



# **Kent Trading Standards**

Food Service Plan

**2007 / 2008**

## **FOOD SERVICE PLAN 2007 / 2008**

### **1.0 SERVICE AIMS AND OBJECTIVES**

#### **1.1 Aims and objectives**

In relation to food and agriculture our objectives, contained in the Trading Standards Business Plan, are to:

- Maintain food standards and assist people to make informed healthy (food) choices
- Support and advise consumers and businesses in Kent so that they may act with confidence in the market place.

We will achieve this by:

- targeting enforcement campaigns on identified areas of concern
- conducting a programme of retail sampling of food stuffs and feeding stuffs
- providing business advice and guidance on food and feeding stuff legislation
- liaison with the Health Professionals and other agencies, use of the media and publishing information on our website

#### **1.2 Links to corporate objectives and plans**

Kent County Council's 'Towards 2010' documents includes objectives for 'Improved health, care and wellbeing' and 'Economic success'. The Food Service plan recognises these initiatives through our consumer education activities and the advice and support provided to food and feed businesses.

### **2.0 Background**

#### **2.1 Profile of the Local authority**

Kent, the 'Garden of England', is the biggest shire county in England and is an area with a rich urban, coastal and rural heritage. Nearly 20% of the county is Green Belt and 33% is made up of Areas of Outstanding Natural Beauty. Almost 1.4 million people live in Kent, with nearly one third living in rural areas with many residents travelling to London to work. Kent does not have one large urban centre; it has 18 towns, 1 city and over 300 parish and town councils.

As the 'Gateway to Europe', Kent occupies the critical space between London and mainland Europe presenting huge opportunities for business including tourism. Over 3 million freight vehicles and over 4.5 million cars passed through Kent's Channel ports and the Channel Tunnel in 2004. Kent has a mixed economy with approximately 54,000 businesses involved in pharmaceuticals, manufacturing, tourism, retail, health, education, social care, transport and distribution and farming, as well as food-related industries. Companies range from very small concerns with 1 or 2 employees to large multinationals.

The Thames Gateway in North Kent is a major development area and the Bluewater Shopping Centre is the most visible symbol of the investment taking place. To the east of the county, the regeneration and modernisation of traditional seaside towns, such as Ramsgate, is well under way. Although there has been a decline in some traditional manufacturing industries, newer, often high-tech, ones are coming to, or expanding in the county.

The average household income in Kent is slightly lower than the UK national average and wealth distribution within the county is very uneven. Large areas of East and North Kent

and pockets of West and South Kent have high unemployment and low wages. The West of the county and key growth areas in the North and East, provide valuable economic input to Kent as a whole, with successful businesses offering opportunities for further growth.

In view of the size and diversity of the county's economy, geography and demography, Kent Trading Standards Service has to respond to a wide range of challenges in its service delivery.

## **2.2 Organisational structure**

Kent Trading Standards operates through two area offices - East Kent based in Ashford and West Kent based in West Malling. The Head Office, based in Maidstone, provides operational and administrative support.

Whilst overall accountability for the delivery of the food service plan lies with the Head of Trading Standards, it is the responsibility of the two Area Managers to ensure its delivery through the teams of food officers based in the area offices. There is a specialist officer for food and agriculture in each of the area offices. Whilst specialising in food and agriculture, these officers are also involved with the delivery of all aspects of the Kent Trading Standards Business Plan. Food and agriculture enforcement work is undertaken by a number of authorised officers in each area.

In addition, there is a Lead Officer for food and agriculture, who in conjunction with the area food specialists and the Public Analyst, identifies the annual sampling plan and county-wide food related projects. The Lead Officer is also responsible for managing and monitoring the Service Level Agreement with the Public Analyst at Kent Scientific Services.

## **2.3 Scope of the food service**

The Food Service Plan is delivered by authorised food officers and the analysis of samples is undertaken by Kent Scientific Services. The food service plan is delivered in-house which allows for close liaison between enforcement officers and the Public Analysts in its planning and delivery.

The Trading Standards Service deals primarily with matters relating to the composition, labelling and chemical contamination of food and animal feed. Trading Standards officers have been recognised as public health practitioners in the recent Health White Paper and so the issues of healthy eating and consumer choice are reflected in the sampling programme for 2007/08 (see Appendix B).

Officers carry out food and agriculture activity as part of a targeted campaign, or as part of a comprehensive visit to trade premises. In the latter case, a wide range of legislation may be addressed at the same time including the Trade Descriptions Act 1968, the Prices Act 1974, the Weights and Measures Act 1985 and the Consumer Protection Act 1987.

