

DERBYSHIRE COUNTY COUNCIL
MEETING OF CABINET MEMBER – HEALTH AND COMMUNITIES

07 January 2021

**Report of the Executive Director
Commissioning, Communities and Policy**

FOOD AND FEED SERVICE PLAN

1 Purpose of Report

To seek approval from the Cabinet Member, Health and Communities for the Food and Feed Service Plan 2020/21.

2 Information and Analysis

In accordance with the Food Standards Agency's (FSA) 'Framework Agreement on Official Feed and Food Controls by Local Authorities' (the Framework Agreement), the Trading Standards Division produces a Service Plan for Food and Feed. The Plan sets out a proposed programme of activity to seek compliance with food and feed requirements.

The Framework Agreement was developed by the FSA in consultation with local authorities, the local government associations and professional bodies. It sets out what the Food Standards Agency expects from local authorities in their delivery of official controls on feed and food law. It also seeks to ensure that the UK fulfils its obligations with regards to current European legislative requirements. The Agreement sets out the planning and delivery requirements of feed and food official controls, based on the existing statutory Codes of Practice.

There is a close link between the food we eat and our health. The local authority has a duty to enforce food safety legislation that is intended to ensure that food is safe to eat and that it complies with a wide range of standards and labelling requirements. In general, district and borough council Environmental Health Services are responsible for enforcing food hygiene whereas the county council is responsible for ensuring that businesses trading in Derbyshire comply with food labelling and compositional standards requirements. The county council is also responsible for ensuring feed businesses throughout the feed chain from farms through to manufacturers comply with legal requirements on feed labelling, safety and hygiene.

The Trading Standards Service provides advice and information to local businesses on the requirements of the law and how best to comply. Advice may be reactive – in

response to a request from a local business or a referral from another authority – or proactive following a change in legislation or as a result of an inspection. To check compliance with food and feed standards and feed hygiene requirements, the service undertakes inspections or visits to local businesses. The complexity and size of the business and the type of food or feed produced or sold will determine the frequency of visit in accordance with nationally agreed 'risk assessment' policies.

As well as 'routine' inspections or business advisory visits, the Division also undertakes project work to test compliance within a particular trade sector or food and feed products. Details of projects planned are contained within the Food and Feed Service Plan.

Most of the food we buy is manufactured and pre-packed. To ensure that food is appropriately labelled and that it complies with food standards requirements, the Division also has a food sampling programme. Food on sale in Derbyshire is sent for analysis by a food laboratory (Public Analyst) to examine the composition and compare it to the labelling. Breaches of food labelling and standards constitute an offence and, depending on the severity of any non-compliance, the Division will advise or consider enforcement action as appropriate. Most breaches are referred to the relevant 'Home Authority' – i.e. the trading standards department local to where the head office of the company is located. More serious breaches are investigated, and, in a minority of cases, legal proceedings are instigated.

The draft Plan is attached to the report as appendix 1 and it is proposed to publish it on the county council website when approved.

3 Financial Considerations

The cost of the food and feed sampling programme for 2020/21 is up to £10,000. The Division works with its appointed Public Analyst service and agrees a programme of food and feed sampling for the year within this budget.

4 Other considerations

In preparing this report the relevance of the following factors has been considered; human resources, legal, prevention of crime and disorder, equality of opportunity; environmental, health, human resources, property and transport considerations.

5 Key Decision

No.

6 Call-In

Is it required that call-in be waived for any decision on this report? No.

7 Background Papers Held on file within the Commissioning, Communities and Policy Department. Officer contact details – Steve Allen, extension 39837.

8 OFFICER'S RECOMMENDATION

That the Cabinet Member Health and Communities approves the Food and Feed Service Plan 2020/21

**Emma Alexander Executive Director
Commissioning, Communities and Policy**

**Derbyshire County Council
Commissioning, Communities and Policy
Department
Trading Standards Division**

**Food and Feed Service
Plan
2020/2021**

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Introduction

This plan has been produced having had regard to the [Food Standards Agency Framework Agreement](#).

As described by the departmental [Service Plan](#) Derbyshire Trading Standards Service (DTSS) is part of the Community Services division of the Commissioning, Communities and Policy Department. The [Derbyshire County Council Plan 2019 - 2021](#) sets out the future direction of the council.

This Food and Feed Service Plan sets out how Derbyshire County Council through its Trading Standards Service delivers its food and feed service with the aim of ensuring that food standards and feed law is complied with. The plan describes the structure, policy and operational activities of DTSS; in respect of its food and feed law activities.

Food Standards and animal feed work are statutory functions of the service, EC regulations require consistent effective, risk-based and intelligence led controls at all stages of production, distribution, use, storage, transport, import and export. The details of what is expected of the service can be found in the [Food and Feed Law Codes of Practice](#). Both codes of practice are statutory and the Food Standards Agency (FSA) can, after consulting with the Secretary of State, give a Local Authority a direction requiring them to take any specified steps in order to comply with the codes.

The FSA has an audit role in respect of food and feed law enforcement and as such this Food and Feed Service Plan is intended to assist auditors to understand the authority's approach to seeking compliance with food and feed law.

1 Service aims and objectives

1.1 Aims and Objectives

The work of Derbyshire County Council's Trading Standards Service is aimed at delivering its mission statement:

Supporting local business, helping consumers and tackling unfair and unsafe trading practices

1.2 Service Priorities

The priorities of DTSS are described in the [Consumer Advice](#) and [Business Advice](#) policies, they include, "helping to ensure the safety and security of the food chain".

2 Background

2.1 Profile of the Local Authority

The current political administration of Derbyshire County Council took office in May 2017.

The Trading Standards Service is based in Matlock which is also the home to the County Council's administrative centre.

Derbyshire has a population of 791,966 and has an area of around 1,000 square miles. It lies within the centre of England in the north west of the East Midlands region.

Derbyshire is largely rural and has no major urban centres, there are 28 market towns which play a significant role in the local economy, both as employment hubs and as providers of valuable services to residents in out-lying rural areas. Chesterfield is Derbyshire's largest town and sits in the North East of the county.

The major cities of Derby, Manchester, Sheffield, Nottingham and Leicester lie near to the Derbyshire's border. The M1 runs through eastern Derbyshire and a direct rail link connects Derbyshire to London in just under two hours. Manchester, Birmingham, East Midlands and Doncaster Sheffield airports are also nearby. Eastern Derbyshire is largely reliant upon manufacturing, whereas the economy of the north west and the Peak District is largely dependent on tourism along with traditional quarrying and agriculture.

As part of the two-tier arrangements for local government, Derbyshire County Council works with eight District and Borough councils, who have responsibility for food hygiene enforcement as part of their Environmental Health functions.

2.2 Organisational Structure

DTSS was restructured in 2018/19 to make savings of £0.493m. Consequently, the number of full time equivalent (FTE) staff employed in the service changed from 40.16 to 30 with 25 FTE currently in post, including management and operational staff, to cover all aspects of the work of the service. The service has also seen some staff changes through natural turnover and as a result of this are currently in the process of recruiting three Trading Standards Officers,

[Appendix 1](#) shows how DTSS fits into the structure of the Commissioning, Communities and Policy Department. The Head of Trading Standards has delegated responsibility for all trading standards functions including food and feed enforcement and reports to the Director of Community Services who in turn reports to the Executive Director for Commissioning, Communities and Policy.

[Appendix 2](#) shows the structure of DTSS as of October 2020. The Trading Standards Manager for Standards and Animal Health Team has responsibility for the day to day delivery of food and feed enforcement activity.

As required by the [Food and Feed Law Codes of Practice](#) officers enforcing food and feed controls require specific qualifications and must demonstrate their ongoing competency through continued professional development. **Appendix 2** also depicts the

number of qualified and competent officers, authorised to enforce official food and feed controls.

It is important to note that these officers carry out other duties over and above food and feed work, such as animal health and welfare, weights and measures, fair trading, product safety and licencing work.

3 The Trading Standards Service

3.1 Access to the service

DTSS has a base at The Co-op Building, Smedley Street, Matlock, Derbyshire DE4 3AG, close to the Council's main County Offices. The service is currently not available for personal callers.

The County Council's contact centre '[Call Derbyshire](#)' is open between 8am to 8pm Monday to Friday and 9.30am to 4pm Saturdays. 24 hours out of hour emergency contact is available via Call Derbyshire.

Members of the public are able to contact the service via, a national call centre [Citizens Advice Consumer Service \(CACS\)](#). CACS provide advice on consumer issues and share data automatically with individual Trading Standards services.

DTSS provides advice on Trading Standards law to businesses, who can access this service via the council's [website](#). The service charges businesses for bespoke advice, however, will signpost a business to general self-help advice at no cost.

Alternatively, a business may choose to enter into a [Primary Authority partnership](#) with the service. Primary Authority is a legally backed partnership between a business and a regulator. Businesses that enter a partnership can take advantage of 'assured advice'. Complying with such advice means that a business's products or services should be free from any possible legal challenges by another regulator. This guarantee gives the business confidence to invest and grow. Regulators can charge for this service on a cost recovery basis and DTSS does so at £65 per hour.

3.2 Scope of the Trading Standards Service

DTSS has a very broad remit and examples of the areas of work it has a responsibility for are identified below.

Responsibilities of DTSS

Safety & Business Support

- Safety of consumer products
- The sale of age restricted products
- Petroleum licencing
- Explosive licencing and enforcement
- The administration of the Derbyshire Trusted Trader scheme

Fair Trading

- Doorstep crime
- Supporting victims of scams
- Illegal alcohol and tobacco
- Counterfeit goods
- Unfair trading practices

Standards & Animal Health

- Food standards
- Weights and Measures
- Animal health and welfare of farmed animals
- Feed standards and hygiene

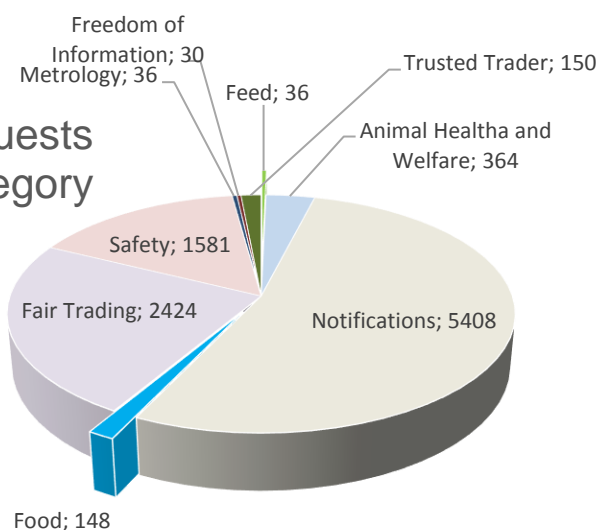
3.3 The prioritisation of demands

DTSS does not have the resources to deal with all the enquiries it receives. A prioritisation process is in place whereby experienced officers assess demand across the whole service before deciding on a response.

