

# **Report to Safer, Cleaner, Greener Scrutiny Standing Panel**

**Date of meeting: 6 January 2011**

**Subject: Food Standards Agency Audit Report**

**Officer contact for further information: John Gilbert/Jim Nolan**

**Committee Secretary: Adrian Hendry**

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## **Recommendations:**

- (1) To note the referral to this Panel from the Audit and Governance Committee;**
- (2) To note that all the required actions have been completed; and**
- (3) To report back once the Food Standards Agency has undertaken its follow up audit.**

## **Report:**

(1) The Food Standards Agency (FSA) has the responsibility, amongst other things, for carrying out audits of local authority food enforcement services as part of its remit to improve consumer protection and confidence in relation to food. The FSA undertook an inspection of the Council's service over the period 2 to 3 March 2010 and their final report was published on 27 July 2010.

(2) Following the audit an action plan was agreed with the FSA which would address the issues raised. A report was prepared for the Audit and Governance Committee which outlined the progress against the action plan, this was presented to their September meeting. The Audit and Governance Committee felt that the matter should only be considered by them if there had been a failure to make progress against the action plan and that the routine consideration of the FSA report should be undertaken by this standing panel.

(3) The FSA report set out their findings and together with the council produced a detailed action plan to deal with the identified shortcomings.

(4) The findings of the report are disappointing in relation to procedural shortcomings but there are no major criticisms of the effectiveness of the actual inspections and investigations carried out by the Council's Food Team. The audit report essentially states that professional officers were doing a good job in terms of undertaking inspections, but that the systems in place for recording inspections and ensuring that data on all food businesses was current and accurate were not up to the required standard. The exception to the officer position relates to the Public Health Team Leader, where the audit report makes specific reference to the fact that professional competencies had not been maintained through continuing professional development.

(5) The report sets out 19 recommendations which have been transposed into the action plan. This has now been populated with the actions taken to date and is attached as an appendix to this report.

(6) There are no resource implications identified at this time. All additional training etc required and changes to systems will be met from within existing Directorate budgets. Despite the comments of the FSA, the Council provided and continues to provide a food law enforcement service which meets the Council's statutory duties. The key element of actual

inspection, which is the primary means of ensuring public safety and confidence, was not criticised by the auditors.

(7) The failure to adequately record some inspection details and more crucially whether a food premises was caught by specific European Law were potentially damaging to the Council's reputation, but at no time were consumers put at any risk through this shortcoming. The fact that the Team Leader did not ensure that their professional competences were current was also potentially damaging to the Council's reputation, especially if a legal process or Court action had been prejudiced in some way.

(8) Since the inspection took place significant progress has been made in addressing the requirements of the action plan and all are now complete. The FSA have indicated that they will review progress approximately six months after publication of the report, i.e. early 2011. It is proposed to report back to the Panel with the outcome of the FSA review audit.