



**FOOD LAW ENFORCEMENT PLAN 2016 – 2017**  
**(INCLUDING 2015 - 2016 OUTTURN)**

Regulatory Services  
Environment, Culture and Communities Department  
Bracknell Forest Council  
Time Square  
Market Street  
Bracknell  
RG12 9JD

Tel: 01344 352000

Fax: 01344 351141

Email: [environmental.health@bracknell-forest.gov.uk](mailto:environmental.health@bracknell-forest.gov.uk)

## **PART 1 – THE PLAN FOR 2016 - 2017**

### **1. Introduction**

#### **Our Vision**

The annual Food Law Enforcement Plan is designed to work within the Bracknell Forest Council Plan 2015-2019<sup>1</sup> and contribute towards the Council's Strategic Themes. Collectively the 6 identified Themes form the Council's Vision of how we want the Borough to be:

- Value for money
- A strong and resilient economy
- People have the life skills and education opportunities they need to thrive
- People live active and healthy lifestyles
- A clean, green, growing and sustainable place
- Strong, safe and self-reliant communities

The food work that we do primarily falls within the scope of the Themes 'strong, safe and self-reliant communities' and 'strong and resilient economy'. More specifically the key measures of success of 'low levels of crime and anti-social behaviour throughout the Borough' and 'businesses are supported and encouraged to play an active role in the community' provide the main focus of our work. The plan itself provides a golden thread for each service priority identified, to enable it to be traced directly up to our Themes.

Our Food Law Enforcement Plan aims to ensure a graduated approach based on risk to public health. It reaffirms our commitment to carry out our duties in an open and fair manner that protects the public and supports business and economic development. In doing so, at its core sits five basic principles:

- Targeting – taking a risk based approach
- Proportionality – only intervening where necessary
- Accountability – able to explain and justify service levels and decisions
- Consistency – apply standards consistently to all
- Transparency – open and user-friendly

We recognise that most businesses want to comply with the law; therefore we want to support and enable businesses to meet their legal duties, providing a level playing field without unnecessary expense. However, firm action, including prosecution, will be taken where appropriate in accordance with the national Regulators Code, Food Standards Agency (FSA) guidance and our Enforcement Policy.

This Food Law Enforcement Plan sets out the actions we are taking to promote food safety and food standards for the benefit of local consumers and those who produce and sell food within our Borough.

The Council is responsible for food hygiene and standards under The Food Safety Act 1990, The European Communities Act 1972 and the associated Regulations. We advise on and enforce food safety in **1340** premises including restaurants, cafés, takeaways, public houses, shops and hotels. The FSA Framework Agreement shapes the work of all local authorities in relation to food safety and standards and the FSA audit local authorities on their food law enforcement activities.

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<sup>1</sup> Bracknell Forest Council Plan 2015 – 2019. Available at: <http://www.bracknell-forest.gov.uk/council-plan-2015-to-2019.pdf>

Bracknell Forest Council's Food Law Enforcement Plan contains details of:

- what we plan to do this year,
- how we intend to do it, and
- the work we have completed in the previous year

Our key priorities are to:

- promote food safety
- protect consumers from unsafe food and food fraud
- work with and support local food businesses
- reduce unnecessary interactions with businesses that consistently meet requirements
- encourage awareness of healthy food choices

Whilst this plan specifically deals with the forthcoming financial year of 2016-17, it takes place within the context of the wider agenda and the longer term view. The plan directly links the food law service areas with the identified Regulatory Service Priorities<sup>2</sup>. It is reviewed annually and additionally includes details of the previous year's performance; the 2015-16 outturn.

## 2. The National Context to this Plan

In addition to directly linking to other internal Bracknell Forest plans, this food law plan is influenced by the national agenda.

Specific issues that have, and will continue, to impact on the direction of our work include:

### a) Food Standards Agency Guidance

The Food Standards Agency is the central Government body responsible for overseeing our food safety and standards work. All Local Authorities must undertake their food functions mindful of the national Code of Practice, associated guidance and the Framework agreement. Together these provide extensive guidance which guides and shapes our service provision.

### c) Reducing the Burden on Business



There is a strong drive from Central Government to reduce the burden upon business and not to undertake inspection or enforcement activities without a specific reason. As an enforcing authority we fully support this view.

The Regulatory Delivery Office (BRO; previously BRDO) developed national Priority Regulatory Outcomes<sup>3</sup>, which provide a focal point for all of our regulatory work, including food safety and food standards. This food law plan directly links the food safety and food standards service areas with these Priority Outcomes.

<sup>2</sup> Details of the Regulatory Service Priorities are provided on page 21

<sup>3</sup> The National BRO Priority Regulatory Outcomes are detailed on page 20

**d) Primary Authority Partnerships**

The concept of Primary Authority was formalised under the Regulatory Enforcement and Sanctions Act 2008. Under this legally recognised scheme (overseen by the BRO), any business operating across more than one Local Authority can form a legally recognised partnership, effectively creating a focus for consistent advice. It is the gateway to simpler, more successful local regulation, and previous changes to the scheme has meant a significant expansion to the range of businesses that can participate, to now include so-called 'Co-ordinated Partnerships', such as franchise operations, trade associations and other business groups.

We offer Primary Authority partnerships to businesses wishing to take advantage of the scheme and have an established partnership with Waitrose Ltd. The impact of partnerships can be huge. A Primary Authority can issue formal advice to its partner business that applies throughout England & Wales regardless of where the outlets are based, and officers must take into account any such guidance or inspection plan. Primary Authority gives business the confidence to expand and grow, knowing that any such regulatory advice they receive is binding on other Local Authorities.

Inspection plans produced under the scheme have a strong status in law and any proposed deviations must be notified to the Primary Authority. The scheme covers a wide variety of subject areas, now also including Under Age Sales, gambling and sunbeds. All of our food safety work is undertaken in accordance with the scheme and mindful of any existing partnerships that businesses may have.

