

ADUR & WORTHING  
**C O U N C I L S**

Adur District Council

Official Food Controls Service Delivery Plan

1 April 2023 - 31 March 2024

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# 1 Service Aims and Objectives

## 1.1 Service Plan

The Service Plan sets out how Adur District Council intends to provide an effective food safety service that meets the requirements of the Food Standards Agency (FSA) Framework Agreement on Local Authority Enforcement. It covers the functions carried out by the Food Safety Team under the provisions of the Food Safety Act 1990, the Food Safety and Hygiene (England) Regulations 2013 and relevant regulations made under the European Communities Act 1992.

The plan seeks to ensure that all national priorities and standards are delivered locally and provides a balanced approach to local food safety enforcement. This is achieved by not merely directing resources towards a programme of interventions but also by ensuring that adequate provision is made to address food complaints, food poisoning notifications and other reactive work, advice to businesses and also the ability to follow up on intelligence driven areas of work such as sampling and targeted visits.

The work of the Food & Health & Safety team meets criteria in all 4 areas of Our Plan <https://www.adur-worthing.gov.uk/our-plan/>

Thriving People: the public can make their own decisions on where best is safe to buy food and dine out using the FHRS.

Thriving Places: advice to Community groups providing food to the local community.

Thriving Environment: promoting the prevention of Food Waste.

Thriving Economy: offering businesses support and advice.

## 2 Background Information

### 2.1 Profile of the Adur District

The Adur District has a population of approximately 64,500 (source from the 2021 Census) and occupies a coastal strip of 4181 hectares of mainly light industrial and residential development between the South Downs and the sea. The area includes a small, mainly leisure, airport and a seaport, part of which lies in the City of Brighton & Hove.

### 2.2 Organisational Structure

The Food Safety Team, sits within the Public Health & Regulation Section, which falls under the Assistant Director of Operations and Sustainability within the Digital, Sustainability and Resources Directorate. Public Health & Regulation is a joint shared service for Adur & Worthing Councils.

### 2.3 Scope of Food Service

The service covers food hygiene inspections of premises, inspections of food, foodstuff and food premises complaint investigations, food poisoning investigations (sporadic cases and outbreaks), food safety promotional activities, and provision of advice and guidance on legal requirements and good practice to new and existing businesses.

Officers providing the food service also carry out focused health and safety interventions in a range of food premises when matters of evident concern are identified in the course of conducting food hygiene interventions. The Officers take part in the Health & Safety Executive's Priority Projects as well as accident investigations, complaints and skin piercing licensing applications.

Cases of genuine emergency, such as food poisoning outbreaks reported outside normal hours are referred via the Council's emergency contact arrangements to the Team Leader (Specialist Food & Health & Safety).

#### 2.4 Demands of the Food Service

Adur District Council's Food Safety Service is delivered from:

Worthing Town Hall, Chapel Road, Worthing, West Sussex, BN11 1HA.

Telephone number: 01903 221064

Email: [publichealth.regulation@adur-worthing.gov.uk](mailto:publichealth.regulation@adur-worthing.gov.uk)

Opening hours: Monday to Friday 9am - 5pm.

As of 1 May 2023 a total of **517** food premises are subject to programmed interventions as per the following table.

Type of Premises	Number
Distributors/ Importers/Exporters	12
Manufacturers & Packers	16
Primary producers (fishing vessels)	39
Restaurants & caterers other	345
Retailers	105
Total	517
Registered	511
Approved Establishments	6

#### 2.4.1 Shoreham Port

##### Ship Sanitation

Under the International Health Regulations 2005 local authorities that have ports within their district are obliged to inspect sea going vessels that land in their waters if their Ship Sanitation Control Exemption Certificates have expired. These are renewable every 6 months. It is expected that around 20 inspections will be done annually, at Shoreham Port. This is a discretionary service and is dependent on staff availability at the time of the request. Only the legal requirements as required under the International Health Regulations 2005 and retained EC legislation will be assessed.

#### 2.4.2 Export Health Certificates, Support Attestations and Certificate of Premises Endorsement

On 31 December 2020 the Brexit Transitional Period ended and on 1 January 2021 the requirement to process and certify Export Health Certificates for consignments of fish/fishery products and Egg Products commenced into the EU.

