



## Trading Standards

### FOOD SERVICE PLAN 2022-2023

#### 1. SERVICE AIMS AND OBJECTIVES

Ensuring good levels of food standards and safety is an important part of Dorset Council Trading Standards' advisory and enforcement responsibilities.

Trading Standards has the statutory responsibility for legislation controlling food quality and compositional standards, food safety including allergens, food labelling, food traceability and food hygiene regulations at primary production premises including arable farms and market gardens.

Other food hygiene responsibilities are with the Food, Safety and Port Health Team within Dorset Council.

This Food Service Plan is prepared in the context of the overall Trading Standards team plan and a Community and Public Protection Service Plan. The Food Service Plan is produced separately to assist elected members, consumers, businesses, staff etc. to focus on the key elements of our food responsibilities as well as meeting the specific needs of the Food Standards Agency (FSA) and national legislation.

#### 1.1 Aims and Objectives

The Trading Standards aim is to provide a fair and safe trading environment for the consumers and businesses of Dorset, through education, advice, enforcement and partnership working.

The key objectives of Dorset Council, Trading Standards in relation to food are:

- To support business with compliance with food standards legislation, acting as home authority and /or Primary Authority for Dorset based businesses.
- To respond to consumer complaints about food standards.
- To carry out an effective risk-based programme of inspections and sampling, analysis and checking of food for composition and labelling.

- To carry out food standards interventions in accordance with Food Standards Agency (FSA) and National Trading Standards (NTS) risk assessments and having regard to best practice in Quality Management principles.
- To work in partnership with central government and other local government agencies to coordinate work and provide a seamless service to customers.
- To carry out specific work to highlight areas of good or bad practice to the food trade and the public.

Trading Standards will remain alert to the guidance issued by the Food Standards Agency (FSA) concerning recommended activities and priorities during the Covid -19 pandemic. This will be considered alongside Dorset Council and Trading Standards risk assessments.

## **1.2 Links to Dorset Council's Plan (2020-24)**

Trading Standards embraces the relevant corporate priorities of Dorset Council and recognises that the maintenance of fair and safe trading standards is a key part in ensuring the current aspirations of Dorset Council that Dorset be a 'great place to live, work and visit' are met.

Ensuring the safety of the food chain by food standards work looking at labelling and allergens for example, contributes to the Council priority of staying safe and well, thus ensuring that our residents have a good quality of life. Activity to support local food businesses with advice and guidance, together with the monitoring of the food that they produce also reflects the Councils commitment to economic growth.

## **2. BACKGROUND**

### **2.1 Profile of Local Authority**

Dorset Council was established on 1 April 2019, having replaced the District and Borough Councils (East Dorset, North Dorset, Purbeck, West Dorset, Weymouth and Portland) and Dorset County Council, which ceased to exist.

Dorset Council covers an area of approximately 2000 km<sup>2</sup> and has a growing but also aging population of approximately 375,050. The main urban areas are Weymouth, Dorchester and Wimborne and Ferndown.

Located in the South West with a designated World Heritage Status coastline, the area is largely rural with strong tourism and agricultural industries which are vital for the local economy.

The Trading Standards Service has approximately 14483 businesses on its premises database of which 4862 are identified as food premises.

As a unitary authority Dorset Council delivers the full range of local authority services.

