

MID KENT ENVIRONMENTAL HEALTH

FOOD SERVICE PLAN

2025 – 2028

Introduction

This plan explains the work undertaken by the Mid Kent Environmental Health Shared Service (MKEH) Food and Safety Team. It has regard to the Food Standards Agency's Food Law Code of Practice and looks forward to the next 3 years.

The MKEH Food and Safety team aims to protect and improve the quality of life of the local community, workforce, and visitors to the boroughs of Maidstone, Swale and Tunbridge Wells. There are two main office bases – Sittingbourne and Tunbridge Wells with remote working being utilised as a way of maximising efficiency of time and planning visits and interventions; officers also have access to Maidstone House when working in Maidstone.

The purpose of the Food & Safety team, in relation to its statutory food activity, is to reduce risk to the public from food purchased, produced, or eaten within the Mid Kent area. We have a responsibility to ensure we provide accurate and timely advice to food businesses, based on national guidance produced by the FSA. Most of the team's work focuses on food safety, health and safety at work, infectious disease control and the registration of tattooing, cosmetic piercing etc. The service also delivers shellfish monitoring for Swale and animal welfare for Tunbridge Wells.

We are located within a two-tier local authority area, so food composition, labelling, and feed matters are dealt with by Kent County Council Trading Standards.

Included in this service plan are:

- Where we work and what we do
- How we deliver our food service
- Our achievements April 2021 March 2024
- Forward planning and the challenges we face

1. Where we work

The service is delivered from Swale House, Sittingbourne and Town Hall, Tunbridge Wells. Officers use Maidstone House, Maidstone as a place of work when working in or near the town, for meetings with other service areas and for administrative needs.

We support home working in line with HR policies to ensure that officers work efficiently and flexibly. We work according to business demands including evening and weekend visits to premises that are inaccessible during 'normal' working hours.

Tunbridge Wells

The main urban area is the historic town of Royal Tunbridge Wells, Southborough and the two market towns of Cranbrook and Paddock Wood. Beyond these towns, the Borough is predominantly rural in character and nearly 70% of the borough is designated as an area of outstanding natural beauty. There are eleven premises approved under EU Vertical Directives, including a cheese manufacturer, meat and fish products and cold stores.

<u>Swale</u>

There are twelve premises approved under EU Vertical Directives, including a cheese manufacturer, meat and fish products and a cold store. Sittingbourne has one of the largest bottling and packing plants in Europe for cherries and other fruit, whilst Faversham has one of the oldest breweries in the country. In the summer months there is an increase

in fast food and mobile food operators within the district and a general increase in business as tourism attracts an influx of people, especially on caravan and chalet sites on the Isle of Sheppey. As a coastal authority the Council has responsibility for sampling of shellfish from The Swale.

Maidstone

Maidstone is the county town of Kent and has the largest population of all the Kent Districts. A large, diverse number of food premises are situated in the town centre which also has a vibrant night-time economy. There are many catering establishments in the rural communities with much of the countryside designated areas of outstanding natural beauty. The M20 corridor along the north of the borough provides easy access to Europe and the rest of Britain. Ten premises are approved under EU Vertical Directives, including dairy, meat, and egg products.

Table 1: Total Premises and EU Approved Premises

	Maidstone	Swale	Tunbridge Wells
EU Approved Premises	10	12	11
Total Number of Food Establishments	1487	1366	1163

All districts have a proportion of food establishments catering for world cuisines such as, European, Asian, Indian, Chinese, Nepalese, Mexican and many Food Business Operators and employees whose first language is not English.

1.1. Our Service Standards

We pride ourselves on the professionalism, integrity, and experience of our officers. The service reports to the MKS Shared Service Board for Environmental Health, members at each authority, and the public. As food authorities we must ensure we work to the standards defined by the Food Standards Agency Code of Practice and associated Practice Guidance as well as meeting the standards set by the Health and Safety Executive. All officers' competency is maintained in line with FSA's competency framework, they maintain their annual minimum of 10 hours Continuing

Professional Development (CPD) in food safety matters to comply with the Food Law Code of Practice and at least 10 hours made up from other professional matters.