**e) E coli and emerging risks**

Following 2 very serious outbreaks of food poisoning associated with E coli, which resulted in several deaths, the systems in place to help control this organism were reviewed by Professor Hugh Pennington. Following the publication of his second report, the FSA produced detailed guidance to Local Authorities and business on the steps that need to be taken to control this bacterium during food production. The 'E coli guidance' as it is known was first published in 2011 and revised in late 2014, placing significant emphasis on the implementation of strict procedures to prevent contamination of ready-to-eat foods with this potentially lethal bacteria. Focus has continued and has become a key aspect of our inspection and sampling work.

Further information is available at:

<http://www.food.gov.uk/business-industry/guidancenotes/hygguid/ecoliguide>

**f) Public Health Agenda**

The food activities we undertake contribute significantly to the Public Health agenda, as we work to prevent illness, protect consumers and promote healthier lifestyles.

Further details are available at:

<http://www.local.gov.uk/public-health>

<https://www.gov.uk/government/organisations/public-health-england>

**g) Food Hygiene Ratings Scheme**

Since 2008 Bracknell forest Council has published a food hygiene assessment following each routine inspection. Initially this was via an independent website, with information moved to the FSA's 'Food Hygiene Ratings' (FHRS) site once it was established. This FHRS website currently displays food hygiene ratings for all but 1 Local Authority in England and the site allows customers to choose where to eat based on the hygiene ratings of premises.

All relevant food operations have their hygiene ratings displayed on the FHRs website, and in Wales the display of the FHRs sticker is compulsory. Whilst there are no imminent legislative proposals for England to go down the compulsory display route, this is very much a stated aspiration of the FSA.

This information is increasingly used by both customers and businesses when making choices on where to eat out and how they perform against competitors. The FSA is also increasingly using this data to assess the work of Food Teams and to gain a more time sensitive picture of the standards within the area. Further details are available at: <http://ratings.food.gov.uk/>

#### **h) Food Fraud and Food Crime**

Food fraud is committed when food is deliberately placed on the market, for financial gain, with the intention of deceiving the consumer. When food fraud is complex and well organised, the term Food Crime is frequently used to differentiate it from the smaller scale pattern that can also be seen. Although there are many kinds the two main types are:

- the sale of food which is unfit and potentially harmful, such as the recycling of non-compliant animal by-products back into the food chain.
- the deliberate mis-description of food, such as the substitution of ingredients with cheaper alternatives or making false claims about a food's provenance.

In order to help tackle food crime more effectively, the Food Standards Agency set up the National Food Crime Unit following the 'Horsemeat' scandal. The Unit recently published its first report on the state of Food Crime within the UK<sup>4</sup> and the impact of future actions will subsequently be measured against this baseline report.

This authority undertakes investigations regarding such matters. In recent years the prevalence of this form of crime has become more widespread particularly in the area of counterfeit and potentially unsafe alcohol. This authority continues to focus enforcement work in relation to these matters.

#### **i) Animal Feeding Stuff**

The focus of the Food Standards Agency has always been on verifying the safety of food from farm to fork. As part of this the service undertakes inspections regarding both food and feed hygiene at farm level. This year we will again be undertaking some additional Food Standards Agency funded sampling of feedstuffs.

### **3. The Local Context**

Within Bracknell Forest Council, the food safety and standards functions are located within Regulatory Services; within the Environment and Public Protection Division of Environment, Culture and Communities<sup>5</sup>. The work is carried out by the Food Team, which is made up of both Environmental Health and Trading Standards Officers from the Business and Consumer Team, and involves not only food hygiene and standards, but additionally animal feed standards work. The food hygiene aspects of this plan are managed by the Food & Safety Team Leader (Karen O'Connor), and the food and feed standards aspects by the Business and Consumer Team Manager (John Nash).

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<sup>4</sup> FSA Food Crime: Annual Statement; A 2016 Baseline. Available at:

<https://www.food.gov.uk/sites/default/files/fsa-food-crime-assessment-2016.pdf>

<sup>5</sup> Further details are available at: <http://www.bracknell-forest.gov.uk/environmentcultureandcommunities>

Whilst much of our overall work is guided by the national context, it is refined and shaped locally as we take into account local intelligence and available information. This includes specific local knowledge of the nature and type of businesses within Bracknell Forest, and by utilising data sources such as complaints received, inspection data and the Food Hygiene Ratings Scheme scores. By utilising such local sources of information, taking into account the national context, we are able to prioritise our work to ensure best effect with the resources available to us. For example we have specifically targeted those operations with the lowest FHRS scores to provide additional voluntary advice, guidance and education to help get to the root causes of their poor ratings. Although this can be time intensive, this has yielded some significant results.

We continue to support the Catering for Health Award Scheme to encourage businesses to provide healthier alternatives. Food businesses are assessed for this award at routine inspections. This ensures that the importance of healthy eating is encouraged and recognised. Details of the Award winners are published on the Council website at: <http://www.bracknell-forest.gov.uk/current-catering-for-health-award-holders.pdf>

#### 4. The Food Premises within Bracknell Forest

Within Bracknell Forest there are currently **1340** premises that fall within the remit of the relevant food legislation. This is an increase of 138 (11%) in new food premises during 2015 which clearly demonstrates the continued economic regeneration of Bracknell Forest. With the new town centre coming on line in 2017 and the business growth which is already evident in neighbouring streets, it is also clear that the number of premises that will require monitoring by officers will increase again in 2017. Whilst some may undertake very little actual food handling (e.g. importers, village halls, etc.), many premises such as takeaways regularly handle food. In summary, relevant food premises within Bracknell Forest fall into a number of categories:

Restaurants and other caterers (e.g. café, canteen, etc.)	1089
Retailers (e.g. supermarket, local shop, etc.)	183
Distributors	7
Manufacturers and packers	3
Importers or exporters	6
Primary producers	52
<b>Total</b>	<b>1340</b>

In comparison with some other districts, Bracknell Forest has low numbers of manufacturers and primary producers, and higher proportions of catering premises. There are also limited numbers of seasonal businesses and we have a small number of premises that are directly operated by Bracknell Forest Council. In order to ensure a consistent approach we remove any potential conflict of interest by locating any Council operated food activities within completely separate divisions.

