

**CABINET MEETING – 7 September 2023
EXECUTIVE SUMMARY SHEET – PART I**

Title of Report:

Feed and Food Law Service Plan 2023-2026

Author(s):

Executive Director of City Development

Purpose of Report:

To inform Cabinet of the Feed and Food Law Service Plan for 2023-2026

Description of Decision:

Cabinet is recommended to:

- a. provide comment on the 2023-2026 Feed and Food Law Service Plan (Appendix 1), which will then be referred to Economic Prosperity Scrutiny Committee for their consideration;
- b. authorise the Executive Director of City Development, in consultation with the Clean, Green City Portfolio Holder, to make any amendments to the plan that are considered appropriate in the light of comments from the Economic Prosperity Scrutiny Committee, and prior to the plan being referred to Council for approval; and
- c. ask Council to delegate authority to the Executive Director of City Development, in consultation with the Clean, Green City Portfolio Holder, to update the Plan during its three year term, on the basis referred to at paragraph 4.6 of this report.

Is the decision consistent with the Budget/Policy Framework?

Yes

If not, Council approval is required to change the Budget/Policy Framework.

Suggested reason(s) for Decision:

To provide local transparency of regulation and accountability and hence facilitate compliance with the guidance of the Food Standards Agency.

The Council has a statutory duty to enforce legislation relating to food. The Food Standards Agency Food Law Code of Practice (England) June 2023 details the minimum training and qualification requirements for officers authorised by Food Authorities to undertake food enforcement work. Food Authorities that do not have regard to relevant provisions of this Code may find their decisions or actions successfully challenged, and evidence gathered during a criminal investigation being ruled inadmissible by a court.

Alternative options to be considered and recommended to be rejected:

The option of not producing Feed and Food Law Service Plan would place the Council at risk of receiving criticism in the event of an audit by the Food Standards Agency. It would also weaken the reputation of the Council and our ability to enforce regulations with regard to matters of food safety. It has been discounted on these grounds.

Impacts analysed;

Equality Privacy Sustainability Crime and Disorder

Is the Decision consistent with the Council's co-operative values? Yes

Is this a "Key Decision" as defined in the Constitution? Yes

Is it included in the 28 day Notice of Decisions? Yes

FEED AND FOOD LAW SERVICE PLAN 2023-2026

REPORT OF THE EXECUTIVE DIRECTOR OF CITY DEVELOPMENT

1. Purpose of the Report

1.1 To inform Cabinet of the Feed and Food Law Service Plan for 2023-2026.

2. Description of Decision

Cabinet is recommended to:

- a. provide comment on the 2023-2026 Feed and Food Law Service Plan (Appendix 1), which will then be referred to Economic Prosperity Scrutiny Committee for their consideration;
- b. authorise the Executive Director of City Development, in consultation with the Clean, Green City Portfolio Holder, to make any amendments to the draft plan that are considered appropriate in the light of comments from the Economic Prosperity Scrutiny Committee, and prior to the plan being referred to Council for approval; and
- c. ask Council to delegate authority to the Executive Director of City Development, in consultation with the Clean, Green City Portfolio Holder, to update the Plan during its three year term, on the basis referred to at paragraph 4.6 of this report.

3. Introduction/Background

- 3.1 The Food Standards Agency (FSA) is an independent government department responsible for food safety and hygiene across the United Kingdom. It works with businesses to help them produce safe food and with local authorities to enforce food safety regulations.
- 3.2 The FSA has produced a Framework Agreement on Official Feed and Food Law Controls by Local Authorities. The Agreement sets out what the FSA expects from local authorities in their delivery of feed and food law.
- 3.3 Part of the Agreement contains specific service planning guidance. It ensures that key areas of enforcement covered by the Feed and Food Law Enforcement Standard are included within local service plans, whilst allowing scope for flexibility and the inclusion of any locally defined objectives.
- 3.4 The FSA requires a Local Authority's proposed service plans to be submitted to the relevant Member forum to recommend approval to ensure local transparency and accountability.

4. Current Position

- 4.1 Acknowledging the challenges of the COVID pandemic on the delivery of our Food Services, the FSA accordingly developed a Recovery Plan, which deviated from the inspection programme detailed within the Food Law Code of Practice, allowing local authorities to concentrate on sector specific official controls, and controls to support trade and enable export. The Recovery Plan covered the period September 2021 to March 2023.
- 4.2 Now that the recovery plan has come to an end, the new Feed and Food Service Plan for 2023/2026 has been refreshed to reflect the new Council structure and to comply with the recommendations of the FSA's Framework Agreement, a document which sets out how local authorities are monitored by the FSA.
- 4.3 Service plans developed under the Framework Agreement provide the basis on which local authorities are monitored and audited by the Agency under The Food Standards Act 1999 and Official Feed and Food Controls Regulations.
- 4.4 The Feed and Food Law Service Plan in Sunderland is the primary document for Feed and Food Safety Enforcement across the city.
- 4.5 The plan indicates how the authority intends to undertake all relevant Feed and Food Safety Enforcement across the city to safeguard public health and protect the interests of consumers in relation to food.
- 4.6 Previously, and before the covid pandemic, the Feed and Food Law Service Plan has been submitted to Council for approval on an annual basis. There is however no legal or regulatory requirement for the Plan to be approved in this way, and the current approval process is such that by the time a plan is formally agreed by Council, there may only be 6 to 8 months remaining in the year before a new plan needs to be prepared and submitted for approval. As such, it is considered appropriate to adopt a new Plan with a 3-year term, and to seek delegated authority from Council to allow the Executive Director of City Development to update the annual statistical information that forms part of the Plan in each subsequent year, and to make any changes that may be required by law during the 3-year term of the Plan. The next substantively new Feed and Food Law Service Plan will then be submitted to Council for approval in 2026, in accordance with the Article 4 procedure detailed below.
- 4.7 The plan is an "Article 4" Plan, which forms part of the Council's Policy Framework and as such, has also been referred to Economic Prosperity Scrutiny Committee for comments. It is recommended that the Executive Director of City Development, in consultation with the Clean, Green City Portfolio Holder, be authorised to make any changes that are considered appropriate in the light of the Scrutiny Committee's comments, prior to referral of the Plan to Council.
- 4.8 The Plan will be benchmarked across the region to determine best practice for local accountability and future approval mechanisms.

5. Reason for Decision

- 5.1 The reason for the decision is to provide local transparency of regulation and accountability and hence facilitate compliance with the guidance of the Food Standards Agency.
- 5.2 The Council has a statutory duty to enforce legislation relating to food. The Food Standards Agency Food Law Code of Practice (England) June 2023 details the minimum training and qualification requirements for officers authorised by Food Authorities to undertake food enforcement work. Food Authorities that do not have regard to relevant provisions of this Code may find their decisions or actions successfully challenged, and evidence gathered during a criminal investigation being ruled inadmissible by a court.

6. Alternative Options

- 6.1 The option of not producing Feed and Food Law Service Plan would place the Council at risk of receiving criticism in the event of an audit by the Food Standards Agency. It would also weaken the reputation of the Council and our ability to enforce regulations with regard to matters of food safety. It has been discounted on these grounds.

7. Impact analysis

- a. **Equalities** there are no equalities implications because of this decision. Equalities are embedded within the national framework with which the Feed and Food Law Service Plan complies.
- b. **Financial Implications** – Financial provision for the delivery of the Feed and Food Law Service Plan is included within the relevant service revenue budget for 2023/2024 and the Medium Term Financial Plan.
- c. **Legal Implications** - the Council has a statutory duty to conduct a range of food and feed enforcement functions in accordance with the provisions of the Food Safety Act 1990, and regulations made under the Act. The Council acts as the 'Competent Food/Feed Authority' as required by the FSA.

