



Report on the Food and Feed Law Enforcement Service

Neath Port Talbot County Borough Council
19th – 23rd May 2014

Foreword

Audits of local authority food and feed law enforcement services are part of the Food Standards Agency's (FSA) arrangements to improve consumer protection and confidence in relation to food and feed. These arrangements recognise that the enforcement of UK food and feed law relating to food safety, hygiene, composition, labelling, imported food and feedingstuffs is largely the responsibility of local authorities. These local authority regulatory functions are principally delivered through their Environmental Health and Trading Standards Services.

The attached audit report examines the local authority's Food and Feed Law Enforcement Service. The assessment includes consideration of the systems and procedures in place for interventions at food and feed businesses, food and feed sampling, internal management, control and investigation of outbreaks and food related infectious disease, advice to business, enforcement, food and feed safety promotion. It should be acknowledged that there may be considerable diversity in the way and manner in which authorities provide their food enforcement services reflecting local needs and priorities.

Agency audits assess local authorities' conformance against the Feed and Food Law Enforcement Standard. "The Standard", which was published by the Agency as part of the Framework Agreement on Official Feed and Food Controls by Local Authorities (amended April 2010) is available on the Agency's website at:

www.food.gov.uk/enforcement/enforcework/frameagree

The main aim of the audit scheme is to maintain and improve consumer protection and confidence by ensuring that authorities are providing effective food and feed law enforcement services. The scheme also provides the opportunity to identify and disseminate good practice, and provides information to inform Agency policy on food safety, standards and feedingstuffs and can be found at:

www.food.gov.uk/enforcement/auditandmonitoring

The report contains some statistical data, for example on the number of food establishment inspections carried out. The Agency's website contains enforcement activity data for all UK local authorities and can be found at:

www.food.gov.uk/enforcement/auditandmonitoring

The report also contains an action plan, prepared by the authority, to address the audit findings.

For assistance, a glossary of technical terms used within the audit report can be found at Annex C.

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1 Introduction

- 1.1 This report records the results of an audit of food hygiene, food standards and feedingstuffs at Neath Port Talbot County Borough Council under the headings of the FSA Feed and Food Law Enforcement Standard. It has been made publicly available on the Agency's website at www.food.gov.uk/enforcement/auditandmonitoring/auditreports

Reason for the Audit

- 1.2 The power to set standards, monitor and audit local authority food and feed law enforcement services was conferred on the FSA by the Food Standards Act 1999 and the Official Feed and Food Controls (Wales) Regulations 2009. The audit of the food and feed service at Neath Port Talbot County Borough Council was undertaken under section 12(4) of the Act and Regulation 7 of the Regulations.
- 1.3 Regulation (EC) No. 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, includes a requirement for competent authorities to carry out internal audits or to have external audits carried out. The purpose of these audits is to verify whether official controls relating to feed and food law are effectively implemented. To fulfil this requirement, the FSA, as the central competent authority for feed and food law in the UK has established external audit arrangements. In developing these, the Agency has taken account of the European Commission guidance on how such audits should be conducted.¹
- 1.4 The authority was audited as part of a three year programme (2013 – 2016) of full audits of the 22 local authorities in Wales.

Scope of the Audit

- 1.5 The audit covered Neath Port Talbot's arrangements for the delivery of food hygiene, food standards and feed law enforcement services. The on-site element of the audit took place at the authority's offices at Neath

¹ Commission Decision of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No. 882/2004 of the European Parliament and of the Council on Official Controls to verify compliance with feed and food law, animal health and animal welfare rules (2006/677/EC).

on 19th – 23rd May 2014, and included verification visits at food and feed businesses to assess the effectiveness of official controls implemented by the authority, and more specifically, the checks carried out by the authority's officers, to verify food and feed business operator (FBO/FeBO) compliance with legislative requirements.

- 1.6 The audit also afforded the opportunity for discussion with officers involved in food and feed law enforcement with the aim of exploring key issues and gaining opinions to inform Agency policy.
- 1.7 The audit assessed the authority's conformance against "The Standard". The Standard was adopted by the FSA Board on 21st September 2000 (and was subject to its fifth amendment in April 2010), and forms part of the Agency's Framework Agreement with local authorities. The Framework Agreement can be found on the Agency's website at www.food.gov.uk/enforcement/enforcework/frameagree

Background

- 1.8 Neath Port Talbot County Borough Council is a unitary authority in south Wales, which covers an area of 44,217 hectares. It borders five other local authority areas – Swansea, Carmarthenshire, Powys, Rhondda Cynon Taff and Bridgend.
- 1.9 With 14km of coastline, Neath Port Talbot covers an area which runs from Margam along Swansea Bay in the south and includes the Vale of Neath, Afan valley and parts of the Swansea and Dulais valleys north-west as far as the fringes of the Brecon Beacons national park. It takes in the historic town of Neath with its own castle, and the nearby Neath Abbey.
- 1.10 Neath Port Talbot is a mixed use urban and rural county with both industry and agriculture being significant economic activities. The steel works in Port Talbot is one of the major employers in the County Borough. There is a small port at Briton Ferry at which infrequent consignments of animal feedingstuffs are received.
- 1.11 According to the 2011 Census, Neath Port Talbot has a population of 139,800 with 96.9% of the population being white British / Irish and

15.3% speaking Welsh. The main population centres are Neath and Port Talbot.

- 1.12 Neath Port Talbot contains some areas with high levels of deprivation as determined by the 2011 Welsh Index of Multiple Deprivation.
- 1.13 Food and feed law enforcement was being carried out by officers in the authority's Environmental Health and Trading Standards sections. The Food and Pest Control Team of the Environmental Health section enforced food hygiene legislation whilst the Retail and Industrial Unit of the Trading Standards section enforced food standards and animal feedingstuffs legislation.
- 1.14 A staffing restructure during 2013 saw the re-organisation of the food hygiene service with the creation of the new role of Environmental Health Manager (Food & Pest Control). The lead officer for food hygiene and infectious disease control was vested in the role of Consultant Environmental Health Officer (EHO). The lead officer role for food standards and animal feedingstuffs remained with the Trading Standards Manager.
- 1.15 Officers and support staff responsible for food hygiene, food standards and feed were based at Unit 11, Milland Road Industrial Estate, Neath, SA11 1NJ. Services were available between the hours of 8.30am to 5.00pm Monday to Thursday and 8.30am to 4.30 pm Friday.
- 1.16 The authority reported in its Food and Feed Law Enforcement Service Delivery Plan 2013-2014 (the Service Plan) that it had an emergency out-of-hours service. The out-of-hours service was not tested as part of the audit.
- 1.17 In 2013/14 there were approximately 1,400 food establishments and 250 feed establishments in Neath Port Talbot. In addition it was reported in the Service Plan that there were five approved feed establishments and no approved food establishments.
- 1.18 The Service Plan stated that the authority had seven full time equivalent (FTE) officers involved in the delivery of food hygiene and 0.5 FTE administrative support staff. In addition, the Environmental Health Manager (Food & Pest Control) was responsible for planning and internal monitoring in relation to food hygiene. In respect of food

standards and feed, the authority reported that it had 2.4 FTE officers and 0.5 FTE administrative support staff.

- 1.19 The authority is an Investor in People and was actively supporting officers in gaining further professional qualifications in their field of work.
- 1.20 The annual budget for the food and health and safety service was £488,360 in 2013/14. This represented a reduction on the 2012/13 budget which was £519,190. It was not clear what proportion of the budget was allocated to food enforcement. Further, expenditure on food standards and feed enforcement was not provided in the Service Plan.
- 1.21 The authority had been participating in the National Food Hygiene Rating Scheme which was launched in Wales in October 2010. At the time of the audit, the food hygiene ratings of 772 food establishments in Neath Port Talbot were available to the public on the National Food Hygiene Rating Scheme website.

2 Executive Summary

- 2.1 The audit examined Neath Port Talbot County Borough Council's arrangements for the delivery of official food and feed controls. This included reality checks at food and feed establishments to assess the effectiveness of official controls and, more specifically, the checks carried out by the authority's officers, to verify food and feed business operator (FBO) compliance with legislative requirements. The scope of the audit also included an assessment of the authority's overall organisation and management, and the internal monitoring of food and feed law enforcement activities.
- 2.2 The Principal Officer Environmental Health and Trading Standards had overall responsibility for the delivery of food and feed law enforcement services. The authority had recently reviewed its Environmental Health service structure, creating the new role of Environmental Health Manager (Food & Pest Control) to oversee the delivery of the food hygiene service. The Trading Standards Manager was responsible for the delivery of the food standards and feed law enforcement services.
- 2.3 The authority had achieved Investors in People status and the arrangements in place for officer development were identified as an area of good practice. Implementation of these arrangements had provided additional capacity for the delivery of official food hygiene controls.
- 2.4 The authority had developed a Food and Feed Law Enforcement Service Delivery Plan for 2013/14 which was broadly in line with FSA guidance. It was noted that the number of food and feed interventions detailed in the plan fell short of those required by the relevant Codes of Practice. Further, arrangements for dealing with the backlog of food and feed establishment interventions, including unrated establishments had not been included. Whilst some budgetary information had been provided, a comparison of the resources required to deliver all aspects of the food and feed law enforcement service against those available had not been carried out.
- 2.5 The need for the authority to carry out a food and feed law enforcement performance review at least annually was identified.

- 2.6 A work procedure had been developed to ensure the accuracy of the authority's food and feed establishments database. Audit checks confirmed that overall, the food hygiene and food standards database was accurate and the authority had been able to provide an electronic Local Authority Enforcement Monitoring System (LAEMS) return. The authority had also provided annual feed returns to the FSA.
- 2.7 Record and database checks confirmed that the food hygiene service had prioritised inspections of lower-risk businesses over compliant higher-risk businesses. Whilst the food standards service had focused its intervention programme on high-risk establishments, a significant number of medium and low-risk establishments were overdue an intervention. Further, a considerable number of unrated feed establishments were identified and the authority had issued risk ratings without the benefit of a primary inspection, contrary to the Feed Law Enforcement Code of Practice.
- 2.8 Inspection records did not always demonstrate that a thorough assessment of business compliance had taken place or that contraventions identified during food hygiene, food standards and feed inspections had been consistently followed up.
- 2.9 Food hygiene inspection records and reports were being adequately maintained by the authority; however, this was not the case for food standards and feed.
- 2.10 Food and feed interventions other than inspections and audits, had generally taken place in accordance with the relevant Code of Practice. However, unsatisfactory food hygiene sampling results and food standards complaints had not consistently been followed up. Further, records relating to notifications of food related infectious disease did not demonstrate that the investigations undertaken had been appropriate.
- 2.11 The authority had been proactive in providing advice and guidance to food and feed businesses in its area.
- 2.12 There was evidence of internal monitoring of the food hygiene, food standards and feed services. Implementation of recent amendments to the authority's internal monitoring procedure will assist in achieving improvements.

2.13 The Authority's Strengths

Officer Training and Development

The authority had been proactive in developing the skills and knowledge of permanently employed officers. In particular, the approach to the development of officers new to the food hygiene service was identified as an area of good practice.

Food Hygiene Records and Interventions/Inspections Reports

Records of food hygiene interventions had been effectively maintained and intervention/inspection reports provided to food business operators contained all the information required by the Food Law Code of Practice.

2.14 The Authority's Key Areas for Improvement

Officer authorisations

The authority's scheme of delegation required updating to include all relevant legislation under which authorisation of officers was required. Authorisation procedures required further development and implementation to ensure all officers are appropriately authorised, in accordance with their qualifications, training and experience.

Food Hygiene, Food Standards and Feed Intervention Frequencies

The authority had not carried out food hygiene, food standards or feed interventions at the minimum frequencies required by the relevant Codes of Practice. Interventions carried out at the minimum frequency ensure that risks associated with food and feed businesses are identified and followed up in a timely manner.

Food Hygiene, Food Standards and Feed Establishment Interventions and Inspections

Information captured by officers during interventions was not always sufficiently detailed to demonstrate that thorough assessments of business compliance had been undertaken. In addition, where follow-up action was required, this had not consistently taken place.

Food Standards and Feed Records and Interventions/Inspections Reports

Records of food standards and feed interventions had not been effectively maintained and intervention/inspection reports provided to food business operators did not contain all the information required by the Codes of Practice.

Food Standards Complaints

Appropriate follow-up action had not always been taken in response to food standards complaints and the authority had not notified the FSA of food incidents where this was required.