Responses can range from simply recording the information received, through to a criminal investigation and potential prosecution. The criteria used to decide an appropriate level of response are published on the services [webpages](#), and form part of the [consumer advice and enquires policy](#).

During 2019/20, excluding requests for business advice the service received 10,271 complaints and requests for service. The chart below depicts the numbers and categories of complaints and requests for service received. Similar numbers are expected during 2020/21.

Complaints & Requests for Service by Category



3.4 Bringing businesses into compliance

One of the priorities of the service is to bring non-compliant businesses into compliance. A whole range of options from working with the business, through to prosecution are used in order to do this.

The service believes that by following its [compliance policy](#), it can protect consumers without imposing unnecessary burdens on legitimate businesses and so help to promote a thriving local economy. The service recognises that most businesses want to comply with the law and tries to help them meet their legal obligations without unnecessary expense.

The Compliance Policy takes account of '[The Code for Crown Prosecutors](#)' and has been developed to provide a framework to ensure that the service complies with the [Regulators' Code](#).

4 The Food and Feed Service

4.1 Scope of the Food and Feed Service

DTSS is responsible for implementing food standards (including labelling, compositional standards and fraud) and animal feed controls at businesses such as manufacturers, transporters and farms. The service is also responsible for ensuring hygiene controls are implemented at businesses that grow food, such as fruit, vegetables and other ready to eat produce.

Food and feed controls are broadly implemented by the service, using five different methods, as depicted here:



4.2 Officer competencies

Officers carrying out food and feed work, generally require a qualification and ongoing maintenance of their competency to enable continued authorisation. The service can use non-qualified officers for some aspects of this work and where it is efficient will continue to do so.

Including the manager of the team, at the start of April 2020, 4.81 FTE officers were authorised to enforce food law and 4.81 FTEs authorised to enforce feed law.

It's important to bear in mind that these officers do not exclusively enforce food and feed law. They are part of multi-disciplinary teams and as such are required to undertake other duties relevant to their role.

4.3 Food and Feed Risk Assessment schemes

In order to ensure that our limited inspection resources are targeted at food and feed business that pose the greatest risk, all premises are risk assessed. Both the [Food and Feed Law Codes of Practice](#), include a risk assessment scheme, but allow the use of an alternative scheme, providing the inspection frequencies are not reduced. This service uses the Trading Standards Risk Assessment Scheme for food businesses. The same scheme is used for feed businesses but has been adapted to mirror the inspection frequencies in the revised Feed Law Code of Practice. The schemes assess food and feed businesses based on the type of business, the geographical area in which their products are distributed and their level of compliance.

Food risk assessment scheme. The required inspection frequencies within the food risk assessment scheme are depicted below.

Food businesses – required inspection frequencies



* Although the Trading Standards Risk Assessment Scheme recommends no inspection frequency, the Food Law Code of Practice requires that these premises are subject to some activity at least every 5 years. The activity required here may be less detailed than an inspection.

Feed risk assessment scheme. The feed risk assessment scheme has 8 separate inspection frequencies, ranging from National Targeted Monitoring Strategy (NTMS) at the lowest risk premises through to an annual inspection at the premises which present the greatest risk. The numbers of premises which shall be subject to an NTMS are set by the FSA on an annual basis. The NTMS will usually consist of a full or partial inspection.

Where there is good compliance history, feed business that are members of industry assurance schemes, approved by the FSA are subject to reduced inspection frequencies. The minimum inspection frequency here is a requirement to inspect 1% of businesses within specified sector of the feed chain. The required inspection frequencies within the feed risk assessment scheme are depicted below.

Feed Businesses – required inspection frequency

Inspection Frequency	Business Type
1 yearly	Manufacturers, Importers, Manufacturers of Former Food Stuffs
2 yearly	Manufacturers, Importers, Manufacturers of Former Food Stuffs, Stores, Distributors, Suppliers of Surplus Food, Transporters, Farms that manufacture feed for their own use
3 yearly	Manufacturers, Stores, Livestock Farms (that do not mix), Arable Farms (that grow feed)
4 yearly	Manufacturers, Importers, Manufacturers of Former Food Stuffs, Distributors, Suppliers of Surplus Food, Transporters, Farms that manufacture feed for their own use, Livestock Farms (that do not mix), Arable Farms (that grow feed)
5 yearly	Importers, Manufacturers of Former Food Stuffs, Stores, Distributors, Suppliers of Surplus Food, Transporters, Farms that manufacture feed for their own use
10 yearly	Stores, Distributors, Suppliers of Surplus Food, Transporters, Farms that manufacture feed for their own use
1%	Stores, Distributors, Suppliers of Surplus Food, Transporters, Farms that manufacture feed for their own use
NTMS	Livestock Farms (that do not mix), Arable Farms (that grow feed)

4.4 Demands on the Food and Feed Service

The work of the service can be split into two areas, proactive demand, such as inspections and the taking of samples and reactive demand, such as responding to complaints and requests for advice.

As a result of the Covid 19 pandemic during the late part of 2019/ 20 and the start of 2020/21 the demands on the service rose very sharply.

4.5 Food and Feed Safety Incidents

The Food Standards Agency notifies local authorities of issues with food and feed through a national food and feed alert system. There are 3 types of alerts which are explained below:

- [Food Alert For Action](#) (FAFA) – the most serious type of alert and requires local authorities to take specific action to deal with unsafe food or feed
- [Product Recall Information Notice](#) (PRIN) – advises of a recall of food or feed by a manufacturer or retailer and no specific action is required to be undertaken by the local authority
- [Allergy Alert](#) – is issued by the FSA to advise of specific allergen risks with a food

Part of the service's documented quality system includes instructions about receiving and dealing with food and feed alerts which require action.

Most alerts do not require any further action by the service, however there is always a possibility that the service will need to commit resources to dealing with a major food or feed incident such as the scandal involving horse meat.

4.6 Public Analyst

The service takes samples of food and feed which are tested by a Public Analyst. The Public Analyst can carry out a variety of different tests, such as testing for undeclared allergens or additives and checking for the presence of undeclared species of meat such as horse meat. The appointed Public and Agricultural Analyst for the service is: Public Analyst Scientific Services

i54 Business Park
Valiant Way

Wolverhampton
WV9 5GB

4.7 Control and Investigation of Outbreaks of Food Related Infectious Disease

This remains the responsibility of the District and Borough Councils in Derbyshire. Where necessary and appropriate, DTSS will provide all reasonable assistance.

4.8 Liaison with other Organisations

The Service recognises the benefits of working with other organisations and law enforcement bodies, both at a national, regional and local level. This helps share best practice, information and intelligence

Examples of organisations and law enforcement bodies the service liaises with:

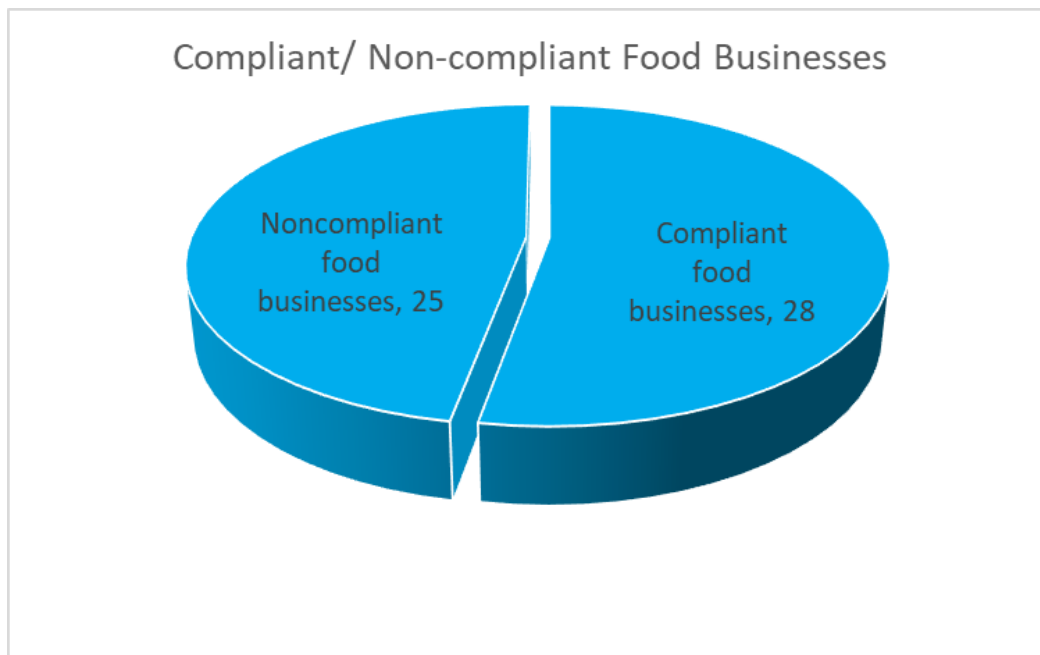
- Regional and National Trading Standards and Environmental Health colleagues
- RSPCA
- Advertising Standards Authority
- Association of Chief Trading Standards Officers (ACTSO) and National Trading Standards (NTS).
- Medicines and Healthcare Products Regulatory Agency;
- HM Revenue and Customs
- International Federation of Spirits Producers Ltd (IFSP)
- Derbyshire Police
- The Veterinary Medicines Directorate
- The National Food Crime Unit
- The Food Standards Agency

