

Statutory Service Plan 2008-11

Public Protection Team
protecting you by improving standards



Objects, aims and contents

The Council's objectives:

- Putting People First
- Pride Of Place
- Purpose Through Partnership

The Council aims to:

- Provide services which give value for money
- Conduct its business in the public interest with integrity, being even-handed, open and accountable
- Have the highest ethical standards
- Ensure that services are accessible to all

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Cover Photograph: Heathfield Farmers' Market

Directorate Of Community Services, Council Offices, Vicarage Lane
Hailsham, East Sussex BN27 2AX



Mary Clare Deane Director of Community Services

This Statutory Service Plan covers the work we carry out to protect the public and employees from risks to their health, safety and well-being. Whether these risks come from handling hazardous substances at work, or catching food poisoning while eating out, the Public Protection Team work with businesses, their representatives, employees and the public to improve standards through guidance, education, and where necessary action to secure compliance with the law.

Our Regulation Adviser acts as a single point of contact to help businesses, supplementing the advice and guidance field officers give during visits. This approach is supported by research that shows well-managed businesses are generally more efficient and profitable.

The work of the Public Protection Team supports Wealden Council's corporate objective of putting people first by promoting health, prosperity and community safety.

The work also supports the following Public Health and Community Development Service objectives:

- to promote better health for all of the people living and working in Wealden either through the Council's own actions or in partnership with others
- to protect and improve the safety of the food that people eat, and provide consumers and businesses with a trusted source of advice, training and information
- to ensure the effective control and prevention of disease in the community
- to safeguard the health, safety and welfare of employees, to protect the public from harm arising from work activities, and to provide a trusted source of advice, training and information

I hope you will find the information in this Service Plan interesting, helpful and informative. With all the media stories about food scares and over zealous health and safety enforcement it's easy to lose sight of all the good, sensible work we carry out to protect the public and workers.

**Peter Griggs**

Head of Public Health & Community Development

Charter Mark Success

In addition to all the excellent work that the Public Protection Team undertook last year the Public Health and Community Development Service was also very proud to be the first of Wealden's services to achieve Charter Mark status. The award is formal recognition of excellence in customer service and an important element of the high standards we always strive to deliver.

Customer Charters introduced

The year also saw the introduction of Customer Charters for each element of the service. To view the Charter for the Public Protection Team please go to www.wealden.gov.uk/Health_and_Public_Safety/Food_Safety/documents/CustomerCharter.pdf

Consultation Improved

Building on the lessons learned through the Charter Mark process 2008/09 will see an extension of our customer consultation arrangements to include specific consultation with minority groups and those with special needs.

Core Values Introduced

Finally, the way we work and the principles that underpin our approach and style can be summarised in just five core values:

- Integrity
- Consistency
- Fairness
- Balance
- Trust

Thank you for taking the time to read this plan, I hope you will find it interesting, informative and sometimes surprising.



Rob Crouch Public Protection Team Manager

Each year our Statutory Service Plan details the work we carry out in the Public Protection Team. It sets out our priorities based on national and local performance requirements. With the help of our consumers and businesses, the plan details what we've done, what we intend to do, and how we propose to do it.

In the last twelve months the national and local landscapes have changed. The introduction of new Performance Indicators, the Hampton Report and Rogers Reviews, a new Compliance Code, revised priorities for occupational health and safety and food hygiene, and greater opportunities for partnership working, will all change the way we work.

The Hampton Report

The main principle that came out of this review was that it should be possible to protect the health, safety and welfare of consumers and workers while encouraging businesses to thrive and prosper. The basis for this belief is sensible risk-based enforcement and guidance from those charged with regulating and protecting the public.

At Wealden we always work with businesses to encourage compliance with the law and improve standards. In many cases, improvements in the management of occupational health and safety, for example, lead to cost savings through reduced accidents and ill health. This belief and approach is an integral part of our thinking and practice, and we believe it has helped many of our businesses to improve and thrive.

Read more at www.hm-treasury.gov.uk/media/7/F/bud05hamptonv1.pdf

The Rogers Review

This review produced a manageable number of national priorities for local authorities to focus on. Food safety and improving health in the workplace were both in the national top five priorities

Read more at <http://archive.cabinetoffice.gov.uk/rogersreview>

Compliance Code

This translates the principles from the Hampton Review into working practice for local authorities to follow. The Code came into force on the 6th April 2008 and offers guidance and best practice to enable regulators to help, guide and where necessary enforce in a transparent, consistent and helpful manner that ensures public protection and economic development.

Read more at www.berr.gov.uk/bre/inspection-enforcement/implementing-principles/regulatory-compliance-code/page44055.html

National Indicator 182

This measures whether businesses think local authority regulators have treated them fairly and helpfully. The aim is to inspire local authorities to recognise the important contribution regulatory services make to local and national priorities.

National Indicator 184

The number of food establishments that are broadly compliant with food hygiene law. This is measured by how well we believe a business is run, maintained and managed to meet hygiene requirements. Businesses are risk rated and scored, and need to score below a certain level to be 'broadly compliant', as defined by the Food Standards Agency.

If you draw all this together two simple principles emerge to govern the way we work:

- 1. everything we do must be risk based.** This means we no longer need to inspect low risk or high compliance businesses as often, freeing up resources to focus on those that do not meet minimum legal requirements.
- 2. we must focus on outcomes, not outputs.** For example, we have always reported how many food hygiene inspections we carried out during the year. This is an output. It doesn't tell you whether businesses are improving or producing safer food. As our primary role in food safety is to protect consumers and help ensure businesses produce and sell safe, wholesome food, we will now be measuring whether businesses are safe, and whether they are improving or not. In turn this could lead to a greater use of the wide range of powers we have to secure compliance with the law and produce improvements, including where necessary the use of formal notices, prohibition and closure, and prosecution.

Making the changes in culture, practices and procedures to meet local and national objectives will be a challenge. That's why the Public Protection Team is moving to a three year Service Plan to allow time to make the changes without compromising the service we provide to protect people. Full details of our planned work can be found in Our Plans For The Next Three Years section of this Service Plan. We will continue to report annually on our performance against targets.

