

Food Standards Agency in Scotland

Audit of Local Authority Implementation of FSA Guidance on controlling the risk of cross-contamination from *E.coli* O157

Audit Brief

July 2013

Background

1. The primary purpose of Agency audits of Local Authorities is to provide assurance that local delivery of official controls for feed and food comply with EC and UK legal requirements and official guidance. The detailed guidelines for the conduct of audits of competent authorities are set out in an EC Decision of October 2006 ¹.
2. The power to set standards, monitor and audit Local Authority feed and food law enforcement services was conferred on the Food Standards Agency by the Food Standards Act 1999 and the Official Feed and Food Controls (Scotland) Regulations 2009. This audit will be undertaken under section 12 of the Act and Regulation 7 of the Regulations as part of the Food Standards Agency's annual audit programme.
3. Regulation (EC) No 882/2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules includes a requirement for competent authorities to carry out internal audits or to have external audits carried out. The purpose of these audits is to verify whether official controls relating to feed and food law are effectively implemented. To fulfil this requirement, the Food Standards Agency, as the central competent authority for feed and food law in the UK, has established external monitoring and audit arrangements.
4. The Framework Agreement on Official Feed and Food Controls by Local Authorities sets out the arrangements through which the Agency monitors and audits Local Authority enforcement activities to help ensure that Local Authorities are providing an effective service to protect public health.
5. The overarching aims of the audit scheme as defined in the Framework Agreement are to:
 - help to protect public health and animal health by promoting effective local enforcement of feed and food law;
 - maintain and improve consumer confidence;
 - carry out risk-based audit programmes that provide a means to identify under performance in Local Authority feed and food law enforcement;
 - assist in the identification and dissemination of good practice to aid consistency;
 - provide information to aid the formulation of Agency policy;

¹Commission Decision (October 2006): 'Guidelines laying down criteria for the conduct of audits under Regulation (EC) No. 882/2004 of the European Parliament and of the Council on official controls to verify compliance with food and food law, animal health and animal welfare rules'.

- promote conformance with The Framework Agreement on Official Feed and Food Controls by Local Authorities and any relevant central or Industry guidance or statutory Codes of Practice;
- promote self regulation and Peer Review such as Inter Authority Auditing (IAA); and
- identify continuous improvement and good practice for wider dissemination.

Scope

6. This programme of focussed audits has been developed following the guidance issued on 15 February 2011, and supplementary guidance in July 2012, by the FSA on controlling the risk of cross contamination from *E. coli* O157. Local Authorities were asked to use the guidance in their interventions at food businesses and to advise Food Business operators on the measures that should be taking to avoid cross contamination.
7. Four local authorities shall be selected for audit. This series of audits has been specifically developed in accordance with the targets specified in the Agency's Strategic Plan 2010 – 2015:
 - a. Ensure that regulation is effective, risk based and proportionate and leads to food produced or sold in the UK being safe to eat, and
 - b. Ensure that regulation is effective, risk-based, consistent and proportionate and thereby ensuring that food produced or sold in the UK is safe to eat and consumer interests are protected from fraud and other risks.
8. The audit programme has been developed to examine LA implementation of the cross contamination guidance. The audits will seek to gain feedback from local authorities about the guidance including, for example, any practical difficulties in implementing the guidance and examples of any enforcement action taken. In addition, the audits will seek to highlight areas of good practice as well as seeking to confirm compliance with the relevant requirements of the Standard.
9. Outcomes from the audit process shall feed into the review of the Cross Contamination Guidance, taking place at the end of 2013.
10. The audit shall be also be used to gather information about the effectiveness of the Scottish Food Enforcement Liaison Committee (SFELC) Cross Contamination Strategy.

Objectives

11. The audit will examine the local systems and procedures for food hygiene official controls, and in particular cross contamination. Audit checks will include assessment of:
 - Provision and adequacy of officer training and authorisations, including the means by which the Local Authority ensures that officers are competent to effectively assess cross contamination controls;
 - Local Authority service plans, reviews, policies and procedures, records and relevant official control activities relating to food hygiene;
 - Implementation and effectiveness of control activities, including inspection, sampling and enforcement;
 - Maintenance and management of appropriate records in relation to food hygiene official controls at food business premises to ensure that these are sufficiently detailed, accurate, up to date and effectively managed;
 - Internal service monitoring arrangements to ensure that these are consistent, appropriate, and effective and comply with internal procedures and corrective actions are implemented.

Official Controls

12. The audit will assess the delivery of official controls against the relevant sections and/or sub-sections of "The Standard" in Chapter 2 of the Framework Agreement on Official Feed and Food Controls by Local Authorities:
 - Organisation and Management [service planning] (Section 3);
 - Reviewing and Updating Documented Policies and Procedures (4)
 - Authorised Officers [authorisation and training] (5);
 - Facilities and Equipment (6);
 - Food Establishments Interventions (7);
 - Food Establishments database (11)
 - Food Inspection and Sampling (12);
 - Food Safety Incidents (14);
 - Enforcement (15);
 - Records and Intervention Reports (16);
 - Internal Monitoring (19)

Approach

13. The audit programme will involve:
 - Issue of Pre-Visit Questionnaire;
 - Structured assessments and evaluation of the Local Authority service planning, and relevant enforcement activities and outcomes;
 - Discussions and structured interviews with Local Authority service managers and enforcement officers;
 - Reality (verification) checks at food businesses against Local Authority service records.

Timing

14. The four audits will take place from September to December 2013. The audits and the verification checks at food businesses will be carried out by a team of auditors and should take no longer than three days.

Reports and Follow-Up Action

15. Each local authority will receive a draft audit report within 20 working days of the final day of the audit. It will then have 20 working days to both agree the factual content of the report and if required, to respond with a detailed action plan.
16. The final report including the action plan will be produced by the Agency within 10 working days of agreement of the draft report. This will then be published on the Agency's website no sooner than one month later. The authority's action plan will then be subject to verification and monitoring by the Agency.

Period of Notice

17. Local Authorities will receive at least six weeks notice of our intention to audit. At this time, a pre-visit questionnaire (PVQ) will be issued for completion and return at least two weeks before the audit.