5 Review of the 2019/20 Food and Feed Service delivery

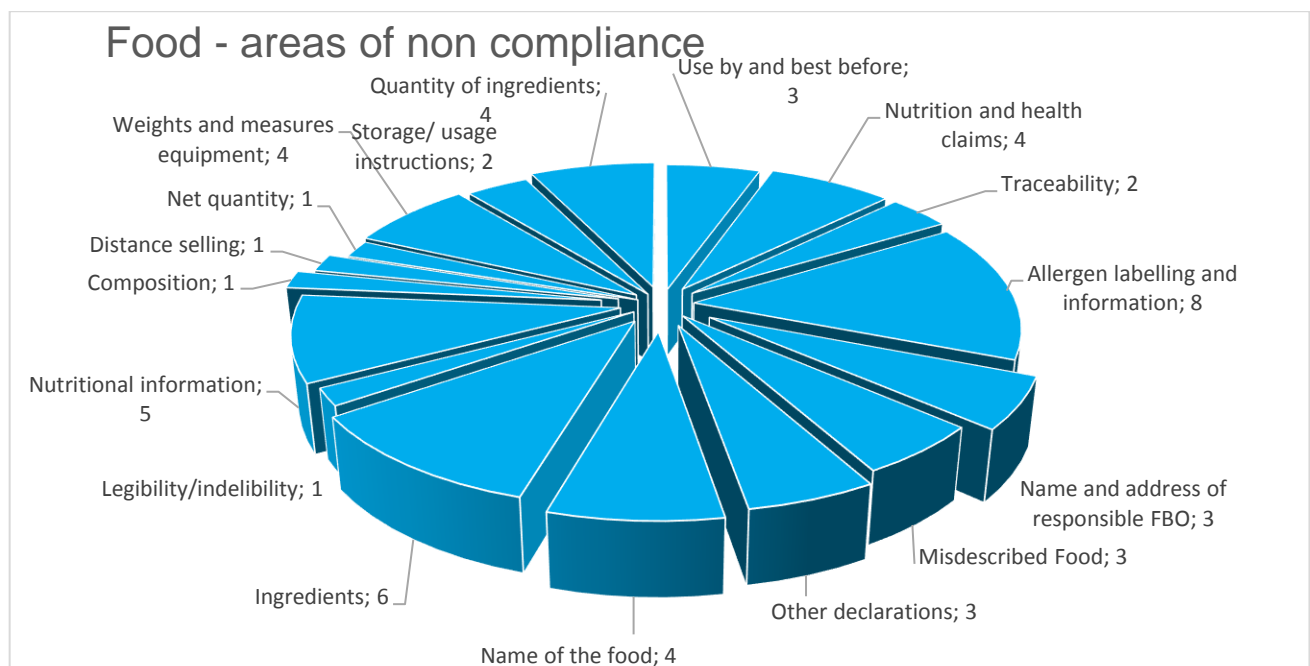
5.1 Inspections and other controls

Food inspections. Inspection activity was targeted at businesses who created the greatest risk, namely manufacturers, packers, importers and brokers. The service planned to carry out 69 inspections, however due to the Covid 19 outbreak 68 inspections were completed. 15 of the 68 businesses were found to have changed their business activity or were no longer trading and 53 of the business received an inspection.

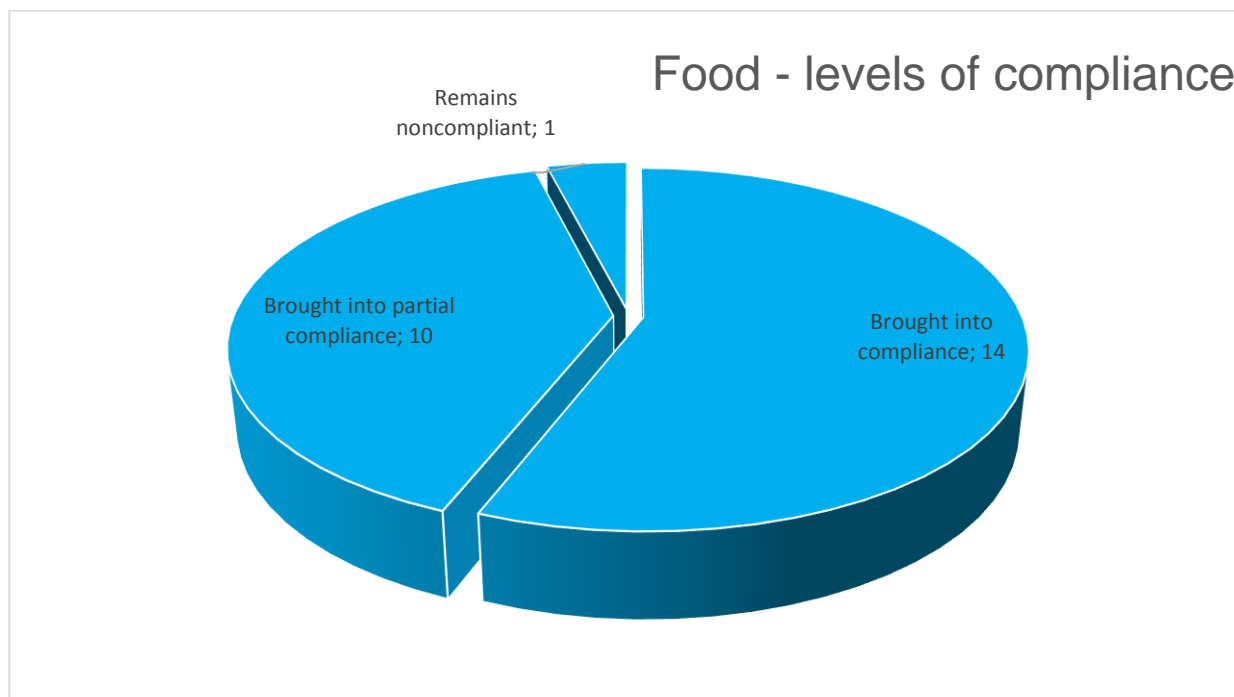
As depicted below 25 of the 53 food businesses that were inspected were found to be noncompliant.



The service records the details of a business's noncompliance, using a series of codes. The businesses that were found to be noncompliant were noncompliant for the reasons identified below.

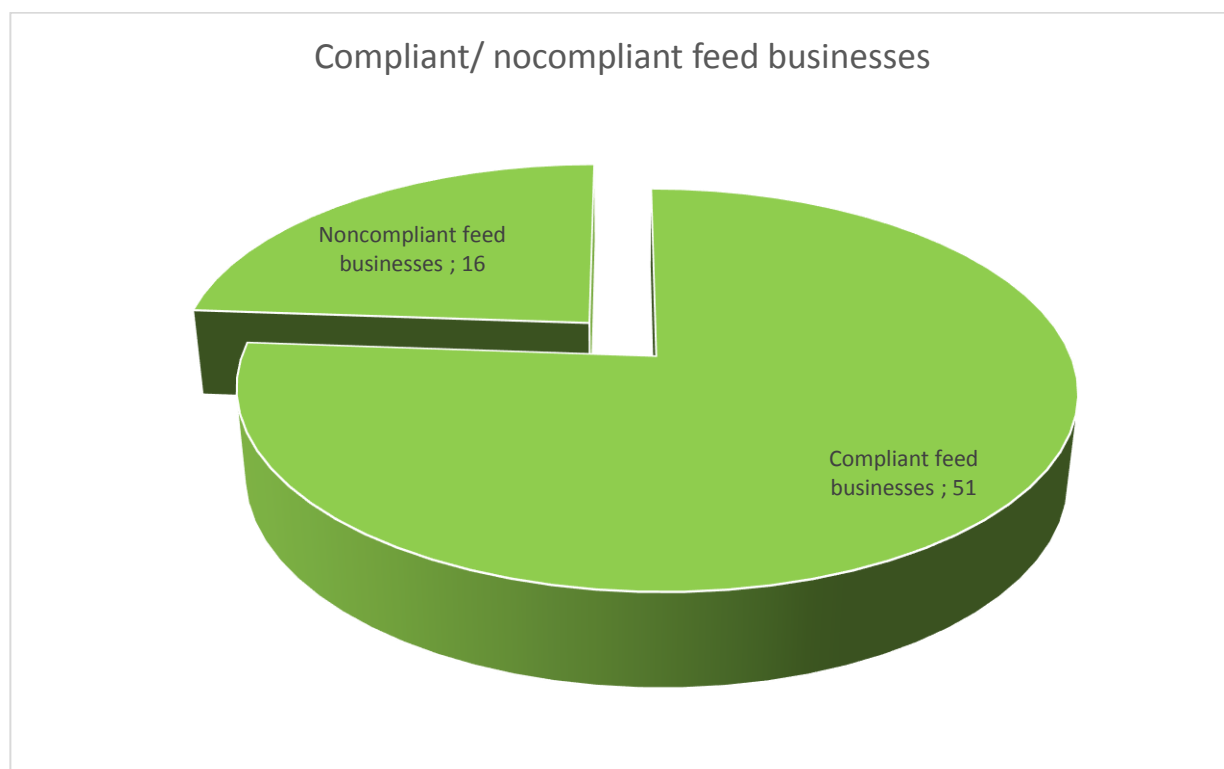


Once a non-compliant food business is identified, the service uses a number of different methods to bring a business into compliance. As of 21 July 2020 the number the noncompliant food businesses brought into compliance, those that were brought into partial compliance and those that remain noncompliant is depicted below.

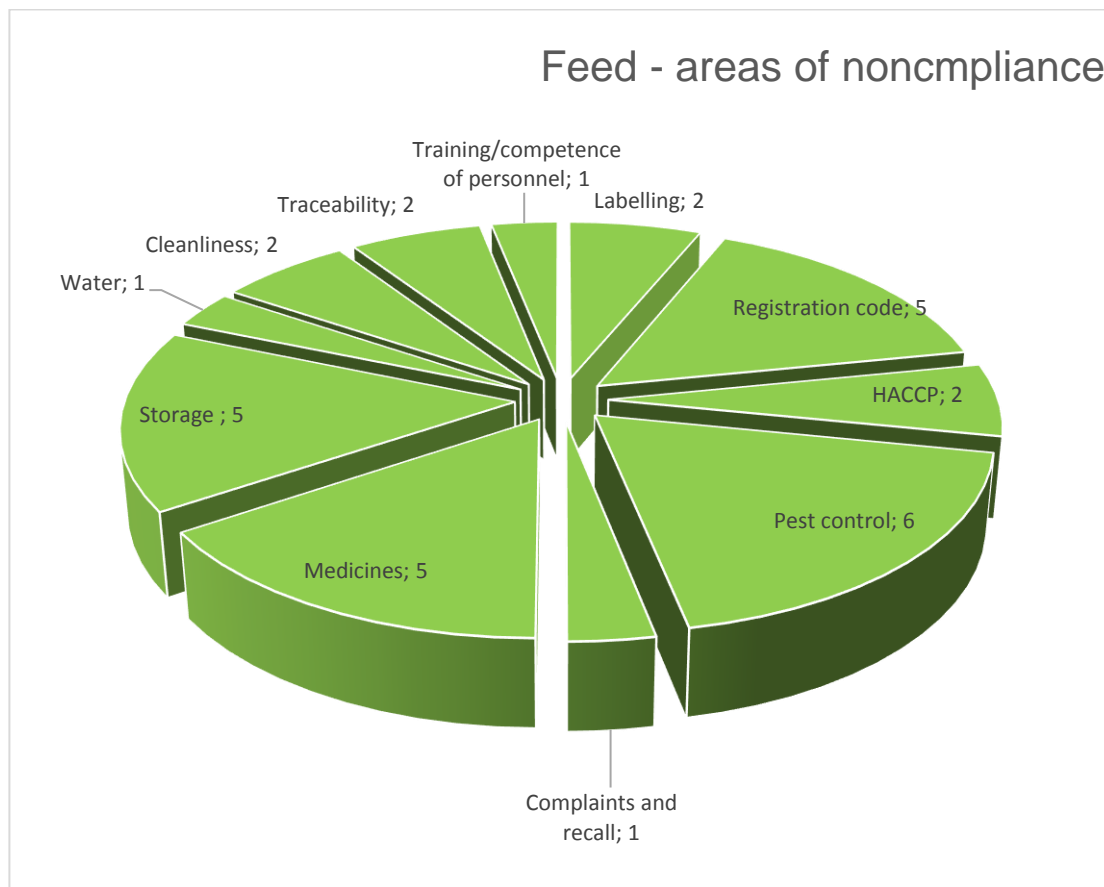


Feed inspections. Feed inspection activity was carried out on a risk assessed basis across the breadth of the feed chain, including farms, manufacturers, transports and wholesalers. The service had planned to carry out 72 inspections, however due to some of the premises no longer trading, changing their business activity and the Covid 19 outbreak 67 inspections were completed.

