



Food Control Enforcement Plan 2023-2025

1. SERVICE AIMS AND OBJECTIVES

1.1 Aims and Objectives

The Council's Regulatory Services is **committed to the aim of protection of public health.**

The Council is a competent authority under retained Regulation (EU) 2017/625 of the European Parliament and the Council on Official Controls, a statutory food authority under the Food Safety Act 1990 and a delegated competent authority under Food Hygiene (Scotland) Regulations 2006. Therefore, the Council aims to ensure that all food and drink, intended for sale for human consumption, which is produced, stored, distributed, handled or consumed within or exported from Argyll and Bute does not pose a significant risk to the health or safety of the consumer and the consumer is not prejudiced by it.

The term Food Control, for the purposes of this plan is integrated and comprehensively provides for the protection of the consumer, comprising food safety, food hygiene, food standards, food authenticity and Integrity, food information and food fraud/crime.

Regulatory Services, consistent with available resources seeks to achieve protection of the consumer through the following objectives:-

- To undertake the statutory enforcement role of a competent body “according to retained Regulation (EU) 2017/625, in accordance with retained Regulation (EU) No 2019/627 - and under the Food Hygiene (Scotland) Regulations 2006 as a Food Authority” under the Food Safety Act 1990 working in accordance with service standards and specific requirements and guidance from Food Standards Scotland and DEFRA. This includes particular reference to the Food Law Code of Practice (hereafter referred to as FLCOP) and the Interventions Code of Practice (ICP) published by Food Standards Scotland.
- To provide an effective food control service focusing limited resources according to a risk-based approach and ensuring that all enforcement activity is also risk based, balanced, proportionate, reasonable, evidence based, consistent with the FLCOP, (notably the compliance spectrum), and is consistent with the Scottish Regulators' Strategic Code of Practice
- To develop, a Food Control Service Plan (i.e. this plan) which will confirm the key priorities, themes and the work to be undertaken. In summary, the key priorities of this plan focus limited resources upon the highest risk FBOs and on innovation with the purpose of deploying these resources as effectively as possible.
- To work with and support local Food Business Operators (hereafter referred to as FBO's) in an open and transparent manner, to improve the safety, the authenticity and the integrity of food and the level of compliance with relevant legislation, in line with the Service's Enforcement Policy
- To provide Food Control advice to FBOs, the consumer and other stakeholders. Including FBOs applying for approval under regulation (EC) 853/2004 acknowledging that effective impartial advice at the outset is the most effective preventative approach.

- To maintain adequate systems including a computer-based inspection programme and reporting system, designed to improve the quality of food control enforcement, data, management information and reporting

1.2 Links to Corporate Plan

This plan links to the Council's corporate policy outcomes of promoting a sustainable economy; protecting our communities and the wider health protection agenda.

2. BACKGROUND

2.1 Profile and the Local Authority

Argyll and Bute Council is a unitary authority, with a resident population of 86,130 and a geographical area of 690,889 hectares, including 23 inhabited islands, located within the west Highlands of Scotland.

2.2 Organisational Structure

Regulatory Services delivers the Council's statutory food control law enforcement role in a team which provides the range of services within environmental health, animal health, and licensing standards. This service is located within the Development and Infrastructure Directorate in Development and Economic Growth.

Regulatory Services is managed at a third-tier level through the Regulatory Services and Building Standards Manager with operational management being provided by the Environmental Health Manager (East) and Environmental Health Manager (West). There is no specific food control team as officers undertake generic work relating to their profession, although the lead for the operational management of Food Control rests with the Environmental Health Manager (West). The lead for the professional, operational (including enforcement) and technical aspects of Food Control is taken by the Lead Officer in Food Control, (Environmental Health officer (Food Control and Service Support)) responsible for exercising the operational lead in Food Control and maintaining the interventions, qualifications and enforcement required by the FLCOP.

Regulatory Services refers reports to the Planning Protective Services and Licensing Committee or the full Council as determined by the nature of the report. In addition, the service has access to the other Committees and the Argyll and Bute Licensing Board.

The Council's statutory appointments required under the Food Safety Act 1990 through the FLCOP and in accordance with retained Regulation (EU) 2017/625 are

| | |
|--------------------------------|---|
| Head of Food Safety | Regulatory Services and Building Standards Manager |
| Lead Officer – Food Control | Environmental Health Officer (Food Control and Service Support) |
| Management Lead – Food Control | Environmental Health Manager (West) |

A review of these statutory appointments against the requirements of the FLCOP is ongoing as part of the service redesign process, specified in the Regulatory Services Service Plan 2023-25.

2.3 The Scope of the Food Service

Official controls are undertaken principally by authorised Environmental Health staff, although some work is undertaken by Animal Health and Welfare staff. The Service continues to review roles and responsibilities in respect of food as far as the FLCOP allows, to integrate work across disciplines so we can make better use of the wider service resource.

The Service recognises that food control management systems operated by FBOs do occasionally fail. In such situations the Service responds as a priority and will continue to do so by investigating and controlling communicable disease outbreaks, investigating incidents, complaints and intelligence reports. Such responses are in accordance with the Service's Food Control Enforcement Policy, the FLCOP and with applicable guidance.