### **2.2 Organisational Structure**

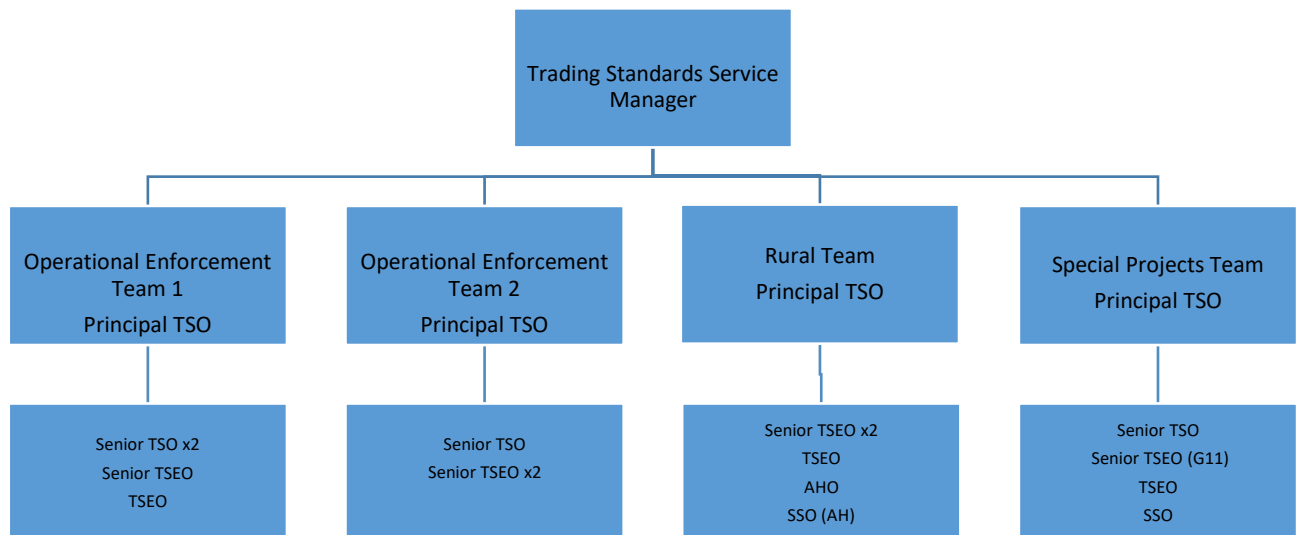
The Trading Standards team is part of a Community and Public Protection (CPP) Service with teams addressing Environmental Protection; Food Safety and Port Heath; Licensing and Community Safety; with a Registration Service and Bereavement Service.

The Service Manager for Trading Standards reports to the Head of Community and Public Protection, who has overall responsibility for this range of regulatory services and who in turn reports to a Corporate Director for Place Services, within a Place Directorate managed by the Executive Director for Place, a member of the Senior Leadership Team, reporting to the Chief Executive.

The Service Manager for Trading Standards and other senior managers set the Enforcement Policy and team priorities, in consultation with the Head of CPP. The Corporate Director agrees any policy changes and clears annual plans with the lead elected member for Trading Standards. The current lead member is Councillor Laura Miller.

The Service Manager for Trading Standards, in conjunction with Principal Officers and the Lead Food Officer have agreed the 2022-23 service plan to include inspections, action to address complaints and service requests, sampling and project activities. Specialist staff working in the operational teams deliver, monitor and review all food work.

The structure of Trading Standards at 1 April 2022 is given below. It should be noted that not all posts are full time.



TSO = Trading Standards Officer

TSEO = Trading Standards Enforcement Officer

AHO = Animal Health Officer

SSO = Service Support Officer

The manager responsible for the delivery of official food controls is Mr I Hancock (Service Manager for Trading Standards).

The Lead Food Officer is Mrs P Norman (Senior Trading Standards Officer).

Public Analyst Services are provided by:

- Public Analyst Scientific Services Ltd – Mr K Wardle, Ms W.E Moran, Mr D Arthur, Mr N Payne, Ms L Downie, Ms M Evans and Ms D Hanks. Ms M. Butts
- Hampshire Scientific Services and Kent Scientific Services – Mr S Dyer, Mrs J Green-Lewis and Ms R New, Mr J Griffin, Ms C Gibbons.

### **2.3 Scope of the Food Service**

Officers of Dorset Council Trading Standards are qualified and competent to deliver the food standards enforcement function.

Trading Standards has no responsibility for food hygiene enforcement. This is the responsibility of officers within the Food, Safety and Port Health team, within the same Community and Public Protection service grouping. There is a duty however, placed upon Trading Standards to enforce food hygiene at primary production level, for example at market gardens.

Close links have been established and are being developed between the Trading Standards and Food, Safety and Port Health teams through for example, the sharing of information, joint project work and notably during the response to Coronavirus.

Where appropriate, other relevant inspections (for example, product safety, pricing and weights and measures) are carried out at the time of the food standards inspection. This will depend upon the premises type and the risk assessment attached to that premises, along with the nature of the visit being undertaken. This provides a single inspection by Trading Standards of food premises in Dorset.

