

**TORFAEN
COUNTY
BOROUGH**



**BWRDEISTREF
SIROL
TORFAEN**

**Public
Protection**

Food and Feed Law Enforcement Service Plan 2024/25



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Introduction

Local authorities have a duty to enforce food and animal feed safety and standards legislation, and to produce an annual service plan, setting out the arrangements in place to discharge this duty, in accordance with the Food Standards Agency's (FSAs) *Framework Agreement on Official Feed and Food Controls by Local Authorities*. This Food and Feed Law Enforcement Service Plan (the Plan) has been produced in response to that requirement, and is designed to inform the public, business community and other interested parties of the arrangements Torfaen County Borough Council has in place to regulate food and feed safety. It also demonstrates how these activities contribute to and support the [Council's County Plan](#).

This Plan sets out how the Council will ensure food and feed produced, sold, stored, distributed, and consumed in Torfaen is safe, what it says it is, and that businesses comply with food and feed law. Officers in Public Protection provide advice, education and guidance on what the law requires, conduct interventions, investigations, sampling, and take enforcement action to secure compliance, where appropriate.

Following the withdrawal of the [FSA's Local Authority Recovery Roadmap](#) on 31 March 2023, the Council has returned to pre-pandemic levels of service (i.e. business as usual). During this time, food standards interventions exceeded expectations and food hygiene interventions were completed at the highest risk businesses. Progress continues to be made, through use of the flexibilities within the Food Law Code of Practice, to catch up on the backlog of lower risk businesses overdue a food hygiene intervention, which fell outside the scope of the recovery plan. Our intention in 2024-25 is to return these businesses to their normal intervention frequencies, bringing them in alignment with the requirements of the Food Law Code of Practice and our normal performance expectations.

Whilst the food industry has also returned to business as usual, the Council remain acutely aware of the challenges that they still face in terms of the implications of EU Exit, cost of living, increased food prices, energy costs and recruitment. We also recognise that the industry has rapidly evolved during the pandemic, with the growth of online food sales, which pose additional challenges to our service.

Following the Covid-19 pandemic, an overall reduction in food business compliance was observed

by officers, resulting in inspections taking longer, with more follow up action being required. Trends in food business compliance are being closely monitored to identify any resource implications.

Officers will support businesses wishing to export goods and continue to work collaboratively with local authorities in Gwent and across Wales.

The Council's Head of Public Protection and Environment is the strategic lead for the Directors of Public Protection in Wales (DPPW) on food and feed matters and is a member of the Wales Feed Governance Group and the Chartered Institute of Environmental Health (CIEH) Food Advisory Panel.

Adopting a proportionate, consistent and risk-based approach to enforcement, the Council remains committed to providing the greatest possible protection for consumers and to supporting food and feed businesses in Torfaen to thrive.



Councillor Mandy Owen
Executive Member for Environment

1. Service Aims and Objectives

1.1 Aims and Objectives

The aim of the food and feed law enforcement service in Torfaen is:

To protect public and animal health by ensuring food and feed produced, sold, stored, distributed, and consumed in Torfaen is safe, labelled and described correctly, and that food businesses comply with food and feed law.

The service will implement the following objectives and actions to achieve the aim:

Objective 1

Improve food and feed safety and levels of compliance with food and feed law, and contribute to reducing the risk of foodborne illness, through the delivery of a programme of proactive interventions in Torfaen food businesses.

Actions to achieve objective 1:

- 1a Implement risk-based intervention programmes for food hygiene, food standards and feed
- 1b Implement microbiological and compositional food sampling plans, to verify compositional standards and health claims

Objective 2

Improve food and feed safety and levels of compliance with food and feed law, and contribute to a reduction in foodborne illness, through the delivery of reactive interventions relating to food safety, food standards and feed.

Actions to achieve objective 2:

- 2a Investigate complaints and service requests relating to food and feed safety and standards in accordance with internal procedures
- 2b Investigate cases and outbreaks of foodborne illness in accordance with Public Health Wales guidance and act as necessary to prevent further spread in the community
- 2c Initiate and respond to food and feed incidents and alerts, liaising with the FSA and other stakeholders as necessary to protect public health

- 2d Work with partner agencies where there is local intelligence indicating potential food fraud activities or organised crime, and notify the FSA's National Food Crime Unit as appropriate.

Objective 3

Support and educate businesses to help them improve food and feed safety standards

Actions to achieve objective 3:

- 3a Provide targeted advice to food and feed businesses on request, and in the case of events, to participating businesses through Torfaen's Event Safety Advisory Group
- 3b Support national food and feed safety awareness campaigns on social media
- 3c Maintain a level playing field for honest and diligent businesses by taking action to deal with unscrupulous food and feed businesses, and rogue traders.

Objective 4

Raise awareness of the service, local and national food and feed safety issues, including hygiene standards in Torfaen food businesses, enabling consumers to make informed choices about where they eat and purchase food

Actions to achieve objective 4:

- 4a Issue Torfaen food businesses with food hygiene ratings for display on their premises and upload ratings data to the FSA website for publication in accordance with requirements of the statutory Food Hygiene Rating Scheme
- 4b Socialise food and feed alerts issued by the FSA as appropriate in local press and on social media
- 4c Provide consumers, businesses, and elected members with information about food and feed services.

Objective 5

Provide a consistent approach to food and feed regulation

Actions to achieve objective 5

- 5a Deliver food and feed law enforcement services in accordance with the standard set out in the *Framework Agreement on Official Feed and Food Controls by Local Authorities*
- 5b Deliver food and feed services having regard to the FSA's [Food and Feed Law Codes of Practice](#) and other official guidance, including industry guides
- 5c Produce timely data and information to the FSA about food and feed services as required
- 5d Ensure any actions identified following FSA audits are completed
- 5e Ensure officers delivering food and feed law enforcement services maintain, and where necessary, develop their competencies, meeting continual professional development (CPD) requirements set out in the *Food and Feed Law Codes of Practice*
- 5f Provide representation at local authority liaison groups, including their sub-groups and participate in national, regional and local consistency exercises as appropriate
- 5g Take a proportionate approach to enforcement in accordance with the Council's [Enforcement and Compliance Policy](#).

1.2 Links to Future Torfaen: A County Plan

In December 2022, the Council adopted [Future Torfaen: A County Plan 2022- 2027](#), which highlights our ambitions between 2022 and 2027. It also sets out key delivery activities each year that will help teams and services achieve those ambitions.

It identifies four key themes, which underpin nine key priorities. The themes are wellbeing, connectivity, sustainability, and culture and heritage. The key priorities or wellbeing objectives are:

- We will raise educational attainment, helping young people and adults to gain the qualifications and skills needed to lead positive lives.
- We will encourage and champion children, young people and families so they can thrive.
- We will tackle inequality by focusing on early identification and prevention activities that support people to live independent and fulfilling lives.
- We will make Torfaen more sustainable by connecting people and communities, socially, digitally and physically.

- We will respond to the climate and nature emergencies, recycle more and make improvements to the local environment.
- We will make Torfaen a great place to do business by working with local employers, encouraging new business start-ups and entrepreneurial activities.
- We will support and promote healthier lifestyles in Torfaen to improve mental and physical well-being.
- We will support our local culture and heritage and make Torfaen a thriving, safe and attractive place to live and visit.
- We will provide efficient customer focused services that reflect the way people live their lives and wish to access services.

