

LONDON BOROUGH OF BRENT

EXECUTIVE

8th March 2004

FROM THE DIRECTOR OF ENVIRONMENT

FOR INFORMATION

NAME OF WARD: **ALL**

REPORT TITLE : AUDIT OF BRENT FOOD ENFORCEMENT SERVICE

REF: ES-03/04-175

1.0 SUMMARY

The Food Standards Act 1999 gave powers to the Food Standards Agency (FSA) to monitor and audit local authorities. Brent was selected by the FSA for a themed audit on 'food sampling' in December 2002 and a further audit on all other aspects of food enforcement in June 2003. The FSA concluded that Brent had effective food sampling and food enforcement services. These services are provided by the Food Safety Team in Environmental Health. Although the results of the audit were widely publicised, the FSA require that the reports are formally brought to the attention of Members. Responsibility for communicable disease control also lies within the Food Safety Team which is assisted by medically qualified *proper officers* appointed for that purpose.

2.0 RECOMMENDATION

That Members note the key findings of the FSA audit reports and the use of additional resources by Environmental Health's Food Safety Team to make measurable improvements to Brent's food enforcement service.

3.0 FINANCIAL IMPLICATIONS

A growth bid was made by the Food Safety Team in 2001/2 to comply with the new standard and growth of £127,000 was awarded by members phased over a 2 year period. In utilising this growth, the Food Safety Team were able to demonstrate improvements in services from a position of underperforming in food standards inspections to that of complying fully with the FSA's standard.

4.0 STAFFING IMPLICATIONS

Whilst the additional funding enabled the creation of additional food enforcement posts in 2001/2, there are no staffing implications resulting from the audits themselves.

5.0 ENVIRONMENTAL IMPLICATIONS

5.1 None specific.

6.0 LEGAL IMPLICATIONS

6.1 The FSA has the function under s12 of the Food Standards Act 1999 (the 1999 Act) to monitor the performance of enforcement authorities in enforcing relevant legislation. Relevant legislation is defined under s15(1) of the 1999 Act and includes the Food Safety Act 1990 and regulations made there under, specified European regulations applied under the 1999 Act and Part IV of the Agriculture Act 1970 and its regulations. These statutes all make Brent the “enforceable authority” for the purposes of the 1999 Act.

7.0 DIVERSITY IMPLICATIONS

The proposals in this report have been subject to screening and officers believe that there are no diversity implications.

8.0 DETAIL

8.1 Brent was selected for a themed audit on sampling in December 2002, the auditors spent a full day evaluating our systems, looking at files and interviewing staff. The result of the audit was not published until 30th July 2003, the delays being on their side on compiling the data from all the authorities audited. The key findings of the audit were reported as follows:

- 1. The Authority was able to demonstrate effective arrangements for its sampling activities, with strong and well established liaison with neighbouring authorities.*
- 2. The Authority’s food sampling policy and programme allowed for full participation in regional and national sampling surveys together with sampling from the borough’s higher risk premises.*
- 3. The Authority was generally adhering to its sampling policy and programme, and appropriate follow up action was being taken in response to unsatisfactory sample results in accordance with the Authority’s Enforcement Policy. Detailed advisory leaflets and information were distributed to food businesses where appropriate.*

8.2 Even though we had undergone the themed audit we were selected for a full audit based on our reporting insufficient numbers of food standards inspections being undertaken during 2001/2. The full audit was carried out in June 2003 and the report made available on 1 October 2003. The key findings of the audit were reported as follows:

- 1. The Authority was able to demonstrate an effective food law enforcement service with a good level of compliance with the Standard overall. There was evidence of effective management and planning of the Service and the Authority was adhering to its policies and procedures.*
- 2. Assessments of compliance with food hygiene requirements in general premises, Approved Premises and in licensed butchers’ shops were effectively carried out.*

3. *The database was up to date, well maintained and effectively used for monitoring purposes. File records were generally well organised, retrievable and contained relevant information.*
4. *There were no key areas for improvement identified.*

- 8.3 The audit identified no key areas for improvement. Given the low inspection rate in 2001/2 which led to the service being identified for a full audit this is particularly welcome. Effective application of the growth agreed for 2002/3 and 2003/4 has resulted in significant and demonstrable improvement in the service which is now performing at a very high standard.
- 8.4 Responsibility for communicable disease control (e.g. the control of food poisoning outbreaks) lies within the Food Safety Team but the Council is required to appoint a *proper officer(s)* for the purposes of discharging functions under the Public Health (Control of Diseases) Act 1984 and the Public Health (Infectious Diseases) Regulations 1988. The Director of Environment under delegated powers has appointed Dr Claude Seng, Dr Yuen Kai Lau, Dr Deepti Kumar and Dr Margaret Meltzer, all of which are part of the North West London Health Protection Unit, as *proper officers* to undertake these duties.

9.0 BACKGROUND INFORMATION

9.1 Details of Documents:

1) Food Standards Agency *Framework Agreement on Local Authority Food Law Enforcement.*

2) Audit Action Plan for the London Borough of Brent

Any person wishing to inspect the above papers should contact Elizabeth Georgeou, Environmental Health Food Team, Brent House, 349 High Road, Wembley, Middlesex HA9 6BZ,
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