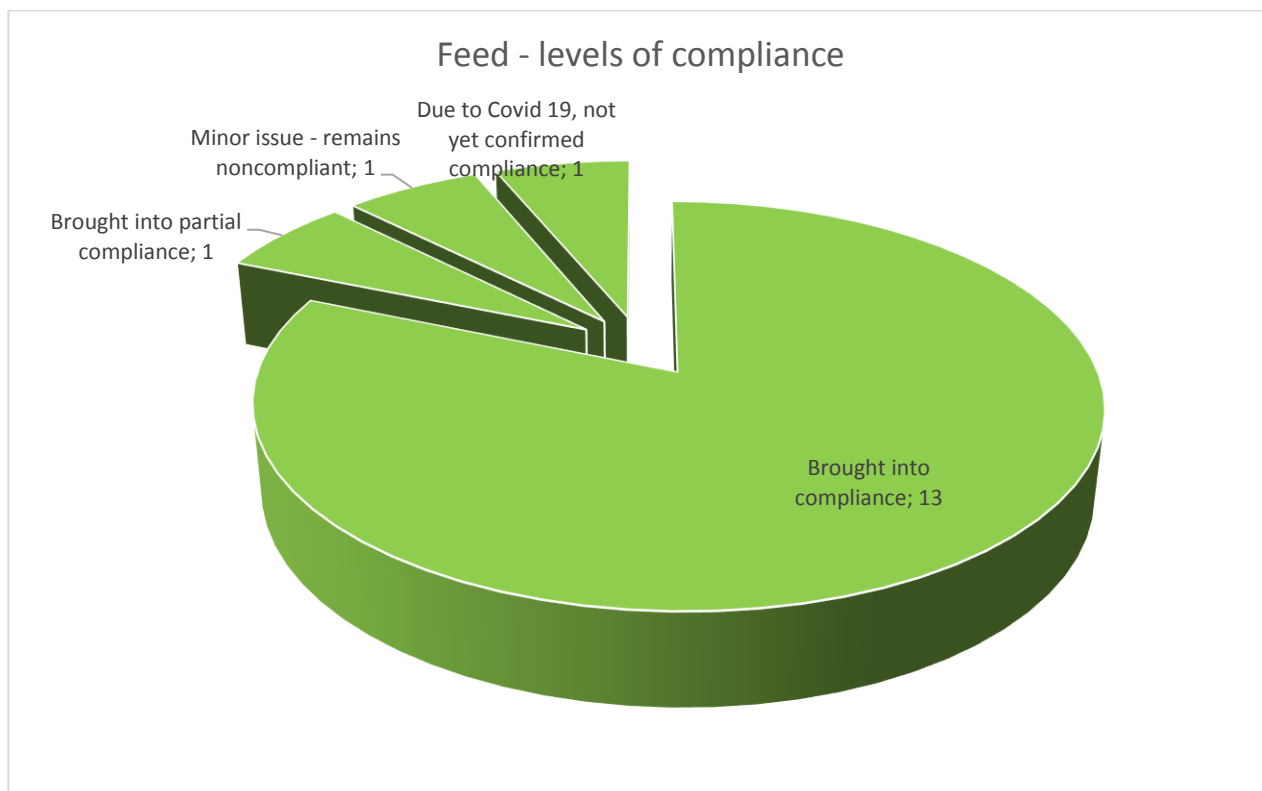
As depicted below 16 of the 67 feed businesses that were inspected were found to be noncompliant.



The service records the details of a business's noncompliance, using a series of codes. The businesses that were found to be noncompliant were noncompliant for the reasons identified below.

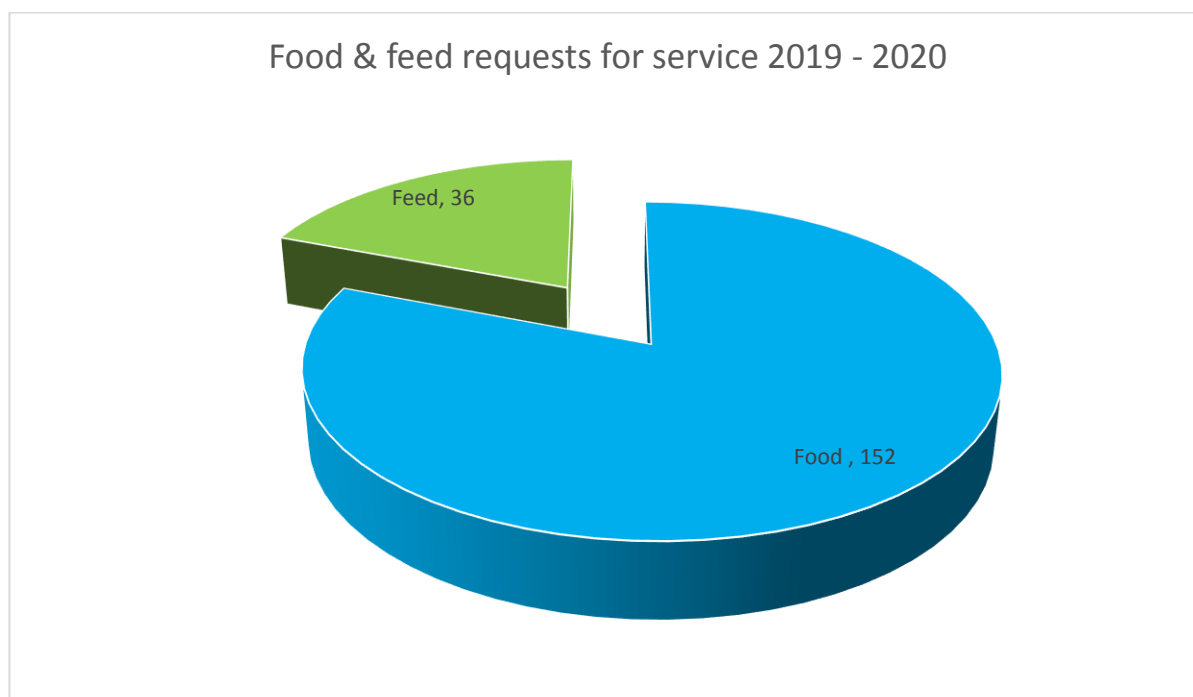


Once a non-compliant feed business is identified, the service uses several different methods to bring a business into compliance. The number the noncompliant feed businesses that were subsequently brought into compliance and those brought into partial compliance are depicted below. As depicted below, 13 of the 16 businesses that were found to be noncompliant were brought into full compliance.



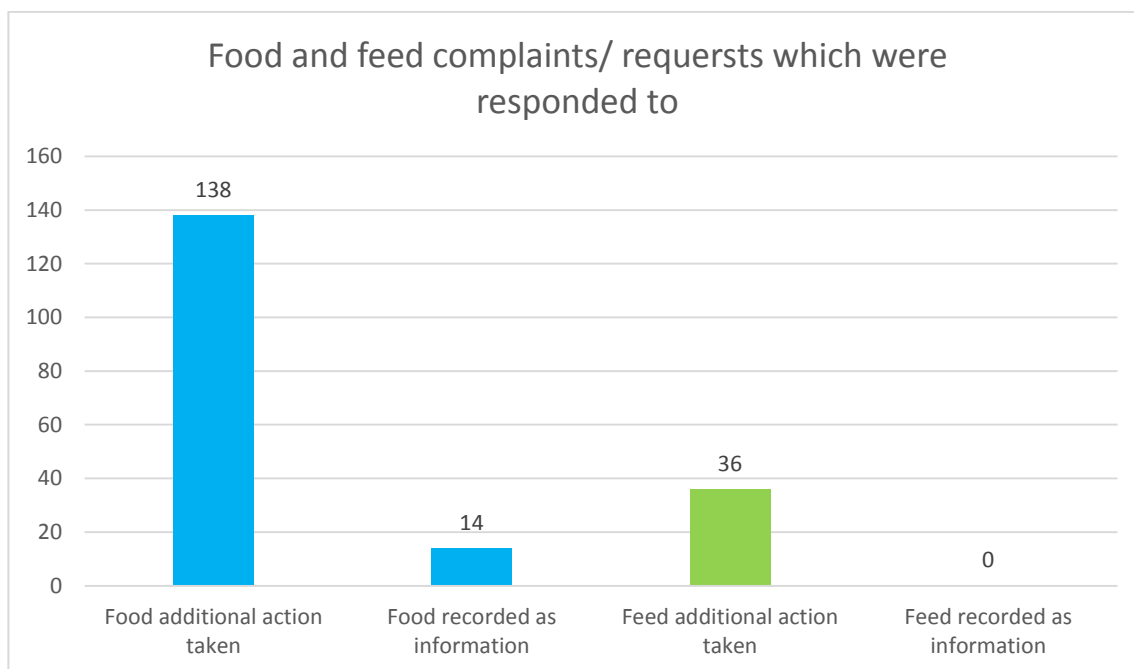
5.2 Complaints and requests for service

During 2019/20, excluding requests for business advice and the registration of feed businesses the service received 188 food and feed complaints and requests for service. This is broken down as follows.