In supporting and promoting healthier lifestyles in Torfaen to improve mental and physical wellbeing, the following four delivery activities have been set for food and feed inspections and interventions: -

Food Hygiene

- We will carry out food hygiene inspections of food establishments and take appropriate enforcement action where non-compliances are identified to ensure food is safe.
- We will issue food hygiene ratings following inspections to empower consumers to make informed choices about where they purchase food and to incentivise businesses to improve food safety standards.

Food Standards

- We will carry out food standards inspections of food establishments to ensure food is safe and what it says it is.

Feed

- We will carry out feed inspections of feed establishments to ensure animal feed is safe and what it says it is

2. Background

2.1 Area Profile

Torfaen County Borough Council is a unitary local authority in South-East Wales, covering an area of 126km² (49 sq miles). It is one of five authorities in Gwent and is bordered by the county of Monmouthshire to the east, the city of Newport to the south, and the county boroughs of Caerphilly and Blaenau Gwent to the south-west and north-west respectively. It has three urban centres, Pontypool, Cwmbran and Blaenavon, with a total population of around 93,000. Much of the southern part of the county borough around Cwmbran is extensively urban. The north of the county borough is greener and retains extensive areas of countryside, especially on the route to Blaenavon.



The administrative centre is located in Pontypool in the middle of the county borough. The majority of the administration of Torfaen County Borough Council is conducted from Pontypool Civic Centre. The Torfaen area is dominated by the new town of Cwmbran, which has a good mix of housing, light industry and retail areas, including a large and expanding regional shopping centre.



The towns of Pontypool and Blaenavon are older and are subject to various improvement strategies, although some areas in these towns have high levels of deprivation and ill-health. The former coalmining and ironworking town of Blaenavon in the northern part of the county borough is now a recognised UNESCO World Heritage Site, and consequently this area is attracting new investment.

Torfaen has a thriving catering and retail sector, and excellent road links mean that a number of local and national manufacturers have chosen to be based in the borough. The size and topography of the area means that there is little farming activity.

On 1 April 2024, there were 768 food establishments in the borough. However, this number changes regularly as businesses fold, change ownership and new businesses start up.

2.2 Organisational Structure

2.2.1 Council Structure

The Council has a Cabinet-style structure, comprising the Leader and Executive Members. The Executive Member for Environment, which includes Public Protection, has responsibility for food and feed services.

The Council's [Constitution](#) sets out arrangements for the discharge of functions and decision making through a scheme of delegation. Food and feed activities, including inspection and enforcement are delegated to suitably competent, authorised officers.

2.2.2 Directorate Structure

The Public Protection service sits within the Council's Economy and Environment Directorate. Food hygiene services are provided by the Food and Health Protection Team, with food standards and feed services being delivered by the Trading Standards Team.

Structure diagram showing full time equivalent (FTE) professional officers allocated to food and feed: -



Total resources allocated for the delivery of food hygiene controls are 4.15 FTEs

Total resources allocated to food standards and feed are 1.25 FTEs

2.2.3 External Services

Chemical and physical analysis of feed and foodstuffs:

The Council has appointed Mr. Alastair Low of Minton, Treharne & Davies Ltd, Laboratories Division, Forest Farm Industrial Estate, Longwood Drive, Coryton, Cardiff, CF14 7HY to act as:

- Public Analyst, as required by Section 27 of the Food Safety Act 1990; and
- Agricultural Analyst, as required by Section 67 of the Agriculture Act 1970;

Food Examiners for microbiological examination of feed and foodstuffs and faecal samples:

Public Health Wales – Cardiff Laboratory based at Llandough Hospital for food and environmental samples and University of Wales Hospital, Cardiff for faecal samples.

2.3 Scope of Feed and Food Services

Torfaen County Borough Council is designated as a food authority under the Food Safety Act 1990.

The Council's Food and Health Protection and Trading Standards teams in Public Protection are responsible for the delivery of food hygiene, food standards and feed services, as well as the control of infectious diseases.

Work activities include:

- Maintaining a register of food and feed business establishments
- Carrying out risk-based interventions at food and feed businesses to verify compliance with food hygiene, food standards and feed legislation in accordance with the Food and Feed Law Codes of Practice
- Approval and inspection of food businesses handling food of animal origin within scope of assimilated Regulation (EC) No. 853/2004 and approval of relevant feed businesses
- Investigating complaints about food, feed and hygiene of food and feed establishments
- Microbiological food and environmental sampling
- Food and feed sampling to verify compliance with compositional and labelling requirements
- Provision of advice to businesses and consumers on food and feed issues
- Investigating cases and outbreaks of communicable disease, including food poisoning, food-borne disease, and other relevant infections

- Responding to food and feed incidents and alerts, and working with other interested parties to investigate food fraud or organised food crime
- Implementing the statutory Food Hygiene Rating Scheme
- Delivering imported food and feed controls as an inland authority through sampling, inspection, and enforcement
- Issuing Export Health Certificates (EHCs) to businesses exporting certain foods
- Responding to planning, licensing, and Event Safety Advisory Group applications/consultations in relation to food premises and related food activities

2.4 Demands on Food and Feed Services

2.4.1 Food

As of 1 April 2024, there were 768 food businesses subject to regulatory controls located in Torfaen. The profile of these businesses is set out below and highlights catering and retail as the dominant sectors. Food Business Operators (FBOs) must register their businesses with the Council, except where the establishment requires approval. Seven establishments are approved out of the 768 identified food businesses, with an additional two applications for approval already received in 2024/25.

Food Business Profile by Premises Category - 1 April 2024	
Type of premises (by FSA category)	Number
Primary Producers	0
Manufacturers and Packers	14
Importers/Exporters	1
Distributors/Transporters	10
Retailers (including Supermarket/Hypermarket, Smaller Retailers)	190
Caterers: (including Restaurants & Cafés, Hotels & Guesthouses, Takeaways, Pubs & Clubs, Businesses providing care, Schools & Colleges, Mobile food businesses & other caterers)	553*
Total	768

* Including 4 external traders

Food Hygiene Premises Profile by Risk Rating - 1 April 2024

Premises Rating Category	Number
A	3
B	39
C	303
D	89
E	313
Unrated	17
Outside risk rating scheme	4
Total	768

Food Standards Premises Profile by Risk Rating - 1 April 2024

Premises Rating Category	Number
A	1
B	167
C	564
Unrated	40
Outside risk rating scheme	0
Total	772

Under assimilated Regulation (EC) No. 853/2004 relating to the production, handling, and storage of Products of Animal Origin (POAO), there are currently seven approved establishments operating in Torfaen. The range of activities consist of:

Approved Establishments - 1 April 2024

Establishment type	Number
Cold store	2
Re-wrapping and/or re-packaging establishment	3
Minced meat and meat preparations	2
Meat products	2
Fishery products	3

Dairy products	3
Egg and egg products	2
Total	17*

*It should be noted that some establishments are approved for more than one activity

2.4.2 Feed

The service is responsible for the enforcement of animal feed legislation controlling feed quality, safety, hygiene, labelling and traceability throughout the feed chain, including importation, manufacturing, and primary production (feeding of farmed livestock and growing crops). These controls help ensure the safety of the feed and food chain. Historically, most major animal disease outbreaks such as BSE and Foot and Mouth have been linked to animal feed. Likewise, major food incidents, such as dioxins in pork have been linked to contaminated animal feed.

