

<b>SUBJECT:</b>	FOOD AND HEALTH AND SAFETY BUSINESS PLANS
<b>REPORT OF:</b>	<i>Community, Health and Housing – Councillor Graham Harris Healthy Communities – Councillor Paul Kelly</i>
<b>RESPONSIBLE OFFICER</b>	<i>Anita Cacchioli, Interim Services Director of Services Martin Holt, Head of Healthy Communities</i>
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<b>WARD/S AFFECTED</b>	<i>All</i>

## 1. Purpose of Report

The PAG is asked to advise the Portfolio Holder on the following recommendation(s) regarding the adoption of the joint Food and Health and Safety Service Plan for the year 2017/2018.

### RECOMMENDATION

That Cabinet recommend to Council the approval of the joint Food and Health and Safety Service Plan and the Food and Health and Safety Enforcement Policies.

Cabinet to consider the advice of the Portfolio Holder and any comments arising from the PAG.

## 2. Reasons for Recommendations

The Food Standards Agency's (FSA) Code of Practice and the Health and Safety Executive (HSE) require local authorities to produce and publish an annual service plan that demonstrates how the authorities are working to deliver its food safety and health and safety services. The Better Regulation Delivery Officer also requires local authorities to produce and publish their enforcement policies and to ensure that they comply with The Regulator's Code.

## 3. Report

The Food and Health and Safety Service Business Plan details how the food and health and safety enforcement services are to be delivered within both Chiltern District Council and South Bucks District Council areas for the year 2017/18.

The Service Plan is divided into the issues covered by the Food Standards Agency (FSA) Framework Agreement and the key priorities identified by the Health and Safety Executive's (HSE) Strategy Document. The Service Plan and Enforcement Policies are appended.

### Food Safety Service 2017/18

In 2012, Chiltern and South Bucks District Councils launched the Food Standards Agency's national Food Hygiene Rating Scheme. Since then the percentage of all eligible rated food premises (rating of 3 or better) continues to increase and is currently 96.3% for Chiltern and 96.9% for South Bucks District Councils, higher than the national average of 94.2%. 85.2% of food businesses in Chiltern DC and 85.5% of those in South Bucks DC improved their rating or stayed the same since their last inspection. Whilst the main approach to inspections is supportive, where businesses persistently fail to engage or improve standards, then more

formal enforcement action will continue to be taken. Officers will continue to focus on the highest risk businesses and those that have a rating of 0-2.

Specific areas of work have been identified in relation to continual service improvement, introduction of flexible mobile working and increased commercialisation of the service. These are reflected in the service plan action plan.

### **Health and Safety Service 2017/18**

Whilst health and safety remains a key priority for the Government, it aims to reduce the inspection burden on businesses. The consequence of this is that officers will only inspect businesses where there is a specific need, either due to local or national intelligence and the national strategic priorities. These priorities cover a range of sector specific interventions and cross-cutting themes.

In 2015, three fatalities were reported to Chiltern DC and resulted in Coroner's Inquests. Following an extensive investigation, one of the companies involved, Decco Ltd, Chesham was prosecuted at Aylesbury Crown Court where a fine of **£2.2 million** was issued with £21,000 costs awarded to the Council. This was an unprecedented sentence and received both local and national media interest. As a consequence, during 2017/18, projects will be developed relating to health and safety measures to protect employees from falls from height and workplace transport accidents.

### **Food Policy and Health and Safety Enforcement Policy**

Both policies reflect the principles set out in the Regulators' Code issued by the Better Regulation Delivery Office of the Department of Business, Innovation and Skills. The key principles are to supporting growth, engaging with businesses, having a transparent and risk based approach to activities, sharing information between regulators and providing clear information and advice to businesses. The Regulators' Code applies to local authority regulatory services such as: environmental health, licensing, housing standards, planning enforcement, building control and revenues and benefits. A corporate enforcement policy has been developed and the policies have been drafted in accordance with this overarching policy.

#### **4. Consultation**

Not Applicable

#### **5. Options**

Not Applicable

#### **6. Corporate Implications**

6.1 Financial – the service plan will delivered within existing budgets

6.2 Legal – The Food Standards Agency requires local authorities to produce and publish a food service plan, as does the Health and Safety Executive for health and safety and local authorities are audited by these Government bodies for compliance against the statutory guidance. The FSA audit reports are public documents and published on the FSA website.

**7. Links to Council Policy Objectives**

The plan stems from the Healthy Communities Service Plan and makes a positive contribution towards the Chiltern District and South Bucks Councils' *Joint Business Plan 2015 – 2020* and *Sustainable Community Strategy 2009 – 2026*. The plan links into the Councils' Performance Management Framework.

**8. Next Step**

The approved action plan for the service plan will be implemented across both local authorities.

<b>Background Papers:</b>	None
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