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**Meeting of the Health and Adult Social Care Scrutiny Committee - 8<sup>th</sup> September 2022**

**Report of the Director of Public Health and Wellbeing**

**Food Safety and Standards in Dudley Borough**

**Purpose**

1. This report is to update the Scrutiny Committee on the work undertaken by the Council's Food Team in securing improvements in both food hygiene and food standards (composition, labelling, allergen information) in food businesses within the borough over the last 12 months.

**Recommendations**

2. It is recommended that Scrutiny Committee Members note the work being undertaken and continue to support the work of the Food team.

**Background**

3. Food hygiene and food standards inspections are routinely and regularly undertaken of food businesses within the borough to assess their compliance with legislation and guidance and to bring them to a satisfactory standard.
4. Separate risk assessment scores are calculated for the food hygiene and food standards elements of the inspection, and this is used to determine the next routine planned inspection. The risk assessment score for food hygiene is used to determine the food hygiene rating for the business which is subsequently published on the Food Standards Agency's website.
5. Businesses are rated 0, 1, 2, 3, 4 or 5, with 0 being the poorest (Urgent Improvement Necessary) and 5 the best (Very Good).

Businesses rated 3 or higher are regarded as '*broadly compliant*' with food hygiene legislation.

6. Follow up action at those businesses regarded as less than broadly compliant is undertaken by the Food Team to ensure the necessary improvements are undertaken to bring them up to a satisfactory level of compliance.
7. Those businesses which do not achieve the top rating of 5 can apply for a revisit and reassessment of their rating upon payment of the appropriate fee (currently £184.88) otherwise the businesses' rating remains unaltered until the time of the next planned routine inspection.
8. During the COVID-19 pandemic many local authorities reassigned their Environmental Health staff, who had been previously carrying out food work, to deal with the pandemic. Consequently, the Food Standards Agency (FSA) advised local authorities to suspend their food inspection programmes.
9. Following the reintroduction of the food inspection programme on 1<sup>st</sup> July 2021, Food Team officers noted a drop in food hygiene standards in some businesses. The FSA acknowledged in their report 'Our Food 2021' that local authorities are now encountering higher levels of non-compliance than before the pandemic.
10. The COVID-19 Local Authority Recovery Plan sets out the Food Standards Agency's (FSA) guidance and advice to local authorities for the period from 1 July 2021 to 2023/24. The purpose of this guidance and advice is to ensure that during the period of recovery from the impact of COVID-19, local authority resources are targeted where they add greatest value in providing safeguards for public health and consumer protection in relation to food. It also aims to safeguard the credibility of the Food Hygiene Rating Scheme (FHRS).
11. Dudley Key Performance Indicator KPI PI 2074 refers to the proportion of premises in the borough that are broadly compliant (rating of 3 or higher) with food hygiene law. A target of 90% broadly compliant rate has been set.

12. At the end of Quarter 1 2021 the broadly compliant rate was reported as 81.06% (this included a significant number of newly registered businesses which the local authority was advised at the time by the FSA were not a priority for inspection). As a consequence of the interventions undertaken by the Food Team at food businesses the broadly compliant rate had increased to 89.5% by the end of Quarter 1 2022.

### Summary of Key Actions Taken

13. Copies of the annual return to the FSA for food hygiene and food standards covering the period 1<sup>st</sup> April, 2021 to 31<sup>st</sup> March, 2022 are attached as Appendices 1 and 2 to this report.
14. All newly registered food businesses awaiting an inspection have been assessed and prioritised depending upon the inherent risks associated with their food handling activities and the scale of their operation.
15. Key milestone dates within the FSA's Local Authority Recovery Plan focusing on the higher risk and less than broadly compliant food premises have been achieved.
16. The routine microbiological sampling of ready to eat foods sold by businesses has recommenced. This sampling is extremely useful in helping identify poor food handling and cleaning practices and ensures that the business review their current practices and procedures.
17. In the case of food standards, the impact on businesses of the new requirements on allergen labelling for products prepacked for direct sale (PPDS), that applied from 1<sup>st</sup> October 2021, also needed to be taken into account. In response to this, the Food Safety Team conducted a PPDS project. Business compliance checks, focusing on the borough's 6 town centres, were carried out during November 2021. This work was then expanded to cover other areas of the borough in February and March 2022. Officers provided compliance advice to 293 businesses with information packs being left on site. Follow up work was carried out where necessary.