Under current national requirements most food operations need to either 'register' their premises, or alternatively may need 'Approval' if they for example manufacture meat-based foods. Whilst we do not currently have any specific premises that require 'Approval', we provide relevant advice to businesses on when they need to do this. Further guidance is on our website at: <http://www.bracknell-forest.gov.uk/registrationfoodbusinesses>

The visits we make to our businesses may be for a variety of reasons, including a routine inspection, complaint, request for assistance or a revisit to ensure earlier identified short-falls have been addressed. Whilst officers generally visit during office hours, this is very dependant upon the operating times of a business. Our flexible working arrangements mean that officers undertake visits both on evenings and over weekend periods in

response to when businesses actually operate. We take into account the national Code of Practice and associated guidance when deciding on the types and frequency of our visits.

In addition to routine inspection visits, we also prioritise our available resources and undertake alternative enforcement activities. These apply to the lowest risk businesses and may be in the form of a self-assessment questionnaire or a visit by a less experienced officer reporting back to fully qualified officers. When such alternative methods are used, any significant problems or concerns identified will always be investigated by fully qualified and competent officers, including a full inspection if appropriate. By taking such alternative approaches we are able to focus our resources towards those higher risk operations, maximising the impact that available officer time can make on protecting the public.

## 5. Resources

Our primary resources are our staff. There are currently 3 full-time equivalent qualified Environmental Health Officers and 1.5 full-time equivalent Trading Standards Officers who perform aspects of food law enforcement. In total 10 officer posts are involved in issues relating to aspects of Food safety enforcement as part of their day-to-day duties, consisting of:

- 1 x Team Manager
- 1 x Team Leader
- 4 x Environmental Health Officers
- 2.5 x Trading Standards Officers
- 1.5 x Trading Standards Enforcement Officers

The Food & Safety Team officers spend 60% of their time on food hygiene related matters. Additionally Trading Standards staff allocate approximately 30% of their time. The total cost of the food service for 2016/17 is estimated to be £221,500.

In addition to the work detailed elsewhere in this Plan, officers within the Food Team represent Bracknell Forest on relevant regional bodies with the aim of sharing good practice, benchmarking and achieving value for money. For example, we are members of the Trading Standards South East Limited (TSSEL) Food Group which seeks to identify and develop good practice procedures to help enhance the quality and consistency of service provision. We are also members of the Berkshire Food Liaison group with a key function of co-ordinating the food safety enforcement function towards a consistent overall approach across the county. Relevant documents and guidance are reviewed and implementation methods across the County discussed and compared. This group additionally also undertakes specific county wide inter-authority audits on an occasional basis, and whilst the topic is yet to be decided, plan in 2016/17 to undertake a desk-top comparison. Such activities aim to both improve regulatory service provision while maximising the effective use of local authority resources.

Officers can be contacted through our Customer Service Centre on 01344 352000 which is open from **8.30am - 5.00pm Monday to Friday**. Whilst officers are based at the Time Square offices on Market Street, Bracknell, officers are not generally office based and messages may well have to be left. Alternatively they can be emailed at [regulatory.services@bracknell-forest.gov.uk](mailto:regulatory.services@bracknell-forest.gov.uk)

## 6. Departures from the Plan

Departures from the Food Law Enforcement Plan, reported through Departmental Management Team, will inevitably occur due to the reactive nature of some of the areas of

work. However, departures will be kept to a minimum, capable of justification and be fully considered by the Head of Regulatory Services before varying action is taken.

Whilst generally we adhere to all national requirements, due to the large number of low risk businesses within the district (e.g. child-minders and home bakers), we no longer routinely undertake an initial full inspection of such low risk operations. Instead we undertake a desk-top rating based on information about the activities, as we use our resources to best effect with higher risk operations. We additionally do not always therefore keep to the standard 28 day deadline for first inspections of such lower risk businesses. These departures are in accordance with our Enforcement Policy and enable us to use our local intelligence to more effectively target our resources.

## 7. Customer Feedback and Quality Monitoring

Procedures are in place to scrutinise all the work that is undertaken by the Food Team. Our quality monitoring includes detailed practice notes, checks on data entry and officer consistency. We additionally invite customer feedback, and during 2014-15 we introduced a web-based survey for all regulatory services customers, both businesses and the general public. Whilst response numbers are small, of those answering, all responders confirmed the contact was helpful and information provided was easy to understand. Additionally, no formal complaints were received regarding the food service during 2015/16.

We further monitor our performance against targets on a monthly basis via internal Key Performance Indicators (KPIs) which include both numbers of inspections, visits, etc. We monitor outcome based targets such as Food Hygiene Ratings, in addition to the output targets that the FSA measure us against (numbers of inspections). Quarterly we additionally report on our performance via the Departmental Quarterly Monitoring Indicators and Key Actions. As of 21 June 2016, over 86% of our relevant food businesses received an FHRS score of 4 or 5; comparable to last year.

All such monitoring and performance information is fed back into the development of future food and other service plans.

## 8. Staff Development

We aim to make full use of the skills that exist in the Food Team and to develop those skills through updates, shadowed working and internal and external training. A record of continuous development is maintained for all officers, with all food officers supported to maintain a minimum of 10 hours relevant food training per year, in accordance with the Food Standards Agencies requirements.

## 9. Our Performance Outturn for 2015-16

In producing our Food Law Enforcement Plan each year we reflect on the previous years activities. This process provides the opportunity to identify what went well and what went less well, and identify trends or key areas for focus moving forward. The food law enforcement activity undertaken during 2015/16 is detailed on pages 11 to 16, although in summary we:

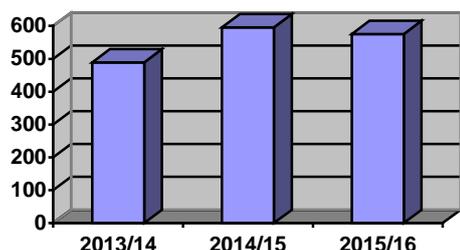
- Physically inspected **575** food businesses, carried out **480** other related visits and reviewed self-assessment questionnaires returned from **258** low risk premises,
- Dealt with **816** enquiries and complaints, of which **419** related to food and **397** related to food premises,

## Unrestricted

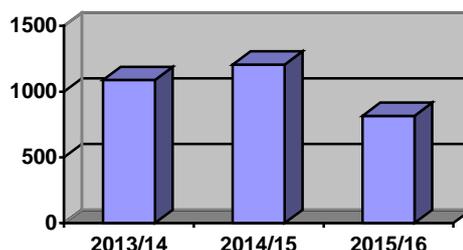
- Issued written notifications on how businesses can comply with the law to **376** businesses, of which **12** were formal Notices,
- Undertook **132** food samples,
- Provided **206** hours of support to our Primary Authority Partners in relation to food matters,
- Undertook a proactive educational project to target those businesses needing to make significant improvements to food hygiene,
- Undertook a proactive project to review FHRs score display in low scoring premises; ensuring any information provided is accurate and current.