We aim to support our businesses involved in this process to enable guaranteed movement of these products into the EU. This is a non-statutory function and can provide only a limited service should businesses require an Export Health Certificate. We can provide Support Attestations and Certificate of Premises Endorsement.

#### 2.4.3 Shellfish Picking - River Adur

The Food Team receives sporadic reports of individuals collecting shellfish from the River Adur in the Norfolk Bridge area. This area is not classified for shellfish harvesting and consumption of these shellfish has the potential to lead to serious illness. The area is also a Site of Special Scientific Interest. The team will continue to investigate these claims and work with other stakeholders to deter this practice. It is of prime importance that this food source does not enter the food chain and any intelligence shall be shared with the FSA Food Crime Unit.

#### 2.5 Enforcement Policy

This Department is very aware of the effect of the cost of living crisis and the financial impact of COVID on food businesses. This has been coupled with difficulties in staff recruitment in hospitality, food chain pressure and rise in fuel prices. The Food Team will support businesses to a broadly compliant Food Hygiene Rating with those businesses requesting assistance but ensuring public safety.

The Councils have a documented Public Health & Regulation Enforcement Policy <https://www.adur-worthing.gov.uk/media/Media,97402,smxx.pdf> which details the enforcement approach for the whole service, including food safety, based on good practice guidance from Local Government Regulation and the Regulators' Code from the Better Regulation Delivery Office.

## Section 3 Service Delivery Plan for 1 April 2023 to 31 March 2024

### 3.1 Programmed Food Hygiene Inspections

The Food Standards Agency's COVID-19 Recovery Plan concluded on 31 March 2023. The Food Team had successfully completed the inspection programme and the COVID-19 backlog of outstanding inspections. The Food team was assisted by contractors to achieve this goal.

From 1 April 2023, all due interventions for establishments that are back in the routine programme of interventions will be carried out in accordance with the frequencies set out in the Food Law Code of Practice (the Code). This is in line with the expectation in the Recovery Plan that establishments should revert to Code frequencies once subject to an intervention as part of the Plan. The Plan is to work towards realigning with the provisions set out in the Code using the full range of flexibilities already offered by the Code. A risk-based and intelligence led approach will be taken to the prioritisation of interventions in order to re-align with the Code.

Programmed Food Hygiene Interventions are carried out in accordance with the arrangements set out in the Food Law Code of Practice. The programmes are logged on Tascomi Environmental Health software and standard reports enable progress, and future demand, to be constantly monitored.

However, the inspection numbers for 2023-2024 are lower than previous years due to the COVID-19 pandemic, lockdown periods when Officers were unable to carry out face-to-face physical inspections. Therefore, this year's Food Service Plan has included the forecast into 2024-2025 when there is an increase in inspections. This is the result of outstanding inspections carried out immediately after lockdown, contractor inspections and the growth of new businesses due to furlough. The plan is to realign the programme to remove peaks and troughs and each year is under 250 inspections due for an intervention.

The programmed food hygiene inspections due in the period 1 April to 31 March and a breakdown of intervention types are shown in the following table.

Risk Category/ Frequency of Intervention	Intervention Type	Number of Planned Interventions Due In	
		2023-2024	2024-2025
A / every 6 months	Official Control Intervention	1	No data
B / every 12 months	Official Control Intervention	18	No data
C / every 18 months	Official Control Intervention	52	21 (will increase)
D / every 24 months	Official Control Intervention or Alternative Enforcement Strategy	87	92 (may increase)
E / every 36 months	Official Control Intervention or Alternative Enforcement Strategy	13	134
Unrated	Official Control Intervention	70 (estimate from 2022)	70 (estimate from 2022)
Total		<b>241</b>	<b>296 (will increase)</b>

