

## **Decision Under Delegated Powers**

### **Officer Requesting the Decision**

Nadine Buckland – Food Safety Manager

### **Officer Making the Decision**

Alan Twells – Head of Regulatory Services

### **Recommendation**

To approve the provision of the backfill of Environmental Health Officer (L211) (EHO) working hours via Cost Centre F205 D0501. The backfill hours will be 22 hours per week for an Agency EHO from the 1<sup>st</sup> October to 31<sup>st</sup> December 2021 (12 weeks) reporting to the Food Safety Manager, Regulatory Services.

### **Reason**

As the country emerges from Covid-19 business restrictions, the Food Standards Agency (FSA) have published the Covid-19 Recovery Plan for the Delivery of Food Law Controls. This plan sets out a framework for restarting the delivery of food interventions, taking a measured risk-based approach to ensure resources are targeted effectively. The Recovery Plan outlines the interventions that are the minimum local authorities need to undertake to fulfil their statutory duties. The FSA have urged local authorities to ensure that they provide resources necessary to meeting the associated targets. In addition, as the hospitality sector has now fully re-opened, the amount of reactive work arising from complaints, requests for business advice and alleged food poisonings has also significantly increased.

Due to a recent staff resignation, long term illness and temporary re-deployment, staff resources within the Food Safety Team have reduced from 4.4 FTE to 2FTE. Although this will be resolved over the long term via recruitment and recovery the team's ability to ensure the minimum intervention requirements specified in the FSA Recovery Plan will be compromised. The backfill EHO hours will provide staff resources to assist with incoming reactive work and enable existing officers to deal with statutory food hygiene interventions as required by the FSA's Recovery Plan.

### **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 service or policy implications, affecting no more than five posts (irrespective of their post number) in any single case (item 6 on page 8-4 of the Constitution). This has been further sub-delegated by the Chief Executive to Heads of Service in certain circumstances (DD ref 28 11/12). These proposals fall within the limit of the authority of the relevant Head of Service.

### **Decision**

## Date

### Background Information

Since the beginning of the Covid-19 pandemic, the Food Standards Agency have instructed enforcement officers to deal with high-risk food safety interventions only and the majority of programmed food inspections have been put on hold. Consequently, local authorities now face a huge backlog of overdue inspections. In response to this, the Food Standards Agency (FSA) have published the Covid-19 Recovery Plan for the Delivery of Food Law Controls. All local authorities are expected to have regard to the guidance and advice in the Recovery Plan which applies from 1 July 2021 at which time it will supersede the guidance and advice provided in response to the COVID-19 pandemic that applies to 30 June 2021. The FSA have urged local authorities to ensure that they provide resources necessary to meeting the associated targets.

This plan sets out a framework for restarting the delivery of food interventions, taking a measured risk-based approach to ensure resources are targeted effectively. The Recovery Plan outlines the interventions that are the minimum local authorities need to undertake to fulfil their statutory duties.

The Recovery Plan also requires enforcement and reactive work to continue according to risk. However, as the hospitality sector has now fully re-opened, the amount of reactive work arising from complaints, requests for business advice and alleged food poisonings has also significantly increased.

Due to a recent staff resignation, long term illness and temporary re-deployment, staff resources within the Food Safety Team have reduced from 4.4 FTE to 2 FTE. Although this deficit will be resolved over the long term via recruitment and recovery, the team's ability to ensure the minimum intervention requirements specified in the FSA Recovery Plan will be compromised; particularly if staff resources are further diluted due to having to respond to reactive work such as food poisoning investigations, business advice and food business complaints. Therefore, the provision of additional EHO working hours to primarily deal with reactive work will enable the team to fulfil their statutory obligations and comply with the FSA Recovery Plan targets.

This project will be funded via Cost Centre F205 D0501 as follows:

The cost of providing this post from 1/10/21 to 31/12/21 will be as follows:

22hrs per week at £40/hr plus oncosts = £1155 per week

12 weeks at £1155 = £13,860

The project will be funded from salary savings within F205 from the reallocation of Covid costs to the Contain funding and also the vacancy saving with F205.

Additional resources are also being allocated for an additional CBC EHO hours, which is outlined in a separate Delegated Decision.

**Comments from HR :**

None received

**Financial Implications**

As detailed above, it will be funded via Cost Centre F205 D0501 as follows:

The cost of providing this post from 1/10/21 to 31/12/21 will be as follows:

22hrs per week at £40/hr plus oncosts = £1155 per week

12 weeks at £1155 = £13,680

This is from salary savings within F205 as a result of the re-allocation of Covid costs to the Contain funding and also the vacancy saving with F205, which was agreed by the CBC Covid Monitoring Group.

**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
Failure to adhere to the FSA Recovery Plan minimum intervention requirements.	High	high	Plan is in place to undertake food hygiene interventions according to statutory requirements via additional EHO working hours. To ensure businesses within the borough have implemented satisfactory standards of food hygiene & safety.
Rise in food poisoning outbreaks.			
Damage to the Council's reputation.			

**Key Decision:** No

**Date included on Forward Plan:** N/A

**Background Papers:**



OFFICIAL+SENSITIV  
E+LA+Recovery+Pla



## **DELEGATED DECISION – ADDENDUM**

**DECISION OF OFFICER MAKING THE DECISION – 25<sup>th</sup> November 2021**  
**DD 176 2021 (To be Appended)**

**Officer Requesting Decision (Addendum)**

**Nadine Buckland – Food Safety Manager**

**Decision and Date (for Addendum)**

### **Recommendations / Addendum**

To approve the provision to extend the contract of the backfill of Environmental Health Officer (L211) (EHO) working hours via Cost Centre F205 D0501. The backfill hours will be 22 hours per week for an Agency EHO from the 1st January 2022 to 31st March 2022 (12 weeks) reporting to the Food Safety Manager, Regulatory Services.

### **Reasons**

Due to a recent staff resignation, long term illness and temporary re-deployment for the Northgate project, staff resources within the Food Safety Team have reduced from 4.4 FTE to 3FTE. Although this will be resolved over the long term via recruitment and recovery the team's ability to ensure the minimum intervention requirements specified in the FSA Recovery Plan will be compromised. The backfill EHO hours will provide staff resources to assist with incoming reactive work and enable existing officers to deal with statutory food hygiene interventions as required by the FSA's Recovery Plan.

### **Background**

As per DD 176 2021

### **Financial Implications**

This extension to contract will be funded via Cost Centre F205 D0501 as follows: The cost of providing this post from 1/01/22 to 31/03/22 will be as follows: 12hrs per week at £40/hr plus oncosts = £1155 per week 12 weeks at £480 = £5760. This is from salary savings within F205 as a result of the re-allocation of Covid costs to the Contain funding and also the vacancy saving with F205, which was agreed by the CBC Covid Monitoring Group.

### **Key Decisions**

No

### **Background Papers**

DD 176 2021



DD176 - Backfill  
Agency EHO.pdf

Signed: ..... *Alan Jones* .....

Date: ...17<sup>th</sup> December 2021