As of 1 April 2024, there were 270 feed businesses subject to regulatory controls in Torfaen. The profile of these businesses is set out below:

Feed Establishments - 1 April 2024	
Establishment type	Number
Manufacturer (A01-08 and R01-04)	1
Co product producer (R12)	5
Mobile mixer (R04)	0
Importers	0
Stores (R09)	0
Distributors (A01-08, R01-03 & R05)	5
Transporter (R08)	0
On farm mixer (R11)	0
Pet food manufacturer (R06)	1
Supplier of surplus food (R07)	8
Livestock farms (R13)	249
Arable farms (R14)	1
Total	270

In March 2023, the FSA published the following National Enforcement Priorities for animal feed enforcement services, which officers will have regard to:

- Verification of effective implementation and maintenance of feed safety management systems
 - a:** Verification at all feed business types
 - b:** Verification at co-producers and businesses supplying former foodstuffs
- Verification of effective implementation and maintenance of feed safety management systems at businesses supplying former foodstuffs or co-products
- Effective monitoring of feed on farms
 - a: Examination of former foodstuffs / co-products being used for feed on farms
 - b: Effective monitoring of pest control procedures
 - c: On-farm record keeping requirements and documented procedures
- Effective monitoring of storage arrangements at feed premises
- Verification of feed labelling
- Effective monitoring of consignments of feed originating from non-EU countries, at points of entry

2.4.3 External Demands on Services

Increased enforcement

Officers observed an overall decline in business compliance with food hygiene legislation post pandemic, placing additional demands on resources. An indicator of the reduction in compliance encountered is the number of businesses who are considered broadly compliant with food safety law. Broad compliance is defined as having a food hygiene rating of 3 or better. The level of food business compliance increased in 2023/24 from 94.7% to 95.68%, through officer interventions to secure the necessary improvements.

Furthermore, in 2023/24: -

- a. 3 businesses were successfully prosecuted for food hygiene offences
- b. 2 businesses accepted a Simple Caution for food hygiene offences
- c. 2 businesses voluntarily closed
- d. a total of 17 Hygiene Improvement Notices were served on 8 businesses
- e. 1 business was issued with a Remedial Action Notice to restrict operations

New officers developing competencies

Newer officers continue to develop their competencies to undertake food hygiene official controls, with authorisations commensurate to their competency, which means they cannot undertake the full range of duties. All officers employed to undertake food hygiene official controls in 2023 have been assessed by the lead food officer for food hygiene and are considered competent to carry out their food duties.

Out of hours working

Food business interventions are generally undertaken during office hours. However, an increasing number of food businesses, such as takeaways, only open in the evenings, so both teams must work flexibly to meet the demands of the service.

New businesses

The number of registered food businesses fluctuates because of new businesses opening for trade, existing businesses which cease trading, and businesses where there is a change in ownership, management and/or food activities. All new food businesses need to be inspected to assess compliance with food law and receive a food hygiene rating. It is always difficult to predict the number of new businesses that will commence trading. Based on recent years, there continues to be a significant increase in the number of new businesses registering with the Council. This impacts other areas of programmed work carried out by food hygiene and food standards officers. As of 1 April 2024, there were 17 newly registered businesses awaiting inspection in respect of food hygiene and 46 for food standards.

Statutory Food Hygiene Rating Scheme (FHRS) safeguards

The FHRS continues to incorporate safeguards to ensure it is fair for businesses. This includes an appeals procedure, a 'right to reply' and a mechanism for requesting a re-inspection or revisit for a re-rating. The additional work these safeguards generate cannot be predicted year on year, although a fee is payable where re-visits are requested. In 2023-24, Torfaen received the following:-

Food Hygiene Rating Scheme (FHRS) safeguards 2023-24

Establishment type	Number
Requests for re-inspections	25
Right to reply	4
Appeals	1

Improved intelligence

Intelligence in relation to local, regional, and national food crime continues to increase the number of requests to work with partner agencies. Again, the impact is difficult to quantify, but it can be significant and affect planned intervention programmes.

Impact of the new molecular diagnostic techniques

Since 2022-23, the Council has seen an increase in the number of Shiga-toxin producing E.coli (O157 and non-O157) cases requiring risk assessment and further investigation due to the introduction of new molecular testing methods in microbiology laboratories. The new (PCR) testing regime is more sensitive than traditional methods, placing an increased demand on the service.

Border controls imported food and feed

In October 2023, the UK Government published the Final Target Operating Model setting out the new regime for imported food and feed products entering the UK. This is likely to impact inland authorities such as Torfaen, who carry out checks on imported food and feed products. It is impossible to quantify the likely impact, but officers will need to be vigilant to ensure imported food and feed does not pose a risk to consumers.

Freedom of Information and Environmental Information requests

Freedom of Information and Environmental Information requests continue to be received by the service, placing increased demands on officers.

FSA transformation programmes

The FSA continue to focus on programmes to modernise how businesses are regulated. The [Operational Transformation Programme](#) and [Achieving Business Compliance](#) (ABC) Programme continue to place added pressure on local authorities to inform this work. Increased requests for data, consultations, and requests to participate in pilots have all added to pressures on already stretched food services across Wales.

2.4.4 Access to Services

Food and Feed services are delivered from:

Civic Centre
Glantorvaen Road
Pontypool
Torfaen
NP4 6YB

Office hours are 9am - 5pm (Mon - Thurs) and 9am - 4.30pm
(Fri) Tel: 01495 762200

Some planned interventions are delivered out of office hours if necessary. The service can be contacted out of office hours, including at weekends, to deal with emergencies only, via the Council's Emergency Duty Manager, who will contact managers in Public Protection.

2.5 Enforcement and Compliance Policy

Fair and effective enforcement is essential to protect the economic, environmental, and social interests of the public and business. Decisions about enforcement action, and in particular, the decision to prosecute can have serious implications for food businesses and individuals. Torfaen's Public Protection service will enforce food and feed legislation, in a proportionate manner, in accordance with the principles of 'Better Regulation' set out in the [Regulators' Code](#).

The Regulators' Code is based upon six broad principles:

- Regulators should carry out their activities in a way that supports those they regulate to comply and grow;
- Regulators should provide straightforward ways to engage with those they regulate and hear their views;
- Regulators should base their regulatory activities on risk;
- Regulators should share information about compliance and risk;
- Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply;

- Regulators should ensure that their approach to their regulatory activities is transparent.
- These principles and the Council's approach to enforcement of food and feed law safety are set out in the Public Protection [Enforcement and Compliance Policy](#). All enforcement action will be taken having regard to this policy. Wherever possible, enforcement activities will be co-ordinated with other enforcement agencies and local authorities.
- The Enforcement and Compliance Policy is supported by formal procedures relating to inspection, sampling, complaint handling, and enforcement.

3. Service Delivery

3.1 Interventions at Food and Feed Establishments

Food Hygiene Interventions

Food hygiene interventions are undertaken to ensure that food businesses are complying with the requirements of food hygiene legislation. Measures and conditions necessary to control hazards and to ensure fitness for human consumption of foodstuffs are assessed.