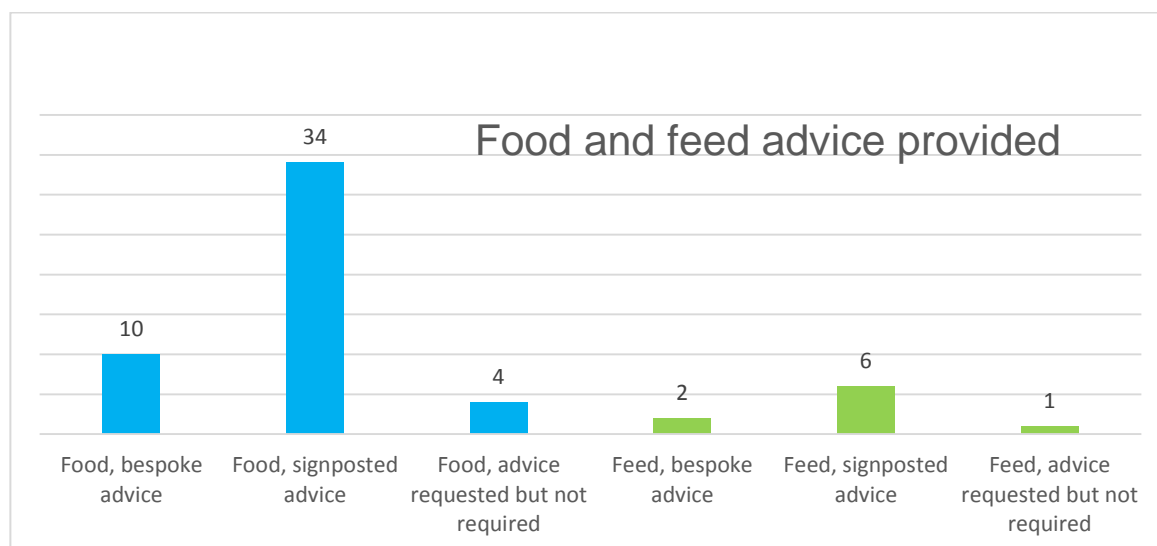
The actions that resulted from these complaints and requests for service, ranged from recording the information on the database through to more detailed and time-consuming enquiries and investigations. On 14 occasions for food and on no occasions for feed, these were recorded on the services database and no other action was taken. This is

depicted here.



5.3 Requests for Business Advice

During 2019/20 the service received 48 requests for food and 9 requests for feed related advice from business. As depicted below the advice provided was a mixture of signposted self-help advice and bespoke advice tailored to a business's needs. Prior to advice being provided a small number of businesses informed the service that the advice was no longer required.

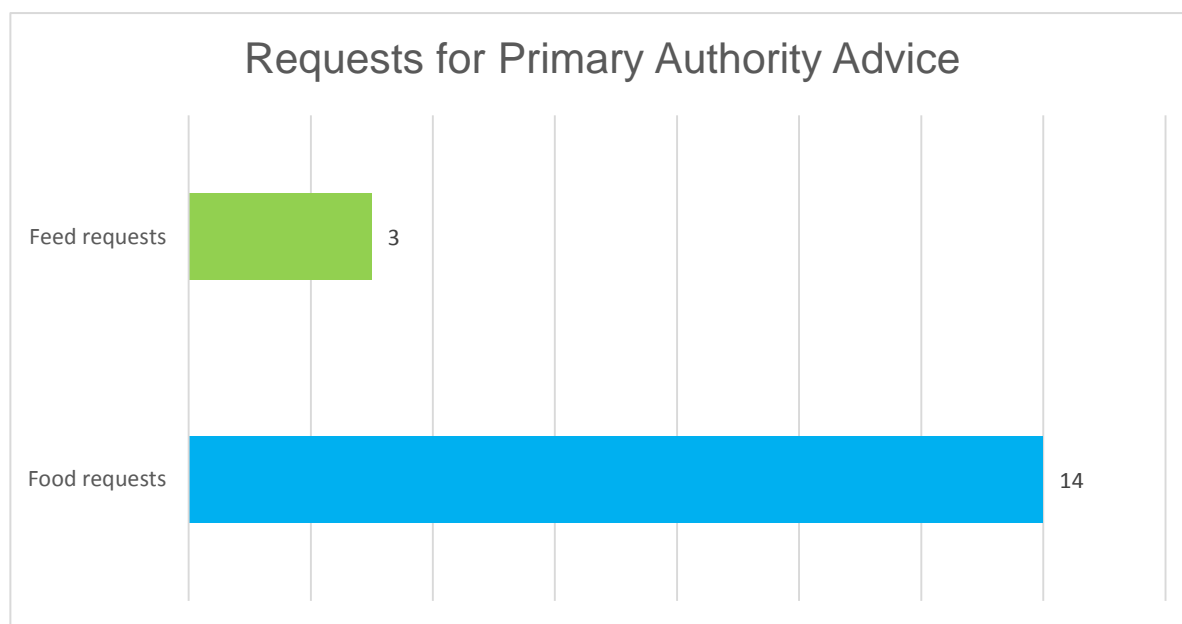


In addition to this the service supported 439 new food businesses by signposting them to appropriate advice.

5.4 Requests for Primary Authority Advice

As depicted below, during 2019/20 the service received 14 food requests and 3 feed

requests for [Primary](#) Authority advice.



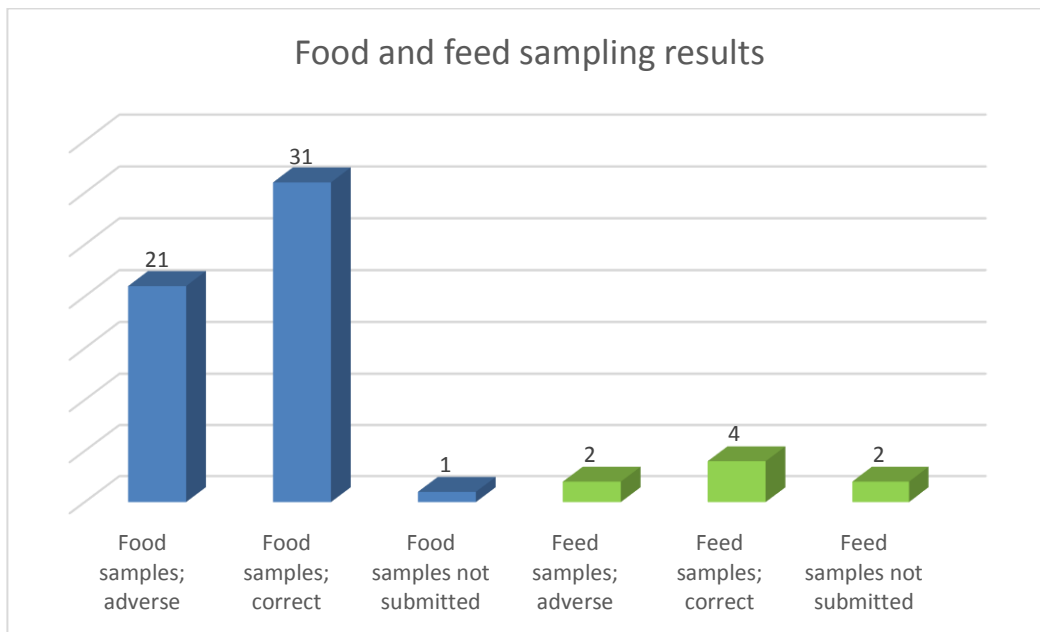
5.5 Food and feed sampling and analysis

The [Food and Feed Sampling Policy](#) is published on the website.

Food and feed legislation require samples to be split into three or four representative portions. Should the sample be non-compliant the manufacturer may wish to have a portion tested. Where there are disputes about the analysis, a court may order the final portion to be analysed by the Government Chemist.

Samples are taken to help verify whether a business is compliant with food and feed law or to survey the broader marketplace. Samples are subject to a variety of different tests, such as for the presence/ levels of undeclared additives or allergens, the substitution of more expensive products with cheaper ones or the substitution or contamination of organic products with non-organic material.

During 2019/20, 53 food and 8 feed samples were taken. 52 of the food and 6 feed samples taken were submitted to the analyst for analysis, costing £6,932.83. As depicted below 21 of the food samples and 2 of the feed samples were found to be noncompliant.



[Appendix 3](#) gives a summary of the results of analysis for the samples taken in 2019/20, along with the action taken by the service.

5.6 Food and feed project activity

Catering businesses, such as takeaways and restaurants are required to make consumers aware of the presence of any of 14 different [allergens](#). Currently a catering business can make a consumer aware via a menu, or alternatively they may inform consumers verbally.

The presence of undeclared allergens, including food which has been cross contaminated with allergens can cause some consumers to have an anaphylactic shock. This can be fatal and many recent examples of this have been reported in the national press.

Samples of food taken from Derbyshire catering establishments in 2017, along with an assessment of the complaints made to the service identified a county wide issue with allergen controls at catering businesses. As a result of this during 2019/20 the service continued to work with Environmental Health colleagues to produce focused materials, with the aim of the reducing the risks to consumers of poor allergen controls. As part of this project a video, poster and guidance aimed at supporting businesses to improve their allergen controls was produced. Catering businesses across Derbyshire are now signposted to these useful resources by both this service and our Environmental Health colleagues, thereby ensuring that business receive clear, consistent advice. The resources produced as part of this project can be viewed, [here](#).

