

Decision Under Delegated Powers

Officer Requesting the Decision

Victoria Spanovic – Food Safety Manager

Officer Making the Decision

Alan Twells – Head of Regulatory Services

Recommendation

To approve the provision of an inspection backfill project using an agency Environmental Health Officer (L211) funded via Cost Centre F205 D0501. This one-off project will run from 4th May 2021 to 27th August 2021 and consist of 286 outstanding food hygiene inspections which will be carried out on a pay per inspection basis. The agency EHO will report to the Food Safety Manager, Regulatory Services.

Reason

Since the beginning of the Covid-19 pandemic, the Secretary of State has implemented several regulations made in response to the serious and imminent threat to public health which is posed by the incidence and spread of severe acute respiratory syndrome coronavirus 2 (SARSCoV-2) in England. Accordingly, the majority of the Food Team's resources have been diverted to Covid-19 business support and enforcement work. As a consequence, there is now a significant backlog of overdue food hygiene inspections which have been carried over into this financial year's workload.

The food hygiene inspection backfill project will provide EHO resources to assist in the completion of statutory food hygiene interventions, whilst existing officers continue to undertake Covid-19 compliance and enforcement work.

Authority for Decision

Under Section 8 of the current Council Constitution the Head of Paid Service (Chief Executive) has delegated authority to agree changes to the establishment, within budget and without major operational disruption or interruption of services or involving a change from direct to indirect provision or vice versa or other policy implications. This has been further sub-delegated by the Chief Executive to Strategic Directors/Heads of Service in certain circumstances (DD 002 021 refers). These proposals fall within the limit of the authority of the relevant Head of Service.

Decision

Date

Background Information

The Coronavirus pandemic has brought with it the introduction of a significant amount of regulation affecting businesses across all sectors within the borough. Businesses have been required to either close, restrict their trading hours and change the way customers can access their services. This has caused significant additional workload pressures on Regulatory Services, which has experienced a massive increase in demands on the service. In addition, the Government directed that Covid-19 compliance and enforcement work must be prioritised above routine food hygiene inspections, and only high-risk food businesses should be visited.

Accordingly, the Food Team has been unable to complete all statutory food inspections programmed between April 20 to March 21. As a result, there is now a backlog of 286 overdue food hygiene inspections. As the Covid-19 enforcement work carried out by the food team is ongoing, this one-off project will enable overdue inspections to be completed and enable officer resources to be focused on the forthcoming year's inspections, as well as continued Covid-19 enforcement activity.

The Contain of Outbreak Management Fund initial allocation of £117k is being used to facilitate on-going enforcement work with EHOs seconded onto this work. Part of the salary savings within the Food Safety Cost Centre F205, will be used to cover the costs of this project work.

This project will run from 4/5/21 to the 27/8/21 and fall outside IR35 conditions. Costings are as follows:

Agency EHO to carry out 90 C and 196 D rated food hygiene inspections on a pay per inspection basis (total 286 inspections).

Total Project Cost = £17,610.

Comments from HR

HR Adviser: Anna Cairns (26/4/21)

Comments: If using an Agency employee to fill this vacancy, the normal recruitment process does not apply.

Financial Implications

Agency EHO to carry out 286 interventions on a pay per inspection basis as a one-off project and the contract will operate outside IR35.

90 C rated inspections at £65 per unit = £5850

196 D rated inspections at £60 per unit = £11,760

Total Project Cost = £17,610

This expenditure will be covered by surpluses against F205/A0101 (salaries) as some members of the team are currently working on the Contain Funding project and are being charged against X464/T0100/BG509. Approximately £5K a month of salaries will be saved against F205/A0101.

No virements to be done as all within Cost centre:F205.

Risk Management

List risks in table below or state that 'No specific risks have been identified with this report'.

Risk Identified	Likelihood	Impact	Risk Management Actions Planned
Financial cost to the Council	High	Low	The government will ensure that local authorities are funded for the new requirements as quickly as possible, in line with the New Burdens doctrine
Failure to adhere to the FSA Code of Practice re: statutory food interventions. Rise in food poisoning outbreaks.	High	High	Plan is in place to complete overdue food hygiene interventions according to statutory requirements via agency EHOs on a project basis. To ensure businesses within the Borough have implemented satisfactory standards of food hygiene and safety.

Key Decision: No

Date included on Forward Plan: N/A

Background Papers:

None