This activity is compared with previous years:

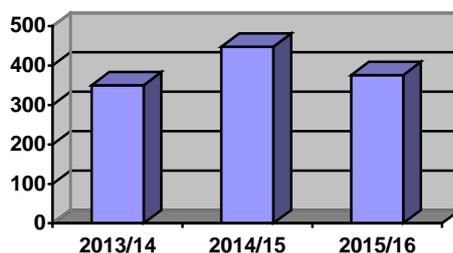
**Inspections**



**Complaints and Enquiries**



**Notifications for Non-Compliance**



## 10. Our Food Law Enforcement Plan for 2016-17

Details of planned activities for 2016-17 begin on page 17. However, in summary we plan to undertake the following:

- inspecting food premises on the basis of risk
- inspect 446 food businesses and provide self-assessment questionnaires to 272 low-risk premises,
- targeting sampling of food to ensure that it is safe to eat. Although not yet finalised, our planned sampling activity has been identified by research and intelligence and will be used to identify areas of potential problems and higher risk, and is likely to include:

### **Food Hygiene:**

- Cooked rice from takeaway premises
- Condiment sauces from takeaways in reusable bottles
- Swabbing of food surfaces in catering premises
- Listeria in food and food preparation areas
- Reactive ATP swabbing of contact surfaces in food businesses

### **Food Standards:**

- GMO in imported foods
- Claims relating to natural sweeteners
- Food supplements

- Meat substitution
- investigating complaints and concerns over food safety, including work with other authorities within Berkshire and the South East on issues that cross Local Authority boundaries and affect Bracknell Forest residents.
- providing advice, information and training, including:
  - extending our Primary Authority Partnership arrangements
  - providing advice and guidance on the Safer Food Better business pack to help businesses achieve compliance with legal requirements
  - supporting Food Safety week
  - ensuring the information on our website is up to date and accurate
- recognising and rewarding high standards of food safety through Award Schemes
  - continue to support the Food Standards Agency Food Hygiene Rating Scheme
  - continue to promote the Catering for Health Award
- consulting our customers and seeking feedback on the quality of our service.

## 11. Concluding Information

This plan is reviewed every year and we welcome your comments and suggestions on how it could be improved further. If you would like further information or would like to speak to an officer for advice, please contact them via any of the following options:

Regulatory Services  
Environment, Culture & Communities Department  
Bracknell Forest Borough Council  
Time Square  
Market Street  
Bracknell, RG12 1JD  
Tel: 01344 352000  
Fax: 01344 351141  
Email: [regulatory.services@bracknell-forest.gov.uk](mailto:regulatory.services@bracknell-forest.gov.uk)  
Or look on our website at <http://www.bracknell-forest.gov.uk/business>

Additionally useful information is available at the following websites:

Food Hygiene Rating Scheme (FHRS)  
<http://ratings.food.gov.uk/>

Food Standards Agency (FSA)  
<http://www.foodstandards.gov.uk/>

Safer Food, Better Business  
<http://www.food.gov.uk/foodindustry/regulation/hyqleg/hyqlegresources/sfbb/>

Department of Environment, Food & Rural Affairs (DEFRA)  
<http://www.defra.gov.uk/>

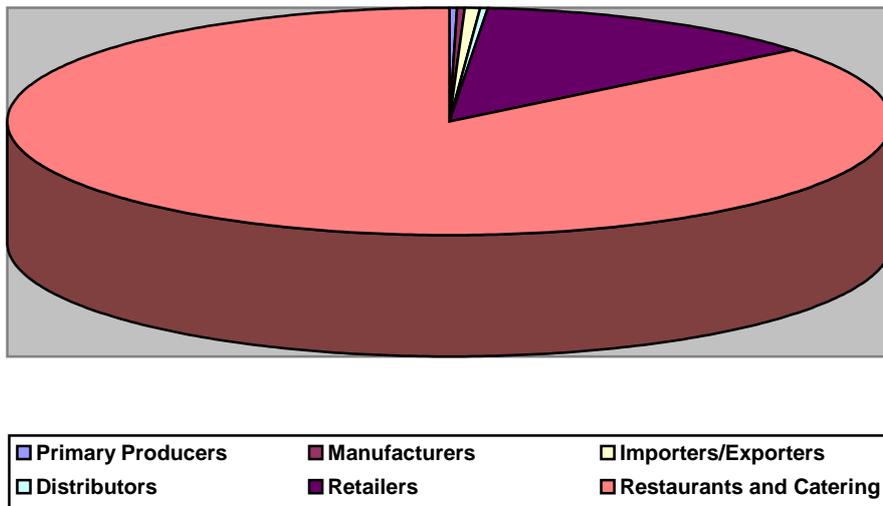
European Food Safety Authority  
<http://www.efsa.europa.eu/>

## PART 2 – Food Enforcement Plan Out-Turn 2015 – 2016

A summary of this Out-turn is provided under Section 9 above, with more detail below:

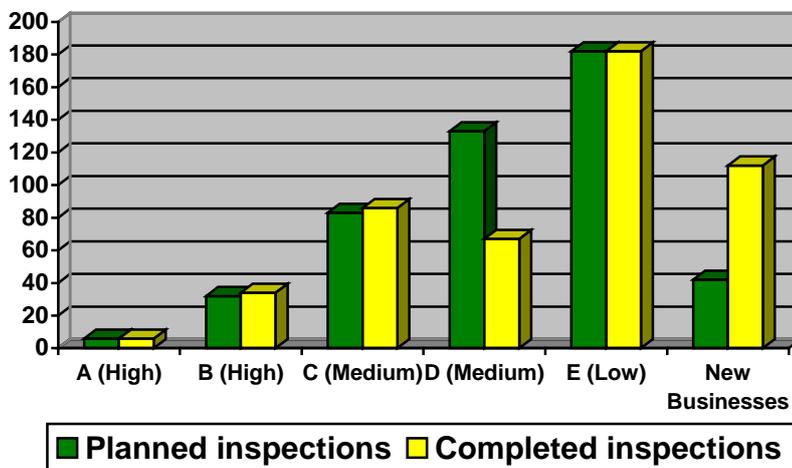
### 1. Inspections and Other Interventions

The chart shows the proportion and type of food businesses that were inspected by the Food Team during 2015/16.



All local authorities have a legal duty to inspect food businesses with a frequency based upon risk, so that our resources are directed to best effect. In 2015/16 officers completed a combined total of **833** inspections overall; including both physical inspections and via the use of self-assessment questionnaires. The individual breakdown for Food Hygiene and Food Standards Inspections is illustrated in the sections 2 and 3 below.

### 2. Environmental Health - Food Hygiene Inspections for 2015/16

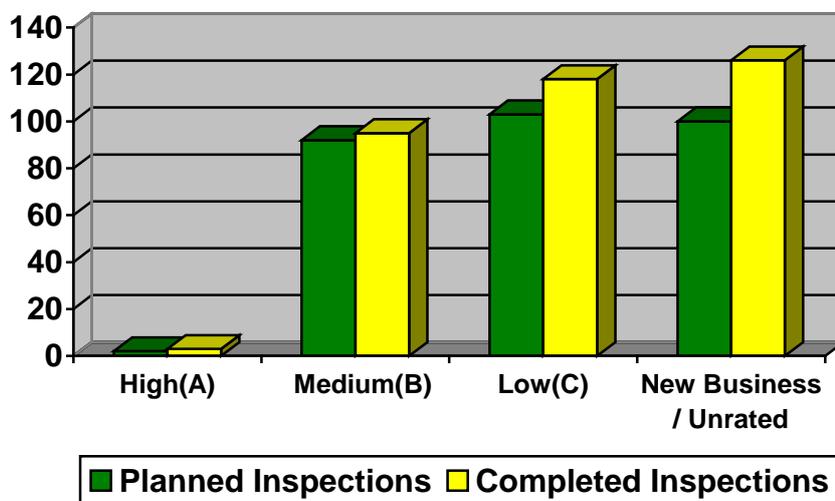


A total of **487** premises received a food hygiene inspection during 2015/16, of which **325** were full inspections and a further **162** lower risk premises were assessed via questionnaire. Environmental Health Officer time was focused on premises in risk order, with all high risk being completed within deadlines and C rated medium risk prioritised next. With some staff absences during 2015/16 it was the D rated premises that were the lower priority and so were not all completed. In contrast the lowest risk (E rated) were completed as they were undertaken by separate non-food qualified officers; although subsequently reviewed by fully competent officers. This was in accordance with national guidance from the Food Standards Agency.

In addition, **397** reactive visits were undertaken during 2015/16 in response to enquires or complaints. These comprised of:

- **125** advisory visits
- **90** revisits to follow up on issues of non-compliance
- **43** visits in response to specific complaints received
- **12** visits following requests to rescore a businesses Food Hygiene Rating
- **26** sampling visits
- The remaining **101** visits were made up of visits where the business was identified as closed or not trading at that time (**34**), to assess businesses for the Catering for Health award (**1**) and visits by other officers to gather intelligence on the food operation (**66**).

### 3. Trading Standards - Food Standards Inspections for 2015/16



High, medium and low risk premises are defined as those visited at least once every 12, 24 and 60 months respectively. Overall the level of inspection was higher than anticipated this was due to a number of inspections being undertaken slightly early to coincide with non-food inspections and hence reduce the burden on business.

### 4. Sampling

We routinely sample food produced and offered for sale in the Borough to check quality and safety. In 2015/16 we sent **132** samples for examination or analysis, of which **22** were found to be unsatisfactory, and which resulted in follow-up action. The remaining results were satisfactory.

Last year our surveys looked at a range of issues, as detailed over the page:

### **Sampling 2015/16 for Food Hygiene - Summary of Findings**

Salads from takeaways and self-serve counters - This national study involved sampling 9 different types of salad from 4 premises. 8 were satisfactory with one borderline for E.coli, with advice regarding washing of salads provided to the caterer in question.

Sandwich & Jacket Potato Fillings in Catering & Retail Premises - This national study involved taking samples of sandwich and jacket potato fillings from a range of premises (including retailers, caterers and restaurants). A total of 7 samples from 5 premises were taken at premises participating in the 'raising food hygiene standards in food premises' project, including schools and caterers. 3 of the foods sampled were satisfactory and three were borderline for Enterobacterias. Relevant advice regarding cleaning/hand washing was given to the premises with borderline results.

Cream based cakes and patisseries in smaller retailers - This regional project was undertaken to determine the levels of hygiene indicators & presence of pathogens within high-risk cakes. 4 samples were taken from 3 small independent caterers where high-risk cakes were sold un-wrapped. All 4 samples were found to be satisfactory.

Complex Equipment used for Ready to Eat Foods - This regional project was undertaken to evaluate the effectiveness of cleaning complex equipment which can be difficult to clean properly. 12 swabs of meat slicers were taken in total from 4 premises, with 3 of the premises chosen being schools taking part in the 'raising food hygiene standards in food premises' project. 2 swabs were borderline for Aerobic Colony Counts and information, advice and coaching was provided for those relevant schools.

Raising Food Hygiene Standards in Food Premises - This local project included both food and environmental sampling (e.g. cloths and swabs) from participating premises. The majority of sampling undertaken is detailed above as where possible this was incorporated into the regular sampling studies. Information, advice and coaching was provided to business regarding all borderline and unsatisfactory results found.