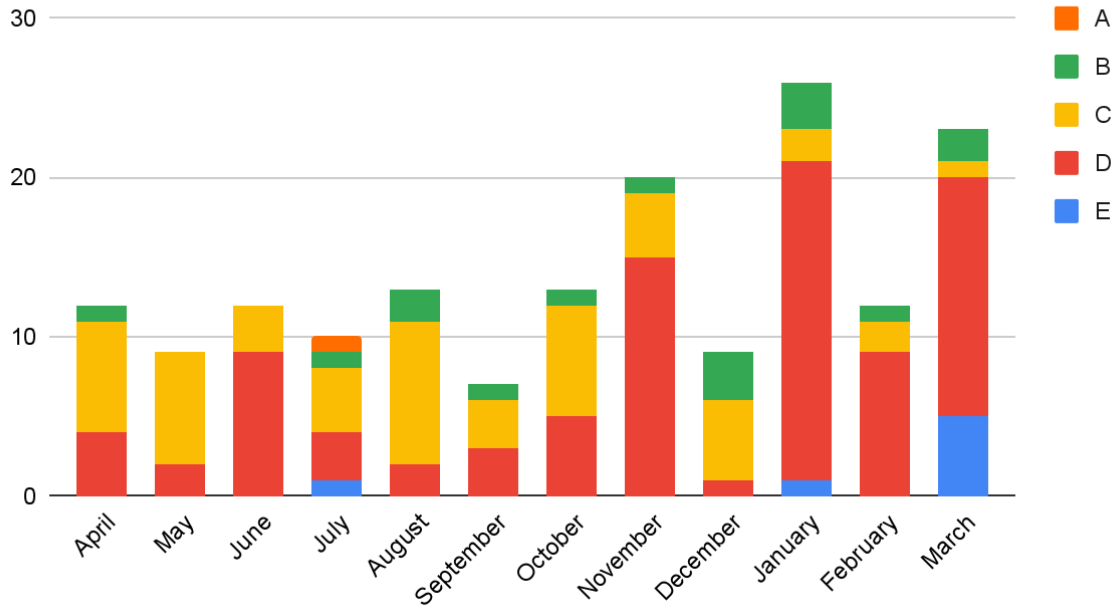
Risk category A, B, C and non-broadly compliant premises (Food Hygiene Rating Scores of 0, 1 and 2) shall be subject to Official Control Interventions (food hygiene inspections) and within 28 days of the planned date, in line with the Food Law Code of Practice.

New businesses should be inspected within 28 days of the planned date. The priority will be given to businesses handling high risk foods rather than businesses handling low risk foods.

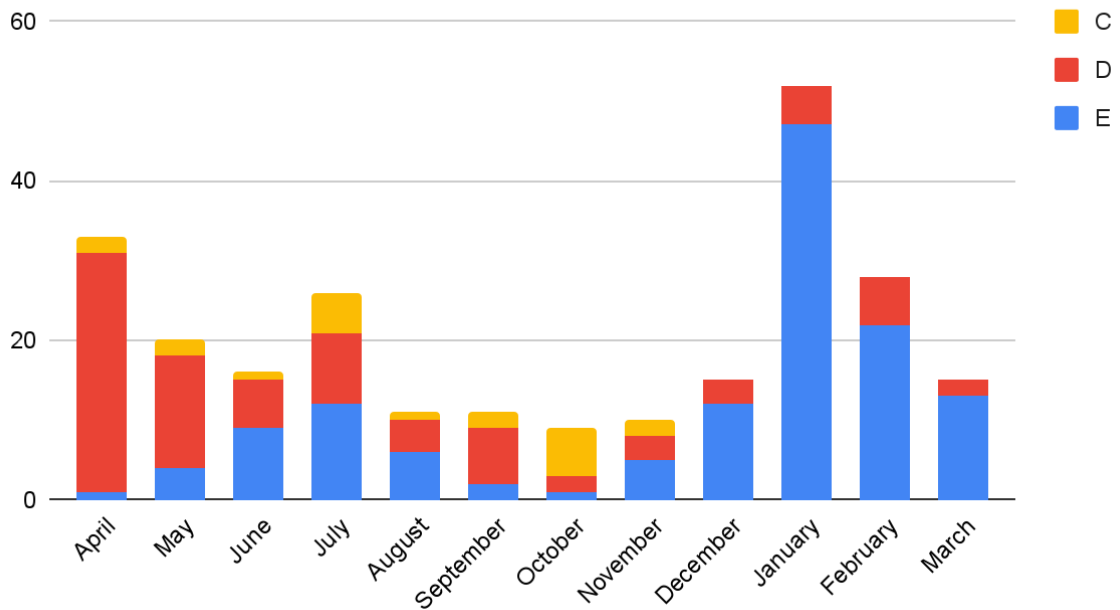
Risk Category D and E inspections may receive Alternative Intervention Strategies. The outstanding inspections during lockdown were these categories in which COVID grant funds were available to employ contractors.

