

# Birmingham City Council

## Report to Licensing and Public Protection Committee

26 June 2024



---

**Title:** FOOD LAW ENFORCEMENT PLAN 2024/2025

**Lead Cabinet Portfolio:** Not applicable

**Relevant Overview and Scrutiny Committee:** Not applicable

**Report Author:** Mark Croxford, Head of Environmental Health  
City Operations, Environmental Health  
0121 303 6350  
mark.croxford@birmingham.gov.uk

**Authorised by:** Sajeela Naseer, Director of Regulation and Enforcement  
City Operations Directorate

**Is this a Key Decision?** Not applicable

**If this is a Key Decision, is this decision listed on the Forward Plan?** Not applicable

**Reason(s) why not included on the Forward Plan:** Not Applicable.

**Is this a Late Report?** No  
**Reason(s) why Late:** Not Applicable.

**Is this decision eligible for 'call in?'** No

**If not eligible, please provide reason(s):** Not Applicable.

**Wards:** All

**Does this report contain exempt or confidential information?**

No

**Exempt Information**

Not Applicable.

**Confidential Information**

Not Applicable.

**Has this decision been included on the Notification of Intention to consider Matters in Private?**

No

**Reasons why not included on the notification:**

Not Applicable.

## **1 EXECUTIVE SUMMARY**

- 1.1 The Framework Agreement on Official Feed and Food Controls by Local Authorities requires each Food Authority to identify its strategy and the resources required to fulfil its Food Safety function each year in the form of a Food Law Enforcement Plan.
- 1.2 The Food Law Enforcement Plan for 2024/2025 which is attached to this covering report includes a review of the food safety activity carried out in 2023/2024. This section is mandatory for all reports.

## **2 COMMISSIONERS' REVIEW**

- 2.1 This section, as confirmed by the Lead Commissioner, is not required for reports submitted to Licensing and Public Protection Committee.

## **3 RECOMMENDATIONS**

### **That the Committee:**

- 3.1 Approve the Food Law Enforcement Plan.

## **4 KEY INFORMATION**

### **Context**

- 4.1 The Food Law Enforcement Plan sets out the City's commitment to Food Safety Enforcement for the year ahead.
- 4.2 The plan shows the number of food hygiene and food standards interventions which will be required and identifies those areas of work which are considered essential to protecting food safety in Birmingham.
- 4.3 The plan includes the targets that were set for last year (2023/2024) and reviews performance against them.
- 4.4 The activities in this plan are a statutory requirement under Assimilated EU Regulation 2017/625 Article 1, and the requirements of the food authority are defined in Article 5. This includes carrying out effective and appropriate official controls, such as inspections, enforcement activities & sampling as well as having sufficient numbers of suitably qualified and experienced staff, who also receive regular additional training to maintain competency.
- 4.5 The plan detailed below is derived from the Statutory Codes of Practice. As a result, the details therein are what is legally required. There is therefore no alternative option that can be proposed to committee to consider. This statement is to demonstrate compliance with the Local Government Act 2000 to record all available options and the reasons for their acceptance/ rejection.

- 4.6 The plan identifies that we anticipate there being approx. 2,000 new registrations in 2024/25 and these should be inspected within 28 days, as required by the Statutory Code of Practice. This is putting an increased demand on the available inspectors. In response we are using agency inspectors and looking for other alternative solutions as a priority.

### **Proposal and Reasons for Recommendations**

- 4.7 The purpose of the report is to publicly define the duty on the local authority to deliver our part of the food safety strategy for Birmingham. This is why the full programme is defined despite there being resourcing challenges. It is also the reason for there being no alternative proposals being put forward as it is a defined statutory work stream.

### **Other Options Considered**

- 4.8 No alternative options are available.

## **5 RISK MANAGEMENT**

- 5.1 The resourcing challenges have been identified. Extra funding has been made available for this work however recruitment is proving difficult. Outsourcing low risk inspections is actively being considered.

## **6 CONSULTATION**

- 6.1 The work outlined in this report involves consultation with interested parties such as the Food Standards Agency, DEFRA, and UKHSA.

