

Notice of Meeting

Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service Committee

**Date & time**

Wednesday, 2
November 2016 at
11.30 am

Place

Mezzanine 3, County
Hall, Aylesbury, HP20
1UA

Contact

Andrew Baird
Room 122, County Hall
Tel 020 8541 7609

andrew.baird@surreycc.gov.uk

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This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Andrew Baird on 020 8541 7609.

Members of the Committee

Councillor Martin Phillips (Buckinghamshire County Council) and Councillor Richard Walsh (Surrey County Council)

Advisory Members:

Councillor Margaret Aston (Buckinghamshire County Council) and Councillor Kay Hammond (Surrey County Council)

AGENDA

1 APOLOGIES FOR ABSENCE

To receive any apologies for absence and substitutions.

2 MINUTES OF THE PREVIOUS MEETING [2 MARCH 2016]

(Pages 1
- 6)

To agree the minutes of the previous meeting.

3 DECLARATIONS OF INTEREST

To receive any declarations of disclosable pecuniary interests from Members in respect of any item to be considered at the meeting.

4 PROCEDURAL ITEMS

a Members' Questions

The deadline for Member's questions is 12pm four working days before the meeting (27 October 2016).

b Public Questions

The deadline for public questions is seven days before the meeting (26 October 2016).

5 PETITIONS

The deadline for petitions was 14 days before the meeting.

6 JOINT SERVICE MID-YEAR PERFORMANCE UPDATE

(Pages 7
- 20)

The Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service Committee is asked to note the performance of the Service in the first half of the financial year 2016/17. The report covers performance against seven high level indicators as well as details of performance against the service budget.

The information provided shows that, overall, the Service is performing well and is delivering excellent results against key performance indicators and that it is projected the Service budget will be under spent at outturn, achieving all the savings projected in the Business Case for the shared service and exceeding income generation targets for the year.

7 OFFICIAL FOOD STANDARDS AND FEED CONTROLS PLAN 2016 - 2017

(Pages
21 - 72)

The Official Food Standards and Feed Controls Service Plan (known as the 'FSA Plan') is a statutory plan required to be produced annually by the Food Standards Agency (FSA).

The overall structure follows guidance from the FSA and includes the necessary facts and statistics to ensure the document is valid as a statutory plan. The statistical and financial content is different to last

year as it relates to the new joint service.

This 'statutory' Plan is required to be submitted to the 'relevant Member Forum for approval'. In approving this Plan, the Joint Committee will be establishing a framework that will meet the expectations of the FSA. The FSA Plan is a public document and will be made available via the website and in printed version to anyone on request.

8 DATE OF THE NEXT MEETING

The next meeting of the Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service Committee will be held on 21 February 2017.

David McNulty
Chief Executive
Surrey County Council
Published: 25 October 2016

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MINUTES of the meeting of the **BUCKINGHAMSHIRE COUNTY COUNCIL AND SURREY COUNTY COUNCIL JOINT TRADING STANDARDS SERVICE COMMITTEE** held at 11.00 am on 2 March 2016 at Room G44, County Hall, Kingston upon Thames, KT1 2DN.

These minutes are subject to confirmation by the Committee at its meeting on 14 September 2016.

Elected Members:

- * Councillor Martin Phillips
- * Councillor Richard Walsh

In attendance

Steve Ruddy, Head of Trading Standards

Amanda Poole, Assistant Head of Trading Standards

Yvonne Rees, Strategic Director for Customers and Communities Surrey County Council

Phil Dart, Service Director, Localities and Community Safety, Buckinghamshire County Council

1/16 APOLOGIES FOR ABSENCE [Item 1]

Apologies were received from Kay Hammond, Margaret Aston and Andy Tink.

2/16 MINUTES OF THE PREVIOUS MEETING [Item 2]

The minutes were agreed as an accurate record of the meeting.

3/16 DECLARATIONS OF INTEREST [Item 3]

There were no Declarations of Interest.

4/16 PROCEDURAL ITEMS [Item 4]

4a MEMBERS' QUESTIONS [Item 4a]

There were no Member questions.

4b PUBLIC QUESTIONS [Item 4b]

There were no public questions.

5 PETITIONS [Item 5]

No petitions were received.

6/16 PERFORMANCE AND JOINT SERVICE BUDGET [Item 6]

Declarations of Interest:

None

Witnesses:

Steve Ruddy, Head of Trading Standards,
Amanda Poole, Assistant Head of Trading Standards,
Yvonne Rees, Strategic Director for Customers and Communities Surrey
County Council
Phil Dart, Service Director, Localities and Community Safety

Key points raised during the discussion:

1. The Assistant Head of Trading Standards introduced the item and highlighted that the report recommended performance indicators for 2016/17 remain the same as they were in the previous year due to the fact that the process of establishing the Joint Service was still being finalised.
2. It was noted that both Primary Authority Partnerships (PAP) and Checktrade Partnerships continued to develop well. A question was raised regarding whether work had been undertaken to link PAP schemes with the fire services; officers responded by stating that a formal partnership with Surrey Fire and Rescue Service (SFRS) already existed. A partnership had not been established with Buckinghamshire Fire and Rescue Service (BFRS) but that an event was being planned in an effort to create a partnership with BFRS as well as with other relevant agencies such as Environmental Health.
3. Members were informed that the Service had established a relationship with Bridgend County Borough Council in Wales around providing advice to companies in Wales and was in the process of seeking out a partner authority in Scotland.
4. Officers were asked how the Joint Service was collaborating with district and borough Joint Enforcement Teams (JET). Members stated that a representative from Trading Standards sat on the JET Board and that the hope was to become more closely involved with JET in areas such as intelligence sharing. The Head of Trading Standards advised Members that it would not be possible to delegate Trading Standards officers to become part of the JET programme.
5. Officers indicated that the intention was for the Service to improve on its performance against targets from the previous year. Members commented that the format of the KPIs in the report made it challenging to get an accurate picture of how Trading Standards was performing as it did not specify what the targets were that the Service was aiming for. The Committee requested that a report be brought to the next Buckinghamshire and Surrey Trading Standards Joint Board meeting which demonstrates the KPIs and the targets that the Service is aiming to achieve
6. Officers advised the Committee that private sector companies had started to move into the PAP arena and that at of these companies had secured an endorsement from the Chartered Institute of Trading Standards (CTSI). Members requested that a report be brought to the next Joint Committee meeting outlining how the Services can effectively compete in the PAP sector with private companies.

7. The Committee agreed that a letter would be sent to volunteers who had worked with Trading Standards in Buckinghamshire and Surrey thanking them for their work with the Service.

RESOLVED:

The Buckinghamshire and Surrey Joint Trading Standards Service:

- i. noted the Service's performance from 1 April 2015;
- ii. agreed the Performance Indicators for 2016/17;
- iii. agreed the revised joint service budget to include an additional 1.5% marginal efficiency saving over and above the previously agreed efficiency savings.

Actions/further information to be provided:

- i. The Head of Trading Standards and Assistant Head of Trading Standards to provide an update for the Service Director, Localities and Safer Communities, Buckinghamshire County Council on Trading Standards PAP links with Surrey Fire and Rescue Service and other partner agencies for upcoming event at Buckinghamshire County Council;
- ii. Physical targets to be drafted and presented by the Head of Trading Standards and Assistant Head of Trading Standards at the next meeting of the Buckinghamshire and Surrey Joint Trading Standards Service Board;
- iii. Send private sector PAP website details to Committee members;
- iv. The Head of Trading Standards and Assistant Head of Trading Standards to identify how the Joint Trading Standards Service can compete effectively with private organisations and provide paper at the next Buckinghamshire and Surrey Joint Trading Standards Service Board meeting;
- v. Draft a thank you letter to Trading Standards volunteers for signature by Committee members.

7/16 PROCEEDS OF CRIME UPDATE [Item 7]

Declarations of Interest:

None.

Witnesses:

Steve Ruddy, Head of Trading Standards,
Amanda Poole, Assistant Head of Trading Standards,
Yvonne Rees, Strategic Director for Customers and Communities Surrey
County Council
Phil Dart, Service Director, Localities and Community Safety,
Buckinghamshire County Council

Key points raised during the discussion:

1. The Head of Trading Standards introduced the report and informed the Committee that the intention was to use money gained through the Proceeds of Crime Act 2002 (POCA) to tackle local crime priorities in Surrey and Buckinghamshire. It was noted that, for next year £80,000 was likely to be available. Members were asked for their perspective on where the £80,000 in funding would be most effectively used. Officers said that community safety teams in both Buckinghamshire and Surrey would be given the opportunity to outline where they felt POCA money would be most appropriately used to meet community safety and local crime priorities.
2. A discussion took place about the possibility of using money gained through POCA in order to tackle domestic abuse. The Cabinet Member for Community Engagement and Public Health at Buckinghamshire County Council stated that a pilot project had taken place in Buckinghamshire aimed at reducing instances of domestic abuse through intervention with perpetrators but that funding would be withdrawn from this scheme as it had proven to be ineffective. The Cabinet Member stated that domestic abuse advocates were a highly effective means of reducing domestic abuse by supporting victims. He suggested putting a portion of POCA money into funding more domestic violence advocates across Buckinghamshire and Surrey.
3. The Committee further suggested putting some of the money gained through POCA to tackling problems related to drug and alcohol abuse. The Head of Trading Standards stated that this would meet the Home Office criteria for spending POCA money as it would reduce crime or the fear of crime. It was requested that Community Safety leads provide a report to the next meeting of the Trading Standards Joint Committee putting forward proposals for where POCA money can be used to tackle local crime priorities..

RESOLVED:

The Trading Standards Joint Committee considered the options for using the additional assets that have been recovered under the scheme and agreed that these resources are targeted at issues identified in partnership with the local Community Safety teams tackling local crime priorities.

Actions/further information to be provided:

A report providing options on where to spend money gained through the Proceeds of Crime Act to be considered by the Buckinghamshire and Surrey Joint Trading Standards Service Committee to its meeting on 14 September 2016.

8/16 UPDATE ON THE NATIONAL REVIEWS OF TRADING STANDARDS SERVICE DELIVERY [Item 8]

Declarations of Interest:

None.

Witnesses:

Steve Ruddy, Head of Trading Standards,
Amanda Poole, Assistant Head of Trading Standards, Yvonne Rees, Strategic
Director for Customers and Communities Surrey County Council
Phil Dart, Service Director, Localities and Community Safety,
Buckinghamshire County Council

Key points raised during the discussion:

1. The Head of Trading Standards informed the Committee that the Joint Service had provided advice to Suffolk and Norfolk County Councils who were in the process of merging their Trading Standards services. The Committee stated that they were happy for the Joint Service to provide free advice to public sector organisations in regard to best practice for undertaking mergers but that remuneration should be sought from private sector organisations which request advice on mergers from the Service.
2. The Committee were told that the Service had been nominated for an Improvement and Efficiency Award, and that an update on the outcome of this nomination would be provided at the Joint Board meeting. Members congratulated officers on achieving recognition for their work in successfully bringing Bucks and Surrey CC Trading Standards services together

RESOLVED:

That the Buckinghamshire and Surrey Joint Trading Standards Service Committee:

- i. note the outcomes from the Local Government Association (LGA) review of Trading Standards and;
- ii. Request that officers continue to assist the work of the Local Government Association in helping to support and promote the benefits of larger more strategic Trading Standards services.

Actions/ further information to be provided:

None

9/16 **DATE OF NEXT MEETING [Item 9]**

The next Trading Standards Joint Committee will be held at 11.00am on 14 September 2014 at Buckinghamshire County Council, Aylesbury.

Meeting ended at: 12.20 pm

Chairman

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**BUCKINGHAMSHIRE COUNTY COUNCIL AND SURREY COUNTY COUNCIL
JOINT TRADING STANDARDS SERVICE COMMITTEE**

DATE: 2 NOVEMBER 2015

**LEAD OFFICER: STEVE RUDDY
HEAD OF TRADING STANDARDS**

SUBJECT: JOINT SERVICE MID YEAR PERFORMANCE UPDATE

SUMMARY OF ISSUE:

The Buckinghamshire County Council and Surrey County Council Trading Standards Service Joint Committee is asked to note the performance of the Service in the first half of the financial year, since April 2016. The report covers performance against seven high level indicators as well as details of performance against the service budget.

The information provided shows that, overall, the Service is performing well and is delivering excellent results against key performance indicators and that it is projected the Service budget will be under spent at outturn, achieving all the savings projected in the Business Case for the shared service and exceeding income generation targets for the year.

RECOMMENDATIONS:

It is recommended that the Buckinghamshire County Council and Surrey County Joint Trading Standards Service Committee:

- i. notes the Buckinghamshire County Council Joint Trading Standards Service's performance since 1 April 2016; and
- ii. notes the Buckinghamshire County Council Joint Trading Standards Service's financial position.

REASON FOR RECOMMENDATIONS:

1. The Joint Committee is required by the Inter Authority Agreement which underpins the service to:
 - a) ensure effective performance of the Service. This includes formally reviewing performance annually by considering performance against the agreed measures and agreeing performance measures for the Service in advance of the start of each financial year; and

- b) maintain financial oversight of the Service and ensure sound financial management.

PERFORMANCE DETAILS:

2. The performance of the joint service is measured through seven key performance indicators which are detailed in the attached Quarter 2 Performance Report.
3. A key priority for the Service is to protect residents from harm and financial loss. In the first half of the year a notable success in relation to this was the use of financial investigation and the Proceeds of Crime Act to obtain £97,650 in compensation for the victims of a rogue landscape gardener. The rogue trader had preyed on elderly and vulnerable victims who were unable to look after their own gardens and, following an investigation by the Service, was convicted of several fraud and money laundering offences in 2015. Customers had complained that queries about price or the standard of work led to threats, verbal abuse and aggression. In one case, a woman in her 90s was charged £24,500 for work worth only £400. In another case, a man was charged £17,000 for work valued at £200.
4. The Service's work to protect and support victims of scams, based on intelligence from the National Scams Team continues to grow. In the first six months of the year this work has led to savings of over £575,000 for elderly and vulnerable residents.
5. The Service's second key priority is to help businesses thrive. Primary Authority Partnerships continue to grow strongly with the focus this year on developing relationships to increase the impact of each partnership.
6. Improving the health and wellbeing of communities is also a key priority for the Service and more detailed analysis of work in this area is given in the Food and Feed Enforcement Plan agenda item.