18. A procedure has been developed for dealing with food which is not labelled in English to ensure that critical food safety information is available to English speaking customers.
19. Since 1<sup>st</sup> April 2021, five successful prosecutions have been taken against food businesses for unsatisfactory conditions/practices. In addition, one food business operator has been prohibited from involvement in running a food business until such time as he can prove to the court that he is a suitable person.
20. In response to the FSA's request for action regarding Ferrero recalling a selection of Kinder products due to the possible presence of Salmonella, the Food Team contacted all small independent and franchise retailers within the borough alerting them to the national recall. They also provided them with a point-of-sale notice to display in a prominent position to increase the likelihood of consumers seeing the recall.
21. The Food Team has continued to promote food safety. In particular, the Team has provided:
  - an article on barbeque safety for a Public Health summer booklet;
  - Issued Press Releases concerning, food safety and jubilee street parties and World Food Safety Day;
  - Sent information on choking hazards to all early year settings and child minders in the borough;
  - Written to all primary schools in the borough advising them about the development of teaching resources designed to educate primary school children about food safety and hygiene for Years 1-6.
22. Officers are ensuring that they continue to make every contact count, particularly around fire safety where several referrals to the fire service have resulted in prohibition notices being served for sleeping on the premises with inadequate means of escape and often no means of raising the alarm in case of fire. Officers have also called out Cadent whilst on site when have gas safety concerns.

## **Finance**

23. Financial implications from undertaking this work are normally met from within existing budgets. However, with the introduction of further legal requirements relating to food allergens (Natasha's Law) in October 2021, the local authority received an additional grant funding grant (approx. £13,300)

## **Law**

24. The Council's duties with respect to protecting consumer interests in relation to food safety/hygiene and standards are set out under the Food Safety Act 1990. Powers to enable the Food Standards Agency to monitor and audit local authorities are contained in the Food Standards Act 1999. Section 111 of the Local Government Act 1972 authorises the Council to do anything which is calculated to facilitate or is conducive or incidental to the discharge of any of its statutory functions.
25. In October 2021 legislation relating to the labelling requirements (name of food and list of ingredients) for foods packed on the premises they are sold from was introduced.

## **Risk Management**

26. *'The Framework Agreement on Official Feed and Food Controls by Local Authorities'* sets out what the FSA expects from local authorities in their delivery of official controls on feed and food law. There is provision within the food standards Act 1999 for the local authority to be audited by the FSA and their report published in the public domain.

## **Equality Impact**

27. The proposals in this report do not impact on protected groups or conflict with the Council's commitment to equality. Account is taken of the diversity of the ethnic origins of the local food business proprietors and efforts made to assist those whose first language is not English, for example by providing interpretation where necessary.

## **Human Resources/Organisational Development**

28. There are no implications for Human Resources/Transformation

## **Commercial/Procurement**

29. There is minimal impact on the potential to commercially trade. There is no scope at the current time to charge food businesses for registration or for their food enforcement inspections. Income for the service is limited to court costs which may be recovered upon successful prosecutions, for the supply of *Safer Food Better Business* packs and to charging for the cost of carrying out re-inspections to revise food hygiene ratings where food businesses apply for a new rating prior to their next programmed inspection; the current charge is £184.88 (this charge can only cover the cost of the additional work required).

## **Council priorities and Plans**

30. The work undertaken by the Food Team is an integral part of the Council's vision for the borough by:
- Creating vibrant town centres with a mix of cultures through support and advice to food businesses
  - Making the borough an enjoyable place to visit by improving conditions within food businesses
  - By developing healthy and safe communities by ensuring food is produced safely under hygienic conditions compliant with health and safety requirements
  - By making the borough an attractive place to live by ensuring land associated with food businesses is kept clean and pest free

*K Wright*

**Karen Wright**  
**Director of Public Health and Wellbeing**

Contact Officer: Christopher King  
Email: Christopher.King@dudley.gov.uk  
Telephone: 01384 814669

## Appendices

Appendix 1 - Food Hygiene - Local authority end of year return 2021/22

Appendix 2 - Food Standards - Local authority end of year return 2021/22



## Appendix 1

### **E Food Hygiene - Local authority end of year return 2021/22 Important information**

#### **Purpose of the 2021/22 end of year return**

The purpose of the return is to provide information on resources and on the delivery of food controls in 2021/22, including the ability of local authorities to meet the minimum expectations of the Recovery Roadmap, or as evidence that the local authority has been able to move at a faster pace. The information will inform our ongoing review of the Recovery Roadmap advice and guidance.

