards delivery model, as well as the impact of the LA data project and the anticipated delays in some authorities being able to report effectively in April

Introduction

2.1 Local authorities are responsible for enforcing compliance with food safety and standards legislation for the vast majority of food businesses ([footnote 1](#)). The FSA has statutory duties to monitor and report on their performance in doing so.

2.2 In the [September Board paper 2025](#), the 2024/25 local authority monitoring data was presented, and it was reported that local authorities had nearly reached pre-pandemic levels of completed interventions for higher risk categories. Though positive improvement could be seen in lower risk establishments, particularly in food hygiene, levels remain below that of pre-pandemic. High volumes of unrated establishments also remain a point of concern.

2.3 The October 2025 data which covers the first six months of 2025/26 indicates the improving food hygiene trend has continued. Local authorities are maintaining good progress on the higher risk categories and notable improvements have been made in lower risk categories. There was a slight dip in October 25 compared to April 25 data which is a seasonal trend and not a cause for concern. However, the pace of progress on lower risk and carrying out first inspections continues to be a concern, remaining below pre-pandemic levels.

2.4 Formal enforcement activity for food hygiene continued to increase in 2024/25, rising by a further 5.1% compared with 2023/24. This places additional pressure on local authority teams, who must take enforcement action against non-compliant food businesses. This reinforces our view that when some businesses do not receive a timely intervention from the local authority, their standards may decline, increasing the potential risk to consumers.

2.5 The number of new businesses that are awaiting a first inspection remains high and is a significant concern as the risk they pose to consumers is unknown. The number of new business

registrations also continues to rise which has a direct impact on the demand that local authorities must handle.

2.6 Resource to carry out official controls continues to increase slowly and steadily which, though positive, is often outpaced by increasing demand. As a result, resourcing pressures remain high.

Background

2.7 Following the end of the Covid Recovery Plan in April 2023 we have expected local authorities to return to business as usual and re-align with all the requirements of the Food Law Code of Practice (FLCoP). The FLCoP lays out requirements for the frequency and type of interventions (including inspections, partial inspections and audits) based on risk.

2.8 A majority of local authorities in England and Northern Ireland were exempt from completing a food standards return in October 2025 whilst they transitioned to the new food standards delivery model (FSDM), with the exception of pilot local authorities who had already completed transition. As a result, comparisons to previous food standards data will be limited to Wales only as transition to the new model commenced in November 2025.

2.9 Rollout of the new food standards delivery model continues to be a priority programme of work. Unfortunately, local authorities have reported significant delays by Management Information System (MIS) providers in providing the required software updates needed to record and report on the new model. Despite this, 92% of local authorities have now implemented the new model in practice. A minority have yet to implement the model properly due to a mix of data conversion issues and local decisions, resulting in them being engaged with our performance management process in accordance with the framework agreed at the last Business Committee meeting.

2.10 This, coupled with delays in the development of the FSA's new local authority data reporting service means that the quality of the food standards performance return in April from local authorities will vary in England and Northern Ireland. It is anticipated that a minority will be able to provide a comprehensive establishment level data return, with the majority providing partial establishment level returns. Around 25% will not be in a position to provide establishment level data, so will be asked to continue to complete an aggregate level survey for a further 6 months. Local authorities in Wales will continue to follow the existing reporting method until their FSDM transition has been completed.

Food hygiene

Intervention data

3.1 Given the number of establishments that are overdue an intervention, concern remains that local authorities are unable to deliver their full legal requirements as prescribed in Official Control Regulations (OCR) and the FLCoP. Though it is encouraging that they are working in a risk-based way to protect consumers and that progress has been made, the speed of recovery and volumes of outstanding demand in the lower risk categories remain a concern. Of note:

- Percentage of interventions completed broken down by risk category (A to E) in Charts 1 to 5 in Annex 1 which show the trend over time from pre-pandemic (April 2020) through to October 2025, which shows a recovery to pre-pandemic levels for A and B categories for the majority of local authorities and significant progress for category C. Though category D has seen generally consistent improvement, category E shows a slower and more sporadic rate of recovery, with both struggling to return to pre-pandemic levels.

- The volumes of interventions that remain outstanding that were due to be carried out as per the risk category frequency remain high (Table 1). The overall trend is continuing to improve, reducing the total outstanding interventions to 72,000 in October 2025 from 95,000 in October 2024. However, though positive, the pre-pandemic level in April 2020 was 46,000 which suggests significant challenges remain. As with previous years the major concerns are volumes in the D and E categories where 22,000 and 42,000 respectively form the majority of the outstanding demand.