### **Sampling 2016/17 for Food Standards - Summary of Findings**

Sampling undertaken:

#### Fish Species

This was a local project which was conducted to determine whether the descriptions applied to fish was correct. 5 samples were purchased. A DNA test was carried out to determine species and all were found to have the correct description.

#### Soft Drinks

This was a local project which was conducted to determine the sugar content, additives and artificial sweetener levels. 5 samples of citric drinks were purchased. From the 5 samples 3 failed and 2 samples passed. The failures were regarding incorrect wording in ingredients lists, information provided on the front of the pack was not in the prescribed format and orange lettering on an orange background was deemed not to be clearly legible. This information was referred to the local Trading Standards to deal with by way of the Home Authority principle.

#### Durum Wheat Products

This was a local project which was conducted to determine the authenticity of durum wheat. 5 samples were purchased. From the 5 samples submitted 4 passed and 1 failed.

The failure was as a result of nutritional declaration was not presented in the prescribed format This information was referred to the local Trading Standards to deal with by way of the Home Authority principle

#### Olive Oil

This was a local project which was conducted to determine the authenticity of olive oil, specifically Spanish and Italian olive oil. 8 samples were purchased. All 8 samples were found to be correctly labelled.

#### Imported Foods

##### Prepacked and labelled as “free from gluten” products

This was a national project which was conducted to determine whether pre-packed foods imported into the UK or UK produced did not contain any gluten. A total of 4 samples were purchased, 2 passed and 2 failed. The first failure was due to the allergenic ingredients was displayed in the old format and numerous other labelling errors not related to the gluten content of the product. The other failure was as a result of the sample containing gluten 2.5 times over the maximum level. This information was referred to the local Trading Standards to deal with by way of the Home Authority principle.

##### “Free Range and Organic Eggs

This was a national project which was conducted to determine whether hen eggs produced in the UK which claimed to be “Free Range” & “Organic Eggs” was correct. A total of 10 boxes of eggs were purchased and tested for dioxins, furans, and PCBS. All 10 samples were found to be correct.

#### Speciality Meats & Spices

This was a local project which was conducted to determine whether speciality meats, cheese, milk and spices had the correct speciation, were not contaminated or had any adulteration. 2 speciality meats, 5 speciality cheeses/milks and 6 spice samples were purchased. A sample of buffalo burger failed due to only containing 22.2% buffalo. Unfortunately obtaining a further sample was impossible and the matter was passed for further investigation to the local Trading Standards for the manufacturer. All of the other samples passed.

#### Waxed Fruit

This was a local project which was conducted to determine whether fruit glazed with wax had the banned additive morpholine. A total of 5 samples purchased, which included nectarines, pears, cherries, apples and plums. All samples were found not to have the additive morpholine.

#### Other sampling

##### Candy Floss

The sample was tested for colouring/food additive content. The regulation permits the use of E122 Carmoisine up to maximum levels of 50mg. This sample was in excess of this maximum limit by 14%. This information was referred to the local Trading Standards to deal with by way of the Home Authority principle

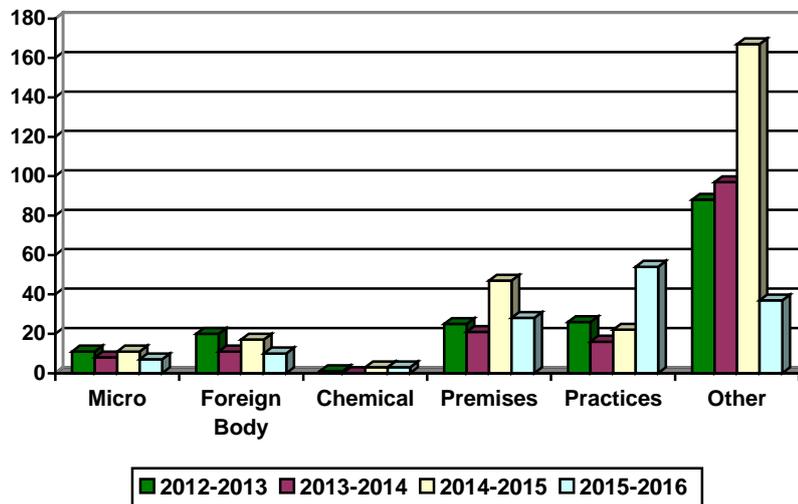
#### Special Fried Rice

As a result of routine inspections a decision was taken to carry out 2 formal samples of special fried rice at two local Chinese takeaways. The visits were announced and the manager informed that a formal sample of special fried rice would be purchased to test for allergen content namely “peanut”. The samples were both analysed for the presence of peanuts which was detected at levels indicative of accidental contamination. The premises were visited and corrective action suggested to the business.

## 5. Enquiries and Complaint Investigations

The Food Team receive various enquiries from not only existing businesses, those considering setting up a food business and other organisations. We additionally also continue to receive consumer complaints. These include issues such as dirty food premises, poor food hygiene practices, contaminated food products, labelling, composition and out of date food. In 2015/16 we handled **675** enquiries and dealt with **141** such complaints. We investigate all such complaints and provide advice or take enforcement action as appropriate.

The table below shows the number of complaints in these categories dealt with by the Food Team in 2015/16.



## 6. Bracknell Forest Borough Council Primary Authority Work

We continue to devote resources to working with Bracknell-based food businesses, dealing with **15** formal referrals from around the country involving local businesses and handling **77** requests for advice on food matters from our partner businesses.

## 7. Food Safety Incidents

Food Alerts, such as warnings for removal of particular products from sale or use, are issued by the FSA. The Food Team respond to the Alerts taking whatever action is needed. In 2015/16 we received **514** Alerts, **4** of which were for 'action' with the remainder being for 'information'. Alerts that we responded to included: food from unapproved establishments and imported foods not complying with EU standards.