Animal Health and Welfare Officers undertake primary production activities into the animal health inspection protocols for targeted businesses

The service priorities detailed in this Food Plan are determined through statutory duties, the FLCOP; national, local and service priorities. The Council's Enforcement Policies and food control procedures whilst internal monitoring informs the standards for this work.

2.4 Laboratory Arrangements

The Council has a formal Service Level Agreement with Glasgow Scientific Services (GSS) for the provision of laboratory services, including the microbiological examination and the analysis of foodstuffs and feed. The Council requires to make statutory appointments for specialist support services and this plan seeks approval of Glasgow Scientific Services and named staff to meet the requirements for a public analyst, food examiner and agricultural analyst. These appointments are detailed in Appendix II of this plan.

2.5 Professional Support Network

The service works closely with Food Standards Scotland, the Scottish Food Enforcement Liaison Committee, the Crown Office (Procurators Fiscal) and NHS Highland. The service benefits from the support of the Royal Environmental Health Institute of Scotland, the Society of Chief Officers of Environmental Health in Scotland, The Lead Officer is an elected fellow and a registered food safety principal at the Institute of Food Science and Technology and benefits from that network.

The service values and participates as is appropriate and relevant to do so, within established inter-authority liaison and professional network mechanisms operating within Environmental Health in Scotland. Of specific note are Society of Chief Officers of Environmental Health in Scotland), SFELC, the SFELC Approved Establishments Working Group, the SFELC/SOCOEHs Methods and Techniques Working Group, the SFELC Listeria Working Group, and the NHS Highland Liaison Group.

2.6 Food Control in Argyll and Bute

The nature, type and scale of food businesses in Argyll and Bute are influenced by its geography, particularly its proximity to the sea and infrastructure. These factors can create a range of difficulties in delivering the statutory work. Examples of these are:

- An atypically high number of 55 approved (exporters) and 45 other manufacturing and processing FBOs are engaged in manufacturing, often utilising specialist processing techniques and technology without in house technical support. This generates a high number of Home Authority requests for assistance, advice and export certification. A significant supply sector including a large seafood industry comprising the largest wild caught shellfish sector in the UK and the second largest aquaculture sector in the UK. This has a significant impact on the work of the service and requires specialist shellfish waters classification work, which enforces the monitoring programmes for bio-toxins and classification of shellfish harvesting waters.
- The geography of Argyll and Bute poses specific challenges in delivering services and ensuring that there are sufficient arrangements in place to ensure and promote effectiveness and consistency. This is supported by the direction of operational work and management direction of staff within the decentralised area offices, training, specialist support, and the food plan
- There is significant officer time spent travelling as part of their operational work (estimated at 20%). This has reduced slightly in the past few years due to flexible, mobile and remote working, through integrating roles where possible and practical with other officers, our new Official Controls systems, and better use of digital technology. This includes the ability to carry out remote verification inspections via MS Teams and similar platforms.
- Following the last FSS Audit, Root Cause analysis was applied to the findings and determined that the state of compliance was due to insufficient resources, responsibility allocation and management capacity. These issues remain as issue with a resource gap of 5 FTE between the existing establishment and that required to deliver the Food Law Code of Practice.
- The re-start of Food Control following the pandemic, acknowledged the unique and challenging circumstances of the Service. The options were finally balanced between establishing a specialist team with the advantages that provides and involving all Officers with the potential resilience that provides. Previous experience with wider involvement which had been attempted twice was not supportive. A focussed working group with all Officers being trained in Advanced HACCP in Manufacturing and in OCV and in OCV-Lite was implemented. The wider team now constitute a pool of Officers which can assist the Working Group and can more quickly move into the Group if required. The twin goals of specialism and resilience have now been met. However, the Working Group is comprised of relatively inexperienced Officers who have only completed only one pilot OCV inspection cycle. Significant support and resourcing will be required, as there is a resource gap of 5 FTE authorised food control officers between the current establishment and that required to deliver the FLCOP. Actions to address this challenges is detailed in the plan.

2.7 Uniqueness of Argyll and Bute Council as a “food authority”

2.7.1 The Service has responsibility for 2500 FBOs excluding the businesses which operate on a temporary or ad-hoc basis. The FBOs are divided into risk rated categories according to the Food Law Rating Scheme (FLRS) as follows:

| Category | Minimum Inspection Frequencies | Number of Establishments |
|----------------------|--------------------------------|------------------------------------|
| Group 01 Risk Band A | Every 18 months | 17 |
| Group 01 Risk Band B | Every 12 months | 65 (includes 57 Approved premises) |
| Group 01 Risk Band C | Every 6 months | 1 |
| Group 1 unrated | | 17 |
| Group 02 Risk Band A | Every 24 months | 134 |
| Group 02 Risk Band B | Every 18 months | 406 |
| Group 02 Risk Band C | Every 12 months | 152 |
| Group 02 Risk Band D | Every 3 months | 14 |
| Group 02 Risk Band E | Every 1 month | 2 |
| Group 2 Unrated | | 276 |
| Group 03 Risk Band A | Every 60 months | 592 |
| Group 03 Risk Band B | Every 36 months | 574 |
| Group 03 Risk Band C | Every 24 months | 50 |
| Group 03 Risk Band D | Every 3 months | 1 |
| Group 03 Unrated | | 262 |