Our performance standards include:

- Responding to service requests within 5 working days
- Carrying out all food interventions within the timescales in the Food Standards Agency Code of Practice.
- Ensuring regular updates of national food hygiene rating scores (FHRS) to the Food Standards Agency website
- Applying a risk-based approach to prioritizing new food businesses

1.2. How we provide information, guidance, and advice

We carry out advisory visits to food premises on request and payment of the relevant fee; we also respond to advice enquiries via telephone or e-mail which is free of charge. We provide technical information and signpost to national standards, guidance, and legal requirements. Each authority website provides help and guidance with links to other reference sources and is updated regularly.

MKEH have a dedicated and trained administration team who triage many enquiries, update database information and are responsible for collation of system information. They can be contacted at:

01622 602460 or 01622 602450 e-mail: ehadmin@midkent.gov.uk

1.3. How we check compliance with the law, assess risks and let those we regulate know what they should expect from us.

We visit food businesses and respond to customer service requests. Using the FSA's Food Law Code of Practice, we assess the risks to food safety and rate businesses accordingly. This process governs how often we will visit a food premises, for example, with A rated businesses (the highest risk) receiving visits every 6 months.

We give eligible businesses a rating under the national Food Hygiene Rating Scheme (FHRS) published on the Food Standards Agency website. Ratings can vary between 0 [urgent improvement necessary] to 5 [very good]. Not all food

businesses are eligible for inclusion in the scheme governed by the FSA's Brand Standard (for example some manufacturers are excluded).

We give feedback to food business operators, verbally and in writing at the time of visiting, distinguishing between what is required by law and recommendations of good practice. If a business is rated 0-2 under the FSA Food Hygiene Rating Scheme a letter including photographs, when appropriate, is sent providing further detail. These letters are sent to ensure that the food business operator is clear about the work needed to comply with food laws.

We undertake enforcement revisits to food premises where the risk to health requires action to be taken before the next inspection, usually premises with a rating of 0, 1 or 2. We charge a fee for requests for re-inspection for re-rating purposes. This enables those businesses that wish to improve their score quickly and can demonstrate to officers they have completed the necessary work, to have the opportunity to have their rating reviewed, there is no limit to the number of times they can request a re-inspection for re-rating purposes. Businesses have a 'right to appeal' the officers original risk rating and a 'right to reply.' By publishing the ratings consumers can make informed decisions about premises they visit.

How we deal with non-compliance

We advise and educate to achieve compliance. Persistent and/or serious non-compliance may lead us to serve statutory notices requiring action within a specified time and/or to prosecute offenders in line with our enforcement policy.

Our Enforcement Policy

This explains in more detail our aim to provide a service that is proportionate, targeted, transparent and consistent. All three local authorities have adopted the Government's Enforcement Concordat, and we have a common Enforcement Policy based upon its principles. The Enforcement Policy is consistent with the Regulator's Compliance Code.

We seek to ensure that local businesses comply with important statutory requirements designed to protect the health, safety, and welfare of employees, the public and the environment whilst placing the minimum possible burden on businesses.

This is achieved by targeting food business operators posing the highest risk to food safety and taking a 'softer touch' to lower risk and fully compliant operators.

Our fees and charges and the reasons behind them

We charge for the following services.

- Attestations for exporting low risk goods.
- Voluntary surrender certificates for insurance claims
- Requests for a re-inspection for re-rating purposes
- Advice visits

Fees are calculated according to how much it costs us to provide the service. These must be reasonable, and we do not make a profit.

How to comment or complain about our service

Each council has a complaints policy that can be found on their respective websites or by contacting EH Admin via ehadmin@midkent.gov.uk

2. How We Deliver our Food Service

We do this by:

Enforcing food safety in all our food premises through targeted interventions, investigate and respond to food service requests/complaints, investigate food poisoning notifications and outbreaks, undertake food sampling, imported food, infectious disease control, sampling, classification of shellfish, and dealing with general enquiries from the public.