The Chart below illustrates the programmed inspections due in 2023-2024 and 2024-2025 (please note that not all data for Risk Category A to C are available at present).

## Adur Inspection Programme 2023-2024



## Adur Inspection Programme 2024-2025, not complete



For 2023-2024, Risk Category D inspections will be inspected as full inspections unless increased reactive work removes Officers away from the food hygiene programme, in which there is the option for partial inspections or alternative



intervention to be undertaken for broadly compliant premises (a Food Hygiene Rating score of 3 and above).

Some of the 2023-2024 Category D inspections due to June 2023 have been completed before 31 March 2023, to begin to realign the inspection programme. The team will continue to bring forward Risk Category D inspections to reduce the peak of inspections from November 2023.

50% of Risk category E premises will receive an alternative enforcement approach (AES) due to the very low risk nature of these businesses. These businesses shall be requested to complete and return a questionnaire which provides information of the activities within their business. These businesses will not receive an updated Food Hygiene Rating Score. If there has been a significant change in the business, a food hygiene inspection visit will follow.

2023-2024 the Risk Category E inspection numbers are very low, therefore to balance annual inspection Risk Category E numbers, inspections due up to January 2025 have been included in this year's programme. The remaining Risk Category E inspections will receive a partial physical inspection, unless premises are non-broadly compliant and full physical inspections will be undertaken.

Some of the 2023-2024 Risk Category E inspections due to June 2024 have been completed before 31 March 2023, to begin to realign the inspection programme. The team will continue to bring forward Risk Category E inspections to reduce the peak of inspections of the 2024-2025 programme.

### 3.2 Ongoing Proactive Surveillance

In the recovery phase of the pandemic ongoing proactive surveillance was essential to re-establish an accurate picture of the local business landscape and to identify open/closed/ recently reopened/ new businesses; as well as businesses where there has been a change of operation, activities or Food Business Owner. Surveillance has continued with links to local Food Facebook groups as well as monitoring social media platforms. There has been a growth of unregistered food businesses operating on social media.

### 3.3 Food Complaints/ Premises Complaints

The Food Team will continue to investigate all complaints received regarding the safety of food. Any investigation will incorporate consideration of the risk to public health, compliance with statutory requirements, measures required to prevent recurrence and customer expectations. The documented food complaint procedure is in accordance with Local Government Regulation Guidance (Guidance for local authorities dealing with food complaints). Action taken on conclusion of the

investigation will be in accordance with the Public Health & Regulation's Enforcement Policy.

### 3.4 Primary and Home Authority Principle

The Home Authority Principle was developed by Food and Trading Standards authorities to aid consistent enforcement. The scheme provides businesses with a home authority source of guidance and advice and provides a system for the resolution of disputes. Alternatively, businesses can form a 'Primary Authority' statutory partnership with a local authority to assist with consistent enforcement. The guidance and advice the local authority provides must be taken into consideration by officers carrying out inspections and dealing with instances of noncompliance. Adur District Council endorses the home authority principle and currently has yet not received any requests for support in this area.

### 3.5 Advice to businesses

The Food Team has a strong commitment to providing an advisory role on legislative requirements and good practice for both new and existing businesses. New and prospective businesses are identified from informal contacts, area surveillance, applications for planning consent and building regulation approval and food premises registration. New businesses and existing businesses can access information relating to food matters on the Councils website. During programmed inspections officers also advise businesses accordingly in all aspects of food control. Such approaches are considered an investment to reduce the likely need for enforcement activities at a later stage. However, pre-inspection visits are no longer carried out prior to the opening of businesses.