3.2 The number of new business registrations that have not received a first inspection (unrated) remains high at over 39,500 (Annex 1, Table 3). Though seeing a generally decreasing trend this is of high concern, as without an initial inspection of the business, the reality of what it is doing and how it is being run is unknown. These businesses could be trading for a long time without receiving appropriate advice, support, guidance or enforcement from the local authority and risking consumer health.

3.3 The total number of premises (rated A to E and not yet rated) continues to rise which represents additional workload for local authorities, and though national levels of resource are increasing to a small degree it is unlikely to meet this level of demand. Numbers of business premises reported as being responsible for food hygiene increased from 583k to 585k since April 2025, which will undoubtedly affect local authorities' ability to deal with their workload.

Food standards

3.4 Charts 6 to 8 in Annex 1 show the volume of interventions achieved at category A, B and C respectively, comparing from April 2020 (pre-pandemic) through to October 2025. In Wales, interventions achieved in category A establishments has fluctuated recently, with more consistent improvement seen in categories B and C, albeit at a slower rate. The volume of reported intervention remaining outstanding at establishments rated A-C has continued to decrease, however, from 5,500 in April 2025 to 4,709 in October (Annex 1, Table 2). The expectation during the COVID-19 pandemic was only for interventions at category A establishments to be achieved. The number of local authorities that flagged as a concern at the end of the recovery period was not significant, when around 84% of interventions at A-rated establishments were being carried out across the three countries. Though a slight decrease from April 2025, the data indicated 89% of interventions at A-rated establishments in Wales were carried out.

3.5 The situation in relation to the number of food businesses that have registered but have not had a first inspection is a cause for concern. In Wales the October 2025 data shows that over 4,300 new business registrations remain unrated. Though high, this is notably lower than the 4,900 recorded in October 2024.

Food Standards Delivery Model rollout

3.6 Based on analysis of recent surveys and intelligence from local authorities around 25% of LAs will not be able to provide establishment level data for the April return. Approximately 18% of LAs are implementing the FSDM via an offline solution, whilst 6.5% are not currently implementing the model.

3.7 MIS updates and resourcing are the main difficulties faced by local authorities in implementing the new model - the FSA will continue to work with these local authorities to assist in their alignment with the new model. As highlighted in the [September 2025 paper](#), the conversion of data from the old model to the new model for some local authorities is complex and resource intensive. This remains an ongoing issue for a number of local authorities.

3.8 Following the publication of the Food Law Code of Practice (Wales) in October 2025, which introduced the new food standards delivery model, rollout has commenced with the FSA in Wales providing support to move all local authorities in Wales onto their updated MIS systems and implementing the new model by the end of the transition period. If any local authorities in Wales have fully transitioned over to the new food standards delivery model by 31 March they will be exempt from completing an April 2026 data return, with the ambition that all other authorities will transition in the following 6-month period and be exempt from completing an October 2026 data return.

LA Data Project

3.9 This project will introduce a new mechanism to enable the FSA to capture establishment level data on the delivery of official controls and business compliance. The first phase of this project will involve capturing food standards data following local authority migration to the new food standards delivery model. The project team has worked with ten pilot local authorities to support them in submitting a return in October 2025, which is then used to set up the automated validation process. The FSA has received six full data returns and two partial returns, but further MIS development is required to enable the remainder of the pilot local authorities to complete a return.

3.10 All local authorities responsible for food standards in England and Northern Ireland (NI) have been advised that there is an expectation that they submit a food standards data return in April 2026. A survey issued to local authorities to assess their readiness of providing this data in January 2026 revealed that some local authorities would struggle to provide a data return due to delays in updating their MIS systems and their provision of reporting tools. A letter was issued to local authorities in February 2026 explaining that we understand that local authorities will fall into three groups based on their MIS development position. These three groups are:

- Able to provide a full data return of seven themed data reports
- Able to provide a partial data return, focussing on their establishment and resourcing reports
- Able to provide aggregated data return only

3.11 The project will provide support to local authorities to enable them to submit a return based on their current reporting status. Local authorities unable to provide any form of data return in April 2026 will be considered for performance management.

3.12 The differing status of collected local authority returns in April 2026 will limit our capability to report on food standards official controls.