## **7 IMPACT AND IMPLICATIONS**

### **Finance**

- 7.1 Whilst the exact costs are difficult to forecast, these will not exceed the budget for the Environmental Health Service which is £4.8m. This is due to the significant number of vacancies in the service (20 posts).
- 7.2 Additional resources of £1.2m has been provided through the medium term financial plan to the service specifically to tackle the increased demand and to meet statutory minimum services within Environmental Health. However there is a national shortage of qualified officers.

### **Legal**

- 7.3 Article 5 of EU Regulation 2017/625 provides that competent authorities shall have procedures and/or arrangements in place to ensure the effectiveness and appropriateness of official controls and other official activities.

- 7.4 The guidance issued by the Food Standards Agency (FSA) provides information on how service plans for official feed and food law controls should be structured and on what they should contain. Service plans will provide the basis on which local authorities will be monitored and audited by the FSA. Powers enabling the FSA to monitor and audit local authorities are contained in the Food Standards Act 1999 and in the Official Feed and Food Control Regulations.

### **Equalities**

- 7.5 Equality issues are considered when carrying out food safety activities carried out by officers. All enforcement action is compliant with Regulation and Enforcement's Enforcement Policy which has been subjected to an Equality Impact Assessment.

### **Procurement**

- 7.6 There is a procured contract for agency inspections.

### **People Services**

- 7.7 Due to a national shortage of Environmental Health Officers we are not getting interest from suitably experienced officers wishing to work here. As a direct result the service is only likely to attract newly qualified officers as Birmingham is second to none for gaining experience. This does however put a greater strain on existing staff.

- 7.7.1 Environmental Health have taken on six new Environmental Health Officers in the last year and had two internal members of staff complete the Chartered Institute of Environmental Health's Pathway to Registration. Four of these officers are all at various stages of working through the Food Standards Agency Competency Framework to enable them to carry out food hygiene and standards related work. At this stage they cannot inspect higher risk premises but should be able to as the year progresses.

- 7.7.2 Currently the Environmental Health team is actively seeking to recruit 20 qualified EHO's. In addition, the service has 5 apprenticeship trainees who will qualify between 2025 and 2027 as it is a 4-year course). Environmental Health are also actively looking to recruit student Environmental Health Officers who have completed their training but need practical experience to gain the full qualification. The service has two members of staff expected to gain full qualification in 2024/2025.

7.7.3 There are 26.17 FTE Environmental Health Officers within the service, but this includes 1.8 FTE currently or due to be on Maternity Leave. All of these officers are being tasked with prioritising the delivery of the FLEP and as such this, impacts on the capacity of the service to deliver other statutory work such as Health and Safety and Nuisance work.

7.7.4 Despite recruitment taking place in 2023/2024 the number of FTE has remained stagnant. However, under the medium-term financial plan Environmental Health has had an increase in budget of £1.6 million, from this money, we are looking to recruit a growth 16 officers plus fill 4 vacancies from organic changes, that being a total of 20 officers.

### **Corporate Parenting**

7.8 There are no implications or opportunities in relation to the Corporate Parenting responsibility arising from the recommendations in this report.

### **Other**

7.9 'There are no other implications arising from the recommendations in this report.

## **8 APPENDICES**

8.1 The Food Law Enforcement Plan, is attached as an appendices to this report.

## **9 BACKGROUND PAPERS**

Local Authority Framework Agreement - Food Standards Agency 2001.

## FOOD LAW ENFORCEMENT PLAN 2023-2024

### 1. Background

- 1.1 All local authorities are required to produce a Food Law Enforcement Plan which sets out the measures the authority will take to safeguard food safety during the forthcoming financial year and reviews the targets set for the previous year.
- 1.2 Birmingham has approximately 10,435 food premises including manufacturers, wholesalers, retailers, and caterers, ranging from small and medium sized businesses to major concerns and this includes 100 food businesses which need specific approval. In addition, many other businesses change hands throughout the course of a twelve month period. A concerted effort was made to reduce the number of unrated premises in the city with a total of 562 unrated inspections being carried out in 2023/2024. In addition, there has been, despite this work there are currently 2226 unrated food businesses requiring inspection and rating, this is an increase of 125 from 2101 last year and shows that despite the targeting of new businesses, the problem continues to remain. It has been determined that in excess of 21.33% of known food businesses in Birmingham are now unrated and therefore have not been inspected, this does not therefore include those premises trading that we do not know about. This provides a constant challenge to ensure that all food businesses are included in the regular food inspection programme.
- 1.3 As well as carrying out food hygiene and food standards inspections, high risk food complaints relating to adulteration, composition, labelling, fitness and quality are investigated. All 'near misses' and incidences of persons with food allergies and intolerances becoming ill after consuming food are investigated. An annual food and water sampling programme is carried out to ensure that microbiological, chemical and compositional standards are met, including nationally co-ordinated surveys. All reported outbreaks and sporadic cases of suspected food poisoning are also investigated.
- 1.4 Food safety activities are undertaken in line with the 'Better Regulation Agenda' brought in by the Regulatory Enforcement and Sanctions Act 2008, i.e. being proportionate, accountable, consistent, transparent and targeted. The Act, therefore, places greater emphasis on providing advice and guidance to food businesses in addition to firm but fair enforcement.