The following table illustrates the risk ratings of premises, the intervention frequencies, and the total number of food hygiene interventions to be delivered during 2024/25: -

Food Hygiene Intervention Plan 2024-25				
Premises Rating Category	Minimum Intervention Frequency	Date by which premises should have an intervention	Number of premises due an official control	Intervention target
A	6 months	31 March 2025	3	100%
B	12 months	31 March 2025	39	100%
C	18 months	31 March 2025	214	100%
D	24 months	31 March 2025	39	100%
E	36 months	31 March 2025	127**	100%
Unrated	Within 28 days of opening	31 March 2025	17	100%
Total planned food hygiene interventions due in 2024/25			439	100%

*Includes a total of 85 businesses carried forward from 2023/24, consisting of 9 Ds, 69 Es and 9 unrated.

**these premises may be subject to an alternative intervention, which is not classed as an official control.

Additional Interventions

In addition to the 439 planned interventions detailed in the table above, it is estimated, based on previous years' data, around 300 further interventions will be required during the year. These are a consequence of new business registrations, requests for re-ratings under the statutory FHRs, revisits to verify that improvements identified during initial inspections have been carried out, and in response to intelligence. There is therefore the potential for around 639 interventions, although these figures are likely to be lower to account for existing businesses closing.

Food hygiene revisits

Revisits may be required to food businesses following inspections to verify that improvements have been carried out or for enforcement. An All-Wales revisit policy has been agreed, which requires all food businesses with a food hygiene rating of zero to be revisited within 28 days and all those rated 1 or 2 to be revisited within 3 months.

Requested revisits for FHRs

The impact of a low food hygiene rating on a food business can be significant, so there is provision in the legislation for businesses to request a revisit for the purpose of re-rating, where they have carried out improvements. Businesses with ratings of 3 or 4 can also request a revisit, and this is sometimes the case if a business thinks they have improved sufficiently to achieve a 5 rating. As these re-rating revisits are outside the authority's programme, they are paid for by the business at a cost agreed by local authorities on an All-Wales basis.

Food Standards Interventions

Food standards interventions are delivered to ensure that food meets the requirements of food standards law, including correct presentation, composition, labelling and advertising, so as not to mislead the consumer.

The intervention plan for food standards is detailed in the following table:-

**Food Standards Intervention Plan
2024-25**

Premises Rating Category	Minimum Intervention Frequency	Number of premises due an intervention	Intervention target
A	12 months	1	100%
B	24 months. No interventions required unless intelligence /information suggests that risks have increased/standards have fallen or if the establishment is otherwise considered a priority for intervention due to the risk posed	72	100%
C	Alternative enforcement strategy or intervention every five years. No interventions required unless intelligence / information suggests that risks have increased/ standards have fallen or if the establishment is otherwise considered a priority for intervention due to the risk posed	63	100%
Unrated	-	46	100%
Total planned food standards interventions due in 2024/25		182	

Feed Interventions

Funding was removed from the local authority Revenue Support Grant in 2015 and is now managed by the FSA to fund regional delivery of feed official controls in Wales. The FSA adopts a risk-based approach to determine the number and nature of interventions to be delivered by each local authority and pays directly on delivery.

Feed Business Operators (FeBOs) who demonstrate high standards of feed safety, by taking appropriate steps to comply with the law, may have these standards recognised when determining the frequency of inspections, and therefore qualify for 'Earned Recognition'. Businesses can also earn recognition by being a compliant member of an approved industry assurance scheme, such as 'Red Tractor' or an Agricultural Industries Confederation (AIC) member.

The following feed interventions have been agreed for 2024/25 in Torfaen:

Premises Category	Number of premises due an intervention	Intervention target
Farm	75*	100%
Distributor	0	0%
Manufacturer	1	100%
Co-producer	1	100%
Placing on the market of Feed materials	1	100%
Total planned feed interventions due in 2024/25	78*	

3.2 Feed and Food Complaints

The purpose of investigating food and feed complaints, whether the product originated within the UK or elsewhere, is to:

- Provide a service to the public
- Identify and resolve problems which pose a risk to public health or where consumers may have been prejudiced
- Identify whether the complaint may be an indication of a wider national or international problem, which needs to be escalated

- Offer advice and guidance, where appropriate, to food businesses and consumers
- Prevent future complaints

Some customers contact food companies direct regarding complaints about food and feed, as a means of being compensated for their inconvenience.

The Council’s policy on food and feed complaints is to investigate where there may be a genuine public health implication, or where an offence may have been committed and the complainant is willing to give evidence in Court. Customers are referred to the retailer if compensation only is being sought.

The Council has procedures for dealing with food complaints. All are acknowledged within five working days, prioritised according to risk, and investigated as appropriate without undue delay, having regard to the seriousness of the complaint and the need to preserve evidence. Anonymous complaints are not usually investigated.

Following a complaint, an officer may carry out an investigation to ascertain the facts, obtain evidence, and where necessary minimise the risk. This will often require the procurement of a food or feed sample, which would not form part of the sampling programme. Support from the Public Analyst and/or Public Health Wales laboratory may be needed to complete investigations, which could have financial implications for the service.

It is difficult to predict the volume of complaints that will be received in 2024/2025. Based on the number of complaints received over the last four years, it is estimated that for the period 2024/25 the following numbers of complaints will be received.

Type of complaint (average based on last 4 years data)	Number
Food hygiene (premises)	32
Food complaint (safety)	23
Food (other)	14
Food complaint (standards)	10
Feed complaint	0
Total	79

3.1 Home Authority Principle and Primary Authority Scheme

Although the Council currently has no formal agreements in place to act as a Primary Authority for any food businesses, officers support the Primary Authority scheme and have regard to the relevant principles and guidance when dealing with any food business in a Primary Authority partnership.

Officers recognise the role Primary Authorities play in ensuring a consistent approach to enforcement. Primary Authority training, including the specific arrangements for inspection and enforcement has been provided to officers to ensure they understand the approach regulators are required to take as enforcing authorities.

All officers have access to the Primary Authority website and will have regard to Primary Authority principles. Before undertaking planned interventions, they routinely check the online Primary Authority register to identify whether the business has a Primary Authority partnership and, if so, whether there is a specific inspection plan or assured guidance that they must consider. Officers will feed back findings as required to the Primary Authority and the business.

If enforcement action is warranted, officers will ensure they notify the Primary Authority before taking action within the designated time period or retrospectively in the event of an imminent risk to health being identified.

The Council is the 'Originating authority' for food producers, food manufacturers and other food businesses which supply food outside of Torfaen and will provide advice to relevant businesses on legal compliance. In addition, regard to any information or advice received from Home and/or originating authorities elsewhere will be considered. Officers will liaise with the Home and/or Originating authority of any business where identified non-compliance appears to be associated with the business' policies and procedures.

The Council will respond to all reasonable requests for information and/or assistance from other authorities about locally produced food sold outside Torfaen, which is the subject of a complaint.

3.2 Advice to Businesses

Providing good quality, timely advice to businesses will continue to be a priority, particularly in respect of EU Exit. It fulfils the Council's obligations under the Regulators' Code to assist businesses to grow.