2.7.2 The 55 approved establishments (smokeries, shellfish processors, harvesters and cheesemakers etc.) amounts to the third highest number in Scotland. These FBOs fall within the ambit of Official Control Verification (OCV) and accordingly require the resources according to the OCV resource calculation. The 45 further manufacturers are not subject to approval because they do not process products of animal origin or they process composite products containing products of animal origin, including sandwich manufacturers, ready meal manufacturers, non-dairy cheese manufacturers, a significant distilling sector and a brewing sector. A significant proportion of the Approved and manufacturing FBOs minimally process their products and utilise specialist ‘Hurdle Technology’, which places specialist demands upon the Service. Manufacturing establishments in general also embody increased political risks for the Council and commercial risks and opportunities for the local economy, in that they distribute high risk products throughout the UK and globally.

2.7.3 The Service has participated in the national awards relating to the Food Hygiene Information Scheme and the EatSafe Awards which are run by the Food Standards Scotland. Both recognise good businesses in terms of food safety and provide information to allow the consumer to make an informed choice. The Service will continue to participate insofar as limited resources will allow. Argyll and Bute, have issued 114 Eat Safe awards out of a total of 1176 in Scotland.

3. SERVICE PLANNING PROCESS

3.1 Service Plan

The Food Control Law Enforcement Service Plan (i.e. this plan) is submitted to the Planning, Protective Services and Licensing Committee for approval. The plan proposes a level of service and scope of work in relation to resources available in the context of the statutory obligations placed on the Council. This plan does not meet in full the FLCOP but focuses on higher risk priorities

3.1.1 Resources, Demands and Risks

Fundamental to Service planning is establishing the relationship between resources, demands and risks and producing a plan that achieves the most optimal reconciliation of these factors. This plan acknowledges a significant resource deficit and is underpinned by risk assessment to provide the most effective application of resources.

The OCV Resource calculation in combination with the SFELC Food Control Calculation in 2022 identified that the service required 17.94 FTE Food dedicated Officers to deal with the full suite of statutory duties including backlogs and after these backlogs have been addressed requires 11.22 FTE Food Control dedicated Officers. Regulatory Services currently employ approximately 4.6 FTE in the Manufacturing Working Group and 7.35 FTE will be applied to food control overall with the addition of this plan, although 0.7 FTE is presently vacant. Accordingly, there is a significant resource deficit even when the current structure is fully staffed. The Service requires 5 FTE to deliver manufacturing OCs by dedicated food officers and is not able to provide this. Note the figure of 5 excludes food standards because currently there is no OCV basis for quantifying that demand. Currently there are 8 vacancies within the existing structure, including 1.6 FTE long term ill-health absence.

Accordingly, the Service has and will continue to apply a risk and intelligence-based approach focussing resources upon areas of highest risk, including high risk FBOs. Priority will be given to OCV in manufacturing, supply to vulnerable groups enforcement, investigations and responding to incidents.

This approach to managing risk through the most effective targeting of available resources is wholly appropriate in the circumstances, although there is a significant risk that Food Standards Scotland are likely, through formal audit, to raise another major non-conformance confirming that the Council does not have sufficient resources to deliver the full range of statutory requirements of food control. This can lead to a direction from the Minister that the Council acquires the requisite resources.

An example of the significant resource issues within the Service occurred in the recent past where 6 vacancies occurred, including 3 officers who were authorised to specifically deal with the high risk approved sector. Whilst the Service responded to this situation appropriately, operational activities took priority and there was little capacity to undertake “management” related activities including review of policies, and internal monitoring. This demonstrates the challenges facing the service. This is exacerbated by the national shortage of environmental health officers and food safety officers and this matter is being discussed nationally and reflects the SAFER approach being taken in Scotland

3.2 Review

This plan will operate over a 2-year period from 2023-2025 with an annual management review and regular performance reporting to the appropriate Committee.

4. SERVICE REVIEW – Summarising the Pandemic Period and Project New Start

4.1 Summary Food Service Plan Review

The principal achievements through the Pandemic and the Restart of Food Control have been:

1. The redeployment of Officers to address the Public Health emergency of the pandemic in accordance with Scottish Government priorities which led to the cessation of many Food Control activities.
2. The Service provided support to the food manufacturing sector and its personnel by taking a proactive and innovative approach to COVID-19 control in Food Manufacture which continued to operate during the pandemic and potentially constituted a vector and threat to wider society. Extensive support was provided to food businesses during the Covid restrictions to ensure that could trade safely and to assess changes to food safety management arrangements which were necessary to comply with restrictions (e.g. takeaway shops, wet sales premises providing some catering etc.). The Service worked with the University of Lincoln National Centre for Food Manufacture and both developed guidance and presented an online seminar to some 440 FBOs included all the Approved establishments and other major manufactures located in Argyll. This was very well received. The Service afterward continued to provide bespoke support within Argyll.
3. The Service was very actively engaged in the EU Exit transition to new export arrangements and systems. Leading up to the transition and afterwards the Service provide intense support for exporting FBOs and has also undertaken the following:-
 - Established an automated quarterly system for application and issuing Export Attestations.
 - Issued all EHCs requested on time amounting to 587 in the financial year 2022-2023
 - Authorised Officers have been supported to qualify on the DEFRA/APHA register for signing EHC
 - Established systems for providing EHCS for exports to China
4. All Authorised Officers have been qualified in Advanced HACCP in Food Manufacturing and in 'OCV-Lite 'for Catering and retail. All authorised Officers except two have been qualified in OCV.
5. During an application of for Approval to manufacture Biltong the Service confirmed that the biltong process was not validated which led to a great deal of research and work in order to produce a process that led to greater than 5-Log reduction in contaminating bacteria. This led to a Scotland wide review of standards for Biltong.
6. The Lead Officer led a SFELC Working Group with the purpose of producing a system of quantifying the resources that a Service requires to provide all the statutory requirements for Food Control. This was adopted nationally and has been operationalised in EXCEL. This has clearly confirmed a significant deficit of resources at the Service and Scotland-wide.

7. Restarted our food control arrangements focusing on the approved FBOs sector and FBOs where intelligence suggested they had deteriorated to Category B (former Annex 5) or worse during the pandemic. These FBOs were inspected, and the appropriate interventions were taken. The service continued to respond to suspected or confirmed cases of food-borne disease, complaints relating to food businesses and to the formal food alerts issued by Food Standards Scotland.
8. The Service achieved statutory compliance and protected food safety in accordance with our enforcement policy which seeks to work with business to secure compliance, and to initiate formal action where there are imminent risks to food safety, major or repeated non-compliance or non-cooperation.
- 4.2 There has also been unplanned or reactive work which we have had to respond to, and in some cases, this redeploys resources from our planned activities. These tend to be high priority as they may relate to national alerts; the need for formal enforcement action and are necessary to protect food safety and public health. An example of this work is a national trade withdrawal of fish pate and responding to two Food Alerts for Action involving non-compliant kebab meat.
- 4.3 The Service was unable to deliver in full the food control restart due to resourcing pressures created by 6 FTE vacancies across the environmental health team. As a result, a range of actions were taken to manage resources across the whole of the environmental health service which included a demand reduction exercise for all environmental health service requests. This was aimed at redirecting resources to higher risk activities. In respect of food control, the decision was taken to initially focus on the high risk approved and food manufacturing sector, new business, and a contractor was employed to carry out general FBO OCs to targeted food businesses. These challenges continue.

5. SERVICE PRIORITIES AND WORKPLAN 2023-2025

- 5.1 The overarching Regulatory Services Service plan 2023-25 stated the food control priorities as
 - To secure Committee approval for our Food Control Law Enforcement Workplan for 2023-2025 (this plan) and implement measures to deliver it.
 - Continue to work with Food Standards Scotland on the review of the approach to Food Control following the pandemic. The Service is also engaged in an emergent national Scottish SAFER project to redesign the approach to Food Control applying limited resources to maximum effect and in the longer term to provide assurance in public health protection, with sufficient and sustainable resources to deliver the required work.
 - Review demand from export food business for export health certification and attestations to identify resourcing requirements and the financial implications from new business trading models which are focussing on commercial hubs established post EU Exit.
- 5.2 This service plan details the planned activities and priorities for 2023-2025. These acknowledge the Services resource deficit, the advent of OCV and FLRS and anticipate the FSS's forthcoming SAFER programme. Key themes are Risk Focus, planned proactive work, the use of intelligence OCV, FLRS and innovation intended to optimise the effectiveness of Food Control, using scientific methods techniques and modern technology. These are elaborated below:

5.2.1 Inspection Programme

- Recognising the Service's resource deficit, the key Public Health and consumer protection priorities of the manufacturing sector and its supply chains, together with the political, economic/trade, export, reputational and employment risks of this sector and also informed by and anticipating the FSS SAFER programme, the inspection programme shall be operated according to a framework which segments FBOs into three risk categories i.e., low risk, medium risk and high risk. Within this framework Food Control will be provided according to different approaches. References is made to Figure one below.

