

**To:           Infrastructure, Land and Environment Policy Board**

**On:           25 August 2021**

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**Report by:   Director of Communities and Housing Services**

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**Heading:    Business Regulation Service Plan 2021-22 – Recovery from COVID**

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## **1.     Summary**

- 1.1   Renfrewshire Council is required by Food Standards Scotland (FSS) to produce an annual Service Plan to detail the work being undertaken in relation to the regulation of Food Law across Renfrewshire.
  - 1.2   The team that covers this for Renfrewshire Council (the Business Regulation Team within Communities & Public Protection) also leads on workplace health and safety and other regulatory issues and these are included within the plan to provide a comprehensive programme of work for the service.
  - 1.3   The Business Regulation Service Plan for 2021-22 (attached as Appendix 1 to this report) details the work to be undertaken by the service, setting out objectives, the resources required and approach to quality assurance in the format and detail required by Food Standards Scotland. The plan this year, also sets out the resource required to undertake a catch up programme of food law inspections following the period during the COVID-19 pandemic when proactive routine inspections were restricted in line with guidance at that time from Food Standards Scotland.
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## **2.     Recommendations**

- 2.1   It is recommended that the Infrastructure, Land and Environment Policy Board:
    - (i)   notes the resource required to recover from the COVID-19 pandemic and complete the associated catch-up programme of food inspections; and
    - (ii)  approves the Business Regulation Service Plan for 2021-22 as detailed in appendix 1 to this report.
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### **3. Background**

- 3.1 Business Regulation forms part of Communities & Public Protection within Communities and Housing Services.
- 3.2 The team provide an effective regulatory service for food safety, food standards, and occupational health and safety at work on behalf of Renfrewshire Council, ensuring the Council's statutory responsibilities in these areas are met. The objective of the service is to improve the quality and effectiveness of these regulatory activities, to ensure public health and safety are maintained.
- 3.3 In terms of food law enforcement, Renfrewshire Council is a statutory food authority under the Food Safety Act 1990 for all food businesses within Renfrewshire. The Council is also an enforcing authority in terms of Section 18 of the Health & Safety at Work etc. Act 1974, meaning the Service is the enforcing authority for health & safety legislation in certain types of premises within Renfrewshire, determined by the main activity being undertaken at the premises as laid down in the Health and Safety (Enforcing Authority) Regulations 1998.
- 3.4 Section 18 of the Health and Safety at Work etc Act 1974 puts a duty on the HSE and Local Authorities as Enforcing Authorities, to make adequate arrangements for enforcement. The Section 18 Standard sets out the arrangements that Local Authorities and the HSE Field Operation Directorate should put in place to meet this duty.
- 3.5 The Business Plan for 2021-22 attached as Appendix 1 to this report highlights the work undertaken by the Business Regulation Team, the current position with regards to premises (as of 1 April 2021) and the planned work for the coming 18 months (normally one year, but extended due to COVID recovery).
- 3.6 During the COVID-19 pandemic, the Minister for Public Health and Sport granted local authorities a deviation from the Food Law Code of Practice (Scotland) normal requirements in recognition of the on-going work for Environmental Health Officers in prioritising the implementation of new regulations in relation to COVID-19. The deviation from normal inspection requirements was reviewed and extended several times throughout 2020 and 2021 and is due to come to an end on 1 September 2021.
- 3.7 As a result, and in agreement with Food Standards Scotland, all local authorities are now required to produce and submit an updated Service Plan detailing how they are going to inspect premises and recover from the COVID pandemic in the coming years.
- 3.8 A working group was set up by the Scottish Food Enforcement Liaison Committee (SFELC) to discuss and ensure consistency across Scotland and to understand the full resource required to undertake a programme of catch - up inspections.

- 3.9 Officers from Renfrewshire Council sat on the national group with Food Standards Scotland to work on developing this recovery plan. Food Standards Scotland have now provided guidance on what should be included in the plan and this has influenced Renfrewshire Council's recovery programme as detailed in Appendix 1. Work undertaken includes a tabletop exercise to group and risk rate all businesses, reviewing and re-calculating all missed inspections, determining how long it will take to "catch-up", and the resource required (including the number of hours required for inspections).
- 3.10 During the period of deviation from normal food safety inspections was operational, a risk-based approach to reducing inspections was taken to ensure higher risk premises such as approved premises, those in Group 1 and newly registered businesses, were inspected and maintained a high standard. Intelligence driven interventions at all food business establishments also continued where possible. Intelligence included information that suggested fraudulent activity or risk to public health, e.g. consumer complaints, or credible allegations of food poisoning.
- 3.11 However, Environmental Health Services across Scotland are also noting that as some programmed interventions at lower risk groups ceased over the last 18 months there has been a reduction in compliance in these businesses since the COVID pandemic, therefore interventions will increase, re-visits will increase and this in turn will result in it taking longer to fully recover. This has all been considered in the programme set out in Appendix 1.
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## Implications of the Report

1. **Financial** – Any additional resource required to carry out the programme of catch-up inspections following the COVID pandemic will be captured and included in costs associated with COVID-19 recovery.
2. **HR & Organisational Development** - none
3. **Community Planning**  
Renfrewshire is safe – By implementing the attached Service Plan, Communities & Public Protection will ensure that food that is prepared and consumed in Renfrewshire is safe and that workplace Health & Safety is regulated.
4. **Legal** – none
5. **Property/Assets** - none
6. **Information Technology** - none
7. **Equality & Human Rights** - The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report

8. **Health & Safety** – where staff are required to visit premises, all risk assessments and safe working procedures have been developed.
  9. **Procurement** - none
  10. **Risk** - none
  11. **Privacy Impact** - none
  12. **CoSLA Policy Position** - None
  13. **Climate Risk** - None
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### List of Background Papers

None

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# **COMMUNITIES AND HOUSING SERVICES**

## **BUSINESS REGULATION SERVICE PLAN**

**2021-22**

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## **BUSINESS REGULATION SERVICE PLAN 2021-22**

### **1. SERVICE AIMS AND OBJECTIVES**

#### **1.1 Aims and Objectives**

The Food and Health & Safety Service is provided by Communities & Housing Services. The service is delivered by the Environmental Health, Business Regulation Team. The aim is to provide an effective regulatory service for food safety, food standards, and occupational health and safety at work on behalf of Renfrewshire Council, ensuring the Council's relevant statutory responsibilities are met. The objective of the service is to improve the quality and effectiveness of these regulatory activities, and in doing so ensure public health and safety are maintained.

In order to achieve this aim, Communities and Housing Services will:

- Apply the relevant legislation at premises regulated by the Local Authority in line with the Scottish Regulators Code of Practice
- Work in partnership with agencies such as Food Standards Scotland (FSS) and the Health and Safety Executive (HSE) to achieve nationally agreed strategic aims
- Ensure that all staff undertaking enforcement activity are properly qualified and competent to undertake their duties
- Operate a risk-based approach to inspection and regulation
- Carry out a programme of specific, targeted and appropriate interventions in order to improve food safety and health & safety standards
- Work with local businesses in an open and transparent manner
- Investigate and take appropriate action upon receipt of accident notifications, service requests, food poisoning notifications and complaints

#### **1.2 Links to Corporate Objectives and Plans**

The Environmental Health, Business Regulation Service Plan 2021-22 contributes to Communities and Housing Services outcomes as well as Renfrewshire Council's Corporate Objectives and Plans. In particular, the service has a critical role to play in supporting sustainable economic development, ensuring the health and safety of the public, addressing the impact of poverty and the protection of both the public and legitimate businesses from criminal activities.

#### **1.3 Overview**

In terms of food law enforcement, Renfrewshire Council is a statutory food authority under the Food Safety Act 1990 for all food businesses within Renfrewshire. The Council is also an enforcing authority in terms of Section 18 of the Health & Safety at Work etc. Act 1974, the Service is the enforcing authority for health & safety legislation in certain types of premises within

Renfrewshire. This is determined by the main activity being undertaken at the premises as laid down in the Health and Safety (Enforcing Authority) Regulations 1998.