Food Hygiene Sampling

The authority was unable to evidence that it had taken appropriate action in response unsatisfactory microbiological food samples.

Control and Investigation of Food Related Infectious Disease

Records of food related infectious disease did not demonstrate that appropriate investigations had been carried out.

Audit Findings

3 Organisation and Management

Strategic Framework, Policy and Service Planning

- 3.1 The authority operated an Executive system of local government which included five Cabinet Boards. There were also a number of "watchdog" Scrutiny Committees which reviewed the decisions and performance of the Executive. Food and feed law enforcement was the responsibility of the Social Care, Health and Housing Cabinet Board. The authority's Constitution set out its decision making arrangements. Under the Constitution, decisions on certain specific matters had been delegated to officers.
- 3.2 A 'Food and Feed Law Enforcement Service Delivery Plan 2013/14' ('the Service Plan') had been developed by the authority. The Service Plan had been approved by a senior manager and was available on the authority's website.
- 3.3 Work to develop the 2014/15 Food and Feed Law Enforcement Service Delivery Plan was on-going. However, the Environmental Health and Trading Standards Business Plans for 2014/15 were available and included information on the authority's food and feed law enforcement services.
- 3.4 The Service Plan 2013/14 contained most of the information set out in the Service Planning Guidance in the Framework Agreement, including a profile of the authority, the organisational structure, the scope of the service and demands. The times of operation, service delivery points and aims and objectives of the service were clearly set out. The aims and objectives were:
- "To help to maintain a safe and healthy environment in the County Borough;
 - To ensure food and feed produced or consumed within the area does not present a risk to health and to take action to prevent it entering or limiting its introduction to the food chain;
 - To ensure the effective control of feed destined for consumption by

animals entering the food chain and pet animals;

- To encourage good practices in food safety, food & feed standards and fair-trading, and to take action to discourage practices which are unfair to other traders or threaten health;
- To enforce the relevant environmental health and trading standards legislation by means of interventions at premises in the County Borough, e.g. sampling, investigation of complaints, intelligence led investigations and surveys, malpractices and cases of food poisoning;
- To ensure that resources are targeted where they are most effective and address areas of highest public health risk;
- To respond to requests for advice and to seek to raise awareness of food safety and food & feed standards issues;
- To help business owners to comply with their obligations under food & feed legislation and to take appropriate action as per the enforcement policy against those who will not.”

3.5 The Service Plan indicated that there were around 1,400 food and 250 feed establishments in Neath Port Talbot which were subject to official controls. These were inconsistencies in the Service Plan relating to the total number of food and feed establishments.

3.6 The risk profiles of businesses in Neath Port Talbot for food hygiene, food standards and feed, together with the number of planned interventions due in 2013/14 were provided.

3.7 In respect of food hygiene the following information was provided in the Service Plan:

Planned food hygiene interventions due 2013/14

Risk category	Total premises	Interventions Due
A	12	24
B	68	68
C	462	294
D	331	288
E	376	211

In addition it was estimated that 171 new business inspections and 250 food hygiene revisits would be required.

- 3.8 The targets and priorities for food hygiene had been identified in the Service Plan. These included a commitment to deliver 80% of inspections /interventions due at higher-risk establishments, consisting of 100% of due inspections at category A and B establishments, and interventions at category C establishments, which had not achieved a rating of 5 “very good” under the Food Hygiene Rating Scheme. A total of 69 category C establishments had achieved “very good” ratings.
- 3.9 In respect of lower-risk establishments, the Service Plan stated that where resources permit, category D and category E establishments should be subject to interventions. In the case of category E establishments, it was indicated that these could be an Alternative Enforcement Strategy (AES). The authority stated its intention to use the resources made available by its approach to category C establishments to carry out interventions at category D establishments handling open high-risk foods.
- 3.10 A significant number of food hygiene interventions due in 2012/13 had not been achieved and were identified in the Service Plan. These related largely to lower risk establishments, which had been carried over to 2013/14 and consisted of three category C, 248 category D and 188 category E establishments. In addition, interventions at 63 unrated establishments had been carried over to 2013/14.
- 3.11 The following information was provided in respect of food standards:

Planned food standards interventions due 2013/14

Risk category	Total premises	Interventions Due/Planned
A	8	8
B	230	142
C	837	426
Unrated (carried forward from 12/13)	19	19

Estimates of the number of new food businesses that would require food standards inspections/interventions or the number of revisits to follow up non-compliances during the year had not been provided.

3.12 The Service Plan detailed the number of food standards interventions due in 2012/13 which had not been undertaken, comprising of 24 category B, 216 category C and 19 unrated establishments. These had been carried over to 2013/14.

3.13 The risk profile of feed establishments, together with the number of interventions due in 2013/14 had been included in the Service Plan:-

Planned feed interventions due 2013/14

Risk category	Total premises	Interventions Due/Planned
A	2	2
B	1	1
C	236	42
Unrated	210	210

3.14 Feed interventions due in 2012/13 that had not been undertaken had been carried over to 2013/14. These included interventions at two category A and 195 category C establishments. The Service Plan did not provide an estimate of the number of revisits or new feed businesses that would require an intervention or inspection during the year.

3.15 The authority's priorities and intervention-targets for 2013/14 were set out in the Service Plan. Although these were risk based, they did not meet the requirements of the Codes of Practice.

3.16 The resources available to deliver food and feed law enforcement services were detailed in the Service Plan. A recent restructure had increased officer capacity for food hygiene official controls with the following full time equivalent officers (FTEs) available:-

- 0.5 Environmental Health Manager
- 1.0 Consultant Environmental Health Officer
- 3.5 Environmental Health Officers
- 1.0 Senior Enforcement Officers

1.0 Enforcement Officer

- 3.17 Although temporary staff and contractors had been employed in previous years, it was anticipated that the new officer structure would be “sufficient to carry out the priority areas of work, including the foreseeable (planned) inspection programme.”
- 3.18 In respect of food standards and feed, two Trading Standards Officers and two Enforcement Officers in the Retail and Industrial Enforcement section of Trading Standards delivered official controls. However, it was not clear what proportion of their time was allocated to food and feed.
- 3.19 The authority had indicated the likely demand and the resources required for most aspects of food and feed enforcement. The requirement to estimate the resources required to deliver the full range of food standards and feed official controls against those available had not been provided.
- 3.20 The Service Plan included information on the authority’s Enforcement Policy, its approach to out-of-hours inspections and staff development. An indication of the likely demands placed on the authority in responding to food and feed complaints, food and feed sampling, infectious disease control and responding to food and feed incidents was also included.
- 3.21 The authority supported businesses through its commitment to the Primary Authority Scheme and Home Authority Principle. The Service Plan also highlighted other approaches it would use to ensure businesses were well informed of their legal obligations.
- 3.22 Arrangements for internal monitoring ‘*quality assessment*’ were set-out in the Service Plan and included monitoring of inspections and inspection reports by the Environmental Health and Trading Standards manager, and officer reviews which took place every 6-9 weeks.
- 3.23 The costs of providing food and feed law enforcement services had not been provided in the Service Plan, although the combined costs of providing food and health and safety services had been provided.
- 3.24 The Service Plan set-out how the authority’s performance in delivering food and feed official controls would be reviewed. This included quarterly performance monitoring reports and an annual report summary to the

relevant Cabinet Board. In March 2014 a paper had been prepared for the Social Care, Health and Housing Cabinet Board, which provided an overview of the food hygiene work being carried out, including case studies. However, the annual Cabinet Board performance summary referred to in the Service Plan was not available.

3.25 Variations in achieving the targets set-out in previous Service Plans were identified in the 2013/14 Service Plan and a commitment was made to carry out overdue interventions “when resources permit”.

3.26 The authority had incorporated a comprehensive list of areas for improvement in its 2013/14 Service Plan, which included to:-

- review out of hours provision in relation to outbreaks of communicable disease;
- map (& assess) officers competency to reflect changes in authorisation levels;
- implement a staff development programme;
- introduce document control systems (primarily electronic records);
- review the documented procedure for the handling of food samples;
- develop a training programme for officers involved in the investigation of outbreaks of communicable disease;
- produce a policy statement for all food safety promotional work;
- develop an education programme in consultation with stakeholders;
- undertake suitable promotional activities / campaigns;
- establish measures to assess the quality of the service provided;
- consult with stakeholders (e.g. to review the service delivery plan);
- establish stakeholder satisfaction questionnaires and encourage feedback;
- develop an action plan to achieve the All Wales Best Practice standard in food fraud (level 1 as a minimum);
- undertake a review of food standards, food hygiene (primary producers) and feed legislation in relation to qualification of officers and demands on the service, and to develop systems and procedures to accommodate;
- review records held of food and feed primary producers operating within the county borough;
- implement measures for the enforcement of food and feed hygiene primary producer legislation, including more standard advice for businesses;

- update the database and relevant enforcement procedures in relation to the feeding-stuffs code of practice and the new monitoring system;
- continue and improve the use of alternative enforcement procedures in relation to food inspections.

Recommendations

3.27 The authority should:

- (i) Ensure future Food and Feed Service Plans are developed in accordance with the Service Planning Guidance in the Framework Agreement. In particular, the costs of providing food and feed law enforcement services should be included, together with an estimate of the resources required to deliver the services against those available. [The Standard – 3.1]
- (ii) Carry out an annual food and feed law enforcement performance review for approval by the relevant member forum or senior officer, as appropriate. [The Standard – 3.2]

4 Review and Updating of Documented Policies and Procedures

- 4.1 The authority had developed documented policies and procedures to support the range of food and feed law enforcement activities carried out. These were stored electronically on a shared drive.
- 4.2 Lead officers were responsible for developing new procedures, updating existing procedures and ensuring the removal of superseded documents.
- 4.3 Auditors were able to verify that officers had access to policies and procedures, legislation and centrally issued guidance electronically on the intranet and internet.
- 4.4 At the time of the audit documented policies and procedures on the shared drive were not being sufficiently protected against unauthorised changes. However, this was immediately rectified through the conversion of electronic documents into a read-only format.
- 4.5 It was evident that policies and procedures had been subject to recent review and no superseded documents were identified.

5 **Authorised Officers**

- 5.1 The authority's scheme of delegation had been set out in its Constitution and provided the Principal Officer with the ability to authorise officers and to take legal action. However, the list of legislation did not include a number of statutes under which food and feed officers required authorisation, including the Official Feed and Food Controls (Wales) Regulations 2009 and The Trade in Animals and Related Products (Wales) Regulations 2011. Further, superseded legislation had not been removed.
- 5.2 Information on the authorisation of food standards and feed officers had been included in the authority's Food and Feed Standards Monitoring Procedure. However, the procedure did not require authorisations to be based on an assessment of competency. There was no procedure available for the authorisation of food hygiene officers. In practice the duties of new officers had been limited until they were considered competent by the lead officer.
- 5.3 Lead officers for food hygiene, food standards, feed and communicable disease had been appointed, all of whom had the requisite qualifications, training and were able to demonstrate appropriate knowledge.
- 5.4 Officer training needs had been assessed during annual performance reviews, and training and development plans were in place for all officers. Opportunities for training and development had also been identified during one to one meetings with managers. Auditors noted that a number of officers were being supported to undertake further professional qualifications to enable them to undertake additional duties within the service. Further, all officers were required to achieve 10 hours of continual professional development (CPD) in accordance with the Codes of Practice.

Good Practice – Training and Development Log

The arrangements in place for developing officers new to the Food Safety Team were particularly robust. A New Environmental Health Officer (Food Hygiene) Training and Development Log had been implemented, which set-out in detail the development requirements for new officers. Until such time as officers were assessed as being competent by the lead officer, their duties were limited.

- 5.5 The authorisations, qualifications and training records of 10 officers involved in delivering official food and feed controls during the previous two years were examined.
- 5.6 Officers had been authorised under some legislation, but a number of statutes that require specific authorisation had been omitted. It was noted that officers had been generically authorised under the Food Hygiene (Wales) Regulations 2006 and that restrictions had not been applied, where appropriate. Further, the authority had authorised officers under the Food and Environment Protection Act 1995, in respect of which the FSA is the authorising authority.
- 5.7 The authority provided evidence of officer authorisations consistent with their qualifications for all but two officers; one feed officer and one food hygiene contractor.
- 5.8 All but one feed officer and two food hygiene contractors had received the minimum 10 hours of CPD required by the Codes of Practice and the authority's own procedures.
- 5.9 With the exception of one contractor, records confirmed that officers who were delivering food hygiene official controls had received training in the assessment of HACCP, cross-contamination controls and the application of risk rating scores. Qualification and training records had been maintained by the authority for permanent officers, but records for contractors were not consistently available.