- Routinely, officers will advise businesses of the action they need to take to enable them to achieve a higher food hygiene rating.
- Ad-hoc advice will be provided on request, and where necessary, businesses will be advised how they can access specialist support.
- Working closely with Torfaen Business Direct, further improvements will also be made to the business advice available on the Council's webpages.
- Details of what to expect during an inspection are included on the reverse of inspection reports, which are left onsite following an inspection, together with the officer's contact details.
- Advice is generally provided on correspondence issued following interventions. As well as detailing contraventions and legal requirements, best practice advice is provided.
- When new legislation is introduced, targeted information is provided to businesses by the most effective means, e.g., via mail shot, email.
- Business advice on food standards is offered to all businesses at the point of contact, i.e., via telephone, during inspection or post inspection by advice leaflet or letter.
- Clear and transparent information has been provided to food businesses, following a hygiene intervention, on how to provide feedback on the service provided by the team.

It is difficult to predict the number of requests for advice that will be received each year. Factors such as the introduction of new legislation and/or guidance or an influx of new businesses may increase the number of requests received. However, based on the trends over the last four years, it is estimated that some 155 requests (132 for food hygiene, 20 for food standards, and 3 for feed) for business advice will be received across food hygiene, food standards and feed during the year.

3.3 Feed and Food Sampling

Food and feed sampling is undertaken in accordance with the Food and Feed Law Codes of Practice, the Council's sampling policy, and sampling procedures.

Where samples fail to meet the required standards, investigations are carried out to identify the cause of the failure, and appropriate action taken to ensure the safety and quality of food products in the food chain.

Sampling is achieved by examination and analysis of foods to ensure they meet standards for microbiological safety, labelling, chemical and compositional quality, and may be taken:

- as part of a planned survey, information or intelligence gathering
- where a complaint has been received requiring further investigation
- for enforcement purposes, where there are concerns about food safety practices identified during an intervention or from intelligence received
- as part of a national, cross regional or locally co-ordinated sampling project
- where there is an alleged or confirmed report of food poisoning forming an essential part of a full investigation of the cause and means of control
- as part of an FSA funded imported food control or other co-ordinated sampling programme
- for Home and Originating Authority samples;
- for process monitoring and verification;
- as directed by the FSA following notification of food safety incidents and food alerts for action

Annual sampling programmes are drawn up and implemented to reflect the number, nature and risk ratings of the food businesses in Torfaen, taking account of Originating Authority obligations, national and regionally coordinated sampling programmes.

Food Hygiene Sampling

Torfaen Council receives an annual allocation for microbiological sampling from Public Health Wales to enable the authority to take approximately 180 samples per year. This allocation does not cover the sampling of Private Water Supplies (PWS) (which are funded via fee recovery from the owners / users, or food samples submitted to the authority's appointed Public Analyst for non-microbiological examination.

The sampling plan is informed by priorities identified by the Welsh Food Microbiological Forum, and agencies such as the FSA, Public Health Wales, and UK Health Security Agency.

The Welsh Food Microbiological Forum was established to coordinate the sampling and examination of ready-to-eat foods and the centralised collection of results for Wales. Each year a survey of products is agreed which are sampled across Wales. Participation in this survey helps to identify non-compliant foods, provides useful intelligence, and enables action to be taken to protect

public health where unsafe products are identified.

As the Council has returned to business-as-usual, microbiological sampling will be carried out proactively in 2024/25 and will be utilised to gather information and intelligence in support of delivery of an Alternative Enforcement Strategy.

Targeted surveys in 2023/24 included the sampling of cheese on sale or produced in Wales, following a number of recall notices for cheese across the UK, and salads (including micro-greens) prepared on-site at retail or catering premises, as the consumption of uncooked food can be a risk factor for foodborne illness.

Bringing Added Value to Sampling

The Food Law Code or Practice sets out flexibilities that local authorities can use when carrying out official controls as follows: -

Establishments in risk bands A and B whose intervention frequency is every 6 or 12 months must receive an official control, which is an inspection, a partial inspection, or an audit that is risk rated in accordance with Annex 1 of the Food Law Code of Practice.

Establishments in risk band C (intervention frequency of 18 months) can be subject to an official control, which is either a full or partial inspection or audit. If, however, the premises is broadly compliant with food law (i.e., a food hygiene rating of 3, 4 or 5) the official control can alternate between:

- an inspection, a partial inspection, or an audit and
- another type of official control such as sampling, surveillance, validation and verification

Interventions in establishments in risk band D (intervention frequency of 2 years) can alternate between an official control or an intervention that is not an official control. The exemption to this is where establishments are rated 30 or 40 for “type of food and method of handling” within Annex 1. In these cases, the official control must be an inspection, partial inspection, or audit.

Establishments in risk band E (intervention frequency of 3 years) may be subject to an Alternative Enforcement Strategy.

Premises Selection Criteria

Torfaen's sampling plan can be categorised as either pro-active or reactive.

Pro-active sampling includes the authority's participation in planned locally, regionally or nationally conceived programmes / surveys.

Reactive sampling may include food implicated in confirmed or alleged cases of food poisoning, and where food officers have concerns over food handling practices during inspections.

Where possible, premises selected for pro-active sampling will be drawn from those due a food hygiene intervention in the year between 1 April 2024 and 31 March 2025. This will include premises overdue an intervention from the previous year.

Where satisfactory samples are taken from establishments in risk bands D and E (excluding those rated 30 or 40 for "type of food and method of handling"), the next intervention date will be moved on by 2 or 3 years respectively. The establishments food hygiene rating will not be revised in these cases.

Where unsatisfactory samples are obtained, further interventions will be considered in order to investigate if the establishment had control over the presence / growth of the specific organisms found. If an inspection, a partial inspection, or an audit is then carried out, a new risk rating will be applied in accordance with Annex 1 of the Food Law Code of Practice and the establishment will receive a new food hygiene rating.

Sampling will also be carried out at establishments who are not due an intervention in the year in order to participate in surveys, respond to complaints or concerns and to monitor microbiological standards in factories, including those approved under assimilated Regulation (EC) No 853/2004.

Food Standards Sampling

The Council has a limited budget for food standards sampling and will proactively bid for additional funding for this work when opportunities arise. Priorities are identified having regard to local and national intelligence, risks to consumers in terms of safety or economic loss, data from the previous year's sampling programme, and emerging risks and priorities identified by local and national intelligence.

Torfaen will continue to support operation OPSON, a global initiative jointly coordinated by Europol - INTERPOL focusing on counterfeit and substandard food, and the organised crime networks behind this illicit trade. In the UK, activities are co-ordinated by the FSA's National Food Crime Unit (NFCU).

The 2024-25 food standards sampling plan is at Appendix 1.

Feed Sampling

Local authority funding for feed sampling is allocated by the FSA. Sampling is focused at ports of entry and manufacturers of feed in the UK, therefore there are no plans to sample animal feed in Torfaen during 2024/25.

3.4 Control and Investigation of Outbreaks and Food Related Infectious Disease

Individual Cases of Food Poisoning and Foodborne Illness

Officers work closely with Public Health Wales to investigate notifications of food related infectious diseases in accordance with documented procedures. The method of response and investigation varies according to risk and is based on the nature of the illness and causative organism. The response may be by visit, telephone, or postal questionnaire.