The relevant areas of the food service are delivered as follows:

- Food standards interventions are carried out by specialist staff that are qualified and competent in food law, some are also ISO9001, qualified auditors.
- Officers with specialist expertise deliver inspections in relation to hygiene at primary production level.
- Food analysis is carried out by duly appointed Public Analysts.
- Complaints from consumers are initially processed by Citizens Advice Consumer Services and transferred electronically to Trading Standards.
- Complaints from businesses may also be received via the Consumer Advice Consumer Service, Government department or agency (e.g. DEFRA, FSA, APHA), other Trading Standards or Local Authority, or directly via the Business Advice Line provided by Trading Standards.

All food complaints received by Trading Standards are assessed and either assigned to a competent officer for appropriate action or recorded for intelligence purposes.

### **2.4 Demands on the Food Service**

Dorset Council has a total of 4862 food businesses, not including farms and these are all recorded on the Trading Standards CIVICA database. These break down, into the following risk groupings:

- High Risk: 28
- Upper Medium Risk: 161
- Lower Medium Risk: 1163
- Low Risk: 3507

Contact for Dorset Council, Trading Standards :

- Consumers requiring consumer advice or wanting to report a matter to Trading Standards should call the Citizens Advice Consumer Service on **0808 2231133**
- Dorset businesses wishing to report an issue or obtain advice can do so by contacting the Trading Standards Business Advice Line on 01305 224702. Monday to Friday, 9am to 5pm (4.30 pm on a Friday)
- Email [tradingstandards@dorsetcouncil.gov.uk](mailto:tradingstandards@dorsetcouncil.gov.uk)
- Trading Standards information is available on the Dorset Councils website: [Trading Standards - Dorset Council](#)
- Follow us on Twitter @Dorset\_TS
- Write to Trading Standards, East Annexe, County Hall, Dorchester DT1 1XJ

## 2.5 Enforcement Policy

The Trading Standards Enforcement Policy is available at:

<https://www.dorsetcouncil.gov.uk/business-consumers-licences/trading-standards/dorset-council-trading-standards-enforcement-and-complaints-policy-including-service-standards.aspx>

The Enforcement Policy encompasses the requirements of the Regulators Compliance Code and the Code for Crown Prosecutors. It gives a clear commitment to ensuring compliance through business advice and guidance where possible and appropriate. Prosecution is reserved for cases involving fraud, negligence, public safety risk or failure to follow advice or warnings.

A broader general statement of policy for Dorset Council policy is published here:

<https://moderngov.dorsetcouncil.gov.uk/documents/s5595/DorsetCouncilPolicyGeneralStatementofEnforcementPolicy.pdf>

Our document 'Dorset businesses. What you can expect from your local Trading Standards Service' sets down our commitment to providing Dorset businesses with an efficient, courteous and helpful service. This can be found here:

[www.dorsetcouncil.gov.uk/w/what-businesses-can-expect-from-dorset-council?p\\_l\\_back\\_url=%2Fsearch%3Fq%3Dtrading%2Bstandards](http://www.dorsetcouncil.gov.uk/w/what-businesses-can-expect-from-dorset-council?p_l_back_url=%2Fsearch%3Fq%3Dtrading%2Bstandards).

Internal procedures incorporate a policy on potential conflicts of interest in respect of Council premises.

## 3. SERVICE DELIVERY

### 3.1 Interventions at Food Establishments

Each food premises is risk assessed using the Trading Standards National Risk Assessment Scheme.

Information available about each premises is held on the service's Civica system.

We are committed to visiting all high-risk premises once a year and all upper medium risk food premises every two years. Trading Standards reviews its policy in relation to inspections (interventions) at business premises on an annual basis in accordance with the principles of better regulation and the Food Law Code of Practice (England) 2021.

All other food premises are contacted in a variety of ways such as intelligence led inspections, project visits, sampling visits, requests for visit from trader, referrals from other enforcement agencies and via the e- magazine 'Dorset Food Safety News.

New food establishments will be added to the risk- based inspection programme through the year and dealt with as per the Services written procedures.

Food businesses are visited only by those officers who satisfy the criteria set out in the Food Law Code of Practice (England) 2021.

Several projects are undertaken each year driven by intelligence coming into the service and problems previously identified by officers. These projects are often linked specifically to food sampling.

In 2022-23 it is intended that the following workstreams will be undertaken.