BUDGET 16/17:

7. It is projected that the budget will be under spent at outturn this year. All of the savings projected in the joint service business plan will be achieved as planned.
8. The projected under-spend is a result of income being ahead of target, and from staff turnover and the challenges in quickly recruiting back to posts that become vacant.

CONSULTATION:

9. The Trading Standards Joint Management Board have been consulted on performance and budget.

RISK MANAGEMENT AND IMPLICATIONS:

10. All significant risks affecting the service (which include items beyond budget and performance) are considered by the management team each quarter.

FINANCIAL & VALUE FOR MONEY IMPLICATIONS

11. The Service is delivering all elements of the business case and is not anticipating an overspend in 16/17.
12. The strong foundation created by the shared service will enable it to achieve the additional annual marginal efficiency savings agreed at the March Joint Committee meeting without damaging service delivery.

LEGAL IMPLICATIONS

13. The Inter-Authority Agreement completed by Buckinghamshire and Surrey County Councils prior to the launch of the Service in April 2015 provides the legal framework within which the Service operates. This is working effectively and there is no current need to amend this in any way. Managers in the Service will continue to keep this under review.
14. In the event that the forecast underspend is realised at the end of this financial year, the surplus monies will be returned to Buckinghamshire and Surrey in accordance with their respective percentage contributions towards the Service's budget for the year.
15. The report makes a number of references to relevant legal processes and proceedings that the Service has been involved in over the last six months and there are no other specific legal issues that need to be drawn to the attention of the Committee.

EQUALITIES & DIVERSITY

16. The performance being reported will not impact on residents or staff with different protected characteristics, as such an Equality Impact Assessment has not been included.

WHAT HAPPENS NEXT:

17. Performance continues to be reviewed by the Service Management team and by the Joint Service Board.

Contact Officer(s):

Mrs Amanda Poole, Assistant Head of Trading Standards 01296 388770
Mr Steve Ruddy, Head of Trading Standards 01372 371730

Consulted:

- Phil Dart, Director Communities, Bucks CC
- Yvonne Rees, Strategic Director Customer & Communities, Surrey CC

- David Cogdell - Legal Services, Surrey County Council
- Susan Smyth, Strategic Finance Manager

Annexes:

Annex A: Key Performance Indicators Quarter 2 2016/17

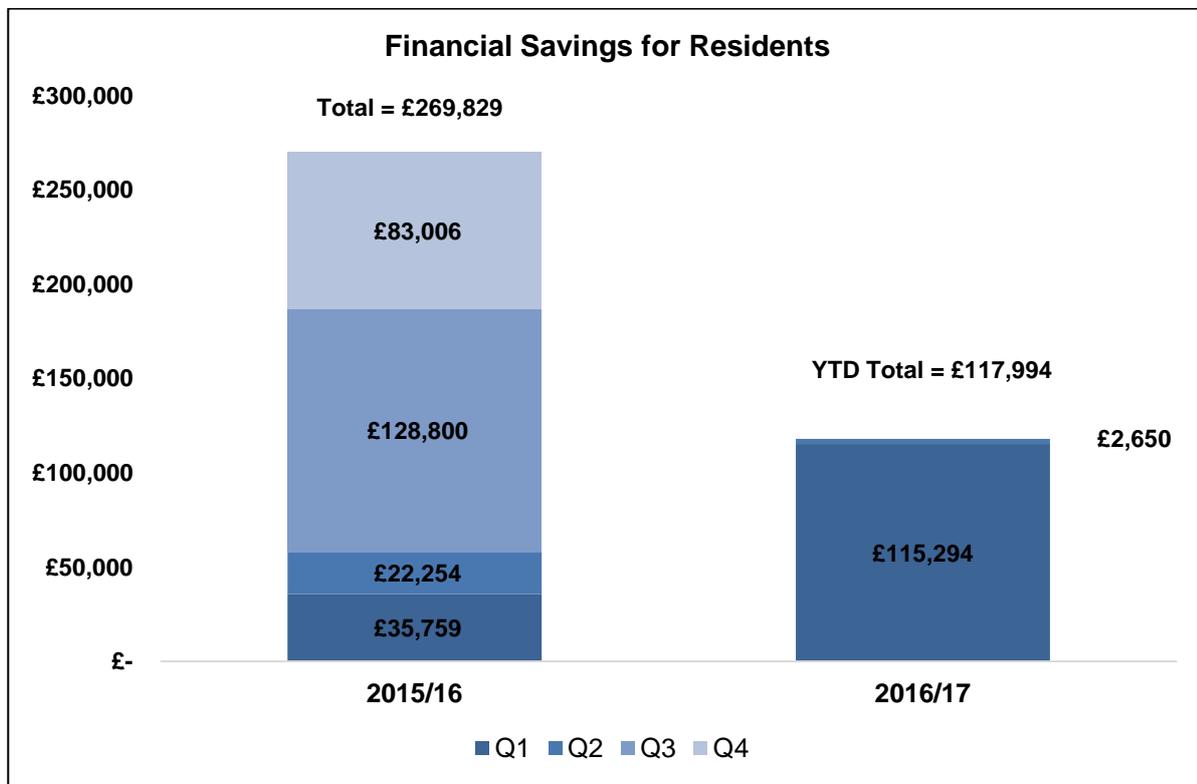
Sources/background papers:

None



KEY PERFORMANCE INDICATORS
QUARTER 2
2016/17

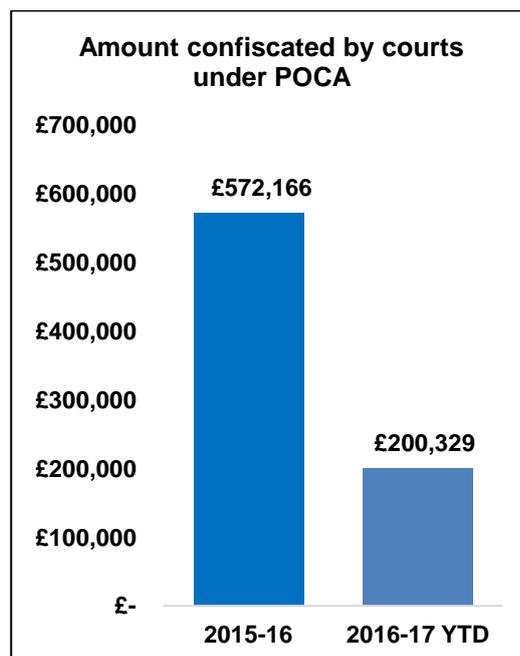
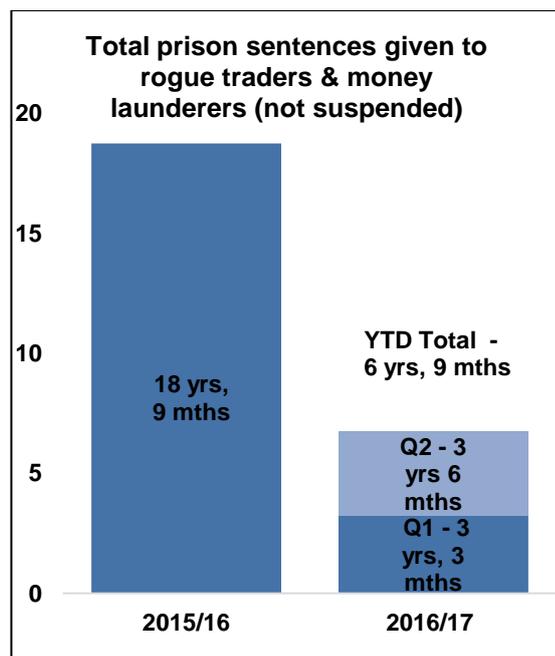
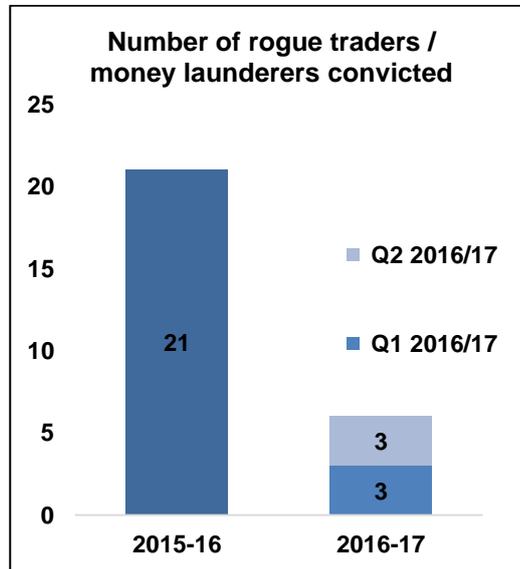
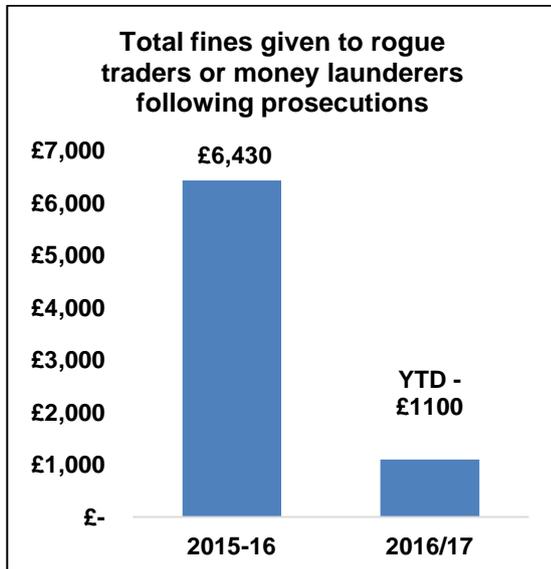
KPI -1 Increase the financial savings for residents as a result of our interventions and investigations.



- As the Service deals with increasingly serious cases, a large proportion of redress to consumers so far this year has come from money confiscated by the courts under the Proceeds of Crime Act. This leads to significant variability in the savings each quarter, depending on whether confiscation proceedings have concluded in that quarter or not.
- In confiscation proceedings heard in April, the courts ordered that £97,650 be awarded in compensation to the victims of a rogue trader who had been prosecuted by the Service last year and had been sentenced to three and half years in prison. In addition to the amount allocated to victims as compensation, a further £202,000 was confiscated from the defendant and will be put into the Home Office's Asset Recovery Incentivisation Scheme.
- There are a number of other cases where convictions have been secured, where financial investigation is ongoing, or confiscation proceedings have begun with a view to seeking compensation for victims from the defendant's proceeds of their crimes.
- KPI 7 records additional savings from other scam interventions and are not included here in KPI 1. This is because the Service started recording KPI 7 savings in this way from April 2016. Combining KPI 1 and KPI 7 gives a broader perspective of overall savings achieved for residents in 2016/17.

KPI -2 Protect residents by stopping rogue traders operating in Buckinghamshire and Surrey.

Note: These are indicators only. There are no targets set in relation to these as it is for the courts to decide convictions and the appropriate penalties. We expect the figures to vary but they provide useful context as to the extent of offending that the Service is dealing with.



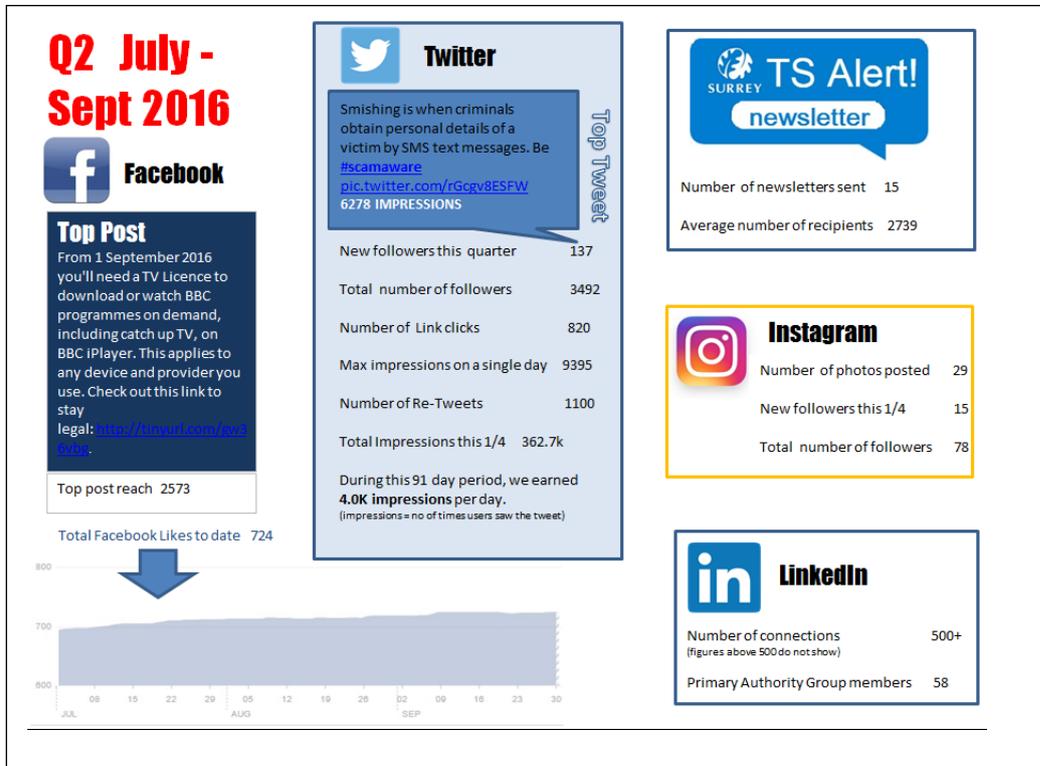
Numbers of doorstep stickers/packs sent out so far this year = 12,013

- Convictions so far this year relate to money laundering and fraud linked to doorstep crimes, welfare of animals, and illicit tobacco.