Outbreaks of Foodborne Illness

In addition to the ongoing investigation of sporadic cases of foodborne illness, officers also identify and investigate outbreaks. An outbreak is defined as illness affecting two or more people, who share a common exposure factor linked by time, place, or person. Sometimes outbreaks are caused by suspected Norovirus where the most common mode of transmission is either person to person or environmental contamination, rather than foodborne transmission.

Considerable work is undertaken to support educational and care home settings, particularly during the winter months to minimise the disruption caused by these viral infections.

Outbreaks of foodborne illness occur only occasionally. In the event of an outbreak, officers act in accordance with the Public Health Wales [Communicable Disease Outbreak Control Plan for](#)

[Wales](#), which sets out the approach to managing all communicable disease outbreaks and is followed by all 22 local authorities in Wales.

The Plan requires designation of a named Lead Officer for Communicable Disease in each local authority. Torfaen has a nominated Lead Officer for Communicable Disease who is supported by other suitably qualified, competent officers in carrying out investigations.

In the case of an outbreak, the Lead Officer for Communicable Disease will be a core member of the Outbreak Control Team (OCT) and will have defined responsibilities, including contacting and interviewing affected individuals, taking samples, carrying out investigations at implicated food premises, and attending OCT meetings. Depending on the scale and type of outbreak, the investigations can be resource intensive and impact on other planned work.

The investigation of cases and outbreaks of foodborne illness routinely includes: -

- The receipt and verification of laboratory confirmed isolates from Public Health Wales Microbiological Laboratories (via Tarian) and unconfirmed reports of food poisoning from medical practitioners, members of the public, cases, employers, other local authorities
- Telephone, and less frequently, face to face interviews with cases, close contacts and the provision of infection control advice;
- Managing exclusions of cases and contacts from the workplace, schools, and health care settings;
- Liaison with GP surgeries, hospitals, Public Health Wales, and other stakeholders during investigations for the purposes of identifying the source of infection and preventing onward transmission;
- Undertaking site visits to apply controls and preventive interventions;
- Managing the collection and submission of faecal samples;
- The collection, analysis and reporting of data relating to foodborne illness;
- The investigation, management, and control of outbreaks of communicable disease where food or water is, or is thought to be, the vehicle of infection.
- Taking the lead on, and contributing to, local and national communicable disease initiatives and surveillance programmes.

It is difficult to estimate the number of cases or outbreaks of infectious disease for investigation in 2024/25. However, based on the last four years data, the following estimate is provided:

Communicable Disease 2024-2025 (average based on last 4 years data)	
Type of investigation	Number
Infectious Disease notifications	204
Number of outbreaks/incidents	7
Number of service requests	25

3.5 Feed/Food Safety Incidents

A food incident occurs when concerns around the safety or quality of food (and/or feed) may require action to protect consumers.

Incidents broadly fall into two categories:

- contamination of food or animal feed in processing, distribution, retail, and catering
- environmental pollution incidents such as fires, chemical/oil spills, and radiation leaks

The Council has arrangements in place to respond to food alerts for action and food safety incidents communicated by the FSA. Food and feed officers subscribe to the FSA's *Smarter Communications* system and as a result receive food alerts directly via email. The FSA issues three types of food alert:

- Food Alerts for Action
- Product Recall Information Notices (PRINs)
- Allergy Alerts that provide information directly to the consumer

A Product Withdrawal Information Notice or a Product Recall Information Notice is issued where a solution to the problem has been put in place. The product has been, or is being, withdrawn from sale or recalled from consumers, for example.

A Food Alert for Action is issued where intervention by enforcement authorities is required.

In the case of food alerts requiring action, the team will ensure that all actions specified are taken in line with the advice given by the FSA. Officers will also follow documented procedures, outlining operational arrangements for dealing with such incidents in accordance with the Food Law Code of

Practice. Response to the alerts may involve contacting or visiting premises, where an implicated food product is likely to be on sale.

Where officers become aware of a serious localised incident, or a wider food safety problem, they will notify the FSA in accordance with the requirements set out in the Food Law Code of Practice.

Should a feed incident occur in Torfaen, contact will be made with the FSA immediately. The nature and scale of the incident will be established as soon as possible to ensure that any feed still in circulation is detained. Feed safety incidents will take priority over routine inspections and sampling activities.

Whilst it is difficult to predict the number of food/feed incidents that are received in any given year, these investigations can potentially have a significant impact on the planned intervention programmes. In previous years, the number of incidents requiring local authority action has varied.

3.6 Liaison with other Organisations

Liaison is an appropriate mechanism for ensuring consistency between enforcers, for sharing good practice, for sharing information, and for informing other enforcers of potentially difficult situations.

The main stakeholders for food and feed services are: -

- Food Standards Agency
- Directors of Public Protection Wales - Food Safety Expert Panel;
- Directors of Public Protection Wales - Communicable Disease Expert Panel;
- Wales Heads of Trading Standards Food Panel; Food and Agriculture Panel
- Directors of Public Protection Wales Regional Liaison Group
- Gwent Food Group
- Gwent Regional Feed Officer
- Welsh Food Microbiological Forum
- Wales Food Hygiene Rating Scheme Steering Group.
- Liaison with professional bodies such as the Chartered Institute of Environmental Health, the Chartered Institute of Trading Standards, the Royal Society of Health, the Royal Institute of Public Health
- Care Standards Inspectorate for Wales
- Office for Product Safety and Standards

- Advisory groups, e.g. National Food Hygiene Focus Group.
- Liaison with other Council services, such as Business Rates, Planning and Building Control to inspect and review applications
- Welsh Government
- Local Government Data Unit
- Public Health Wales, including Consultants in Communicable Disease Control/ Health Protection, microbiologists, laboratories at Llandough and the Heath Hospital
- Aneurin Bevan University Health Board
- Animal and Plant Health Agency
- Centre for Radiation and Chemical & Environmental Hazards
- Public analyst laboratories - Minton Treharne and Davies, Cross Hands and Cardiff
- Safe Sustainable Authentic Food Wales Committee
- Welsh Water in respect of mains water disconnections.
- Drinking Water Inspectorate in respect of private water supplies at commercial food premises

3.9 Feed and Food Safety and Standards Promotional Work and other Non-Official Control Interventions

The service will participate in promotional activities whenever these are appropriate to local needs and priorities, and where resources permit, but not at the expense of the other food and feed safety and standards activities such as inspections, complaint investigations, etc. Consequently, it is difficult to predict the resource implication for promotional activities.

The Council remains committed to continuing to promote the FHRS and aims to increase use of social media and our website to promote food safety messages, and where resources permit, will make use of any toolkits produced by the FSA for this purpose.

Food standards officers are also committed to continuing to promote the Greater Gwent multilingual food allergen resource for food businesses in Wales, England and Northern Ireland, to help protect the estimated two million plus people living with a diagnosed food allergy in the UK.

4 Resources

4.1 Financial allocation

The budget for official food and feed controls in 2024-2025 is broken down as follows:

Food and Feed Service Budget	
Expenditure	Budget
Staffing	£489,559
Travel and subsistence	£2,515
Training and development	£5,113
Supplies and services	£9,374
Sampling – Food Hygiene	£2,277
Sampling – Food Standards/ Feed	£6,215
Total	£515,053

The authority has a litigation solicitor allocated to the Service for any necessary legal action.