1. The impact on food standards work due to the Covid-19 pandemic has been significant. The Service will use the FSA Covid-19 Recovery Plan as a framework for coming back into line with the intervention frequencies and other provisions set out in the Food Law Code of Practice. Where realignment is possible at a faster pace than outlined in the Recovery Plan, this will be implemented.
2. The United Kingdom left the EU at the end of 2020. Officers will be advising and signposting businesses to the appropriate guidance. Food product from the EU is now imported product and as such increased advice, sampling and analysis may be necessary to ensure compliance with UK legislative requirements.
3. The number of fatalities due to the non-declaration of allergens in food or the incorrect declaration of allergens in food continues to rise. Changes in legislation relating to the declaration of allergens for food which is prepacked for direct sale were introduced in October 2021 and work related to advising businesses on their responsibilities and best practice in this area will continue along with proactive work to monitor and improve compliance.
4. Work to become a control body and carry out verification audits at watercress producers in the Authority that wish to use the new Geographical Indication for 'Watercress' This will include the production of inspection forms and procedures with an update of the authorities QA system, and the establishment of a watercress producers group.

The above measures are intended to focus available resources on the areas of greatest risk, using available intelligence.

Trading Standards has assessed the value of carrying out unannounced inspections as opposed to announced inspections. Where official controls take the form of an audit or there is a need to have the food business operator present so that records can be examined, then such visits will be announced, but prior notification will be kept to a minimum. In all other

cases and particularly where previous visits or intelligence suggests that serious non-compliances have occurred, visits will be unannounced.

We currently have regulatory responsibility for a UK Geographical Indication, protected food: Dorset blue cheese/Dorset blue vinney cheese, and we ensure that the designation is used as set down in its approval and that others do not try to use that name fraudulently

### **3.2 Food Complaints**

A total of 45 food complaints were received in the year 2021-22 and it would be expected that a similar number would be received in 2022-23.

Food complaints are investigated by Trading Standards in line with documented procedures.

In accordance with the Food Law Code of Practice (England) 2021, procedures have been agreed and implemented throughout Dorset Council and Bournemouth, Christchurch and Poole Council through the Food Liaison Group for the transfer of complaints between Services.

### **3.3 Home Authority and Primary Authority**

Trading Standards accepts intelligence from other authorities about businesses based in Dorset. Any response and action will be in line with local priorities.

Primary Authority Partnerships are available to businesses where appropriate. Currently two Primary Authority relationships are in operation with businesses that are registered food businesses.

Primary Authority is an activity which is being actively promoted by the Service and it is hoped that more local food businesses will become Primary Authority partners in 2022/2023.

Where businesses operating in Dorset have a Primary Authority Partnership, we will ensure that any intelligence received locally is passed to the relevant Primary Authority Service to enable them to take the necessary steps to ensure the business they have responsibility for is legally compliant.

When undertaking official controls at premises that have a Primary Authority relationship with another Authority, officers will take account of the requirements of the Primary Authority scheme and any assured advice or Inspection plan issued by the Primary Authority.

### **3.4 Providing Advice to Business**

Trading Standards provides advice and information to all Dorset based businesses on a reactive and proactive basis. It works with businesses to help them comply with trading standards legislative requirements and encourages the use of best practice.

The Service received 113 food standards related service requests for help and information from businesses in 2021-22.

It is expected that the number of requests for advice and information from Dorset businesses may increase in 2022-23 as business return to normal following Covid-19 issues, the impact of the UK leaving the EU continues and changes to the requirements of food labelling linked

to allergen labelling. It is therefore difficult to predict the number of service requests that will be received in 2022-23.

General compliance advice is provided:

- During inspections and visits.
- Over the telephone. Trading Standards operates a dedicated Business Advice Line which is available to all businesses in Dorset and queries will be answered immediately if a competent officer is manning the telephone or allocated to a competent officer if that is not the case.
- In writing (for example by email or letter).
- Via appropriate links to 'Dorset for You', the Council website, the Business Companion site maintained by the Chartered Institute of Trading Standards, or other Government Department websites e.g. FSA/ DEFRA.
- Via our Twitter account @Dorset\_TS.
- Contact via the Trading Standards 'Buy with Confidence' trader approval scheme.
- Occasional presentations, workshops or other events involving local trade groups.
- Approaches are made to new businesses who have registered as new food businesses so that advice and support can be given as a form of pre-emptive enforcement.
- Dorset Food Safety News, an e-magazine produced by all food authorities in the Dorset area goes to approximately 9000 registered food businesses across Dorset on a quarterly basis. This includes at least one article from Trading Standards on a food standards matter in each publication.