#### **Completion of return and deadline**

All local authorities in England, Wales and Northern Ireland are expected to complete this return for the delivery of official food controls and related activities in the period **1 April 2021 to 31 March 2022**.

There are separate returns relating to food hygiene and food standards and local authorities should complete the returns for which they are responsible: food hygiene, food standards or both.

Where local authorities are part of a shared or joint service, our preference is to have separate returns wherever this is possible.

If you are submitting a joint return, the other authorities that are included in the return should be selected from the drop-down list at question 1.3. If the return covers more than four local authorities, please add the name of the additional local authorities in the free text box.

Some questions are marked \*. These questions are mandatory.

You should prepare your answers using the Word doc versions of the forms before completing the return online. The person completing the online return should complete all fields in one sitting. Each form should be submitted within 1.5 hours of starting otherwise the application will close and you will have to start again. There is a tick box at the end of the return for the Head of Service or Lead Officer to confirm the return was checked as being accurate and it is ready to submit. If someone else is completing the online form, the Head of Service or Lead Officer will not be able to log



in to check the return. They should check the return on the Word doc version of the form and let the person submitting the online return know that they confirm the answers have been checked as being accurate.

Returns must be completed and submitted by 30 April 2022.

## Notes for local authorities

### Assistance

If you have any queries about the return or if information submitted needs to be amended, please contact us at: [laems@food.gov.uk](mailto:laems@food.gov.uk)

### General Data Protection Regulation

We do not expect personal information/identifying information about businesses to be included in the return. Responses, where appropriate, should be general operational observations only.

We may use your contact details to follow up on your return, if required, to further understand the operational challenges faced by your local authority. Contact details submitted for this end of year return may be used for the next 'temperature check' survey.

More information on how the FSA handles your data can be found on our website - <https://www.food.gov.uk/about-us/privacy-policy>.

## Food Hygiene

All questions marked \* are mandatory.

Local authority details

\*1.1 Name of local Authority

**Dudley MBC**

\*1.2 Are you submitting on behalf of another LA as a joint return?

Yes

No

1.3 If yes, please select the relevant LA(s)

Submitter details

\*2.1 Name

Enter the first and last name of the person completing this form

**Paul Evans**

\*2.2 Email address

Enter the local authority email address of the person completing this form

**paul.evans@dudley.gov.uk**

\*2.3 Phone number

Enter the local authority phone number of the person completing this form

**01384 812733**

2.3.1 Extension number

Enter the extension of the phone number above (if applicable)

**n/a**

Lead Officer details

2.4 Lead officer's name if different from above

Enter the first and last name of the lead officer

**Lisa Baker, Principal EHO**

2.5 Lead officer's email address

Enter the local authority email address of the lead officer

**Lisa.baker@dudley.gov.uk**

2.6 Lead officer's phone number

Enter the local authority phone number of the lead officer

**01384 812732**

2.6.1 Extension number

Enter the extension of the phone number above (if applicable)

**n/a**

Management Information System (MIS)

\*3.1 Please select the name of your MIS software provider

**M3 Assure**

3.2 If other, please state software used

**n/a**

3.3 Software version if known

**n/a**

\*3.4 Please state if your MIS software is supported by the software provider

**Yes**

No

Not known

LAEMS

\*4 The FSA is proposing to switch off the LAEMS service. Would this impact your local authority? (We will be in touch if the answer is yes.)

Yes

**No**

5 Submission date of this form

**27/4/2022**

Staff resources

Calculating Full time equivalent posts (FTEs)

Where a professional staff member is responsible for both food hygiene and food standards work but only spends a proportion of their time on food hygiene delivery, or where the staff member has responsibility for other disciplines such as health and safety, the FTE number should reflect this.

Allocated posts on Thursday 31 March 2022

Note: Time spent by contractors or other temporary staff employed to carry out the work should also be included using a pro rata-based calculation.

\*6.1 How many FTE professional posts were allocated to undertake food hygiene controls on 31 March 2022?

For example, the number 2 or a decimal number like 2.5

8.2

\*6.2 Of these allocated posts how many are short term additional FTE posts?

For example, the number 2 or a decimal number like 2.5

0

\*Of all the allocated posts as reported above in 6.1, **what number** are for the following?