### 2. Demands on the Food Service

- 2.1 Each Local Authority has different demands which impact on the delivery of the food safety service and within Birmingham these include:
  - Ensuring that the statutory inspection targets are met in respect of such a large number of food premises in the largest local authority in England and Wales.

- Ensuring that an equitable service is delivered in a multi-cultural City so that information on food hygiene and technical advice is accessible to all food traders.
  - Dealing with a high turnover of food businesses and proprietors within the City and maintaining an accurate database to ensure that all food premises are inspected.
- 2.2 The recruitment issues in officer numbers within Environmental Health will impact on the service, particularly in respect of planned activities. In 2023/24 the service will have six enforcement officers undertaking training to become EHO's. However, this is a 4-year course meaning two are scheduled to qualify in the summer of 2025, one in 2026 and three in 2027. This unfortunately is insufficient to tackle organic staff churn but is all of our current enforcement officers who have shown an interest in this career development. It does not a panacea addressing the loss of highly experienced officers, nor the national shortage of qualified officers to undertake this work.

### 3. **Introduction to The Food Law Enforcement Plan for 2024/2025**

- 3.1 The priorities for ensuring food safety in Birmingham for 2024/2025 are to:
- Carry out a programme of food hygiene interventions for the year. Due to staffing levels, we are unlikely to achieve the overall number of 7791 inspections. This is due to the large number of overdue D rated inspections and the large number of overdue and expected new registrations.
  - Will investigate high risk requests for assistance in relation to food hygiene, food standards and food complaints, including sporadic cases and outbreaks of infectious disease, allergen incidents and pest complaints.
  - Carry out a food and water sampling programme, including private water supplies, subject to available resources.
- 3.2 The work plan to safeguard food in Birmingham during the forthcoming year is detailed in Appendix 1.
- 3.3 The aim is to achieve a level of food safety in Birmingham that is consistent with the City Councils vision of a safer and healthier city.

### 4. **Food Premises Interventions**

- 4.1 Under the Statutory Food Law Code of Practice, all food premises are categorised according to an intervention rating score. This determines the frequency of primary food hygiene interventions, from 6 months to 3 years, and depends on the type of food business, the type of food processing or handling undertaken, hygiene and structure of the premises and how well risks are controlled.



4.2 Currently, 90.3% of rated food businesses in Birmingham are classed as 'broadly compliant', which leaves approximately 9.7% which are not, this figure includes 532 0-1 rated premises. It is worth noting, that at the time of the initial inspection, prior to paid FHRS rescore visits, these figures were 88.6% "broadly compliant" and 11.4% non-compliant with 609 0 -1 rated premises. Officers will be concentrating on those worst premises i.e. those in the 0-1 range by carrying out additional interventions and taking enforcement action where necessary in order to raise standards to 'broadly compliant'.

4.3 The Intervention Programme will be as indicated below.

The higher risk category A to C premises and non-compliant D premises will be subjected to full inspections. This includes inspections of premises requiring approval, manufacturers and larger more complex food businesses, these types of businesses add an additional 30 officer days per month demand on resources.

The remainder of the D and unrated premises: and application has been made to the Section 151 officer which has been approved to enable us to recruit and take on temporary contractors and agency works to undertake these inspections. It is anticipated that a number of these premises will include duplicate premises and businesses that have either closed or did not start up, we therefore expect the number of unrated and overdue D's to reduce significantly.