2.1. Programmed food hygiene inspections & Food Hygiene Rating Scheme

We target those businesses posing the highest risk to food safety, interventions are carried out in premises risk-rated as A - D, with A rated posing the highest risk. Premises rated as the lowest risk, E (unless they are Approved Premises) are targeted as part of an alternative enforcement strategy, sending questionnaires every 3 years to track changes in food operations that may trigger an intervention. If a response to the questionnaire indicates higher risk activities are being carried out an inspection will be made. Visits are made as a follow-up to a 'non-response' by a business.

Other premises will be targeted where intelligence arises from various sources including the public, FSA and neighbouring authorities or other agencies.

Premises profile

On the 1st of April 2024 there were 3877 operating food premises within the Mid Kent Shared Service. The table below shows the number of food businesses in each risk category per area.

A = indicates the category with the highest risk.

O = those premises registered but outside of the inspection regime, usually because the risk is perceived to be so low, or they may be inspected by other agencies.

The figures vary during the year as new businesses open, some premises close or change food business operators. Table 2 shows the FSA Local Authority Enforcement Management return figures for 31 March 2024 for the partnership.

Table 2: Premises by Risk Category

Category	Total
Α	7
В	65
С	414
D	1467
E	1887

Outside programme	12
Unrated	25
TOTAL	3877

2.2. New premises

New food businesses are required to register with the local authority and are allocated to officers for inspection. The figure varies, but in the financial year 23/24 averaged about 15 new businesses per local authority per month. An initial inspection will be carried out to assess the business risk rating and subsequent routine inspections frequency will be based on the overall risk profile.

2.3. Investigating complaints about food and food premises.

All officers are expected to respond to food service requests within the time scales specified in the service Standard Operating Procedures, currently 5 working days. Priority is based on the perceived risk to health and depends on information received from the complainant and the resource available. Some service requests will not be investigated as they pose no risk or we have no powers, however, contact will still be made with the complainant to advise them of this, and they will be signposted to the relevant enforcement authority if applicable.

2.4. Investigating cases of food poisoning, food borne diseases & other infectious diseases.

We investigate cases of food poisoning, or suspected food poisoning, usually associated with food consumption. Notifications are received from the Kent branch of UK Health Security Agency (UKHSA) and are investigated using Department of Health Guidelines, the UKHSA single case plan and our Food Poisoning/Infectious Disease Investigation Procedure.

'Other' infectious diseases generally refer to Hepatitis or Legionella and we assist the UKHSA in the investigation and prevention process of a variety of infections, either locally or part of a wider outbreak.

Outbreaks of sickness and diarrhoea, often associated with Norovirus type infections are also investigated, although many people can be affected, such outbreaks are rarely associated with food safety. Where a problem of wider importance is discovered, relevant food enforcement authorities and the Food Standards Agency will be notified in accordance with the Food Law Code of Practice

2.5. Approving and monitoring compliance with food law in businesses manufacturing products of animal origin.

These 'specialist' food premises often pose a potential higher risk to food safety because they distribute their food products over wide areas, sometimes internationally. Typically, producers of meat, fish and dairy products are required to be 'approved' rather than registered with their local authority to reflect slightly more stringent requirements of food law.

2.6. Sampling and arranging for microbiological analysis of food.

Sampling is carried out in accordance with our Sampling Policy. To prioritise resources, this is based mainly on the national sampling programme produced by the UKHSA and co-ordinated across Kent by the Food Sampling Sub-Group.

The exception to this is the sampling of shellfish in The Swale, around 48 bivalve flesh samples are submitted annually for microbiological examination (4 per month) with additional water samples tested for the presence of algal toxins. At the time of writing there are four classified shellfish beds in The Swale. Sampling is undertaken by a competent and suitably qualified third party under contract with Swale BC. The purpose of the sampling is to identify the fitness of shellfish within the classified beds at the point it is sampled, assist when shellfish harvested from these beds has been implicated in food illness, to gain information about emerging trends in food safety and to monitor food business controls of food likely to support bacterial growth. We provide feedback and guidance to harvesters on sampling results, if results are beyond a prescribed action level we will liaise with the FSA and if appropriate serve a Temporary Closure Notice on the relevant shellfish bed prohibiting commercial harvesting of certain shellfish species whilst it is in force. Such action is communicated extensively across local fisherman, harbour authorities and neighbouring local authorities when appropriate.

