

**CYNGOR SIR POWYS COUNTY COUNCIL.**

**PORTFOLIO HOLDER DELEGATED DECISION**

**June 2019**

**REPORT AUTHOR: County Councillor James Evans  
Portfolio Holder for Corporate Governance, Housing and  
Public Protection**

**SUBJECT: Food Standards Agency Focused Audit of Local  
Authority Implementation of the Statutory Food Hygiene  
Rating Scheme in Wales**

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**REPORT FOR: INFORMATION**

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**1. Summary**

1.1 To review the findings as they relate to Powys County Council following the publication of the Food Standards Agency report regarding the All Wales Focused audit of the Food Hygiene Rating Scheme.

**2. Proposal**

**2.1** The Food Standards Agency (FSA) is an independent food safety watchdog set up by an Act of Parliament in 2000 to protect the public's health and consumer interests in relation to food. The FSA provides advice and information to the public and Government on food safety from farm to fork, nutrition and diet. It also protects consumers through effective food enforcement and monitoring.

**2.2** Audits of local authorities' food law enforcement services are part of the FSA's arrangements to improve consumer protection and confidence in relation to food. The FSA's local authority audit scheme, which was launched in 2001, is the process by which the Agency conducts a qualitative assessment of local authority performance.

**2.3** Local Authorities are audited against the Food Law Enforcement Standard in a Framework Agreement, which sets out minimum standards of performance expected from local authorities across the full range of their food law enforcement activities. The assessment includes the local authority arrangements in place for inspections of food businesses and foodstuffs, internal management etc.

2.4 The Food Standards Agency requested submissions of evidence from all Welsh Local Authorities in September 2017. This information was for specific data relating to the operation of the food hygiene rating scheme during the previous three years as well as policies, procedures and documents such as food law enforcement service plans which related to the Food Hygiene Rating Scheme.

2.5 Following collation of the data from across Wales, a report was produced and published in April 2019 by the Food Standards Agency Wales. Attached as Appendix A.

2.6 The service has worked through the 13 recommendations highlighted within the report and produced an action plan to address the items requiring attention in Powys. This is attached at Appendix B.

### **3. Options Considered / Available**

3.1 The options available would be to

a) To note the contents of the report and the items requiring attention from the recommendations as they relate to Powys County Council and to approve the Action Plan in Appendix B.

### **4. Preferred Choice and Reasons**

4.1 That the report be noted and the Action Plan in Appendix B is approved and adopted.

### **5. Impact Assessment**

5.1 Is an impact assessment required? No

### **6. Corporate Improvement Plan**

6.1 Food Safety contributes in a cross cutting manner to various aspects of Vision 2025 and the audit and action plan serve to build on this.

### **7. Local Member(s)**

7.1 The proposal would apply with equal force across the whole County

**8. Other Front Line Services**

Does the recommendation impact on other services run by the Council or on behalf of the Council? No

**9. Communications**

Have Communications seen a copy of this report? Yes

Comment: Report is for information and does not require proactive communication action at this stage

**10. Support Services (Legal, Finance, Corporate Property, HR, ICT, Business Services)**

10.1 Legal- The Principal Solicitor (Shire) generally supports the content of the report, subject to the concern flagged up by the Finance Manager. However bearing in mind that the category of premises concerned (“E”) are of a lower risk and that the FSA are aware of the position, the proposed “Action Planned” is a proportionate response.

10.2 Finance –.The Finance Manager notes the contents of the report, the service highlights within the appendix that it currently bids for one off extra monies to carry out some of the required actions of the FSA, as the level of base budget the service has is not sufficient, this is not a sustainable position. The service are currently reviewing workloads and will table a further report following the review, if it is not possible to undertake the required actions of the FSA within existing resources.

**11. Scrutiny**

Has this report been scrutinised? No

**12. Data Protection**

If the proposal involves the processing of personal data then the Data Protection Officer must be consulted and their comments set out below.

**13. Statutory Officers**

The Head of Finance (Section 151 Officer) notes the comments of the Finance Manager. If the additional funding is not secured or the current budget is insufficient to deliver the actions included in the plan,

then the plan will need to be reviewed, or resources identified from other areas of the service budget.

The Solicitor to the Council (Monitoring Officer ) commented as follows :  
 “ I note the legal comments and have nothing to add to the report.”

**14. Members’ Interests**

The Monitoring Officer is not aware of any specific interests that may arise in relation to this report. If the Portfolio Holder has an interest, he/ she should declare it, complete the relevant notification for and refer the matter to Cabinet for decision.

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
<b>To note the outcome of the Food Standards Agency focussed audit and approve and adopt the actions required as a result detailed at Appendix B.</b>	<b>To ensure compliance with Food Standards Agency requirements</b>

<b>Relevant Policy (ies):</b>	
<b>Within Policy:</b>	<b>Y</b>
<b>Within Budget:</b>	<b>Y</b>

<b>Relevant Local Member(s):</b>	<b>N/A</b>
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<b>Person(s) To Implement Decision:</b>	<b>B Cadwallader</b>
<b>Date By When Decision To Be Implemented:</b>	<b>With immediate effect</b>

<b>Is a review of the impact of the decision required?</b>	<b>NO</b>
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**Background Papers used to prepare Report:**  
**Food Standards Agency Wales - Focused Audit of Local Authority Implementation and Operation of the Statutory Food Hygiene Rating Scheme in Wales.**

<http://fsa.riams.org/connected/jrTCREwkPU>