Food hygiene is generally the responsibility of the Environmental Health Services of the District Councils; however food hygiene at the level of primary production is a new responsibility for the trading standards service.

## 2.4 Demands on the food service

Tables 1a & 1b below indicate the estimated number and type of food premises in Kent against the LACORS risk assessment. These are approximate figures as the database is being updated continuously.

**TABLE 1a – Food Premises by premise type**

Code	Description	High Risk	Medium Risk	Low Risk	Total
F1 – 3	Food Manufacturer	171			171
F4	Food Packer	65			65
F5	Food Importer/Exporter	44			44
F6	Food Distributor/Wholesaler	11		298	309
7 – 11	Food Retailer including retailer/manufacturer	51	1,311	2,903	4,265
F12 - 13	Restaurant & Caterer	4	1,322	1,483	2,809
F14	Other Food Supplier			2,131	2,131
<b>Total</b>		<b>346</b>	<b>2,633</b>	<b>6,815</b>	<b>9,794</b>

The authority has a large number of seaside resorts which means there is a high level of seasonal business, as well as a large number of hotels, public houses and other catering establishments.

New EU food hygiene legislation applicable to primary production (farmers and growers) has come into effect. On the basis the local authority Trading Standards Officers were already present on farms in relation to animal welfare and feed legislation, the responsibility has been given to trading standards services' to enforce this legislation. The service has an estimated 3,242 primary producers based on the 2004 Agricultural Census. The database at present does not reflect this new area of responsibility and will need to be updated throughout the course of the year to reflect these premises.

**TABLE 1b – Feed Premises by premise type**

Code	Description	High Risk	Medium Risk	Low Risk	Total
E1	Feeding Stuffs Manufacturer	16			16
E2	Feeding Stuffs Retailer		151		151
E3	Pet Food Manufacturer		5		5
E6	Feed Intermediary/Wholesaler			12	12
E7	Feed Importer	1			1
<b>Total</b>		<b>17</b>	<b>156</b>	<b>12</b>	<b>185</b>

In addition many farms that store or mix feed for their own use are deemed feed businesses under The Feed (Hygiene & Enforcement) (England) Regulations 2005. Where these are registered with other official schemes e.g. Rural Payments Agency they are not required to additionally register with this service but may be subject to a visit.

## 2.5 Enforcement policy

Kent Trading Standards has an Enforcement Policy which is available via the website [www.tradingstandards.co.uk/kent](http://www.tradingstandards.co.uk/kent).

### **3.0 Service Delivery**

#### **3.1 Food and feeding stuffs premises inspections**

Kent has 9,794 food premises and details of the programme of food activity for 2007-08 are included at Appendix A. This programme is divided into two areas:

- pre-planned inspection activity which is based on Home Authority companies (see 3.3)
- non pre-planned activity which includes campaigns focussing on particular food sectors or products. These campaigns may be local to one of the two area offices, or county-wide led by the Lead Officer. The campaign approach provides flexibility to introduce new areas of work, at relatively short notice, in response to national and local indicators. Such activity will result in some premises being inspected but it is impossible to lay down a numerical target.

Food businesses, typically catering establishments, can have limited opening hours. It is recognised that these may not coincide with the standard working hours of officers and therefore inspections can be conducted outside the standard hours through specific campaign activity which may involve a number of agencies.

The Food Safety Act Code of Practice assumes inspections at food premises will be carried out as follows:

- High risk premises           once a year
- Medium risk premises       once every two years
- Low risk premises           once every five years

Following an audit by the Food Standards Agency in June 2003, it was agreed that Kent Trading Standards relying on its intelligence-led approach to enforcement (see 3.2), would inspect all high risk premises, but only 25% of medium risk premises. However, since the Hampton Report was published in 2005 with its recommendations for reducing the regulatory burden on responsible business this is being reviewed.

#### **3.2 Food and feeding stuffs complaints**

In 1997 Kent Trading Standards adopted an 'intelligence-led' approach to enforcement activity which was considered to be radical at the time, but is now considered to be the most effective and efficient way of delivering a Trading Standards service. It is a total process to ensure resources are targeted at traders whose products and services require attention or advice from Trading Standards officers, rather than at responsible traders.

Information received from consumer complaints, together with information from other sources, is used to identify and focus campaign activity on the worst traders, trade practices or products. Individual consumer complaints are investigated only if the matter could cause immediate danger.