Section 18 of the Health and Safety at Work etc Act 1974 puts a duty on the HSE and Local Authorities (LAs), as Enforcing Authorities, to make adequate arrangements for enforcement. The Section 18 Standard sets out the arrangements that LAs and HSE's Field Operation Directorate should put in place to meet this duty.

## **2. BACKGROUND**

### **2.1 Organisational Structure**

The Food Safety and Health & Safety service is delivered by suitably qualified officers within the Business Regulation Team operating in Communities & Public Protection as part of Communities and Housing Services. An organisational structure has been provided to Food Standards Scotland.

#### **2.1.1 Role of Communities & Public Protection**

Communities & Public Protection consists of the Business Regulation, Community Safety, Public Health, Trading Standards and Community Learning and Development teams. Their combined role is to protect the health, safety and welfare of the local community and to safeguard public health, the quality of the local environment and to enhance economic, social and environmental welfare by improving and maintaining standards of fair trading in terms of safety, quality, quantity and price.

#### **2.1.2 Communities & Public Protection**

The Service is based at:

Communities and Housing Services  
Renfrewshire House  
Cotton Street  
Paisley  
PA1 1BR

The Service can be contacted by:

email – [b-serv.es@renfrewshire.gov.uk](mailto:b-serv.es@renfrewshire.gov.uk), or

phone – 0300 300 0380



## 2.2 Scope of the Service

The main role of the Environmental Health Business Regulation team is to undertake regulatory functions of relevant legislation in terms of Food Safety, Food Standards and Occupational Health and Safety at Work on behalf of Renfrewshire Council. The aim is to secure compliance with the standards laid down in primary legislation, associated regulations and codes of practice. The key activities of Environmental Health Business Regulation are based on the implementation of inspection/intervention, survey and sampling programmes and other appropriate monitoring and investigative activities, including responding to, and learning from food complaints, accidents and incidents at work.

Under Section 5 of the Food Safety Act 1990, Renfrewshire Council is a statutory Food Authority, responsible for delivery of official controls under the Act and associated Regulations. Statutory appointments of Head of Food Service and Lead Officer for Food Safety are detailed in the Council's Scheme of Delegated Functions.

Enforcement of the legislation, under Section 6 of the Food Safety Act 1990, includes food hygiene and food standards covering the safety, quality, presentation and labelling of food. To this end, a programme of food business inspections and the surveillance of food is carried out by co-ordinated food sampling and a food standards inspection programme.

Food and premises hygiene complaints are investigated where required. The investigation and control of food-borne infections within food premises is carried out in conjunction with NHS Greater Glasgow and Clyde. The Service acts as the originating authority to those large-scale food manufacturers within the area, co-ordinating and assisting in complaints and enquiries from other Food Authorities within the UK and third Countries.

As an Enforcing Authority, the Service also has responsibility for the provision of health & safety enforcement services in a range of business activities covering approximately 2,500 premises and an estimated 10,000 employees. The enforcement of health & safety legislation is split between the Local Authority (Renfrewshire Council) and the Health & Safety Executive (HSE), depending on the main activity being undertaken at the premises as laid down in the Health & Safety (Enforcing Authority) Regulations 1998. The HSE are responsible for the more traditional "factory" or industrial premises. The premises within the remit of the Council include: offices, shops, warehouses, leisure, hotel and catering premises.

The principal activities of the service, outlined above, have relevance to the Planning, Building Standards, Civic Licensing and Alcohol Licensing services of the Council. The service also delivers official controls in relation to food safety in all Renfrewshire Council food operations.

The Service provides advice and guidance to all businesses to ensure compliance with statutory requirements and assists in sourcing appropriate training and educational support.

### **2.3 Local Authority Covid-19 Recovery Project**

The measures taken by UK and Scottish Governments in March 2020 in response to the Covid-19 pandemic resulted in the closure of a large proportion of food establishments. Additionally, physical distancing requirements meant that Local Authority Authorised Officers were prevented from conducting routine, programmed interventions/Official Controls at most of those businesses who continued trading.

Food Standards Scotland (FSS) secured Ministerial agreement to allow a relaxation from the Food Law Code of Practice and the Interventions Code of Practice. This relaxation will end on 31 August 2021.

Food Standards Scotland acknowledged that Local Authorities intervention programmes would be adversely affected as numerous interventions would not be undertaken when due and create a backlog of 'missed' interventions. In Renfrewshire this figure is expected to be approximately 1,012 missed inspections by the time the programme re-starts.

It was, consequently, agreed that measures to address this situation should be considered and a project delivered in order to enable all Local Authorities to rectify the position. This had the principal aim of delivering a clear and accurate Local Authority and national view of the food establishment profile – including the Food Law Rating System (FLRS) risk-rating of all establishments and overall Local Authority capacity to undertake the necessary Official Controls therein.

### **2.4 Demands on the Service**

**Table 1: Profile of food businesses in Renfrewshire**

<b>Premises</b>	<b>Number</b>
Primary Food Producers	18
Manufacturers and Packers	33
Importers/Exporters	8
Packers	1
Distributors/Transporters	30
Retail	429
Restaurant/ Caterer	1082
Manufacturer retailers	7
<b>TOTAL</b>	<b>1608</b>

**Table 2: Profile of Businesses for Health & Safety Enforcement**

<b>Premises</b>	<b>Number</b>
Retail	745
Wholesale	121
Offices	321
Catering	589
Hotels etc	24
Residential Care	20
Leisure	192
Consumer Services	417
Others	81
<b>Total</b>	<b>2510</b>

The Food Safety and Health & Safety Services provided by Renfrewshire Council operate solely from Renfrewshire House, Cotton Street, Paisley, PA1 1BR. The Service's standard working day is 8.45am - 4.45pm Monday to Thursday, and 8.45am - 3.55pm on Friday, with an out of hour's service also being provided in cases of emergency. Following the Covid pandemic, Officers are currently working a hybrid model where they are operating from home, in the office and in the field e.g. inspecting premises.

The Service works in a number of complex areas, which include:

### **Glasgow International Airport**

Glasgow International Airport lies within the Authority boundaries and adds further elements of work to the Environmental Health Business Regulation Team. Consignments of food, particularly fruit and vegetables come through Glasgow Airport from third Countries. These foods are subject to controls administered by Environmental Health Business Regulation. The Service is also involved in the surveillance of exports from the Airport and provides export certificates to those businesses exporting foodstuffs from Renfrewshire.

The Business Regulation Team provides a port health role at the airport. Renfrewshire Port Health Authority was originally set up with the primary objective of preventing dangerous epidemic diseases entering the country. Although this can still occur, if a person is patently unwell, this function is now more realistically aimed at contacting and monitoring persons who may be carrying a communicable disease and preventing further cases arising from environmental contamination of aircraft.

There are also currently 2 businesses which operate flight catering within the airport estate and these are subject to inspection by the service.

EHOs operate on a rota basis, with one officer allocated for each day of the working week. The officer carries out all imported food functions at the airport on his/her allocated day. In addition, on weekends and public holidays an emergency call-out service is in place to deal with port health incidents.

### **Communication and Language**

The Council area has a number of food businesses operating for whom English is not a first language. This can introduce communication challenges during the course of inspection and enforcement visits. In order to address this issue, information leaflets translated into other languages have been produced. The service has organised food hygiene training in foreign languages and a translation service is available to officers if required during inspections and other meetings.

### **Council Operated Food Businesses**

The control of food enforcement in Local Authority catering operations provided by Environment & Infrastructure Services is a complex and sensitive area of work. These premises include catering in residential establishments such as those run by the Council's Social Work Services as well as schools and nurseries. The service employs the same approach to enforcement in these premises.

### **Approved/Authorised Premises**

There are 8 approved/Authorised Businesses operating within Renfrewshire, all of which are approved/Authorised under Regulation (EC) 853/2004. These are:

DNATA Airline Catering	Arran Avenue, Paisley
Gate Gourmet Airline catering	Campsie Drive, Paisley, PA2 8DP
Gormack Foods	Sandyford Road, Paisley, PA3 3HP
CFPU RAH Hospital	Corsebar Road, Paisley
Scottish Leather Group	Seedhil Road, Paisley, PA1 1JL
Scottish Leather Group	Baltic Works, Bridge of Weir
Gleddoch Family Butchers	Glasgow Road, Paisley, PA1 3PW
Lomond Cold Store	Blackstoun Road, Paisley, PA3 3AF

### **Events**

A significant number of events are held throughout Renfrewshire on an annual basis, particularly, but not exclusively, during the summer months. These events require a food law enforcement presence in response to the level of external food retailers and caterers providing food for the large number of visitors and this can result in a minor short-term impact on the food service.

