

Lead Member for Housing and Health

14 July 2022

Food Service Plan 2022 - 23

Timetable	
Meeting	Date
Communities, Housing and Environment Committee Policy Advisory Committee	12 July 2022
Lead Member on the Executive for Health and Housing	14 July 2022

Will this be a Key Decision?	No
Urgency	Urgent 28-day notice requirement relating to exempt information has been waived by the Chairman of the Overview and Scrutiny Committee in accordance with Rule 16, Part C4 of the council's Constitution
Final Decision-Maker	LEAD MEMBER ON THE EXECUTIVE FOR HOUSING AND HEALTH
Lead Head of Service	John Littlemore, Head of Housing and Community Services
Lead Officer and Report Author	Tracey Beattie Environmental Health Manager & Annmarie Goodwin – Food & Safety Team Leader
Classification	Public Report & Appendix 1 Exempt Appendix Appendix 2: Food Standards Agency Covid Recovery Plan. The appendix contains exempt information as classified in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 in that it contains information relating to the financial or business affairs of any particular person (including the authority holding that

	information). The public interest in maintaining this exemption outweighs the public interest in its disclosure as the Food Standards Agency have requested that any reference to the COVID_19 Local Authority Recovery Plan be treated as confidential..
Wards affected	all

Executive Summary

The Food Standards Agency (FSA) require all food law enforcement authorities to prepare a Food Service Plan to reflect achievements, plan for future challenges and identify resource to meet this need.

The Food Service Plan is subject to urgency requirements as the 28-day notice period for private information has not been met in this instance. This is due to the deadline for the Food Service Plan to be agreed and submitted to the FSA by 15 July 2022.

Purpose of Report

Recommendation

This report makes the following recommendation Lead Executive Member for Housing and Health to:

1. To approve the Mid Kent Food Service Plan 2022-23 (Appendix 1).
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Food Service Plan 2022 - 23

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	<p>The four Strategic Plan objectives are:</p> <ul style="list-style-type: none"> • Embracing Growth and Enabling Infrastructure • Safe, Clean and Green • Homes and Communities • A Thriving Place <p>Accepting the recommendation will materially improve the Council's ability to achieve Safe, Clean and Green.</p>	Tracey Beattie
Cross Cutting Objectives	<p>The four cross-cutting objectives are:</p> <ul style="list-style-type: none"> • Heritage is Respected • Health Inequalities are Addressed and Reduced • Deprivation and Social Mobility is Improved • Biodiversity and Environmental Sustainability is respected <p>The report recommendation supports the achievement of the Health Inequalities are Addressed and Reduced cross cutting objective by helping to ensure food available to all residents is safe to eat.</p>	Tracey Beattie
Risk Management	<p>The Food Service Plan seeks to reduce risk to the Council of failing to deliver a service to meet the food law responsibilities by prioritising recruitment and retention of appropriately qualified staff.</p> <p>No health and safety implications have been identified.</p>	Tracey Beattie
Financial	<ul style="list-style-type: none"> • The proposals set out in the recommendation are all within already approved budgetary headings and so need no new funding for 	Paul Holland

	implementation.	
Staffing	<ul style="list-style-type: none"> The current staffing level is not sustainable given the service demands and we need to review the service to ensure we continue with a core of well trained and competent officers 	Tracey Beattie
Legal	<ul style="list-style-type: none"> Accepting the recommendations will fulfil the Council's duties under Food Standards Act 1999. Failure to accept the recommendations without agreeing suitable alternatives may place the Council in breach of Food Standards Act 1999 	Robin Harris
Information Governance	The recommendations do not impact personal information (as defined in UK GDPR and Data Protection Act 2018) the Council Processes.	Information Governance Team
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment	Equalities & Communities Officer
Public Health	<ul style="list-style-type: none"> We recognise that the recommendations will have a positive impact on population health or that of individuals. In accepting the recommendations, the Council would be fulfilling the requirements of the Health Inequalities Plan 	Tracey Beattie
Crime and Disorder	There are no Crime and Disorder implications.	Tracey Beattie
Procurement	Not applicable	Tracey Beattie
Biodiversity and Climate Change	<ul style="list-style-type: none"> There are no implications on biodiversity and climate change. 	Tracey Beattie

2. INTRODUCTION AND BACKGROUND

2.1 The Food Standards Agency (FSA) require all food law enforcement authorities to prepare a Food Service Plan to reflect achievements, plan for future challenges and identify resource to meet this need.