## 8. Food Poisoning; Infectious Disease Notifications

An important part of our work is the investigation of infectious diseases, including food poisoning, to locate potential sources and prevent the spread of infection. In 2015/16 we dealt with **272** notifications of infectious diseases. The gastrointestinal infection

Campylobacter accounted for over 65% of the notifications, Giardia for about 11%, Salmonella for about 9% and E coli for approximately 4%.

## **9. Training and Information**

Education and information are an important part of our enforcement activity. We assist and support local businesses to obtain the Level 2 Award in Food Safety in Catering training for food handlers where appropriate. Unfortunately, due to a reduced demand in 2015/16, no courses were provided in 2015/16 by the Food Team and so it has been decided to cease routinely offering this course. We do however support and direct enquiries to colleagues in Learning and Development who continue to offer this service.

We continue to utilise a system developed by the Food Standards Agency called 'Safer Food Better Business' (SFBB) to help small food business operators draw up food safety management systems specific to their own food activities. Where appropriate, advice and guidance is provided at every routine food hygiene visit and we respond to all enquiries received.

## **10. Food Hygiene Rating Scheme and Catering for Health**

In 2015/16 we continued to support the Food Standards Agency Food Hygiene Ratings Scheme (FHRS), which aims to make both consumers and businesses aware of the hygiene standards at food premises. We have seen increased levels of requests for re-score visits as both businesses and consumers become more aware of the scheme. In 2015/16 we dealt with 45 enquiries, considered 34 formal requests for a re-score and undertook 12 re-score visits.

We undertook a local project to provide detailed support and guidance to our lower performing businesses with the aim to increase their FHRS scores. This was partially funded by Public Health and involved 20 of those businesses that perform worst for their sector, and may impact upon either children or visitors to the Borough. Businesses participated on a voluntary basis and were given several coaching sessions on specific aspects that needed improvements, including hand washing, cross contamination control, management systems and cleaning. 80% of participants improved their rating, with 85% of them now classed as broadly compliant with and FHRS of 3 or higher.

We additionally undertook a local project to assess FHRS sticker display at low rated premises because a previous study (funded by the FSA) suggested some lower performing businesses were displaying higher levels than they actually had. The results for 2015/16 indicated no repeated issues and any displayed stickers were correct.

During 2015/16 we continued to provide the Catering for Health award. A total of 20 food businesses within Bracknell Forest Borough currently hold this award, and this information is publicised on our website at: <http://www.bracknell-forest.gov.uk/foodsafetyinspection> However, this is no longer in partnership with the Public Health Dietician within Berkshire Healthcare Foundation NHS Trust as they ceased support due to financial constraints.

## **11. Enforcement Action**

We have adopted a broad and comprehensive set of measures to protect consumers and promote food safety, and actively work with local business to achieve a balanced approach. Any enforcement action taken by the Food Team is graduated, proportionate and in accordance with the Council's Enforcement Policy. A full copy of the policy can be found on our website: <http://www.bracknell-forest.gov.uk/enforcement-policy.pdf>.

## Unrestricted

In 2015/16 the Food Team issued **376** written notifications of non-compliance with legal requirements, of which **12** were Formal Improvement Notices. No additional formal actions were necessary regarding food matters; in line with our staged enforcement approach outline in the Enforcement Policy.

The enforcement action taken in relation to food safety and standards for recent years is shown below:

<b>ENFORCEMENT ACTION</b>	<b>2010/11</b>	<b>2011/12</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>
Informal improvement notices	270	315	375	392	440	364
Formal notices	14	16	11	5	7	12
Prosecutions	0	1	0	0	0	0
Immediate Prohibition Notices	0	0	0	0	0	0
Voluntary Closure	0	0	2	1	1	0
Simple Cautions	0	2	1	0	0	0
<b>TOTAL</b>	<b>284</b>	<b>334</b>	<b>389</b>	<b>398</b>	<b>448</b>	<b>376</b>

## 12. Staff Development

A record of continuous development is maintained for all Officers. The following food related courses were attended during 2015/6:

FHRS National Consistency Exercise  
Reducing the Risks of E coli in Small and Medium Businesses  
Vacuum Packing and Modified Atmosphere Packing of Food  
FSA E coli Guidance Implementation

Division: Environment and Public Protection  
Section: Regulatory Services  
Team: Food Law Enforcement

National Priority	BFC Theme	BFC Key Measure	Regulatory Services Priority	Service Priority	Service Action	Outcome Measure	Priority
<b>Protecting Consumers, Supporting Business</b>							
				<b>Food Safety</b>			
4	6	3	4	To maintain and deliver a comprehensive Food Law Enforcement Plan.	To adopt an annual Food Law Enforcement Plan, ensuring programmed interventions are risk based.	Adoption of plan by Lead Councillor and then full Council.	High
1	1	1	4	Develop an integrated approach across Regulatory Services to maximise resources and reduce burden on compliant businesses.	Where practicable, ensure programmed interventions are integrated and local intelligence is utilised across Teams.	Low risk interventions facilitated by alternative Teams, combining inspections and reducing overall number of visits to business.	Med
1 & 5	1	1	1 & 4	Ensure consistency in the delivery of local regulation, mindful of the economic climate.	Liaise with primary authorities and existing home and lead authorities to ensure that inspection and enforcement action reflects the advice given. Respond to requests for advice and assistance from all Primary and Home Authority Partners and other Local Authorities in order to promote consistency in actions between Authorities, reducing the regulatory burden on businesses.	Liaise with any relevant Primary Authority or Home Authority where formal action is considered.  Respond to 95% requests from our Primary Authority partners within 5 working days	Med  Med