If you have any comments and suggestions about this service plan or the work we carry out then please let us know by telephone, email or letter. Full details are in the Contact Us section.

Thank you.

We believe that the best way to protect people is by improving standards, often beyond minimum required by law. We achieve this by:

1. **working with businesses** to guide, advise and support them to make improvements and changes. This can be anything from the helpful, proactive approach our officers adopt during programmed visits through to training courses for food handlers or health and safety managers.
2. **enforcing legal standards when necessary.** When advice and help fail to produce results we have a wide range of formal powers to tackle offences and non-compliance. These range from fixed penalty notices for smoking offences, closure of businesses or processes, and prosecution for serious breaches of the law.
3. **consulting with businesses, employees and consumers.** We meet with businesses through our Local Business Panel. We also hold business focus groups to concentrate on a particular subject, such as Scores on Doors, and seminars. We always try to talk to employees during inspections, but broader consultation with them or their representatives has always posed a challenge in a large rural area predominantly occupied by small businesses. However, we will continue our efforts to talk to employees, or their representatives. We send Customer Survey forms to many consumers for feedback on the service we provide, but we aim to take a more active approach to canvas and take into account the views of those we protect.
4. **working with partners.** We already work closely with many organisations, including the Health and Safety Executive, Foods Standards Agency, Health Protection Agency, Primary Care Trusts, the Federation of Small Businesses, local chambers of trade and commerce, and of course other local authorities in Sussex and beyond. Much of this work is about consistency of approach, sharing best practice and joining together to make finite resources go further. Working with partners has always been an integral part of our approach and is now underpinned by the principles of the Hampton Report and Compliance Code.
5. **using a risk based approach.** We have always followed this principle with our food and occupational health and safety programmes, but will be extending the concept into all areas of our work to ensure we focus our efforts to protect the most vulnerable by dealing with the worst offenders as a priority. For example, we plan to talk to and improve our 50 worst performing food businesses each year. This will be in addition to any inspections they may already be due to receive.

These principles underpin all our work in a range of different areas . . .

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Occupational health & safety



Scalding due to hot water spill in a restaurant

Imagine having a drink in a pub, unaware that the electrical system is old, overloaded, and so close to the gas supply that one stray spark could cause a massive explosion. Imagine your clothes catching fire as a gas cylinder in a mobile catering van leaks and sprays flames across the road. What if your child drowned in a swimming pool while on an adventure week?

We've investigated these incidents, and many more, over the years. They can happen in any workplace where good health and safety standards are not maintained. Every year people die or are seriously injured at work. In most cases the incidents could have been prevented with little or no cost. Our investigations often reveal how important it is for employers to act positively to anticipate and prevent such incidents through good management and risk assessment.



Excavator overturned due to operator error

Our Occupational Health and Safety Unit (OHSU), takes the lead in dealing with significant risk activities, the larger, more complex workplaces, and outdoor events that often attract thousands of visitors.



Large events. We cover crowd control and safety, access for emergency vehicles, electrical installations, scaffolding stages, lasers and food vendors



Dangerous situation discovered during an inspection – a stepladder used to access racking.



Incident investigation – the effects of an LPG explosion

What we do

1. Inspect the highest risk workplaces and activities in accordance with FIT3 national priorities and local issues

FIT3 means FIT for work, FIT for life, FIT for tomorrow. The programme has been developed nationally as part of the partnership working initiatives between the Health And Safety Executive (HSE) and local authorities. The programme identifies work activities that have the highest rates of accident, injury and fatality to allow authorities to target finite resources into activities including:

- Falls from height
- Moving goods safely to reduce accidents, injuries and ill health from bad backs
- Slips, trips and falls, which still account for the biggest proportion of accidents in the workplaces we visit
- Workplace transport, including the separation of vehicles and pedestrians
- Workplace stress
- Management of asbestos

Locally, we are targeting significant safety issues with both electrical installations and the use of Liquefied Petroleum Gas (LPG) with focused inspections, information and training for relevant businesses.

2. Investigate complaints and respond to requests for assistance

3. Investigate the most serious accidents and incidents, particularly those affecting the very young or old

Accidents are investigated in accordance with our Accident Investigation Policy, which targets resources into the more serious incidents, including death, major injury; those involving activities in the FIT3 programme, and those affecting young persons.

4. Respond to major incidents and emergencies, such as chemical spills, asbestos release
5. Work in partnership with colleagues in Sussex and the Health and Safety Executive to promote consistency and share best practice



6. Raise the profile of occupational health and safety through local media, promotion of the 'Safety Pays' concept, and working with partners to promote healthy workplaces

You'll find this logo on most of our correspondence to promote the principle that improved health and safety means better performance and profits.

7. Train employers and employees through nationally recognised Level 2 and Level 4 Health and Safety Courses

Bob Sawyer from Waverley TBS recently complemented our officers for the way they helped him and his business to improve their occupational health and safety procedures.

"I'm never worried about calling Wealden if I have a problem or question. They're always friendly, approachable and offer first class advice."



Undercooked suckling pig

Imagine tucking into your takeaway meal, only to find a cockroach. After a romantic meal imagine dashing to the bathroom to be sick on the first night of your honeymoon. You take your seat in a pub restaurant and then notice dog excrement on the floor.

We often investigate complaints and incidents like these. Cases of food poisoning, caused by bugs like E. coli and salmonella, continue to make major news headlines, and the general public is now more aware of hygiene, food poisoning and nutrition. New legislation in 2006 also raised the profile of food safety, and increased minimum standards. Most food business operators must now provide written food safety management systems, and fully train staff to operate and produce safe and hygienic food.

'Scores on Doors' – a system where food businesses are given a rating based on how good and safe they are – is now available in a growing number of local authorities. National guidelines should be available soon so that the public can check any food business in any area in a consistent way. The aim of the scheme is to give consumers information about hygiene standards so they can choose where they want to shop and eat. This also encourages businesses to improve standards to improve custom. We hope to introduce the scheme in Wealden in 2009.



Food safety inspection revealed a poorly managed business



Complaint of glass in a milk bottle



What we do

1. Routinely inspect higher risk food businesses and approved premises

During these visits we provide advice, assistance and guidance on food hygiene and safety. We also audit management systems and practices to maintain and improve standards. We also carry out checks to ensure that food on the premises have been imported legally.