An estimated 450 complaints will have been received in 2006/07. This is similar to previous annual figures and includes a high proportion of complaints relating to microbiological issues that are forwarded to the relevant Environmental Health Department at district council level. The main cause of complaint continues to relate to the minimum durability of food, in particular the sale of food beyond the 'use by' date which has led to some local campaigns targeting specific retail chains. We have implemented a 'use by' policy in our Quality Manual which provides guidance to officers on this issue.

Since March 2005 all consumer enquiries have been directed to Consumer Direct South East which provides first tier consumer advice. Food related matters, however, are the exception and these are forwarded to the Kent Trading Standards Advice & Education Team so details can be logged to preserve this source of consumer intelligence.

### 3.3 **Home Authority principle**

Kent Trading Standards supports the Home Authority principle which has been developed by food and trading standards authorities as an aid to good enforcement practice to protect the consumer, encourage fair trading and promote consistency. The aims of the Home Authority principle are to :

- encourage authorities to place special emphasis on goods and services originating within their area
- provide businesses with a home authority source of guidance and advice
- support efficient liaison between local authorities
- provide a system for the resolution of problems and disputes

Pre-planned inspection activity is based on Home Authority companies and specific time is set aside to visit those businesses which have signed a Home Authority agreement (see Appendix A).

The Home Authority principle is supported by local authorities, central government, trade and industry associations, consumer and professional regulatory bodies, as well as LACORS (Local Authorities Co-Ordinators of Regulatory Services).

### 3.4 **Advice to Business**

Kent Trading Standards provides trading law advice to all businesses within the county. We also work with Kent Business Link and the Gravesend Local Business Partnership to distribute information to food and feed businesses.

### 3.5 **Food and feeding stuffs sampling**

Food and feeding stuffs sampling is carried out in the following ways :

#### a. Retail Surveillance

This forms the bulk of our sampling programme and involves the purchase of informal samples by non-qualified officers, in accordance with a schedule produced by the Lead Officer (Food & Agriculture) in consultation with trading standards colleagues and the Public Analyst. The schedule for 2007/08 is set out at Appendix B. Unassigned entries in the schedule are intended to enable a response to any new or emerging issues.

Kent Scientific Services analyses the samples and collates the results by product type to produce summary reports which form the basis for local campaigns. The Lead Officer (Food & Agriculture) reviews the results of the purchasing programme to decide if further action is required. The reports are also used to promote consumer awareness and may result in the sampling programme being amended during the year so the service can respond to newly identified issues.

Hampshire Scientific Services and Kent Scientific Services lead joint sampling projects which are open to all their clients to participate in. This year 8 of these projects have been incorporated into our retail surveillance. This gives us the direct opportunity to share the analytical results of a particular product or food issue among all the participating authorities.

#### b. Campaigns

Samples may be taken as part of a local campaign or as part of a co-ordinated, county-wide campaign proposed and led by the Lead Officer (Food & Agriculture).

c. Home Authority Activity

Samples of ingredients and finished product are taken during inspections at Home Authority companies.

It is estimated that approximately 1,400 samples will have been submitted for analysis in 2006/07. This is less than last year but through better targeting the rate of adverse samples has increased from 28% to an estimated 34%. Kent Trading Standards also participates in regional sampling projects and where appropriate LACORS and Food Standards Agency co-ordinated sampling programmes. All samples taken are submitted to Kent Scientific Services for analysis.

3.6 **Control and investigation of outbreaks and food-related infectious disease**

Although Kent Trading Standards does not have direct responsibility for this activity, it has undertaken to provide District Council Environmental Health Services with any assistance they may require in the event of a food incident.

3.7 **Food safety incidents**

Food alerts are received via the Food Standards Agency text and email alert services. Daily checks are also made on the Food Standards Agency and LACORS websites. Action will depend on the nature of the incident and the guidance provided by the Food Standards Agency.

3.8 **Liaison with other organisations**

The following liaison arrangements are in place :

Trading Standards South East (TSSE)

TSSE is a partnership of 19 authorities which consists of county councils and unitary authorities. To enable effective regional working a number of focus groups have been created including one for 'Food' which has an 'Agriculture' subgroup. Focus groups meet on a regular basis to share information and best practice and to ensure participation in regional projects.

Kent Technical Food Group

This group comprises representatives from the Environmental Health Service of each of the 12 District Councils and meets six times a year.

Kent Healthy Schools Programme, Healthy Eating Sub-Group

This group assists schools in developing a 'whole school' approach to healthy eating. It is chaired by the East Kent Coastal Primary Care Trust and consists of representatives from KCC departments, the Community Dental Service, the '5-A-Day' Project Co-ordinator and local school teachers.