The budget for official food controls has increased since 2019/20 (the most recent Local Authority Enforcement Monitoring System (LAEMS) report) because of increased officer resource allocated to food hygiene through the creation of an additional EHO post. The authority also employed the services of a Food Safety Contactor in 2022/23 and utilised Welsh Government funding for a further EHO post until 31 March 2024 to support our Covid-19 recovery and health protection response.

Feed funding was removed from the local authority Revenue Support Grant in Wales in April 2015 to enable a regional delivery model to be established and more effective targeting of resources at area of highest risk. The Council is committed to the regional delivery model and has undertaken inspections for other local authorities in the Gwent region to ensure the success of the model.

Funding for feed official controls is now held by the FSA, who allocate it to local authorities based on the number and type of premises inspected. The local authority feed work plan is agreed with the FSA annually. Torfaen received an income of £4,860.95 from feed funding from the FSA in 2023/24.

4.2 Staffing Allocation

The staffing allocation for food and feed law enforcement and related matters, including strategic management and administrative support is 5.6 FTEs:

- 1 Head of Public Protection and Environment 0.1 FTE
- 1 Food and Health Protection Manager 0.25 FTE
- 1 Licensing and Trading Standards Manager 0.25 FTE
- 3 Senior Environmental Health Officers 1.5 FTE
- 2* Environmental Health Officers 1.6 FTE
- 1 Food and Health Protection Intern 0.8 FTE
- 1 Senior Trading Standards Officer 0.5 FTE
- 2 Senior Fair Trading Officers 0.5 FTE
- 1 Administrative Support 0.1 FTE

* The authority also employed a Welsh Government funded EHO (until 31 March 2024) whose time was allocated to the delivery of food controls in accordance with the demands and priorities of the Public Protection service.

The Council's Head of Public Protection and Environment is the Directors of Public Protection Wales' strategic lead for food and feed matters, and is a member of the Chartered Institute of Environmental Health (CIEH) Food Advisory Panel.

The Food and Health Protection Manager is a competent food hygiene officer and currently acts as Lead for Communicable Disease Control. However, the Licensing and Trading Standards Manager is not a competent food officer, but nevertheless plays an integral role, managing staff, overseeing and reporting on service delivery.

There are three officers who are competent and authorised to deliver the full range of official food safety and hygiene controls at premises approved under assimilated Regulation (EC) No 853/2004. The remaining officers undertake official food control duties, which are restricted to their qualification, competency and authorisation status.

There are five officers who are competent and authorised to take the full range of food hygiene and safety related enforcement sanctions, including the formal detention and seizure of food, and the service of Remedial Action and Hygiene Emergency Prohibition Notices. The remaining officers take formal enforcement actions which are restricted to their qualification, competency and authorisation status.

There are three officers competent to undertake the full range of food standards official controls, which equates to 1.0 FTE officer. An additional two food hygiene officers have obtained the relevant food standards qualification.

In respect of feed, there is one competent officer, which equates to approximately 0.13 FTE competent officers delivering official feed controls.

The initial approval of premises subject to product specific legislation is restricted to those authorised officers who have undertaken training relevant to those premises and are deemed competent by the Lead Officer for Food Hygiene. Currently, three officers are authorised to undertake approved premises inspections.

4.3 Staff Development Plan

The Council will comply with the requirements of the Food and Feed Law Codes of Practice in relation to staff training and the qualifications of officers and contractors. Currently, most officers are required to complete 20 hours CPD per annum.

Team managers conduct regular staff appraisals offering an opportunity to:

- Review achievements and identify barriers to achieving targets
- Agree key tasks and objectives for the year ahead
- Identify training and development needs to ensure the Council has a competent workforce and support career development

Team managers and/or lead officers are also responsible for the assessment of core competencies and areas for development, using the FSA's proforma based on its Competency Framework or equivalent.

In addition to regular team briefings, where matters of concern and consistency are discussed, lead officers audit the work of authorised officers and provide feedback.

Food and feed officers have access to up-to-date reference material through:

- The FSA’s Smarter Communications database (RIAMS)
- Online courses delivered through the FSA
- Peer to peer discussion on Knowledge Hub
- Dedicated shared team folders and access to the internet

Development opportunities arise throughout the year and officers are encouraged to attend training appropriate to their role. Examples include:

- FSA funded training
- Training offered by professional bodies e.g., CIEH, CTSI, CENTSA
- National consistency training exercises provided by the FSA

The training programme agreed for the current year is outlined in the table below, although further opportunities may arise:

Food and Feed Officer Training and Development Plan 2024-2025			
Topic	Provider	Duration	Information
Food Competent Certifying Officer (FCCO Training)	APHA	2 days	Imported food controls
Approved Premises Training	FSA	1 day	Overview of Approval process and associated legislation
FHRS Consistency	FSA	0.5 days	National consistency exercise FHRS
HACCP	FSA	1 day	Principles, application and assessment of HACCP

Food Sampling	FSA	1 day	Roles and responsibilities, informal and formal sampling for analysis and examination, interpretation of results and enforcement options
Imported Food Training	CENTSA	2 hours	General practical advice regarding investigating food standards offences.
Regulation and Approval of Feed Establishments	FSA	6 hours	Overview of Approval process and associated legislation
Medicated Feedstuffs	FSA	6 hours	General overview and guidance for Officers on the medication of feed
Overview of Feed Legislation	FSA	6 hours	General practical advice regarding legislation applicable to Food Standards Inspections

5. Quality Assessment

5.1 Quality Assessment and Internal Monitoring

Internal monitoring is carried out to inform training and development needs and promote consistency. The Food and Health Protection Manager, Licensing and Trading Standards Manager, and lead officers for food hygiene and food standards all have a role in internal monitoring. The Food and Health Protection Manager and the Licensing and Trading Standards Manager, carry out qualitative and quantitative internal monitoring, highlighting any issues of concern to officers.

Competency assessments are undertaken, and training needs identified as part of that process, and also individual training needs are discussed in officer's one-to-ones with management.

A work procedure has been developed for internal monitoring, which includes checks on inspection records and reactive work, peer review, consistency exercises to assess officer competence and compliance with statutory requirements, guidance, internal procedures, good enforcement practice and customer care.

Quarterly performance reports are produced to compare performance against service plan targets.

The Licensing and Trading Standards Manager is responsible for verifying the number of feed interventions undertaken and for the accuracy of claims for funding to the FSA. Qualitative monitoring of Torfaen's feed service is the responsibility of the Regional Lead Feed Officer.

Key Performance Indicators (KPIs)

The following KPIs have been identified for food and feed law enforcement services, with performance against these reported quarterly to the Council's Executive Team.

- Percentage of food establishments assessed as 'broadly compliant' with food hygiene standards.
- Percentage of planned food hygiene interventions at food establishments completed.