6.3 'Suitably qualified' officers

8.2

6.4 Regulatory support officers

0

6.5 Trainee officer posts working towards a 'suitable qualification'

0

Occupied posts on Thursday 31 March 2022

Note: Time spent by contractors or other temporary staff employed to carry out the work should also be included using a pro rata-based calculation.

\*7.1 How many of these allocated FTE professional posts were occupied and available to undertake food hygiene controls on 31 March 2022?

FTEs redeployed/diverted to COVID-19 and other non-food related duties should be excluded from the figure provided.

For example, the number 2 or a decimal number like 2.5

7.2

\*7.2 Of these occupied posts how many are short term additional FTE posts?

0

\*Of the officers who occupy these posts as reported above in 7.1, **what number** of them are the following?

7.3 'Suitably qualified' officers

7.2

7.4 Regulatory support officers

0

7.5 Trainee officers working towards a 'suitable qualification'

0

### Redeployed/Diverted

\*8 Please estimate in terms of FTEs how much food hygiene professional officer resource was fully redeployed/diverted to undertake COVID-19 and other non-food related duties on 31 March 2022.

For example, the number 2 or a decimal number like 2.5

0

### Vacated posts from 1 April 2021 to 31 March 2022

\*How many occupied FTE posts were vacated from 1 April 2021 to 31 March 2022 for the following reasons?

9.1 Because of officers retiring:

1

9.2 Because of retention issues:

0

## Resource for the next milestone

\*10 Does your service currently have sufficient resource to deliver the food hygiene requirements of the Recovery Road map up to the next milestone, 30 June 2022?

Yes

No

### Ongoing expectations

All answers should cover the period 1 October 2021 to 31 March 2022

Local authorities have been required to deliver certain ongoing expectations as outlined in the Recovery Delivery Plan, such as reactive work, sampling and following up complaints.

Please refer to the End of year return guidance document for more details about the expectations referred to in these questions.

### Reactive work

Has the local authority been able to deliver the following?

\*11.1 Reactive enforcement in all cases of non-compliance in accordance with the FLCoP and in line with the local authority's enforcement policy

Yes

No

\*11.2 Reactive managing of all food incidents and food hazards in accordance with the FLCoP

Yes

No

\*11.3 Reactive investigating and managing of all food hygiene and food complaints in accordance with the FLCoP

Yes

No

\*11.4 Reactive sampling where appropriate

Yes

No

## Proactive Work

Has the local Authority been able to deliver the following:

\*11.5 Proactive sampling

Yes

No

\*11.6 Ongoing proactive surveillance to obtain an accurate picture of the business landscape

Yes

No

\*11.7 In England only, local authorities can use remote assessment for FHRs requested re-inspections/re-visits as set out in the COVID-19 Local Authority Recovery Plan Q & A. Has the local authority used this approach?

Yes

No

Not applicable – This local authority is not within England

Future activity

\*12.1 Does the local authority anticipate being able to achieve the Phase 2 milestone of delivering all due category B food hygiene interventions by 30 June 2022 (the next temperature check survey)? See page 3 of the Local Authority Recovery Plan.

Yes

No

\*12.2 Does the local authority anticipate being able to deliver the ongoing Phase 2 expectations and controls for food hygiene up to 30 June 2022 (the next temperature check survey)? See paragraph 14, pages 4 to 5 of the Local Authority Recovery Plan.

Yes

No

## Other Food Hygiene Controls and Activities

All answers should cover the period 1 April 2021 to 31 March 2022

### Interventions

\*13.1 Please provide the number of food hygiene interventions carried out onsite between 1 April 2021 and 31 March 2022 for A-rated establishments.

Please enter '0' if none were carried out.

A-rated

\*13.2 Please provide the number of A-rated establishments that are overdue an inspection on 31 March 2022.

Please enter '0' if none.

\*13.3 There is no specific requirement in the Recovery Plan to have carried out food hygiene interventions at B-rated establishments by the 31 March 2022. But if you have carried out interventions at B-rated establishments, please provide the number carried out onsite between 1 April 2021 and 31 March 2022.

Please enter '0' if none were carried out.

\*13.4 Please provide the number of B-rated establishments that are still due an inspection by the next milestone - 30 June 2022.

Please enter '0' if none.