- Quarter Two has seen the successful prosecution of two rogue traders for doorstep crime related offences and a retailer for illicit tobacco offences. This is in addition to a caution and two formal warnings relating to a doorstep crime incident, a mis-described take away meal and the illicit sale of a dog respectively.
- Both the rogue trader prosecutions involved the money laundering of funds, sourced from targeted cold calling of vulnerable Surrey, Bucks and Kent residents, for work conducted not of a reasonable standard and gross over charging for work and materials.
- Following investigation by Trading Standards into 17 counts of money laundering relating to roofing work and impersonation of a Trading Standards Officer, Trader One was sentenced to three and half years on each count, to run concurrently. Confiscation proceedings under the Proceeds of Crime Act are now underway to address the potential criminal benefit associated with these offences and to seek compensation for the victims.
- Trader Two was facilitating the laundering of money on behalf of various illegitimate enterprises across Surrey and Kent, relating mainly to gardening and driveway work. Following investigation by Buckinghamshire and Surrey Trading Standards Service and supported by Kent Trading Standards. The trader was sentenced to fourteen months imprisonment for each offence suspended for two years. The trader was also sentenced to carry out 150 hours of unpaid community work and subject to a curfew enforced by the wearing of an electronic tag. Compensation for the victims will now be sought via Proceeds of Crime proceedings.
- Prosecution Three relates to the supply of illicit tobacco. Following a proactive, intelligence lead operation, Trading Standards Officers discovered counterfeit cigarettes and hand rolling tobacco with a potential street value of approximately £800. The Trader was fined and a forfeiture order issued for the destruction of the contraband material.
- The investigation and prosecution of illicit tobacco remains a priority for Buckinghamshire and Surrey Trading Standards. Working with other agencies such as Surrey Fire and Rescue and Smoke Free Surrey operations are continuing, including work currently underway with Her Majesties Revenue and Customs (HMRC) and UK Border Force.
- As part of a national trading standards initiative Buckinghamshire and Surrey Trading Standards Service works with HMRC and Border Force to police Enhanced Remote Transit Sheds (ERTS), maintaining effective border controls of non-food consumer products arriving in the UK via London Heathrow.
- Since the program began various products identified as posing a potential risk to public safety have been intercepted prior to entering the UK market place. As an example in quarter 2, 500kg of powdered tobacco product in the form of oral snuff was intercepted and seized entering the UK via London Heathrow. As the investigation proceeded Buckinghamshire and Surrey Trading Standards secured a court order for the forfeiture and destruction of the illicit product.
- Following a major investigation into the sales tactics of a double glazing firm, two Directors and four Sales Agents signed undertakings not to use unfair trading practices in future. A breach of these undertakings could lead to legal action. The business itself was convicted of 10 offences in July and is awaiting sentence (more details will appear in the performance report following their sentencing).

KPI -3 Prevent residents becoming victims through expanding the use and reach of social media alerts, TSalert, Volunteers, and other preventative initiatives to raise awareness of scams, rogue traders and unsafe products.

Social Media



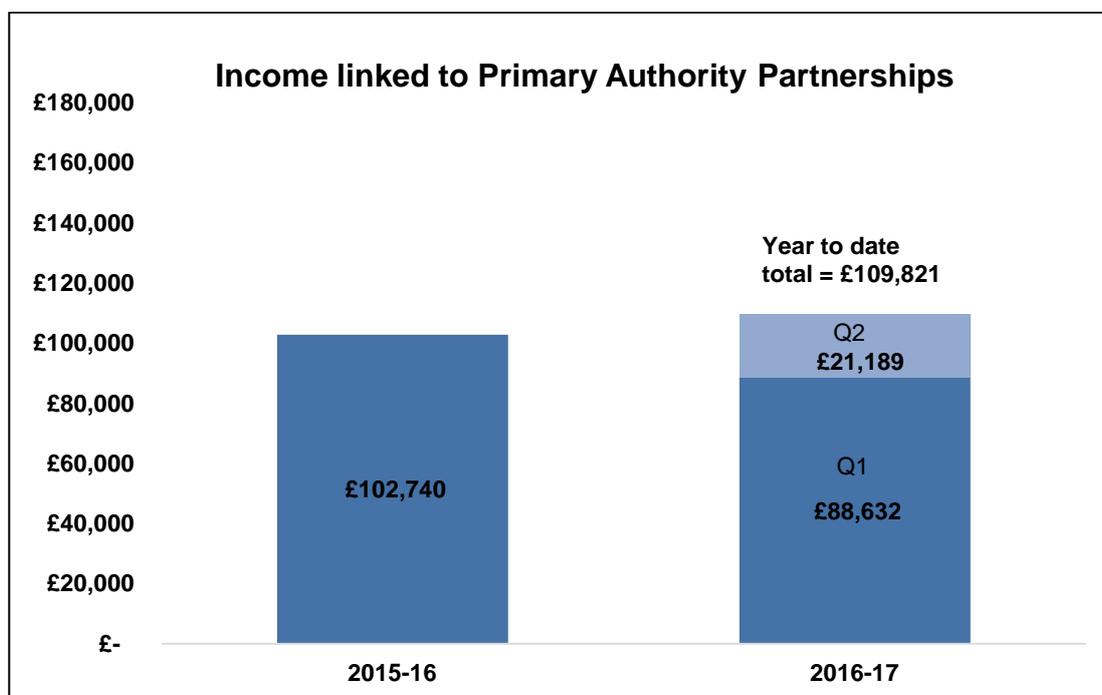
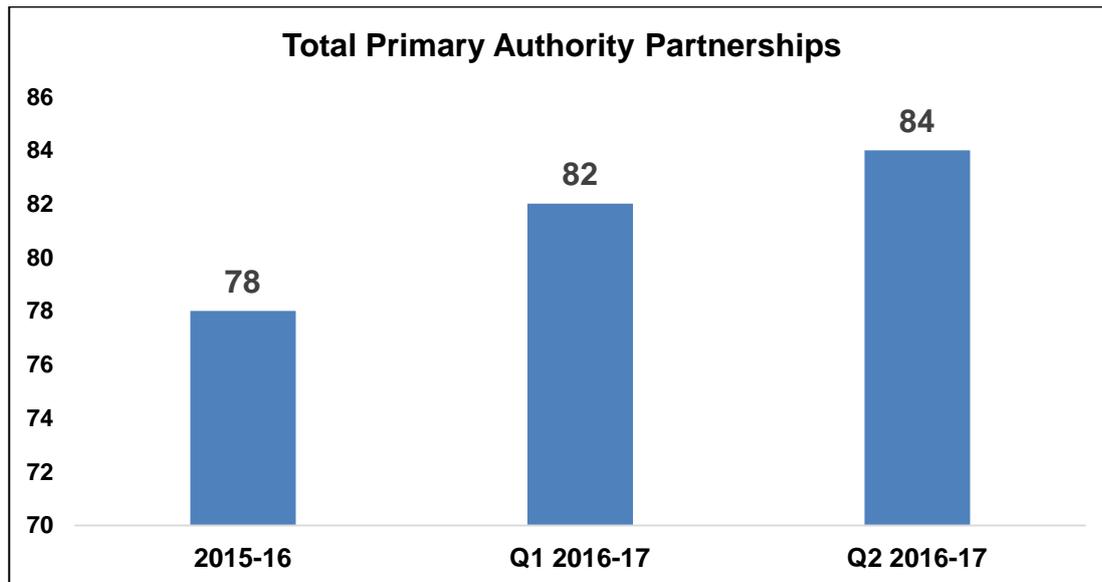
Volunteers

A total 57 volunteers ranging from 14-85 years of age work with the service.

Loneliness and isolation are often key elements in the lives of scam victims. Three volunteers assist with the socialisation and wellbeing aspects of victims that have been subject to scams. This includes 'befriending', accompanying the victims to social activities and acting as a conduit between the victim and the service.

Volunteers also accompanied officers on client visits, taking notes and engaging with clients, carers and other professionals and updating records. This was particularly beneficial to young volunteers as it helps with the development of socialisation and communication skills, better understanding of issues such as dementia, infirmity and other vulnerabilities. It was equally beneficial to the clients who are often anxious and defensive in the face of 'officialdom'; a school/college age volunteer can be reassuring to victims. Without exception clients were keen to talk to young volunteers thus enabling the officer to better assess the client's holistic issues including, for example, cognition, hoarding and personal hygiene and enable them to make sound referrals.

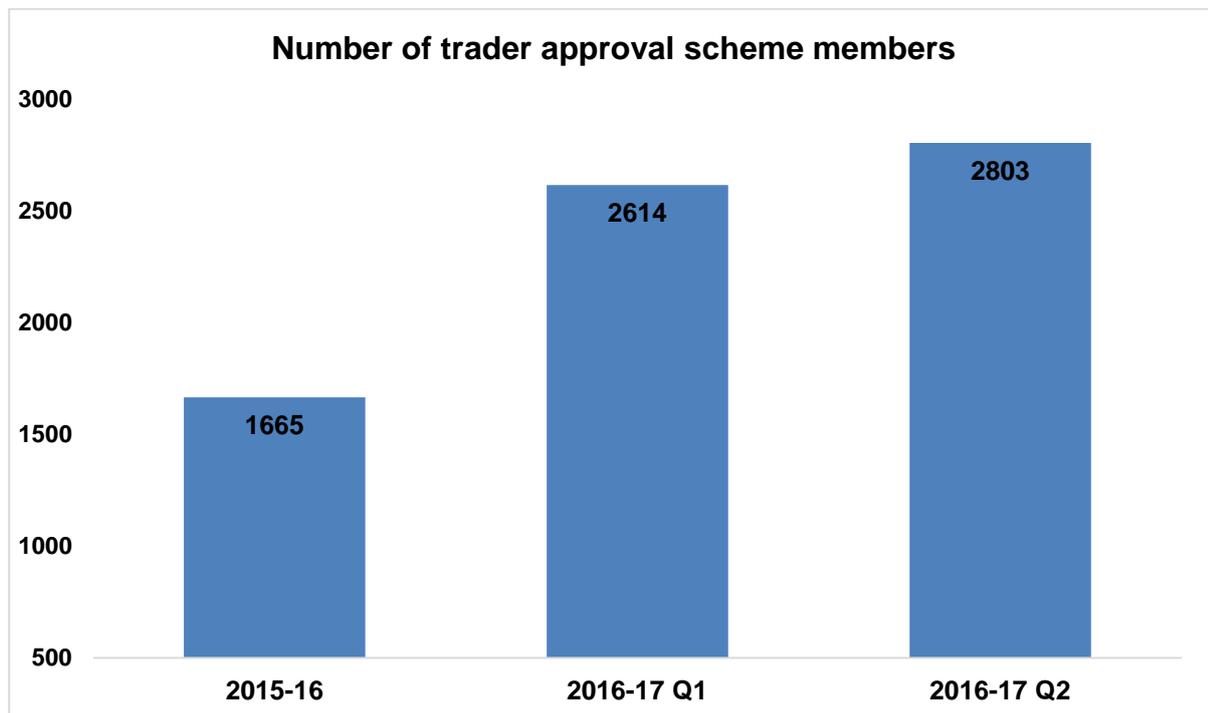
During their school/college holidays five volunteers worked with and provided support to officers both in the field and office. The work included; test purchasing and sending for analysis potentially unsafe projectile firing toys as part of a nationwide project, visits to local restaurants, cafes and takeaways to assess levels of compliance with food allergen legislation, and desktop research into Bucks based used car sellers.

KPI -4 To increase the number of Primary Authority Partnerships

The Service is providing some excellent support and consistency to businesses through our 84 Primary Authority Partnership. We have recently provided specific support to some PAPs to work more effectively with OFCOM, the ASA and the FSA.

Work has been underway on some larger contracts, both new and existing, to develop the services and value of each existing partnership offered. In order to ensure our service maintains high quality, productive partnerships we withdrew from a partnership this quarter which was not working despite our best efforts. This is the first time we have found it necessary to initiate a cancellation.

This quarter we formed new primary authority partnerships with The Health Food Manufacturers Association (HFMA) and Merisant UK. HFMA is a coordinated PAP with approximately 120 businesses divided between 12 categories of business activities and manufacturing, marketing or contract production.

KPI -5 Increase membership of trader approval schemes.

- As our partnership with Checkatrade continues to grow and becomes more established improvements in processes have helped to increase the robustness of the scheme. A number of businesses have been removed from the scheme as intelligence suggests they are not suitably fit to be endorsed with our approval.
- We continue to consider how best to support residents in finding good traders. This includes exploring developing partnerships with other trader approval schemes who would meet, as a minimum, the Trading Standards South East criteria for being Trading Standards Approved.

KPI -6 Work with partners to tackle illegal sales of age restricted products; to explore new ways to reduce harm from the use and consumption of unsafe products; and to tackle poor food quality and nutrition.

Risk based work relevant to this indicator is carried out under the Food and Feed Enforcement Plan and is covered in detail in that report. The items below are in addition to this and can generally be considered 'non-routine'.

Joint New Psychoactive Substances (NPS) visits were carried out with police prior to the implementation of the Psychoactive Substances Act. Retail sales appear to have reduced to zero. The Service is developing intelligence as the supply may have shifted to hidden routes.

Additional visits have been carried out with Police and District and Borough Council Licensing officials with regard to alcohol licenses. Alcohol Licence reviews are routinely requested following the conviction of sellers of illicit tobacco.