We also approve certain manufacturers of meat preparations and products, fishery and dairy products.

2. Investigate complaints about food safety and hygiene and respond to requests for assistance

3. Investigate notifications of food borne disease and food poisoning, including major outbreaks

4. Promote Safer Food Better Business to caterers and higher risk retailers

In partnership with Eastbourne and Lewes, £234,000 from the Food Standards Agency helped us to introduce Safer Food Better Business (SFBB) to over 400 caterers in 2006-07. We continue to promote and offer SFBB to businesses as it provides a sensible documented system that allows caterers to manage and control all aspects of food hygiene and safety, improving standards and reducing the risks to consumers. SFBB also helps to create a positive food safety culture, which is easily communicated to employees.

5. Routinely sample foods, contact surfaces, and cleaning cloths to ensure businesses are clean and produce safe food

We sample foods produced and sold by local companies and retailers, and take part in national and European sampling programmes. In addition we take environmental samples, such as swabs of surfaces, or cleaning cloths, to determine how clean and hygienic businesses are.



CDs feature training and documentation to help businesses comply with new laws.



Regularly produced Food & Safety Bulletin.

6. Respond to food safety incidents

The Food Standards Agency issues incident warnings where a product could pose a risk to health. The speed and the level of response relates to the degree of risk involved and can range from publication on the Council's website to individual telephone notification and/or visits to relevant businesses to check or withdraw products.

7. Introduce the Home Authority principle to relevant businesses

The Home Authority Principle helps larger businesses, particularly those with outlets in many areas of the country, to avoid contraventions of food law and receive consistent treatment, advice and compliance checks in all their premises. The Home Authority is normally the district where the company's head office is located.

8. Raise the profile of food hygiene and safety through local media, websites, leaflets, and newsletters to all food businesses

This year we introduced CD ROMs with training videos and documentation to help businesses comply with new laws demanding written management systems. We also hope to deliver newsletters and important information through our Business Email Alert Scheme.

9. Train food handlers through nationally recognised Level 2, Level 3 and Level 4 Food Hygiene Courses

10. Work with our colleagues in Sussex, the Health Protection Agency, and the Food Standards Agency to promote consistency and share best practice

11. Deliver presentations to local schools and community groups on food safety

Suspected food poisoning notifications in Wealden

| | |
|--------|-----|
| 2004/5 | 188 |
| 2005/6 | 213 |
| 2006/7 | 274 |
| 2007/8 | 234 |

Legionnaire's Disease and E. coli are perhaps two of the most frightening diseases you can contract. Both can cause death in the worst cases, with the very young and elderly at most risk. While thankfully both are relatively rare occurrences in Wealden we have to respond swiftly if we are to contain the effects.

Our primary role with communicable diseases, which include food poisoning, and hepatitis, is to prevent the spread and where possible identify the source of the infection. This is particularly important for diseases spread by food, where an organism can rapidly spread through the community, as with the recent E. coli outbreaks in Scotland and Wales. Equally, no one can afford to underestimate the potential effects of Avian or pandemic flu.

Most communicable disease notifications are isolated cases. We investigate all of them, either by telephone interview or with detailed questionnaires for food borne diseases like Campylobacter. It's not always possible to identify the source of the infection though we can help restrict the spread. Outbreaks are less common, but we have seen an increase in viral infections affecting care homes and schools. Nationally, Listeria is increasing with the elderly being most affected.



Even fun places like swimming pools can spread disease if not properly maintained



Welfare burial – cigarette ends found in deceased person's home

What we do

1. Investigate and control outbreaks of food poisoning and disease

Investigation and control of major outbreaks is undertaken in conjunction with the Consultant in Communicable Disease Control at the Health Protection Agency in Lewes. Investigation, the establishment of an Outbreak Control Team, and control measures are all implemented in accordance with the Health Protection Agency's Major Outbreak Plan.

2. Investigate all notifications of suspected food poisoning

All reported incidents of food poisoning are investigated by personal contact or in certain cases by postal questionnaire.

3. Register and inspect all body piercing establishments and operators

We also inspect and register people and businesses that carry out skin piercing, such as electrolysis, ear piercing, tattooing, and acupuncture. Skin piercing can transmit diseases such as hepatitis so it essential that premises and practitioners maintain scrupulous standards.

4. Arrange welfare burials and attend exhumations

We are duty bound to arrange Welfare Burials for those who die without relatives or the money to pay for a funeral. Our involvement is primarily on public health grounds to prevent the risk and spread of infection. For the same reasons we also attend exhumations.

5. Provide advice, guidance and assistance on communicable diseases through websites, CD ROM, leaflets and newsletters

6. Work in partnership with government departments, the Health Protection Agency, Primary Care Trusts and East Sussex County Council to develop outbreak control plans and emergency planning procedures for avian and pandemic flu



Since July 1st 2007 it has been an offence to smoke in any enclosed or substantially enclosed public place or workplace. This change is protecting the 75% of people who are non-smokers from the effects of cigarette smoke. This simple change in behaviour should prevent much misery and pain and save thousands of lives, and save millions of pounds for the NHS nationally.

With over 98% of premises complying with the law Wealden has mirrored the national picture. We received only 30 complaints about breaches of the law in 2007-08. These concerned people lighting up inside premises, failure to display correct signage, and issues about smoking shelters.

Thanks to funding from the Department of Health we will employ a contractor to ensure businesses continue to comply with the law. In particular, the contractor will work with businesses to ensure their work vehicles meet legal requirements.

There is more information on our business website, www.wealdenbusinesshelp.org.uk, including Frequently Asked Questions, and downloadable fact sheets and links to related sites that can help those who may wish to quit smoking.

Measurement of performance has invariably been based on outputs, such as how many inspections we managed, or how many complaints or accidents we investigated. While such statistics show increases or decreases in numbers, and can measure what percentage of our plans we achieved, there is little measurement of what matters – did we improve businesses and therefore protect the public better?