### 3.6 Food Sampling

A food sampling programme is in place and outlines the Local Authority's sampling strategy and approach to specific local and national demands. UK Health Security Agency (UKHSA) implements a national programme of coordinated food studies in partnership with local authorities and Local Authority Food Liaison Groups. Microbiological examinations are undertaken by the UKHSA's Food, Water and Environmental Laboratory at Porton Down.

### 3.7 Food Safety Incidents

The Food Team will continue to respond to food safety incidents in accordance with the provisions of The Food Law Code of Practice, and all food alerts issued by the FSA will continue to be dealt with in accordance with this Code. It is difficult to predict the service demand likely to be created by food hazard alerts but it is estimated that 10 Food Alerts For Action (FAFA) will be received.

### 3.8 Liaison with other Organisations

The Food & Health and Safety team work closely with other organisations in order to achieve the same goal, public safety. We are a part of the Sussex Food Liaison Group which is attended by the Food Standards Agency and UKHSA. There are other Sussex Local Authorities groups that the team attends, Food Study Group and Infectious Disease Group. Close partnerships have been developed with UKHSA, West Sussex Trading Standards, Sussex Police, Southern Water, West Sussex Public Health, Food Standards Agency, MMO, Cefas, Natural England, Defra, APHA. Wellbeing, Planning, South Downs National Park, Building Control, Events, Concessions, Cleansing.

### 3.9 Projects/ Schemes

#### 3.9.1 Food Hygiene Rating Scheme (FHRS)

The food hygiene rating or inspection result given to a business reflects the standards of food hygiene found on the date of inspection or visit by the local authority. The food hygiene rating is not a guide to food quality. Not all food businesses meet the criteria to be part of the Food Hygiene Rating Scheme (those that do not have direct contact with the public, those businesses that the public do not associate as a food business).

The FSA holds information provided on businesses on behalf of local authorities participating in the national Food Hygiene Rating Scheme in England. Adur & Worthing Councils shall continue to participate in the national Food Hygiene Rating Scheme, however, on 1 July 2018 it was agreed to utilise a cost recovery function in regard to requested re-inspections/ re-visits under the terms of the FHRS.

It is the ambition of the team and of the Councils that we have a thriving hospitality sector in our places, whilst supporting the health and wellbeing of our communities and visitors. In the support of food businesses, those with a Food Hygiene Rating Score of 5 are listed on the Council website. At the same time, limited resources need to be directed to where they are most needed and this will be one way of supporting those resources.

3.9.2 The team will support food safety campaign initiatives promoted by the Food Standards Agency. This had included campaigns on allergen awareness, Summer BBQs and Leftover Christmas food.

#### 3.10 Control of Outbreaks and Infectious Disease

The Food Team will investigate food-related infectious disease notifications in accordance with procedures agreed with the Consultant in Communicable Disease Control (CCDC).

Investigation of outbreaks will be in accordance with the Outbreak Control Plan agreed with the UK Health Security Agency. 89 notifications of sporadic cases were received between 1 April 2022 and 31 March 2023 and at least one outbreak of food poisoning or viral illness requiring investigation, is to be expected. Officers within the team will be first responders in line with the Emergency Plan, in the event of a serious outbreak.

Our priority is to ensure that food remains safe and that the high standard of food safety and consumer protection enjoyed in the Adur area is maintained.

## Section 4 Resources

### 4.1 Financial Allocation

The Food Safety Service net budget for 2022/23 was £130,740. The budget for 2023/24 will be released in July 2023.

### 4.2 Staffing Allocation

There are 4.7 full time equivalent (FTE) officers allocated to the Food Safety Team including the Team Leader- Specialist Food & H&S. Primarily there is one EHO and one EHT (FTE 0.6) that are designated to the Adur area, as well as sharing the East Worthing area and Worthing town centre. The Team Leader and EHOs will also carry out health and safety enforcement. The following table illustrates the allocation of staff for food hygiene and infectious disease control only:

<b>Position</b>	<b>Full Time Equivalent</b>	<b>Competency</b>
Team Leader	0.9	Lead Food Officer Authorised Officer
Environmental Health Officer	0.9	Authorised Officer
Environmental Health Officer	0.9	Authorised Officer
Environmental Health Technician	0.8 (temporary funding increased this post to 1.0 for 2023-2024 only)	Authorised Officer, not to determine food fitness or seize & detain food.
Environmental Health Technician	0.6 (previously 1.0 but role includes Animal Licensing)	Authorised Officer, not to determine food fitness or seize & detain food.
Environmental Health Technician	0.4	Authorised Officer

### 4.3 Staff Development/ Competency

The Team Leader shall monitor staff development and identify any additional training needs. Training requirements are also identified via the Adur & Worthing Councils staff appraisal process. The whole team undertakes the Food Standard Agency's and Sussex Food Group's Consistency Exercises. There will be planned group team training this year linked to internal procedures.

The Code of Practice requires those who carry out official controls on food to have undertaken a minimum of 20 hours Continuing Professional Development (CPD) per year and at least 10 hours of CPD must be spent on 'core' food areas.

Any Authorised Food Officers that have not completed previous Food Standards Agency's Competency Matrix will be required to complete the new matrix introduced in March 2022.

## Section 5 Internal Monitoring

Adur & Worthing Councils recognises the need for competent officers to undertake uniform and quality Food Hygiene Inspections in accordance with The Food Standards Agency code of practice and practice guidance and food laws.

The Internal Monitoring Procedure sets out measures to ensure compliance with the Food Standards Agency code of practice guidance and food laws and any relevant associated legislation/guidance. This procedure shall also apply to any contractors employed to undertake food safety inspections. It shall be the responsibility of the Team Leader - Specialist Food & Health & Safety to ensure that measures in this procedure are implemented.

## Section 6 Service Plan Review

A review of this plan for 2023-2024 will be undertaken at each review point before the Food Standards Agency's Temperature Surveys (in June 2023, September 2023, December 2023 and March 2024).

### 6.1 Service Plan Review of 2022-2023

100% of the inspection programme was completed in 2022-2023 and the new business still awaiting inspections were those that had registered but had not commenced trading.

## 2022-2023 Food Safety Interventions - Mixture of routine inspections and Alternative Enforcement

A	B	C	D	E	Unrated	Total
1	12	27	75	42	65	222

<b>Number of Requests for service 2022-2023</b>	Hygiene of premises	31
	Food Complaints	26
	Other Food Related Enquiries	101

<b>Enforcement Action undertaken in 2022-2023</b>	Improvement Notices	0	Seizure, Detention, Voluntary Surrender of food	0
	Hygiene Emergency Prohibition Notices	0	Simple Cautions	0
	Hygiene Emergency Prohibition Orders	0	Prosecutions	0
	Voluntary Closure	1	Written Warnings	90

Food registration forms received in 2022-2023	70
An Approximate number of businesses ceased trading in 2022-2023	97
Number of actual official control interventions in 2022-2023	255

<b>Food Hygiene Rating Score (FHRS) in 2022-2023 (data may not include businesses that later ceased trading)</b>	0	1	2	3	4	5
Number of FHRS per category issued excluding re-scores	1	6	3	7	16	166
Number of FHRS per category issued as re-scores	0	0	0	0	1	9

### 6.2 Identification of any Variation from the Service Plan

The Food Team had been successful in reducing the backlog of inspections that were due during lockdown, the rise in new businesses as well as an increase in non-broadly compliant premises and the rise of cost of living crisis. The success was supported with the use of contractors. Therefore, some Risk Category D and E inspections were brought forward from 2023-2024 programme into 2022-2023.

### 6.3 Areas of Improvement

It is hoped in the future that the 0.8 FTE EHT post will be permanently increased to 1.0 FTE EHT to enable our Team to continue to meet Food Standards Agency and Council targets, supporting local businesses and safeguarding public safety. This post was previously a 0.6FTE EHO. In addition, one of the EHT is also the Council only qualified Animal Licensing Officer who previously undertook 1.0 FTE food work.

It has been anticipated that a modernised Food Hygiene Delivery model will be introduced from April 2025-2026. This revised model is currently on consultation and will be required to be piloted before introduction nationally.

Cheryl Mainstone  
Team Leader - Specialist Food & Health & Safety  
June 2023