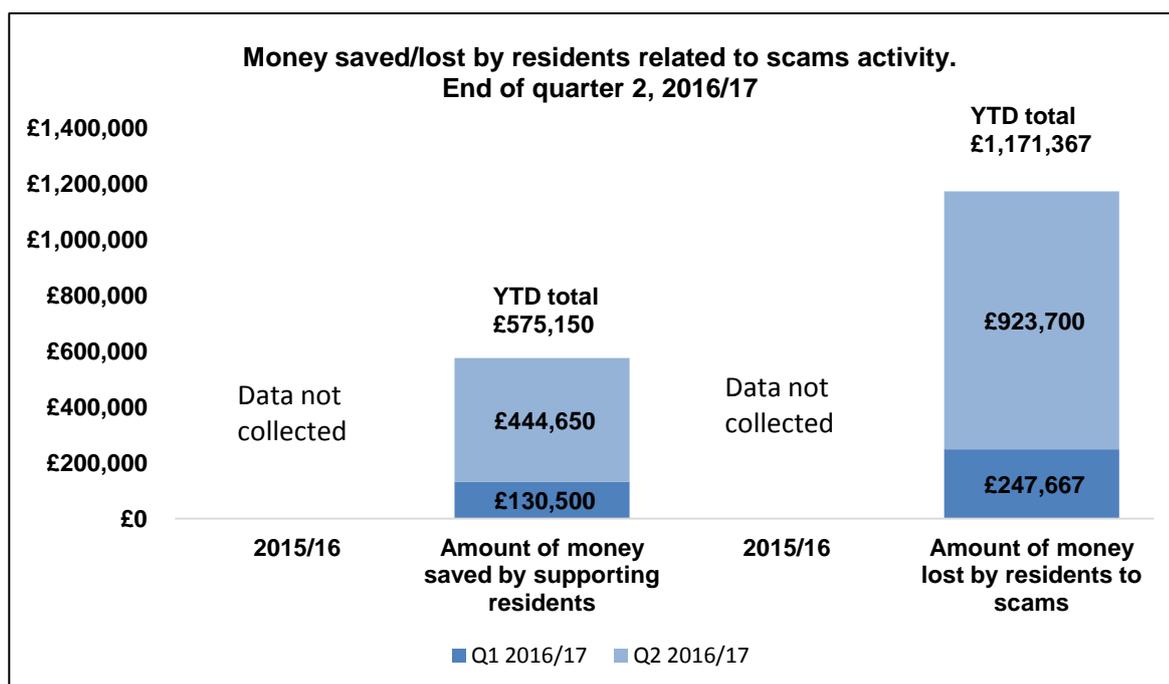
The Service has been working with partners to update and test contingency plans, particularly in relation to animal disease outbreaks.

Projects currently underway

- Allergens in catering establishments. Developing the work from last year in this area. The project now targets establishments most likely to endanger consumers by not declaring relevant allergens. Volunteers have carried out 73 visits.
- Dinitrophenol (DNP) issues. DNP is often used in weight loss and body building products. There have been a number of deaths associated with consumption of such products, notably connected to High Wycombe and Epsom, and the Service is aiming to raise awareness through higher education sites including by attending student welfare events. BBC Radio Surrey are currently producing a program on the dangers of DNP which includes interviews of the mother of the man who die in High Wycombe and with David Pickering.
- Traceability of the disposal of Surplus Food and Farm Waste Food – two projects to deal with food chain issues by looking at how waste food is disposed of and ensuring it isn't used as animal feed.
- National Trading Standards (NTS) feed funded sampling. This links to the Food & Feed Plan
- E-cigarette availability to under 18's.
- Tobacco control, in partnership with both Public Health teams and other partners - mainly focusing on illicit tobacco, which can adversely affect legitimate businesses, and potential sales of tobacco to under age children.
- A range of spices are being sampled to assess levels of aflatoxins (these can cause liver cancer)

Food Standards Agency (FSA) Audit

The FSA audited the Surrey area of the Services' work in relation to Feeding Stuffs in July. We are in the process of agreeing an action plan to respond to implement the recommendations agreed in the report. More detail of these is included in the Food & Feed Plan report.

KPI -7 Scams (including activities carried out by volunteers).

Two Scams Conferences have been arranged in Bucks (23rd November) and Surrey (25th January) to raise awareness of Scams and their impact on people whose situation is making them vulnerable to these types of fraud. The Conferences are aimed at existing and potential partner organisations that can have a role to play in reducing the impact of scams and are being run in conjunction with the National Scams Hub Team. The scams issue will be given context, in particular from the Social Care perspective, by Professor Brown from Bournemouth University.

During this quarter, Trading Standards have worked with the Fire Service to implement partnership working with respect to visits made to the vulnerable. Trading Standards distributes Fire Service "Safe and Well" cards to all the Scam and Doorstep Crime victims that are visited. Similarly, the Fire Service are advising us of any concerns they have with regards to potential Scam Victims so that we may carry out follow up visits.

The Service has met with the Vulnerabilities unit at the Head Office of British Gas. The purpose was to raise awareness of the work currently being carried out in respect of Scams and how their field staff could feed any concerns they may have about residents being scammed via the National Trading Standards Scam Team. British Gas will be joining the "Friends against Scams" programme and roll it out to all their employees next year.

Examples of working with victims of Scams include:

- A visit made to a gentleman who lives in the Caterham area. He says that he now realises how much he responded to Scams and how badly it affected his health and sense of wellbeing. He is very happy that we intervened and, at our request, has agreed to speak at the Surrey Scams Conference to relay his thoughts on the experience of responding to the mail.
- Working with a couple in High Wycombe who had been the victims of doorstep crime. The husband is physically fit but has secondary stage dementia. The wife has advanced Parkinson's and is physically frail. Follow up work, alongside colleagues in the police, fire and adult social care services included arranging for remedial work to be carried out by a Trading Standards Approved Checktrade trader and mediating this to completion;

installing a dummy CCTV camera; installing a call blocker; installing assistive technology in the form of a falls pendant alarm and a bogus caller button; referring the gentleman to Prevention Matters.

- A visit made to a couple of friends who lived together and were both in their 90,'s in Worcester Park, Surrey. The female had been responding to Scams and now has the onset of dementia as well as being almost bedridden. When the Officer attended the property she found the gentleman was very distressed and was not coping with his caring duties. He had had a severe headache for over a week. The Officer called the GP and a home visit was made that afternoon.
- A gentleman living alone in South Bucks, who has cerebral palsy and learning difficulties, a repeat victim of scams, cameras were installed at his property in 2014, which have reduced the number of doorstep visits. However, it has recently become apparent that he was now being targeted by phone, through mail and in the street. A call blocker has been installed and social workers from the MASH are involved. The Fire Service have done a home safety check. Loneliness has been identified as a contributory factor and a TS volunteer is assisting in taking him to local "Movers and Shakers" meetings and will be working with him to reduce the flow of incoming mail.

**BUCKINGHAMSHIRE COUNTY COUNCIL AND SURREY
COUNTY COUNCIL JOINT TRADING STANDARDS SERVICE
COMMITTEE**

DATE: 2 NOVEMBER 2016

LEAD OFFICER: STEVE RUDDY

SUBJECT: OFFICIAL FOOD STANDARDS AND FEED CONTROLS PLAN
2016-2017

SUMMARY OF ISSUE:

The Official Food Standards and Feed Controls Service Plan (known as the 'FSA Plan') is a statutory plan required to be produced annually by the Food Standards Agency (FSA).

The overall structure follows guidance from the FSA and includes the necessary facts and statistics to ensure the document is valid as a statutory plan. The statistical and financial content is different to last year as it relates to the new joint service.

This 'statutory' Plan is required to be submitted to the 'relevant Member Forum for approval'. In approving this Plan, the Committee will be establishing a framework that will meet the expectations of the Food Standards Agency. The FSA Plan is a public document and will be made available via the website and in printed version to anyone on request.

RECOMMENDATIONS:

It is recommended that the Buckinghamshire County Council and Surrey County Council Joint Trading Standards Service Committee approves the 2016/17 Official Food Standards and Feed Controls Service Plan (the FSA Plan).

REASON FOR RECOMMENDATIONS:

The approval of the Plan will meet the requirements of the FSA Framework Agreement and Code of Practice. It will also provide direction and structure for food standards and feed controls that will help to protect consumers and businesses in Buckinghamshire and Surrey.

DETAILS:

1. The Plan continues to reflect the change in emphasis by the FSA and the move away from a primarily inspection based regime in favour of a more varied suite of 'interventions' e.g. education, surveillance and monitoring, to increase business compliance whilst reducing the burden on compliant businesses.

2. The focus of the Plan continues to be on those food issues that most impact on the health, nutrition and economic welfare of Buckinghamshire and Surrey's consumers, particularly the vulnerable. With County Councils having the role as the lead for Public Health, the Service is liaising with the Directors of Public Health to ensure that interventions carried out in this area are supporting this work appropriately. Where consumer / business education and information is provided, this is tied in to the Public Health work being led by the County Councils to ensure a coherent message. The Service will continue to inspect all high risk premises to ensure that controls on the composition and labelling of food are complied with. (N.B. Food hygiene is dealt with by the District Environmental Health Officers.) The Service will investigate alleged occurrences of food crime.
3. The Service has recently had an audit by the FSA on its feed work. This resulted in a recognition of the quality of the work that is being done and how the Service can improve the data held on premise visited. Copies of the report and action plan are attached.

CONSULTATION:

4. The FSA have provided input into the Plan via the recent Feed audit. No other consultation has taken place.

RISK MANAGEMENT AND IMPLICATIONS:

5. If the service fails to provide controls deemed to be satisfactory to the FSA's requirements the FSA could decide to provide the service for the authorities and impose the cost of this provision on the Councils. In addition to the monetary issue there would also be a substantial reputational loss.

Financial and Value for Money Implications

6. The resource allocated to the provision of the controls is £433,496. This includes staff and sampling costs and is within the existing joint service budget.

Legal Implications

7. The FSA is an independent government department overseeing the protection of public health in relation to food safety. The Official Food Standards and Feed Controls Plan 2016-17 annexed to this report complies with the FSA's statutory guidance to produce such an annual plan and for it to be submitted to the 'relevant Member Forum for approval'.

Equalities and Diversity

8. There are no equalities and diversity implications arising from this Plan

WHAT HAPPENS NEXT:

- The controls are currently being implemented by the service

Contact Officer:

Steve Ruddy, Tel: 01372 371730

Consulted:

Food Standards Agency

Annexes:

Annex 1 Official Food Standards and Feed Controls Plan 2016-17

Annex 2 Copy of FSA Feed Audit report

Annex 3 Copy of draft FSA Feed audit report action plan

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Official Food Standards and Feed Controls Service Plan

2016 – 2017

Buckinghamshire & Surrey
trading standards



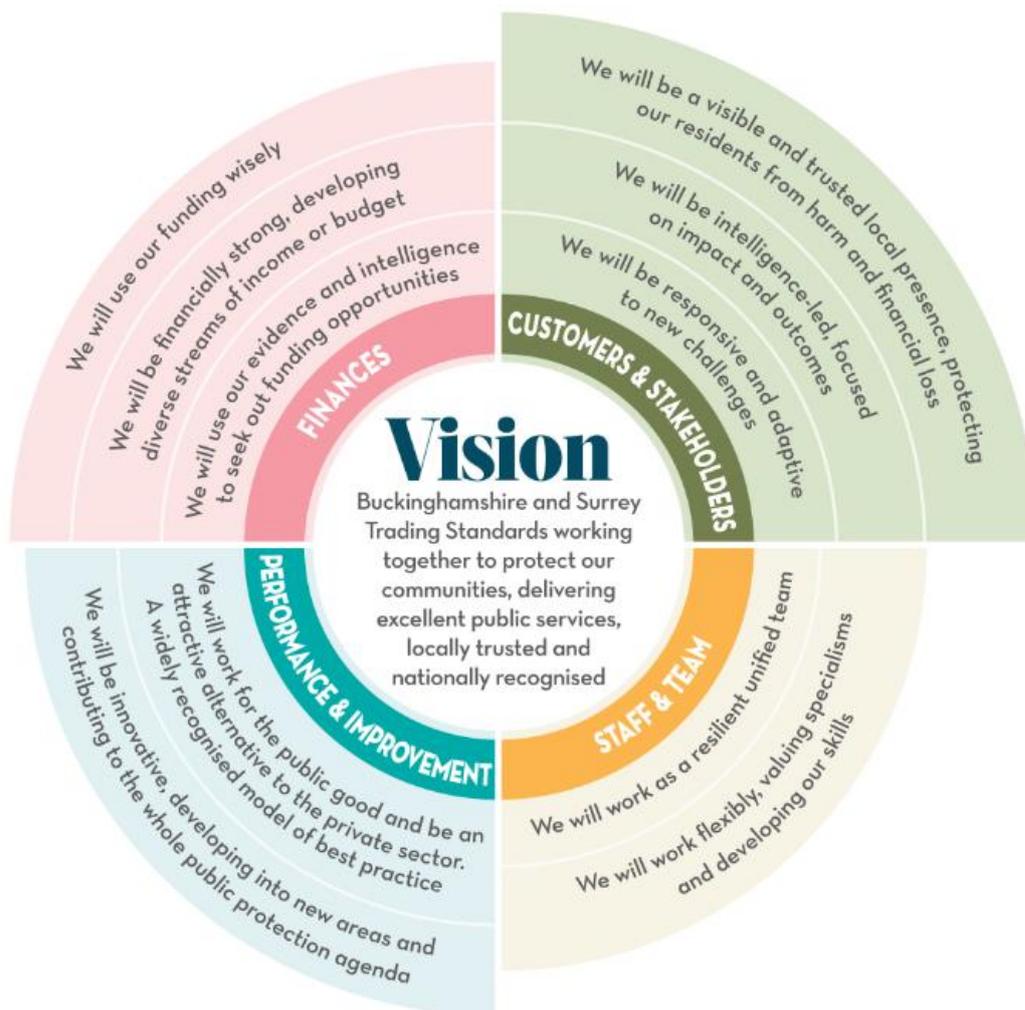
Food Service Plan 2016 – 2017

- 1 Aims & Objectives**
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1. Aims & Objectives

Our Joint Service Vision

“Buckinghamshire and Surrey Trading Standards working together to protect our communities, delivering excellent public services, locally trusted and nationally recognised.”