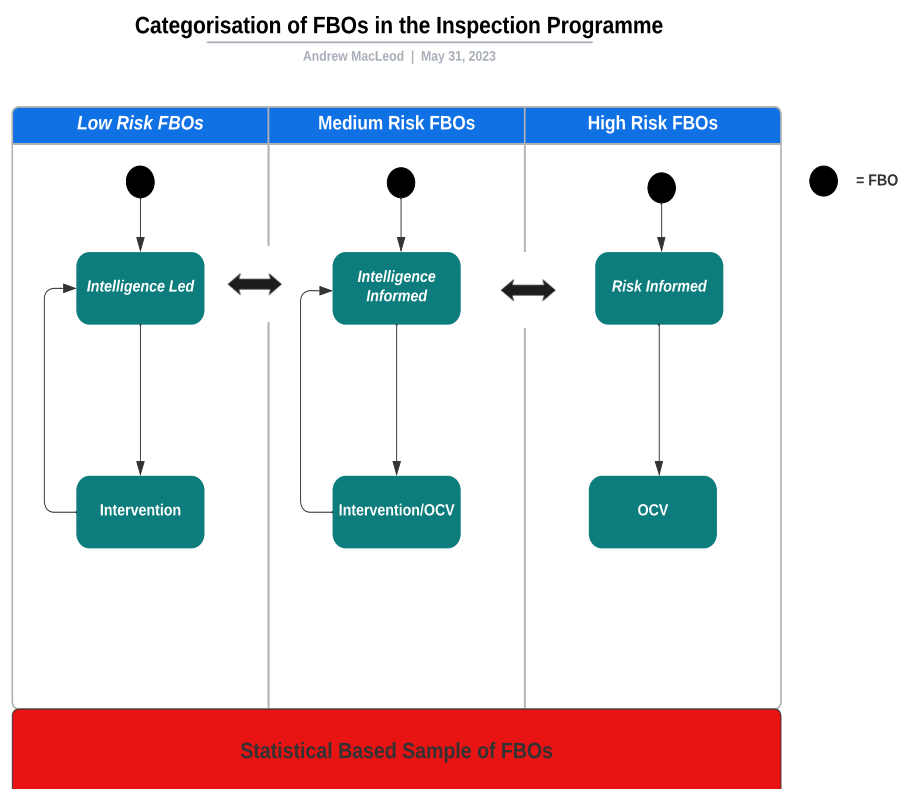


Figure One:- Categorisation of the Food Sector and its Food Businesses Operators according to Risk and Intelligence

FBOs will be placed into three risk categories and provided with OCs as follows:-

- **High Risk:** A planned and scheduled programme consisting of OCV inspection cycles shall be applied to these FBOs. The performance target is that all FBOs will be verified according to OCV with a minimum scope of verification of all Critical Control Points and Operational Prerequisite Programmes (OPPs) and a minimum time application of 80% of the resource calculation according to the SFELC Guidance on OCV within each Inspection cycle to be scheduled over one fiscal year. The Lead Officer will provide professional, enforcement and technical support.
- **Medium Risk:** -Intelligence – led interventions shall be performed reactively which may, depending on the outcome, result in the transfer the FBO into the High-Risk category. The intervention, which shall be an OCV inspection, will

inform enforcement activity sufficient to restore food safety, consumer protection and legal compliance

- **Low Risk:** Interventions will be carried out, where appropriate, reactively according to intelligence provided by sources (e.g. police, public, FSS)
- **Statistical sample:** - A statistically representative sample of high and medium risk catering and retailing FBOs will be selected for an OCV inspection. The results will inform the Service about the state of compliance of all FBOs within predetermined levels of confidence. This will be reviewed on an annual basis, and the inspection programme adjusted accordingly

The High-Risk FBOs will be verified by the Manufacturing OCs Working Group with a target of 4.6 FTE resources to be allocated to this priority area, according to the OCV resource calculation. The Working Group is chaired and led by the Lead Officer who shall also support the work of the group with responsibility for delivering the program

- **Status - the second Inspection Cycle began on the 1 April 2023.**
- **Status – the food intervention plan is ongoing and resources will be allocated to deliver the revised program**

5.2.2. Listeria Programme

The service is cognizant of the changes in the FSS and FSA risks assessment of *Listeria monocytogenes* in cold smoked fish and fish products, together with Health Protection Scotland's position that the current outbreak of *Listeria monocytogenes* is due to the vector of imported fish.

Accordingly, the Service will review the OCV inspection cycles to ensure that Control Measures for *Listeria* are effective and the verification of them is also effective.

- **Status - Underway. Verification of fish suppliers is scheduled by 30 September 2023. The verification of the remaining Control Measures will be completed by the end of the Inspection cycle i.e. 31 March 2024**

5.2.3 Validation of Unpasteurised Cheese Programme.

The service is cognizant of the potential for the unpasteurised cheese process to be invalidated at the Isle of Cheese Company, albeit the FBO and the Specialist Cheese Makers Association are adamant that it is validated. As part of the inspection cycle the Service will verify the position on Validation.

- **Status - Inspection cycle began on the 1 September 2023.**

5.2.4 Review of Authorisation

The Service will review the Authorisations of all Authorised Officers according to retained (EC) and (EU) Food Law.

- **Status - Target 30 December 2023.**

5.2.5 Schools and Hospitals Food Supply

In addition to the Inspection Programme outlined above, the Service will provide a further programme of Official Controls consisting of two elements (i) A programme of scheduled inspections ('OCV-Lite') aimed at Argyll's schools and hospitals and (ii) The Lead Officer assessing the Councils Commercial Services Food Safety Management System and providing support to the schools, the hospitals and for the Inspecting Officers.