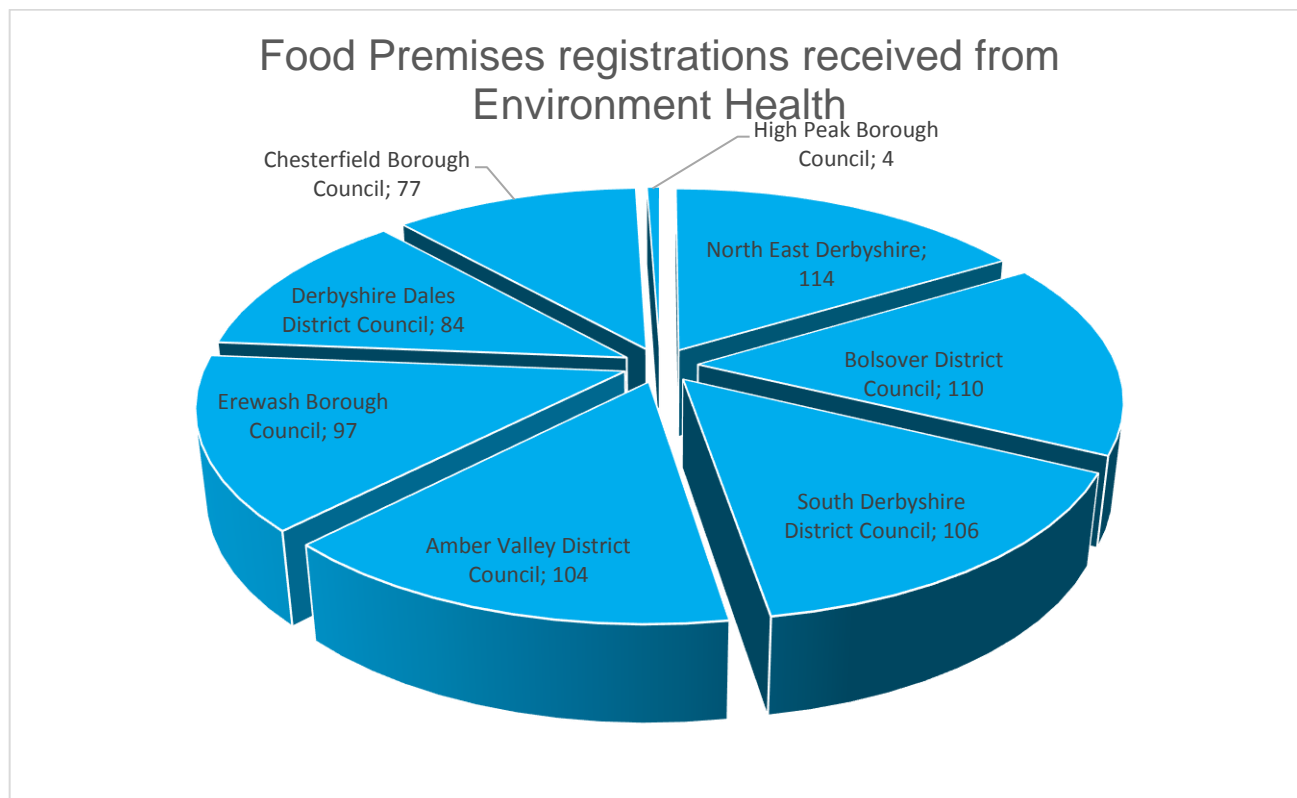
5.7 Updating and verifying the food and feed premises database

Updating the food premises database

Food businesses are not required to inform DTSS when they start trading or change their business activities. They are, however, required to register their food business with their

local Environmental Health service who may pass on the details to DTSS. When these registrations are received, DTSS verifies the activities of the business, adds them to the database and risk assesses the business.

As depicted below, during 2019/20, 696 (an increase of 74 from the previous year) new/changes to existing premises were notified to the service by Environmental Health. Although Environmental Health are encouraged to provide this information to this service, there is no compulsion on them to do so.



Updating the feed premises database

Any Derbyshire based businesses that deal in, or uses animal feed, such as manufacturers, wholesalers' transporters and farmers are required to register their business with DTSS and inform the service when they change the way they operate.

Upon receipt of a feed registration, the service verifies the activities of the business, before adding to or amending the database and assessing the risk of the business. During 2019/20, the service received 46 such registrations.

Feed business that are members of a trade assurance scheme approved by the FSA may be subject to a significantly reduced inspection frequency (known as 'Earned Recognition'). In some cases, this means that a business will be due for an inspection every 10 years as opposed to every 5 years.

The Earned Recognition process requires assurance schemes to notify DTSS when a business joins, leaves or is removed from the relevant scheme for noncompliance. Once notified, DTSS is required to update the database to reflect the business's membership status or inspect the business where they have been removed for noncompliance with the schemes standards. During 2019/20 the service updated 115 records following

notifications from an assurance scheme.

Through the FSA the service is also made aware when feed businesses have been removed for noncompliance from a trade assurance scheme approved by the FSA. During 2019/20, 3 such notifications were received.

In addition to notifications from assurance schemes, the service is periodically made aware of new business or changes to existing businesses by the Veterinary Medicines Directorate or the Animal Plant Health Agency. Both organisations have a role to play in the enforcement of animal feed controls. During 2019/20 the service updated 62 records following receipt of information from sources other than assurance schemes approved by the FSA.

5.8 Examples and highlights of DTSS of food and feed work during 2019-20

[Appendix 4](#) provides an example of one piece of food work and one piece of feed work the service was involved in during 2019/20.

[Appendix 5](#) provides a summary and highlights of some of impacts of DTTS food and feed activities during 2019/20.

6 Food and Feed Service delivery 2020/21

6.1 Planned Food and Feed inspections and resources

The [Food and Feed Law Codes of Practice](#) set the required inspection frequencies at food and feed businesses. Local availability of competent staff means frequencies, in relation to food work cannot always be met; however, the number of planned feed inspections will in line with the frequencies required by the Feed Law Code of Practice.

The restructure of DTSS in 2018, reduced the availability of qualified and competent officers. The redesigning and changes to the service resulting from Covid 19 and commitments to respond to complaints about Covid 19 business closures, means the number of food inspections that might be achieved is likely to reduce further below the requirements of the Food Law Code of Practice.

Where resources allow and it is appropriate, the service will continue to follow Covid 19 advice, guidance and instructions of the Food Standards Agency, to check on the compliance of food and feed businesses remotely, rather than via a physical visit/ inspection of premises.

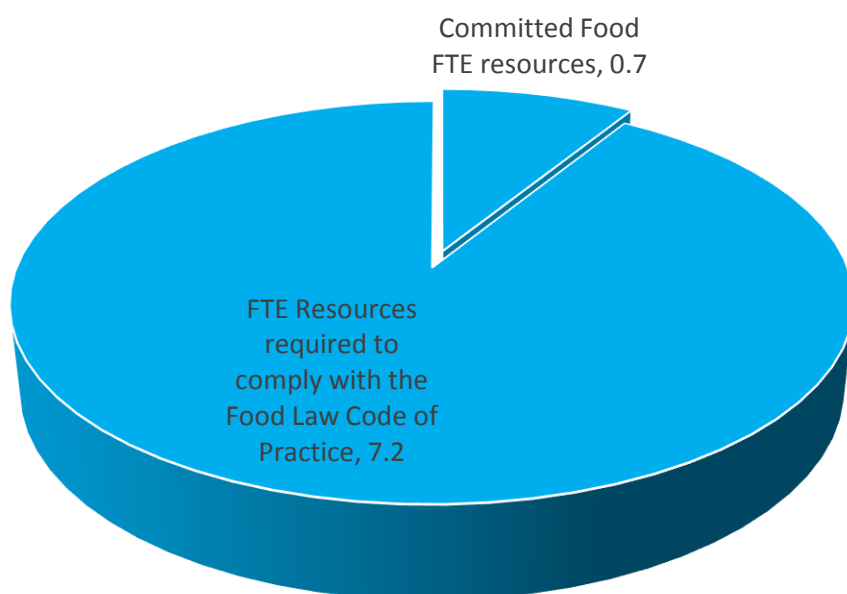
Food inspections. Depicted below are the inspection frequency required by the [Food Law Code of Practice](#), the number of premises on the database and the number of inspections planned by the service. Due to a diversion of resources to Covid 19 related work, the service may be unable to achieve these targets.

Risk band	Required inspection frequency	Number of premises	Number of inspections due per year	Number of inspections/ physical checks planned
High	1 yearly	109	109	26
Upper medium	2 yearly	1778	889	43
Lower medium	5 yearly	4815	963	-
Low	5 yearly*	3415	683*	-
Unrated	Not yet assessed	200		-
Total		10317	2541	69

* The activity required here may be less detailed than an inspection.

An estimate of the number of officers dedicated to this work during 2019/20 along with the number of officers required to carry out this activity in line with the [Food Law Code of Practice](#) are depicted below. This estimate includes the hours spent planning, recording and managing the work, along with the hours spent bringing noncompliant businesses into compliance.

Food inspections -resources committed/ required



Feed inspections. Depicted below is the type of feed premises, the number of those premises and the number of planned inspections.

Type of feed premise	Number of premises on database	Number of inspections planned
Manufactures of feed and co-products	50	16
Mobile mixes	1	1
Stores	7	1
Distributors	34	5
Transporters	31	1
Pet food Manufacturers	20	5
Suppliers of feed materials	80	11
Farms	3872	36
Total	4095	76

It is estimated that 0.82 FTE officers will be required to conduct the planned feed inspections during 2020/21. This estimate includes the hours spent planning, recording and managing the work, along with the hours spent bringing non-compliant businesses into compliance.

6.2 Food and feed complaints and requests for service

DTSS expects to receive a similar number of food and feed complaints and requests during 2020/21 as it did in 2019/20. As a result of limited resources, the numbers that the service will be able to respond to is likely to decrease. It is estimated that 0.63 FTE

officers will be dedicated to this work. This estimate includes the hours investigating, recording and managing the work, along with the time spent bringing non-compliant businesses into compliance.

6.3 Requests for business advice

DTSS expects to receive a similar number of requests for food and feed advice in 2020/21 as it did in 2019/20. It is estimated that 0.13 FTE officers will be dedicated to this work. This estimate includes the hours researching, recording, providing and managing this aspect of the service.

It is likely that the United Kingdom's exit from Europe will have an impact on the demand for advice services over the forthcoming years and may require additional support and training for staff.

6.4 Requests for Primary Authority advice

As the benefits of Primary Authority and the assured advice it offers are recognised by businesses, it is likely that a small increase in demand for this service will be seen. It is estimated that 0.25 FTE officers will be dedicated to this work.

Details about [DTSS Primary Authority services](#) can be viewed on the website.

6.5 Food and feed sampling and analysis

Following the reduction in DTSS's budget, the number of food and feed samples that are taken will be reduced. Although the number of samples will be reduced, the samples that are taken will be more focused on supporting the service's inspection programme and hence Derbyshire businesses.

Based on an estimated reduction of 25% samples, the service will take approximately 44 samples. It is estimated that 0.1 FTE officers will be dedicated to this work. This estimate includes the hours spent planning, recording and managing the work, along with the hours spent bringing non-compliant businesses into compliance.

6.6 Food and feed project activity

Food Hygiene Ratings are given to food retailers and caterers following food hygiene inspections by District Council Environmental Health Officers.

A food business can be given a score of 0 through to 5. Food businesses that have 'very good hygiene standards' are given a rating of 5 and food businesses where 'urgent improvement is required' a rating of 0.



Evidence shows the display of food hygiene ratings can significantly affect a consumer's decision to purchase food from a retailer or caterer. Local and national intelligence has identified that there a small number of food businesses choose to display an incorrect food hygiene rating and by doing so misleading the public and gain an unfair commercial advantage against their competitors.

During 2020/21 the service will check that correct Food Hygiene Ratings are being displayed at Derbyshire food businesses and on websites. It is estimated that 0.07 FTE officers will be dedicated to this work. This estimate includes the hours spent planning, recording and managing the work, along with the hours spent bringing non-compliant businesses into compliance.