Our Joint Service Priorities

- Protection – protecting individuals, communities and businesses from harm and financial loss.
- Economic Prosperity - Helping businesses to thrive and supporting growth
- Improving Health and Wellbeing
- Innovation
- Customer Focus / Resident Experience

Our Joint Service Performance Measures

Protection - Protecting individuals, communities and businesses from harm and financial loss.

The joint service will provide better protection for residents from consumer scams, cons, and rogue traders.

Performance measures:

1. To increase the financial savings for residents as a result of our interventions and investigations.
2. To protect residents by stopping rogue traders operating in Buckinghamshire and Surrey.
3. Prevent residents becoming victims through expanding the use and reach of social media alerts, TSAlert, Volunteers, and other preventative initiatives to raise awareness of scams, rogue traders and unsafe products.

Economic Prosperity - Helping business to thrive and supporting growth

The joint service will improve business advice and support, and as a result better protect residents.

Primary Authority and Assured Advice helps businesses, supports business growth, and helps protect residents by raising standards and improving compliance.

Trader approval schemes help promote good businesses and provide confidence for residents that they can avoid rogue traders.

Performance measures:

4. To increase the number of Primary Authority Partnerships
5. To increase membership of trader approval schemes

Improve Health and Wellbeing

The joint service will work with Public Health and others to tackle the problems caused by Tobacco, Alcohol, and poor nutrition.

Performance measures:

6. Work with partners to tackle illegal sales of age restricted products; to explore new ways to reduce harm from the use and consumption of unsafe products; and to tackle poor food quality and nutrition.

These aims and objectives align with the Food Standards Agency Strategy for 2015-20 -Food We Can Trust and the National Feed Enforcement Priorities 2016-17.

The work we carry out will support and help to deliver the four strategic outcomes for food work that the Food Standards Agency have identified as how they will measure the impact of the strategy

- Food is what it says it is
- Consumers can make informed choices about what they eat
- Food is safe
- Consumers have access to an affordable healthy diet, now and in the future

For animal feed work we will ensure we follow the priorities identified in the FSA strategy, namely

- Points of entry;
- Premises subject to Annex II of EC Regulation 183/2005; and
- Premises subject to Annex I and III of EC Regulation 183/2005.

2. Background

Surrey and Buckinghamshire County Councils have decided to build on the success of their Trading Standards teams to create a new joint Trading Standards Service. For more information please use link below

[Buckinghamshire and Surrey trading standards have merged to form a joint service from 1 April 2015](#)

Surrey background

Surrey is the most urbanised shire county in England with 83% of inhabitants living in urban areas and yet 73% of land in Surrey is green belt and 25% is designated as Areas of Outstanding Natural Beauty.

The County of Surrey is one of the most densely populated shire counties and is strongly influenced by its proximity to London. 85% of housing is in 15% of the county. 85% of the county is countryside, of which 38% is still farmed. Although Surrey is an affluent area, with earnings being 42% higher than the national average, it has areas which are disadvantaged and can be overlooked if specific measures are not taken. Business diversity is great, although there is little in terms of heavy industry.

The population of Surrey is predicted to grow to 1,190,000 by 2017 from the current estimate of 1,152,114.

Buckinghamshire background

Buckinghamshire is a large rural county of 156,509 hectares close to London. The population is estimated to grow to 536,454 by 2018 from 516,096 in 2013.

The county is one of contrasts - the north is predominantly rural, with small market towns, whilst the south is more urbanised. The two largest centres of population are urban areas encompassing the towns of Aylesbury and High Wycombe, with total populations of 69,000 and 77,000 respectively. These urban areas accommodate nearly 40% of the total population. Over a quarter of Buckinghamshire is included within the Chilterns Area of Outstanding Beauty and a further third is protected as Metropolitan Green Belt, mostly in the south of the county. Within rural areas agriculture is the predominant land use, over 70% by area.

Business and the economy.

We have established 43 Primary Authority relationships with food businesses and continue to raise awareness of this opportunity with other appropriate businesses.

Both Buckinghamshire and Surrey are areas of light industry and high commercial development. There are comparatively few large manufacturing premises but we have the administrative and decision making offices of some very substantial national and international food companies within the areas. These include such companies as Unilever, Premier Foods, Dairy Crest, Rank Hovis, Del Monte, McCormick Foods and Kerry Foods.

There are a significant number of transient Importers of foodstuffs whom change at regular intervals in Surrey due to the proximity of the London airports.

Joint service background

Responsibility for food enforcement is shared between two tiers of local government - County Councils and District councils, of which there are four in Buckinghamshire and eleven in Surrey.

Liaison groups in Buckinghamshire and Surrey have representatives from each authority and there are forums to ensure appropriate coordination and cooperation on food issues. They meet regularly, every quarter.

Trading Standards is responsible for food standards, which includes food composition, ingredients and labelling of food. The District Councils' Environmental Health services are responsible for matters of food safety, hygiene, cleanliness and the food borne causes of illness.

3. Demands on us

In 2015-16 492 complaints and requests for advice were received across the service about food issues.

Those food contacts that are not acted upon directly are noted for potential future use as intelligence, which is taken into account when planning proactive work.

In addition to this reactive demand, the Service carries out a similar proportion of proactive work in this area, which is described further in the Food Surveys and Projects section. This year we will carry out visits to all premises assessed as high risk. It should be noted that the projects will also involve a variety of interventions such as visits and sampling.

We will also carry out the feedingstuffs visits and sampling that have been agreed as part of the National Trading Standards Board regional coordinated work in line with the FSA National Enforcement Strategy.. These help to deliver the necessary interventions that nationally help to guarantee food and feed exports.

For feed premises subject to Annex II of EC Regulation 183/2005 we will prioritise work on

- Examination of written feed safety management systems;
- Inspection and sampling at businesses using coccidiostats;
- Inspection of businesses supplying co-products and surplus food into the feed chain;
- Identification of all feed businesses requiring registration;
- Checking of feed businesses acting as third country representatives;
- Documentary checks of imported feed subject to safeguard measures; and
- Sampling of imports of feed originating from outside EU.

In particular we will continue work to ensure our feed database reflects the feed operators who are based in our area by contacting new animal keepers and cross checking membership with the earned recognition schemes such as Red Tractor

At feed premises subject to Annex I and III of EC Regulation 183/2005(primary production) we will prioritise

- Examination of systems and practices used to prevent contamination;
- Activities requiring compliance with Annex II of Regulation 183/2005;
- Identification of all on-farm mixers and mobile mixers; and
- Examination of any surplus food being used for feed.

Our feed sampling programme and risk based feed sampling will take into account the National Enforcement Priorities for feed and the FLECP. We will carry out projects to determine where surplus food from retail premises is being disposed of and how farmers are disposing of animal by products. These projects will help to ensure the integrity of the food and feed chain.

Profile of food premises in Buckinghamshire and Surrey

| | |
|--------------------------------------|--------|
| Total business premises | 68 693 |
| Total food premises | 12 823 |
| Food manufacturers/importers/packers | 234 |

Profile of feed premises in Buckinghamshire and Surrey

| | |
|---|-----|
| On farm mixers: | |
| Mix Feeds on Farm with additives and premixes | 94 |
| Mix Feeds on Farm with compound feeds containing additives | 167 |
| Feed producers: | |
| Manufacturer &/or place on the market – Feed Additives | 7 |
| Manufacturer &/or place on the market – Nutritional Additives | 0 |
| Manufacturer &/or place on the market – Feed Materials | 99 |
| Others: | |
| Livestock Farm not mixing or mixing without additives | 573 |
| Placing on the market of Compound Feeds | 32 |
| Transport of Feed & Feed Products | 20 |
| Storage of Feed & Feed Products | 14 |
| Arable Farm growing or selling crops for feed | 159 |

Of these Food premises 42 are High Risk; 282 are Upper Medium Risk; 2096 are Low Medium Risk and 8257 are Low Risk (the remainder will be no risk)

Of the feedingstuffs premises: 14 are Upper Medium Risk; 15 Low Medium and the rest are Low Risk (some premises fall into multiple categories and therefore the total numbers of risk and category do not match)

We have the resources to carry out the premise visits required by the FSA Code of Practice and we coordinate our work with the National Trading Standards Board risk methodology to determine which categories of premises we should visit. One current challenge is to ensure our database properly reflects the impact our work has on the inspection risk posed by the businesses and if the businesses are members of earned recognition schemes as such status will reduce the need to visit them.

4. Liaison with other organisations

We work in partnership with;

- Other parts of the County Councils in particular our colleagues in Public Health
- Central Government Agencies with responsibility for food standards (DEFRA; Food Standards Agency and Department of Health)
- Chartered Trading Standards Institute
- District Councils
- Business organisations
- Trading Standards South East Liaison Group
- Other Local authorities
- Food Liaison Groups
- Other charitable organisations such as the Coeliac Society and Allergy UK
- Earned recognition schemes such as Red Tractor.

Food and feedingstuffs safety and standards promotion

Our publicity programme will be targeted at publicising the findings of our work on issues impacting on the health, nutrition and economic welfare of consumers and providing both consumer and business education to mitigate any barriers that may exist.

We carry this out by:

- Attending and participating in Community events, seminars and exhibitions.
- Using social media
- Issuing regular press releases and participating in interviews with the media
- Promoting and taking part in national and local campaigns
- Static displays around the service area
- Giving talks to consumers and businesses
- Attending and participating in appropriate meetings and workshops

5. Food surveys & projects

Each year officers undertake various projects where: information is gained that can usefully assist consumers to make informed choices; or to protect the functioning of the market and help businesses improve their products

In 2015-16 the following are examples of projects that were undertaken.

- Authenticity of kebabs sold in takeaways
- Presence of DNP in body building products
- Counterfeit spirits
- Allergen issues in catering establishments
- Sampling of various foods funded by the Food Standards Agency
- Traceability of ingredients used in catering establishments
- Developing the Eat Out Eat Well scheme - the joint service now has around 200 members.

In 2016-17 projects will look at issues in relation to, amongst other things,

- Food traceability
- Food waste traceability
- Allergens in catering establishments
- Foreign labelled food
- DNP issues
- Authenticity of olive oil

The Service will also be participating in the Food Standards Agency funded sampling programme which will involve sampling a variety of foods that have been identified as potentially problematic.

6. Organisational structure

The joint service is governed through a Joint Committee comprising Cabinet Members from both partner authorities. The Service also has an advisory Board comprising of councillors and senior managers from each authority. The legal framework for the Service is set out in an Inter Authority Agreement.

The service operates from two centres, one in Aylesbury and one in Redhill.

Enforcement information

The Service has a documented Enforcement Policy - this is available on our website.

7. Quality assessment

The joint service is currently establishing work systems and practices that will enable the best outcomes to be delivered.

Currently the Aylesbury office has an operational approach based on systems thinking and officers follow the principles established by this method, which focus on the customers' needs and ensuring that the flow of work is as smooth as possible to cut out unnecessary work (waste) and be as efficient as possible.

The Redhill office operates internal quality procedures and work guidance which are monitored internally.

8. Review against 2015– 2016 plan

The activities identified in the 2015-16 plan have been delivered.

The activities are summarised in the document linked below

https://www.surreycc.gov.uk/__data/assets/pdf_file/0006/100221/Review-of-2015-16.pdf

We have taken part in the Food Standards Agency/National Trading Standards Board funded feedingstuffs visits and sampling work and delivered the work we agreed we would.

9. Resources

| Officers (FTE equivalent) | Food work | Feedingstuffs work | Totals |
|----------------------------------|------------------|---------------------------|---------------|
| Operational | 6.4 | 0.56 | 6.7 |
| Managerial | 0.5 | 0.04 | 0.54 |
| Support | 0.1 | 0.05 | 0.14 |
| Totals | 7.0 | 0.65 | 7.38 |

| Costs | Food work | Feedingstuffs work | Totals |
|-----------------------------------|------------------|---------------------------------|-----------------|
| Staff costs (including overheads) | £329,690 | £32,686(funded via NTS and FSA) | £362,376 |
| Project and sampling costs | £50,000 | £21,120 | £71,120 |
| Total costs | £379,690 | £53,806 | £433,496 |

Staff development plan

Authorised food and feed officers are qualified in accordance with Food Standards Agency Food and Feed Codes of Practice.

We operate a staff appraisal scheme and managers work closely with officers to enable us to identify training needs and provide ongoing training. These needs may be met by coaching within the day to day work and external formal provision. All officers are members of the Chartered Trading Standards Institute (CTSI) and as such undertake CPPD which is CTSI verified.

Where significant changes to food or enforcement law and food technology occur relevant training will be identified and provided by one of the means above.

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Report on the audit of Official Controls on Feed of Non-Animal Origin (FNAO) and Feed Establishments Including Primary Producers

Buckinghamshire and Surrey County Council
Trading Standards Service
13-15 July 2016

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Foreword

The audit of local authority feed and food law enforcement services forms part of the Food Standards Agency's arrangements to improve consumer protection and confidence in relation to food and feed. These arrangements recognise that the enforcement of UK food and feed law relating to food safety, hygiene, composition, labelling, imported food and feeding stuffs is largely the responsibility of local authorities (LAs). The LA regulatory functions for animal feed controls are principally delivered through their Trading Standards Services.

Agency audits assess local authorities' conformance against the Feed and Food Law Enforcement Standard 'the Standard', which was published by the Agency as part of the Framework Agreement on Official Feed and Food Controls by Local Authorities (amended April 2010), a Feed Law Code of Practice (England) (published May 2014) and a Feed Law Practice Guidance (England) (updated June 2014).

The main aim of the audit scheme is to maintain and improve consumer protection and confidence by ensuring that local authorities are providing an effective food and feed law enforcement service. The scheme also provides the opportunity to identify and disseminate good practice and provide information to inform Agency policy on food safety, standards and feeding stuffs. Parallel local authority audit schemes are implemented by the Agency's offices in all the devolved countries and FSA Scotland.