## **Health & Safety Enforcement**

The review of Health & Safety enforcement activities by the UK Government has influenced the approach in this area. HSE priority planning guidance directs the work of Local Authorities in relation to Health & Safety, with an emphasis on targeting resources on higher risk activities and reducing the number of routine inspections.

An Intervention Plan based on this guidance has been developed which takes into account local conditions and priorities.

## **Enforcement within Arm's Length Organisations - Renfrewshire Leisure**

In 2019, the Health & Safety Executive (HSE) advised Renfrewshire Council that enforcement within Council owned leisure facilities operated by arm's length organisations, are, in accordance with The Health and Safety at Work Act 1974, the enforcement responsibility of the Local Authority.

This requires careful management as there are close relationships between the Council and Renfrewshire Leisure - including the corporate control as the Council is the sole member of the Company.

The exact details are still being worked through, however, this has the potential to increase the Health and Safety workload for Officers due to increased interventions and inspections.

## **2.5 Performance Management**

The percentage of food businesses who receive a "pass" in terms of the food hygiene information scheme is used the Indicator for performance. This figure is reported on a quarterly basis to the Infrastructure, Land and environment Policy Board, with the current target set at **98%**.

Elected Members receive quarterly reports on performance in key areas including Food Safety/Health & Safety enforcement and Managers provide an operational update at a bi-monthly Communities & Regulatory Management Meeting. Certificates of Compliance and formal notices are reported to elected members via the Regulatory Functions Board and Information Bulletin reports.

Performance reviews are carried out on a six-monthly basis with staff involved in Food Safety and Health & Safety enforcement, in order to maintain performance.

## **2.6 Enforcement Policy & Procedures**

The Regulatory Services Integrated Enforcement Policy is in place to ensure the consistency of enforcement across all areas of Communities & Public Protection. The Policy sets standards clearly outlining the level of service which the public and businesses can expect to receive. It encourages fair and open regulation and commits the Service to ensuring our enforcement service works with businesses to assist them in complying with the law. The Policy has recently been reviewed to ensure it is consistent with the Scottish Regulators' Strategic Code of Practice.

## **2.7 Information Systems**

Premises records are held on the Authority Public Protection (APP) system, which is used to manage the inspection programme and record details of inspections, accidents, complaints and enquiries. The database is regularly reviewed and updated to facilitate the planning of inspection programmes and production of management reports.

Progress towards local, regional and national outcomes is monitored on a monthly basis using the reporting functions of the system. Statutory returns are made using data from the APP system.

## **3. SERVICE DELIVERY**

The measures taken by UK and Scottish Governments in March 2020 in response to the Covid-19 pandemic resulted in the closure of a large proportion of food establishments. Additionally, physical distancing requirements meant that Local Authority Authorised Officers were prevented from conducting routine, programmed interventions/Official Controls at most of those businesses who continued trading.

Food Standards Scotland (FSS) secured Ministerial agreement to allow a relaxation from the Food Law Code of Practice and the Interventions Code of Practice. This relaxation will end on 31 August 2021 (**Ref: FSS/ENF/20/006-APPENDIX 3**)

FSS acknowledged that Local Authorities intervention programmes would be adversely affected as numerous interventions could not be undertaken and would lead to the creation of a backlog of ‘missed’ interventions. In Renfrewshire this figure is expected to be approximately **1,012** missed inspections by the time the programme re-starts on 1 September 2021.

It is also apparent that a larger than usual number of food businesses are currently changing hands and there is also a perceived increase in the number of new food businesses operating from domestic premises. In the year April 2020 to March 2021, approximately **180** new business registration requests were received by the Business Regulation Team, leading to an increase in ‘unrated’ premises. Additionally, it is recognised that the workload, post-Covid, is unclear and will present further challenges in respect of the form and time food law interventions will take. It is likely that food businesses may require more intensive interventions due to the fewer inspections having taken place during 2020. An estimation of this additional work has been included in the recovery programme; however, this will be monitored closely, to ensure that estimates remain accurate and it is proposed that a 3-monthly review will be carried out during the 18-month recovery programme.

To assist Local Authorities, a working group; The Covid-19 Recovery Plan Working Group (CRPWG) was convened by the Scottish Food Enforcement Liaison Committee (SFELC). The principal aim was to enable Local Authorities to recommence food law interventions in an orderly and consistent manner.

During the process of designing a “Priorities” Table, (**Table 4**) it became apparent to the CRPWG that if the timescales allocated were to follow those already designated in the existing Code of Practice i.e. both Annex 5 of the Food Law Code of Practice (Scotland) 2019 and the Interventions Code 2019, Local Authorities would struggle to meet the new dates created. This would result in LAs creating a large number of missed interventions/inspections. The following was therefore proposed:

**Table 3**

<b>Group 1</b>	<b>Band</b>	<b>Code of Practice</b>	<b>Proposed</b>
	A	18 Months	18 Months
	B	12 Months	12 Months
	C	6 Months	6 Months
	D	3 Months	3 Months
	E	1 Month/Intensive	1 Month/Intensive

<b>Group 2</b>	<b>Band</b>	<b>Code of Practice</b>	<b>Proposed</b>
	A	24 Months	48 Months
	B	18 Months	24 Months
	C	12 Months	18 Months
	D	3 Months	6 Months
	E	1 Month/Intensive	1 Month/ Intensive

<b>Group 3</b>	<b>Band</b>	<b>Code of Practice</b>	<b>Proposed</b>
	A	No Proactive/ 60 Months	No Proactive/60 Months
	B	36 Months	48 Months
	C	24 Months	36 Months
	D	3 Months	6 Months
	E	1 Month/Intensive	1 Month/Intensive

It should be noted that the proposed timescales shown in the table Interventions

Code 2019 and those “proposed” relate to the maximum time after the **Intervention Programme Start Date** by which premises in each category must receive an intervention. These time periods are applicable only in the context of the LA Recovery Process. The Intervention Frequencies specified by FLRS have not changed and will be applicable for all subsequent interventions.



**Table 4 - PRIORITIES**

	Annex 5 Food Hygiene	Annex 5 Food Standards	FLRS	Approved Premises
Priority 1			<p>(a) All Group 1 premises following the timescales in the Interventions Food Law CoP,</p> <p>(b) Group 2 and 3 Band Es deal with within 1 month of start date.</p> <p>(c) Spread all Group 1 Unrated businesses throughout a 6-month period.</p>	<p>LAs which have already implemented OCV – continue/restart the programme and schedule each premises within 12-month period.</p> <p>LAs which have not implemented OCV – start the implementation of OCV for Approved Premises and spread evenly over 12-month period.</p>
Priority 2	Category As spread over 6 months.	Food Standards only premises Category As spread over 6 months.	Group 2 and 3 Band Ds spread over a 6-month period. Spread all Group 2 Unrated businesses throughout a 12-month period.	
Priority 3	Category Bs spread evenly over 18-month period.	Category As spread throughout 12 months.	Group 2, Band C over 18 months and Group 3 Band C over 36 months. Spread all Group 3 Unrated businesses throughout a 24-month period.	
Priority 4	Category Cs spread over 24 months.	Category Bs that are Category Es for Food Hygiene spread over 24-month period.	Group 2 Band B over 24 months and Group 3 Band B over 48 months.	
Priority 5	Category Ds spread over 36 months.	Food Standards only Category Bs spread over 36 months.	Group 2 Band As over the period of up to 48 months.	
Priority 6	Category E premises spread over 48 months	Food Standards only Category Cs spread over 60 months.	Group 3 Band As - decide if they need inspections, if so, spread over 60 months or are no proactive intervention.	