Recommendations

5.10 The authority should:

- (i) Review, amend and implement its scheme of delegation and Food and Feed Standards Monitoring Procedure to ensure officers are appropriately authorised following an assessment of their qualifications and competencies;

and,

Set-up, maintain and implement a documented procedure for the authorisation of food hygiene officers based on their competence in accordance with the Food Law Code of Practice and relevant centrally issued guidance. [The Standard – 5.1]

- (ii) Review and where necessary amend officer authorisations to ensure the level of authorisation and duties of officers are consistent with their qualifications, training, experience and the Food Law Code of Practice. [The Standard – 5.3]
- (iii) Ensure all authorised officers receive the training required to be competent to deliver the technical aspects of the work in which they will be involved, in accordance with the Codes of Practice. [The Standard – 5.4]
- (iv) Maintain records of relevant academic or other qualifications, training and experience of each authorised officer in accordance with the relevant Codes of Practice. [The Standard – 5.5]

6 Facilities and Equipment

- 6.1 The authority had the necessary facilities and equipment required for the effective delivery of food hygiene and food standards services, and for undertaking animal feed sampling activities, which were appropriately stored and accessible to relevant officers.
- 6.2 A procedure for the calibration and maintenance of equipment had been developed. This procedure detailed the arrangements for ensuring that equipment, such as thermometers were properly identified, assessed for accuracy and withdrawn from use when found to be faulty. The policy made reference to testing frequencies and tolerances, together with action to be taken where tolerances were exceeded. The tolerances were amended during the audit to ensure that they were in accordance with the Food Law Practice Guidance.
- 6.3 Officers had been supplied with infra-red and probe thermometers, which were being calibrated using a reference thermometer and calibration test caps. The equipment allocated to officers was calibrated at least annually. Records relating to calibration were being maintained by the authority.
- 6.4 An examination of records relating to the latest calibration checks confirmed that an infra-red thermometer had exceeded the acceptable tolerance prescribed in the Food Law Practice Guidance. Auditors were advised that this had been due to a previous version of the procedure stating the incorrect tolerance. The thermometer was withdrawn from use when this was identified during the audit.
- 6.5 The authority's food and feed databases were capable of providing the information required by the FSA. A number of checks were carried out during the audit which confirmed that databases were operated in such a way to enable accurate reports to be generated.
- 6.6 There were a number of schools and takeaways on the database that had not been included in the food standards intervention programme. The lead officer advised auditors that information relating to these establishments would be reviewed with the intention of including them in future programmes.

- 6.7 The food and feed databases, together with other electronic documents used in connection with food and feed law enforcement services were subject to end of day back-up to prevent the loss of data.
- 6.8 The authority had an Information Security Policy Statement to ensure business continuity and minimise damage by preventing or reducing the impact of security incidents. In respect of food and feed law enforcement services, officers had been provided with individual passwords and access for entering and deleting data had been restricted. Documented data input protocols were also in place and training had been provided in their use.

7 Food and Feedingstuffs Establishments Interventions and Inspections

Food Hygiene

- 7.1 The authority's Service Plan 2013/2014 included a table which provided a breakdown of food establishments in its area by risk rating, as at 1 April 2013. According to the information provided there were 1,249 food establishments of which 43% were higher-risk. The table detailed the planned food hygiene interventions due in 2013/14 and an estimate of those that would be due in 2014/15.
- 7.2 In 2012/13 the authority had reported through LAEMS that 66.93% of category A-E food businesses due to be inspected had been inspected, and 88.57% of food businesses were 'broadly compliant' with food hygiene law (excluding unrated businesses and those outside the scope of the risk rating scheme). This represented an improvement of approximately 2.17% from 86.40% of businesses reported as 'broadly compliant' in the previous year.
- 7.3 The authority had developed documented procedures aimed at establishing a uniform approach to carrying out official controls in respect of food hygiene interventions, revisits and the approval of product specific establishments. An examination of these procedures confirmed that all made reference to relevant legislation, had been subject to recent review, and were in accordance with the requirements of the Food Law Code of Practice and relevant centrally issued guidance. Whilst the Food Hygiene Interventions procedure contained reference to officers checking establishment records for 'any red flag issues', information on the specific arrangements or criteria for red flagging had not been set-out. Auditors discussed the benefits of including details of the arrangements for red flagging significant issues or matters that require review at future interventions.
- 7.4 Information supplied by the authority prior to the on-site audit indicated that there were a total of 504 establishments overdue an intervention by more than 28 days, of which 50 had been categorised as higher-risk and 45 had been coded as unrated. All of the higher-risk establishments had been due an intervention within a period of 10 months preceding the audit.

- 7.5 The remainder of the establishments that had been identified as being overdue an intervention were lower-risk, one of which had been risk rated as a category D in 2007 and had not been subject to an intervention since this time. Nonetheless, the data supplied by the authority demonstrated that it had adopted a risk-based approach to managing its food hygiene interventions programme.
- 7.6 A food hygiene intervention aide-memoire had been developed by the authority to assist officers in their inspections of food businesses. An Information and Interventions Summary form had also been developed for providing business operators with information at the conclusion of each intervention.
- 7.7 During the audit an examination of records relating to 10 food establishments was undertaken. The file histories for six of these confirmed that in recent years they had been inspected at the frequencies required by the Food Law Code of Practice. However, four establishments had not been inspected at the required frequencies, of which three were higher-risk, i.e. one category A and two category C, the other was lower-risk, i.e. category D. The higher-risk establishments had all been inspected within a period of between two weeks and four months after their due dates. The lower-risk establishment was overdue for inspection by more than five years. The Food Law Code of Practice requires that interventions take place within 28 days of their due date.
- 7.8 Inspection records were available and legible for the 10 food establishments audited. In six cases the information recorded by officers on inspection aide-memoires was insufficient to demonstrate that a comprehensive assessment of business compliance in respect of requirements relating to Hazard Analysis Critical Control Point (HACCP) had been undertaken. In the other four cases the level of detail recorded on aide-memoires was appropriate to enable auditors to verify that thorough assessments had taken place, having regard to the nature of the food operations carried out.
- 7.9 Auditors were able to confirm that overall an adequate assessment of hygiene training of food handlers had taken place; and where appropriate, information relating to discussions between officers and individuals other than the food business operators, had been captured. Details of suppliers were also generally being recorded, and in seven out of 10 cases there was evidence that consideration had been given to

imported foods. However, where required, there was no record to confirm that foods had been subject to an examination to verify the source.

7.10 In nine of the 10 cases, the food activities involved the handling of both raw and ready to eat foods. The inspection records confirmed that in five cases officers had undertaken an appropriate assessment of the effectiveness of cross contamination controls. In the remaining four cases, there was insufficient information to demonstrate that officers had fully considered business compliance in protecting food against cross contamination.

7.11 The risk ratings applied to establishments were overall consistent with the inspection findings. However, in one case the scores applied in respect of business compliance did not reflect the seriousness of the contraventions reported in the inspection letter or have regard to the business' compliance history. In another case there was insufficient information on the records to confirm that the scope of the inspection was appropriate to justify applying a risk rating.

7.12 Auditors noted that in the four cases where risk ratings had been reduced following inspection, the reason for revising the ratings had not been recorded, contrary to the Food Law Code of Practice.

7.13 The authority's recently revised Food Hygiene Interventions Procedure stated that, 'the authorised officer (AO) will carry out a revisit when a food business fails to comply with significant statutory requirements. This includes:

- Failure to comply with a single requirement that compromises food safety or compromises public health.
- Failure to comply with a number of requirements that, taken together, indicate ineffective management.
- Failure to comply with statutory notices.'

The procedure also made reference to the timescales stipulated in the Food Hygiene Revisit Policy developed by the Wales Heads of Environmental Health (WHeEH) Food Safety Expert Panel for providing guidance on the timing of revisits relative to the food hygiene rating applied.

- 7.14 In the 10 cases examined, the authority had identified that four of these required a revisit. Records were available to confirm that three revisits were undertaken within the time period stipulated in the Food Hygiene Revisit Policy. In the remaining case where a 0 rating had been applied under the Food Hygiene Rating Scheme (FHRS) the establishment was overdue a revisit by four days. Auditors were advised that the authority was in the process of developing an action plan for undertaking an enforcement exercise at the business concerned.
- 7.15 In six cases where auditors identified the need for follow-up action to be taken to address significant issues and/or serious, on-going contraventions, it was noted that in five cases escalation of enforcement had not taken place. In addition, in four of the six cases, records had not been appropriately red-flagged by recording information in the 'summary of urgent matters/significant on-going issues' section of the aide-memoire.
- 7.16 Although the authority indicated prior to the audit that there were no approved establishments in its area, a procedure had been developed setting out the process for approving a food establishment should the need arise.
- 7.17 An AES had not been introduced for maintaining surveillance of lower-risk establishments, but the authority had advised that it was in the process of considering the various forms of AES available, before deciding on an approach that would be feasible to administer.

Recommendations

- 7.18 The authority should:
- (i) Ensure that food establishment interventions/inspections are carried out at the minimum frequency specified by the Food Law Code of Practice. [The Standard -7.1]
 - (ii) Carry out interventions/inspections in accordance with the Food Law Code of Practice and centrally issued guidance, and the authority's policies and procedures. [The Standard – 7.2]

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| (iii) | Assess the compliance of establishments in its area to the legally prescribed standards; and take appropriate action on any non-compliance found, in accordance with the authority's Enforcement Policy. [The Standard -7.3] |
| (iv) | Fully implement its documented procedures in relation to inspections and revisits of food establishments. [The Standard – 7.4] |
| (v) | Ensure that observations made in the course of an inspection are recorded in a timely manner to prevent loss of relevant information. [The Standard – 7.5] |

Verification Visits to Food Establishments

- 7.19 During the audit, verification visits were made to two food establishments with authorised officers of the authority who had carried out the last food hygiene inspections. The main objective of the visits was to consider the effectiveness of the authority's assessment of food business compliance with food law requirements.
- 7.20 The officers were knowledgeable about the businesses and demonstrated an appropriate understanding of the food safety risks associated with the activities at each establishment. The officers demonstrated that they had carried out a detailed inspection and had appropriately assessed compliance with legal requirements and centrally issued guidance, and were offering helpful advice to the food business operators.
- 7.21 On one of the visits the auditor discussed with the officer the need to ensure that the food business operator had an awareness of the fitness to work guidance applicable to food handlers. Advice was also provided in respect of the requirement to undertake a comprehensive assessment of the business' system for the traceability of food, including arrangements in place for initiating a product withdrawal/recall.

Food Standards

- 7.22 In 2012/13 the authority had reported through LAEMS that 42.2% (226) of risk category A-C food businesses due to be inspected had been inspected. This represented a reduction of 23.1% from 65.3% in the previous year.
- 7.23 Immediately prior to the audit, the authority had a total of 1,395 food establishments on its database, which it shared with the food hygiene service. A total of 288 of these had been placed outside the food standards intervention programme and 108 businesses were unrated.
- 7.24 At the time of the audit, planned interventions were overdue at 398 establishments. Whilst the majority of these were low-risk, 49 were medium-risk. There were no overdue high-risk establishments.
- 7.25 A significant number of schools and a small number of takeaways were not included in the food standards intervention programme, some of which had not received an initial inspection, contrary to the Food Law Code of Practice. An examination of a completed local authority food business questionnaire was carried out, which indicated that cooking activities were being undertaken. This business had the potential to be categorised as medium-risk. Officers advised auditors of their intention to review the list of establishments outside the intervention programme in the near future.
- 7.26 The authority had a Food Standards Inspection Procedure, which required development to include the full range of interventions carried out, i.e. partial inspection and audit. The procedure incorporated a policy on carrying out unannounced inspections and revisits, both of which were in accordance with the Food Law Code of Practice. The approach to the inspection of new food businesses had also been detailed in the procedure.
- 7.27 Auditors examined records relating to 10 food establishment held on the database and in hard copy that the authority reported had been subject to inspection. However, the records for one of these establishments related to an AES, rather than an inspection.