Following a review of the delivery of official controls for feed law enforcement the FSA introduced a new feed delivery model (NFDM) in April 2014 to promote consistency, efficiency and value for money in the delivery of feed official controls. This delivery model has been implemented in association with the National Trading Standards (NTS) and it promotes a regional approach to delivery, coordinated by NTS.

An innovation of the NFDM was the introduction of a system of 'earned recognition' whereby Feed Business Operators (FeBOs) who demonstrably maintained high standards of feed safety by taking appropriate steps to comply with the law, may have these standards recognised by LAs when determining the frequency of their official controls.

This programme of focused audits is being undertaken to provide assurance to the FSA that the new feed delivery model has been effectively implemented by local authorities and that official controls, as laid down in the Agency's Feed Law Enforcement Code of Practice, Practice Guidance and Framework Agreement, in regard to FNAO are being carried out by LAs, in order to safeguard animal and public health.

This audit forms part of the programme of audits across a number of animal feed authorities and the findings will be incorporated into a summary report on the outcomes of the overall focused animal feed audit programme.

For assistance, a glossary of technical terms used within the audit report can be found at Annex C.

DRAFT

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1.0 Introduction

- 1.1 This report records the results of an audit at Buckinghamshire and Surrey Trading Standards Service with regard to feed law enforcement. The audit was undertaken as part of the Agency's focused audit programme on feed controls in England. This report has been made publicly available on the Agency's website at www.food.gov.uk/enforcement/auditandmonitoring/auditreports.

Hard copies are available from the FSA's Regulatory Delivery Division, please email LAAudit@foodstandards.gsi.gov.uk or phone 01904 232116.

Reason for the Audit

- 1.2 The power to set standards, monitor and audit local authority feed and food law enforcement services was conferred on the Food Standards Agency by the Food Standards Act 1999 and the Official Feed and Food Controls (England) Regulations 2009. This audit of Buckinghamshire and Surrey Trading Standards Service was undertaken under section 12(4) of the Act as part of the Food Standards Agency's annual audit programme. The Agency has taken account of the European Commission guidance¹ on how such audits should be conducted.
- 1.3 Regulation (EC) No. 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, includes a requirement for competent authorities to carry out internal audits or to have external audits carried out. The purpose of these focused audits is to provide assurance to the FSA that the new feed delivery model has been effectively implemented by local authorities. The Agency has taken account of the European Commission guidance on how such audits should be conducted.
- 1.4 Buckinghamshire and Surrey Trading Standards Service was included in the Food Standards Agency's programme of audits of local authority feed law enforcement services, as it was representative of a geographical mix of 11 local authorities selected across England.

¹ Commission Decision of 29 September 2006 setting out the guidelines laying down criteria for the conduct of audits under Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls to verify compliance with feed and food law, animal health and animal welfare rules (2006/677/EC)

Scope of the Audit

- 1.5 The audit examined Buckinghamshire and Surrey Trading Standards Service's systems and procedures for the control of feed of non- animal origin (FNAO). As Buckinghamshire County Council had been subject of an audit during the last feed audit programme this audit focussed mainly on the feed law enforcement work carried out in the administrative area of Surrey County Council.
- 1.6 The audit scope included an assessment of local arrangements for implementing the New Feed Delivery Model (NFDM) and included:
- Feed service planning, delivery and review
 - Competence of officers
 - Implementation and effectiveness of feed control activities
 - Maintenance and management of appropriate feed premises database and records in relation to official controls at feed business premises
 - Effectiveness of the Lead Officer role for feed
 - Effectiveness of the Regional Lead role for feed (where undertaken by a LA being audited)
 - Accuracy and delivery of official reports to the Agency
- 1.7 The on-site element of the audit took place at the Authority's office at Consort House, Queensway, Redhill, Surrey, RH1 1YB on 13-15 July 2016. The audit included a reality check at a feed establishment to assess the effectiveness of official controls implemented by the Service.

Background

- 1.8 Buckinghamshire and Surrey Trading Standards Service were formed from a merger between Buckinghamshire County Council and Surrey County Council's trading standards departments. Surrey County Council is based in the south east of England bordering Greater London and covers an area of around 1,700 km² with a population of just over 1.1 million people. Surrey has the highest GDP per capita in the UK with many major national and international companies basing their head offices in the region. Surrey's major towns are Guildford and Woking and there are numerous other commuter towns with good rail and road links to London. Buckinghamshire County Council is also based in the south east of England and borders Greater London, with an area of around 1,900 km² with a population of approximately 756,000 people. Buckinghamshire like Surrey is a prosperous part of the country with a high GDP per capita. The southern part of the county is part of the London commuter belt and the area can also boast good manufacturing and agricultural industries.

- 1.9 The merged trading standards service between Buckinghamshire and Surrey was governed through a Joint Committee of Cabinet Members derived from both partner authorities. There is also an Advisory Board comprising of councillors and senior managers from each authority. The legal framework to form the joint service was set out in an Inter Authority Agreement. The Authority operates from two centres – Aylesbury in Buckinghamshire and Redhill in Surrey. Delivery of the feed law enforcement duties were the responsibility of Trading Standards Officers (TSO) with varying levels of qualifications, competence and experience. All the officers carrying out feed law enforcement activities also undertook enforcement in other areas of trading standards work.
- 1.10 The profile of Surrey's feed businesses as at 31 March 2015 according to their submitted enforcement return was as follows:

| Type of Feed Premises | Number |
|--------------------------------------|---------------|
| Manufacturers/Packers | 22 |
| Distributors/Transporters | 18 |
| Retailers | 73 |
| Co-products/surplus food | 17 |
| Stores | 4 |
| Arable farms | 36 |
| Livestock farms | 730 |
| Importers | 4 |
| Total Number of Feed Premises | 904 |

2.0 Executive Summary

2.1 At the time of the audit Buckinghamshire and Surrey Trading Standards had recently merged to become a shared trading standards service. Some aspects of the merger had not yet been completed, most significantly, the merger of the two Authority's databases. Whilst the Service had delivered a range of controls as required it needed to make improvements to fully meet the requirements of the NFDM, National Enforcement Priorities, Framework Agreement and the Feed Law Code of Practice (FELCP). A number of improvements in the overall arrangements and controls for feed service delivery were identified. The key strengths and areas for improvement for the LA are set out below.

2.2 Strengths:

The Service had developed a system staff appraisal where officer training needs were identified and monitored, including those specific to feed law enforcement. Any training needs identified were incorporated into a Staff Development Plan and the Service maintained a Competency Matrix for each individual officer.

Effective assessments of the compliance of premises and systems, including HACCP based systems, to legally prescribed standards had been carried out with the contemporaneous observations of officers recorded in detail.

In 2015/16 the feed service had participated in the NTS Surplus Food Project.

The liaison and communication roles of the Lead Feed officer and Regional Lead Feed Officer were being carried out effectively. Training was planned regionally and expertise was shared with other feed authorities on request.

2.3 Key area for improvement:

The Service Plan should be reviewed to ensure that there is greater detail in regard to the Services' annual programme of official feed controls, including the implementation of the NFDM and earned recognition, and how they would be delivered and a comparison of the FTE's required to deliver official controls against those available to the Service. The Service Plan should be submitted to the appropriate Member forum or senior delegated officer for approval.

Earned recognition as defined by the NFDM and the FELCP had not been implemented by the Service either in terms of procedure, strategy or reduced scheduled inspection frequency. The Service should ensure that feed premises are effectively registered, coded, risk rated and the next inspection date allocated in accordance with the FELCP.

The extent and limitations of officer's authorisations were not defined in all cases.

The Service had not established liaison arrangements with the Internal Temporary Storage Facility (ITSF) based in the area and had not implemented a system of monitoring to ensure manifest checks are carried out on feed imported from third countries.

A procedure to ensure the accuracy and completeness of the database had not been developed. The database was inaccurate in terms of risk scores, next inspection dates and premises subject to earned recognition. This meant that the information used to populate the desktop model for FSA funded official controls was also likely to be inaccurate.

3.0 Audit Findings

3.1 Feed service planning, delivery and review

Implementation of the Agency's annual National Feed Enforcement Priorities (NEPs) document

- 3.1.1 The Authority had developed a Service Plan for 2015/16 that detailed how it would deliver official feed controls within its area and the resources required. The Service Plan gave a general outline of the requirements of the Service Planning Guidance in the Framework Agreement and gave a commitment to deliver National Trading Standards (NTS) co-ordinated work. However, the Service Plan would benefit from greater detail in regard to the Services' annual programme of official controls and how they were to be delivered and a comparison of the FTE's required to deliver official feed controls against those available to the Service. The Service Plan did state that the Service had 0.76 FTE to carry out feed law enforcement duties.
- 3.1.2 The 2015/16 Service Plan included a review of the previous years' Service Plan and stated that NTS funded programmes had been delivered, although information received by the Agency showed a shortfall. This was possibly due to the re-allocation of funding mid-year. Auditors discussed the benefits of including more detail in the review to better reflect the work carried out, detail in year changes to the programme and any improvements identified and implemented.
- 3.1.3 There was no evidence that the Service Plan had been approved by the appropriate Member forum or senior delegated officer.

- 3.1.4 The Service Plan stated that it takes account of the Agency's National Enforcement Priorities document but it did not go into any specific detail as to how this was to be achieved. Auditors were informed that the Lead Officer for feed considers the NEPs document to see how the stated priorities would influence the delivery of the Services' annual programme of official controls and there was clearly a level of awareness of priorities at the higher management levels. However, the Service did not appear to have instigated a structured process or discussion as to how the priorities applied to the Authority or how they were to be effectively implemented. Discussions with officers active in feed law enforcement showed that at this level, there appeared to be less detailed awareness of how the NEPs influenced the day to day execution of their feed law enforcement duties. Auditors discussed the benefits of raising awareness of the NEPs and their importance in the delivery of national feed enforcement objectives with officers.
- 3.1.5 The Service had taken part in the NTS Surplus Food Project which had resulted in the development of a local project to further investigate surplus food being supplied to pig keepers. In addition, the Service intended to sign officers up to undertake the SWERCOTS Primary Production e-learning course.

Recommendation 1 - Service Planning

[The Standard 3.1 & 3.2]

[The National Feed Enforcement Priorities 2016/17]

[The Feed Law Code of Practice 5.1]

Further develop the service delivery plan in accordance with Service Planning Guidance in Chapter 1 of the Framework Agreement to include:

- greater detail in regard to the delivery of the annual interventions programme and NEPs;
- a comparison of the numbers FTE needed to deliver the programme against those available to the Service; and
- greater detail in regard to the review of the previous year's plan.

Submit the service delivery plan for approval to either the relevant member forum, or where appropriate the relevant senior delegated officer.

Effectiveness of the implementation and monitoring of earned recognition for feed establishments

- 3.1.6 There had been limited planned implementation of the scheme for earned recognition for feed establishments, and there was only a partial awareness of how earned recognition could be organised and achieved. For example, a significant number of premises had not been coded as belonging to an FSA approved assurance scheme (FSA AAS) and the Service was unable to fully identify all feed premises subject to earned recognition because the Likelihood of Compliance risk score had not been allocated. Officers were also unaware of the guidance that had been published by ACTSO and the National Agriculture Panel on the implementation of earned recognition. Earned recognition aims to reduce the burden on compliant businesses whilst focussing enforcement activity at those businesses which are less compliant.
- 3.1.7 Although we were advised that a system for the implementation of earned recognition on the database had not yet commenced, the Service had recently made some progress in updating the database records for Type 1 earned recognition i.e. feed establishments that were members of an approved assurance scheme. However, although the Service had access to the Red Tractor Assurance Scheme website and were able to code feed establishments that were members of that scheme, relevant premises risk ratings had not been altered to enable earned recognition to take effect. In addition auditors were unable to verify if the Service had been granted access to the Agricultural Industries Confederation website. Similarly, because of the lack of implementation of earned recognition on the database, the Service had not implemented a system for recognising Type 2 earned recognition which was relevant to those premises that were not members of an FSA AAS, but were broadly compliant.

Recommendation 2 – Earned Recognition

[The New Feed Delivery Model]

[The Feed Law Code of Practice 5.3]

Implement a scheme for earned recognition for feed premises that are members of an FSA approved assurance scheme or broadly compliant in accordance with the NFDM and the Feed Law Code of Practice.

Promotion of the importance of feed hygiene

- 3.1.8 The Service had developed a 'new keeper' pack and carried out training for new farmers, both of which assisted feed business operators and promoted the need for feed premises registration. There were future plans to carry out further new farmer training and auditors were informed that a Facebook page, aimed at disseminating useful information for farmers was under consideration.

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3.2 Competence of Officers

- 3.2.1 The Service had developed a system of annual staff appraisal with mid-term reviews where individual officer training needs could be identified and monitored, including those specific to feed law enforcement. Any training needs identified were incorporated into a Staff Development Plan. Training and development information was collated from the appraisal forms to identify training needs across the Service. To ensure that officers are able to demonstrate the level of competency required for their level of authorisation, the Service maintained a Competency Matrix for each officer. To safeguard competency levels, the Service had implemented a system of documented monthly one to one meetings and as part of the appraisal system, carried out a review to map how the officer had implemented the training and reinforced the knowledge gained. In addition new officers were subject to accompanied inspections.
- 3.2.2 The Service had utilised an authorisation matrix to demonstrate that all officers had been appropriately authorised based on their experience, qualifications and competency. File checks undertaken by auditors confirmed this. Auditors discussed slightly extending the matrix to ensure that officers that had only been authorised for certain parts of individual regulations had the limits of their authorisation fully documented.
- Recommendation 3 – Officer Authorisation**
[The Standard 5.3]

Ensure that where appropriate, officers have limits placed on their level of authorisation in line with their qualifications training and experience.
- 3.2.3 File checks also showed that for the most part, officers had been sufficiently and appropriately trained for feed law enforcement in accordance with their level of authorisation. All officers had received 10 hours annual training based on the principles of continuous professional development, had received HACCP training where appropriate, and general enforcement training. Minor gaps in update training were identified for some officers and these were discussed.
- 3.2.4 Generally officer qualification and training records had been maintained by the Authority and were easily retrievable.
- 3.2.5 We were informed that the Lead Officer for feed kept their knowledge up to date through self-learning, and their duties as moderator for the CTSI DCATS Agriculture written, practical and oral examinations.