2.7. Maintaining a register of all Food Businesses (except exempted businesses)

We are obliged to maintain a register of food businesses within each borough under the Food Law Code of Practice. This can be provided from the database on request in hard or electronic copy. It contains the name, address, and nature of all the relevant food business (i.e., restaurant, manufacturer).

2.8. Food Safety Incidents & Food Alerts

We receive food hazard alerts, either from the FSA or local businesses where action needs to be taken because of a problem with food that has been distributed, this often affects more than one local authority area. We may need to prevent the distribution of food and help trace where it has been distributed to prevent further food safety issues.

2.9. Supporting Businesses

Imported Food Products & Checks for Illegally Imported Foods

Checks are made during our visits to businesses to make sure food can be traced back to its origins. This includes checks on imported food to ensure fitness and that it has the correct documentation.

Advice on Good Practice in relation to Food Safety

Whilst we enforce the law, we also give advice to food business operators and members of the public about food safety and health and safety at work. If a business asks for advice that we can give over the telephone there is no charge, however, if an advice visit is requested this is chargeable (as above). In addition to this there is information available on all 3 websites including signposts to FSA and other relevant external agencies.

2.10. Maintaining a High Quality, Professional Workforce

The service organisation chart is provided in section 5. We consider the development and training of staff important to our success in delivering quality services to our customers.

All officers are appropriately qualified and receive regular training to maintain their level of competency and continuous professional development. Regular update training is provided in-house for policy and procedures, especially when new legislation or for changes in approach.

We have fortnightly team meetings involving all officers to promote consistency and work across boundaries to ensure targeted work is achieved. We encourage shadowing between officers including inspecting more complex food operations (approved premises) and team leaders have a programme of accompanied visits to support officer development and provide constructive feedback on inspection skills. We participate in the annual Food Standards Agency national consistency exercise as well as periodic inhouse consistency exercises to ensure a consistent approach across all three boroughs.

2.11. Working with Government Agencies & other Organisations to Maintain or Improve Standards in Food Businesses

We are committed to ensuring the enforcement approach we take is consistent with neighbouring authorities and authorities with similar premises. We have regular contact with colleagues in other Kent authorities. There is a conscious effort between the organisations to ensure that there is a consistency of working practices. Arrangements to ensure engagement and collaboration are:

- Kent & Medway Food Liaison Group review legislation and Codes of Practice and develop good-practice guidance to be available for use by all Kent authorities.
- Kent & Medway Sampling Sub-Group co-ordinate sampling, exchange ideas and provide low-cost training
 opportunities.
- Local Government Regulation (LGR) for guidance and advice
- Food Standards Agency for guidance and training
- UK Health Security Agency for support in sampling, food poisoning and outbreak control.

- Planning and Building Control Sections Notification of relevant planning applications are submitted to the team for perusal and comment and food safety advice is provided where appropriate before the formal application is submitted.
- Kent & Essex Inshore Fisheries and Conservation Authority in relation to shellfish
- Kent Police Rural Task Force in relation to illegal harvesting of shellfish

3. Our Achievements April 2021 – March 2024

3.1. Programmed Inspections

Each authority is required to submit annual returns to the FSA. The following information provides a summary of the workload and outputs achieved by the teams over the last 3 years. There are a range of interventions carried out by the team to reflect the needs of the food businesses we regulate, this includes the programmed inspections and audits, verification & surveillance, and reactive interventions such as advice and education.

Category of Intervention	Maidstone			Swale			Tunbridge Wells		
	21/22	22/23	23/24	21/22	22/23	23/24	21/22	22/23	23/24
Inspections and audits	361	497	577	308	444	459	346	370	423
Verification and surveillance	3	2	1	0	0	0	2	0	1
Food sampling	16	0	0	40	48	45	0	1	49
Advice and education	11	157	67	16	175	48	22	90	33
Information/intelligence gathering	105	126	142	114	113	142	80	123	90
Export Health Certificates/Attestations	17	24	17	0	0	1	28	23	25

Table 3: Type of Intervention Undertaken

Enforcement revisits	20	18	23	41	30	25	43	31	24
Hygiene Improvement Notices	11	2	11	7	8	9	4	1	10
Hygiene Emergency Prohibition Orders	0	1	1	0	0	2	1	0	0
TOTAL	544	827	839	526	818	731	526	639	655

3.2. Service Requests

Reactive work is generated by complaints or information from the public, other local authorities and agencies.