- 7.28 Records of the three most recent inspections undertaken confirmed that six of the nine establishments had not been inspected at the frequencies required by the Food Law Code of Practice. However, auditors noted that the latest inspection at each of these establishments been carried out at the correct frequency. At the time of the audit, two of these establishments, which were medium-risk, were overdue an intervention by more than two and three years.
- 7.29 In all cases inspections had been unannounced, and with the exception of one case, inspection reports had been left at the establishment following inspection. Inspection records confirmed that in six cases officers had considered the food activities undertaken by the business. Further, in seven cases records indicated that officers had checked compliance with presentation and labelling requirements, and in five cases compositional requirements had been considered.
- 7.30 Auditors were unable to verify from the records that traceability requirements, including withdrawal/recall arrangements, and the existence and effectiveness of quality management systems, had where appropriate, been consistently assessed. The authority advised that observations made in the course of inspections are sometimes captured by officers in their PACE notebooks, but at the time of the audit this information was not retrievable.
- 7.31 In four cases the risk ratings applied to establishments following inspections were consistent with the information captured on records. In the remaining cases, the compliance scores applied did not reflect the inspection findings. A risk rating anomaly relating to one of these establishments had been identified during internal monitoring and subsequently rectified. Where risk ratings had been revised following inspections, the reasons had not been recorded.
- 7.32 Where revisits were required following the latest intervention, these had taken place in two out of three cases. In the remaining case, records indicated that the establishment had closed.
- 7.33 Inspection histories confirmed that where significant contraventions had been identified following interventions at five of the nine establishments, appropriate follow-up action had taken place in two cases. In two of the remaining three cases, auditors noted that there had been a delay in

carrying out follow-up to deal with offences relating to food durability in one case and an unauthorised novel food product in the other. In the third case, there was no evidence that follow-up action had taken place in response to identifying a breach of compositional standards.

7.34 The authority had an Alternative Enforcement Procedure which prescribed a range of interventions appropriate for low-risk establishments. However, the procedure did not contain information setting out the circumstances that would trigger another type of intervention, e.g. an inspection visit. Auditors were advised that all low-risk establishments on the database had been sent a questionnaire, but this activity had not been recorded in all instances as an AES.

7.35 Audit checks were undertaken of records relating to eight establishments reported to have been subject to an AES. Four of the eight cases had been eligible for an AES and the method used had been appropriate. However, there was no evidence that the AES had been reviewed by an appropriately authorised officer. The remaining four cases were not eligible for an AES, as three of the establishments had not been risk rated following an inspection and the other was a medium-risk establishment.

Recommendations

7.36 The authority should:

- (i) Ensure that food standards establishment interventions and inspections are carried out at a frequency which is not less than that determined by the Food Law Code of Practice. [The Standard - 7.1]
- (ii) Carry out interventions/inspections and risk assess establishments in accordance with relevant legislation, the Food Law Code of Practice and centrally issued guidance. [The Standard - 7.2]
- (iii) Assess the compliance of establishments in its area to the legally prescribed standards; and ensure timely action is taken to follow-up non-compliance in accordance with the authority's Enforcement Policy. [The Standard – 7.3]

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| (iv) | Ensure the documented food standards interventions procedures reflect the requirements of the Food Law Code of Practice and Practice Guidance. [The Standard 7.4] |
| (v) | Ensure that observations and/or data made in the course of an intervention/inspection are recorded in a timely manner to prevent the loss of relevant information, and that all records of interventions are stored in such a way that they are retrievable. [The Standard – 7.5] |

Verification Visits to Food Establishments

- 7.37 Verification visits were made to two food establishments with authorised officers of the authority who had carried out the most recent food standards inspections. The main objective of the visits was to consider the effectiveness of the authority's assessment of the systems within the business for ensuring that food meets the requirements of food standards law.
- 7.38 Despite the absence of sufficiently detailed records of the interventions, officers were able to demonstrate their knowledge of the businesses and provide auditors with assurances that assessments of food standards controls had taken place.
- 7.39 Auditors noted that one of the establishments which had not been approved by the authority was applying an approval number to a product. This establishment had previously been risk rated as category D for food hygiene, but had not been subject to a food hygiene intervention for more than seven years. The authority advised that a visit would be made to investigate this matter as a priority.

Feed

- 7.40 The authority's 2013/14 Service Plan stated that there were approximately 250 feed establishments in its area subject to feed interventions, including two approved feed establishments. However, auditors noted inconsistencies in the number of feed establishments reported throughout the Service Plan.

- 7.41 The authority reported prior to the audit that there were 229 registered feed establishments on its database, of which 49 had been risk rated and five had been approved. Interventions were overdue at 17 of the 49 risk rated establishments, which included one medium-risk. The remaining overdue establishments were low-risk. There were also 180 establishments that had not been subject to a risk rating inspection.
- 7.42 A procedure for feed inspections had been developed that was generally in accordance with the Feed Law Enforcement Code of Practice. However, the procedure did not include details of the matters to be considered by officers in the course of an inspection or set-out its approach to carrying out interventions in respect of imported feeds. The authority had also developed a procedure covering the process of feed business registration and approval.
- 7.43 Registration information was available for all but one of the feed establishments selected for audit. The authority advised auditors that they considered the unregistered establishment might have required approval by another enforcement agency, but this was not the case. In three cases involving feed businesses that were trading, there had been a delay of up to five months in entering registration information onto the database.
- 7.44 Audit checks were carried out of 10 feed establishments reported to have been subject to inspection by the authority. Records indicated that inspections had been undertaken at six of the 10 establishments. The remaining establishments had either not been subject to an intervention or had received another type of intervention, and been risk rated without an inspection, partial inspection or audit. In respect of the six establishments that had received an inspection, five had been undertaken at the frequencies required by the Feed Law Enforcement Code of Practice. The remaining establishment was overdue an intervention by two months.
- 7.45 In general, feed inspections had been carried out by suitably qualified and authorised officers. One officer had undertaken farm inspections without the requisite qualification.
- 7.46 The information captured on feed inspection records was not sufficiently detailed to enable auditors to verify that officers had considered the size

and scale of the business or type of feed activity undertaken. Further, the level of detail relating to officers' assessments of compliance with requirements relating to feed safety management, training and feed composition, labelling and traceability had not been recorded as appropriate.

- 7.47 The risk ratings that had been applied following inspections appeared to be appropriate having regard to the type of establishment and officer findings that had been recorded.
- 7.48 There were inconsistencies between information on hardcopy records and on the database in seven out of 10 cases, e.g. inspection dates and compliance coding.
- 7.49 Records indicated that contraventions had been identified at one establishment which required follow-up. The feed business operator had not been informed of the contravention in a letter contrary to the authority's inspection procedure. This establishment had not been subject to a revisit to check that the non-compliance had been addressed.
- 7.50 The authority had reported prior to the audit that there were five approved feed establishments in its area. This was not consistent with information contained in the Service Plan or the number that had been notified to the FSA.
- 7.51 Records relating to the approved feed establishments were examined. Audit checks confirmed that no applications for approval or notifications of approval were available. In one case the authority had established and confirmed in writing that approval was not required. However, it had not communicated to the business that it would be an offence to apply the approval mark to any of its products. In the other four cases it was established during the audit that approval was not required.
- 7.52 The authority was not operating an AES for low-risk feed establishments.

Recommendations

- 7.53 The authority should:
- (i) Ensure that feed establishment interventions and inspections are carried out at the frequency specified by the Feed Law Enforcement Code of Practice. [The Standard - 7.1]
 - (ii) Carry out inspections/interventions and approve or register feed establishments in accordance with relevant legislation, the Feed Law Enforcement Code of Practice and centrally issued guidance. [The Standard - 7.2]
 - (iii) Ensure appropriate action is taken to follow up non-compliance in accordance with the Enforcement Policy. [The Standard – 7.3]
 - (iv) Amend its procedures to include its approach to interventions in respect of imported feed and ensure the procedures relating to inspection of feed establishments are fully implemented. [The Standard – 7.4]
 - (v) Ensure that all observations made in the course of interventions are recorded in a timely manner and officers' contemporaneous records of interventions are stored in such a way as to be retrievable. [The Standard – 7.5]

Feed Establishment Verification Visits

- 7.54 During the audit verification visits were made to two feed establishments with authorised officers of the authority, who had carried out the last feed inspection. The main objective of the visits was to assess the effectiveness of the authority's assessment of feed business compliance with feed law requirements.
- 7.55 The officers were able to demonstrate knowledge about the establishments and the operations carried out. However, it was clear from the verification visit that one of the inspections had focused on determining whether approval was required and had not included a thorough assessment of business compliance.

- 7.56 Auditors were able to confirm during the other verification visit that the officer was aware of the relevant requirements relating to the business. The importance of capturing observations on business compliance was reinforced.
- 7.57 In both cases, inspections undertaken by the authority had been announced contrary to the requirements of the Feed Law Enforcement Code of Practice and the authority's procedure.

8 Food, Feed and Food Establishments Complaints

- 8.1 The authority had developed a comprehensive Food Complaints Procedure for food hygiene based on a template produced by the Welsh Heads of Environmental Health (WHeEH) Food Safety Expert Panel. The policy for dealing with food complaints was detailed within the procedure and appended was a comprehensive Food Complaint Guidance Leaflet aimed at consumers. The content of the procedure was in accordance with the Food Law Code of Practice and official guidance. However, information on the authority's approach to responding to complaints about food establishments had not been included.
- 8.2 Separate procedures for food standards and feedingstuffs complaints had been set-up, which in general had regard to the requirements of the relevant Codes of Practice and official guidance. However, the procedures did not make reference to complaints of food and feed originating from other EU member states or third countries. In addition, the procedure relating to feedingstuffs did not set-out the arrangements for investigating complaints about the condition of feed establishments.

Food Hygiene

- 8.3 An examination of the records relating to 10 food hygiene complaints received by the authority in the two years prior to the audit was undertaken. Auditors verified that eight of these complaints had been actioned within the target response time specified in the procedure. In both of the remaining cases, there had been a delay of nine days in responding to the complaint.
- 8.4 With the exception of one case, complaints had been investigated in accordance with the authority's procedure. This case related to a hazardous foreign body complaint, where a visit had not been made to the implicated food establishment for 10 days following receipt. There was also a delay in establishing the details of the Primary Authority for the business.
- 8.5 In five of the seven complaints where the complainant's details had been provided to the authority, there was evidence that they had been informed of the outcome of the investigation.

Food Standards

- 8.6 Audit checks were undertaken of the records relating to 10 food standards complaints received in the previous two years, of which two had been referred to the food team for further investigation.
- 8.7 In general, complaints had been investigated in accordance with the authority's procedure. However, in three of the eight cases, the complaints had not been responded to within the target time specified in the procedure. The delay in these cases was up to three months beyond the target time. Further, the details of two complaints from which the authority had identified potential threats to food distributed outside of its boundaries had not been reported to the FSA as incidents. In another case, the details of the complaint had not been referred to the authority's food team or the Wales Food Fraud Coordination Unit for information or investigation, contrary to centrally issued guidance.
- 8.8 In three of the five complaints where the complainant's details had been provided to the authority, there was evidence that they had been informed of the outcome of the investigation.

Feed

- 8.9 In the two years prior to the audit the authority reported that two feed complaints and one request for advice had been received. An examination of the records relating to both complaints confirmed that investigations had been carried out in accordance with the procedure. However, in one of these cases there was a delay of three days in against the target time in responding to the complaint. In the two cases, the records indicated that complainants had been informed of the outcome of the investigation.
- 8.10 The action taken by the authority following the investigation of all food and feed complaints subject to audit checks was in accordance with its Enforcement Policy.

Recommendations

8.11 The authority should:

- (i) Set-up, maintain and implement a documented policy and procedures in relation to complaints about food and feed establishments; and, amend the food standards and feed complaints procedures to include details of its approach to complaints relating to food and feed originating from other EU member states or third countries. [The Standard - 8.1]
- (ii) Ensure the outcome of food hygiene and food standards complaint investigations is communicated to complainants, and that the target response times for food hygiene, standards and feed complaints are met, in accordance with its procedures. Notify all food standards complaints identified as serious localised, or non-localised food hazards to the FSA in accordance with the Food Law Code of Practice and centrally issued guidance. [The Standard – 8.2]

9 Primary Authority Scheme and Home Authority Principle

- 9.1 The authority's commitment to the Primary Authority Scheme and Home Authority Principle was set-out in the Service Plan and a number of key officers had attended Primary Authority training.
- 9.2 An Environmental Health and Trading Standards Primary Authority Policy had been developed which was awaiting endorsement by the relevant elected member forum. The policy detailed the reasons why the authority was committed to offering Primary Authority services, its policy for accepting or declining requests to enter into a partnership, how such partnerships would be delivered and the mechanisms for charging businesses for services provided.
- 9.3 Auditors were able to verify that food and feed law enforcement officers had been provided with passwords to enable them to access the Primary Authority website.
- 9.4 Primary Authority considerations had been included in some work procedures, for example the Food and Feed Enforcement Procedures, the Hygiene Improvement Notices Procedure and the Food/Feed Complaints Procedure.
- 9.5 Although the authority had no Primary Authority agreements in place, auditors were able to verify that, in its capacity as an enforcing authority, it had regard to Primary Authority guidance and followed up matters of concern with Primary Authorities, as appropriate.
- 9.6 The authority had no formal Home Authority Agreements in place, but records examined during the audit demonstrated that accurate and timely advice had been provided to businesses, and that it had responded appropriately to requests for information from other local authorities.