- **Status - Inspection beginning 15 January 2024.**

5.2.6 Scheme of Charging for Non-Compliance

The Service will consider the ability to develop a scheme of charging for non-compliance based upon retained EU Food Law in order that compliance is incentivised and to introduce a fee for enforcement

- **Status – Target 30 June 2024.**

5.2.7 CPD/Training

The Service will support officers achieving a minimum of 10 hours of CPD in Food Control to all Authorised Officers.

Further specific CPD will be provide as follows: -

REHIS/SEAFISH joint award in the Verification of Bivalve Processing establishments.

- **Status – Target 1 March 2024**

5.2.8 Support for the Higher Certificate in Food Standards Inspections

Pursuing FLRS the Service will support two Officers who are actively pursuing the REHIS Higher Certificate in Food Standards premises Inspection

- **Status - Underway. Target 30 April 2024.**

5.2.9 Sampling Plan

The Service has developed a sampling plan focussing upon supporting OCV for verification of FCMSs in high-risk manufacturing FBOs which is cognisant of the FSS/FSA risk assessment of *Listeria monocytogenes*.

- **Status – Started - to be completed by 31 March 2024.**

5.2.10 Exports and Attestations

The Service will continue to issue all export health certificates and attestations based upon verified legal compliance of FBOs where the requests have been made with a minimum of 48 hours of working day notice. This is subject to the exigencies of service.

- **Status – Underway and ongoing**

5.2.11 Innovation – Scientific Methods and Techniques

The Service is committed to the review of current Methods and Techniques and further innovation with the purpose of optimising the effectiveness of Food Control, recognising that a resource deficit demands existing resources are used to maximum effect. The Service will work within the SFELC/SOCEHS 'Methods and Techniques' Working Group and within the FSS's SAFER programme.

- **Status –Ongoing and to be completed 30 June 2024.**

5.2.12 Innovation – Remote Delivery Food Control

The Service will work with the Council's IT department to operationalise the appropriate parts of OCV for remote delivery with the intention of reducing the 20% of FTE that currently has to be devoted to travelling. This time will be recycled back into Food Control.

- **Status – Target 31 March 2024.**

5.2.13 Innovation – Digital Processing of Documents

The Service aims to migrate from paper to electronic case records for the receipt and management of documentation required for Food Control.

- **Status – Target 31 March 2024.**

5.2.14 Innovation – Application of OCV to Catering and Retail FBOs and Improved Quality Control over the use of Contactors

The Service will develop an OCV approach suitable for catering and retailing FBOs and to support the effectiveness and the consistency of the inspection programme and to enhance the monitoring and the quality control over the use of external contractors.

- **Status – Target 31 March 2024.**

5.2.15 Innovation – The Use of OCV for Food Authenticity and Integrity/ Food Fraud/ Crime

Pursuing OCV and FLRS the Service will consider contracting with SEAFISH to provide the REHIS/SEAFISH joint award in the Verification of Food Authenticity and Integrity and operationalise the appropriate Methods and Techniques.

- **Status – Underway. Target 31 March 2024.**

5.2.16 Internal Monitoring

A phased return to internal monitoring consistent with operational demands and available resources.

- **Target Formal Notices – 15 November 2023**
- **Verification of one inspection per Officer 31 March 2024.**
- **Extend internal monitoring and develop 24/25 plan 31 March 2025**
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5.2.17 Service redesign and review food safety delivery arrangements

A service redesign will review the food control delivery arrangements and lead officer arrangements

➤ **Status – 31 March 2024**

5.3 Reactive work arising from a range of sources and may include communicable disease and food related illness, significant enforcement activity; national and local; food withdrawals and emerging issues. These reactive demands, along with planned and proactive work, will be risk assessed. Resources will be allocated in accordance with the risk assessment outcomes.

5.4 The longer-term horizon remains currently unclear, pending a number of significant developments, including the resource deficit within a picture of a severe national resource deficit, the advent of SAFER, the expansion of OCV, the implementation of a further revision of the Food Law Code of Practice, and the developing food crime agenda.

5.5 Other Service Issues

The Service will continue to:

1. Work in partnership with NHS Highland in the investigation of reports of food communicable disease, and more specifically food-borne illness.
2. Focus our sampling activity on high-risk locally produced goods.
3. Work with partners including other local authorities, the business sector and Food Standards Scotland.
4. Provide for an effective and appropriate response to Food Alerts and Food incidents as required and issued by Food Standards Scotland where all alerts are considered immediately, and appropriate action is taken.

6. RESOURCES

6.1 There is no separate food control budget and costs are included within the wider environmental health budget. Estimated costs for food control are detailed below for 2023/24.

| | FOOD |
|-------------------------------|------------------------------|
| Employee costs | £405,000 |
| Training & Resource Materials | 2000 |
| Transport & Carriage Costs | Included in laboratory costs |
| IT & communications | 1,000 |
| Laboratory costs | 15000 |
| Total | £423,000 |

6.2 Staffing Allocation

All Enforcement Officers hold the qualifications described in the Food Safety Codes of Practice for Food Safety and Food Standards under the Council's Scheme of Delegation. The Service has an established procedure for the Authorisation of Enforcement Officers and Appendix II details the specific authorisations for Officers.