The proposed 2023-26 Feed and Food Law Service Plan is consistent with the expected standards and recommendations as detailed in the Food Standard Agency's current Code of Practice and Framework Agreement.

8. List of Appendices

Appendix 1 – Feed and Food Law Service Plan of Public Protection and Regulatory Services for 2023-2026.

9. Background Papers

[Framework Agreement on Official Feed and Food Controls by Local Authorities](#)

Appendix 1

Feed and Food Law Service Plan 2023/26

FOOD AND FEED LAW SERVICE PLAN 2023/2026

Document Reference:	FC04		Document Date:	01.06.2023	
Document Prepared by:	Colin Rudd Lead Food Officer		Document Approved By:	Marion Dixon Assistant Director Regulatory Services	
Review Date:	01.06.2026				
Reviewed by:					
Document Summary:	<p>Sunderland City Council fulfils its responsibilities as a designated Food Authority through the food hygiene and food standards work delivered by its Food and Food Safety Team. This food and feed law service plan demonstrates the Council's commitment to fulfil statutory obligations by providing an effective food service which safeguards public safety in respect of food, drink and feeding stuffs which is produced, prepared or sold within the City.</p>				

		Contents	
	Introduction		
1.	Service Aims and Objectives		4 - 6
	1.1	Aims and objectives	
	1.2	Links to corporate objectives and plans	
	1.3	Performance Management – Directorate Service Plans and Reporting	
2.	Background		6 - 14
	2.1	Profile of the Local Authority	
	2.2	Organisational Structure	
	2.3	Scope of the Feed and Food Service	
	2.4	Demands on the Feed and Food Service	
	2.5	Regulation Policy	
3.	Service delivery		14 - 22
	3.1	Interventions at Food and Feeding stuffs establishments	
	3.2	Food and Feed Complaints	
	3.3	Home Authority Principle and Primary Authority Scheme	
	3.4	Advice to Business	
	3.5	Food and Feed Sampling	
	3.6	Control and Investigation of Outbreaks and Food Related Infectious Disease	
	3.7	Feed/Food Safety Incidents	
	3.8	Liaison with Other Organisations	
	3.9	Feed and Food Safety and Standards promotional work	
4.	Resources		22 - 23
	4.1	Staffing Allocation	
	4.2	Staff Development Plan	
	4.3	Staff Development Plan	
5.	Quality Assurance		23
6.	Review		24
	6.1	Review Against Service Plan	
	6.2	Identification of any variance from the Service Plan	
7.	Areas of Improvement		27 -25

Introduction

This plan sets out how Sunderland City Council, through its Environmental Health Food Safety Team, will deliver food hygiene and food standards work throughout the City to ensure that consumers can be confident that the food that they buy and consume is safe, detailing how the Council will meet its responsibilities as a designated Food Authority under the European Communities Act 1972, the Food Hygiene (England) Regulations 2013 and the Food Safety Act 1990.

Delivery of the plan also aims to ensure that there is a fair and level playing field for all food business operators, by supporting the principles of Better Regulation and ensuring that national priorities and standards are addressed and delivered locally.

The structure of the plan follows the requirements contained within the Framework Agreement on Local Authority Food Law Enforcement and the Code of Practice published by the Food Standards Agency (FSA). The Codes of Practice require that the Council has in place:

- a risk-based intervention programme for food hygiene, food standards and feed enforcement,
- adequate management systems and procedures for:
 - the investigation of food and feed safety incidents and complaints,
 - for inspecting and sampling of foods,
 - for investigation of cases of food-related infectious disease and control of outbreaks, and
 - for the provision of advice and guidance to food and feed businesses.

1. Service Aims and Objectives

1.1 Aims and objectives

The most significant aims of the Environmental Health Food Safety Team (“the Service”) - are to

- *protect, and where possible improve, the health and wellbeing of all residents, employees and visitors within the City in relation to food safety matters and,*
- *to protect the health and welfare of livestock and prevent the outbreak of animal disease in relation to animal feed.*

The Service objectives are to:

- secure compliance with food safety law having regard to official codes of practice; in particular by carrying out food safety interventions (activities that are designed to monitor, support and increase food law compliance within a food establishment) in accordance with minimum frequencies and to standards determined by the Food Standards Agency (“the FSA”);
- protect consumers from the potential dangers of suspect or contaminated food; particularly those which may result in foodborne infections;
- assist in the control and prevention of the spread of foodborne diseases and illness by improving food safety standards throughout the food chain;
- ensure so far as is reasonably practicable that food is safe to eat and free from extraneous matter;
- improve levels of compliance with food safety law within the business community, by targeting advice and enforcement to non-compliant businesses, and through the effective use of intelligence;
- increase the knowledge of food handlers, food managers and the general public about the principles and practice of food hygiene and food safety management;
- support the raising of standards and enabling improved food hygiene rating scores under the National Food Hygiene Rating Scheme by improving the knowledge of food business operators;
- respond to and investigate Food Standards Agency ‘Food Alerts and Allergy Alerts for Action’ in accordance with published guidance where these impact upon food originating or traded within the City;

- proportionately enforce relevant legislation in accordance with the principles of 'Better Regulation' and having regard to the Public Protection and Regulatory Services Enforcement Policy;
- investigate all notified cases of foodborne disease, and outbreaks of food poisoning, taking effective action to control the spread of infection;
- maintain an accurate register of food businesses in Sunderland;
- inspect ships visiting the Port of Sunderland in accordance with current guidance;
- inspect premises which present the highest potential risk for contamination of the feed chain;
- conduct on farm visits in order to examine primary production and animal feeding;
- investigate complaints about feed and, where necessary, take samples;
- provide guidance to people supplying material into the feed chain and to new livestock keepers.

1.2 Links to corporate objectives and plans

The [City Plan](#) sets out the vision for the Council and outlines its strategic direction up to 2030. The City Plan provides the blueprint for all partners and communities to work together to achieve shared economic and social ambitions for Sunderland enabling the city (and its people) to achieve their full potential. In doing so it highlights three key priorities in its aspiration to be a **dynamic, healthy and vibrant** city.

The city's people and communities are at the heart of the Council's vision and delivery of this Feed and Food Law Service plan will contribute positively to achieving the aspirations set out in the City Plan by, among other means:

- ensuring the protection of public health through inspection and education activity;
- ensuring good levels of animal feed safety and protecting the livestock of local farms from contaminants in their feed that could harm the health and welfare of the animals and/or the public consuming the meat products; and
- proportionate enforcement which provides a fair and equitable trading environment in which businesses can develop and be protected from those who fail to comply with the law.

The Council's primary priorities underpin the work of the Environmental Health Food Safety Service and have, in conjunction with national, regional, statutory and non-statutory objectives informed this service plan and will continue to guide future workplans and proactive interventions with businesses.

1.3 Performance Management – Directorate Service Plans and Reporting –

The work of the Service is closely reviewed in accordance with the Council's and Directorate performance management systems. Activities reported quarterly include:

- Number of Food Safety Service Requests received in period
- Number of Food Safety Service Requests completed in period
- Number of Food Safety Service Requests responded to in five working days
- Percentage of Food Safety Requests responded to in five working days
- Number of cases of foodborne diseases investigated in period (based on incoming requests)
- Number of food outlets with a Food Hygiene Rating of 5* at the end of the period
- Percentage of food outlets with a Food Hygiene Rating of 5* at the end of the period
- Number of food outlets with a Food Hygiene Rating of 3* or 4 at the end of the period (compliant)
- Percentage of food outlets with a Food Hygiene Rating of 3* or 4 at the end of the period (compliant)
- Number of food outlets with a Food Hygiene Rating of 2* or less at the end of the period (non-compliant)
- Percentage of food outlets with a Food Hygiene Rating of 2* or less at the end of the period (non-compliant)
- Number of planned food premises inspections scheduled to be carried out in the period
- Number of planned food premises inspections actually carried out in period
- Number of new food registrations in period
- Number of new premises inspected

2. Background

2.1 Profile of the Local Authority

Sunderland is located within the North East of England and is bounded by: County Durham to the south and west; Gateshead to the north west; South Tyneside to the north; and the North Sea to the east.