6.7 Updating and verifying the food and feed premises database

Updating the food premises database

DTSS expects to add or update a similar number of food premises during 2020/21 as it did in 2019/20. Including work to improve the efficiency and consistency in the recording process, it is estimated that 0.47 FTE officers will be dedicated to this work.

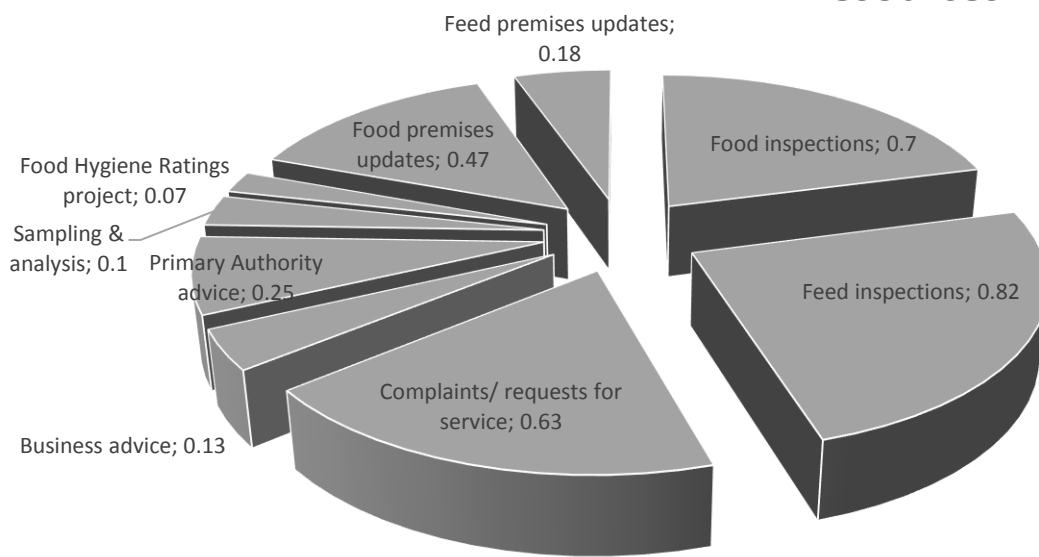
Updating the feed premises database

DTSS expects to add or update a similar number of feed premises during 2020/21 as it did in 2019/20. Including work to improve the efficiency and consistency in the recording process, it is estimated that 0.18 FTE officers will be dedicated to this work.

6.8 Summary of committed resources

The chart below estimates the FTE resources which the service plans to dedicate to the different areas of food and feed work during 2020/21. In total it is estimated that the service will commit 3.35 FTE posts to this work. This does not include the time spent on reviewing and improving the service. As indicated in 6.1, due to resources the service does not have the officers to carry out all of the inspections required by the [Food Law Code of Practice](#). To fully comply with the statutory requirements of the [Food Law Code of Practice](#) the service would need to have a further 7.2 FTE staff dedicated to this work.

Estimate of FTE Resources 2020 -21



7 Equipment, data management & staff development

7.1 Equipment

All operational staff are supported with appropriate equipment to facilitate their enforcement activities, including personal protective equipment, mobile telephones and computers. Staff can access emails, the internet and data management systems via any secure wireless network and can access emails via their mobile phones.

7.2 Data management

The service is supported by the Authority Public Protection (Flare) database, which is used for planning, recording and monitoring its activities. This system is supported and developed on an on-going basis by the suppliers CIVICA as part of an annual maintenance contract.

7.3 Quality assurance

The service has a bespoke documented quality management system which is part of the council's data management system, "EDRM". All the food and feed policies, procedures and guidance documents are stored here and are subject to a process of review.

7.4 Staff Development

All members of staff participate in an annual "My Plan". The process is objective based and ensures that staff are equipped to meet the priorities of the service and this Food and Feed Plan.

8 Reviews & areas for improvement

8.1 Reviews of allocated and scheduled work

DTSS's scheduled food and feed inspection targets are regularly reviewed.

In line with internal guidance, officers are subject to regular reviews of their scheduled and allocated work.

8.2 Review of areas identified for improvement in 2019/20

In addition to the work identified in section 5 of this plan, the service undertook to make several improvements during 2019/20. The table below identifies the improvements identified and the progress made.

Area identified for improvement	Summary of the progress made during 2019/20
Improve the recording and constancy of how changes notified by approved feed assurance schemes are applied to the database.	Improvements have been made and any changes notified to the service are now applied to the database more consistently.
Encourage High Peak Borough Council Environmental Health to share food premises registrations with the service.	Although High Peak Borough Council have been encouraged to provide this information, there has not been an increase in the information received.
Improve the efficiency of how the database is updated, following the receipt of food premises registrations from Environmental Health services.	Changes aimed at improving the database following the receipt of information from Environmental Health have been made; however further changes will be made to ensure that this is done more efficiently.
Document the process for recording 'physical checks' at food businesses.	The services procedures and associated documents have been updated thereby improving the recording and reporting of 'physical checks' at food premises.
Review how identified noncompliance's are recorded, chased up and closed off	Some changes have been made to the way the service records and follows up noncompliant food and feed businesses; however further changes will be made to ensure that this is improved and is more efficient.

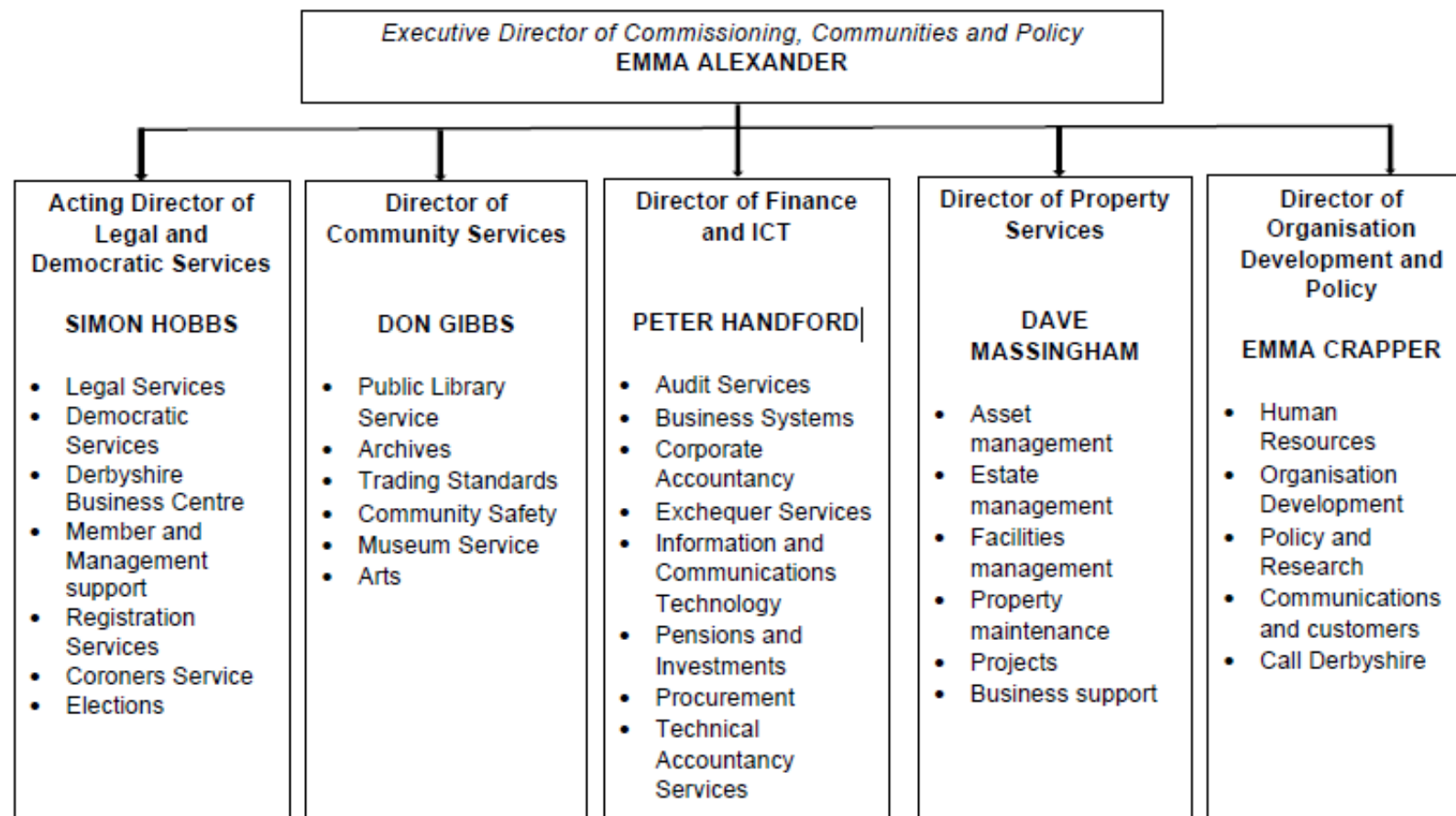
8.3 Areas identified for improvement in 2020/21

In addition to the work identified in section 6 of this plan, the service undertakes to make the following improvements to its food and feed service during 2020/21:

- Continue to encourage High Peak Borough Council to share its food registration s with the service
- Continue to improve the efficiency of how the database is updated, following the receipt of food premises registrations from Environmental Health services.

- Continue to improve how identified noncompliance's are recorded, chased up and closed off.
- To make improvements to food and feed systems and documentation to improve the efficiency of remote working
- To integrate newly employed food and feed officers who have been recruited to replace experienced staff who have retired.