Category E premises will be subject to a self-assessment questionnaire by correspondence.

4.4 "New" Food standards inspections:

In July 2024 the Local Authority is expected to implement the Food Standards Delivery Model (FSDM). This may be delayed as the current Management Information System (MAPSS) being no longer supported and not capable of transferring to the new model, we are waiting on guidance from the Food Standards Agency.

The Food Standards Agency is increasing the priority of Food Standards inspections and introducing a new risk rating scheme which will mean a food premises will be expected to be inspected, for Food Standards alone, at intervals between one month and 10 years depending on the "Inherent Risk" and "Compliance Assessment". The longer time scales between inspections will likely be for those businesses that only handle pre-packed items that are manufactured within the UK. All businesses that handle open foods, importers, manufacturers, and distributors are likely to have intervals of between six months and 24 months, with one, three or six months being more likely inspection frequencies for non-compliant businesses.

Guidance from the Food Standards Agency on the implementation of the FSDM allows for Food Hygiene Inspections and Food Standards inspections to be carried out together even if one is not 'due' as per the inspection

programme. This will allow, in the majority of premises, for a continuation of how we have operated previously where Food Standards inspections have taken place during Food Hygiene inspections.

There will be a small number of premises that are deemed high risk for Food Standards that may require an inspection independently of their Food Hygiene inspections. The number will not be known until the data is transferred to the new risk rating and the impact will need to be assessed when this occurs.

Premises, that get rated the highest priority requiring a one- or three-month intervention. If these premises are the same as ones, we would do a revisit for serious non-compliance, then this may not cause an increased demand. However, until it is implemented it does appear that we could have a B rated premises for hygiene (yearly inspection required) and a Food Standards rating of 3 months and this would increase the inspection frequency to 4 times in the 12 months. We will have to monitor to see if this ever manifests itself in this way.

We will continue to focus on the highest risk areas of Food Standards whilst inspecting including labelling in manufacturing premises, imported food, provision of information likely to cause food allergies and intolerances and unauthorised claims.

The impact of the Food Standards Delivery Model will be monitored following the implementation.

4.5 The food hygiene and food standards interventions which are required during 2024/2025 are given in Appendix 1.

## 5. Food Related Complaints and Requests for Assistance

5.1 Investigations are carried out into complaints about poor hygiene in food premises and in response to requests for assistance from food proprietors who need additional advice about their business. The number of complaints dropped considerably from pre pandemic levels to 1414. An increasing number of these complaints are held until the next scheduled inspection following a risk assessment, rather than being investigated when received.

5.2 In addition, 217 complaints were received each year from members of the public who are concerned about the food they have bought or eaten, this includes 43 incidences where a person with a food allergy or intolerance has reporting an incident or near miss with regards to the food they ordered. These are investigated on health risk basis and are often complex investigations involving other Local Authorities, national companies, and importers where food has originated from outside Birmingham or the UK. Where the issue is low risk, investigations will be delayed until the next programmed inspection.

5.3 The FSA operates a system to alert the public and food authorities to problems concerning food which does not meet food safety requirements, or which is inadequately labelled and where a product recall has been issued. The alert system now includes a category of 'Allergy Alert' highlighting the importance placed on allergen control, the number of alerts has therefore remained high this year and is expected to maintain this trend. With such a large number of caterers and retailers in the city, this can prove a challenging and time-consuming exercise. Where a large-scale response is required, this will impact on other demands of this plan.

## 6. Primary Authority Principle

6.1 Regulatory Services has formal partnerships for food safety and food standards matters with:

- Mondelez - Chocolate and confectionery manufacturer
- Wing Yip - Chinese importer and wholesaler
- Avanti Trains - Catering outlets on train services
- Marks & Spencer - Food retailer
- Asana Leisure Ltd - Restaurant Chain

6.2 This is a resource intensive exercise as additional meetings and inspections are required in order to properly advise both the business and other local authorities. Where Primary Authority Partnerships have been agreed, we operate a cost recovery system from the company, with approximately £100,000 recovered this year. We are not able to make a profit on these arrangements, they are purely cost recovery. A decision has been made to not sign up to any further Primary Authority Partnerships due to not being able to effectively resource them.