### 3.1 Food and Health & Safety Premises Inspections

In accordance with the Food Law Code of Practice (Scotland), all food premises are risk-assessed, for food law. Risk assessments are entered in the Services database, which generates a target inspection date. A report is generated from the database of visits due for each officer. The Service undertakes a full inspection programme based on the risk category of premises. Regulatory activity in relation to Health and Safety at Work is determined in accordance with the HSE priority planning guidance.

The tables below illustrate the number of premises in Renfrewshire in each risk category for Food Law and Health & Safety.

**Table 5 - Total premises (Food Law) with Group & Rating**

<b>GROUP</b>	<b>RATING</b>	<b>NUMBER</b>
1	A	1
1	B	13
1	C	6
1	D	2
1	E	0
	<b>TOTAL</b>	<b>22</b>

<b>GROUP</b>	<b>RATING</b>	<b>NUMBER</b>
2	A	7
2	B	424
2	C	378
2	D	108
2	E	0
	<b>TOTAL</b>	<b>931</b>

<b>GROUP</b>	<b>RATING</b>	<b>NUMBER</b>
3	A	12
3	B	405
3	C	169
3	D	33
3	E	0
	<b>TOTAL</b>	<b>619</b>

**Table 6: Premises per Food Law Risk Rating Category**

<b>Group</b>	<b>Number of Premises</b>
1	21
2	931
3	619
Food Standards Only	5
Approved	9
Farms	11
Sub Total	1596
Unrated	36
<b>Total</b>	<b>1632</b>

The food Law risk rating of a food business is based on a number of elements. Hygiene, structure, food safety management and food standards are assessed to determine the risk posed by an establishment and the frequency of intervention by the local authority. These are numerically scored and used to derive the rating that is presented as the 'score', A-E; Category E posing the highest risk.

**Table 7: Profile by Health & Safety risk category**

<b>Risk Category</b>	<b>Total number in category</b>
A	1
B1	33
B2	764
C	1565
Unrated	465
<b>Total</b>	<b>2828</b>

The tables below illustrate the number of inspections programmed for 2021/23 in each risk category for Food Law. It should be noted that this will be an **18-month** programme. It is anticipated that the backlog of inspections in all but the Group 3B category, will be completed by 31 March 2023. The Group 3B remainder, will be completed within the 48-month period (end September 2025) and will be incorporated into the annual inspection programmes going forward from April 2023.

- A total of 1018 food law programmed interventions are projected for the 18 months commencing 1 October 2021.

**Table 8: Food Law Programmed Interventions for 2021/2023**

Group	Band	Total Interventions	Intervention Frequency Current/ <b>Proposed</b>	Estimated Hours/Intervention	Total Number of Hours	No of officer days	FTE Officers
1	A	1	18/ <b>18</b>	12	12	2.4	0.010909
1	B	12	12/ <b>12</b>	10	120	24	0.109091
1	C	6	6/ <b>6</b>	8	48	9.8	0.043636
1	D	4	3/ <b>3</b>	10	40	6	0.036364
1	E	0	1/ <b>1</b>	14	0	0	0
<b>Total</b>		23					

Group	Band	Total Interventions	Intervention Frequency Current/ <b>Proposed</b>	Estimated Hours/Intervention	Total Number of Hours	No of officer days	FTE Officers
2	A	7	24/ <b>48</b>	7	49	9.8	0.044545
2	B	420	18/ <b>24</b>	8	3660	672	3.054545
2	C	370	12/ <b>18</b>	8	2960	592	2.690909
2	D	102	3/ <b>6</b>	10	1020	204	0.927273
2	E	0	1/ <b>1</b>	0	0	0	0
<b>Total</b>		899					

Group	Band	Total Interventions	Intervention Frequency Current/ <b>Proposed</b>	Estimated Hours/Intervention	Total Number of Hours	No of officer days	FTE Officers
3	A	6	60/ <b>60</b>	2	12	2.4	0.01
3	B	350	36/ <b>48</b>	4	1400	280	1.27
3	C	164	24/ <b>36</b>	6	984	196.8	0.89
3	D	32	3/ <b>6</b>	8	256	51.2	0.23
3	E	0	1/ <b>1</b>	0	0	0	0
<b>Total</b>		552					

	Group	Total Interventions	Intervention Frequency Current/ <b>Proposed</b>	Estimated Hours/Intervention	Total Number of Hours	No of officer days	FTE Officers
Food Standards Only	N/A	5	Annex V	6	30	6	0.02
Farms	N/A	11	12	6	66	13.2	0.06
Approved Premises	N/A	9	12	24	216	43.2	0.19
Awaiting Inspection	Group 1	0		0	0	0	0
Awaiting Inspection	Group 2	28		10	280	56	0.25
Awaiting Inspection	Group 3	8		8	64	12.8	0.05
REVISITS		~254		1	254	50.8	0.23
<b>Total</b>		61			656	131.2	

FTE Officers Total= **10.22**

**Table 9 - Estimated Resource required For Formal Enforcement Notices**

Type of Notice	Estimated Number	Estimated Hours	Total Number of Hours	No of officer days	FTE Officers
Remedial Action Notice	6	3*	18	3.6	0.02
Hygiene Improvement Notice	11	3*	33	6.6	0.03
Voluntary Closure	12	3*	36	7.2	0.03
H&S Improvement Notice	8	3*	24	4.8	0.2
H&S Prohibition Notice	4	3*	12	2.4	0.01
					0.36

\*Estimated Hours includes witness time factor of 1 hour.

**Table 10 - Health & Safety Inspections for 2021/2023**

Since 2013, the service has refined the intervention strategy for businesses by further improving the targeting of relevant and effective interventions in line with LAC 67. The refinement preserves inspections for higher risk premises and has led to a reduced number of proactive Health & Safety inspections. This has subsequently allowed capacity for more effective outcome focused interventions whilst protecting people in the workplace and wider society. The proposed themed inspection programmed is detailed below. It is estimated that each intervention will take 24 hours X 36 visits=172 officer days= **0.78 FTE**

<b>Special Interventions</b>
Carry out special interventions at animal visitor attractions in an effort to reduce the risk of contamination especially to children.
Carry out special interventions for safety in swimming pools and spas where Health & Safety is enforced by the Local Authority to reduce the risk to employees and the public from Health & Safety and Public Health incidents.
Carry out special interventions at children's indoor soft play visitor attractions in an effort to reduce the risk of accidents to children.
Carry out special interventions at commercial catering establishments to assess gas safety and where the risk of carbon monoxide may be present.
Carry out special interventions at premises, especially licensed premises that use stored gas to minimise the risk of explosion.
Planned special intervention for Lone working in premises such as: all night garages, grocers' shops and bookmakers in an effort to reduce violence/incidents involving lone workers.
Proactive inspection of industrial retail/wholesale premises to ensure adequate control of work at height, workplace transport and loading and unloading of vehicles.
Intervention to ensure that Cellar Safety is being adhered to in licensed premises.
Intervention to ensure Legionella controls are in place.
Carry out special interventions in relation to Crowd management at large scale events.
Intervention to ensure deep fat frier safety in catering premises.
Intervention to ensure safety in golf course operations.

The inspection programme for 2021/23 has been developed to comply fully with the Food Law Code of Practice (Scotland) and LAC Circular 67/2 (Rev 7) Health & Safety priority planning.

So far as the inspection of premises outwith normal working hours is concerned, service policy is to ensure that, where premises are only open outwith normal hours, then appropriate provision is made for them to be visited in accordance with at least the minimum number of visits determined by their risk rating.

7.5 full time equivalent officers carry out the work of the Business Regulation team, including the Business Regulation Manager. The staffing allocation to food law enforcement is 75% of 7.5 FTE's, with the other 25% allocated to Health & Safety enforcement. Officers are allocated premises within specific geographical areas.

It is considered that the Service has adequate expertise to provide a competent and full portfolio of enforcement and educational roles in relation to Food Law and Health & Safety. However; where necessary, the service is able to draw on expertise from Food Standards Scotland, Glasgow Scientific Services – the Public Analyst, Health Protection Scotland, the Director of Public Health, Animal and Plant Health Authority (APHA), The Health & Safety Executive and other local authorities.