The following performance indicators (PIs) have been identified for reporting quarterly to the Head of Public Protection and Environment:

- Percentage of planned food hygiene interventions at food establishments completed (cumulative)
- Percentage of planned food standards interventions at food establishments completed (cumulative).
- Percentage of planned feed hygiene interventions at feed businesses completed (cumulative)
- Percentage of food establishments assessed as 'broadly compliant' with food hygiene standards
- Percentage of food establishments assessed as 'compliant' with food standards
- Percentage of food establishments assessed as not broadly compliant (rated 2 or below) subject to appropriate enforcement action
- Percentage of premises subject to enforcement action where one or more serious contraventions have been identified
- Percentage of notifications of infectious diseases deemed urgent responded to within 24 hours.

6. Review

6.1 Review Against the Service Plan

Food Hygiene

During the Covid-19 pandemic, the authority's previous service plans was shaped by the guidance set out in the FSA's recovery plan. This focused on carrying out *interventions at premises due or overdue an intervention in risk band categories A, B and C along with those premises in risk band D that were not broadly compliant with food safety law. New, unrated, premises which had been assessed as high priority were also included.

As of the 1 April 2023, the authority had a total of 528 premises, which included broadly compliant risk band D and all E rated premises, which fell outside of the FSA's recovery plan. The following table shows the number of interventions carried out by risk band in 2023/24: -

Risk band	Number of interventions
A	N/A as no business was risk band A at start of year
B	92
C	**373
D	29
E	31
Unrated	34
Total number of interventions	559

**7 planned interventions to C rated premises were not carried out and these have been brought forward into the 2023/24 intervention plan

*interventions include inspections (either full or partial), audits (either full or partial), sampling, surveillance, verification and validation visits. Inspections and audits are classed as primary interventions which result in the business being risk rated to determine the date when their next scheduled intervention should be – these interventions usually result in the issue of a new food hygiene rating.

Sampling, surveillance, verification and validation visits are secondary interventions. These visits do not result in a new risk rating or the issue of a new food hygiene rating. They may however, under certain circumstances, be used to change the next scheduled primary intervention in line with the risk band category the premises currently sits in. For example, a D rated premises receiving a sampling visit could have their next primary intervention being moved on by 2 years from the date the samples were taken, E rated premises would be a maximum of 3 years, depending on the level of risk presented.

The use of a dedicated officer for the inspection of unrated businesses has been a success, reducing the number of new businesses awaiting inspection from 73 to 9 between 1 October 2023 and 31 March 2024.

In common with other years, a number of food businesses closed before an intervention could be carried out.

In addition to planned interventions the authority carried out reactive interventions, such as the inspection of new businesses which opened during the year, sampling and verification visits.

The continued publication of prosecution outcomes has also acted as a deterrent, serving as a reminder of the importance of businesses ensuring they treat food hygiene seriously. A total of 3 successful prosecutions were taken in 2023-24, most notably the prohibition of a food business operator from running a food business in the future.

Food Standards:

In 2023/24, the following food standards interventions were carried out:

- On-site inspections of all 3 A rated food businesses
- 114 interventions at B rated businesses
- 147 interventions at C rated businesses
- 187 onsite inspections of new businesses

In 2023/24 the Trading Standards team undertook numerous food sampling investigations including:

- Non-permitted food colourings present in takeaway food, where 25% out of 20 takeaway meals were found to contain excessive or non-permitted food colourings.

- Misdescribed meat in doner kebabs, where 80% of 5 samples were reported, by Torfaen's Public Analyst, as being "unsatisfactory" for meat speciation/description.
- Undeclared milk allergen in prepacked vegan meals, where all 5 of the samples procured were found not to contain undeclared milk allergen as an ingredient in the food.

6.2 Identification of any Variation from the Service Plan

The Council met all expectations in delivering food services against the targets set out in the FSA's Covid-19 Local Authority Recovery Plan, except for undertaking due interventions at 7 C rated, broadly compliant establishments and 18 unrated establishments, prioritised as higher-risk (six of which had been trading for less than 28 days on 1 April 2023).

In 2023/24, the Council were unable to meet all expectations in delivering food services against the targets set out in the Food and Health Protection Service Plan. All high-risk premises (A-C rated) were inspected, however lower risk premises such as 7 D rated, 69 E rated and 17 unrated establishments (9 of which had been trading for less than 28 days on 1 April 2024) were not carried out, due to officer vacancies, short-term absences, and additional work demands arising from a reduction in food business compliance. All of which have been carried into the Intervention Plan for 2024-25.

The Food and Health Protection Manager is responsible for ensuring appropriate action to mitigate risks associated with any shortfalls in performance is identified, implemented, and where necessary, escalated to the Head of Public Protection and Environment. The Head of Public Protection and Environment has put in place several actions since 2022/23 in order to continue supporting recovery which included:

- Re-structuring of the Food and Health Protection Team, with the appointment of a designated Team Manager to oversee the delivery of Food Hygiene, Health and Safety, and Communicable Disease Control.
- A contractor was employed to carry out 50 food hygiene interventions
- Utilising the Gwent Health Protection Service to carry out telephone surveys, in support of our Alternative Enforcement Strategy.

6.3 Areas for Improvement

In 2015, the Council's food law enforcement service was audited by the FSA. The Action Plan arising from that audit is still open, although some of the recommendations have since been implemented.

The Council is committed to the continual improvement of services and will ensure appropriate action is taken to implement any outstanding audit recommendations. The following areas have been identified for improvement throughout 2023/24 and 2024/25:

- Actively contribute to the Gwent Health Protection Plan, by utilising the support of the service to assist the delivery of the Food and Feed Law Enforcement Service Plan.
- Implementation of a training plan to enable our Food and Health Protection Intern to undertake the full range of food hygiene interventions.
- To ensure that the findings of the Food Standards Agency's audit in July 2015 have been fully implemented.
- To complete Food Competent Certifying Officers training to to operate and perform official controls and other official activities in accordance with the assimilated Official Controls Regulation (2017/625), and any other relevant rules.
- Utilisation of the flexibilities which exist within the Food Law Code of Practice which allow food authorities to carry out partial inspections and sampling of food businesses.
- Implementation of an Alternative Enforcement Strategy (AES) for selected, low-risk (Category E rated) food establishments.
- Consider how food and feed services can contribute to the sustainability and healthier food agendas, with a view to developing a plan setting out proposals for action in 2023/24
- Continue to develop food hygiene officer competencies to enable more officers to undertake the full range of food hygiene interventions, including inspections of approved establishments
- Continue work to ensure the accuracy of the feed premises database
- Provide a programme of legal training to officers to increase their confidence and competence in undertaking formal enforcement action
- Review and update the Council's website to ensure consumers and businesses have access to good quality, accurate advice and information about food and feed services
- Respond to government and FSA consultations on food and feed matters as appropriate

- Work with the Torfaen Business Direct Project to develop and implement business satisfaction surveys to obtain feedback on interactions with food and feed service.

Appendix 1

Food Standards Sampling Plan 2024/25

Date	Survey
April 2024- March 2025	HOME AUTHORITY – Torfaen-based food manufactures/producers.
March/April 2024	USE BY DATE SURVEY GGFG Survey
April 2024	MISDESCRIPTION OF DECAFFINATED COFFEE/TEA
May 2024	UNDECLARED SO₂ IN LOW-QUALITY TINNED MEATS
June 2024	QUID IN PREPACKED (HAM) SANDWICHES
TBC	ACCURACY OF HOSPITAL MEALS