By measuring more outcomes, we hope to show that business standards have improved, for example. A new national performance indicator – NI 184 – will measure the number of food businesses that are broadly compliant with food hygiene laws.

At April 1st 2008 70% of our food businesses were considered ‘broadly compliant’ with food hygiene law. We hope to improve this figure year on year.

While this new three-year Service Plan heralds a new approach, we still have a duty to detail our performance against the plans and targets we set last year. The statistics and notes that follow will show

1. our performance in terms of numbers
2. our performance against the five priority areas we set in both food hygiene and occupational health and safety.

Finally, an increase in reactive work over the previous year, including several serious incidents, together with difficulties experienced in recruiting to a vacant EHO post (which resulted in carrying a vacancy for 4 months) reduced our overall performance.



A well-run and maintained kitchen, Llama Centre, Wych Cross

| | <i>Performance in 2007/08</i> | <i>Our target in 2007/08</i> | <i>Our target in 2008/09</i> |
|---|-----------------------------------|----------------------------------|--|
| Percentage of programmed inspections carried out | 74% | 100% | These will be measured differently in future years |
| Total number of regulatory contacts with businesses | 4,519 | 8,000 | |

Reactive work

| | <i>2006/07</i> | <i>2007/08</i> |
|---------------------------|----------------|----------------|
| Service requests received | 249 | 305 |
| Complaints received | 77 | 76 |
| Accidents reported | 123 | 101 |
| Informal notices served | 34 | 32 |
| Formal notices served | 88 | 59 |
| Prosecutions | 2 | 1 |

Preventative activity

| | | |
|--|------|-------|
| Inspections – programmed | 207 | 218 |
| Inspections – other, not programmed | 51 | 56 |
| Training courses – certificate/qualification | 8 | 12 |
| Food and Safety Bulletin circulation | 2885 | 2,600 |
| Business Email Alerts sent | 734 | 1,457 |

Promotional Initiatives

| | |
|----------------------------|------------------------------------|
| National Initiatives | European Week of Safety and Health |
| Improving public awareness | Wealdenbusinesshelp Website |

Consultation Arrangements

| | |
|----------------------------------|--|
| The Wealden Local Business Panel | aim to hold annual seminar and business focus group meetings |
| Customer Satisfaction Surveys | 83 businesses sampled |

The number of planned inspections remained comparable to the previous year, with significant electrical safety problems continuing to dominate enforcement activity. While the number of formal notices dropped the risk and severity of the problems found did not.



Health and safety at work incident – gas cylinder explosion

1. Safe use of LPG (liquid petroleum gas) – mobile traders and smoking shelters

Aim was to hold a training seminar for trainers to improve their knowledge and understanding of LPG. This seminar took place in May and will be followed up by an inspection programme to ensure improvements and compliance with the law.

To date, we have not found any issues with LPG powered patio heaters in smoking shelters. This is largely due to the small number of shelters being provided by businesses.

2. Moving Goods Safely

Aim was to carry out four joint inspections with our 'buddy' HSE inspector. Due to the HSE Inspector having to investigate two fatal accidents the visits didn't take place in 2007-08. The aim is to carry them out as soon as time and resources in HSE permit.

3. Businesses with a poor 'Confidence in Management' score

All inspected and significant improvements made following our interventions.

4. Dermatitis and hairdressers

Questionnaires sent to 96 businesses as required. Responses received from 72% of businesses contacted.

5. Premises and events that attract significant numbers of people

13 outdoor events and premises visited, often jointly with Licensing Officers to protect the public.



Ingress of water and exposed live conductors make this intake on a caravan site dangerous. Residents also had to feed their meters here.

| <i>Priority</i> | <i>Planned Visits</i> | <i>Actual Visits</i> |
|---|-----------------------|----------------------|
| <p>LPG – mobile caterers and smoking shelters</p> <p>Due to pressures from resolving major safety risks at several public houses, a shopping centre, and an unprecedented level of formal enforcement action, mainly due to poor electrical safety compliance by employers, the visits have been deferred to next year. However, we held a training seminar on LPG safety in early June for mobile traders. This will be followed by a Sussex wide training event for EHO's in Autumn.</p> | 62 | 1 |
| <p>Moving Goods Safely with HSE (joint visits)</p> <p>As above, but in addition the HSE Inspector who was due to carry out visits with us had to deal with two major fatal accidents at the time.</p> | 4 | 0 |
| <p>Poor Management score</p> <p>These are premises where officers have found poor management awareness and practice. In the majority of cases, significant improvements have been made following this year's interventions.</p> | 19 | 19 |
| <p>Dermatitis and hairdressers</p> <p>Very good response, revealing a good level of health awareness and compliance. Few remaining businesses which have yet to respond will be followed up in the next year.</p> | 96 questionnaires | 76 returned |
| <p>Large outdoor/leisure premises and events</p> <p>Not as many outdoor events that required a visit were held. However, all significant events were jointly visited with other agencies, such as Fire and Police and our Licensing Officers.</p> | 20 | 13 |
| <p>Fit3 visits to food premises</p> | 50 | 62 |
| <p>Category A – B4 inspections</p> <p>These were high-risk premises due for inspection during the year.</p> | 45 | 45 |
| <p>Total interventions</p> | 296 | 216 |

| | <i>Performance in 2007/08</i> | <i>Our target in 2007/08</i> | <i>Our target in 2008/09</i> |
|--|-----------------------------------|--|--|
| Percentage of programmed food premises interventions carried out in: | | | |
| (a) High risk premises | 76% | 100% | These will be measured differently in future years |
| (b) Other premises | 95% | 100% | |
| Total number of regulatory contacts with food businesses | 5,873 | 8,000 | |
| <hr/> | | | |
| Reactive work | | <i>2006/7</i> | <i>2007/08</i> |
| Service requests received | | 139 | 136 |
| Complaints received about food purchased and food hygiene | | 112 | 121 |
| Investigation of incidents of food borne disease | | 277 | 252 |
| Informal notices served | | 116 | 83 |
| Formal notices served | | 2 | 7 |
| Prosecutions/Simple Cautions | | 0 | 1 |
| <hr/> | | | |
| Preventative activity | | <i>2006/7</i> | <i>2007/08</i> |
| Interventions – programmed | | 581 | 580 |
| Interventions – other, not programmed | | 691 | 316 |
| Food sampling | | 47 | 148 |
| Training courses – certificate/qualification | | 227 | 220 |
| Attending Safer Food Better Business seminars | | 269 | 0 |
| Food and Safety Bulletin circulation | | 3,166 | 3,600 |
| Business Email Alerts sent | | 455 | 1,863 |
| <hr/> | | | |
| Promotional Initiatives | | | |
| National Initiatives | | National Food Safety Week | |
| Improving public awareness | | Wealdenbusinesshelp website | |
| <hr/> | | | |
| Consultation Arrangements | | | |
| The Wealden Local Business Panel | | aim to hold annual seminar and business focus group meetings | |
| Customer Satisfaction Surveys | | 456 businesses contacted | |