\*To help us assess whether the local authority has been able to move at a faster pace, please provide by risk category the number of food hygiene interventions carried out onsite between 1 April 2021 and 31 March 2022.

Please enter '0' if none were carried out.

13.5 C-rated

**71**

13.6 D-rated

**45**

13.7 E-rated

**16**

13.8 Outside the programme

**0**

#### New registrations

\*14.1 Please provide the number of new food businesses, registered or approved, in the period from 1 April 2021 to 31 March 2022.

**292**

\*14.2 How many new businesses still need to be prioritised on 1 April 2022?

Please enter '0' if none

**0**

\*14.3 How many new businesses received an onsite inspection?

Please enter '0' if none

**408**

\*14.4 How many of your new businesses that have been prioritised as high risk are still awaiting an inspection?

Please enter '0' if none

**53**

## Establishments profile - location

\*15 The data collected in the next section varies based on whether you are located in England, Wales or Northern Ireland. Please confirm your location

- England
- Wales
- Northern Ireland

## Establishments profile (England and Wales)

\*Please provide the number of establishments in each risk category for food hygiene on 31 March 2022:

Please enter '0' if none

Note: Ignore the numbering system of these questions

15.7 A-rated total

3

16.7 B-rated total

119

17.7 C-rated broadly compliant total

560

18.7 C-rated **less than** broadly compliant total

50

19.7 D-rated broadly compliant total

838

20.7 D-rated **less than** broadly compliant total

65

21.7 E-rated total

882

22.7 Not yet rated total

82

23.7 Outside the Programme total

0

### Enforcement actions

\*Please provide the number of establishments subject to each type of enforcement action from 1 April 2021 to 31 March 2022.

Please enter '0' if none

24.1 Voluntary closure

5

24.2 Seizure, detention and surrender of food

1

24.3 Suspension/revocation of approval or licence

1

24.4 Emergency prohibition notice

3

24.5 Prohibition order

1

24.6 Simple caution

0

#### 24.7 Improvement notice

1

#### 24.8 Remedial action and detention notices

0

#### 24.9 Prosecutions concluded

5

#### 24.10 Prosecutions pending

4

#### 24.11 Written warnings

539

### Complaints

\*Please provide the number of food hygiene complaints your local authority **investigated** in the period 1 April 2021 to 31 March 2022 relating to:

Please enter '0' if none

#### 25.1 Food

246

#### 25.2 Hygiene of premises

122

### Samples

\*26.1 Please provide the number of official samples taken by your local authority in the period 1 April 2021 to 31 March 2022:

Please enter '0' if none

125

\*Please provide a breakdown of the number of analyses in each category:

Please enter '0' if none

## 26.2 Microbiological contamination

125

## 26.3 Other contamination

0

## 26.4 Composition

0

## 26.5 Sampling for allergens

0

## 26.6 Labelling & presentation

0

## 26.7 Other

0

## Prepacked for Direct Sale (PPDS) legislation

Please indicate how easy or difficult your officers have found it on a scale of 1-5 (where 1 is very easy and 5 very difficult) to:

### 27.1 Interpret and understand the Prepacked for Direct Sale (PPDS) legislation

1

2

3

4

5

### 27.2 Enforce the PPDS legislation

1

2

3

4

5

Please indicate if your local authority has any concerns about the level of compliance with PPDS rules, amongst food business operators (FBOs):

27.3 Micro FBOs (1-9 employees)

Yes

No

27.4 Small FBOs (10-49 employees)

Yes

No

27.5 Medium FBOs (50-249 employees)

Yes

No

27.6 Large FBOs (250+ employees)

Yes

No

#### Additional information

Information about delivering food hygiene controls

28 You can provide supporting information (up to 1,000 characters) about the local authority's delivery of food hygiene controls. This can include information about the completion of ongoing specific requirements and expectations, interventions, enforcement actions, sampling, increased levels of non-compliance etc. and any areas of best practice.

Environmental Health are responsible for enforcing both food hygiene and food standards at Dudley.

In response to the new prepacked for direct sale (PPDS) food labelling requirements, Dudley MBC's Food Safety Team conducted a PPDS project using Defra grant funding. Business compliance checks, focusing on the borough's 6 town centres, were carried out during November 2021. This work was then expanded to cover other areas of the borough in February and March 2022. Officers provided advice to businesses and information packs

were left on site. Follow up work was carried out where necessary. In total, 292 PPDS compliance visits were completed and 53 businesses required follow up action. The work undertaken in this project inevitably did have a negative impact upon the amount of food hygiene work undertaken during the period.