- 3.2.6 It was noted that officers had been registered with, and engaged on the Agriculture Community Knowledge Hub forum.

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3.3 Implementation and effectiveness of feed control activities

Inspection

- 3.3.1 The Authority had made some progress in updating the feed register and database by utilising various outside sources for information. However, the Service was not able to demonstrate an overall strategy for dealing with unregistered premises in accordance with the NEPs. In addition checks prior to, and during the audit showed that not all registered feed businesses had been allocated with the correct registration code.

Recommendation 4 – Feed Premises Register

[The Standard 7.2]

[The National Enforcement Priorities 2016/17]

[The Feed Law Code of Practice 2.9]

Ensure that all feed establishments are approved or registered and included in the inspection programme in accordance with the Feed Law Code of Practice and centrally issued guidance. Ensure that all feed establishments are allocated the correct registration code.

- 3.3.2 Feed premises had not been effectively and consistently risk rated and file checks showed that some premises had not been risk rated dating as far back as 2013.
- 3.3.3 The Service had been utilising model template inspection forms developed by the FSA for carrying out feed inspections, although on occasion, officers had used older templates with references to out of date legislation. File checks showed that, on all occasions, a record of inspection had been left with the Feed Business Operator (FeBO) at the conclusion of inspections.
- 3.3.4 Inspections had not been carried out at the minimum frequencies set out in the FELCP. File checks showed that inspections were being carried out at premises that were not due for inspection, and often multiple visits had been carried out in a short space of time at businesses that were members of FSA AAS which should have been subject to a reduced intervention programme due to earned recognition. The Service was utilising the ACTSO National Trading Standards Risk Assessment Scheme. Auditors were informed that the database had been configured to allocate the Likelihood of Compliance (LOC) risk score. However, the database had been configured with the scores from an earlier version of the

ACTSO National Trading Standards Scheme guidance which had since been updated. Auditors discussed the importance of ensuring these scores were updated as soon as possible and the LOC score applied to ensure greater accuracy within the database going forward. Auditors discussed how the Service, in drawing up the intervention programme, and the population of the desktop model, decides upon the most appropriate interventions at feed businesses. Auditors were informed the Service attempted to ensure the annual intervention programme was risk based by the population and analysis of separate Excel spreadsheets.

- 3.3.5 File checks showed that interventions at feed premises had been carried out by appropriately authorised staff and it was clear that effective assessments of the compliance of premises and systems, including HACCP based systems, to legally prescribed standards had been carried out. File checks also showed that the contemporaneous observations of officers had been recorded in detail and records were easily retrievable. However, it was clear officers were not determining the LOC score at the time of inspection.
- 3.3.6 In conclusion, it was clear that due to the lack of allocation of the LOC scores the planned programme of official feed controls was based on the application of significantly flawed information.

Recommendation 5 – Risk Rating

[The Feed Law Code of Practice 5.2 and 5.3]

Ensure that all relevant premises have been correctly risk rated and that the LOC score has been appropriately allocated in all cases. Ensure that a next inspection date has been generated to enable the implementation of earned recognition. Officers should allocate the LOC score at the conclusion of inspections.

- 3.3.7 Although the scope of the audit did not cover Buckinghamshire's database, auditors were provided with inspection and feed register data as part of the pre-visit questionnaire (PVQ). On brief review of this there appeared to be similar anomalies in respect of risk rating, calculation of next inspection dates and implementation of earned recognition. Auditors would encourage the Service to take the opportunity to review the accuracy and consistency of the Buckinghamshire feed data in light of these audit findings. This would also be prudent prior to the merger of the two databases in the near future.

- 3.3.8 The Service was aware of the memorandum of understanding between the National Agriculture Panel and Veterinary Medicines Directorate.

Sampling

- 3.3.9 The Service had developed a documented feed sampling programme co-ordinated regionally, agreed with NTS and compiled with due consideration to NEPs. However, file checks showed that there had been substantial deviation from the agreed sampling programme including the sampling of compound feed from farms which was not in accordance with NEPs. Auditors were informed that a deviation regarding the premise type had been agreed with the Regional Feed Co-Ordinator. However it was also evident that the sample type had changed from feed material to compound feed. It was agreed that the Agency would discuss with NTS, in year changes agreed with local authorities to ensure sampling remained in line with NEPs.

Recommendation 6 – Sampling

[The New Feed Delivery Model]

[National Enforcement Priorities 2015/16]

Ensure that any agreed in-year changes to the regionally co-ordinated feed sampling programme takes into account NEPs. Any deviation from the feed sampling programme and the reasons for the change should be documented.

- 3.3.10 All the samples taken by the Service had returned satisfactory results.

Alternative enforcement

- 3.3.11 The Service had developed and implemented a strategy for Tier 1 alternative enforcement in accordance with the FELCP. AES had been concentrated on R13 and R14 coded premises and entailed the use of a questionnaire sent by post to the FeBO. The questionnaire required the FeBO to answer a series of questions designed to establish if there had been any changes to business operations that would impact on registration activity codes, risk ratings or trigger a higher level intervention. On occasion a similar questionnaire had also been utilised on sampling visits.
- 3.3.12 File checks showed that one R13 farm that had been buying in complete feed only had received unnecessary intervention in a 12 month period, namely an AES Tier 1 intervention. The visit had included a questionnaire being completed on farm and a sample of the complete feed being taken. Subsequently the business received a primary inspection. This was not in accordance with the

implementation of earned recognition as it should have received a reduced frequency of intervention (see Recommendation 2).

Enforcement

- 3.3.13 No feed law enforcement activities had been carried out within the previous two years.

Feed businesses acting as a representative for 3rd country establishments

- 3.3.14 The Service had responsibility for ensuring checks are carried out on feed products entering the UK through Heathrow Airport, and being transferred into an Internal Temporary Storage Facility (ITSF) based in their area. Auditors confirmed that checks had not been undertaken at this facility. Auditors discussed making contact with the management in charge of the ITSF to implement a system of monitoring to ensure that manifest checks are carried out on a regular basis and for the routine exchange of information.

Recommendation 7 – Imported Feed

[The Standard 12.1]

[The Feed Law Code of Practice 5.5]

Establish liaison arrangements with the ITSF based in the area and implement a system of monitoring to ensure manifest checks are carried out and information exchanged in regard to imports of feed from third countries.

- 3.3.15 A number of head offices for businesses importing feed from 3rd countries were based within the area. However none of these businesses stored feed product on the premises. The businesses had been entered on the database and correctly coded. Auditors were informed that during inspections, records would be checked on product types, quantities, traceability, UK/EU point of entry and the final destination if known. File checks showed that the import of feed subject to specific or enhanced control measures had been considered.

Verification Visit to a feed establishment

- 3.3.16 A reality visit was carried out at a local brewery with the officer that had carried out the last visit. The business supplied its spent grain as feed to a local farmer. It was clear from the visit that the officer had a good working relationship with the business, was familiar with the processes involved and had a good knowledge of the relevant legislation. The reality visit further confirmed that the

LOC scores were not determined at the time of inspection (see Recommendation 4).

3.4 Maintenance and management of appropriate feed premises database and records

3.4.1 The Service had not developed a procedure to ensure the accuracy and completeness of the feed premises database.

3.4.2 As highlighted in the findings of the report it was clear the database was inaccurate in terms of risk scores, next inspection dates and premises subject to earned recognition. Checks also showed that there was a discrepancy between the numbers of premises recorded on the Red Tractor website and the numbers held by the Service, and the Agricultural Industries Confederation (AIC) list of assured premises had not been consulted. In addition there was some evidence that historically registration activity codes had not always been appropriately allocated. Auditors were informed that the Service intended to review registration codes and would ensure comparisons were made to the Red Tractor and AIC lists.

Recommendation 8 – Feed Database

[The Standard 11.1.and 11.2]

The Authority should set up, implement and maintain a documented procedure to ensure that its feed database is accurate, reliable and up to date, as the accuracy of such databases is fundamental to service delivery and monitoring, population of the desktop model, as well to accurate reporting of data to the FSA.

This procedure should include measures to regularly review and correct all anomalies in and between FSA AAS status, inspection intervals, level of compliance scores, total risk scores and registration codes referred to in the audit report.

3.4.3 Access to the database was managed by log-in requirements and user privileges. Restrictions are imposed in regard to changing names and addresses but it was unclear if officers had the ability to delete premises. The database was backed up on a daily basis.

3.5 Arrangements for the Lead Officer role for feed

- 3.5.1 The Public Health & Compliance Supervisor carried out the bulk of the day to day feed monitoring activities which was overseen by the Lead Officer for feed. The Public Health & Compliance Supervisor was also the nominated deputy for the Lead Officer for feed.
- 3.5.2 The Service did not have a documented procedure for the monitoring of feed law enforcement. However, to ensure consistency in the delivery of official controls a number of monitoring activities were being carried out including aide memoir checks, monthly one to one meetings, team meetings every two months and accompanied inspections for new officers, although these had not always formally recorded. Any enforcement actions, should they be required, would be monitored by the Service's in-house legal team.
- 3.5.3 Quantitative aspects of the Service, including the delivery of the desktop model in relation to interventions and sampling were monitored regular via delivery of the quarterly return to the FSA. Feed service requests and complaints were also monitored for numbers to help inform the demands on the service.

Recommendation 9 – Monitoring Procedure

[The Standard, paragraph 19.1 & 19.2]

The Authority shall set up, maintain and implement a documented internal monitoring procedure for the feed service to verify its conformance with the Standard, relevant legislation, Code of Practice, NFDM and other centrally issued guidance.

This procedure should include the monitoring of inspection paperwork, including risk rating determination and update, and inspection data entry by feed officers.

Records of all internal monitoring, including shadowed inspection visits, should be made and kept for at least 2 years.

- 3.5.4 No inter authority audits or peer review exercises had been carried out in the last two years.
- 3.5.5 The Lead Feed Officer understood the importance of consistent delivery of official controls within the authority and between other competent authorities

regionally and nationally. The role of Home Authorities and Primary Authorities in co-ordinating the delivery of official controls was also fully understood.

- 3.5.6 Generally the Feed Lead had effective liaison arrangements in place with the Regional Feed Lead and Regional Feed Coordinator. New guidance and NAP updates were reportedly e-mailed directly to feed officers by the Feed Lead and discussed at team meetings where appropriate. The Feed Lead was registered and engaged on the Knowledge Hub.
- 3.5.7 The Lead Officer received detailed minutes of the Trading Standards South East (TSSE) Feed Sub-Group meetings from the Regional Feed Lead. In addition, although the Lead Officer had not recently attended the regional sub-group meetings, a representative of the Service had attended, and provided an overview of the highlights of the meeting. The Lead Officer informed auditors that they receive regular e-mails from the Regional Feed Lead on points of interest such as regional training needs and opportunities for equipment sharing.

3.6 Arrangements for the Regional Lead role for feed

- 3.6.1 The Lead Officer is supportive of the role of the Regional Feed Lead. The officer believes that the regionalisation of fund allocation has been a positive step in ensuring funding bids are submitted within agreed timescales and achieving consistency and minimising discrepancies in funding submissions.
- 3.6.2 The Lead Officer reported that in regard to the collation and submission of the desktop model and quarterly returns, most of the co-ordination and communication was through the Regional Co-ordinator. This was operating effectively.
- 3.6.3 The Lead Officer reported that the Regional Feed Lead had been proactive in disseminating feed related information by e-mail and was active on the Knowledge Hub sharing technical advice, best practice and responding to concerns about consistency. The Regional Feed Lead had established an agreed approach to regional meetings and how communication across the region would be carried out.
- 3.6.4 There was evidence that the Regional Feed Lead had been proactive in supporting the timely submission of results for nationally co-ordinated NTS projects e.g. the surplus food project and for the timely return of feedback requested by the Feed Governance Group and/or NAP.
- 3.6.5 In addition the Regional Feed Lead had recently contacted the Lead Officer to discuss development of a regional feed training programme and promoting e-learning courses.

3.7 Accuracy and delivery of official feed reports to the Agency

- 3.7.1 The Service did not have any documented procedures for assessing the accuracy of official feed reports to the Agency. In practice, annual feed returns were subject to a number of validation reports, whilst NTS returns were checked manually to ensure data was in the correct fields. UKFSS submission codes were checked before they were sent to the Public Analyst and generally error messages were given if the incorrect fields were filled in.
- 3.7.2 In regard to the annual feed returns, the lack of written warnings was discussed. It was agreed that the anomaly was caused by officers misinterpreting the FSA's definition of a written warning as any legislative non-compliance brought to a FeBOs attention in writing.
- 3.7.3 As discussed earlier in the report, the NTS annual desktop exercise had not been completed accurately due to the non-allocation of risk scores by officers at the time of inspection. The NTS quarterly monitoring return was accurate and the Service had carried out the work as reported. Recommendations for addressing database anomalies and internal monitoring have been made earlier in this report, with a view to ensuring the validity of official reports to the FSA in future.
- 3.7.4 The Service reported difficulty in ensuring that data had been entered in the correct fields on the NTS desktop model as it was felt that the layout was not user friendly. There were no technical issues with the uploading and submission of the returns.
- 3.7.5 Checks on the UKFSS return showed that this had been filed accurately.

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Technical Advisor: Julie Benson

Food Standards Agency
Regulatory Delivery Division

ANNEX A - Action Plan for Buckinghamshire and Surrey County Council Trading Standards Service

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ANNEX B - Audit Approach/Methodology

Audit resource was targeted at the key risk areas. We examined any relevant records, instructions, documents, and evaluated procedures and outcomes. We also conducted appropriate audit testing to form an opinion on the controls in place.