### **3.5. Food Sampling**

Significant emphasis is placed on food sampling and the analysis of food samples as an enforcement tool.

A total of 63 samples were taken in 2021-22. It is anticipated that a similar number of samples will be taken 2022-23.

There is a commitment to sample a proportion of food from Dorset based businesses. These samples are taken during routine inspection or during specific targeted projects.

An in-house test lab is available where several screening tests can be undertaken. This is a useful tool for identifying possible problems on informal samples before the taking of formal ones.

Samples of imported food will be taken at premises where appropriate.

Dorset participates in national and regional sampling programmes delivered through Trading Standards South West.

Sampling will be conducted where appropriate as follows:

- As a feature of food premises inspections, with particular emphasis on Dorset based businesses, particularly Dorset based manufacturers.
- As a response to complaints.
- For identified internal, regional and national projects.



- As a result of intelligence identifying a hazard, for example warnings re allergens in foods.

Samples will be taken formally or informally. Formal samples will be taken in accordance with legislation and the procedures set out in the Food Enforcement Code of Practice (England) 2021 as appropriate. Examination will be undertaken by appointed Public Analysts.

Appendix 1 (not public) is the Food Sampling Programme for 2022/23.

### **3.6 Control and Investigation of Outbreaks and Food Related Infectious Disease**

Dorset Council Trading Standards has no direct responsibility in relation to outbreaks of food related infectious diseases. It will however liaise and assist, where appropriate, those to whom responsibility is given.

All food specialist staff are authorised by the Minister under the Food and Environment Protection Act to deal with any food related environmental problems.

### **3.7 Food Safety Incidents**

Trading Standards will respond in accordance with the Food Enforcement Code of Practice (England) and internal procedures to identify and report food hazards and respond to Food Alerts issued by the Food Standards Agency. Trading Standards is the lead service for Food Alerts in Dorset and will liaise and work with other professionals where necessary.

### **3.8 Liaison with Other Organisations**

We recognise the value and importance of working in genuine partnerships with others.

Nationally we will continue to contribute to the strategic objectives of the Food Standards Agency, Department for Health and Department for Food and Rural Affairs (Defra) who between them have responsibilities for national food standards and safety.

The service is fully committed to working with the Food Standards Agency in its programme to develop a modernised delivery model for official food controls. The Service Manager was part of the consultative process on the programme and represented ACTSO (the Association of Chief Trading Standards Officers) in this work during the earlier stages.

Dorset Council Trading Standards is a member of and plays an active part in the activities of Trading Standards South West (TSSW). This regional partnership, which is now a Community Interest Company, is a vehicle to coordinate food sampling across the region and promote best practice. It provides an opportunity for more efficient sampling programmes, training and education activities. The group aims to ensure consistent enforcement across the different authorities. An excellent illustration of the regional commitment to consistency in food enforcement was the success in being awarded the contract by the FSA to provide electronic manuals and training materials for official controls on food standards and hygiene and feed for England, Wales and Northern Ireland. The Service Manager was the link manager for this regional project.

The Lead Officer for food attends the regular Food Liaison group meetings with members from all relevant enforcement authorities in the Dorset area and this is also attended by local and regional Public Health, analyst laboratories and the FSA.

Our work contributes to the wider health agenda and we continue to participate with public health partners to improve Dorset health outcomes.

Dorset Council Trading Standards adhere to the principles of the Regulators' Code and a prosecution policy has been established following appropriate consultation and discussion with other trading standards services in the region.

Staff have access to the Primary Authority database and can check for any Primary Authority arrangements in existence before undertaking visits to business.

Dorset Trading Standards uses the IDB system for recording and researching food linked intelligence. Information is also sent to the FSA Food Fraud Unit.

### **3.9 Food Standards Promotional Work and Other Non – Official Controls and Interventions**

Some food sampling campaigns will result in ad-hoc awareness campaigns.

Talks are undertaken to local interested groups and contain information on the work undertaken in food standards. Evaluation is undertaken via a feedback form.

Business satisfaction letters are sent out to business each quarter to help evaluate the work undertaken.

Media requests are dealt with on request by members of the Trading Standards Management Team.

The service has a twitter account that will be used to highlight topical issues regarding food related issues (@ Dorset\_TS) and to highlight national campaigns being run by bodies such as the FSA.