Officers have noticed a drop in levels of food hygiene compliance within businesses which has resulted in additional follow up work, which can often be very time consuming and disruptive.

### Confirmation that the return is ready to submit

The Head of Service or Lead Officer will not be able to login to this return unless they are completing it. You should ask them to check the answers are accurate on the Word document versions of the form, and then tick the box below.

\*29 Please tick the box to confirm that your Head of Service or Lead Officer has checked that the answers reported are accurate.

Confirmed

Your return is now ready to submit.

Thank you for completing the return. You will receive a copy of the submitted text within three working days.

If you have any questions or concerns about the submitted data, please contact the survey team at [laems@food.gov.uk](mailto:laems@food.gov.uk)

## Appendix 2

### **Food Standards - Local authority end of year return 2021/22**

#### **Important information**

#### **Purpose of the 2021/22 end of year return**

The purpose of the return is to provide information on resources and on the delivery of food controls in 2021/22, including the ability of local authorities to meet the minimum expectations of the Recovery Roadmap, or as evidence that the local authority has been able to move at a faster pace. The information will inform our ongoing review of the Recovery Roadmap advice and guidance.

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Some questions are marked \*. These questions are mandatory.

You should prepare your answers using the Word doc versions of the forms before completing the return online. The person completing the online return should complete all fields in one sitting. Each form should be submitted within 1.5 hours of starting otherwise the application will close and you will have to start again. There is a tick box at the end of the return for the Head of Service or Lead Officer to confirm the return was checked as being accurate and it is ready to submit. If someone else is completing the online form, the Head of Service or Lead Officer will not be able to log in to check the return. They should check the return on the Word doc version of the form and let the person submitting the online return know that they confirm the answers have been checked as being accurate.

Returns must be completed and submitted by 30 April 2022.



## Notes for local authorities

### Local authorities participating in the food standards pilot

There will be a separate communication to local authorities involved in the pilot of the new food standards model about completing the return.

### Assistance

If you have any queries about the return or if information submitted needs to be amended, please contact us at: [laems@food.gov.uk](mailto:laems@food.gov.uk)

### General Data Protection Regulation

We do not expect personal information/identifying information about businesses to be included in the return. Responses, where appropriate, should be general operational observations only.

We may use your contact details to follow up on your return, if required, to further understand the operational challenges faced by your local authority. Contact details submitted for this end of year return may be used for the next 'temperature check' survey.

More information on how the FSA handles your data can be found on our website - <https://www.food.gov.uk/about-us/privacy-policy>.

### Food Standards

All questions marked \* are mandatory.

Local authority details

\*1.1 Name of local Authority

**Dudley MBC**

\*1.2 Are you submitting on behalf of another LA as a joint return?

Yes

No

1.3 If yes, please select the relevant LA(s)

Submitter details

\*2.1 Name

Enter the first and last name of the person completing this form

**Paul Evans**

\*2.2 Email address

Enter the local authority email address of the person completing this form

**Paul.evans@dudley.gov.uk**

\*2.3 Phone number

Enter the local authority phone number of the person completing this form

**01384 812733**

2.3.1 Extension number

Enter the extension of the phone number above (if applicable)

**n/a**

Lead Officer details

2.4 Lead officer's name if different to the above

**Lucy Tromans, Senior EHO**

2.5 Lead officer's email address

Enter the local authority email address of the lead officer

**Lucy.tromans@dudley.gov.uk**

2.6 Lead officer's phone number

Enter the local authority phone number of the lead officer

**01384 8170543**

2.6.1 Extension number

Enter the extension of the phone number above (if applicable)

**n/a**

Management Information System (MIS)

\*3.1 Please select the name of your MIS software provider

**M3 Assure**

3.2 If other, please state software used

n/a

3.3 Software version if known

Not known

\*3.4 Please state if your MIS software is supported by the software provider

Yes

No

Not known

LAEMS

\*4 The FSA is proposing to switch off the LAEMS service. Would this impact your local authority? (We will be in touch if the answer is yes.)

Yes

No

5 Submission date of this form

xxx

Staff resources

Calculating Full time equivalent posts (FTEs)

Where a professional staff member is responsible for both food hygiene and food standards work but only spends a proportion of their time on food standards delivery, or where the staff member has responsibility for other disciplines such as health and safety, the FTE number should reflect this.