10 Advice to Business

- 10.1 The authority had been proactive in providing food hygiene, food standards and feed advice to businesses. There was evidence that advice had been provided during interventions, as well as on request. Business requests for information and advice had been logged on the authority's database.
- 10.2 A booklet "Starting a New Food Business" had been developed by the authority which contained advice for prospective food business operators on a range of food safety and food standards issues. This document had been made available to businesses on the authority's website.
- 10.3 Food safety information provided on the authority's website, included advice on food safety management, food hygiene training, approved establishments, food hygiene inspections and home catering.
- 10.4 The authority subscribed to Trading Standards Broadcast and had provided links on its website for business advice on a comprehensive range of food standards and feed issues.
- 10.5 Targeted mailshots had been provided to relevant food businesses on issues such as beef and veal labelling.
- 10.6 The authority had benefited from FSA grant funding to assist businesses in developing their food safety management systems.
- 10.7 Trading Standards officers had developed a standard letter and self-assessment questionnaire for new food business operators that signposted them to relevant business advice. Returned questionnaires assisted officers in prioritising their interventions at new businesses.

11 Food and Feed Establishments Database

- 11.1 The authority had developed a documented procedure which provided details of the methods that would be used to keep food and feed databases up to date and accurate. These included checking the business rates database, periodic checking of local publications for new food businesses, routine checks of planning and licensing applications, following up enquiries from potential new businesses, and using intelligence information provided during officer visits and internet searches.
- 11.2 Systems had been put in place to control the information entered onto the food and feed establishments databases. This included restricted access for the creation and deletion of records, the development of documented input protocols, and training for officers and support staff.
- 11.3 The food establishments database was compatible with LAEMS, and annual feed returns had been provided to the FSA.
- 11.4 The Trading Standards and Environmental Health Managers were responsible for verifying information held on food and feed establishments databases and carried out routine checks on the data e.g. cross referencing information on the database with intervention records. They were also responsible for generating management information reports.
- 11.5 Auditors randomly selected 12 food establishments and three feed establishments located in the authority's area from the Internet. All but one of the food establishments had been included on the food establishments database. The details of the business not on the database were provided to the authority for follow-up. Nine of the 11 food establishments on the database had been included in the food standards interventions programme the remaining two had been coded as having no inspectable risk. All 11 of the food establishments on the database had been included in the food hygiene intervention programme.
- 11.6 In respect of feed, all three establishments had been included on the authority's feed database. Two had been included in the feed intervention programme, whilst the third had been marked as "ceased trading" on the database in 2009.

12 Food and Feed Inspection and Sampling

- 12.1 The 2013/14 Service Plan contained details of the food and feed sampling programmes in which the authority participated. It also stated that additional food sampling activities may be carried out for routine monitoring or in connection with enforcement investigations. Further, a graph was included within the Service Plan, which depicted the number of food and feed samples taken in the previous three years, as well as an estimate of the number of samples that would be taken in 2013/14 and 2014/15.
- 12.2 A Food Sampling Policy and Food, Water & Environmental Sampling Procedure had been developed by the authority. The procedure set-out the approach to sampling food for microbiological analysis in accordance with the Food Law Code of Practice and official guidance. Whilst the procedure had recently been updated to reflect current arrangements for sampling, the policy had not been updated since 2010. The policy made reference to deleted positions, repealed legislation and did not have regard to the FSA's latest sampling priorities.
- 12.3 A Food Standards and Feed Sampling Policy Procedure, and a separate Food Sampling Procedure that described how samples should be obtained and submitted for food standards analysis and examination had been produced. Overall, these documents were in accordance with the Codes of Practice and official guidance. However, the policy procedure did not contain specific reference to national enforcement priorities, the methodology for sampling products in different physical states, or a list of equipment required for taking samples.
- 12.4 Information on how microbiological sampling had been prioritised for the years ahead were outlined in the authority's food sampling programmes for 2013/14 and 2014/15; and its' priorities for food standards and feed sampling were also documented.
- 12.5 In addition to funding its own sampling, the authority had successfully applied for grants from the FSA in the previous two years to fund sampling of feedingstuffs.
- 12.6 The authority had appointed a Public and Agricultural Analyst for carrying out examination and analyses of food and feed samples, and

had a formal agreement in place with Public Health Wales (PHW) for the microbiological analysis of food. The appointed laboratories were both accredited and were on the recognised list of UK designated Official Laboratories.

Food Hygiene

- 12.7 During the audit, records of 10 samples submitted for microbiological analyses were examined; two of which related to follow-up of unsatisfactory samples that had also been selected. Details of samples obtained and the results of analysis were available in all cases, but auditors noted that businesses had not been notified of sampling results in accordance with the authority's procedure. Further, appropriate action had not taken place to investigate the cause of unsatisfactory results or to notify the home/originating authority, where required. None of the unsatisfactory results related to pathogenic bacteria.

Food Standards and Feed

- 12.8 An examination of the records relating to six food standards and five feed samples was undertaken. The results of analysis were available in all cases on the authority's electronic database and on UKFSSinet. In general, there was evidence of adequate follow-up action in respect of food standards samples, but the time period stipulated within the authority's procedures had not been observed. The authority was able to demonstrate that in one case contact had been made with the manufacturer and originating authority of a non-compliant food sample. In respect of feed samples, auditors were unable to verify that business operators had been informed of sampling results.
- 12.9 Audit checks confirmed that all microbiological, food standards and feed samples had been taken by appropriately trained and authorised officers.

Recommendations

12.10 The authority should:

- (i) Review, update and implement its documented Food Sampling Policy in accordance with centrally issued or relevant guidance and the Food Law Code of Practice; and ensure that the Food Sampling Policy and Food Standards and Feed Sampling Policy Procedure include reference to national sampling priorities. [The Standard – 12.4]
- (ii) Amend the Food Standards and Feed Sampling Policy Procedure to include information on the methodologies for sampling products in different states, and a list of equipment required for taking samples, in accordance with the Food Law Code of Practice and relevant centrally issued guidance. (The Standard – 12.5]
- (iii) Carry out food and feed sampling in accordance with its procedures. [The Standard – 12.6]
- (iv) Take appropriate action in accordance with its Enforcement Policy where microbiological sample results are not considered to be satisfactory. [The Standard – 12.7]

13 Control and Investigation of Outbreaks and Food Related Infectious Disease

- 13.1 The authority had identified lead officers for communicable disease who had attended events as part of the Wales Lead Officer Training Programme.
- 13.2 An Outbreak Control Plan had been developed in consultation with relevant stakeholders and approved for adoption by the authority's Executive. The plan was based on a template that had been produced by a multi-agency group, including Public Health Wales and Welsh Government.
- 13.3 The authority had arrangements in place for responding to cases of food related infectious disease out-of-office hours. These arrangements were not tested as part of the audit.
- 13.4 A procedure for investigating sporadic cases of food related infectious disease notifications had been produced by the authority, which was supplemented by a range of advisory leaflets and questionnaires.
- 13.5 Notifications relating to nine sporadic cases of food related infectious diseases were selected for audit. In two cases auditors were able to verify from the records available that thorough and timely investigations had been carried out.
- 13.6 Questionnaires were available in six out of the nine cases selected for audit of which three had been comprehensively completed and three partially completed. In two of the cases where questionnaires had been comprehensively completed, the investigations had not been in accordance with the authority's target response times. In all cases appropriate follow-up action had been taken where this had been identified as necessary.
- 13.7 There had been no reported outbreaks of food related infectious disease reported by the authority in the two years prior to the audit.

Recommendations

13.8 The Authority should:

- (i) Ensure that the procedure for investigation of infectious diseases is implemented in all cases. [The Standard -13.2]

14 Feed and Food Safety Incidents

- 14.1 The authority had a procedure for dealing with food and feed incidents and alerts which included arrangements for dealing with incidents out-of-hours and for notifying the FSA of food incidents arising locally.
- 14.2 Auditors noted that the authority routinely used social media to enhance local publicity in response to food incidents.
- 14.3 Implementation of the Incidents Procedure was the responsibility of the Trading Standards Manager, Environmental Health Manager and Consultant Environmental Health Officer.
- 14.4 Auditors examined records in respect of five food alerts for action issued by the FSA during the previous year. All had been received electronically by the authority and records were available to confirm that an appropriate response had been provided.
- 14.5 Action taken by the authority had been documented and correspondence, including officer e-mails relating to food alerts, had been maintained and were easily retrievable.
- 14.6 During the audit of food standards complaints, a number of issues were identified which should have been notified to the FSA as potential food incidents.

Recommendation

- 14.7 The authority should:
- (i) Notify the FSA of any serious localised incidents or wider food safety problems in accordance with the Food Law Code of Practice. [The Standard –14.5]

15 Enforcement

- 15.1 The authority had an Enforcement Policy that covered regulatory functions exercised by the Environmental Health and Trading Standards Service, which had been subject to revision in February 2014. A report to approve the previous policy had been submitted to the Social Care, Health & Housing Cabinet Board in April 2013. At the time of the audit the most recent version of the policy was awaiting approval.
- 15.2 The policy was largely in accordance with the relevant Codes of Practice, and official guidance, and also made reference to statutes that define legal processes for undertaking criminal investigations. However, the enforcement policy did not include criteria for the use of all enforcement options, contrary to the Codes of Practice. Further, Primary Authority considerations had not been included and no reference made to human rights legislation. Auditors noted that an addendum to the policy had been issued to officers to provide guidance on taking enforcement action where a business has a Primary Authority.
- 15.3 A Reporting and Investigations Procedure which set-out the process for investigating and reporting breaches of Environmental Health and Trading Standards legislation had been developed by the authority. The procedure contained specific guidance for officers on preparing a case file for recommending simple caution or prosecution. A Food Law Enforcement Protocol, Hygiene Improvement Notices procedure, and separate feed and food standards enforcement procedures containing information on the use of enforcement sanctions had also been adopted by the authority.
- 15.4 The Food Law Enforcement Protocol and Hygiene Improvement Notice procedure were in accordance with the requirements of the Food Law Code of Practice. The feed and food standards enforcement procedures which applied to all 'enforcement action taken by officers' set-out the responsibilities for its effective operation, the process for making decisions on enforcement and information in respect of rectifying contraventions. However, these procedures did not detail the enforcement options available to officers or the circumstances in which they should be used.

- 15.5 The authority demonstrated a commitment to using the full range of enforcement sanctions to secure compliance with food hygiene legislation and had reported in pre-audit documentation that the following formal enforcement actions had been taken in the two years prior to the audit:
- 9 Remedial Action Notices (RANs);
 - 78 Hygiene Improvement Notices (HINs);
 - 2 Hygiene Emergency Prohibition Notices (HEPNs);
 - 9 Voluntary Closures;
 - 4 Voluntary surrenders;
 - 3 simple cautions;
 - 2 prosecutions.
- 15.6 In addition, the authority had reported that it had administered one simple caution and one prosecution to deal with serious breaches of food standards legislation. There had been no formal notices served in the two years prior to the audit for food standards, and no formal enforcement action had taken place in respect of feed.
- 15.7 Auditors examined 10 Hygiene Improvement Notices (HINs) and associated records. In all cases the service of HINs had been the appropriate course of action, the details of the contraventions identified and the measures to be taken to achieve compliance had been specified. In most cases there had been a timely check on compliance and appropriate follow-up action had been carried out. However, in two cases follow-up to check compliance had been delayed, and in one case there was no evidence that checks had been carried out to determine compliance in the 12 months following expiry of the notice.
- 15.8 There was evidence of service of HINs available in five of the 10 cases and in six of the relevant cases where compliance had been achieved this had been confirmed in writing to the food business operators. Auditors discussed the benefit of detailing within its procedure the requirement for proof of service to be retained.
- 15.9 Audit checks were undertaken of 10 RANs and associated records, which confirmed that the action taken had been appropriate in all cases and overall the relevant information had been provided. However, in

three cases details of the Magistrate Court had not been provided in case of appeal.