- 2.2 Given the impact the Covid_19 pandemic has had on the hospitality sector, together with the recruitment difficulties we are experiencing, due to a national shortage of competent enforcement officers, this service plan outlines the challenges that lie ahead for the service and how managers and officers intend to respond.
- 2.3 At this point in time, with the UK position of importing food into the country, the impact of the UK leaving the EU is not anticipated to impact on the service.
- 2.4 The FSA require the Food Service Plan to demonstrate we follow principles of:
- Good regulation.
 - Focus on key delivery issues and outcomes.
 - Provide an essential link with corporate and financial planning.
 - Set objectives for the future and identify major issues that cross service boundaries.
 - Provide a means of managing performance and making performance comparisons; and
 - Provide information on the authority's service delivery to stakeholders, including businesses and consumers.

The format for the plan is set down by the FSA, and as a shared service we benefit by providing comparison information for all partnership local authorities, Maidstone, Swale and Tunbridge Wells.

- 2.5 The Covid-19 pandemic has had a major impact on the delivery of food enforcement over the last two years. The effect of numerous lockdowns on the hospitality sector is well documented, but for food enforcement this meant that the inspections that were due during times of lockdown have caused a backlog of inspections, that need to be addressed.
- 2.6 Locally, Kent has seen the creation of a new Border Inspection Post at Ashford and the reinstalment of Dover as one the busiest ports of entry to the country from Europe. This has had an impact on our ability to recruit and retain competent officers for food enforcement by creating even more competition for staff, on top of the competition from London authorities, plus individuals making life changes.
- 2.7 Lockdowns saw a surge in new food business registrations, a trend which is continuing. Some of these businesses are transitory (furloughed individuals) but they impact on officer time as we must process their registration, arrange visits for an initial hygiene risk rating, provide guidance and advise them.
- 2.8 The pandemic also required the service to respond to the numerous Covid enforcement measures, diverting resource to projects and activities as the county went through Tiers, Steps and eventually the opening of the economy.
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3. AVAILABLE OPTIONS

1. Approve the Mid Kent Food Service Plan 2022-23 (Appendix 1)
 2. Don't approve the Mid Kent Food Service Plan (Appendix 1) - This would be counter to the requirement of the FSA Framework Agreement and suggest that the authority was not having due regard for their food law enforcement responsibilities.
 3. Do nothing – as point 2.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 To approve the Mid Kent Food Service Plan 2022-23 (Appendix 1). It outlines the service achievements and future challenges we are aware of. It covers just one year as the FSA anticipate introducing a modernised food enforcement programme in 2023/24.

There are two focuses for the work of the team for the coming year:

- Recruitment and retention of authorised officers
- Recovery of the inspection programme

The current staffing level is not sustainable given the service demands and we need to review the service to ensure we continue with a core of well trained and competent officers.

We will work closely with the Director of Finance and Business Improvement to ensure that the service remains within the financial parameters for the Medium-Term Financial Plan.

5. RISK

The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the associated risks are within the Council's risk appetite and will be managed as per the Policy. However, missing the FSA submission deadline could suggest the Council does not have due regard to its enforcement responsibilities which would not align with the risk appetite

6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

The issue was considered by the Communities, Housing and Environment Policy Advisory Committee on 12 July 2022 and the Committee supported the recommendation of this report.

7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 The Mid Kent Food Service Plan 2022 -23 (Appendix 1) must be published on the Maidstone Borough Council website following approval.
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8. REPORT APPENDICES

The following documents are to be published with this report and form part of the report:

- Appendix 1: Mid Kent Food Service Plan 2022-23
 - Appendix 2: Food Standards Agency Food Recovery Plan 2022-23 (EXEMPT)
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9. BACKGROUND PAPERS

None