Allocated posts on Thursday 31 March 2022

Note: Time spent by contractors or other temporary staff employed to carry out the work should also be included using a pro rata-based calculation.

\*6.1 How many FTE professional posts were allocated to undertake food standards controls on 31 March 2022?

For example, the number 2 or a decimal number like 2.5

2.0

\*6.2 Of these allocated posts how many are short term additional FTE posts?

0

\*Of all the allocated posts, as reported above in 6.1, **what number** are for the following?

6.3 'Suitably qualified' officers

2.0

6.4 Trainee officer posts working towards a 'suitable qualification'

0

### Occupied posts on Thursday 31 March 2022

Note: Time spent by contractors or other temporary staff employed to carry out the work should also be included using a pro rata-based calculation.

\*7.1 How many of these allocated FTE professional posts were occupied and available to undertake food standards controls on 31 March 2022?

FTEs redeployed/diverted to COVID-19 and other duties should be excluded from the figure provided.

For example, the number 2 or a decimal number like 2.5

2.0

\*7.2 Of these occupied posts how many are short term additional FTE posts?

0

\*Of the officers who occupy these posts, as reported above in 7.1, **what number** of them are the following?

7.3 'Suitably qualified' officers

2.0

7.4 Trainee officers working towards a 'suitable qualification'

0

## Redeployed/Diverted

\*8 Please estimate in terms of FTEs how much food standards professional officer resource was fully redeployed/diverted to undertake COVID-19 and other non-food related duties on 31 March 2022.

For example, the number 2 or a decimal number like 2.5

2.0

Vacated posts from 1 April 2021 to 31 March 2022

\*How many occupied FTE posts were vacated from 1 April 2021 to 31 March 2022 for the following reasons?

9.1 Because of officers retiring:

0

9.2 Because of retention issues:

0

## Resource for the next milestone

\*10 Does your service currently have sufficient resource to deliver the food standards requirements of the Recovery Road map up to the next milestone, 30 June 2022?

Yes

No

## Ongoing expectations

All answers should cover the period 1 October 2021 to 31 March 2022

Local authorities have been required to deliver certain ongoing expectations as outlined in the Recovery Delivery Plan, such as reactive work, sampling and following up complaints.

Please refer to the End of year return guidance document for more details about expectations referred to in these questions.

## Reactive work

Has the local authority been able to deliver the following?



\*11.1 Reactive enforcement in all cases of non-compliance in accordance with the FLCoP and in line with the local authority's enforcement policy.

Yes

No

\*11.2 Reactive managing of all food incidents and food hazards in accordance with the FLCoP

Yes

No

\*11.3 Reactive investigating and managing of all food standards complaints in accordance with the FLCoP

Yes

No

\*11.4 Reactive sampling where appropriate

Yes

No

### Proactive Work

Has the local Authority been able to deliver the following?

\*11.5 Proactive sampling

Yes

No

\*11.6 Ongoing proactive surveillance to obtain an accurate picture of the business landscape

Yes

No

Future activity

\*12.1 Does the local authority anticipate being able to achieve the Phase 2 milestone of delivering all due category A food standards interventions by 30 June 2022 (the next temperature check survey)?

See page 3 of the Local Authority Recovery Plan.

Yes

No

\*12.2 Does the local authority anticipate being able to deliver the ongoing Phase 2 expectations and controls for food standards up to 30 June 2022 (the next temperature check survey)?

See paragraph 14, pages 4 to 5 of the Local Authority Recovery Plan.

Yes

No

### Other Food Standards Controls and Activities

All answers should cover the period 1 April 2021 to 31 March 2022  
Interventions

\*13.1 There are no specific milestones for food standards interventions to be carried out at A-rated establishments by 31 March 2022. But if you have, please provide the number of interventions carried out onsite between 1 April 2021 and 31 March 2022.

Please enter '0' if none were carried out.

8

\*13.2 Please provide the number of A-rated establishments that are still due an inspection by the next milestone - 30 June 2022.

Please enter '0' if none.

18

\*To help us assess whether the local authority has been able to move at a faster pace, please provide by risk category the number of food standard interventions carried out onsite between 1 April 2021 and 31 March 2022.

13.3 B-rated

362

13.4 C-rated

156

13.5 Outside the programme

0

### New registrations

\*14.1 Please provide the number of new food businesses, registered or approved, in the period from 1 April 2021 to 31 March 2022.