- 15.10 There was evidence that timely checks on compliance had been carried out on five RANs. However, there had been delays in carrying out checks to monitor compliance in the other cases ranging from seven days to one month.
- 15.11 In eight out of 10 cases records were available confirming that compliance had been achieved, but in one of these cases the food business operator had not been notified in writing. In the remaining cases, auditors were unable to verify from the records whether compliance had been achieved in one case, and in the other case the notice was still in force.
- 15.12 Auditors examined the records relating to the two HEPNs, which had been served by the authority. This had been an appropriate course of action in both cases, and had been issued in accordance with the Food Law Code of Practice. In one case, auditors noted from the records that the authority had permitted the establishment to re-open whilst full compliance had not been achieved. However, the business was subsequently prosecuted. Although there were no records available to confirm the action that had been taken since the service of the notice, auditors noted that a Hygiene Emergency Prohibition Order (HEPO) had been granted.
- 15.13 The records relating to the nine voluntary closure agreements were subject to audit checks. Voluntary closure had been an appropriate course of action in all cases and had been undertaken in accordance with the Food Law Code of Practice. In five cases there was evidence that frequent checks had been carried out to ensure the terms of the agreements were being observed. In four cases timely checks had not been carried out and in one of these cases the business had re-opened without prior consent from the authority.
- 15.14 Four cases were examined where food that had failed to meet food safety requirements had been voluntarily surrendered to the authority to prevent it from entering the food chain. In all cases the records indicated that voluntary surrender had been appropriate. This action had been confirmed in writing and the record signed by the food business operator

and the authorised officer. In one case, the method of disfiguration and disposal of food to prevent it from re-entering the food chain had not been recorded and in the three other cases, the records of destruction of the food were incomplete.

- 15.15 An examination of the three simple cautions relating to food hygiene offences confirmed that the action taken had been in accordance with the authority's Enforcement Policy and had been appropriately approved. The simple caution case files contained sufficient information to demonstrate that the Reporting and Investigation Procedure had generally been followed. However, a number of key documents required by the procedure, including an officer's witness statement was not available on one of the files, and on another file the infringement report was incomplete.
- 15.16 The simple caution administered for food standards offences had been appropriately approved and all of the information required by the procedure was contained on file. Whilst formal action had been appropriate in the circumstances of the case, the reason to proceed with a simple caution rather than prosecution had not been detailed in the infringement report.
- 15.17 Audit checks of the two successful prosecutions brought by the authority for food hygiene matters confirmed that the action taken in both cases had been appropriate. In one case, a comprehensive case file was available, which demonstrated that the prosecution had been progressed in accordance with the authority's procedure and Enforcement Policy. In the other case, key documents were not available at the time of the audit to confirm that due consideration had been given to the authority's procedure and Enforcement Policy.
- 15.18 Auditors noted the prosecution case relating to food standards offences was on-going.

Recommendations

15.19 The authority should:

- (i) Amend its Enforcement Policy to include Primary Authority considerations and the criteria for use of all available food and feed enforcement options in accordance with the relevant Codes of Practice and official guidance and ensure the policy is implemented. [The Standard – 15.1]
- (ii) Review, amend and implement its documented enforcement procedures; and set-up documented procedures for the revocation/withdrawal of feed registration and approval, and for the detention, destruction, special treatment and re-dispatch of imported feed in accordance with the relevant Codes of Practice and official guidance. [The Standard -15.2]
- (iii) Ensure that food hygiene enforcement is carried out in accordance with the Food Law Code of Practice and centrally issued guidance. [The Standard - 15.3]
- (iv) Document the reasons for any departure from the criteria set-out in the Enforcement Policy. [The Standard - 15.4]

16 Records and Interventions/Inspections Reports

Food Hygiene

- 16.1 Food business records, including registration forms, inspection aide-memoires, post inspection visit report forms and correspondence were being stored by the authority on its electronic food establishment database. Details of the date and types of intervention undertaken at food establishments, as well as the risk profiles and food hygiene ratings, were also maintained on the system. Information relating to food establishments selected for audit was easily accessible and all linked documents associated with the interventions were retrievable. Where relevant, information relating to the last three inspections was available and records were being retained for six years.
- 16.2 Officers were using inspection letters to communicate findings to food businesses, which clearly differentiated between legal requirements and recommendations for good practice. These letters also detailed corrective actions and timescales required to achieve compliance, as well as indicating any further follow-up action intended by the authority.
- 16.3 Post-inspection report forms and inspection letters contained all the information required to be provided to food business operators under Annex 6 of the Food Law Code of Practice.
- 16.4 In all cases the latest inspection letters had been sent to businesses within 14 days from the date of the visit, as required by the authority's procedures.

Food Standards

- 16.5 The authority operated a policy of providing food businesses operators with a copy of the inspection record form completed at the time of the intervention. There was evidence that in some cases additional correspondence had been issued to food business operators following inspections. This was the case for one of the establishments subject to audit checks.
- 16.6 Where records made at the time of an intervention were available these were legible and stored in such a way that they were retrievable by all appropriate officers, with the exception of notebook entries.

- 16.7 Overall, details of the food business operator, registered address of the business, the type of business, the date of inspection, the inspecting officer's name and contact details, senior officer contact details, and the name and address of the authority had been provided on inspection record forms. However, some key information had not been consistently provided, including the name of the person seen or interviewed, the food law under which the inspection was conducted, the designation of the inspecting officer and the key points discussed. Further, officers had not differentiated between legal requirements and recommendations for good practice, or provided an indication of timescales for achieving compliance, as appropriate.
- 16.8 The authority was able to demonstrate that where records were available these were being kept for at least six years.

Recommendation

- 16.9 The authority should:
- (i) Maintain up to date accurate records of all food establishments in its area, in accordance with the Food Law Code of Practice and centrally issued guidance. These records shall include reports of all interventions/inspections, the determination of compliance with legal requirements made by the authorised officer, details of action taken where non-compliance was identified and details of any enforcement action taken. The authority should also record, with reasons, deviations from set procedures. [The Standard – 16.1]

Feed

- 16.10 Records relating to feed interventions were held electronically on the authority's feed establishment database.
- 16.11 In respect of the six feed establishments where inspections had been undertaken, five had been provided with a copy of the inspection report form. One inspection report, relating to an establishment that had been concurrently subject to a food standards and feed inspection did not

make reference to matters relating to feed. In the remaining case there was no evidence that the establishment had been provided with an inspection report.

- 16.12 The inspection reports provided to feed business operators did not consistently contain all the information required by Annex 6 of the Feed Law Enforcement Code of Practice. Information that had not been provided, included inspection times, the legislation under which the intervention was carried out, areas or documents examined, key points discussed, actions to be taken, designation of officers and contact details of a senior officer. In one case where a significant contravention had been identified, there was no clear distinction between legal requirements and recommendations for good practice, or an indication of the timescale for achieving compliance contrary to the Feed Law Enforcement Code of Practice.
- 16.13 In respect of the one approved feed establishment that needed approval, information required with regards to the approval decision and status and also information on the feed activities undertaken along with that required under Annex 6 of the Feed Law Enforcement Code of Practice was not consistently available.

Recommendation

- 16.14 The authority should:
- (i) Maintain up to date, accurate records in a retrievable form on all relevant food and feed establishments and imported feed in accordance with Codes of Practice and centrally issued guidance. These records should include reports of all interventions / inspections, the determination of compliance with legal requirements made by the officer and details of action taken. The authority should also record, with reasons, deviations from set procedures. [The Standard – 16.1]

17 Complaints about the Service

- 17.1 The authority had developed a Corporate Compliments, Concerns and Complaints Policy which was available to the public and food businesses on its website.
- 17.2 Complaints were dealt with under a two stage procedure, initially by the relevant service manager and then, if the customer was not satisfied by the Directorate Complaints Officer.
- 17.3 Whilst no complaints had been received about food or feed services in the two years prior to the audit, the authority was able to demonstrate that effective arrangements were in place within the service to investigate and report on the outcome of complaint investigations.
- 17.4 Auditors noted that in respect of food and feed law enforcement the details of a senior officer was provided on correspondence should businesses wish to complain following an inspection or other intervention.

18 Liaison with Other Organisations

- 18.1 The authority had indicated in the Food and Feed Law Enforcement Service Delivery Plan that it had liaison arrangements in place with a number of external groups aimed at facilitating consistent enforcement. They included the following:
- Wales Heads of Environmental Health (WWhoEH);
 - Wales Heads of Trading Standards Animal Health and Welfare Panel;
 - Glamorgan Food Group;
 - Glamorgan Feed Compliance Group;
 - UKFSS Users Group;
 - Wales Heads of Environmental Health Food Safety Task group and Technical Panel;
 - Welsh Food Microbiological Forum (WFMF);
 - Wales Heads of Environmental Health Communicable Disease Task Group and Technical Panel
- 18.2 The authority provided evidence that effective liaison had taken place with the full range of external groups indicated in the Plan.
- 18.3 Auditors were able to verify that liaison arrangements were in place with Public Health Wales, Welsh Water, and the Food Standards Agency and that liaison had taken place with colleagues in the Planning, Licensing and Building Control Services as well as with Education and Social Services on food safety related matters.

19 Internal Monitoring

- 19.1 Internal monitoring is important to ensure performance targets are met, services are being delivered in accordance with legislative requirements, centrally issued guidance and the authority's procedures. It also ensures consistency in service delivery.
- 19.2 The Environmental Health and Trading Standards Managers were responsible for internal monitoring.
- 19.3 An Internal Monitoring Procedure for food and feed law activities had been developed, which was reviewed and amended during the audit to better reflect the internal monitoring activities carried out in practice and address gaps in internal monitoring identified.
- 19.4 A number of key performance indicators had been identified for food and feed law enforcement services. Quantitative internal monitoring arrangements were in place to monitor performance against the targets, which had been set-out in the Service Plan.
- 19.5 Regular team meetings had taken place that provided a forum for officers to discuss consistency issues. There was evidence that one-to-one supervision meetings had taken place. Officer progress in meeting performance targets, training and qualitative aspects of their work had been discussed. Team meetings and supervision meetings had been documented.
- 19.6 The Trading Standards Manager had carried out accompanied inspections with food standards and feed law enforcement officers. An accompanied visit/monitoring form had been developed to record the findings of accompanied inspections and there was evidence that officers had been provided with feedback following the visits. Where accompanied visits had been carried out, these had been recorded on the database.
- 19.7 Accompanied inspections had also been carried out by experienced officers in the Food Team to assist the development of less experienced officers. These had been documented on a pro-forma and officers had been provided with feedback following the inspections.
- 19.8 Managers routinely monitored the authority's food and feed establishments databases to ensure its accuracy and that timely data entries had been made.

- 19.9 There was evidence that formal enforcement action taken by officers had been subject to internal monitoring by managers.
- 19.10 Officers had attended training provided by the FSA and in-house to ensure the consistent application of food hygiene risk ratings, in accordance with Annex 5 of the Food Law Code of Practice.
- 19.11 Records relating to internal monitoring were being maintained by managers for two years.

Recommendation

- 19.12 The authority should:
- (i) Fully implement the revised internal monitoring procedure for food hygiene, food standards and feed. [The Standard – 19.1]

20 Third Party or Peer Review

- 20.1 In January 2014 the authority, in common with the other 21 local authorities in Wales, had submitted information in respect of two FSA focused audits - Response of Local Government in Wales to the Recommendations of the Public Inquiry into the September 2005 Outbreak of *E. coli* O157 in South Wales and Local Authority Management of Interventions in Newly Registered Food Businesses. These focused audit reports are available at:
www.food.gov.uk/enforcement/auditandmonitoring
- 20.2 The authority's Environmental Health service, which included food hygiene and the investigation of food related infectious disease, had been subject to a review by the Wales Audit Office in 2013/14. At the time of the audit the outcome of this review had not been published.