### 3.2 Food and Health & Safety Service Requests

The Service has documented policies relating to the investigation and handling of complaints and service requests which ensure that all complaints are investigated in accordance with the appropriate Code of Practice. The numbers of complaints and service requests, detailed by category, estimated for the year 2021/22 are shown in the table below:

**Table 11 - Estimated Complaints and Service Requests 2021/2022**

<b>Service Request Category</b>	<b>Time Estimate Per Type (hours)</b>	<b>Total Estimate 2021/21</b>	<b>Total Estimated Time- Hours</b>	<b>Officer days</b>	<b>FTE</b>
Food Hygiene /Standards Advice to Business	2.5	133	332.5	66.5	0.30
Food Hygiene /Standards Advice to Consumer	1.5	38	57	11.4	0.004
Complaint hygiene of premises	4.5	28	126	25.2	0.11
Food Hazard Warning	1	18	18	3.6	0.016
Food Complaint	4	60	240	48	0.21
Food Export Certs and imports	2	20	40	8	0.04

Registration of food premises	2.5	180	450	90	0.41
Other Food	2.5	15	37.5	7.5	0.03
Late Hours Catering	2.5	5	12.5	2.5	0.01
Street Traders	4	21	84	16.8	0.08
Section 50 Certificates	3	4	12	2.4	0.01
Venison/Game Dealers licences	3	1	3	0.6	0.00
Food Incidents and Food Crime	15	4	60	12	0.05
Attestations and EHC's	4	73	292	58.4	0.26
Consultation with External Agency	2	20	40	8	0.04
FHIS/SND/MIS	2	6	12	2.4	0.01

<b>Service Request Category</b>	<b>Time Estimate per type (Hours)</b>	<b>Total Estimate 2021/22</b>	<b>Total Estimated Time-Hours</b>	<b>Officer days</b>	<b>FTE</b>
Cooling Towers and Evaporite Condensers	3.5	1	0.7	8.4	0.003
H & S Advice	2	13	26	5.2	0.02
RIDDDOR /asbestos	4	20	80	16	0.07
Adverse Lift Report	2	1	2	0.4	0.0
Request for Information H&S	2	5	10	2	0.01
Other Health & Safety	2	42	84	16.8	0.08
Legionella	3	6	18	3.6	0.02



Skin Piercing & Tattoo Licence Enquiry	5	0	0	0	0.00
Skin Piercing & Tattooing Licence Application	5	10	50	10	0.04
Port Health Enquiries	5	10	50	10	0.05
HSLG, WOSFLG, SAG	4	15	60	12	0.05
Communicable Disease	3.5	14	49	9.8	0.04
Licensing Board Consultations	2.5	5	12.5	2.5	0.03
Planning Application	1	1.5	1	0.3	0.00
Building Standards Consultation	2	1	2	0.4	0.00
Other Civic Govt Licences	3	10	30	6	0.027
Public Entertainment Licence	5	1	5	1	0.00
Other Licensing	2	4	8	1.6	0.01
Consultation with External Agency	3	15	45	9	0.04
Information/Freedom of Information Request	4	18	72	14.4	0.07
Special Events	25	4	100	20	0.09
Staff Training	1	40	40	8	0.04
Digitisation Programme	2	40	80	16	0.07
Student Training	2	24	48	9.6	0.04

**Total FTE for Food Related/Health and Safety/Other Service Requests = 4.0**

Complaints and Service Requests are dealt either by the duty Business Regulation Officer or by the officer responsible for the premises which are the subject of the complaint/request. All service requests are logged in the APP database against the premises implicated, with visits and actions being recorded when undertaken.

All complaints are recorded and their risk evaluated to distinguish between those which require an on-site investigation and others which may be resolved by telephone or written advice.

### **3.3 Investigation of Accidents**

A procedure is in place for the investigation of notified accidents designed to ensure consistency and quality of the accident investigation service. It is not possible or appropriate to investigate all incidents and a systematic approach has been adopted to ensure that the more serious incidents are investigated.

### **3.4 Enforcement Management Model (EMM)**

The Guidance in the LAC22/18 along with detailed guidance that was issued for use by EHOs is used to promote consistency of enforcement between individual officers, LAs and with HSE.

All officers in the team have been trained in the use of the Enforcement Management Model. The model is used by officers when considering the most appropriate action to take in more complex situations which are occasionally encountered, including serious accident investigations. It is also used as a monitoring tool by the Business Regulation Manager/ Regulatory and Enforcement Manager.

### **3.5 Home Authority Principle & Primary Authority Scheme**

For companies operating under two or more local council jurisdictions, Primary Authority provides reliable and consistent regulatory advice from a single source when dealing with key aspects of environmental health, trading standards, health & safety, and licensing services. Renfrewshire Council currently has no partnerships in relation to health & safety advice and enforcement.

The Regulatory Reform (Scotland) Act 2014 creates a legal framework for implementation of Primary Authority arrangements relating to the devolved regulatory responsibilities of Local Authorities in Scotland. A process to introduce the scheme for food businesses is currently going through the consultation process.

The Primary/Home authority principle is applied when dealing with food complaint investigations and also routinely in relation to food standards and labelling issues. It is considered to be an aid to good enforcement practice.

The Council has no formal agreements in place to act as a Home Authority with any specific business, but has listed the following significant establishments as ones which are considered as home authority/originating authority premises:

A&A Bakers	Moss Road	Linwood	PA3 3HR
Alice Cairns Butchers Ltd	Moss Road	Linwood	PA3 3HR
DNATA	Arran Avenue	Paisley	PA3 2AY
AP Jess	Sandyford Road	Paisley	PA3 4HP
Aulds Delicious Desserts	Barnsford Avenue	Inchinnan	PA4 9RG
Big Bear Bakery	15 Edison Street	Hillington Park	G52 4JW
Buon Giorno	11A Queen Street	Renfrew	PA4 8TR
Craigton Packaging	Scott's Road	Paisley	PA2 7AN
Davis & Davis	39 Brora Drive	Renfrew	PA4 0XA
Davidson Butcher	Mossedge	Paisley	PA3 3HR
Diageo Global Supply	1 Argyll Avenue	Renfrew	PA4 9EA
Diageo Global Supply	500 Renfrew Road	Renfrew	G51 4SP
Earl Haig Foods Ltd	15 Earl Haig Road	Hillington Park	G52 4JU
Faceplant Foods	Greenhill Road	Paisley	PA3 1RD
Foxbar Butchers	44 Foxbar Road	Paisley	PA2 0AY
Faodail Foods	Westway	Renfrew	PA4 8DJ
G Porrelli & Co Ltd	25 Lacy Street	Paisley	PA1 1QN
G&A McHarg	Dalziel Road	Hillington Park	G52 4NN
Gate Gourmet	Glasgow Airport	Paisley	PA2 8DP
Gleddoch Family Butchers	60 Glasgow Road	Paisley	PA1 13W
Hannah's of Johnstone	18-20 Walkinshaw Street	Johnstone	PA5 8AB
Hawkhead Whisky Smoked	North Street	Paisley	PA3 2AE
Henderson Meats	Hillington	Glasgow	PA8 6BS
Ingram Brothers	15 East Lane	Paisley	PA1 1QA
Jaw Brewery	67b Montrose Avenue	Hillington Park	G52 4LA
Jenier Limited	Earl Haig Road	Hillington	G52 4JU
John Scott Meats	Sandyford	Paisley	PA3 3HR
Kismet	Lyon Road	Linwood	PA3 3BQ
Kerry Foods (UK) Ltd)	55-59 Kelvin Avenue	Hillington Park	G52 4LT
Lang Fine Scottish Leather	1 Seedhill	Paisley	PA1 1JL
MacSpice/McAusland Crawford	79/81 Abercorn Street	Paisley	PA3 4AS
Linburn Farm	Linburn	Erskine	PA8 6AW
Scottish Leather Ltd	Kilbarchan Road	Bridge Of Weir	PA11 3RL
Peppermill Foods Ltd	14 Watt Road	Hillington	G52 4RY
Rice 'n' Spicy	15 Edison Street	Hillington Park	G52 4JW

Sgaia Foods	88 Greenhill Road	Paisley	PA3 1RD
Stephen Williams First Class	4b Mains Drive	Erskine	PA8 7JQ
Sutherland Cakes	15-17 Earl Haig Road	Hillington	G52 5JU
Glasgow Distillery Company	Deanside Road	Renfrew	G52 4XB
The Elderslie Scottish Tablet Co	37 Glenpatrick Road	Elderslie	PA5 9AE
W P Tulloch	22a Skye Crescent	Paisley	PA2 8EL

### **3.6 Advice to Business**

Throughout the Covid-19 pandemic, Communities and Public Protection maintained contact with businesses, including the hospitality sector to advise on Covid-19 compliance – this included visits wherever required. Officers also maintained interventions wherever required e.g. food complaints/food poisoning and visited approved and Group 1 premises as required by the Covid-19 “contingency measures for delivery of official controls in relation to food”.