Our performance on food safety was influenced by a number of factors, such as a change in the main legislation and its requirements, the introduction of a written management system called Safer Food Better Business (SFBB), and the influence of the national risk rating system all local authorities use.

Programmed Interventions

The number of inspections was almost identical for the last two years, though the percentage of higher risk premises dropped from 81% in 2006/07 to 76% in 2007/08. This was largely due to a shortfall in Category C inspections, coupled with the addition of a significant number of businesses not inspected in previous years, and greater demands on officer time during visits to help proprietors with documented management systems.

The number of inspections due changes from year to year depending on how well businesses meet legal requirements, and the number of new businesses that start trading and enter the system. For instance 180 new food registrations were submitted. The highest risk are visited by the Regulation Adviser, while we send questionnaires to the rest to determine whether a visit is required.

Additional Interventions

These more than halved following completion of the SFBB project with Eastbourne and Lewes. The interventions carried out comprise additional inspections, revisits, evening spot checks, and food safety questionnaires to some new businesses.

Sampling

This increased significantly with a special project carried out during the last quarter of the year. Cleaning cloths were taken from 50 food businesses and submitted to the Health Protection Agency laboratory at Haywards Heath for analysis. At least 70% came back with poor results, indicating a lack of proper cleaning and hygiene. Equally, the use of the cloths could have spread bacteria to other surfaces and food, increasing the risk of food poisoning.

All business operators were immediately notified of their results, and many changed practices straight away when they learned they had a poor result. To help businesses we produced an explanatory leaflet on choosing suitable cleaning cloths and methods, and how to operate hygienically.

This year we plan to resample those businesses with poor results, together with another 40 businesses for the first time.

*Priority for 2007-08***1. Approved premises**

Aimed to carry out inspections of all approved premises and re-approve under new legislation. Only two premises are left to re-approve. One business no longer needs approval and the remainder were inspected as required by Food Standards Agency guidelines.

2. Home Authority Principle

Home Authority agreements and accompanying documentation has been drawn up and manufacturers that could benefit from the principle will be approached to participate during 2008-09.

3. Businesses with a poor 'management score'

At the start of April 2007, 55 food businesses were identified as having a poor management score. All 55 were visited and only 16 remain with a poor score. 31 further businesses were given a poor score during the year so the total at the start of April 2008 is 47. All businesses with a poor confidence in management score are receiving follow up visits to improve standards. However, due to current Food Standards Agency guidance, businesses cannot be rescored until the next programmed inspection.

4. Businesses Rated Category A or B

Of the 112 businesses with these ratings all bar 11 category B were inspected during 2007-08. These 11 were visited in April to complete the programme.

5. Catering and Higher Risk Retail Premises that would benefit from Safer Food Better Business (SFBB)

All catering businesses and retailers which handle or prepare ready to eat foods are being offered SFBB to comply with the law that requires them to have written food safety management systems. Officers are enforcing this requirement on all businesses that must have a written system. This approach will continue year on year. We aim to have at least 75% of our businesses with a written system like SFBB by the end of 2010-11, in line with the FSA's own target.

Inspection Categories and frequencies are based on risk. The higher the risk, the more frequent the inspection.

| Category of food business | Inspection frequency |
|---------------------------|----------------------|
| A | 6 months |
| B | 12 months |
| C | 18 months |
| D | 24 months |
| E | 36 months |

| Category of Health & safety | Inspection frequency |
|-----------------------------|----------------------|
| A | 12 months |
| B1 | 18 months |
| B2 | 24 months |
| B3 | 36 months |
| B4 | 60 months |
| C | never |

| <i>Priority</i> | <i>Planned Visits</i> | <i>Actual Visits</i> |
|--|----------------------------------|----------------------|
| <p>Approved premises</p> <p>One business no longer needed approval. Several premises now requiring approval for the first time under new legislation were slower than anticipated in making their applications. Both of these factors reduced the number of inspections required.</p> | 45 | 28 |
| <p>Home authority</p> <p>Due to resource pressures, involved process visits were postponed to form part of the following year's programme.</p> | 10 | 0 |
| <p>Poor Management score</p> <p>The original number planned was an estimate. This increased to 55 once all inspection details and scores were inputted into our database.</p> | 50 | 55 |
| <p>Category A and B</p> <p>5 Category A were scored down, removing 5 repeat visits (six months later) from the annual total.</p> | 112 | 101 |
| <p>SFBB Catering and Retail</p> <p>Continued promotion of the Food Standard Agency's Safer Food Better Business (SFBB) written management system is helping to improve compliance with legal requirements and improve standards.</p> | 52 | 141 |
| <p>Evening Spot Checks</p> <p>A small number were carried out in early April to complete the programme.</p> | 55 | 55 |
| <p>Category C</p> <p>The problems with recruitment and 20% increase in reactive work largely contributed to the small shortfall in the number of inspections carried out.</p> | 337 | 312 |
| <p>Category D</p> | 67 | 51 |
| <p>Category E</p> | 97 questionnaires (10 visits) | 90 (14 visits) |
| <p>Total interventions</p> | 825 | 733 |

Occupational health & safety

Partnership Working

In the last two years the Health and Safety Executive (HSE) and local authorities have been working in partnership to protect workers and those affected by work. The Sussex Health and Safety Liaison Group, comprising representatives from HSE, all councils in East and West Sussex, and a Chief Environmental Health Officer, manages most of the partnership working. In addition the liaison group organises work programmes based on national and local priorities. These priorities are based on accident and ill health data, known problems, and issues that can have a serious impact on the health and safety of many people and workers. Locally, the discovery of poor standards and dangerous practices involving liquid petroleum gas (LPG) used by a mobile food trader, led to the inclusion of this issue as a local priority in the new county work programme.