Other monitoring data

3.13 The number of establishments reported to have been subject to formal enforcement action following an intervention for food hygiene or food standards has increased post pandemic. The annual national data for 2024/25 represents an increase on pre-pandemic levels of formal enforcement activity of 30% (4,784 to 6,199) and 47% (458 to 678) for food hygiene and food standards respectively. The increases in formal enforcement work and written warnings compared with pre-COVID levels raises concerns that not completing interventions in a timely manner could cause a drop in standards and increase the risk to consumers.

3.14 Sampling is one of many components of effective enforcement to protect public health. Some local authorities are reporting they do not have the resources to undertake sampling and that some were affected by laboratory closures. Many have plans to resume sampling later in the year, which may result in an increase in April 2026 return data. Sample volumes have yet to return to pre-pandemic levels across all three countries (shown in Annex 1, Table 5) and have seen particularly notable decreases in England since 2022/23.

Resources

4.1 Occupied and available full-time equivalent staffing for food hygiene has increased slowly but steadily in recent years (Annex 1, Table 6), increasing nationally for the third consecutive return in October 2025. Wales saw a negligible decrease from April 2025, whilst NI saw more notable increases. Though the national volume increased by 2.1% from April, allocated full-time equivalent figures increased by 2.9% across this time frame, and full-time equivalent identified as necessary to deliver the service increased by 3.7%, suggesting the resource increase is not meeting the rising demand.

4.2 Wales reported three consecutive decreases in their occupied and available full-time equivalent staffing for food standards (Annex 1, Table 7). This closely resembles the national picture up to April 2025, and though local authorities have reported an increase in the number of trainees recruited for both responsibilities, it will take time for this additional resource to positively impact upon service delivery.

Update on performance monitoring of local authorities

5.1 Our approach to performance monitoring and management and the escalation procedure was detailed in the [December 2023](#) Board paper. Following the October 2025 survey return, each local authority was assessed to give an indication on the level of concern in their performance, and for those authorities in an open engagement from previous surveys or being monitored against an action plan, progress being made is further analysed and assessed. The number of cases that are in escalation is constantly changing and reporting is only ever a snapshot in time - there are currently seven local authorities in escalation (one case at Level 3 with the Chief Executive, three at Level 2 with the Head of the Regulatory Compliance Division and three at Level 1 with the Head of Performance Management), all of which are in England.

5.2 Following the circulation of the performance management framework for the FSDM in England, cases are reviewed on a weekly basis to assess local authorities' progress in transitioning to deliver in accordance with the new Code and to consider the most proportionate approach to engaging with them (Single Point of Contact or LA Data project team to support ongoing transition, or Performance Management Team where concerns in the local authorities lack of progress being made are identified). There are currently three open cases within Performance Management with the number expected to rise as the position of local authorities' progress becomes clearer on the run up to the April 2026 data return.

Conclusions

6.1 The October 2025 data confirms that local authorities are continuing to make good progress in completing food hygiene interventions for category A and B premises, though the pace of improvement and consistency for categories C – E in particular remains of concern. Further significant concerns remain over the high number of new business registrations which are awaiting their first inspection for both food hygiene and standards, as the risk to consumers is less quantified, despite these seeing a generally decreasing trend. Part of the issue appears to be linked to the ability of local authorities to work through the large backlogs following the pandemic, alongside any resourcing increased not keeping pace with the additional demand placed on local

authorities due to the high number of new business registration.

6.2 A large number of local authorities continue to face difficulties in implementing the new food standards delivery model, with challenges including delays by MIS providers in providing software updates, data conversion complications and local decisions. The FSA is continuing to work with local authorities affected to assist them in aligning to the new model. The performance management team are engaging with the minority of local authorities who are not currently implementing the model, in accordance with the framework agreed at the last Business Committee meeting.

6.3 Due to the above, alongside delays faced by the FSA in the development of the new local authority data reporting service, the quality of data we collect in April 2026 will vary across local authorities. The data project team will provide support to local authorities to assist them in submitting a data return, though our reporting capability in April 2026 will be limited due to the differing statuses of available local authority data.

6.4 The Business Committee is asked to:

- Consider the progress local authorities have made in the delivery of official food controls in the past year
 - Consider and comment on the challenges faced by local authorities in their implementation of the new food standards delivery model, as well as the impact this will have on the FSA's ability to report on the delivery of official controls in April 2026
1. As part of the Food Standards Agency duties under the Food Standards Act 1999, and in accordance with the requirements of Regulation (EU) No 2017/625 (OCR) on official controls (retained law in England and Wales).