6.4 In addition, Birmingham is the originating authority for approximately 150 food manufacturers / importers / distributors, whereby the Home Authority principles are applied, although formal partnerships have not been established with these companies. We have a statutory duty to deal with referrals from other Local Authorities where products manufactured in Birmingham are sold in other areas, and problems are identified. This takes a large resource to support and respond to these enquiries. There is no requirement for these businesses to enter a formal partnership arrangement and therefore we cannot undertake any cost recovery for this work.

## 7. Food Sampling

7.1 A food and water sampling programme will be developed during the year in conjunction with UK Health Security Agency (UKHSA) and the Public Analyst.

7.2 The sampling programme will be restricted to serious complaints/outbreaks and national and regional surveys co-ordinated by UKHSA and CENTSA, the surveys planned and numbers of samples proposed have yet to be agreed due to funding restrictions. In 2023/2024 there have been 45 compositional samples and 62 microbiological food samples including 6 that covered participation in national survey. This is an increase in the number of samples carried out in previous years. The number planned for this year is not known at this stage and will be determined by capacity, outbreaks and complaints received.

## 8. Control of Infectious Diseases

8.1 Serious outbreaks and sporadic cases of food poisoning and suspected food poisoning are investigated, including potentially serious infections such as typhoid, paratyphoid, dysentery and E. coli 0157. Officers work in close liaison with the Consultants in Communicable Disease Control, Public Health doctors and nurses of the UK Health Security Agency to protect the public health of people who live and work in or visit the City. Joint guidelines have been produced to ensure that all cases of infectious disease are investigated thoroughly. Reciprocal training is carried out to train professionals for both Regulation and Enforcement and UKHSA.

8.2 In the past year there has been active investigation into six outbreaks/potential outbreaks. There has, in addition, been active investigation in to two lead poisoning cases, two Tuberculosis cases, one infant Botulinum and one Cronobacter sakazakii case. These often involve a more in-depth level of officer investigation including where appropriate sampling of food, water or the home environment. It is not possible to predict in advance the impact of outbreak / infectious disease investigations and resources are required to be diverted as necessary which can impact on the delivery of this plan.

## 9. Food Premises Database

9.1 It is important that the food premises database is kept as up to date as possible so that all food premises are inspected regularly. Currently the action carried out to achieve this is through new registrations and officers identifying new businesses when carrying out visits. We are therefore undertaking a specific proactive exercise to maintain and improve the database which, along with intelligence obtained by officers during their general duties, has resulted in 1845 premises removed from the food programmed in 2023/2024, however in the same period there were 1732 new businesses entered onto the database meaning a reduction of only 113 premises.

## 10. Advice to Businesses

- 10.1 In accordance with the Enforcement Policy, advice is offered wherever possible to food businesses, to assist them in complying with relevant law and the principles of good practice. This advice may be given during inspections or when requests for assistance are received directly from established food traders or from those considering setting up new food businesses.
- 10.4 Officers also work closely with the Events Division to ensure that food and health and safety at large outdoor events in Birmingham are assured. An Events Food Safety Manual has been developed for traders to receive in advance and on-the-day inspections will be carried out at events such as Frankfurt Christmas Market and Colmore Food Festival. In addition, officers work with the events team in advance of both these events and other smaller events to ensure that the food businesses are compliant. The demand in this area of work fluctuates depending on high-profile events occurring in the city within the year, however two large scale events have stopped providing food/relocated to another Local Authority, reducing some pressure on resources. Additional resources have not been identified to cover demand for events and will therefore impact on other parts of this plan. As a result, we have had to balance our activities in this area due to a lack of resources and ensure we target where the risk is felt to be greatest.

## 11. Food Safety and Standards Promotion

- 11.1 Queries from the public will be responded to on food safety matters as part of the overall request for assistance service, subject to available resources.
- 11.2 As part of our partnership with Public Health the authority will continue to explore ways to encourage food outlets to provide healthier choices on their menus.
- 11.3 Due to changes in labelling regulations all food business are required to provide greater information to consumers about allergenic ingredients. However, the number of unrated and therefore uninspected food businesses presents a considerable risk to allergen sufferers, who will expect that all businesses are checked to ensure allergen information is accurate and up to date.
- 11.4 In addition the level of enforcement action in relation to allergens remains low, and further urgent action is required to provide assurances to allergen sufferers in the city. Increased resources should be directed towards this, particularly in monitoring businesses offering allergen free alternatives. Recent high profile allergen deaths have largely been associated with cross contamination where such allergen free menu items have been found to be heavily contaminated due to poor practices. There has also been a dramatic rise in allergy alerts highlighting the importance of this area of food safety.