These fall to be reviewed on a regular basis and may change in the course of the period of the Service Plan.

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|---------------------|--|--|
| Approved | Regulatory Services & Building Standards Manager | |
| Endorsed by Council | PPSL Committee | |

Regulatory Services & Building Standards Manager, October 2023

REGULATORY SERVICES SERVICE CONTACT ARRANGEMENTS

Contact Arrangements and Details

Regulatory Services operate the Councils hybrid working model with staff working at home, in the office, remotely and on site depending on roles and responsibilities. Accordingly, the service cannot ensure that officers will be available at Council offices unless specific appointments are made in advance. Service requests and other access to the Service can be initiated by telephone, e-mail or in person via Customer Service Centres.

Regulatory Services can be contacted by telephone on **01546 605519**

by email. envhealth@argyll-bute.gov.uk

Advice and information is available through the Council website www.argyll-bute.gov.uk

Where a face to face meeting is required , this will be arranged on site, at the following Council Offices or other suitable locations

Offices where staff are based:

EAST Argyll House, Alexandra Parade, Dunoon PA23 8AJ
 Civic Centre, 38 East Clyde Street, Helensburgh G84 7PG

WEST Municipal Buildings, Albany Street, Oban PA34 4AW
 Kilmory, Lochgilphead PA31 8RT

Regulatory Services management can be contacted at Kilmory, **Lochgilphead**, PA31 8RT, telephone 01546 605519

Advice and information on Regulatory Services is published on the Council's website www.argyll-bute.gov.uk.

FORMAL AUTHORISATIONS AND APPOINTMENTS

PUBLIC ANALYST, FOOD EXAMINERS, AGRICULTURAL ANALYSTS

Public Analysts

In terms of the Food Safety (Sampling and Qualifications) (Scotland) Regulations 2013, the following staff members hold the Mastership in Chemical Analysis qualifications awarded by the Royal Society of Chemistry and are eligible for appointment as Public Analysts:

Gary Walker Divisional Manager, Head of Community Safety and Regulatory Services
Jane White Group Manager, Scientific Services

Food Examiners

In terms of the Food Safety (Sampling and Qualifications) (Scotland) Regulations 2013, the following staff members hold academic qualifications listed in Part 1 of Schedule 2 and have attained the minimum three year experience requirement in the laboratory listed in Part II of the Schedule:

Gary Walker Divisional Manager, Head of Community Safety and Regulatory Services
Jane White Group Manager, Scientific Services
Dawn Neeson Microbiologist
Alison Aitken Microbiologist

Agricultural Analyst

Under the terms of the Fertilisers (Sampling and Analysis) Regulations 1996, the following staff members, holding the Mastership in Chemical Analysis awarded by the Royal Society of Chemistry and whose practical experience as Agricultural Analyst, have been attested, are eligible for appointment as Agricultural Analyst and Deputy Agricultural Analyst.

Gary Walker (Agricultural Analyst) Scientific Services Manager
Jane White (Deputy Agricultural Analyst) Public Analyst

Under the terms of the Feed (Sampling and Analysis and Specified Undesirable Substances) (Scotland) Regulations 2010, the following staff members, holding the Mastership in Chemical Analysis awarded by the Royal Society of Chemistry and whose practical experience as Agricultural Analyst, has been attested, are eligible for appointment as Agricultural Analyst or Deputy Agricultural Analyst.

Gary Walker (Deputy Agricultural Analyst) Scientific Services Manager
Jane White (Deputy Agricultural Analyst) Public Analyst

Food Standards Scotland are now the competent authority for feed and as such have appointed the above individuals as Deputy Agricultural Analysts for Feed. **Duncan Campbell** from Aberdeen Scientific Services is the Agricultural Analyst for feed.

Approved Signatories

Under the laboratory UKAS quality system the following staff members through qualification and experience are documented authorised signatories for specific sample types:

Gary Walker Divisional Manager, Head of Community Safety and Regulatory Services
Jane White Group Manager, Scientific Services
Jack Stoddart Depute Group Manager, Scientific Services
Barbara Kraszewski Chemist
David Arthur Team Leader
Richard Aitken Team Leader
Karen Macvicar Chemist

In terms of the Food Safety (Sampling and Qualifications) (Scotland) Regulations 2013, the following staff members hold the Mastership in Chemical Analysis qualification awarded by the Royal Society of Chemistry and are eligible for appointment as Public Analysts:

Gary Walker Divisional Manager, Head of Community Safety and Regulatory Services
Jane White Group Manager, Scientific Services

Official Control Laboratory Recognition

The laboratory has been appointed as an official food control laboratory in the UK for both chemical analysis and microbiological examination. This can be confirmed by visiting the web site:

<https://www.foodstandards.gov.scot/business-and-industry/local-authorities-gateway/official-feed-and-food-laboratories>

ARGYLL AND BUTE COUNCILS AUTHORISED OFFICERS UNDER FOOD SAFETY ACT 1990

The following Officers are appointed under the Food Hygiene (Scotland) Regulations 2006 in accordance with Regulation (EU) 2017/625 of the European Parliament and of the Council for the purposes of Community Legislation and retained EC and EU Food Regulations, are appointed under the Food Safety Act 1990 as “authorised food officer”. Their powers of authorisation vary depending upon qualifications, experience, post and competency. The undernoted details the specific authorisation levels for Authorised Officers.