The approach consisted of desktop reviews of information requested from the LA in a pre-visit questionnaire, and a 3 day onsite audit consisting of:

- Examination of plans, policies and procedures.
- Examination of file records.
- Review of database records
- Interviews with local authority officers - opinions and views raised during officer interviews remain confidential and are not referred to directly within the report.
- On-site verification check:
A visit to a local brewery was carried out as part of the audit. The purpose of the visit was to assess the effectiveness of the officer's evaluation of the compliance of the feed business with legislative requirements.

ANNEX C - Glossary

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| Agricultural Analyst | A person, holding the prescribed qualifications, who is formally appointed by a local authority to analyse feed samples. |
| Authorised officer | A suitably qualified and competent officer who is authorised by the local authority to act on its behalf in, for example, the enforcement of food and feed law. |
| Feed Law Code of Practice | Government Code of Practice issued under regulation 6 of the Official Feed and Food Controls Regulations 2009 as guidance to local authorities on the execution and enforcement of feed law. |
| County Council | A local authority whose geographical area corresponds to the county and whose responsibilities include food standards, food hygiene at the level of primary production and feeding stuffs enforcement. |
| Defra | The Department for Environment, Food and Rural Affairs. The Government Department designated as the central competent authority for products of animal origin in England. |
| District Council | A local authority of a smaller geographical area and situated within a County Council whose responsibilities include food hygiene enforcement. |
| Environmental Health Officer (EHO) | Officer employed by the local authority to enforce food safety legislation. |
| FNAO | Feed not of animal origin. Products that do not fall under the requirements of the veterinary control regime. |
| The DG Health and Food Safety - Audit and Analysis | Part of the European Commission, formerly known as the Food and Veterinary Office (FVO). |
| Feed Law Enforcement | Government Code of Practice issued under the |

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| Code of Practice | Official Feed and Food Control Regulations 2009. |
| Feeding stuffs | Term used in legislation meaning feed, including additives and pet food, whether processed, partially processed or unprocessed, intended to be used for oral feeding to animals. |
| Food/feed hygiene | The legal requirements covering the measures and conditions necessary to control hazards to ensure fitness for human consumption of a foodstuff/animal consumption of a feed, taking into account its intended use. |
| Food/Feed standards | The legal requirements covering the quality, composition, labelling, presentation and advertising of food/feed |
| Framework Agreement | <p>The Framework Agreement consists of:</p> <ul style="list-style-type: none"> • Food and Feed Law Enforcement Standard • Service Planning Guidance • Monitoring Scheme • Audit Scheme <p>The Standard and the Service Planning Guidance set out the Agency's expectations on the planning and delivery of food and feed law enforcement.</p> <p>The Monitoring Scheme requires local authorities to submit yearly returns to the Agency on their feed enforcement activities .e. numbers of inspections, samples, prosecutions and notices.</p> <p>Under the Audit Scheme the Food Standards Agency conduct audits of the food and feed law enforcement services of local authorities against the criteria set out in the Standard.</p> |
| Full Time Equivalents (FTE) | A figure which represents that part of an individual officer's time available to a particular role or set of duties. It reflects the fact that individuals may work part-time, or may have other responsibilities within the organisation not related to food and feed |

enforcement.

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| HACCP | Hazard Analysis and Critical Control Point – a feed safety management system used within feed businesses to identify points in the production process where it is critical for food/feed safety that the control measure is carried out correctly, thereby eliminating or reducing the hazard to a safe level. |
| Home Authority | An authority where the relevant decision making base of an enterprise is located and which has taken on the responsibility of advising that business on food and feed safety/ standards issues. Acts as the central contact point for other enforcing authorities' enquiries with regard to that company's food/feed related policies and procedures. |
| Informal samples | Samples that have not been taken in the prescribed manner laid down in Regulation EC. No 152/2009 laying down the methods of sampling and analysis for the official control of feed. |
| Member forum | A local authority forum at which Council Members discuss and make decisions on food law enforcement services. |
| Metropolitan Authority | A local authority normally associated with a large urban conurbation in which the County and District Council functions are combined. |
| New Feed Delivery Model (NFDM) | NFDM is a multi-faceted solution to improve the effectiveness of official feed controls, delivered in partnership with key stakeholders, ensuring timely, appropriate, proportionate and consistent delivery of controls to secure compliance with feed law. |
| Port Health Authority (PHA) | An authority specifically constituted for port health functions including imported food and feed control. |
| Primary Authority | An authority that has formed a formal partnership with a business in accordance with the Regulatory Enforcement and Sanctions Act 2008. |

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| Public Analyst | An officer, holding the prescribed qualifications, who is formally appointed by the local authority to carry out chemical analysis of food and feed samples. |
| RASFF | Rapid alert system for food and feed. The European Union system for alerting port enforcement authorities of food and feed hazards. |
| Risk rating | A system that rates food/feed premises according to risk and determines how frequently those premises should be inspected. |
| Service Plan | A document produced by a local authority setting out their plans on providing and delivering a food/feed Service to the local community. |
| Trading Standards | The Department within a local authority which carries out, amongst other responsibilities, the enforcement of food standards, food hygiene at the level of primary production and feeding stuffs legislation. |
| Trading Standards Officer (TSO) | Officer employed by the local authority who, amongst other responsibilities, may enforce food standards, food hygiene at the level of primary production and feeding stuffs legislation. |
| Unitary Authority | A local authority in which the County and District Council functions are combined, examples being Metropolitan District/Borough Councils, and London Boroughs. A Unitary Authority's responsibilities will include food hygiene (including at the level of primary production), food standards and feeding stuffs enforcement. |

Buckinghamshire and Surrey County Council Trading Standards Service

Audit date: 13-15 July 2016

| TO ADDRESS (RECOMMENDATION INCLUDING STANDARD PARAGRAPH) | BY (DATE) | PLANNED IMPROVEMENTS | ACTION TAKEN TO DATE |
|--|-----------------------------------|---|---|
| <p>Recommendation 1 - Service Planning [The Standard 3.1 & 3.2] [The National Feed Enforcement Priorities 2016/17] [The Feed Law Code of Practice 5.1]</p> <p>Further develop the service delivery plan in accordance with Service Planning Guidance in Chapter 1 of the Framework Agreement to include:</p> <ul style="list-style-type: none"> • greater detail in regard to the delivery of the annual interventions programme and NEPs; • a comparison of the numbers FTE needed to deliver the programme against those available to the Service; and • greater detail in regard to the review of the previous year's plan. <p>Submit the service delivery plan for approval to either the relevant member forum, or where appropriate the relevant senior delegated officer.</p> | End November 2016 for all actions | <p>For the 16/17 Plan we will</p> <p>Give greater detail regarding the delivery of the annual interventions programme and how they relate to the NEPs</p> <p>Indicate the FTE resource required to deliver the programme as indicated by the CoP</p> <p>Produce a more detailed review of the previous years' feed activity</p> | The Plan is on the Management Board agenda for the meeting in November 2016 |

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| <p>Recommendation 2 – Earned Recognition [The New Feed Delivery Model] [The Feed Law Code of Practice 5.3]</p> <p>Implement a scheme for earned recognition for feed premises that are members of an FSA approved assurance scheme or broadly compliant in accordance with the NFDM and the Feed Law Code of Practice.</p> | <p>End December 2016</p> | <p>Globally update Earned Recognition for R13 and R14 Assurance scheme members to reflect AES risk intervention</p> <p>We will globally apply ER to all primary producers (R11, 13 and 14) that are members of an FSA ASS without the need for prior inspection..</p> | <p>The ACTSO Feed risk scheme has been implemented into the Surrey APP database. This includes a risk element for Earned Recognition Adjustment (ERA), according to the ACTSO guidance.</p> <p>Once the Bucks and Surrey APP databases are merged later this year the amended risk scheme will be imposed on Bucks data also and their visits updated.</p> <p>Visits carried out in 16-17 have had the ERA score applied. To ensure accurate ER is applied, remaining premises, with the exception of R11, R13 and R14, will have their ERA once a visit has been carried out and the level of compliance can be accurately determined.</p> <p>Red Tractor membership was recorded on APP, and these have been reviewed again since the audit and the records updated as necessary. Some discrepancies had arisen as the business was still listed on the website, however we had received notification that the business had been removed from/left the scheme and this had been updated on our database.</p> <p>Regular updates are now received from AIC and all membership is recorded on our database.</p> |
| <p>Recommendation 3 – Officer Authorisation [The Standard 5.3]</p> <p>Ensure that where appropriate, officers have limits placed on their level of authorisation in line with their qualifications training and experience.</p> | <p>End December 2016</p> | <p>We will indicate on the matrix the appropriate level of authorisation commensurate with their training and experience</p> | <p>:</p> |

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| <p>Recommendation 4 – Feed Premises Register [The Standard 7.2] [The National Enforcement Priorities 2016/17] [The Feed Law Code of Practice 2.9]</p> <p>Ensure that all feed establishments are approved or registered and included in the inspection programme in accordance with the Feed Law Code of Practice and centrally issued guidance. Ensure that all feed establishments are allocated the correct registration code.</p> | <p>End February 2017 for all actions</p> | <p>Work will continue as indicated</p> <p>Carry out a review to identify areas where feed register/database needs updating.</p> <p>Develop a procedure to ensure that the register/database is continually updated and that regular checks are carried out to ensure its accuracy.</p> <p>Implement procedure.</p> <p>Review procedure to ensure that it is working effectively and properly embedded.</p> | <p>Work is ongoing to continually review feed premises to ensure they are correctly coded, risked and Registration codes applied.</p> <p>Anomalies have been reviewed, in particular those receiving an AES intervention last year to ensure the correct R and A code was recorded</p> |
| <p>Recommendation 5 – Risk Rating [The Feed Law Code of Practice 5.2 and 5.3]</p> <p>Ensure that all relevant premises have been correctly risk rated and that the LOC score has been appropriately allocated in all cases. Ensure that a next inspection date has been generated to enable the implementation of earned recognition. Officers should allocate the LOC score at the conclusion of inspections.</p> | <p>End February 2017 for all actions</p> | <p>We will continue to review the effectiveness of the work already being carried out</p> <p>Update aide memoir with LOC score.</p> <p>Ensure officers are aware of ACTSO Guidance (How is this to be done? Seminar, dissemination? What about consistency training?)</p> <p>Set-up a system to ensure the correct application of LOC scores, etc.</p> <p>Implement system.</p> <p>Review system to ensure correctly operated and properly embedded (as per your Action above)</p> | <p>The AH visit form has been updated to include the ACTSO Likelihood of Compliance (LOC) score for feed, and a reminder to officers of the FSA Approved Feed Assurance schemes so they can indicate appropriate membership. This information is then utilised by the Licensing Officer when inputted on the system to apply the relevant ERA and calculate the next visit date.</p> <p>All officers are aware of the ACTSO guidance on applying compliance scores for risk assessment of feed businesses.</p> <p>Now a complete Feed Risk scheme is in place, once visited all feed premises will have a LOC score and ERA score applied thereby creating an appropriate next visit date.</p> |

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| <p>Recommendation 6 – Sampling [The New Feed Delivery Model] [National Enforcement Priorities 2015/16]</p> <p>Ensure that any agreed in-year changes to the regionally co-ordinated feed sampling programme takes into account NEPs. Any deviation from the feed sampling programme and the reasons for the change should be documented.</p> | March 2017 | <p>We will continue to indicate planned variations</p> <p>Any variations will be considered against the NEPs and the reasons documented.</p> | Any deviations from the sampling plan will be prior agreed with the regional coordinator. |
| <p>Recommendation 7 – Imported Feed [The Standard 12.1] [The Feed Law Code of Practice 5.5]</p> <p>Establish liaison arrangements with the ITSF based in the area and implement a system of monitoring to ensure manifest checks are carried out and information exchanged in regard to imports of feed from third countries.</p> | End December 2016 | Will liaise with the ITSF to determine the frequency of imported feed and develop a plan for checking feed. | <p>A return was made to TSSE on September 16th indicating the relevant feed businesses</p> <p>Contact has also been made with Southampton with regard to better information provision relating to imports through Southampton for businesses based in the joint service area</p> |
| <p>Recommendation 8 – Feed Database [The Standard 11.1.and 11.2]</p> <p>The Authority should set up, implement and maintain a documented procedure to ensure that its feed database is accurate, reliable and up to date, as the accuracy of such databases is fundamental to service delivery and monitoring, population of the desktop model, as well to accurate reporting of data to the FSA.</p> <p>This procedure should include measures to regularly review and correct all anomalies in and between FSA AAS status, inspection intervals, level of compliance scores, total risk scores and registration codes referred to in the audit report.</p> | End December 2016 for all actions | <p>Procedure to be developed to confirm the work already carried out.</p> <p>If feed business becomes an Assurance Scheme member, or leaves a scheme their ERA and LOC visit risk score will be updated to reflect the new risk score. Procedure to be updated to reflect this.</p> <p>See recommendation 4 above. This system could possibly be combined?</p> | <p>Guide previously developed on the accurate recording of Feed business on APP.</p> <p>When visits entered on APP the data is checked and updated as necessary.</p> <p>Notifications from Red Tractor and AIC received regularly and database checks carried out to update the Assurance scheme membership details on APP.</p> |

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| <p>Recommendation 9 – Monitoring Procedure [The Standard, paragraph 19.1 & 19.2]</p> <p>The Authority shall set up, maintain and implement a documented internal monitoring procedure for the feed service to verify its conformance with the Standard, relevant legislation, Code of Practice, NFDM and other centrally issued guidance.</p> <p>This procedure should include the monitoring of inspection paperwork, including risk rating determination and update, and inspection data entry by feed officers.</p> <p>Records of all internal monitoring, including shadowed inspection visits, should be made and kept for at least 2 years.</p> | <p>End December 2016 for all actions</p> | <p>We will produce a procedure that will require the review of inspection paperwork, risk rating determination and data entry on a regular basis</p> <p>The 121 meetings and appraisal process will indicate effectiveness of the work done</p> <p>Ensure the procedure is implemented.</p> <p>Review procedure to ensure working effectively and embedded.</p> | |
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