Division: Environment and Public Protection  
Section: Regulatory Services  
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National Priority	BFC Theme	BFC Key Measure	Regulatory Services Priority	Service Priority	Service Action	Outcome Measure	Priority
1	2 4 6	6 5 3	1, 2 & 4	To seek to ensure all local food businesses are operating as safely as practicable and are seeking to comply with all relevant legislation.	Undertake a risk-based and targeted food safety programme relevant to local food outlets and mindful of FSA requirements. Note: FSA requirements are 100% of all risk categories, and 100% inspection of all new operations within 28 days. Note: to include duty of care inspections – waste enforcement.	Programmed interventions: 100% high risk within 28 days - A & B 75% medium risk within financial year – C & D rated 50% low risk within financial year – E 100% first inspection where risk category likely to be A to D within financial year. Alternative interventions where risk likely to be E. 100% revisits where required by FSA or where initial visit confirms notable risk to public health.	High High  Med High  Low  High
5	2 6	6 3	1 & 4	Investigation of food premises and food-related complaints and requests for service.	Respond and investigate in accordance with agreed Corporate timescales and national guidance.	95% requests responded to within 5 working days.	Med
5	2 4 6	6 5 3	1 & 4	Investigation of alleged food poisoning including those not relating to food premises.	Respond and investigate in accordance with agreed Corporate timescales and national guidance.	95% requests responded to within 5 working days.	High
5	2 6	6 3	1 & 4	To respond to all categories of food hazard warnings in accordance with statutory requirements linking responses between EH / TS functions.	Respond in accordance with agreed response times and act in accordance with national guidance.	95% requests responded to within 5 working days.	Med
1	2	6	1	Sustain the economic prosperity of the borough.	Ensure fair trading in Bracknell Forest through a programme of intelligence led enforcement activities to monitor and improve business compliance and consumer protection.	Programme of surveys developed and delivered	Med

Division: Environment and Public Protection  
Section: Regulatory Services  
Team: Food Law Enforcement

National Priority	BFC Theme	BFC Key Measure	Regulatory Services Priority	Service Priority	Service Action	Outcome Measure	Priority
1	2	6	1	Ensure database is kept up to date and maintained.	Ensure identified changes to operations are reflected in database, and known empty commercial premises monitored.	100% amendments updated. To introduce survey programme for known empty units.	Med Low
<b>Project Working – Focussing Resources</b>							
5	4	5	2	Implement a food & water sampling programme which is in accordance with national/local requirements.	Participate in BFBC programme of sampling from local food outlets, based on identified national priorities and local intelligence.	Undertake 90 samples for microbiological quality and 70 samples for food standards	Med
5	4 6	5 3	2	Provide additional support and advice to those businesses with lower Food Hygiene Ratings in order to provide an alternative educational programme to assist in making improvements	Undertake a programme of targeting premises that received FHRS 0-2 to raise standards. Including coaching, education and advice, or enforcement activities where necessary.	Food businesses practices improved and FHRS scores raised at next inspection	Med
4	4	3	5	Promote and encourage caterers to provide healthy menu choices through the promotion and participation in the Catering for Health award scheme.	To continue to encourage new premises to gain the Catering for Health Award in order to offer a range of choice to customers. Review existing premises that have the award during appropriate visits to businesses and seek to increase holders – targeting residential care homes and nurseries.	Increase numbers of award holders and those applying for the award.	Low
4	4	5	4	Develop a review program to establish any local Campylobacter patterns that may indicate priority areas for reducing food poisoning; Campylobacter being the highest source of food poisoning.	Review Campylobacter cases in order to establish any variations in age or likely source profile from national or regional levels.	Review 100% of Campylobacter cases to establish any local variations in age or likely source from national levels.	Low

Division: Environment and Public Protection  
Section: Regulatory Services  
Team: Food Law Enforcement

National Priority	BFC Theme	BFC Key Measure	Regulatory Services Priority	Service Priority	Service Action	Outcome Measure	Priority
1	1 6	1 3	6	Develop the use of knowledge, intelligence and operational support and partnerships to improve planning and delivery of services.	To support and participate in the working of regional groups (Berks Food Group and TSSE region of 19 local authorities).	To deliver value for money by working together.	Med
<b>Performance Management</b>							
3	6	3	6	Review our plans, policies and strategies to ensure that they meet the needs and expectations of our stakeholders where possible.	Ensure current practice notes are up to date and in accordance with FSA requirements (with exceptions identified in this plan).	75% existing practice notes reviewed within revision due dates and a range of relevant practice notes for TS service developed and implemented.	Med
1	1 6	1 3	6	Develop the use of knowledge, intelligence and operational support and partnerships to improve planning and delivery of services.	To maintain and encourage uptake of a level 1 National Intelligence Model compliant system to aid the identification of priority areas of work	To implement the TSSEL ibase intelligence system	Med
1	1 6	1 3	4	Continue to improve our service by managing our performance and comparing ourselves against others.	Apply best practice, enabling the service to continually improve and identify areas suitable for collaborative working.	Systems in place	Med

**BRO Priority Regulatory Outcomes:**

1. Support economic growth, especially on small business, by ensuring a fair, responsible and competitive trading environment.
2. Protect the environment for future generations including tackling the threats and impacts of climate change.
3. Improve quality of life and wellbeing by ensuring clean and safe neighbourhoods.
4. Help people to live healthier lives by preventing ill health and harm and promoting public health.
5. Ensure a safe, healthy and sustainable food chain for the benefits of the consumer and the rural economy

**Division:** Environment and Public Protection  
**Section:** Regulatory Services  
**Team:** Food Law Enforcement

### **BFC Strategic Themes & Key Measures**

1. Value for money
  - 1 Spending is within budget
2. A strong and resilient economy
  - 6 Businesses are supported and encouraged to play an active role in the community
- 3 People have the life skills and education opportunities they need to thrive
- 4 People live active and healthy lifestyles
  - 3 Comprehensive public health programmes aimed at adults and young people, including smoking cessation, weight management and sexual health are in place
  - 5 Preventative activities such as falls prevention are increased
- 5 A clean, green, growing and sustainable place
- 6 Strong, safe and self-reliant communities
  - 3 There are low levels of crime and anti-social behaviour throughout the borough

### **Regulatory Services Priorities:**

1. To protect and support residents and legitimate business through the promotion of a fair, safe, responsible and competitive trading environment.
2. To work with local business to deliver a safe and quality food chain.
3. To work with partners on improvements to the local environment which positively influence the quality of life and promote sustainability.
4. To target enforcement action against those who demonstrate a disregard for the law and the consequences of their actions.
5. To promote public health and healthy living.
6. To constantly keep under review existing working procedures to ensure improvements in service delivery, effectiveness and efficiency.