The level of advice will likely continue throughout 2021/22 and either the Duty EHO or Area Officer (EHO) will be able to offer advice/guidance where required.

Communities & Public Protection undertakes an on-going advisory role to all businesses in Renfrewshire. A range of information and promotional material is made available for businesses by Environmental Health Officers during visits. Similarly, training opportunities and other information is provided to businesses during visits.

### **3.7 Health Promotion Activities**

Health Promotion activities are undertaken through an integrated approach throughout Public Protection. Through this integrated approach, the Service assists in signposting training opportunities, providing relevant information and advice to businesses in Renfrewshire. A selection of FSS and HSE publications in English/ other languages, and Information packs for new businesses are available. A leaflet summarising our Integrated Enforcement Policy is available for businesses.

### 3.8 FHIS & EatSafe

The Food Hygiene Information Scheme continues to be a success in Renfrewshire with around 1000 food premises who sell food to the public being included.

Currently 98% of premises within Renfrewshire have a pass certificate within the scheme.

There are 13 premises with Eat Safe Awards. These are:

Premises Name	Premises Address
Accord Hospice	Morton Avenue, Paisley, PA2 7BW
Mosswood Care Home	Moss Road, Linwood, PA3 3FA
Capability Scotland	Wallace Court, 191 Main road, Elderslie, PA5 9EJ
Erskine mains Care Home	Meadow drive, Erskine, PA8 7ED
Hanover(Scotland) Housing Association Newton Court	23 Maree Road, Paisley, PA2 9DH
Hanover(Scotland) Housing Association, Ailsa Court	1 Ailsa Drive, Paisley, PA2 8HE
Hanover(Scotland) Housing Association Orchard Court	"Orchard Court", Orchard Street, Renfrew, PA4 8RZ
Hanover(Scotland) Housing Association, Walikinshaw Court	Walkinshaw street, Johnstone, PA5 8AF
Kibble Education & Care Centre	Goudie Street, Paisley, PA3 2LG
Kibble Works	55 Clark street, Paisley, PA3 1RB
Little Inch Care Home	8 Rashilee Avenue, Erskine, PA8 6HAKj.
Holiday Inn	Caledonia Way, Glasgow Airport PA3 2TE
Leaps and Bounds Nursery	23 Clarence Street, Paisley, PA1 1PU

### 3.9 Sampling

Renfrewshire Council, along with 9 other local authorities have a Service Level Agreement with Glasgow City Council for the provision of analytical services. The analyst service is provided by Glasgow Scientific Services, Colston Laboratory, 64 Everard Drive, Glasgow G21 1XG. Glasgow Scientific Services are this Authority's appointed Public Analyst for chemical analyses of all food samples, Food Examiner for all microbiological examinations of food samples and Agricultural Analyst for all feeding stuffs samples taken.

The sampling programme for 2021/22 is attached as Appendix 1 to this Service Plan. The programme will focus on high risk premises in Renfrewshire, whilst reflecting national priorities recommended by FSS and SFELC.

Food sampling will also be undertaken at Glasgow International Airport to monitor the quality, composition and labelling of foods imported through the airport as part of the Service's imported food controls. It is not possible to estimate sample numbers or types for this sampling at present.

### **3.10 Control and Investigation of Outbreaks and Food Related Infectious Diseases**

Communities & Public Protection works closely with NHS Greater Glasgow and Clyde Health Board Consultants in Public Health Medicine in outbreak control situations and the routine investigation of infectious disease. In addition, the Health Board has produced an outbreak control plan for dealing with major outbreaks of food related illness to which this authority has had a major input.

This has never been more evident as part of the Covid-19 pandemic. Weekly meetings with the Health Board have been instigated both for Environmental Health Managers but also with regards to Community Testing and Contact Tracing. These will continue throughout 2021/22. In addition, regular cluster meetings are taking place to discuss outbreaks in premises where intervention and assistance may be required from Environmental Health.

Mutual aid was required, as part of the Joint Health Protection Plan at the beginning of the pandemic when 2 EHO's were seconded to the NHS with regards to contact tracing (Test and Protect). In addition to this, Environmental Health Managers led on contact tracing and assisting educational establishments from August 2020 to June 2021. This had a massive impact on staff resource.

An Environmental Health Officer also leads on the Community Testing programme in Renfrewshire i.e. identifying and running Asymptomatic Test Sites for testing. This again, will continue well into 2022.

As a result of on-going demands and recovery, Renfrewshire Council will look to recruit a further 2 Environmental Health Officers in 2021 to assist with workload/resource

The Business Regulation Team work in partnership with the Public Health Protection Unit at NHS Greater Glasgow and Clyde Health Board to ensure the plan is adhered to. In addition, an outbreak control and investigation of notifications of food borne disease procedure is in place.

Present resources within Communities & Public Protection are adequate to meet current levels of notification; however, in the event of a major outbreak, any required additional resources would be made available by seconding Environmental Health Officers from other service areas.

### **3.11 Food Incidents**

Food incidents are dealt with in accordance with the relevant codes of practice the Food Law Code of Practice (Scotland) Notifications of incidents are received from Food Standards Scotland (FSS) by e-mail or telephone. In case of emergencies, an Officer is on stand-by who has contact details for all relevant members of staff. Procedures for food safety incidents are in place and are available to all staff. This allows for alerts to be appropriately actioned, investigations set in motion and warnings issued if necessary. Any enforcement activity which is required in support of an incident is carried out within the terms of the relevant legislation and the Council's enforcement policy for assuring the safety of food.

In addition to responding to notified incidents, Renfrewshire Council will, where necessary initiate Food Alerts in accordance with Code of Practice Guidance and will liaise with Food Standards Scotland in such situations.

### **3.12 Liaison with Other Organisations**

As detailed in 3.10 above, close working relationships have been maintained with the Greater Glasgow and Clyde Health Board during the Covid pandemic. This has also extended to the Scottish Government, especially with regards to Community Testing and Managed Isolation (Quarantine) facilities.

Renfrewshire Council established the first and largest Covid-19 Asymptomatic Test Site in Johnstone in December 2020. This influenced the following ATS sites across the country. This had an impact on resource as staff, including managers, who were focused on Community Testing with EHOs still being involved at the current time.

To ensure enforcement and other activities carried out by the Service are consistent with neighbouring Authorities and to ensure best practice, Renfrewshire Council actively participates in the West of Scotland Food and Health & Safety Liaison Groups. The groups meet regularly throughout the year and comprise representatives from the 14 authorities, which previously made up Strathclyde Regional Council, together with representatives from Glasgow Scientific Services, Food Standards Scotland and the Health & Safety Executive. The groups are attended by the Business Regulation Manager or a suitable deputy.

