

Local authority food standards and safety capacity

Purpose of Report

For direction.

Summary

The Food Standards Agency (FSA) will present to the Board on workforce and capacity issues in local government food standards and safety.

LGA Plan Theme: **Support to the LG Workforce**

Recommendation(s)

That the Board considers:

- (a) The proposals set out in paragraph 17; and**
- (b) How the LGA works with the FSA going forward on workforce issues of mutual concern.**

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Background

1. The Food Standards Agency's role, as set out in the Food Standards Act 1999, is to protect public health from risks arising in connection with the consumption of food and to protect the interests of consumers in relation to food and animal feed.
2. Local authorities deliver food and animal feed standards through their Trading Standards teams (upper tier/unitaries) and Food Safety through their environmental health teams (lower tier/unitaries).
3. One of the roles of the Food Standard Agency (FSA) is to gain assurance that Local Authority performance meets the minimum standards set out in the Food Law Codes of Practice issued under the under Section 40(1) of The Food Safety Act 1990, Regulation 6(1) of The Official Feed and Food Controls (England) Regulations 2009 and Regulation 26(1) of The Food Safety and Hygiene (England) Regulations 2013. Therefore local authorities must deliver the requirements set out in in the Food Law Codes of Practice and as such makes food safety regulation a statutory service.
4. The Framework Agreement on Official Feed and Food Controls by Local Authorities Implements FSA powers under the Food Standards Act to influence and oversee local authority enforcement activity, supported by data monitoring and a programme of audits.
5. The National Enforcement Priorities (NEPs) for animal feed and for food hygiene at the level of primary production are developed annually in consultation with local authority representatives and others.
6. Prior to the Covid pandemic local authorities were required to annually upload data generated from their systems to the FSA's web-based platform called Local Authority Enforcement Monitoring System (LAEMS). During Covid as a result of needing to obtain more timely data a quarterly survey was introduced, this data collection is now undertaken bi-annually. This is the data the FSA use for annual reports and performance monitoring.
7. During the Covid pandemic local authorities moved Environmental Health and Trading Standards staff to other areas to help manage the response. This resulted in many food hygiene interventions being stopped. As a result, in 2022 the FSA issued the Local Authority Covid recovery plan with specific targets regarding food hygiene inspections to be met. This plan finished in March 2023 and local authorities are expected to have returned to "business as usual".

Proposal

8. The FSA is concerned that despite the expectation for local authorities to have returned to business as usual, the reduced local authority capacity in food standards and safety means that many are still struggling to undertake planned inspections. There is also an increase in the number of registered food business that have not yet been inspected. This is highlighted in a report to the December 2023 FSA board. A copy of the report can be found [here](#).
9. In December 2023 the FSA also published [Local Authority Capacity and Capability research](#) which found that not enough people are going into the environmental health and trading standards professions and those who do are not necessarily choosing food as a career. If they do, then low pay and lack of career progression in councils makes retention harder. The report also contains some useful additional findings about a lack of alignment between the education system and what councils need to train staff.
10. Further concerns about the local authority workforce picture for food safety regulation can also be found in [Our Food 2022 An annual review of food standards across the UK](#)
11. These reports closely align to the work the LGA is undertaking around workforce capacity issues. In July 2023 the LGA's Executive Advisory Board agreed that Environmental Health would be one of eight priority service areas facing the most severe workforce capacity challenges to be prioritised in the LGA's local government workforce capacity plan.
12. The LGA's Workforce Capacity Action Plan agreed by the LGA's Executive Advisory Board (and which progress against is reviewed by the Economy and Resources Board) covers:
 - 12.1. Gaining greater insight on the issues facing councils through surveys and other sources of data and through engagement with senior regulatory services professionals to gain a deeper understanding of the nature and scale of the recruitment and retention challenges facing the sector. This includes reviewing the findings of FSA research.
 - 12.2. Attracting candidates to work in priority occupations including through the National Graduate Development Programme and a new national recruitment campaign to attract people into local government which is currently being piloted in the North East of England.
 - 12.3. Continuing to promote the use of apprenticeships and T levels in the sector.
 - 12.4. Launching a skills hub programme in July 2023 targeting five occupational skills shortages including environmental health. There are hubs for each

occupation with each hub led by an individual council, and are designed to map skills and qualification pathways as well as sharing practice.

12.5. Providing advice guidance and bespoke support to councils on good recruitment and retention practice, health and wellbeing support, workforce planning and organisational design.

12.6. Developing resources aimed at engaging and promoting local government to young people.

Implications for Wales

13. The FSA has a 3-nation remit covering England, Wales and Northern Ireland. Scotland has their own body Food Standards Scotland (FSS). Food standards and safety is dealt with in the same way in England and Wales, but there is a dedicated team in Wales who focus on engagement with Welsh local authorities, funded by the Welsh Parliament. The report on local authority performance to [the FSA board in December 2023](#) gives a 3-nation breakdown. The FSA's work on resourcing covers Wales, although Welsh authorities did not take part in the survey. Research undertaken by the Directors of Public Protection Wales (DPPW), was included.

Financial Implications

14. Any work identified by members will be taken forward within existing resources.

Equalities implications

15. Job seekers are looking for diverse workplaces: addressing equalities considerations is a crucial part of work to maximise the potential pool of local government workers and aid retention: support to councils to consider equalities good practice is an important part of the workforce provided by the LGA. This is important in terms of culture and career aspirations, but also means consideration of flexible working and doing more to support the health and wellbeing of staff.

16. By working with councils and with relevant professional bodies, the LGA is targeting its policy and improvement work to address workforce capacity challenges towards those service areas where it is most needed, being mindful of equality, diversity and the impact on local communities.

Next steps

17. Members are invited to consider whether the Board recommends the LGA's Workforce Capacity Action Plan includes additional support from the LGA around

the recruitment and retention of environmental health officers. In addition to the points in paragraph 12 above, such support could include:

- 17.1. Lobbying government for funding for a programme to attract graduates into the environmental health profession similar to the Pathways into Planning programme.
 - 17.2. Continued engagement with senior regulatory services professionals to gain a deeper understanding of the nature and scale of the recruitment and retention challenges facing the sector.
 - 17.3. Further exploring different funding models for councils' food safety enforcement activity to provide additional resources to increase the workforce capacity in the sector.
 - 17.4. Raising awareness within government and among elected members of the important role that food and feed teams carry out.
18. Alongside such activity members are also invited to consider how the LGA works with the FSA going forward on workforce issues of mutual concern.
19. Officers will then proceed on the basis of the steer from members.