A comprehensive selection of guidance notes for businesses and consumers are signposted via the Dorset Council website; The Chartered Trading Standards Institute's Business Companion website (for businesses) and the Citizens Advice consumer pages (for consumers) are the original sources for key information.

Dorset Foods Safety News is a regular emailed newsletter sent to approximately 9000 food businesses in Dorset and Food Standards information is given in each publication.

## **4 RESOURCES**

### **4.1 Financial Allocation**

The Service Manager for Trading Standards is responsible for the allocation and delegation of budgets allocated to food enforcement functions. This is done in collaboration with the trading standards management team.

The total net budget for Trading Standards for 2022-23 is £917,900. Budgetary resources are used flexibly to meet changing demands on the service.

A total testing and inspection budget of £11,000 is available for 2022-23. Food samples form only a part of this sampling budget. The proportion spent on food is not set and is agreed through the monthly management team. £4,500 is earmarked for food sampling based on previous demands.

No specific allocation for legal costs is given to food work. Where appropriate formal action is taken this will be paid for from a legal costs budget for all Trading Standards cases and prosecution costs will be reclaimed from proceedings where possible.

## **4.2 Staffing Allocation**

Dorset Trading Standards aims to give officers the generalist skills, knowledge and experience across a wide range of Trading Standards law to ensure flexibility and allow quick response to emerging threats.

The Food Law Code of Practice (England) 2021 requires that staff undertaking food work are both qualified and competent and that this competency is evidenced and maintained. The service has 10 competent food officers, down from 17 in 2015-16.

We anticipate that food standards work for 2022-23 will continue to amount to 3 full time equivalent staff.

## **4.3 Staff Development Plan**

Training needs will be identified by looking at operational requirements arising from the Service Plan. Individual needs are identified and developed by officers at regular personal 'Road Map' discussions.

In accordance with the Food Law Code of Practice (England) 2021 each authorised food officer must undertake at least 20 hours training per year, at least ten hours of which will be in the core subject of food standards, to maintain competency.

Staff are responsible for maintaining their own training records.

Sources of training include refresher and update training both internal and external, e-learning and self-learning. Training from external sources is evaluated after the event.

## **5 QUALITY ASSESSMENT**

### **5.1 Quality Assessment and Internal Monitoring**

Internal monitoring is conducted every quarter by means of a modernised emailed business satisfaction survey to assess the performance of staff and to ensure that we continue to respond to local needs. Dorset businesses also have the opportunity to contact us using information we leave each time we visit. Results and comments are reviewed by the Trading Standards Management Team.

Monitoring of the performance data and progress against plans is undertaken monthly at management meetings (Tactical assessment process).

A programme of monitoring, and work-shadowing is undertaken to ensure consistency and adequacy of action by food competent staff, by the Lead Food Officer

Feedback is given by managers to staff at regular 1 to 1 meetings.

## **6. REVIEW**

### **6.1 Review Against the Service Plan**

Dorset Trading Standards has adopted the National Trading Standards Intelligence Operating Model approach to the prioritisation and allocation of work.

The Food Service Plan is set in the context of Dorset Trading Standards aims and objectives. Performance indicators include interventions for high risk and upper medium risk premises against target, number of samples taken, response to complaints and service requests, bringing businesses back into compliance following the identification of major non-conformances and business satisfaction targets.

Priorities and resource requirements are reviewed at monthly management meetings for the service. The Food Service Plan is monitored during these meetings and an evaluation of progress and outcomes evaluated.

The end of year review includes an assessment against the previous year's plan to ensure improvement. Performance against Plans is a key consideration at end of year Road Map discussions for individual managers.

### **6.2 Identification of Any Variation from the Service Plan**

Dorset Trading Standards aims to operate flexibly so that it is able to respond to any emerging threats quickly and appropriately. This may lead to variances from the initial plans. These variances will be documented and where additional work has met food standards objectives this will be recorded including in notes of management team meetings. This could include for example an outbreak of a notifiable disease such as foot and mouth disease which may have a major impact on the food plan.

The allocation of suitable resources to tackle any emerging food issues or trends can be raised for consideration by the Trading Standards management team at their monthly meeting.

### **6.3 Areas of Improvement**

Trading Standards is committed to addressing areas for improvement that may be highlighted following the ongoing assessments highlighted above, including business feedback or external or internal audits.