Food Hygiene and Food Standards

| Powers | | Visit, access and inspection | | Sampling | | Seizure and detention | | Service of Improvement Notice | | Service of Temporary Closure Notice | | Service of Remedial Action Notice | | Approval of Businesses Regulation (EC) 853/2004 | |
|------------------|--|------------------------------|-----------|----------|-----------|-----------------------|-----------|-------------------------------|-----------|-------------------------------------|-----------|-----------------------------------|-----------|---|-----------|
| | | Hygiene | Standards | Hygiene | Standards | Hygiene | Standards | Hygiene | Standards | Hygiene | Standards | Hygiene | Standards | Hygiene | Standards |
| Alan Morrison | Regulatory Services and Building Standards Manager | √ | √ | √ | √ | | | | | | | | N/A | | |
| Andy MacLeod | Lead Officer Food Control | √ | √ | √ | √ | √ | √ | √ | √ | √ | √ | √ | | √ | √ |
| Jo Rains | Environmental Health Officer | √ | √ | √ | √ | √ | √ | √ | √ | √ | √ | √ | | | |
| Andy McClements | Environmental Health Officer | √ | √ | √ | √ | √ | √ | √ | √ | √ | √ | √ | | √ | |
| Richard Gorman | Environmental Health Officer | √ | √ | √ | √ | √ | √ | √ | | √ | √ | √ | | | |
| Jacqui Middleton | Environmental Health Manager (West) | √ | √ | √ | √ | | | | | | | | | | |

| Powers | | Visit, access and inspection | | Sampling | | Seizure and detention | | Service of Hygiene/ Improvement/ Food Standards Notices | | Service of Temporary Closure Notice | | Service of Remedial Action Notice | | Service of Emergency Prohibition Notice | |
|---------------------|-------------------------------------|------------------------------|-----------|----------|-----------|-----------------------|-----------|---|-----------|-------------------------------------|-----------|-----------------------------------|-----------|---|-----------|
| | | Hygiene | Standards | Hygiene | Standards | Hygiene | Standards | Hygiene | Standards | Hygiene | Standards | Hygiene | Standards | Hygiene | Standards |
| Adrian Rowe | Regulatory Services Officer | √ | √ | √ | √ | √ | √ | √ | √ | √ | √ | √ | √ | | N/A |
| Marcillena MacCuish | Regulatory Services Officer | √ | √ | √ | | √ | √ | √ | | √ | | | | | |
| Mary Watt | Environmental Health Manager (East) | √ | √ | √ | √ | √ | √ | √ | √ | √ | | √ | | | |
| Patrick Mackie | Environmental Health Officer | √ | √ | √ | √ | | | | | | | | | | |
| Nicole Hamilton | Environmental Health Officer | √ | √ | √ | √ | √ | √ | √ | √ | √ | √ | √ | | | |
| Cameron McAuley | Environmental Health Officer | √ | √ | √ | √ | √ | √ | √ | √ | √ | √ | √ | | | |
| Sue Stefek | Environmental Health Officer | √ | √ | √ | √ | √ | √ | √ | √ | √ | | √ | | | |
| Pauline Varley | Environmental Health Officer | √ | √ | √ | √ | √ | √ | √ | | √ | | √ | | √ | |
| Mark Parry | Environmental Health Officer | √ | √ | √ | √ | √ | √ | √ | √ | | | | | | |

| Powers | | Visit, access and inspection | | Sampling | | Seizure and detention | | Service of Hygiene/ Improvement/ Food Standards Notices | | Service of Temporary Closure Notice | | Service of Remedial Action Notice | | Service of Emergency Prohibition Notice | |
|------------------|--|------------------------------|-----------|----------|-----------|-----------------------|-----------|---|-----------|-------------------------------------|-----------|-----------------------------------|-----------|---|-----------|
| | | Hygiene | Standards | Hygiene | Standards | Hygiene | Standards | Hygiene | Standards | Hygiene | Standards | Hygiene | Standards | Hygiene | Standards |
| Ian Campbell | Regulatory Services Officer | √ | √ | √ | √ | | | | | | | | | | |
| Katie McNair | Technical Officer | √ | √ | √ | √ | | | | | | | | | | |
| Gemma Rae | Technical Officer | √ | √ | √ | √ | | | | | | | | | | |
| Karen Goodchild | Technical Officer | √ | √ | √ | √ | | | | | | | | | | |
| David Kerr | Senior Animal Health and Welfare Officer | √ | √ | √ | √ | | | | | | | | | | |
| Graeme Pirie | Animal Health and Welfare Officer | √ | √ | √ | √ | | | | | | | | | | |
| Jacklyn Sinclair | EH Enforcement Officer | √ | √ | √ | √ | | | | | | | | | | |