Sunderland City Council is a Unitary Council serving an area of 137 square kilometres and has a population of around 283,500 people resident in some 121,000 households. The city also has a resident student population, due to the presence of the University of Sunderland, which is spread across two

campuses. The University of Sunderland has over 9,000 full-time students enrolled.

The City principally comprises 5 urban areas (and 25 wards);

- North Sunderland
- Urban Core (which include the city centre)
- South Sunderland
- Coalfield
- Washington

Each urban area comprises a mix of residential and economic sub areas of varying size and ratios. Whilst there are many types of food premises located throughout each urban area, the highest proportion of premises category is hot food takeaways, with 17 of the 25 wards within the city having a higher proportion of outlets per head of population than the national average (Core Strategy and Development Plan 2015-2033). Policy VC4 therefore commits to greater management of the development of premises to be used as a hot food takeaway. This corporate commitment will be supported by the Food and Food Safety Team in respect of driving up operational standards.

Additionally, the city has a number of ad hoc relevant and economic assets in the Port of Sunderland located in South Sunderland and a small number of farms surround the urban population centres.

2.2 Organisational Structure

The Council is composed of 75 councillors within 25 wards. Governance is through the Leader and Cabinet model.

This Feed and Food Controls Service Plan is delivered by staff from Public Protection and Regulatory Services within the City Development Directorate. The service operates within the remit of the Clean, Green City Portfolio and works closely with the Portfolio Holder and Deputy Cabinet Member.

Public Protection and Regulatory Services (PPRS) deliver the Environmental Health, Trading Standards and Licensing functions on behalf of the Council. The Regulatory Compliance Manager within PPRS reports directly to the Assistant Director of Regulatory Services within the City Development Directorate on matters including feed and food control.

The Principal Environmental Health Officer within the Commercial Team is the Lead Food Officer and has specialist responsibility for food hygiene and standards matters.

The Principal Trading Standards Officer has specialist responsibility for feed matters.

The day to day work of the team is delivered by a mix of Environmental Health, Trading Standards and Compliance Officers, with delegated authority to act, relative to their individual competency level and skill set.

The basic relevant organisational structure is illustrated in Figure 1 below

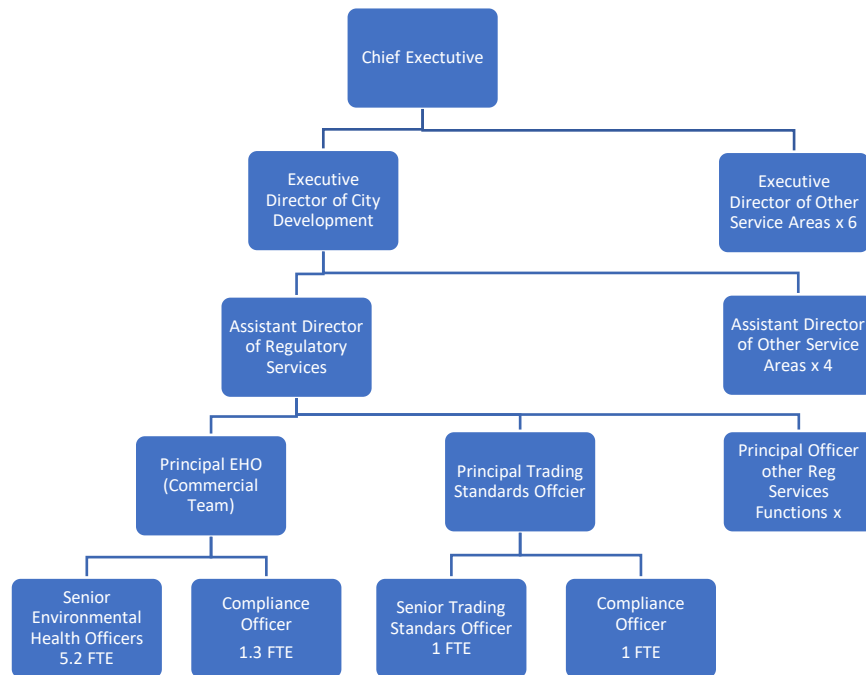


Figure 1 - Management Structure (July 2023)

2.3 Scope of the Food and Feed Service

As a Unitary Authority, Sunderland City Council is responsible for the full range of duties required by European and National food law that relate to food hygiene and food standards. Activities relating to food and feed in the City are undertaken by the Environmental Health and Trading Standards teams.

The Environmental Health Food Safety Team undertake a programme of food hygiene and standards interventions to check and monitor compliance with legal responsibilities, as well as responding to requests for service about food and hygiene at food premises

The service supports the operation of the National Food Hygiene Rating scheme and promotes 'Safer Food Better Business' in undertaking work to drive up standards and compliance in food premises

Sampling of foodstuffs, both microbiological and compositional, is also undertaken, in addition to the investigation and control of sporadic cases of food poisoning and food-borne disease and other relevant infections, including the investigation and control of food poisoning outbreaks

A register of food business establishments is also maintained by the service. Officers respond to Port Health requests for Ship Sanitation Certificates required under International Health Regulations 2005.

The City has a small agricultural sector, principally arable with a few livestock holdings. The Trading Standards team carries out the enforcement of primary production and feeding stuffs legislation and provides advice to farmers and

retailers. The Trading Standards team also have some responsibility for food standards.

In addition to the expertise provided by officers within the Commercial and Trading Standards Teams, the Council uses the specialist services of; the UKHSA Laboratories, a Public Analyst and an Agricultural Analyst as necessary. The Public Analyst and Agricultural Analyst appointed by the authority is Public Analyst Scientific Services Limited (PASS).

2.4 Demands on the Feed and Food Service

2.4.1 Food establishments profile

The work of the service is significantly influenced by the number and profile of food and feed business throughout the City, in addition to contributing factors such as specialist and complex processes.

At present, there are 2277 food businesses registered in Sunderland in accordance with Regulation (EC) 852/2004.

In the 6 year period prior to COVID 19, the number of food businesses registered within the City had been relatively stable, with the mean number of registered food businesses fluctuating marginally around 2120 premises. At its peak, during the Covid pandemic, 2425 food premises were registered as trading in the City. This represented a 14% increase in food businesses requiring an intervention, adding significantly to the workload of the Service. The increase in numbers is thought to be linked in part with home start-up businesses as people sought to secure alternative employment during the height of the COVID pandemic.

A recent data cleanse exercise was conducted by the Service in March 2023 which identified approximately 250 registered premises that were no longer operating in the city, and these premises have now been removed from the database. This means that the current number of registered food premises has levelled at approximately 2277 as people have re-entered the workforce, but this is still higher than pre-pandemic levels of trading businesses across the City.

Most of Sunderland's food premises are classified in the restaurant/catering outlet group (1707), whilst there are also 488 food retailers (see table 1 below for full breakdown of categories). The restaurant/caterer and food retailer sectors historically have a high turnover of food business operators. Each time a new food business operator takes over a business, this creates new database entries, premises inspections and general education of new operators in advising what is legally required of them.

Table 1 Classification of Sunderland's Food Premises.

Type of Premises	Number of Premises
Distributors/Transporters	26
Retailers	488
Manufacturers/packers	44
Primary producers	10
Importers/ exporters/ distributors	2
Restaurants/ other caterers	1707
Total food premises	2277

The 10 Approved Premises in the City consist of:

- 4 meat processing plants
- 2 kebab manufacturers
- 2 cold stores
- 1 cooked chicken processing plant
- 1 processor/distributor of natural sausage casings.