21 Food and Feed Safety and Standards Promotion

- 21.1 The authority had delivered a number of initiatives with the aim of promoting food safety. Activities included:
- Promoting the National Food Hygiene Rating Scheme;
 - Promoting hand washing at local primary schools;
 - Providing food hygiene talks to Care Services staff;
 - Promoting National Food Safety Week
- 21.2 Information on food and feed services was available for consumers and businesses on the authority's website. Social media had been used to promote food safety and food standards matters, including food recall notices and food alerts.
- 21.3 There was evidence that safe food handling practices and hand hygiene had been routinely discussed with cases during infectious disease investigations.
- 21.4 The food safety team was represented on the authority's Corporate Procurement Group and liaison had taken place with food standards officers in developing specifications for food supplied to the authority.
- 21.5 The lead officer for food standards and feed had attended consumer education events disseminating information on the work of the Trading Standards including food standards and feed.
- 21.6 Records of promotional activities were being maintained by the lead officers.

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Action Plan for Neath Port Talbot County Borough Council**Audit Date: 19th - 23rd May 2014**

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
3.27 (i) Ensure future Food and Feed Service Plans are developed in accordance with the Service Planning Guidance in the Framework Agreement. In particular, the costs of providing food and feed law enforcement services should be included, together with an estimate of the officer resource required to deliver the services against those available. [The Standard – 3.1]	June/July 2015	The authority will fully address the matters identified in the next draft of the Service Plan.	Some breakdown information had been included in the Service Plan, but this will be added to in the next plan. Work has begun with the Service Accountant to identify relevant costs, with the aim of including in the next plan.
(ii) Carry out an annual food and feed law enforcement performance review for approval by the relevant member forum or senior officer, as appropriate. [The Standard – 3.2]	June/July 2015	A comprehensive, documented annual performance review against the Service Delivery Plan and relevant Business Plans will be carried out for each service, and the review will be submitted to the relevant member for approval.	

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>of Practice. [The Standard - 5.4]</p> <p>(iv) Maintain records of relevant academic or other qualifications, training and experience of each authorised officer in accordance with the relevant Codes of Practice. [The Standard – 5.5]</p>	Ongoing	Communicate to officers in team meetings and during supervisions that records need to be appropriately maintained.	<p>duties. This process has now been extended to cover temporary officers and contractors.</p> <p>A review of the system for maintaining training records has been undertaken, and records of the qualifications and training received by contractors will be kept.</p>
<p>7.18 (i) Ensure that food establishment interventions/inspections are carried out at the minimum frequency specified by the Food Law Code of Practice. [The Standard – 7.1]</p> <p>(ii) Carry out interventions/ inspections in accordance with the Food Law Code of Practice and centrally issued</p>	Ongoing	<p>There are significant resource implications associated with the authority being able to carry out food hygiene interventions/inspections in accordance with the Food Law Code of Practice of all risk categories of food establishments. It has been necessary to target resources in recent years. However, a development programme is in place to increase the number of officers who are able to undertake food hygiene inspections.</p> <p>Aim to ensure that interventions/inspections are undertaken in accordance with requirements, with the resources</p>	<p>A re-alignment of resources within EH&TS took place via an internal restructure in 2013. The authority is still increasing the resource to the food hygiene service, through development of officers who will be able to undertake inspections in the future.</p> <p>Discussed the challenges in achieving inspection frequencies at post audit meeting, and also raised in team meetings and supervisions.</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>guidance, and the authority's policies and procedures. [The Standard – 7.2]</p> <p>(iii) Assess the compliance of establishments in its area to the legally prescribed standards; and take appropriate action on any non-compliance found, in accordance with the authority's Enforcement Policy. [The Standard – 7.3]</p> <p>(iv) Fully implement its documented procedures in relation to inspections and revisits of food establishments. [The Standard -7.4]</p> <p>(v) Ensure that observations made in the course of an inspection are recorded in a timely manner to prevent loss of relevant information. [The Standard – 7.5]</p>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>	<p>that have been made available. These requirements will be communicated via supervisions, appraisals and performance reviews, and routinely undertaking internal monitoring to verify compliance.</p> <p>These requirements will be communicated via supervisions, appraisals and performance reviews, and routinely undertaking internal monitoring to verify compliance.</p> <p>Communicate the content of procedures to officers through team meetings, appraisals and performance reviews, and routinely undertake internal monitoring to verify compliance.</p> <p>These requirements will be communicated via supervisions, appraisals and performance reviews, and routine internal monitoring will be undertaken to verify compliance.</p>	<p>Audit finding has been discussed at team meetings and aide-memoire has been amended to better assist officers.</p> <p>Internal monitoring procedure has been revised and amendments made communicated to officers.</p> <p>A clause has been introduced into procedures relating to food hygiene inspections, which states that all information is to be inputted onto the IMS within one month (certain information is already time bound/governed by the Food Hygiene Rating (Wales) legislation).</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>7.36 (i) Ensure that food standards establishment interventions and inspections are carried out at a frequency which is not less than that determined by the Food Law Enforcement Code of Practice. [The Standard – 7.1]</p> <p>(ii) Carry out interventions/ inspections and risk assess establishments in accordance with relevant legislation, the Food Law Code of Practice and centrally issued guidance. [The Standard – 7.2]</p> <p>(iii) Assess the compliance of establishments in its area to the legally prescribed standards; and ensure timely action is taken to follow-up non-compliance in accordance with the authority's Enforcement Policy. [The</p>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p>	<p>There are significant resource implications associated with the authority being able to carry out food standards interventions/inspections in accordance with the Code of Practice for all risk categories of food establishments. It has been necessary to target resources in recent years. Information on the authority's performance against meeting the requirements will be communicated to the relevant member, as part of the annual service performance review.</p> <p>Aim to ensure that interventions/inspections are undertaken in accordance with requirements, with the resources that are available. Communicate the requirements to officers through supervisions, appraisals and performance reviews, and routinely undertake internal monitoring of interventions to verify compliance.</p> <p>Communicate the requirements to officers at team meetings, supervisions, appraisals and performance reviews, and routinely undertake internal monitoring to verify compliance.</p>	<p>Discussed the challenges in achieving inspection frequencies at post audit meeting, and also raised in team meetings and supervisions.</p> <p>Discussions in team meetings have taken place.</p> <p>Discussions in team meetings have taken place.</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>Standard – 7.3]</p> <p>(iv)Ensure the documented food standards interventions procedures reflect the requirements of the Food Law Code of Practice and Practice Guidance. [The Standard – 7.4]</p> <p>(v)Ensure that observations and/or data made in the course of an intervention/inspection are recorded in a timely manner to prevent the loss of relevant information, and that all records of interventions are stored in such a way that they are retrievable. [The Standard – 7.5]</p>	<p>End Dec 2014</p> <p>Ongoing</p>	<p>Review and amend, as appropriate the intervention procedures and communicate to relevant officers for implementation. Routinely undertake internal monitoring to verify compliance.</p> <p>Communicate the requirement for officers to make appropriately detailed records of observations made during inspections through team meetings, appraisals and performance reviews, and routinely undertake internal monitoring to verify compliance.</p>	

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>7.52 (i) Ensure that feed establishment interventions and inspections are carried out at the frequency specified by the Feed Law Enforcement Code of Practice. [The Standard – 7.1]</p> <p>(ii) Carry out inspections/ interventions and approve or register feed establishments in accordance with relevant legislation, the Feed Law Enforcement Code of Practice and centrally issued guidance. [The Standard – 7.2]</p> <p>(iii) Ensure appropriate action is taken to follow up non-compliance in accordance with the Enforcement Policy. [The Standard – 7.3]</p> <p>(iv) Amend its procedures to include its approach to interventions in respect of imported feed and ensure the procedures the procedures relating to the inspection of feed establishments are fully</p>	<p>Ongoing</p> <p>Ongoing</p> <p>Ongoing</p> <p>End Mar 2015</p>	<p>Communicate the requirements to officers at team meetings, supervisions, appraisals and performance reviews, and routinely undertake internal monitoring to verify compliance.</p> <p>Aim to ensure that interventions/inspections, including consignments of feedingstuffs received at the port are undertaken in accordance with requirements, with the resources that have been made available. Communicate the requirements to officers through supervisions, appraisals and performance reviews, and routinely undertake internal monitoring of interventions to verify compliance.</p> <p>Communicate the requirements to officers at team meetings, supervisions, appraisals and performance reviews, and routinely undertake internal monitoring to verify compliance.</p> <p>Finalise procedures and communicate the content to relevant officers for implementation. Routinely undertake internal monitoring to verify compliance.</p>	<p>Procedures have been developed in draft form.</p>

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>implemented. [The Standard – 7.4]</p> <p>(v)Ensure that all observations made in the course of interventions are recorded in a timely manner and officers’ contemporaneous records of interventions are stored in such a way as to be retrievable. [The Standard – 7.5]</p>	Ongoing	Communicate the requirement for officers to make appropriately detailed records of observations made during inspections through team meetings, appraisals and performance reviews, and routinely undertake internal monitoring to verify compliance.	
<p>8.13 (i)Set up, maintain and implement a documented policy and procedures in relation to complaints about food and feed establishments; and, amend the food standards and feed complaints procedures to include details of its approach to complaints relating to food and feed originating from other EU member states or third countries. [The Standard – 8.1]</p> <p>(ii)Ensure the outcome of food hygiene and food standards complaint investigations is communicated to complainants, and that the target response times for food hygiene, standards and feed</p>	<p>Completed for EH – May 2014</p> <p>TS – to complete by End Mar 2015</p> <p>Ongoing</p>	<p>Set-up a policy and procedure in relation to complaints about food establishments and amend food standards procedure to include information on dealing with complaints relating to food arising from other EU member states or third countries. Communicate at team meetings the content of policy and procedure to relevant officers for implementation. Routinely undertake internal monitoring to verify compliance.</p> <p>Communicate the requirements of the Codes of Practice, official guidance and the authority’s procedures to relevant officers, and routinely undertake internal monitoring to verify compliance.</p>	A policy in relation to complaints about feed establishments has been developed and implemented.

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>Code of Practice and relevant centrally issued guidance. [The Standard – 12.5]</p> <p>(iii) Carry out food and feed sampling in accordance with its procedures. [The Standard – 12.6]</p> <p>(iv) Take appropriate action in accordance with its Enforcement Policy where microbiological sample results are not considered to be satisfactory. [The Standard – 12.7]</p>	<p>Ongoing</p> <p>Ongoing</p>	<p>Communicate the content of procedures to relevant officers at team meetings, appraisals and performance reviews, and routinely undertake internal monitoring to verify compliance.</p> <p>The requirements will be communicated via supervisions, appraisals and performance reviews, and routine internal monitoring will be undertaken to verify compliance.</p>	
<p>13.8 (i) Ensure that the procedure for investigation of infectious diseases is implemented in all cases. [The Standard – 13.2]</p>	<p>Ongoing</p>	<p>The requirements will be communicated via supervisions, appraisals and performance reviews, and routine internal monitoring will be undertaken to verify compliance.</p>	
<p>14.7 (i) Notify the FSA of any serious localised incidents or wider food safety problems in accordance with the Food Law Code of Practice. [The Standard – 14.5]</p>	<p>Ongoing</p>	<p>The requirements will be communicated via supervisions, appraisals and performance reviews, and routine internal monitoring will be undertaken to verify compliance.</p>	

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
15.19 (i) Amend its Enforcement Policy to include Primary Authority considerations and the criteria for use of all available food and feed enforcement options in accordance with the relevant Codes of Practice and official guidance, and ensure the policy is implemented. [The Standard – 15.1]	End Mar 2015	Review the Enforcement Policy and amend, as appropriate. Communicate revised policy to officers for implementation and undertake routine internal monitoring to verify compliance.	Date of next planned review is March 2015.
(ii) Review, amend and implement its documented enforcement procedures; and set-up documented procedures for the revocation/withdrawal of feed registration and approval, and for the detention, destruction, special treatment and re-dispatch of imported feed in accordance with the relevant Codes of Practice and official guidance. [The Standard – 15.2]	End Mar 2015	Review all existing documented enforcement procedures and amended, as appropriate. Communicate procedures to relevant officers for implementation and undertake routine internal monitoring to verify compliance.	Enforcement activity is reviewed during individual enforcement case conferences and during supervisions.
(iii) Ensure that food hygiene enforcement is carried out in accordance with the Food Law Code of Practice and centrally issued guidance. [The Standard – 15.3]	End Nov 2014	Communicate the requirements of the Food Law Code of Practice, centrally issued guidance and the authority's procedures to officers, and routinely undertake internal monitoring to verify compliance.	
(iv) Document the reasons for any departure from the criteria set-out in the Enforcement Policy.	Ongoing	Communicate the need to document reasons via team meetings, supervisions, appraisals	

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
[The Standard – 15.4]		and performance reviews and routinely undertake internal monitoring to verify compliance.	
16.9 (i) Maintain up to date accurate records of all food establishments in its area, in accordance with the Food Law Code of Practice and centrally issued guidance. These records shall include reports of all interventions/ inspections, the determination of compliance with legal requirements made by the authorised officer, details of action taken where non-compliance was identified and details of any enforcement action taken. The authority should also record, with reasons, deviation from set procedures. [The Standard – 16.1]	Ongoing	Remind officers responsible for delivering food standards interventions of the requirement at team meetings, appraisals, supervisions and performance reviews, and routinely undertake internal monitoring to verify compliance.	Liaison arrangements are in place with other internal departments for sharing data and external sources are used to enhance database accuracy.
16.14 (i) Maintain up to date, accurate records in a retrievable form on all relevant food and feed establishments and imported feed in accordance with Codes of Practice and centrally issued guidance. These records should include reports of all interventions/inspections, the determination of	Ongoing	Remind officers responsible for delivering feed interventions of this requirement at team meetings, appraisals, supervisions and performance reviews, and routinely undertake internal monitoring to verify compliance.	

TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH)	BY (DATE)	PLANNED IMPROVEMENTS	ACTION TAKEN TO DATE
<p>compliance with legal requirements made by the officer and details of action taken. The authority should also record, with reasons, deviations from set procedures. [The Standard – 16.1]</p>			
<p>19.12(i) Fully implement the revised internal monitoring procedure for food hygiene, food standards and feed. [The Standard – 19.1]</p>	<p>Food Hygiene - End Nov 2014</p> <p>Food Standards/Feed End Mar 2015</p>	<p>Procedure to be implemented by relevant officers and PO EHTS to carry out routine checks to confirm monitoring activities undertaken as required.</p>	

Audit Approach/Methodology

The audit was conducted using a variety of approaches and methodologies as follows:

(1) Examination of Local authority policies and procedures

The following policies, procedures and linked documents were examined:

- Food & Feed Law Enforcement – Service Delivery Plan 2013-2014
- Environmental Health And Trading Standards Annual Setting Of Fees And Charges 2014/15 Cabinet Member Briefing
- Environmental Health And Trading Standards Annual Setting Of Fees And Charges 2013/14 Cabinet Member Briefing
- Social Care, Health & Housing Cabinet Board 13th March 2014 Report Of The Head Of Business Strategy And Public Protection
- Social Care, Health & Housing Cabinet Board Report Of The Head Of Business Strategy And Public Protection 25/07/13
- Neath Port Talbot County Borough Council – 29th March, 2012 Social Services, Health And Housing, Report Of The Head Of Business Strategy And Public Protection
- Social Care, Health & Housing Cabinet Board Report Of The Head Of Business Strategy And Public Protection 2/08/12
- Social Care, Health & Housing Cabinet Board Report Of The Head Of Business Strategy And Public Protection 4/04/13
- Social Care, Health & Housing Cabinet Board 19th September 2013 Report Of The Head Of Business Strategy And Public Protection
- Social Care, Health & Housing Cabinet Board 31st October 2013 Report Of The Head Of Business Strategy And Public Protection
- Social Care, Health & Housing Cabinet Board 13th March 2014 Report Of The Head Of Business Strategy And Public Protection
- The Constitution Of Neath Port Talbot County Borough Council
- Trading Standards Training Plan 2014/15
- Trading Standards Training Plan 2013/14
- Trading Standards Training Plan 2012/13
- Environmental Health Training Plan 2014/15
- Neath Port Talbot Trading Standards Proactive Enforcement Plan 13/14
- Neath Port Talbot Trading Standards Proactive Enforcement Plan 12/13
- Calibration & Maintenance Of Equipment – Food Hygiene
- Trading Standards Feed & Feed Standards Database Procedure
- Trading Standards Alternative Enforcement Procedure
- Trading Standards Feed Enforcement Procedure
- Trading Standards Feed Inspection / Intervention Procedure

- Trading Standards Food Enforcement Procedure
- Trading Standards Food Inspection / Intervention Procedure
- Food Hygiene Interventions
- Trading Standards Feed Complaints Procedure
- Trading Standards Food Complaints Procedure
- Food/Feedingstuff Complaints Procedure
- Trading Standards Feed & Feed Standards Database Procedure
- Trading Standards Food Standards & Feed Sampling Policy Procedure
- Environmental Health Food And Health And Safety Section Food (Microbiological) Sampling Plan 2013/14
- Environmental Health Food And Health And Safety Section Food (Microbiological) Sampling Plan 2012/13
- Local Authority Food Sampling Programme Jan 2014 – July 2014.
- Food, Water & Environmental Sampling Procedure
- The Communicable Disease Outbreak Plan For Wales
- Notifications And Reports Of Infectious Disease
- Trading Standards Feed & Feed Standards Incidents Procedure
- Corporate Comments, Compliments And Complaints Policy
- Trading Standards Food & Feed Standards Monitoring Procedure
- Neath Port Talbot County Borough Council Social Services And Housing Directorate Supervision Review & Planning Process Supervision Review & Planning Policy
- Internal Monitoring Procedure

(2) File and records reviews

A number of local authority records were reviewed during the audit, including:

- General food establishment records
- Approved establishment files
- Food and food establishment complaint records
- Food and feed sampling records
- Informal and formal enforcement records
- Officer authorisations and training records
- Internal monitoring records
- Calibration records
- Records of food related infectious disease notifications
- Food Incident records
- Minutes of internal meetings and external liaison meetings
- Advisory and promotional materials provided to businesses and consumers

(3) *Review of Database records:*

A selection of database records were considered during the audit in order to:

- Review and assess the completeness of database records of food/feed inspections, food/feed and food/feed establishment complaint investigations, samples taken by the authority, formal enforcement and other activities and to verify consistency with file records.
- Assess the completeness and accuracy of the food and feed establishments database.
- Assess the capability of the system to generate food/feed law enforcement activity reports and the monitoring information required by the Food Standards Agency.

(4) *Officer interviews*

Officer interviews were carried out with the purpose of gaining further insight into the practical implementation and operation of the authority's food/feed control arrangements. The following officers were interviewed:

Principal Officer-Environmental Health & Trading Standards
Trading Standards Manager
Environmental Health Manager (Food Safety and Pest Control)
Consultant Environmental Health Officer
Trading Standards Officers
Environmental Health Officers, including officer with lead responsibility for communicable disease
Senior Enforcement Officers

Opinions and views raised during officer interviews remain confidential and are not referred to directly within the report.

(5) *On-site verification checks:*

Verification visits were made with officers to three local food establishments, one feed establishment and one establishment where food and feed activities were being carried out. The purpose of these visits was to consider the effectiveness of the authority's assessment of food and feed business compliance with relevant requirements.

Glossary

Approved establishments	Food manufacturing establishment that has been approved by the local authority, within the context of specific legislation, and issued a unique identification code relevant in national and/or international trade.
Authorised officer	A suitably qualified officer who is authorised by the local authority to act on its behalf in, for example, the enforcement of legislation.
Codes of Practice	Government Codes of Practice issued under Section 40 of the Food Safety Act 1990 as guidance to local authorities on the enforcement of food legislation.
CPIA	The Criminal Procedures and Investigations Act 1996 – governs procedures for undertaking criminal investigations and proceedings.
Critical Control Point (CCP)	A stage in the operations of a food business at which control is essential to prevent or eliminate a food hazard or to reduce it to acceptable levels.
Directors of Public Protection Wales (DPPW)	An organisation of officer heading up public protection services within Welsh local authorities.
Environmental Health Professional/Officer (EHP/EHO)	Officer employed by the local authority to enforce food safety legislation.
Food Examiner	A person holding the prescribed qualifications who undertakes microbiological analysis on behalf of the local authority.
Food Hazard Warnings/ Food Alerts	This is a system operated by the Food Standards Agency to alert the public and local authorities to national or regional problems concerning the safety of food.

Food/feed hygiene	The legal requirements covering the safety and wholesomeness of food/feed.
Food Hygiene Rating Scheme (FHRS)	A scheme of rating food businesses to provide consumers with information on their hygiene standards.
Food standards	The legal requirements covering the quality, composition, labelling, presentation and advertising of food, and materials in contact with food.
Food Standards Agency (FSA)	The UK regulator for food safety, food standards and animal feed.
Framework Agreement	<p>The Framework Agreement consists of:</p> <ul style="list-style-type: none"> • Food Law Enforcement Standard • Service Planning Guidance • Monitoring Scheme • Audit Scheme <p>The Standard and the Service Planning Guidance set out the Agency's expectations on the planning and delivery of food law enforcement.</p> <p>The Monitoring Scheme requires local authorities to submit quarterly returns to the Agency on their food enforcement activities i.e. numbers of inspections, samples and prosecutions.</p> <p>Under the Audit Scheme the Food Standards Agency will be conducting audits of the food law enforcement services of local authorities against the criteria set out in the Standard.</p>
Full Time Equivalents (FTE)	A figure which represents that part of an individual officer's time available to a particular role or set of duties. It reflects the fact that individuals may work part-time, or may have other responsibilities within the organisation not related to food enforcement.
HACCP	Hazard Analysis Critical Control Point – a food safety management system used within food businesses to identify points in the production process where it is critical for food safety that the Control measure is carried out correctly, thereby eliminating or reducing the hazard to a safe level.

Home authority	An authority where the relevant decision making base of an enterprise is located and which has taken on the responsibility of advising that business on food safety/food standards issues. Acts as the central contact point for other enforcing authorities' enquiries with regard to that company's food related policies and procedures.
Hygiene Improvement Notice (HIN)	A notice served by an Authorised Officer of the local authority under Regulation 6 of the Food Hygiene (Wales) Regulations 2006, requiring the proprietor of a food business to carry out suitable works to ensure that the business complies with hygiene regulations.
Inspection	The examination of a food or feed establishment in order to verify compliance with food and feed law.
Intervention	A methods or technique used by an authority for verifying or supporting business compliance with food or feed law.
Inter authority Auditing	A system whereby local authorities might audit each others' food law enforcement services against an agreed quality standard.
LAEMS	Local authority Enforcement Monitoring System is an electronic system used by local authorities to report their food law enforcement activities to the Food Standards Agency.
Member forum	A local authority forum at which Council Members discuss and make decisions on food law enforcement services.
National Trading Standards Board (NTSB)	An association of chief trading standards officers.
OCD returns	Returns on local food law enforcement activities required to be made to the European Union under the Official Control of Foodstuffs Directive.
Official Controls (OC)	Any form of control for the verification of compliance with food and feed law.

Originating authority	An authority in whose area a business produces or packages goods or services and for which the authority acts as a central contact point for other enforcing authorities' enquiries in relation to the those products.
PACE	The Police and Criminal Evidence Act 1984 – governs procedures for gathering evidence in criminal investigations.
Primary authority	A local authority which has developed a partnership with a business which trades across local authority boundaries and provides advice to that business.
Public Analyst	An officer, holding the prescribed qualifications, who is formally appointed by the local authority to carry out chemical analysis of food samples.
Registration	A legal process requiring all food business operators to notify the appropriate food authority when setting-up a food business.
Remedial Action Notices (RAN)	A notice served by an Authorised Officer of the local authority under Regulation 9 of the Food Hygiene (Wales) Regulations 2006 (as amended) on a food business operator to impose restrictions on an establishment, equipment or process until specified works have been carried out to comply with food hygiene requirements.
Risk rating	A system that rates food establishments according to risk and determines how frequently those establishments should be inspected. For example, high risk hygiene establishments should be inspected at least every 6 months.
Service Plan	A document produced by a local authority setting out their plans on providing and delivering a food service to the local community.
Trading Standards	The service within a local authority which carries out, amongst other responsibilities, the enforcement of food standards and feedingstuffs legislation.

Trading Standards Officer (TSO)	Officer employed by the local authority who, amongst other responsibilities, may enforce food standards and feedingstuffs legislation.
Unitary authority	A local authority in which all the functions are combined, examples being Welsh Authorities and London Boroughs. A Unitary authority's responsibilities will include food hygiene, food standards and feedingstuffs enforcement.
Unrated business	A food business identified by an authority that has not been subject to a regulatory risk rating assessment.
Wales Heads of Environmental Health (WHeEH)	A group of professional representatives that support and promote environmental and public health in Wales.