Sub standard LPG installation in a mobile trader's vehicle. Solid copper piping should be used throughout.

Our priorities and local indicator targets

As part of our commitment to the Sussex Health and Safety Liaison Group (SHSLG), we are:

1. represented on the Management Sub Group and the Major Incident Team Sub Group. The first deals with management issues affecting the group and local authorities. These include adoption of new standards to assess and ensure the competency of all inspectors, assisting councils to improve their services and become more consistent, and overseeing the work programmes. The second Sub Group is implementing proposals for a major incident team, comprising inspectors from both local authorities and the HSE. All inspectors in the team will be authorised to operate across the county, bringing flexibility and more expertise to the investigation of fatalities, and major accidents and incidents.
2. committing two officers to work in the Sub Groups. In addition, we work closely with a 'Buddy' inspector from HSE on joint projects.
3. taking part in at least 75% of the activities in the county wide three year work programme. These will include work to determine compliance with the duty to manage asbestos, slips and falls in residential care homes, LPG safety, moving goods safely, work related stress, the health and safety of young persons on work experience. In addition, due to electrical safety problems found on caravan sites and in public houses, we will be checking the electrics at premises during all routine or programmed visits this year.
4. adopting and sharing best practice across the county. In the recent peer review audit of all councils in Sussex, Wealden earned the highest overall score. The audit, carried out by an independent HSE Inspector, covered our occupational health and safety service, dealing with how we managed the service, the competency and training of officers, the work we carried out and our policies and practices.
5. committed to focusing our efforts on higher risk activities and incidents in line with national priorities, such as FIT3. This programme is based on activities that have the highest accident or ill health rates and includes areas such as falls from height, workplace transport, manual handling, slips and falls, workplace stress, dermatitis. For several years now our inspections and programmes have focused on these activities and will continue to do so.

Our priorities and local indicator targets:

| 2008-09 Sample 10 electrical safety inspections and evaluate for further expansion of the programme | 2009-10 Further electrical safety checks, dependant on results from 2008/09 | 2010-11 Further electrical safety checks, dependant on results from 2008/09 |
|---|--|--|
| Electrical safety checks on all programmed visits (food or occupational health and safety) | Electrical safety checks on all programmed visits (food or occupational health and safety) subject to evaluation | |
| LPG training and inspection of mobile traders | Expand LPG checks to public houses, restaurants and other food businesses | Expand LPG checks to public houses, restaurants and other food businesses |
| Complete dermatitis in hairdressing survey and follow up with site visits | Possible survey into dermatitis in the catering industry | |
| Complete joint visits with HSE as part of national Moving Goods Safely campaign | Programme of highly focused inspections on high risk activities, such as use of forklift trucks | Programme of highly focused inspections on high risk activities |
| Participate in health and safety of young persons in work experience programme | | |
| Inspect all business with a poor 'confidence in management' score | Inspect all business with a poor 'confidence in management' score | Inspect all business with a poor 'confidence in management' score |
| Inspect 75% high risk businesses (Category A and B1) due for inspection | Inspect 78% high risk businesses (Category A and B1) due for inspection | Inspect 80% high risk businesses (Category A and B1) due for inspection |
| Joint inspections with food team of large outdoor public events | Joint inspections with food team of large outdoor public events | Joint inspections with food team of large outdoor public events |
| Pilot management of work-related stress in house | Use results of pilot to help and inform larger businesses that have work related stress issues | Use results of pilot to help and inform larger businesses that have work related stress issues |
| Participate in Major Incident Team | Participate in Major Incident Team | Participate in Major Incident Team |

Our priorities and local indicator targets:

| 2008-09 | 2009-10 | 2010-11 |
|--|---|---|
| | Management of asbestos checks during routine inspections and visits | |
| | | Possible participation in national slips and falls in residential care homes priority |
| Update our management systems following peer review | Annual review of management systems | Annual review of management systems |
| Introduce new competency requirements for inspectors | | Review competency arrangements |
| Improve local database and benchmarking of standards across Sussex | Improve local database and benchmarking of standards across Sussex | Improve local database and benchmarking of standards across Sussex |
| Smoke free checks, focusing on workplaces and work vehicles | | |

Our priorities and local indicator targets



Informed Consumers

Public demands for information and choice, and a shortage of resources, are changing the way we deal with businesses to protect consumers. Perhaps the biggest driver for change is the demand for Scores on Doors. Following a routine inspection officers rate the hygiene and management standards of a food business. These are converted into a star rating and displayed on websites and on the entrance door to the premises. This allows customers to compare and assess food businesses. Evidence from schemes used in America suggests that Scores On Doors does create improvements in standards as businesses see the potential to increase custom by having good scores and ratings.

A shortage of resources, and moves to measure outcomes instead of outputs, have led to the Food Standards Agency revising the way it wants Councils to operate. Instead of simply carrying out inspections officers will now have a range of interventions they can use. The type and depth of any intervention will be based on risk, in accordance with Hampton principles. This allows officers to put more effort into improving compliance in the worst businesses while applying a lighter touch to those that have high standards. The Public Protection Team has operated to these principles for many years.