Appendix 1



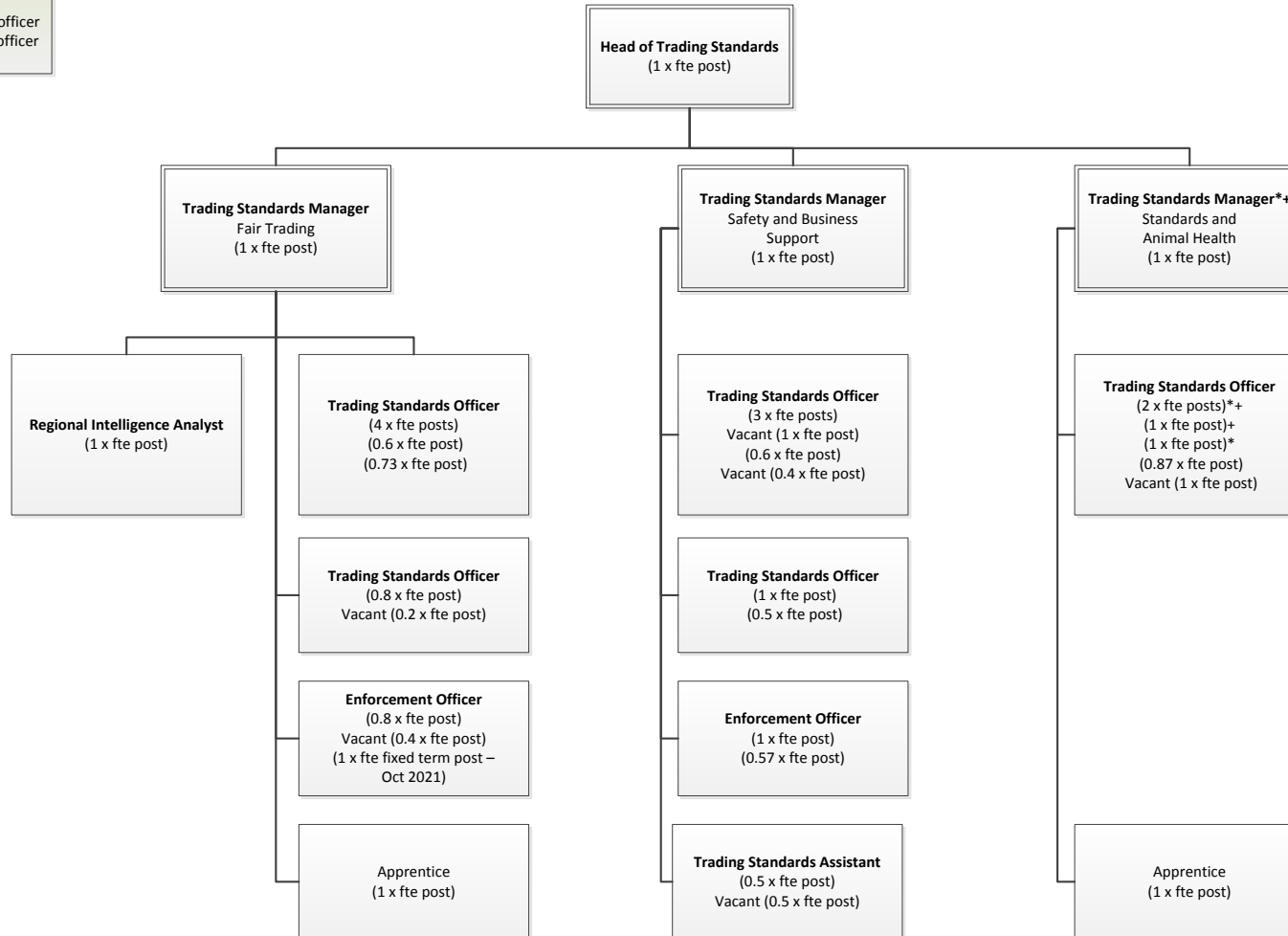
Appendix 2

Trading Standards Structure

CONTROLLED

Key:

*Authorised food officer
+Authorised feed officer



Last amended 12.08.2020

Appendix 3

Quarter 1 Sampling Results of Analysis

Survey	Brief explanation/rationale for sampling activity	Proposed number of samples	Actual samples taken	Number of unsatisfactory samples	Percentage Unsatisfactory	Reason for adverse report	Actions/Outcome
Initiative/ Complaint/ Follow-up and non-retail samples			8	3	38%	<p>1. Two food supplements manufactured by a Derbyshire business, with labelling issues under Food Information Regulations and/or Nutrition and Health Claims Regulations.</p> <p>2. Jelly mini-cup sweets, imported from Thailand, containing the gelling agent carrageenan (sample no. 31178). The sweets were found on sale in a Derbyshire retail premise, during an inspection by Environmental Health and the matter was referred to Trading Standards for action. The sweets were examined by the Public Analyst and considered to fall within the definition of 'jelly confectionery of a firm consistence, contained in semi rigid mini-cups or mini-capsules, intended to be ingested in a single bite by exerting pressure on the mini-cup/capsule to project the confectionery into the mouth'. Commission Regulation 1333/2008 does not permit the use of carrageenan in jelly mini-cups as they can pose a choking hazard.</p>	<p>1. Manufacturer advised</p> <p>2. Referred to the Food Standards Agency as a food incident. FSA requested a product recall. Sweets were surrendered voluntarily by the Derbyshire retailer who also complied by displaying a recall notice for any customers who had previously purchased the product. The distributor appears to be based at a PO box address in Bury. The Home Authority and FSA are currently making further enquiries with a view to trying to recall any other products which have been supplied.</p>

Quarter 2 Sampling Results of Analysis

Survey	Brief explanation/rationale for sampling activity	Proposed number of samples	Actual samples taken	Number of unsatisfactory samples	Percentage Unsatisfactory	Reason for adverse report	Actions/Outcome
Initiative/ Complaint/ Follow-up			4	2	50%	These 2 samples were the remains of a takeaway meal believed to have caused an allergic reaction in a consumer allergic to tree nuts and peanuts; and a test purchase of the same menu items (prawn puree, pilau rice and onion bhaji). Both the remains of the complainant's meal and the prawn puree component of the test purchase meal were found to contain more than 40mg/kg of peanut. In the opinion of an expert in the subject of food allergies, peanut at this level would render the food potentially injurious to the health of a consumer with a peanut allergy.	A report has been instigated C304614 . In the interim period the business has been advised on procedures to prevent cross contamination and has signed a voluntary 'stop' notice agreeing to refrain from serving customers with a food allergy.
Non retail (FSI) samples			8	3	38%	1. Pork and tomato sausage with labelling issues under the Food Information Regulations. 2. Beer with labelling issues under the Food Information Regulations. 3. Minced beef containing fat in excess of the maximum level prescribed by EU Regulation 1169/2011	All samples were from local manufacturers who have been/ will be advised accordingly.
Samples submitted on behalf of DCC School Meals Service	To check compliance with manufacturers' specifications and compositional standards where applicable		2	0	0%		

Quarter 3 Sampling Results of Analysis

	BRIEF EXPLANATION/RATIONAL FOR	Proposed number of samples	Actual samples taken	Number of unsatisfactory samples	Percentage Unsatisfactory	Reason for adverse report	Actions/Outcome
SURVEY							
Food - Initiative/Complaint/Follow			12	3	25%	1. Prune juice with added vitamins bearing unauthorised health and nutrition claims 2. Chocolate not marked with dry milk solids content. 3. Mozzarella provided with ingredients list. Whey in the ingredients list not highlighted as an allergen.	Matter referred to Home Authority for action. Matter referred to the Netherlands authorities via the FSA Referred to the FSA: FSA say that the product does not require allergen information but if the business wishes to include an ingredient list, it would be advisable to highlight that it contains the allergen milk. NFA by DCC.
Food - Non retail (FSI) samples			8	6	75%	1. Oatcakes containing the allergen milk. Milk not contained in the ingredients list. 2. Milk found to contain extraneous water. Fat content 3. Sample deficient in beef content and irregularities in the labelling of the product 4. Minced beef contained excess fat. 5. Low calorie chocolate drink with labelling irregularities. 6. Christmas pudding with no QUID for cider and rum	T visited and systems examined. Suggestions for improvements made and further sample taken from factory. T advised. T advised and is amending the labels including reducing the declared meat content. T advised and has changed the ingredient beef used. T advised, no response yet. T advised and will amend label on next print run.
Food - Samples submitted on behalf of DCC School Meals Service	To check compliance with manufacturers' specifications and compositional standards where applicable.		4	1	25%	Fat content of icecream in excess of declared.	Referred to the home authority for the manufacturer. School meals service advised that although incorrect, they need to decide if fat content is a deciding factor on the product purchased.
Imported feed survey - FSA	Samples taken as part of the FSA funded coccidiostat carryover survey at feed mills.		5	1	20%	The sample contained nicarbazin and narasin.	Although this sample is adverse it does not indicate that there is a problem as the finished feed fell well within the limits. 3 samples were taken as part of the process and were not

Quarter 4 Sampling Results of Analysis

Survey	Brief explanation/rationale for sampling activity	Proposed number of samples	Actual samples taken	Number of unsatisfactory samples	Percentage Unsatisfactory	Reason for adverse report	Actions/Outcome
Initiative/ Complaint/ Follow-up			2	1	50%	Notification received from Port Health (C/310763) stating that a sample of Farmagulator XP taken at the Port was found to contain elevated levels of mercury. Formal sample taken (S/011306) by DTSS and was again reported as containing mercury at a level in excess of the relevant maximum prescribed limit laid down in Annex I of Directive 2002/32/EC.	AS result of the interventions by DTSS £57,829.00 worth of animal feed was destroyed. The FSA were notified in order for them to notified other member states. t
Non retail (FSI) samples			5	1	20%	1. S/011301 was a follow up sample taken as the product doesn't contain milk but initial sample found milk protein. Results of the follow up sample found a very small amount of milk protein, most likely from unintentional cross contamination and not in an amount deemed to make the product unsafe.	All samples were from local manufacturers who have been advised accordingly.

Appendix 4

Examples of one piece of food work and one piece of feed work the service was involved in during 2019/20

Food Work	Feed Work
<p>Officers from the service ensured the removal from the supply chain and destruction of over 20kg of an unauthorised novel food with a retail value of over £41000. The product was marketed as a cure for cancer.</p> <p>The same material is supplied as a commercial chemical compound and the safety data sheet highlighted it as a hazardous chemical causing skin, eye and possibly respiratory irritation. Other research linked the material with causing serious nerve and brain damage. The material was also suspected of causing cancer.</p>	<p>Officers were alerted by Port Health to a shipment of 24.5 tonnes of material which was to be used as animal feed, imported into Derbyshire from Turkey. Analysis of the product, following samples taken by Trading Standards Offices revealed levels of Mercury higher than those permitted under current legislation. As the company was not able to find an alternative market for the feed the service ensured the destruction of the noncompliant material. The total supplied cost of the feed was £57, 829.00 and had an estimated resale value of £196,000.00. The company paid £2,940.00 to get the material destroyed.</p>

Appendix 5

Highlights of DTSS food and feed work during 2019/20



11

businesses complied
with the law following
the issuing of a formal
improvement notice

61

food and feed
samples taken
of which



were found to be noncompliant



120

food and feed
businesses inspected

87 infringements
detected

38 businesses improved
their compliance with
the law



218

businesses advised



£67,363

of non-compliant
unsafe food and feed
prevented from
entering the supply chain



174

complaints
investigated



8

businesses received a
letter of warning