The number of outdoor events held each year has increased steadily since the lockdown restrictions imposed by the COVID pandemic were lifted. Events of significance include the holding of music concerts at the Stadium of Light and Herrington Country Park. Music events are more regularly occurring at the Stadium following a number of successful events, the venue is capable of hosting audiences in excess of 50,000 spectators to individual concerts. Various mobile caterers and food businesses from around the region and wider, visit the City to cater at these events.

Port health inspections which require inspections of food hygiene and standards on board vessels coming into the port are also undertaken by the Service. In 2022/2023 21 Ship Sanitation Certificates were requested from the Service in addition to fifteen ships water samples being undertaken.

2.4.2 Feed establishments profile

There are currently 61 premises registered as Feed Business Operators, detailed in Table 2.

Table 2 Categorisation of Feed Premises in Sunderland

Types of Feed Premises	Number of Premises
Arable farms	10
Livestock farms	8
Manufacturers and packers	11
Food businesses selling co-products/surplus food	22
Distributors / transporters	3
Stores	7
Total	61

Sunderland has a new pet food manufacturer and a new supplier of former food into feed since 31st March 2022.

The livestock farmers typically grow arable crops for feeding to their own livestock along with silage. The use of supplementary feed is normally restricted to sheep and pigs. Visits to these premises are generally scheduled when the animals are housed and are undertaken in conjunction with animal health and welfare visits.

The arable farms principally produce cereal for food production or for incorporation in animal feed. Inspections of these premises identified as low risk. Many of the farms in Sunderland are in farm assurance schemes, something which is recognised during risk assessments carried out in accordance with the Feed Law Code of Practice.

Farm assured figures:

Table 3 Categorisation of Farm Assured Premises

Farm Assured type	Number
Farm Assured (Arable Only)	7
Farm Assured (Livestock Only)	2
Farm Assured (Arable and Livestock)	3
Total	12

In addition, the City has 2 DEFRA Approved Premises. These approvals relate to the 2 tripe factories in Sunderland.

Sunderland has 8 pet treat manufacturers who operate from their residential properties. All have been assisted with advice on their legal obligations regarding both Feed and Animal By- Products. These premises may be visited for sampling purposes.

One registered transporter removes waste food from shops for use in the manufacture of feed. The others are haulage companies who transport feed material (that can generally be used for other applications) on an occasional basis.

Increased vigilance continues to be undertaken with regard to the inland enforcement of imported feed legislation to prevent the spread of disease in food animals.

2.4.3 Service delivery points

The Service operates in an agile manner. Officers are based at;

City Hall,
Plater Way,
Sunderland,
SR1 3AA

The Council's Customer Service Centre is also based here, and is available to the public from 08.30 - 17.00 Monday – Friday, although officers from the Environmental Health and Trading Standards teams may be contacted by businesses directly.

There is an emergency contact number for incidents which may occur on an evening or weekend, and service arrangements are in place for contacting managers as necessary.

Visits are conducted by officers both during and outside normal working hours, as necessary and determined by the needs of the service and the trading hours of the particular food business, as required under the Codes of Practice.

The Council website: www.sunderland.gov.uk provides accessible information, advice and guidance.

In addition the publication of the food safety rating awarded for registered food premises in the City is undertaken on a regular basis onto the Food Standards Agency national database (<https://ratings.food.gov.uk>) which holds the food hygiene ratings of all qualifying food businesses across the country.

It is worthy of note that the update process of food safety rating scores is not carried out in real time, all regular updates meet the recommendations of the FSA.

The food hygiene rating scheme is based on standards of structure, hygiene and confidence in management scores assessed during programmed inspections. Following inspections, business owners are advised in writing that the information may be available via the website in the future and in response to third party requests as required by Freedom of Information legislation. Where improvements have been made to a business, the food business operator has the right to request a re-visit for re-inspection. Should an operator of a food business wish to have a re-rating inspection before the three-month standstill, there is a charge for this service.

2.4.4 External factors impacting upon the Service

During the COVID pandemic, the Food Standards Agency adjusted its expectations of Local Authorities to reflect the challenges they were facing in delivering their statutory food functions whilst also conducting essential public health work. It also reflected the changing business landscape, with many businesses closing or changing operations and identified a national growing

backlog of overdue food business interventions as a direct consequence of COVID lockdown restrictions.

Some of these businesses had never been inspected or were overdue. The FSA Board set out in their Recovery Plan, how they would work with Local Authorities to reduce this backlog by using targeted intervention to tackle those businesses posing the highest risk, securing a deviation of prescribed interventions from the requirements set out within the Food Law Code of Practice.

The FSA Board agreed in December 2020 that its guidance to local authorities in prioritising high-risk establishments should be extended until the end of June 2021 with recovery of planned interventions from 1 July 2021-2023/24. This plan that has been implemented since its release (see expectations below in section 3.1).

It was acknowledged that where resources allow, the expectation from the FSA was to move at a faster pace to realign interventions with the Code of Practice as soon as possible.

The Food Standards Agency have since produced a revised Food Law Code of Practice (June 2023) which sets out how food controls should be delivered by local authorities. The main changes relate to:

- the way that food premises are risk rated, and how Food Hygiene Ratings should be awarded, to promote national consistency.
- changes in competency requirements for officers undertaking food enforcement work.
- the extent to which allergen controls in businesses should be taken into account when determining the effectiveness of any food safety management system.

The work of the Service is largely dictated by the expectations and will of the FSA. Notwithstanding this however, a number of external factors also impact delivery;

- National industry staff shortages which affect a businesses' ability to retain the right number of quality staff to maintain targets
- The continuing increasing cost of living, particularly in relation to energy and provisions has placed extra pressures on local businesses, causing some to reduce their opening hours and/or defer investments into the business including those that improve the health safety and hygiene of a premises. This is anticipated to present a continuing challenge for the Service as premises which are identified as being deficient in specific areas will require a revisit and any other necessary action.
- The Freedom of Information Act 2000 and the Data Protection Act 2018 requires the administration of requests for service and time spent

recovering the information. Press and other enquirers often request specific information with a view to making comparisons of businesses in various local authority areas

- The Service's responsibilities under the Licensing Act 2003 also impact on workload. Officers consider applications for new and varied licences for food premises in pursuance of duties as responsible authorities.
- There is a possibility that any large outbreak of food poisoning or illness, or a serious accident at food premises, would impact significantly on the routine activities of the Service.
- There are no other likely major impacts upon the Service expected, e.g. significant food imports, seasonal variations or an increase in the number of food manufacturing businesses. However, where food alerts necessitate a significant response, this will impact upon the Service. There were 61 such alerts issued in 2022/2023.
- The Food Standards Agency also notifies local authorities of allergy alerts, e.g. instances of food labelling errors or contamination of specific ingredients. There were 82 such alerts received in 2022/2023. Such incidents can have serious effects on persons who are allergic to specific ingredients, though the majority of these alerts were product recalls of for **information only**, where the response required from the Service was limited. The Food Standards Agency also send food alerts for action to local authorities - there was one such alert impacting Sunderland City premises during 2022/2023.

2.5 Regulation Policy

Public Protection and Regulatory Services has a documented Enforcement Policy covering the Environmental Health, Trading Standards and Licensing functions of the Council. The Service works within the principles of the Regulators' Code which came into effect on 6 April 2014 under the Legislative and Regulatory Reform Act 2006. The Local Authority Enforcement Policy can be accessed here:

<https://www.sunderland.gov.uk/media/20308/PPRS-Enforcement-Policy/pdf/pprs-enforcement-policy.pdf?m=636620724549700000>

3. Service Delivery

3.1 Interventions at Food and Feeding stuffs establishments

Sunderland City Council is required to carry out interventions/inspections at all food hygiene, food standards and feeding stuff establishments within the City, typically at a frequency which is not less than that determined under the national intervention rating scheme.