## 12. Review of work undertaken in 2023/2024

### Inspections and legal action

- 12.1 Appendices 1 and 2 give detailed information on the food safety work carried out during 2023/2024.
- 12.2 Some 2829 food hygiene inspections were carried out in between 1<sup>st</sup> April 2023 and 31<sup>st</sup> March 2024 and 1212 food standards inspections. In addition, 1845 premises were identified as ceased trading and removed from the programme. This represents 99.7% of the planned inspection target and also included a number of low-risk inspections to premises not included in the programme but where complaints had been received.
- 12.3 Officers concentrated on ensuring that the genuine low scoring premises were improved, by carrying out additional inspections and taking enforcement action where necessary.
- 12.4 Birmingham has 100 food businesses which require specific EC approval. These are premises which produce or store high risk meat, fish or dairy products on a wholesale basis. This approval process usually involves a number of inspections, a review of the company's food safety management system and an assessment of other conditions before approval can be granted and requires a more in-depth knowledge of assessing food safety systems. These types of premises have a higher risk of E.Coli and Listeria and represent the highest risk to food safety
- 12.5 During 2023/2024, 84 premises were found to present an imminent risk to health and were closed immediately until all necessary works were carried out. This is a small increase on last years' activity and is above the average number of closures which are normally carried out in Birmingham. Although this could be considered a large number, compared to the total number of inspections carried out (2829) it only represents 2.9% of premises which seriously failed to meet basic hygiene requirements and put their customers at risk.
- 12.6 38 premises were prosecuted for food hygiene and food labelling related offences with total fines amounting to £402,456.15 and costs recovered of over £71,589.06. Of particular note are: one business receiving a fine of £72,000, one business receiving a fine of £32,000 and an additional five businesses receiving fines of £20,000 or more. In addition 18 businesses received a simple caution. These are both increases on previous years and above the three year average.

## Food and water sampling

- 12.7 A range of sampling has been carried out to investigate the microbiological safety of food products as well as composition and labelling. A full sampling programme was not undertaken in 2023/2024 due to the demands on the service, whilst this is not a mandated requirement it has been referenced by the Food Standards Agency previously as a gap in Food Authority functions.
- 12.8 All sampling this year was in relation to the investigation of complaints and outbreaks, comprising 107 samples in total. Of the 62 microbiological samples, 10 (16%) were unsatisfactory and 5 (8%) were borderline. This is a lower failure rate than in previous years, this is due to the sampling this year widening to also include national surveys. A summary of results is not available for compositional sampling. All borderline/unsatisfactory issues identified were raised with the companies concerned and their home authorities and follow up action taken to ensure that problems were rectified and where necessary food products removed from sale.

## Food Hygiene Rating Scheme

- 12.9 The ratings website where hygiene scores for businesses are displayed features over 10,000 food businesses. As part of the scheme officers issued window stickers for all businesses in the scheme. We continue to support the introduction of legislation requiring the mandatory display of ratings stickers, however Government have yet to bring forward the necessary legislation to make England the same as Wales.

## Training

- 12.10 All officers who carry out food inspections have received training in food safety, to meet the 10 hours required.

## Project Work

- 12.11 Officers have worked in partnership with the Council's events division, two officers were appointed to offer specialist advice concerning food safety at the major outdoor events. Safety advisory groups were attended for 3 events and 2 largescale events were subjected to actual inspections. Over 55 actual inspections were carried out of food businesses at those events to ensure they were a success. As indicated it is expected that the service will continue to be unable to provide the required level of support to events in this coming year.