Peter Bramich, Managing Director of Deans Place Hotel, Alfriston, recently attended a business focus group on 'Scores on Doors'. After the event he thanked us for inviting him, and said *"I am sure all sides got a better understanding of the issues involved and I am grateful that you took the opportunity to consult with us on this new initiative."*

Our priorities and local indicator targets:

| 2008-09 Target the worst 50 food businesses to improve compliance | 2009-10 Target the worst 50 food businesses to improve compliance | 2010-11 Target the worst 50 food businesses to improve compliance |
|---|---|---|
| Inspect all Category A and B food businesses | Inspect all Category A and B food businesses | Inspect all Category A and B food businesses |
| Inspect all food businesses with a poor Confidence In Management Score | Inspect all food businesses with a poor Confidence In Management Score | Inspect all food businesses with a poor Confidence In Management Score |
| Carry out cleaning cloth and/or environmental sampling at selected catering and retail businesses | Carry out cleaning cloth and/or environmental sampling at selected catering and retail businesses | Carry out cleaning cloth and/or environmental sampling at selected catering and retail businesses |
| Identify suitable food manufacturers and set up Home Authority/Principle Authority agreements | Identify suitable food manufacturers and set up Home Authority/Principle Authority agreements | Identify suitable food manufacturers and set up Home Authority/Principle Authority agreements |
| Work with Sussex Food Liaison Group to develop a county wide Scores on Doors scheme | Implement Scores on Doors scheme | Implement Scores on Doors scheme |
| Continue to promote SFBB to all catering and high risk retail food businesses | Continue to promote SFBB to all catering and high risk retail food businesses | Continue to promote SFBB to all catering and high risk retail food businesses |
| Develop pilot inspection approach for local authority school meals service | Apply inspection approach to local authority school meals service | Apply inspection approach to local authority school meals service |
| Fully inspect all food businesses due for visit to ensure they are correctly risk assessed and scored | Use full range of interventions during food hygiene visits in accordance with the FSA Code of Practice | Use full range of interventions during food hygiene visits in accordance with the FSA Code of Practice |
| Assess all new food businesses and inspect the higher risk ones. Lower risk businesses to be assessed by questionnaire. | Assess all new food businesses and inspect the higher risk ones. Lower risk businesses to be assessed by questionnaire. | Assess all new food businesses and inspect the higher risk ones. Lower risk businesses to be assessed by questionnaire. |

Providing clear, concise advice and guidance to businesses is now a requirement of the Compliance Code 2008. In addition, the FSA have identified the value of advice and guidance in improving compliance with legal requirements, and included it in the latest Code of Practice..

Our Regulation Adviser has been working with local businesses and their representatives for four years now to improve understanding and the implementation of regulations and requirements. This work will continue, often overlapping with the main work programmes, and will include:

Our priorities and local indicator targets:

| 2008-09 | 2009-10 | 2010-11 |
|---|--|--|
| Work with local businesses and their representatives to improve understanding and legal compliance | Work with local businesses and their representatives to improve understanding and legal compliance | Work with local businesses and their representatives to improve understanding and legal compliance |
| Update and improve the Wealden Business Help website with partners, such as Economic Development Team | | Review content and presentation of information on website and update if required. |
| Establish and use a business focus group for consultation on issues of significance to local businesses | Use the business focus group for consultation on issues of significance to local businesses | Use the business focus group for consultation on issues of significance to local businesses |
| Evaluate customer satisfaction with service and methods used to gather information | Evaluate customer satisfaction with service and methods used to gather information | Evaluate customer satisfaction with service and methods used to gather information |



Herstmonceux Castle



Seven Sisters

Profile of the district

Wealden is situated in the South East of England in the county of East Sussex and has a population of approximately 144,400. Half of the population lives in the District's five main towns: Crowborough, Hailsham, Heathfield, Polegate and Uckfield.

The rest of the District is predominantly rural and has many small towns, villages and hamlets. Over its 323 square miles, the Wealden landscape is varied, ranging from the Ashdown Forest in the north to the South Downs and the coast to the south. Two thirds of the District is designated as an Area of Outstanding Natural Beauty.

Around 40,000 people work in the district with business primarily in the service sector. 90% of Wealden's businesses employ less than ten people and 57% of our residents work locally.

Local democracy

There are 55 Councillors on Wealden District Council. The Cabinet has 7 Members and the Regulatory Committees have 10. The Committees and Sub-Committees are politically balanced except for the Cabinet and Standards Committee. There are 3 Scrutiny Committees responsible for overview and monitoring the decisions made by the Cabinet and the Personnel Committee, which is concerned with staffing matters. The Community Scrutiny Committee has food and occupational health and safety included in its terms of reference.

Public protection team

Our work falls within the remit of the Community Scrutiny Committee. The Public Protection Team works within the Public Health and Community Development Service, which is part of the Community Services Directorate. Cllr. Sylvia Tidy holds the Health and Public Safety portfolio.

The service is delivered from the Council Offices in Hailsham. Primarily, in this rural district, the service is taken to the public at their place of work or their home. The Council Offices in Hailsham and Crowborough are open 8.30am to 5.00pm each week day and officers will attend at the Crowborough Offices as required or requested. Certain services are available through the Section's web pages, and the new 'Wealden Business Help' web site. Emergency cover through a Duty Officer arrangement is provided seven days a week.

HEAD OF PUBLIC HEALTH AND COMMUNITY DEVELOPMENT

Peter Griggs



PUBLIC PROTECTION MANAGER

Rob Crouch




We aim to ensure our staff have the expertise, knowledge and skills required to deliver our service efficiently and effectively in line with national directives and corporate policies.

All staff must complete continuous professional development (CPD) so they can carry out their duties effectively and in compliance with the mandatory standards of competence set down by our governing bodies and professional institute. A number of our officers have recently achieved Chartered Practitioner status in recognition of their professionalism.

Training needs are constantly reviewed and determined as part of the annual performance appraisal process. Officers must undertake a minimum of 20 hours CPD each year (30 hours for Chartered Practitioners), half of which must be in food safety.

In common with other services our performance is benchmarked against the Investors in People standard. We have the equivalent of 8.72 full time staff to carry out the various functions. This equates to 4.59 for food safety, 4.13 for occupational health and safety. Our administration support, which is shared with Public Health Development and Cultural Services, is the equivalent of 3 officers.

Liaison with Other Organisations

In addition to close working relationships with neighbouring local authorities and the county council, the Council actively supports the following groups:

- Sussex Health and Safety Liaison Group
- Sussex Food Liaison Group
- Sussex CIEH Food Study Group
- Community Health Protection Committee
- East Sussex Public Health Liaison Group
- Sussex CIEH Health Promotion Group
- Federation of Small Businesses
- Joint Action Group (Crime and Disorder)
- Smokefree NHS

Our Response Standards

The maximum response times for dealing with requests for service are as follows:

- response time for emergency complaints 1 day
- response time for routine complaints 7 days



Quality assessment

The Council holds the Investors In People Award.