The Service also has formal and informal links to a range of other organisations and agencies. These include:

NHS Greater Glasgow and Clyde Health Board  
Association of Port Health Authorities  
Royal Environmental Health Institute for Scotland  
Society of Chief Officers of Environmental Health in Scotland  
Society of Chief Officers of Trading Standards in Scotland  
Scottish Food Enforcement Liaison Committee  
Health Protection Scotland

Food Standards Scotland  
 Health & Safety Executive  
 Glasgow Scientific Services  
 Animal and Plant Health Agency  
 Marine Scotland  
 Border Force  
 West of Scotland Quality Working Group (Feeding Stuffs)  
 H.M. Revenue and Customs  
 Scottish Government Rural Payments and Inspection Directorate (SGRPID)  
 Civica APP Scottish Users Group

#### 4. **RESOURCES**

##### 4.1 **Financial Allocation**

The budget detailed below indicates the level of resources available 2021/22 to deliver the necessary services. As highlighted at 3.1 above the resource allocation within the Business Regulation Team is 75% of Food Law enforcement and 25% on Health & Safety enforcement. This split is at the discretion of the Environmental Health - Business Regulation Manager and can be amended where there is a service demand.

<b>Budget</b>	<b>2021/22</b>
Employee Costs	<b>£378,383</b>
Supplies and Services	<b>£154,371</b>
Travel and Subsistence	<b>£5000</b>
Training	<b>£1600</b>
<b>Total</b>	<b>£539,354</b>

<b>Projected Income Source</b>	<b>2021/22</b>
Export Health Certificates	<b>£800</b>
Sales, Fees and Charges	<b>£500</b>
Miscellaneous Income	<b>£2142</b>
<b>Total</b>	<b>£3442</b>

##### 4.2 **Staffing Allocation**

Within the context of this plan, the allocation of staff is designed to provide an effective enforcement service for food law and occupational health and safety at work on behalf of Renfrewshire Council.



All food enforcement officers are authorised in accordance with the Food Law Code of Practice (Scotland) commensurate with their training and experience. A range of additional relevant qualifications are held including: the REHIS Advanced Food Hygiene Diploma, the REHIS Certificate in the Inspection of Meat and Other Foods, Certificate in Nutrition & Health and the RIPHH Certificate in HACCP Principles. Three officers have completed the ISO 9000 Lead Assessors course and three officers have attended and passed the Official Controls verification Course.

The Service secures administrative support from a pool of administrative and support staff in the Council's Business Support Service.

### **4.3 Employee Development Plan**

The Service is committed to ensuring all officers are suitably qualified, trained and remain competent in terms of the Food Law Code of Practice (Scotland) and in terms of Section 18 of the Health & Safety at Work Act 1974.

This is facilitated by the provision of in-house training, and all employees have the opportunity on a rotation basis to attend relevant external training events. These include the Food Update, Health & Safety Update, the Law Enforcement course and other courses arranged ad-hoc by organisations such as REHIS, Food Standards Scotland and Health & Safety Executive. Any employee attending such a course is required to "cascade" the relevant information accrued as a result of their attendance to other officers.

Business Regulation Team meetings are normally held monthly, where performance, food safety and food standards enforcement and Health & Safety enforcement issues are discussed. Matters arising from the quality assessment model for inspections, consistency issues and interpretation issues are discussed. During the pandemic, the team have met twice daily so monthly team meetings have not taken place as matters have been discussed on a continual basis. Monthly Team meeting minutes and Liaison Group minutes are stored in the staff manual for all officers to use. Relevant points from the Liaison Groups are also discussed at Team meetings.

In addition, all staff have full access to, and are trained in the application of, policies and procedures, which are a requirement of the framework agreement on local authority food law enforcement. Training records are maintained for each officer.

All officers will complete a training needs analysis and will have individual development plans prepared for 2021/22.

## **5. Quality Assessment**

### **5.1 Quality Assessment & Internal Monitoring**

The Service has a documented “Internal Monitoring Procedure – Internal Checks” quality assessment model for inspections. The Business Regulation Manager has primary responsibility for carrying out quality assessments within the Service. The Communities & Regulatory Manager has a secondary responsibility to oversee the performance of the Business Regulation Manager and to ensure that quality assessments are being carried out consistently throughout the Service.

The Internal checks include file checks, one-to-one discussions, team discussions and accompanied inspections. Records of these are retained by the Business Regulation Manager and Communities & Regulatory Manager.

This quality assessment model facilitates the Service’s requirement in accordance with annex 2 of the Food Law Code of Practice (Scotland) and the Section 18 guidance issued by the HSE to ensure that all staff engaged in enforcement activities retain their competence.

The Business Regulation Manager reviews a monthly report on the performance indicators to ensure that the targets are met. The monthly report also details performance information relating to inspection deadlines, complaints and service requests received and food sampling activity.

## **6. REVIEW**

As detailed in section 3 above the deviation from the Food Law code meant that only those visits deemed of highest risk were carried out, therefore a review of performance for 2020/21 has not been included.

### **6.1 Areas for Improvement**

It is considered critical that the service establish an electronic file management system as well as pursuing options to introduce mobile technology to improve efficiency. As part of Covid-19 Recovery, this has been raised with the Corporate Management Team.

## **7. Emerging Issues 2021/22**

### **Food Crime**

This continues to be a focus for FSS and Food Authorities. It is expected that due to the pandemic there will be an increase in Food Fraudulent activity, this in turn will have resource implications. Food Crime erodes confidence and disempowers consumers. This leads in turn to financial losses, negative economic impact and poses a threat to jobs and exports. Tackling food crime is so Nationally/Internationally important that The Scottish Food Crime and Incidents Unit (SFCIU) was established. The Business Regulation Team already work closely with the team and will continue to build on the established working relationships with them and other partner Agencies.

### **Brexit**

The challenges and uncertainties surrounding the UK exit from the EU remain. Officers regularly attend meetings in relation to port issues and as discussions continue into inland import checks, The Business Regulation Team may require to provide resource, should such facilities be required within Renfrewshire. It is expected, as post-pandemic operations at Glasgow airport border commence, that the service will have their usual monitoring function at the airport increased. In addition, the impact of the UK internal Market Act 2020 is unknown.

A further area which will impact on the service will be the introduction of new labelling legislation, sometimes referred to as "Natasha's Law" which comes into force on 1 October 2021. This is a major shift in food labelling and will require businesses to label pre-packed foods for direct sale. It is anticipated that there will be significant resource implications as Renfrewshire Council prepare businesses for the change in Law and going forward, enforce the new law.



Renfrewshire  
Council

## **COMMUNITIES AND HOUSING SERVICES**

### **BUSINESS REGULATION – FOOD SAMPLING PROGRAMME**

**2021/22**

## **1. INTRODUCTION**

The annual sampling programme for 2021-22 is designed to fulfil aims and objectives in line with Communities and Housing Services Food Sampling Policy. The programme outlines the sampling priorities for the year, however it is recognised that circumstances and priorities may change, which require the programme to be flexible in order to respond to these changing circumstances.

Most samples are taken informally for the purpose of monitoring, surveillance and information gathering however; formal samples will be taken where enforcement action is anticipated. Environmental Health Officers, Food Safety Officers and other authorised officers are responsible for undertaking the food sampling functions of the Council.

At present there is a Service Level Agreement in place with Glasgow City Council to provide analytical services to Renfrewshire Council. The analyst is: Glasgow Scientific Services, Colston Laboratory, 64 Everard Drive, Glasgow, G21 1XG.

## **2. APPROACH TO SAMPLING**

Renfrewshire Council complies with the requirements of the Food Safety (Sampling and Qualifications) Regulations 1990 and the Food Law Code of Practice. The sampling programme for 2021/22 is designed to be more focused on high risk/high value products which are manufactured in Renfrewshire. Focussing on these items will ensure that those which pose the greatest risk to the public of Renfrewshire are adequately controlled.

### **2.1 Informal Samples**

An informal sample may be taken covertly however; the food business operator will always be informed of the results of the sample. Informal samples can be useful in allowing an unrecognised officer to witness activities in business premises in a real time situation however; for enforcement purposes formal sampling must be undertaken overtly.

### **2.2 Formal Samples**

In accordance with the Regulatory Services Integrated Enforcement Policy, which promotes action which is consistent, fair and proportionate, formal samples will generally be taken after routine samples have been found to fail statutory requirements and no satisfactory remedial action has been taken.

### **2.3 Sampling Priorities**

Food Standards Scotland and The Scottish Food Enforcement Liaison Committee have identified, through intelligence, the areas deemed to be priorities in terms of sampling. The priority plan considers the Scottish perspective but also takes account of the UK. FSA. priorities. In addition to National priorities, Renfrewshire Council will focus on areas of particular interest to the authority.