### 13. Trends

- 13.1 Although the trends over the last three years are shown in Appendix 3 they are still impacted by the covid pandemic. In the early stages of the lockdown all inspections and food safety activities ceased, with a gradual return over the following year to a range of food safety activities. It was not until the recovery programme that started in October 2021 that planned inspections commenced in certain premises, any visits up to that point were as a result of complaints or requests.
- 13.2 Appendix 3 therefore gives some statistical information showing the trends in some areas of food safety since 2018, subject to the above qualification. The number of food premises in Birmingham has shown a large increase (18% more than pre-covid levels) while interventions required has been fairly steady. The number of interventions carried out in 2023-2024, was 99.7% of the planned target.
- 13.3 The number of Emergency Prohibition Notices served has fluctuated but has increased in the last two years and is currently 78% higher than the 2018/2019 figure. The average has slightly increased to 71 served per year. The number served in 2018-2019 was significantly below this average, see appendix 3.
- 13.4 The number of Food Hygiene requests for assistance has continued to fall and is currently less than half of the 2018/2019 number.
- 13.5 The number of sporadic cases of infectious disease has remained high and increased from 2022/2023. This highlights the need to continue to direct resources at poor performing food businesses and the importance of food safety in the Service Plan in reducing foodborne infection. The number of reported outbreaks of infectious disease has increased this year.

### 14. Resources

- 14.1 The food safety work 2023/2024 was carried out within existing budgets, except where indicated.



Essential food related work carried out in 2023/2024 and planned for 2024/2025

APPENDIX 1

Activity	No. required Apr 23 to Mar 2024	No. achieved Apr 23 to Mar 2024	Comments	No. required in 2024/2025														
<p>Food hygiene primary inspections, category</p> <p>A (High risk)</p> <p>B</p> <p>C (Medium risk)</p> <p>D (0-2)</p> <p>D (3-5)</p> <p>E (Low risk)</p> <p>Overdue A-C</p> <p>Overdue D</p> <p>Overdue E</p> <p>Unrated</p> <p>New Registrations</p> <p>Total</p>	<p><b>168*</b></p> <p><b>581</b></p> <p><b>744</b></p> <p><b>39</b></p> <p><b>0</b></p> <p><b>33</b></p> <p><b>8</b></p> <p><b>900</b></p> <p><b>2655</b></p> <p><b>600</b></p> <p><b>320</b></p> <p><b>6048</b></p>	<p><b>151</b></p> <p><b>523</b></p> <p><b>614</b></p> <p><b>39</b></p> <p><b>57</b></p> <p><b>8</b></p> <p><b>883</b></p> <p><b>562 (all unrated)</b></p> <p><b>2837 (plus 1845 removed from program)</b></p>	<p>Discrepancy in required and achieved for 2023/2024 is caused by those removed from the food program as they are no longer trading – 1845 in total:</p> <table border="1" data-bbox="974 510 1388 790"> <thead> <tr> <th>Risk Rating</th> <th>Number removed</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>10</td> </tr> <tr> <td>B</td> <td>90</td> </tr> <tr> <td>C</td> <td>257</td> </tr> <tr> <td>D</td> <td>439</td> </tr> <tr> <td>E</td> <td>150</td> </tr> <tr> <td>Unrated</td> <td>899</td> </tr> </tbody> </table> <p>The interventions required in 2024/2025 are shown in the next column. Unlike 2023/2024 the interventions planned for 2024/2025 include all of the due and overdue inspections in the food programme. The category E premises are subject to interventions as detailed in the report.</p> <p>*A's are due every six months so the figure for October to March is estimated. Any A's inspected in the first 6 months that become a B or lower will no longer require an inspection in the second 6 months of the year.</p> <p>New registrations is an estimated figure based on 2023/2024</p>	Risk Rating	Number removed	A	10	B	90	C	257	D	439	E	150	Unrated	899	<p><b>187*</b></p> <p><b>511</b></p> <p><b>1128</b></p> <p><b>85</b></p> <p><b>620</b></p> <p><b>240</b></p> <p><b>8</b></p> <p><b>1053</b></p> <p><b>21</b></p> <p><b>2226</b></p> <p><b>1719*</b></p> <p><b>7798</b></p>
Risk Rating	Number removed																	
A	10																	
B	90																	
C	257																	
D	439																	
E	150																	
Unrated	899																	

<b>Activity</b>	<b>No. required Apr 23 to Mar 2024</b>	<b>No. achieved Apr 23 to Mar 2024</b>	<b>Comments</b>	<b>No. required in 2024/2025</b>
Food standards primary inspections	N/A	1212	Food standards inspections are carried out at the same time as food hygiene inspections. The number of food standards inspections is considerably lower than expected. Priority will be allergen information, date coding, labelling and manufacturing premises as these contribute to the highest risk. From July 2024 the Local Authority needs to implement the Food Standards Delivery Model previously discussed.	4616