The Public Health and Community Development Service was also awarded Charter Mark status in recognition of our customer service and care, our work with other agencies and people, and our commitment to providing quality services to those we serve.

The Public Protection Team has participated in county wide inter authority audits for both food and occupational health and safety. Wealden was the best performing authority in the Sussex-wide occupational health and safety audit carried out by an independent HSE Inspector in 2007.

Food safety duties were included in the Council's Best Value Service Reviews in 1999 (pilot) and 2002.

Food and Occupational Health and Safety inspections are subject to in-house audits and peer review.

Equality Statement

Wealden District Council is committed to ensuring that all our services are provided with equality and fairness to everybody.

Monitoring and review

We monitor and review all targets and performance to ensure we meet the high standards everyone expects. For example, we send a customer survey form to 1 in 3 businesses inspected and 1 in 3 infectious diseases investigated.

Last year our customer satisfaction surveys revealed 100% of all businesses inspected thought that our service was good or excellent.

We also seek feedback at Local Business Panel meetings, on new initiatives, and on any issue our customers believe important. We consult with businesses, the public, and our councillors before issuing this Service Plan.

In addition, Wealden is subject to government led audits, such as Best Value in 2001/2 and Comprehensive Performance Assessment in 2003/4.

We also have a complaint system for anyone who is unhappy about the service they receive. All complaints are investigated and monitored in accordance with the Council's Complaints About Service Policy. More details can be found at www.wealden.gov.uk.

We value all feedback as it gives us a chance to view what we do as others see it. This helps us to improve our understanding and working relationships to help us develop and improve so we can better protect the public.

| Food premises, broken down by type, number as follows: | 06/07 | 07/08 | 08/09 |
|---|--------------|--------------|--------------|
| Producers | 22 | 14 | 5 |
| Slaughterhouses (seasonal poultry) | 8 | 7 | 6 |
| Manufacturers/processors | 46 | 50 | 51 |
| Packers | 2 | 3 | 3 |
| Importers/exporters | 2 | 1 | 0 |
| Distributors | 30 | 28 | 26 |
| Retailers | 355 | 356 | 286 |
| Restaurants and Caterers | 939 | 996 | 1,049 |
| Materials and articles | 3 | 1 | 0 |
| Manufacturer/retailer | 3 | 6 | 0 |
| Total | 1,410 | 1,462 | 1,426 |
| Approved Premises | | | |
| Milk Products | 9 | 9 | 8 |
| Meat Products | 2 | 2 | 3 |
| Meat Preparation | 2 | 1 | 2 |
| Fishery Products | 0 | 0 | 2 |
| Egg packers | N/A | N/A | 17 |
| Total | 13 | 12 | 32 |
| Health and safety businesses broken down by type, number as follows: | | | |
| Retail shop | 1,033 | 882 | 1,077 |
| Wholesale shops, warehouses and fuel storage depots | 208 | 178 | 211 |
| Offices | 1,103 | 985 | 1,058 |
| Catering, restaurants, bars | 489 | 490 | 475 |
| Hotels & short stay accommodation | 32 | 75 | 73 |
| Residential care homes | 77 | 68 | 67 |
| Leisure and cultural services | 225 | 269 | 301 |
| Consumer services | 172 | 155 | 158 |
| Other | 180 | 188 | 202 |
| Total | 3,487 | 3,290 | 3,622 |

There are also 1,613 premises where HSE carry out inspections.

Due to programmed inspections, investigations, and smoke free visits, we have updated and improved the accuracy of our database, and will continue to do so each year.

The Council's Enforcement Policy was revised in 2003.

A copy of the full policy is available on the Council's website:

www.wealden.gov.uk/Health_and_Public_Safety/Food_Safety/documents/enf_policy2003.pdf

or upon request, and an abbreviated version in leaflet form is available at Council reception points. The Council has adopted the Government's Enforcement Concordat and its provisions have been implemented and audited in relation to the food safety service.

Resources Available

| | |
|--------------------|----------------|
| Financial | 2008/09 |
| Direct Expenditure | £432,000 |

Cross References

- Framework Agreement on Local Authority Food Law Enforcement
- Health and Safety at Work etc Act Section 18 Guidance
- Wealden Corporate Plan
- Community Services Service Plan

Glossary

| | | |
|------|--|--|
| FSA | Foods Standards Agency | Independent national body that oversees all food safety and labelling issues |
| HSE | Health and Safety Executive | National enforcement agency that covers areas such as railways, mines, docks, factories, agriculture and education |
| HSC | Health and Safety Commission | Independent governing body for all health and safety at work in the UK |
| SFBB | Safer Food Better Business | A written management system for food businesses that was devised by the FSA |
| FIT3 | Fit for work, Fit for Life, Fit for Tomorrow | A targeted national health and safety at work programme that prioritises the activities and issues that cause the most accident, injury and ill health |

Our offices are located at:

Wealden District Council, Council Offices, Vicarage Lane
Hailsham, East Sussex, BN27 2AX.

The office is open to personal callers between 8.30 a.m. and 5.00 p.m.
Monday to Friday. Please make an appointment if you want to be sure
someone is available to see you.

Alternatively you can telephone, fax or e-mail:

Telephone: 01323 443302

Fax: 01323 443320

e-mail: foodandsafety@wealden.gov.uk

websites: www.wealdenbusinesshelp.org.uk

www.wealden.gov.uk

www.wealdencommunitystrategy.org.uk

www.food.gov.uk

www.hse.gov.uk

www.hpa.gov.uk

www.fsb.org.uk

Emergencies

For food, occupational health and safety or infectious disease emergencies
outside normal office hours contact the Council's Emergency Service via
the Lifeline Control Centre, telephone 01323 443322 (24 hour service).

If you, or somebody you know, would like the information contained in this document in large print, Braille, tape/CD; or in another language please contact Wealden District Council on 01323 443322 or info@wealden.gov.uk quoting ref: D&P 122376 10.08