Between 1 July 2021 and March 2023, the Service adopted the provisions of Local Authority Recovery Roadmap issued by the FSA to ensure that resources were targeted where they added greatest value in providing safeguards for public health and consumer protection in relation to food.

The Recovery Plan provided a framework for re-starting the intervention inspection delivery system in line with the Food Law Code of Practice for new food establishments and for high-risk and/or non-compliant establishments while providing flexibility for lower risk establishments. This plan was implemented during this period alongside delivery of:

- official controls where the nature and frequency are prescribed in specific legislation and official controls recommended by FSA guidance that support trade and enable export
- reactive work including enforcement in the case of non-compliance, managing food incidents and food hazards, and investigating and managing complaints
- sampling, and
- ongoing proactive surveillance.

Sunderland City Council's Service Delivery/FSA Recovery Plan aligned as closely as possible at each milestone with the FSA Local Authority Recovery Plan. The milestones are outlined in Figure 2 below.



Figure 2 Recovery Plan Key Milestone Dates

The FSA's roadmap to recovery came to an end on 31st March 2023. The FSA recognise that local authorities have gone through a period of transition since the COVID pandemic and appreciate there will be another a period of change to introduce the new delivery models for food hygiene and food standards enforcement which will commence in England in during 2023. Local authorities have been asked to continue to apply a risk-based and intelligence led

approach to their prioritisation of interventions as they work towards re-aligning with the Code, and this is the approach Sunderland City Council will take. In practice, this means the Service will prioritise interventions according to the Food Law Code of Practice as well as prioritising other interventions based on local risk assessment and available intelligence

As such, and from 1 April 2023, Sunderland City Council has and will continue to:

- Carry out due interventions for establishments that are back in the routine programme of interventions 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.
- Work towards realigning with the provisions set out in the Code from 1 April 2023 using the full range of flexibilities already offered by the Code.
- Continue to exercise a risk-based approach to the requirements set out in the Code based on available resource. Please note, services should be resourced to ensure they can meet the requirements of the Code.

More specifically, the Service uses the Food Hygiene Intervention Rating Scheme as detailed in the Brand Standard for the National Food Hygiene Rating Scheme and the Food Law Code of Practice, in order to calculate risk and future inspection frequency. Food businesses are risk rated from A (High risk) through to E (Low risk) according to the type and scale of operation being carried out

This ensures that all premises are inspected at an appropriate minimum interval determined by their individual risk rating. This is based on the nature of food handling undertaken, the level of compliance with legal requirements and confidence in food safety management systems.

This inspection frequency varies from 6 monthly to 3 years depending on the assessed risk category:

Inspection Frequency by risk category	
A	6 months
B	12 months
C	18 months
D	2 years
E	Alternative inspection strategy every 3 years

Inspections are carried out according to the Food Standards Agency's Code of Practice and involve a range of interventions that are available to fulfil the Council's official obligations. The type of intervention depends on the risk category of the food business and is tailored to ensure an adequate assessment of risk to food safety.

It is the Council's policy to ensure that food premises inspections are targeted towards high risk and poor performing premises, and that they are performed in accordance with the Food Law code of Practice. Low risk category E rated premises are subject to an alternative enforcement strategy which encourages self-assessment in addition to validation and verification inspections. This helps the City Council monitor and gauge food risk activity on these low risk-rated premises and determine whether the business needs to go back into the physical inspection programme. For low-risk premises not returning a completed questionnaire, or where changes or particular concerns are noted during the questionnaire verification process, or via complaints or other intelligence implying non-compliance, then a physical visit or inspection will be initiated.

At the end of the recovery plan period;

- All high-risk category A rated premises were inspected (12);
- All high-risk category B premises were inspected (92);
- There were 101 category C premises overdue an intervention in the year (211 Cat C premises inspected);
- There were no category D non-compliant premises overdue an intervention in the year (442 Cat D premises inspected).
- Low risk compliant category E premises were triaged based on risk but **did not** routinely receive an intervention based on the Recovery Plan;
- All newly registered businesses to be triaged and high-risk premises prioritised for an intervention and following a programmed visit will be risk rated accordingly (140 premises inspected)

The following number of interventions (by category) due in 2023/24 are as follows:

Category	Number of inspections due
A	4
B	74
C	216
D	390
E	480 Alternative enforcement strategy
Unrated	190
Total	1354

The total estimated number of physical interventions due in 2023 for premises in risk categories A-D and including unrated businesses is 874.

There will of course be additional demands from new business registrations throughout the year which will be triaged for an intervention accordingly. It is estimated that the above-mentioned could generate up to a further 200 new premises registrations.

Secondary inspections (including revisits and requests for revisits by operators of food businesses) will be undertaken as necessary on a risk assessed basis and in line with the Food Law code of Practice to ensure significant hygiene and standards concerns are rectified. Those premises which are not broadly compliant will be visited with a view to enforcing compliance standards.

Individual businesses may be visited more frequently or the planned date for intervention may be brought forward if a problem is identified such as:

- A complaint about the food premises or notification of an issue received from another authority which requires further investigation;
- An unsatisfactory sampling result is received;
- The business is implicated in a food poisoning outbreak;
- There is a change in business operations resulting in a higher risk;
- A request for a re-rating revisit under the FSA Food Hygiene Rating Scheme is received; or
- A notification is received from the FSA regarding a food safety incident or food alert.

All requests for revisits by businesses wishing to amend their risk ratings as part of the National Food Hygiene Rating Scheme will be considered in line with FSA procedures. Whilst the published rating of the business may improve as a result of this revisit, the Service will need to examine sufficient elements of the business and be satisfied of the improvements made. Businesses are reminded that if their standards fall, their rating can go down as well as up.

The City, being principally urban in nature, has only a small number of feeding stuffs premises registered. None of the premises registered are high risk. The premises will be visited on a risk assessed basis.

The Service has good working relations with neighbouring authorities and the Public Analyst should any specialised process be identified. Sunderland City Council Feed Officers respond to requests for assistance received from those colleagues in neighbouring authorities with regard to queries that they receive.

Sunderland Regulatory Services works with National Trading Standards, who administer the Feed Delivery Programme on behalf of the Food Standards Agency. The FSA Feed Delivery Programme aims to ensure local authorities deliver official controls for feed in an efficient, consistent and risk-based manner, securing continued improvement wherever possible. Given the limited number of feeding stuffs premises registered, only 15 visits per year are currently undertaken in accordance with the Sunderland Council's allocation under the feed delivery program. Extra work can be undertaken under the program on a risk assessed basis and/or as the need arises such as feed sampling and/or other feed related interventions.

3.2 Feed and Food Complaints

The Service is committed to responding to all complaints about feed or food. The Council operates an intelligence-led approach to enforcement and all complaints will be considered on a case-by-case basis. The extent of any subsequent investigation will depend on the merits of the complaint. This can range from re-assuring the complainant to a more formal process, including reference to home or originating authorities in accordance with guidance and the relevant Codes of Practice.

Localised food safety incidents that come to light that may have more far reaching consequences are reported to appropriate authorities.

Officers also liaise with any relevant primary authority in pursuance of the relevant scheme administered by the Regulatory Delivery directorate of the Department for Business, Energy and industrial strategy

In 2022/23, 845 requests for service requiring a response from officers were logged. These include enquiries relating to foodborne illnesses, general food complaints and miscellaneous requests for service in relation to food businesses, but do not include investigations into foodborne illness which required a further 446 responses from staff.

Due to the relatively few numbers of feeding stuffs establishments, it is not anticipated that there will a significant number of complaints received by the Service. Any complaints will be investigated in line with standard Service procedures.