Category	Maidstone			Swale			Tunbridge Wells		
	21/22	22/23	23/24	21/22	22/23	23/24	21/22	22/23	23/24
Food	41	50	31	50	33	37	27	16	16
Hygiene of Premises	71	31	50	92	45	53	66	36	36
TOTAL	112	81	81	142	88	90	93	52	52

Table 4: Service Request by Type and Year

3.3. New Business Registrations

The service must inspect and risk rate new businesses that register with the local authority within 28 days of registering, with the FSA indicating these businesses should be regarded as high priority. In practice many businesses register before they are ready to trade which can require us to monitor their progress to enable officers to undertake an inspection. We also find that some registrations don't materialise into trading businesses. Since the pandemic we have seen a noticeable increase in the number of food business registrations which places further demands on officer's time.

Table 5: Number of New Business Registrations (average per month) per local authority

Year	Year Average number of new food registrations received per LA per month									
	MBC SBC TWBC									
21/22	24	20	16							
22/23	19	16	13							
23/24	20	20	15							

3.4. Food Hygiene Rating Scheme (FHRS)

Appeals against the food hygiene rating score and requests for re-inspection and re-score

Businesses have a right to appeal against the FHRS score decision made by food inspectors, the process for appeals is laid out in the FSA Brand Standard. Both Food & Safety Team Leaders review the inspection information for the business to provide a robust process.

Businesses also have a right to request a re-score of the initial inspection score, where they have completed the work required by the inspecting officer. Generally, this is where a business has scored below a five and would like to improve their score to prevent negative publicity. The inspection for re-rating must be carried out by the service within three months of receipt of this request.

Table 6: Appeal and Re-Scoring Requests

Category	Maidstone			Swale			Tunbridge Wells		
	21/22	22/23	23/24	21/22	22/23	23/24	21/22	22/23	23/24
Appeal	0	3	3	0	3	4	0	2	3
Rescoring inspection	2	11	22	6	8	9	5	11	9

3.5. Projects and Initiatives

3.5.1 The various lockdowns during the Covid Pandemic created a knock-on effect of significant peaks and troughs of inspection activity. This created a legacy of peaks and troughs cycling every 2 years as many of our businesses are D rated and as such inspected every 2 years as defined in the FSA FLCOP. As such we asked the FSA if we could bring forward inspections of compliant D premises (those who have a FHRS of 3 or above) by up to 6 months to flatten out these patterns, this was agreed and a process we are continuing to adopt.

3.5.2 We secured FSA funding for a project to help triage the avalanche of new food business registrations received during the later stages of the Covid pandemic. This allowed us to source additional administrative support to contact these businesses over the telephone and complete a detailed questionnaire which then allowed Team Leaders to make an informed decision as to what food safety risk the new business posed, this allowed us to focus our limited resources on those new businesses posing highest risk.

3.5.3 We have been exploring mobile working solutions for officers to use when undertaking inspections out on district, this has gathered a pace during 23/24, and our aim is to go live in the spring/summer of 2024. This new way of working will greatly improve our customer experience as all instant visit reports will be emailed to the food business operator and typed rather than handwritten ensuring reports are easy to read. Once the solution is fully embedded it will save officer time on site as well as back in the office due to automated emails and uploading inspection documentation direct to our document management system.

3.5.4 The service actively encourages officers to identify ways of making their inspection processes more efficient. For example, there are often delays between a food business submitting their food registration form and starting to trade. Pre-inspection checks are carried out by our Admin team and inspections are only allocated to officers when contact has been made to confirm the business is up and running, this saves on journey times to businesses that have ceased trading or 'no show' visits.