Activity	No. planned/ expected 2023/2024	No. achieved 2023/2024	Comments	No. planned or expected in 2024/2025 (based on preceding year)
Requests for assistance: Food hygiene/ Food standards/ complaints  TOTAL	1294 (FH)  217 (FS)	<b>1191 (FH)</b>  <b>274 (FS)</b>	These are not targets but expected figures – the numbers depend on the demand made by consumers and traders	<b>1200 (FH)</b>  <b>250 (FS)</b>
Infection control: Sporadic cases Outbreaks	1234 (sporadic)  6 (outbreak)	<b>1236 (sporadic)</b>  <b>7 (outbreaks)</b>	Most outbreaks of gastro-intestinal disease are caused by person-to-person spread of viruses which may not be food borne. However, the initial symptoms are the same as for food borne bacterial causes and so all outbreaks are investigated.	<b>1230 (sporadic)</b>  <b>6 (outbreaks)</b>
National food alerts: Food Alerts Allergy Alerts TOTAL	60 (FA) 80 (AA)	<b>65 (FA)</b> <b>62 (AA)</b>	The numbers depend on alerts issued by the Food Standards Agency	<b>65 (FA)</b> <b>62 (AA)</b>
Food and water sampling	Not set	<b>107 Food Samples.</b>  <b>114 Water Samples</b>	More details are given in section 12.	<b>100 Food Samples</b>  <b>100 Water Samples</b>
Food related training for EHP's	10 hours for each officer	10 hours	All officers involved in food safety enforcement are required by the Code of Practice to complete 10 hours relevant training per year	<b>10 hours per officer</b>

**Additional food related work carried out in 2023/2024 and planned for 2024/2025**

**APPENDIX 2**

<b>Topic</b>	<b>Activity in 2023/2024</b>	<b>Planned for 2024/2025 including resources implication (officers days)</b>
Hygiene scores on the web	There are now 10148 food premises featured on the website, and stickers are issued to all food premises following a programmed inspection or paid rescore visit. 289 Premises applied for a paid rescore visit following their primary inspection.	Charging for revisits was launched in April 2017 as agreed by Committee. The charge has increased to £275. The number of paid food hygiene rescore visits impacts on the resources available to carry out this plan. It is not inspected that the number would decrease in 2024/2025 (96 days per year).
Outdoor events	Two officers has been assigned to liaise with Leisure Services on events such as the German Market and the Colmore Food Festival and to provide advice to mobile traders attending these and other events.	As for 2024/2025, it is hoped that this resource will be sufficient for administrative assistance, with additional resource deployed for inspecting at events as required. (14 days a year)
Home/Primary Authorities	Additional work required – liaison with the company, advice given on policy matters and liaison with other local authorities.	No further development of Primary Authority partnerships with additional companies. (225 days a year)
Meetings at national level and consultation documents: FSA, LGA	Meetings have been attended as required, and consultation documents commented on.	As necessary subject to available resources
Liaison meetings: Water Authorities & CCDC's	Meetings have been attended as required.	As necessary subject to available resources
Food Fraud	Investigation of complaints referred from the FSA.	As necessary subject to available resources.
Private Water Supplies	Monitoring and sampling of private water supplies.	To carry out risk assessments of private water supplies and private distribution networks. (8 days a year). Time increases if/when a problem occurs.

**Food Safety related statistics 2017/2023**

<b>Activity</b>	<b>2018/19</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/2024</b>	<b>3 year average</b>
Total number of food premises in Birmingham	8842		OMITTED DUE TO COVID		11131	10,435	10,136
Programmed/ Primary Food hygiene inspections carried out	3809				3316	2829	3317
Food Standards inspections carried out	1296				3316	1212	1941
Emergency Prohibition Notices served	47				81	84	71
Food safety prosecutions completed at court	29				26	38	34
Food hygiene RFA's dealt with	3106				1414	1294	1938
Food complaints RFA's dealt with	700				165	217	360
Sporadic infectious disease cases investigated	1344				1057	1234	1212
Outbreaks investigated	1				4	6	4
Food alerts received	177				139	127	148