## **2.4 Manufacturing/Approved Premises**

Renfrewshire Council will continue to concentrate on sampling from manufacturers and approved premises in our area. These premises will be sampled at least annually. Where possible, samples will be taken in advance of Food Hygiene/Food Standards inspections in order to discuss sample results with the food business operator.

## **2.5 Sampling Plan 2021/22**

The sampling plan for 2021/22 outlines the project work to be undertaken by Renfrewshire Council in high risk areas. The sampling plan is outlined at point 4.2.

## **3. COMPLAINTS & FOOD BORNE DISEASE INVESTIGATIONS**

In response to complaints and notifications of food borne disease received Communities and Housing Services may opt to take samples in order to resolve any issues arising as a result of any investigations.

### **3.1 Co-ordinated Sampling**

Where appropriate, the Service will participate in food surveillance programmes arranged by regional and national bodies such as Food Standards Scotland, SFELC and the West of Scotland Food Liaison Group.

### **3.2 Imported Food**

In order to monitor the quality, composition and labelling of imported foods, samples of foods imported through Glasgow Airport will be submitted to the Public analyst for examination.

### **3.3 Special Investigations**

There may be circumstances whereby an incident will require special investigation and resources may have to be directed towards dealing with the investigation. In addition, this may involve liaison with other partners including Health Protection Scotland and Greater Glasgow & Clyde Health Board.

## **4. SAMPLING PLAN**

### **4.1 Priority Actions**

The following topics have been identified as priority actions by SFELC and will be subject of sampling activity during 2021/22, along with other local surveillance activities outlined in the table below at point 4.2:

### **4.2 Sampling Plan**

	Description	Analysis Required
1	Reconstituted frozen chicken products	Salmonella, Listeria monocytogenes (detection)
2	Reconstituted poultry products (other than chicken)	Salmonella, Listeria monocytogenes (detection)
3	Frozen vegetable and fruit (imported)	Salmonella, Listeria monocytogenes (detection & enumeration), STEC, ACC
4	Sandwich fillings	Salmonella, Listeria monocytogenes (detection & enumeration) STEC, Campylobacter, ACC
5	Fresh cow and sheep/lamb liver	Campylobacter, Salmonella
6	Oats and oat-based products	Fusarium mycotoxins - DON, ZON, T2 & HT2, fumonisins, cadmium and lead
7	Oat-based 'milks'	Fusarium mycotoxins - DON, ZON, T2 & HT2, cadmium and lead
8	Almond-based 'milks'	Aflatoxins B1, B2, G1 & G2, cadmium and lead
9	Drinking coconut 'milk'	3-MCPD and glycidal esters *
10	Pre-packed beef mince	Fat, connective tissue, added water, short nutritional , labelling assessment
11	Vegan and dairy-free products	Milk proteins (total)
12	Gluten-free cereal and cereal bar products and cakes	Gluten
13	Nut-free meals	Presence of nuts (focusing on peanuts and almonds)

14	Dairy-free meals	Milk proteins (total)
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### Estimate of Sampling /Officer Resource

	Time Estimate Per Sample (hours)	Total Estimate 2021/21	Total Estimated Time- Hours	Officer days	FTE
sampling- chemical/micro/ Approved & manufacturers / SFELC & FSS	1	100	292	58.4	0.26

#### 4.3 Routine Sampling

The project sampling initiatives listed above will be the focus of sampling activities however, in the course of routine work, officers will take samples as appropriate.

#### 5. Review

As detailed in The Business Regulation Service Plan the deviation from the Food Law code meant that only essential sampling was carried out, therefore a review of performance for 2020/21 has not been included.

The Food Sampling programme will be evaluated at the end of 2022 in order to determine priorities for the following year as part of the Service Planning process or in response to any changes in advice/instruction given by the Food Standards Scotland or other relevant government bodies







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Chief Executive Officers  
Heads of Food Service  
Lead Food Officers  
REHIS  
SFELC

FSS/ENF/20/006

30<sup>th</sup> March 2020

Dear Colleagues,

## **COVID-19: CONTINGENCY MEASURES FOR DELIVERY OF OFFICIAL CONTROLS IN RELATION TO FOOD**

Given the unprecedented nature of the COVID-19 pandemic and national infection control measures now in place, and the anticipated disruption that will be caused by staff shortages, it is recognised that deviation from certain elements of the Food Law Code of Practice (Scotland) 2019 (the Code), and associated Interventions Food Law Code of Practice 2019, will be necessary for the next 4 months (initial estimate) to ensure Local Authority Environmental Health Services have the ability to undertake wider public health duties related to Covid-19.

The Minister for Public Health and Sport has therefore agreed to allow LAs to deviate from the Code and this agreement covers the following areas which are considered to be reasonable and proportionate in the circumstances:

### **Food Law Code of Practice deviations**

- a) Food Law interventions to all care facilities including hospitals, care homes, nurseries, and childminders.
- b) Planned programmed Interventions at all lower risk Group 2 and 3 businesses within the Food Law Rating System (FLRS), and all Crown Establishments.
- c) Low risk primary production activities - exception for dairy farms supplying raw milk for the manufacture of raw milk cheese. This includes on farm inspection to assess compliance against primary production controls.
- d) Approved establishments and other high risk manufacturers may limit access to high risk production areas. Therefore it is recommended that Interventions at Approved establishments, and higher risk FLRS Group 1 businesses, are based on an initial Food Safety Management System and associated documentation

audit followed up by physical inspection only if public health concerns are identified.

- e) Intelligence driven Interventions at all food business establishments regardless of category should continue **where possible**. Intelligence will include information that suggests fraudulent activity or imminent risk to public health, e.g. consumer complaints, credible allegations of food poisoning, failed samples of a serious nature that suggest fraud or health risk.

### **Food Law Code of Practice deviations timescales**

The initial deviation period is for 16 weeks from the date of this letter. However the period will remain under review and will be amended where necessary.

### **Food Law Code of Practice deviations recovery plans**

FSS will work with the Scottish Food Enforcement Liaison Committee to agree the broad principles on which recovery plans will be based.

### **Assessing the impact of deviations from the food law code of practice**

It is important that we are able to measure the impact of this decision. Our plans for how this will be achieved are set out in Annex B.

In addition, I would encourage LAs to gather their own data on Interventions due that remain undelivered during this period. I would also encourage you to maintain your Management Information Software system to ensure that data is being captured by the Scottish National Database. I appreciate that this may be challenging for those working from home with potentially limited access to systems. If you are experiencing this difficulty please advise Jacquie Sutton at [Jacquie.sutton@fss.scot](mailto:Jacquie.sutton@fss.scot)

A summary of the Food Law Code of Practice deviations and timescale plans is shown in Annex A, with further detail on how the impact of the deviations will be measured, and how FSS will assist with the input of intelligence that can be used to inform Interventions, is provided at Annex B.

If you have any queries regarding this correspondence please contact me using the contact details contained in this letter.

Yours sincerely



Lorna Murray  
Head of Enforcement Delivery  
Food Standards Scotland

## ANNEX A : FOOD LAW CODE OF PRACTICE DEVIATIONS AND TIMESCALES

Area of Deviation	Action Points	Timescale
Planned Programmed Interventions at all FLRS Group 2 and 3 Businesses and all Crown Establishments.	No planned Interventions to be undertaken.	16 weeks from date of this letter
Low Risk Primary Production activities	No planned Interventions to be undertaken with exception of Dairy Farms supplying raw milk for the manufacture of raw milk cheese	16 weeks from date of this letter
Planned programmed Interventions at Approved establishments and all FLRS Group 1 Businesses.	Recommend that Intervention is based on paper audit and that physical inspection is based on concerns following this or can be followed up at a suitable later date.	16 weeks from date of this letter
Intelligence driven Interventions at <b>all food business establishments regardless of category.</b>	Intelligence including information that suggests fraudulent activity or risk to public health e.g. consumer complaints, credible allegations of food poisoning, failed samples of a serious nature that suggest fraud or health risk.	