3.3 Home Authority Principle and Primary Authority Scheme

Sunderland City Council is committed to developing excellent relationships with businesses, recognising the benefits to all parties in doing so. As such, and whilst there are currently no formal agreements in place in Sunderland, the Service undertakes to comply with all the relevant legal requirements of the Primary Authority Scheme and liaises with other relevant local authorities within the context of the Home Authority Principle.

3.4 Advice to Business

The Service seeks to assist local businesses in order to encourage the success of our local economy. Last year 249 general requests for advice were received by the Environmental Health and Trading Standards teams. Additionally, advice is given by officers informally at every visit to food premises, as appropriate.

The Service is committed to promoting the Food Standards Agency's project: "Safer Food, Better Business" which is intended to support food businesses in complying with the food safety management principles. There will continue to be great efforts to educate businesses in complying with their requirement to implement a suitable food safety management system, which some smaller food businesses seem to find difficult.

In correspondence to food businesses, a standard invitation is given to them to seek advice from the Service.

3.5 Feed and Food Sampling

The Service is committed to sampling foods in order to determine compliance with compositional and bacteriological standards. Sampling of imported and locally produced foods is undertaken pro-actively and the Service participates in national and regional surveys arranged by the regional food authorities' group and UK Health Security Agency (UKHSA) Laboratory Service.

The collection of 87 samples were taken for bacteriological examination in the year 2022/2023. This includes participation in the collection of samples for 2 cross-regional surveys decided upon locally with the support of UKHSA.

The UKHSA Laboratory transports samples from the region as necessary by courier to York. The Service liaises with the management of the laboratory and neighbouring authorities in order to facilitate an effective and co-ordinated sampling programme with flexibility for local needs.

Participation with neighbouring authorities in sampling and other food-related matters ensures that the Service works in a co-ordinated and compatible way.

Sampling of feed will take place as appropriate following the receipt of requests for service and will be carried out in accordance with the Feed Law Code and Practice Guidance and targeted in accordance with the National Feed Delivery Program Samples for projects instituted by the Food Standards Agency.

3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease

The Service has agreed with UKHSA, a policy for considering the investigation of confirmed cases of foodborne illness. Each confirmed case of foodborne illness is in most cases, other than in the case of suspected viral infections or Campylobacter, contacted by officers in order to trace the source of the infection and prevent further spread. People involved in Campylobacter cases are contacted by letter.

The local Consultant for Communicable Disease Control, employed by UKHSA, will provide the Service with advice regarding specific problems relating to infectious disease.

Medical practitioners, where suspected cases of food poisoning are confirmed following analysis of a sample, have a legal duty to inform the Council. The Service liaises closely with relevant laboratories and UKHSA in order to effectively investigate all such cases.

Regular meetings are arranged regionally with local representatives of UKHSA in order to discuss various matters relating to food poisoning cases and sampling programmes. The Public Analyst and UKHSA will be contacted in

order to assist with expertise where any additional problems arise. Similar networks exist within the region and nationally involving the Chartered Institute of Environmental Health.

Statistics of cases notified over recent years

Year	Notifications
2016 / 2017	311
2017 / 2018	357
2018 / 2019	408
2019 / 2020	391
2020 / 2021	274
2021 / 2022	355
2022 / 2023	446

3.7 Feed/Food Safety Incidents

The Service is committed to responding appropriately to all Feed and Food Alerts issued by the Food Standards Agency in accordance with the relevant code of practice. The level of response is determined by the category of response required and the individual circumstances of the incident.

3.8 Liaison with other organisations

The Service works collaboratively with other local authorities in the North East. In respect of food matters, Environmental Health Officers liaise with colleagues via the North East Food Liaison Group and the North East Sampling and Public Protection Groups.

In relation to animal feed, information sharing and joint working is coordinated by the North East Trading Standards Association (NETSA), via the Regional Lead Feed Co-ordinator on the National Agriculture Panel and through this National community on Knowledge Hub.

Officers of the Service meet with our six neighbouring authorities, i.e. those in Tyne and Wear, Durham and Northumberland, in the North East Food Liaison Group. This group facilitates close cooperation between the representatives. Officers are also involved with sampling sub-groups, the combined North and South of Tyne meetings involving UKHSA, Local Authorities and the Primary Care Trust. These meetings involve representatives from the relevant bacteriological laboratories and communicable disease specialist colleagues.

Officers liaise frequently with Council colleagues in connection with food matters, including catering of school meals, and with regard to building control and planning applications.

3.9 Feed and Food Safety and Standards promotional work

The very small number of feed establishments registered within the City does not make promotional work on any scale viable. Imparting information on the importance of feed control is restricted to business advice given on inspection.

The Service no longer delivers food hygiene training in house anymore due to external competition and low uptake in the Council provided courses. Basic food hygiene information for consumers is available on the Council's website.

4. Resources

4.1 Financial Allocation

Any costs for legal action will be supported from other Regulatory budgets as necessary with associated costs being recouped where possible

4.2 Staffing Allocation

Permanent Environmental Health personnel specialising in food hygiene comprise:

- 1 Principal Environmental Health Officer – 0.7 Full time equivalent (FTE) in food
- 4 Senior Environmental Health Officers – 2.3 FTE
- 2 Technical Officers – 1.0 FTE
- 2 Newly qualified EHO's - 1.6 FTE qualifying in Food hygiene controls.
- 1.0 FTE Trainee EHO undertaking Environmental Health Masters course
- 1 Senior Trading Standards Officer (part time on food standards) - (0.1 FTE)

All food-specialist Senior Environmental Health Officers have over two years' experience in food matters and are fully competent in accordance with the Food Law Code of Practice.

Of the team working on food there are 2 Senior Environmental Health Officers and 1 Principal EHO competent to deal with Approved Premises. Two further SEHO's will receive training in 2023 relating to Approved premises inspection, strengthening the resilience of the section.

In respect of feed:

- 1 Senior Trading Standards Officer - (lead feed officer) - (0.25 FTE)

Lead Feed Officer has over twenty years' experience in feed related matters and is competent in accordance with the Feed Law Code of Practice.

4.3 Staff Development Plan

Staff appraisals are undertaken annually. A competency matrix has been developed in line with the requirements of the Food Law Code of Practice and training needs have been assessed. Individuals will receive specific training where appropriate, and all food-specialist Environmental Health Officers are to complete a minimum 20 hour Continuing Professional Development (10 hours of food-specific).

New delivery models for food hygiene and food standards are planned within the new Food Law Code of Practice, which will mean new methods of calculating compliance with food hygiene and food standards controls. This in turn determines the frequency of inspection, and therefore all staff will be required to attend training suitable for their role to ensure a correct and consistent approach to the rating of businesses can be maintained across the team.

The Service cooperates regionally through the Food Liaison Group and with the Food Standards Agency in order to source low-cost training.

Training days and training sessions on subjects are programmed as necessary.

Newly qualified or inexperienced officers assigned food work are supervised and receive training commensurate with the Code of Practice.

Officers enforcing feed work undertake training provided by the FSA and will utilise online training provided by the Chartered Trading Standards Institute.

The Feed Law Code of Practice requires continual officer development and training (minimum 10 hours). Training requirements are assessed and training undertaken where necessary and available. Over recent times, there has been a shortage of training due to Covid and a shortage of Feed Trainers who have FSA accreditation.

5.0 Quality Assessment

A documented internal monitoring procedure in accordance with Article 8 of Regulation (EC) No. 882/2004 (Official Feed and Food Controls), the Food Law Code of Practice and centrally issued guidance will be reviewed and updated annually.

Monitored inspections are recorded on the Service's management information system, in addition to random premises checks on IDOX for accuracy, case load meetings are held and specific premises interventions discussed to ensure consistency with LA policy and Government legislation and guidance.

Visits to feed establishments are recorded and feedback on the inspection provided to the business operator. Annual returns on activities are provided to the FSA.

