
Food Standards Agency Audit Update

To: **Governance & Audit – 11 December 2013**

By: **Penny Button, Environmental Health Manager**

Classification: **Unrestricted**

Ward: **All Wards**

Summary: **To seek postponement of the internal audit of Thanet District Council's Food Safety Service following the Food Standards Agency audit of November 2011.**

For Decision

1.0 Introduction and Background

- 1.1 The East Kent Audit Partnership undertook an audit of the food service in October 2009 and placed limited assurance on the systems of internal controls in operation and during the six month review in 2010 this was raised to reasonable assurance.

In November 2011 an Audit of our Food Service was carried out by the Food Standards Agency (FSA). The Audit report showed the service that had been provided as poor and much work has been carried out to improve the service including investment within the team. An informal review in August 2012 provided reassurance that the Authority was making progress and would have increased capacity to improve in the future and catch up on our backlog of inspections.

New officers were employed in August/September 2012, one of whom was fully qualified, one part qualified and one beginning the qualification training. Unfortunately at this time one member of the team had a period of long term sickness absence.

The audit resulted in a significant action plan being agreed with the FSA to improve the service provided. This was reported to Full Council and support was given to implement the action plan.

On January 1st 2013 we also became a designated point of entry at Manston Airport which meant providing a service for seven flights a week over 6 days. This service took two members of staff away from the team every day, one of which had to be a fully qualified officer. There was no forward planning for this service as it was thrust upon us by a combination of a change in legislation and the FSA. This service is now managed by one of the officers recruited in 2012 and we are again seeking replacement staff for the Public Protection Team.

2.0 The Current Situation

- 2.1 In July 2013 the Food Standards Agency undertook a re-inspection and concern was raised regarding the levels of outstanding inspections that we have as they have increased dramatically since the visit of last 2012. This culminated in an escalation meeting with the Head of Auditing at the FSA.

The impact of DPE and a year long period of sickness absence has had a significant negative impact on the Public Protection Team's ability to meet these performance indicators as well as meet the levels of inspections required under the Code of Practice.

The Public Protection Team are working hard to manage the expectations of the Food Standards Agency, meet the requirements of the audit and the backlog of inspections. We are in regular contact with the FSA and they are pleased with our progress so far.

Food Safety was identified in the 2012-13 internal audit plan for review in the last quarter. Environmental Health requested a delay due to the FSA inspection which was agreed and the internal review was moved over to this year 2013-14 for the last quarter.

We are continuing to prioritise the implementation the results of the FSA audit and remain being scrutinised by them until they are happy with the entire service. With the level of scrutiny that they have placed the team under it would have a detrimental effect to continue with an internal audit. An internal audit would also take up key officer time which is needed to implement the FSA audit. There is also concern around the duplication of work.

3.0 Options

- 3.1 Continue with the EKAP internal audit which will have a detrimental effect on the team and duplicate work.
- 3.2 Remove the internal audit of food safety from the EKAP audit programme until the FSA have completed their audit and then return it the cycle.

5.0 Corporate Implications

5.1 Financial and VAT

- 5.1.1 There are no financial implications.

5.2 Legal

- 5.2.1 The statutory duty is imposed on the Council under the Food Safety Act 1990 to ensure the effective implementation of Government Strategy on food safety issues, having regard to the Food Law Code of Practice issued by the Food Standards Agency and guidance issued by the Local Authority Co-ordinating Body and Regulatory Services (LACORS).
- 5.2.2 If the Food Standards Agency considers that the Council is not offering a satisfactory service it can provide the service itself and recharge the full cost to the Council which is likely to be significantly more expensive than the options set out in this report.

5.3 Corporate

- 5.3.1 Failure to comply with the effective implementation of the Food Safety Act 1990 and the relevant guidance and codes of practice leaves the authority open to challenge by the Food Standards Agency. More importantly though it leaves our residents and visitors at risk of food poisoning and in worse case death due to the poor hygiene standards practiced in food premises.

Delivering the National Food Hygiene Rating Scheme is a corporate priority within the Corporate Plan which cannot be met without adequate resources. The Food Service Plan is a policy framework document which describes how the Council will deliver the service in accordance with legal requirements and best practice.

5.4 Equity and Equalities

- 5.4.1 The Service Plan details the level of Service businesses and the public can expect from the Public Protection Team with regard to food safety. The Plan ensures that high risk premises are inspected with more regularity than those posing a lower risk to public health. The standard of food premises impacts on everyone in society as poor standards & practices increase the likelihood of a food poisoning outbreak.

6.0 Recommendation(s)

- 6.1 The removal of the food safety audit from the EKAP 2013/14 audit programme until the FSA have completed their audit and then return it the cycle.

Contact Officer:	<i>Penny Button, Environmental Health Manager</i>
Reporting to:	<i>Harvey Patterson, Corporate & Regulatory Services Manager</i>

Annex List

Annex 1	FSA Audit Action Plan
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Background Papers

Title	Details of where to access copy
<i>FSA Audit Report</i>	<i>www.food.gov.uk</i>

Corporate Consultation Undertaken

Finance	<i>Sarah Martin</i>
Legal	<i>Harvey Patterson, Corporate & Regulatory Services Manager</i>