LACORS Food Labelling Focus Group

The Lead Officer (Food & Agriculture) is a member of this group which deals with labelling issues which have been referred by other authorities and food industry representatives.

Links are maintained with the DGCCRF (the equivalent of the Trading Standards Service) in France and in previous years a number of major collaborative projects have been undertaken.

3.9 **Food and feeding stuffs safety and promotion**

Guidance notes for businesses, covering a range of food and agriculture matters are available via our website ([www.tradingstandards.co.uk/kent](http://www.tradingstandards.co.uk/kent)). Information is also sent to businesses advising of new requirements, or in response to locally identified issues, or national food alerts.

Results from retail surveillance and sampling activity are used to inform other council services and agencies, e.g. Primary Care Trusts on issues relating to Healthy Eating. Press releases and magazine articles aimed at both business and consumers will be produced to highlight sample findings and new legislation.

During 2007/08 the Lead Officer Group will attend a number of business exhibitions to promote the role of trading standards and to offer advice to established and new businesses. More specifically the Lead Officer Food & Agriculture will attend events aimed at food businesses such as Gravesham Environmental Health's Safer Food Better Business seminars.

## **4.0 Resources**

### **4.1 Financial Allocation**

The overall expenditure by Kent Trading Standards on Food Standards enforcement can be estimated from the staff time spent on this work, plus expenditure on sampling. Our estimate for the 2007-08 is £886k.

In recent years, sampling expenditure has been :

2002-03 : £250 411

2003-04 : £255 000

2004-05 : £280 000

2005-06 : £300 000

2006-07 : £280,000

In 2007-08 it is estimated £280,000 will be spent in respect of food and feeding stuff sampling.

The service is to receive £30,000 in direct funding via the Food Standards Agency for 2007/08 in recognition of its new role in food hygiene at primary production.

### **4.2 Staffing allocation**

Currently, there are 21 officers who are qualified with varying levels of and competency to carry out food standards work. All staff active in food standards work hold the foundation food hygiene certificate as a minimum and are required to progress toward the intermediate certificate for officers entering manufacturing premises.

As part of Kent Trading Standards' recruitment and training programme, there are 4 officers preparing to sit the food module examination of the Diploma in Consumer Affairs and Trading Standards (DCATS) in 2007 and 2 officers preparing for the Agriculture module.

### **4.3 Staff development plan**

Each officer has an appraisal carried out by their line manager where training needs are identified. Officers are responsible for maintaining their own Personal Development Portfolios, whilst records are maintained centrally of Continuing Professional and Personal Development (CPPD) hours.

Staff competency is maintained by internal training programmes combined with appropriate external training for specialist officers. Formal training must be approved before it is undertaken and evaluated upon completion.

The service actively supports officers who are working towards the Diploma in Consumer Affairs and Trading Standards. A career grade scheme has been introduced to encourage officers to increase their competence.

## **5.0 Quality Assessment**

5.1 Kent Trading Standards is accredited to ISO 9001 : 2000 and externally audited by SGS United Kingdom Ltd. The authority also holds the Investors in People Award.

The Lead Officer (Food & Agriculture) carries out an annual audit of food officers to ensure competencies are maintained.

Periodically, we survey local businesses using postal questionnaires to ascertain their satisfaction with our services in accordance with the National Performance Framework required by the Department of Trade & Industry.

## **6.0 Review**

### **6.1 Review against the Service Plan**

The Lead Officer (Food & Agriculture) monitors the progress of planned activity during the course of the year and reports on a quarterly basis to the Strategic Tactical & Co-ordination Group.

### **6.2 Identification of any variation from the Service Plan**

The targets specified in Appendix A are monitored and if any significant variations are noted, appropriate action will be taken to rectify the situation.

### **6.3 Areas of Improvement**

As a service certified to ISO 9001 : 2000 Kent Trading Standards is committed to continuous improvement.

The service is participating in the DTI/LACORS Peer Review Process during the first quarter of the year with the external peer review taking place in July 2007.

To achieve our objective of assisting people to make informed and healthy choices we recognise the need to further develop our community based work. We have undertaken a number of activities, e.g.: Healthy Eating Fun Days within primary schools, Healthy Nurseries and School Meals Sampling. These activities include elements of consumer education and assisting businesses and organisations to provide healthier choices for their customers. Some of these have been included on the Food Vision website as examples of local authority initiatives to promote healthy eating.