6. Review

6.1 Review against Service Plan

Routine review of the plan is undertaken throughout the year with consideration of achievements against targets. The manager provides quarterly KPI's to senior management and monitors progress with casework reviews and regular team meetings.

This plan, its format and content will be reviewed periodically to include all requirements and recommendations within the new food hygiene delivery model and all relevant Codes of Practice.

6.2 Identification of any variance from the Service Plan

A further challenge to the workload has been an increase in the number of unrated businesses arising from new food business registrations with an additional 294 businesses spanning the whole of the 2022/2023 which were in addition to the planned programme.

In the first quarter of this year, there has already been an additional 45 new food business registrations requiring an inspection, adding to the workload of the team in addition to the programmed work. This is nearly half the number of new registrations received in the first quarter of the last two previous years following on from COVID restrictions, showing a slow down in the number of new premises registering within the authority.

7 Areas of Improvement

The service will continue to evolve to improve delivery in response to all changes brought about by the Food Standards Agency's 'Food Law Code of Practice 2023'.

To assist in long term with the resolution of current and future case management operating systems issues (IDOX), the Service is developing a range of online reporting forms that members that will become accessible to members of the public, with additional online information, advice and Guidance (IAG). These self-reporting online forms will, once completed electronically, import directly into the Service's management operating system IDOX without the need for frontline staff to log service requests directly, freeing up officer time and increasing productivity. The online forms are hoped to be functional by the third quarter of the year following testing of the system.

A strategy continues to make every effort to recover the position through 2023/2024 using a combination of the full range of flexibilities afforded by the Food Law Code of Practice and associated Practice Guidance documents. The Service has once again secured the assistance of an experienced permanent variable hours officer part-time to compliment the work of current staff in completing the planned programme of interventions during 2023/2024.

Recent investment however in new mobile tablets for the Commercial Team supports agile working. Further investment is being considered to extend the functionality of the tablets by various apps to enable access to the existing back-office system to facilitate mobile access to databases and digital files.

On-going review and development of operating procedures continues with the development of Microsoft forms, premises inspection proformas for staff to utilise on a new suite of android tablets. This should minimise the need to use paper systems and shorten the time taken on data entry for each inspection.

Traditionally, all new food registrations were completed on paper and submitted manually to the local authorities for processing. The FSA's Register a Food Business (RAFB) digital service has been running since September 2018. The Service introduced the RAFB service via the FSA .gov website to businesses located in Sunderland in June 2023 to digitise the service to the benefit of businesses located within Sunderland making it easier for food business operators to register and receive useful guidance at the point of registration. The switchover in June this year has been running without issue. The Service is currently looking to upgrade the service to Option 1 in due course, enabling the process to fully integrate with the Service's management information system, so that all new registrations are uploaded via connectors from the RAFB system directly into the back-office system, saving officer time when allocating new businesses.

The increased use of business email addresses and mobile numbers collected since the beginning of the COVID pandemic to register and communicate with the department has assisted the service throughout the pandemic. This enabled the Service to send to a significant number of businesses updated food hygiene, standards, and COVID guidance and information in a timely manner to aid their ability to continue to operate safely. The technology continues to be used to send out mass communications as necessary.

Additionally, the Service will further consider innovative methods of service delivery, agile working, service redesign and an appropriate business operating model to ensure the most appropriate officers are tasked with the right work.

Staff development remains hugely important. The Service continues to invest heavily in staff development including supporting the Council's Graduate EHO programme to achieve full accreditation to enable these staff to undertake the full range of food work. Two officers have recently completed the Graduate Programme and from April 2023 have their own workload of food hygiene inspections, increasing resilience in food matters across the team. The Service also has another trainee EHO undertaking the Masters in Environmental Health, which is a distance learning format from Derby university and will take 3 years to complete.

In line with previous years, the Service continues to establish and target workload priorities with available resources to deliver and maintain the best achievable levels of public health protection, through the development of alternative approaches to business engagement.

Associated guidance for this document can be found [here](#). Each section has a link to the relevant section within the guidance document.

Details of the activity (i.e. the policy, strategy, service, project or function)

Directorate	City Development
Service	Public Protection and Regulatory Services

Title of the activity (i.e. the policy, strategy, service, project or function):
The Feed and Food Law Service Plan 2023/2024

Brief description of the activity:
The Council's food service is delivered by the Public Protection and Regulatory Services within the City Development Directorate. This Service Plan sets out how Sunderland City Council intends to provide an effective food law enforcement service to safeguard public safety in terms of food, drink and feeding stuffs produced, prepared or sold within the City.

If the activity involves working with other directorates, partners or joint commissioning please state who is involved:
N/A

Will all or part of the activity be delivered through a provider external to the Council? If Yes, please refer to the Corporate Procurement Processes
No

If Yes, please explain what element(s) of the activity will be delivered through an external provider:

Which areas of the city will be impacted?	
Whole City	<input checked="" type="checkbox"/>
Coalfield	<input type="checkbox"/>
East	<input type="checkbox"/>
North	<input type="checkbox"/>
Washington	<input type="checkbox"/>
West	<input type="checkbox"/>
Internal Council Activity – Impact on employees	<input checked="" type="checkbox"/>

Is the activity targeted at protected characteristics or any other key groups?	
All of the below	<input type="checkbox"/>
Age (e.g. older people, younger people/children, a specific age group)	<input type="checkbox"/>
Disability (e.g. mobility, long term health conditions, sensory impairment or loss, learning disability, neurological diversity or mental health)	<input type="checkbox"/>
Marriage and civil partnership	<input type="checkbox"/>
Pregnancy and maternity (including breastfeeding)	<input type="checkbox"/>
Race	<input type="checkbox"/>
Religion or belief (including no belief)	<input type="checkbox"/>
Sex	<input type="checkbox"/>
Gender reassignment	<input type="checkbox"/>
Sexual orientation	<input type="checkbox"/>
Human Rights	<input type="checkbox"/>
Care Experienced People	<input type="checkbox"/>
Other vulnerable groups and people with complex needs (e.g. veterans, children and young people who are cared for or care experienced, carers, domestic abuse victims and survivors, ex-offenders etc.)	<input type="checkbox"/>
People vulnerable to socio-economic deprivation (e.g. unemployed, low income, living in deprived areas, poor/no accommodation, low skills, low literacy etc.)	<input type="checkbox"/>

Completed by: Colin Rudd

Version	Status	Author	Comments	Date Issued
1		Colin Rudd		

Data and Intelligence

[Guidance for this section](#)

What data and intelligence has informed the activity?

Local Authorities responsible for enforcing feed and food law in premises where feed or food is produced, manufactured, prepared or sold, must ensure that they determine the type of official control (inspection, partial inspection, audit, sampling..) and frequency of inspection of those premises using the intervention frequency prescribed in the Food Law Code of Practice. For every intervention, the intervention frequency is recorded on the Council database which generates the next due intervention. These figures are used to populate the Feed and Food Law Service Plan to indicate due interventions in the current financial year.

The Feed and Food Law Service Plan demonstrates Sunderland Council's commitment to fulfil these statutory obligations to regulate feed and food businesses across the City in an effective and proportionate manner, having regard to the resources available. Work is prioritised on a risk basis and in accordance with the Food Standards Agency guidance on risk rating food premises, with inspections targeted at high risk and poor performing businesses and alternative interventions used for low-risk businesses where possible. Additional interventions are also prioritised based on intelligence from service requests, local knowledge, new business registrations received from our online registration process, and as a consequence of questionnaire investigations from confirmed cases of foodborne illness notifications from UKHSA.

The plan also aligns with many of the current priorities defined in the FSA's strategic plan, 'Food you can Trust.' The aim is to put the interests of consumers first, having regard to the principles of the Government's 'Better Regulation' Agenda and the Regulators' Code to guide proportional regulatory activity.