4. Planning Ahead & challenges 2025 - 28

4.1. Overview

We are continuing to experience the impact of considerable change, including, the UK's EU exit, varying political agendas, a national shortage of suitable qualified Environmental Health Officers as well as a cost-of-living crisis resulting in a very real and sustained drop in food safety compliance leading to ever increasing levels of enforcement action.

4.2 Illegally Imported Food

In 2023 one of our officers seized 61kg of illegally imported pork products found whilst undertaking a routine food hygiene inspection at a small mobile catering unit on a lorry park. An enforcement notice was served under the Trade in Animals and Related Products (England) Regulations 2011, this meat was seized and stored in a nearby refrigerated facility until it was collected and destroyed by a licensed waste contractor. Ports are now using the Border Target Operating Model (BTOM) which sets the inspection rates for imports of animal products at Border Inspection Posts, this means, particularly at busy times, consignments are not being inspected by the port of entry. As such inland authorities, such as us, are finding higher levels of non-compliance subsequently leading to greater enforcement work being necessary. We are planning to focus more on this area of work going forward, which will take up significant time and resource.

4.3 Workforce

Given the ongoing national shortage of suitably trained and experienced Environmental Health Officers (EHO's), we must ensure suitable training opportunities are provided so there is an agile and resilient workforce to meet the demands of the future. We currently have 1 FTE vacancy within the Food & Safety team, despite several unsuccessful recruitment attempts over the past two years. This reflects regional pressures of high cost of living in SE England, plus competition from London weighting salaries and very competitive Border Control Points posts at nearby ports of entry. Given these

pressures it is inevitable that we need to continue to radically rethink what skill set officers need to deliver interventions; to this end we are exploring alternative options, for example, increasing our number of Apprentice EHO's. To address the short-term resource issue the vacancy budget is currently being used to fund contractors.

We continue to wait for the outcome of FSA's competency framework review, any significant changes will need to be implemented into our current competency monitoring and recording.

4.2 Modernising Regulation

The FSA is consulting on a new form of national level regulation for supermarkets in England. 95% of our groceries come from 10 large supermarkets. Online food sales have substantially increased, with online food sales almost doubling in the last 5 years. The FSA are exploring whether are alternative ways for such businesses to comply with the rules other than our current regulatory model, which is based on regular in-person inspections local authorities.

4.3 Process Efficiencies

The service actively encourages officers to identify ways of making their inspection processes more efficient, these are regularly implemented to ensure continuous improvement.

We have been working closely with our IT team to explore more efficient ways of working and harnessing the benefits provided by mobile working technology. We have partnered with an external agency which is a market leader in field service and mobile workforce management technology. This project went live in July 2024 and officers are now using a tablet to undertake their food hygiene inspections and compose instant visit reports which are emailed to the Food Business Operator at the time of the visit. The process also streamlines the inspection process by recording visit, inspection outcomes and inspection forms directly to the databases. This journey has not been without its difficulties and the process will continue to evolve over the coming years, it is anticipated the use of this mobile working solution will be extended to also include our service request work.

4.6 **Cost of Living Crisis**

We continue to observe, along with other local authorities, a significant drop in food hygiene standards since the Covid pandemic and subsequently the cost-of-living crisis. This drop in standards has resulted in an increased number of enforcement revisits, request for rescore inspections and enforcement work. This has a significant time impact on our limited officer resource.

4.7 Financial Pressures

Our local authorities, along with many others, continue to face increasingly difficult financial constraints. This has and continues to put significant pressure on the delivery of our many statutory functions. Posts we have been unable to recruit to have been removed from the establishment.

4.8 Shellfish Contract

The current shellfish sampling contract for The Swale expires 1 April 2026, we will be going through the full procurement process in 2025 in preparation for this.

4.9 **Competing Legislative Demands**

We are aware of proposed competing legislative demands, for example, the planned regulation of non-surgical cosmetic procedures such as Botox and fillers, this potentially will have a significant impact on the team as annual licensing inspections will be required to hundreds of premises across the three boroughs.

5. Resources

Mid Kent Organisational Chart (As of 1 April 2024) At time of writing there was also 1 FTE EHO vacant post.