292

\*14.2 How many new businesses still need to be prioritised on 1 April 2022?

Please enter '0' if none

0

\*14.3 How many new businesses received an onsite inspection?

Please enter '0' if none

408

\*14.4 How many of your new businesses that have been prioritised as high risk are still awaiting an inspection?

Please enter '0' if none

55

### Establishments profile - location

\*15 The data collected in the next section varies based on whether you are located in England, Wales or Northern Ireland. Please confirm your location

England

Wales

Northern Ireland

**\*Establishments profile (England and Wales)**

Please provide the number of establishments in each risk category for food standards on 31 March 2022:

Please enter '0' if none

Note: Ignore the numbering system of these questions

15.7 A-rated total

**18**

16.7 B-rated total

**1168**

17.7 C-rated total

**793**

18.7 Not yet rated total

**534**

19.7 Outside the Programme total

**0**

**Enforcement actions**

\*Please provide the number of establishments subject to each type of enforcement action from 1 April 2021 to 31 March 2022.

Please enter '0' if none

20.1 Seizure, detention and surrender of food

**0**

20.2 Simple caution

**0**

20.3 Improvement notice

**0**

#### 20.4 Prosecutions concluded

**0**

#### 20.5 Prosecutions pending

**0**

#### 20.6 Written warnings

**384**

### Complaints

\*Please provide the number of food standards complaints your local authority **investigated** in the period 1 April 2021 to 31 March 2022 relating to:

Please enter '0' if none

#### 21.1 Food

**36**

### Samples

\*22.1 Please provide the number of official samples taken by your local authority in the period 1 April 2021 to 31 March 2022:

Please enter '0' if none

**23**

\*Please provide a breakdown of the number of analyses in each category:

Please enter '0' if none

#### 22.2 Microbiological contamination

**0**

#### 22.3 Other contamination

**0**

## 22.4 Composition

14

## 22.5 Sampling for allergens

8

## 22.6 Labelling & presentation

0

## 22.7 Other

1

## Prepacked for Direct Sale (PPDS) legislation

Please indicate how easy or difficult your officers have found it on a scale of 1-5 (where 1 is very easy and 5 very difficult) to:

### 23.1 Interpret and understand the Prepacked for Direct Sale (PPDS) legislation

- 1
- 2
- 3
- 4
- 5

### 23.2 Enforce the PPDS legislation

- 1
- 2
- 3
- 4
- 5

Please indicate if your local authority has any concerns about the level of compliance with PPDS rules, amongst food business operators (FBOs):

### 23.3 Micro FBOs (1-9 employees)

Yes

No

#### 23.4 Small FBOs (10-49 employees)

Yes

No

#### 23.5 Medium FBOs (50-249 employees)

Yes

No

#### 23.6 Large FBOs (250+ employees)

Yes

No

### Additional information

Information about delivering food standards controls

24 You can provide supporting information (up to 1,000 characters) about the local authority's delivery of food standards controls. This can include information about the completion of ongoing specific requirements and expectations, interventions, enforcement actions, sampling, increased levels of non-compliance etc. and any areas of best practice.

In response to the new prepacked for direct sale (PPDS) food labelling requirements, Dudley MBC's Food Safety Team conducted a PPDS project using Defra grant funding. Business compliance checks, focusing on the borough's 6 town centres, were carried out during November 2021. This work was then expanded to cover other areas of the borough in February and March 2022. Officers provided advice to businesses and information packs were left on site. Follow up work was carried out where necessary. In total, 292 PPDS compliance visits were completed and 53 businesses required follow up action. The work undertaken in this project inevitably did have a negative impact upon the amount of food hygiene work undertaken during the period.

The significant number of unrated food businesses not rated for food standards was inherited when enforcement of food standards legislation was transferred to Environmental Health.

Confirmation that the return is ready to submit

The Head of Service or Lead Officer will not be able to login to this return unless they are completing it. You should ask them to check the answers are accurate on the Word document versions of the form, and then tick the box below.

\*25 Please tick the box to confirm that your Head of Service or Lead Officer has checked that the answers reported are accurate.

Confirmed

Your return is now ready to submit.

Thank you for completing the return. You will receive a copy of the submitted text within three working days.

If you have any questions or concerns about the submitted data, please contact the survey team at [laems@food.gov.uk](mailto:laems@food.gov.uk)