Summary of data / intelligence / consultation outcomes to inform understanding of differences in:

- the way people use, access or experience your activity;
- how the activity may impact; and/or
- outcomes for different groups?

Data is produced from our premises management information system to inform the quarterly performance indicators which feed into senior management.

We also provide performance related data to the Food Standards Agency on an annual basis broadly in line with the targets set in the Feed and Food Law Service Plan.

Our database is refreshed regularly, and that data is uploaded onto the FSA ratings portal to reflect the inspections undertaken. This ensures the food hygiene ratings of premises displayed on the FSA website is accurate and up to date, allowing consumers to make accurate choices when choosing premises to order food from.

Equality and Human Rights

[Guidance for this section](#)

Eliminate discrimination, harassment and victimisation
What impact will the activity have?
Positive
Explain how/why:
The Feed and Food Law Service Plan is about securing legislative compliance of hygiene standards in all feed and food businesses registered within the City, and so is not in itself designed to meet the aims of this duty. Maintaining a database of all food premises does however allow us to target resources efficiently to focus on the highest risk and poorest performing businesses. Each registered food business is inspected using the same shared regulated framework, allowing officers to enforce against the same expected minimum standards across every business. Inspections of all large food chains, mobile vehicles and small food premises etc., allow us to ensure the whole food economy operating within the City is regulated equally to minimise the risk to consumers using their services by checking standards.

Advance equality of opportunity between people who share a protected characteristic and those who do not
What impact will the activity have?
Not Applicable
Explain how/why:

Foster good relations between people who share a protected characteristic and those who do not
What impact will the activity have?
Not Applicable
Explain how/why:

Age (older ages, children and young people, middle ages, an age range or a specific age)
What impact will the activity have?
Not Applicable
Explain how/why:

Disability (mobility, long-term health conditions, sensory, learning disability, neurological diversity or mental health)
What impact will the activity have?
Not Applicable
Explain how/why:

Gender reassignment (the process of transitioning from one sex to another)
What impact will the activity have?
Not Applicable
Explain how/why:

Marriage and Civil Partnership
What impact will the activity have?
Not Applicable
Explain how/why:

Pregnancy and maternity (including breastfeeding)
What impact will the activity have?
Not Applicable
Explain how/why:

Race (colour, ethnicity, country of origin, culture, etc.)
What impact will the activity have?
Not Applicable
Explain how/why:

Religion / Belief (including no belief)
What impact will the activity have?
Not Applicable
Explain how/why:

Sex (male or female)
What impact will the activity have?
Not Applicable
Explain how/why:

Sexual orientation
What impact will the activity have?
Not Applicable
Explain how/why:

Will the activity impact on an individual's Human Rights as enshrined in UK law?
What impact will the activity have?
Not Applicable
Explain how/why:

Other vulnerable groups and people with complex needs (e.g. veterans, children and young people cared for and care experienced, carers, domestic abuse victims and survivors, ex-offenders, homeless or multiple complexities/characteristics)
What impact will the activity have?
Not Applicable
Explain how/why:

Reducing socio-economic and digital inequalities

[Guidance for this section](#)

Will the activity:

Impact on residents' financial circumstances	Not Applicable
Impact on housing, including type, range, affordability, quality and/or condition	Not Applicable
Impact on digital inclusion or access	Not Applicable
Impact on education, skills and lifelong learning	Not Applicable
Impact on employment, including quality and access	Positive

Outline the impact your activity will have, including how you propose to mitigate any negative impacts and maximise positive outcomes
4.4 The purpose of the Service Plan is to ensure feed and food businesses are complying with at least minimum legal standards. Businesses that fall below the minimum standards will be given advice and guidance. Many of the small businesses in our area employ local residents therefore supporting the local economy.
Outline how you will measure the anticipated impact(s)

Improving population health and reducing health inequalities

[Guidance for this section](#)

Will the activity:

Help promote healthy living	Positive
Help promote safe and inclusive environments	Not Applicable
Impact on children, young people and families	Not Applicable
Impact on natural and built surroundings	Not Applicable
Impact on accessibility and active travel encouraging active behaviours	Not Applicable
Impact on living independently	Not Applicable

Outline the impact your activity will have, including how you propose to mitigate any negative impacts and maximise positive outcomes
5.1 – The Feed and Food Law Service Plan has been developed to ensure every premises registered with the Authority is triaged for inspection based on risk, so the Plan itself is not specifically designed to meet the aims of this duty. However, every new premises must register as a food business with the Authority. Most new food businesses open in fixed premises that were previously a food business with a different occupier. Where new businesses trades in premises not previously registered as a food business, we are able to liaise with our planning department to ensure they have the correct permissions to trade. Planners check the use class of a particular premises and are then able to enforce planning restrictions if appropriate to do so in line with their planning policy.
Outline how you will measure the anticipated impact(s)
The permitted use of a premises is enforced by Planners. Applications to change the premises use of a property to permit a food business to trade fall to the Planning Department and are not enforced by Environmental Health, but we continue to engage with our colleagues in Planning to raise awareness of premises that may not have the correct permissions in place.

Carbon reduction and sustainability

[Guidance for this section](#)

Will the activity:

Adapting our behaviour (environmentally significant)	Not Applicable
Impact on biodiversity and natural environment	Not Applicable
Impact on energy efficient built environment	Not Applicable
Impact on renewable energy generation and storage	Not Applicable
Impact on travel and active transport	Not Applicable
Impact on the green economy	Not Applicable
Impact on waste, recycling and consumption	Not Applicable

Outline the impact your activity will have, including how you propose to mitigate any negative impacts and maximise positive outcomes
Outline how you will measure the anticipated impact(s)

Community wealth building

[Guidance for this section](#)

Will the activity:

Impact on community wealth and social value	Positive
Impact on social inclusion, integration, and fostering good relations	Positive
Impact on crime reduction, anti-social behaviour and community safety	Not Applicable
Impact on access to services	Positive

Outline the impact your activity will have, including how you propose to mitigate any negative impacts and maximise positive outcomes
<p>7.1 – The majority of small local businesses employ staff from the immediate area. Support given by inspecting officers to local businesses helps drive growth by providing the tools and knowledge to grow their business which in turn sustains local employment. For every inspection, a food hygiene rating is provided to the business. The rating is available to the public, and officers provide each premises with a food hygiene rating sticker to show in the window if they choose to do so. The higher the rating the more likely customers will choose to shop there and in turn the business would benefit from increased trade.</p> <p>7.2 – see 7.1</p> <p>7.4 – The rating of a premises looks at the confidence in management, hygiene of a premises and structural compliance, with scores ranging from 0-5 - zero requiring urgent improvement and a five being excellent. In order to score the highest rating would require a business to achieve a high compliance in multiple areas. So, although not a direct indicator of the quality of food produced, higher food hygiene ratings are a general indicator that a premises is operating to a higher standard, and more likely to offer a better service.</p>
Outline how you will measure the anticipated impact(s)
Quarterly reporting of KPI's identify progress towards targets throughout the year to allow adjustments to be made. This ensures high risk premises are targeted appropriately and in line with the priorities identified within Feed and Food Law Service Plan.

Key Actions

Any key actions identified throughout the IIA should be recorded here. This will be the action plan linked to your activity and should be implemented to ensure all inequalities or negative impacts are mitigated.

Key Actions	Timescale	Responsible Officer	Review Date
Provision of a Feed and Food Law Service Plan with quarterly updates on targets set.	September 2023	Colin Rudd	
Quarterly performance is measured against targets.	Every Quarter	Colin Rudd	

Responsible officer sign off:	
Name	Marion Dixon
Job Title	Assistant Director Regulatory Services
Responsible officer for reviewing actions:	
Name	Colin Rudd
Job Title	Principal EHO

Once the Integrated Impact Assessment is complete, please send to IIA@sunderland.gov.uk.