APSE Performance Networks Seminar Blackpool -December 2016

Need for better regulation and the ability to deliver

- **Frank Feechan - Society of Chief Environmental Health Officers in Scotland**

- **Professor Steve Tombs Centre for Crime and Justice**

- **Graham Forbes Food Standards Scotland**

- **Phillip Walton APSE Solutions**

Risky premises & better regulation

- *Environmental health services are those services which implement environmental health policies through monitoring and control activities*

- *carry out that role by promoting the improvement of environmental parameters*

- Without data, you're just another person with an opinion-W. Edwards Deming

- Concern about ability to take actions which are proportionate

- **Regulatory capture**
Process by which **regulatory** agencies eventually come to be dominated by the very industries they were charged with regulating

Better Regulation': Better for whom?

Inspection and Enforcement Trends between 2003/04 – 2012/13

- **Local Environmental Health Officers enforcing food safety and hygiene law undertook:**

  12% fewer food hygiene inspections

  34% fewer food standards inspections

  28% fewer prosecutions

- **Local Environmental Health Officers enforcing health and safety law undertook:**

  90% fewer preventative inspection

  56% fewer total inspections

  40% fewer prosecutions, resulting in 38% fewer successful convictions

For **Food EHOs**, 340,000 visits generated 361 prosecutions – a rate of approximately one prosecution for every thousand inspections and audits

In **Health And Safety**, 81,000 visits prompted 164 prosecutions, at roughly one prosecution per 500 inspections – **Regulation without Enforcement !**

Hampton Principles: Food Hygiene Enforcement Interventions FSA

"The few businesses that persistently break regulations should be identified quickly and face proportionate and meaningful sanctions"

FSA-Regulating our Future TNS BMRB Research- September 2016

Businesses should **meet the costs of regulation**, which should be no more than they need to be.
Businesses **doing the right thing for consumers should be recognised**; **action will be taken** against those that do not
FSA and regulatory partners' decisions should be **tailored, proportionate** and **based on a clear picture** of UK food businesses

Discussion areas

- Has better regulation gone too far?

- Is there a non compliance cycle?

- How can we share innovation ?

- Partners in protection- Local Authorities/ APSE/Regulators/Public?

Comments

- Importance of benchmarking data for EH due to amount of data services deal with.

- Using media to highlight non-compliance

- Getting businesses to understand value of EH visits rather than seeing them as threat

- One size doesn't fit all – differences in quality of inspections.

- Need for better education and coaching for all internal staff who have contact with premises.

Food Standards Scotland

- Explained work of organisation - ensure that information and advice on food safety and standards, nutrition and labelling is independent, consistent, evidence-based and consumer-focused.

- develops policies, provides policy advice to others, is a trusted source of advice for consumers and protects consumers through delivery of a robust regulatory and enforcement strategy.

- Key aim is to promote the need for local authorities to work with those business not complying, but also those who wish to.

- Scottish National Database will be replacing existing national Local Authority Enforcement Monitoring System.

- Scotland is placing increasing amount of effort on Food Standards and food crime in comparison to England to increase customer information and safety.

New Issues in Environmental Health & Trading Standards

Reviewing and improving knowledge base:

- Income generation
- Innovation
- Managing demand
- The need for better performance management systems

- The need for greater community consultation to enable a better understanding of what services do and how they can help each other.

- Collaborative working – North Wales EH & TS

2 years UK APSE Benchmarking data

- Average cost of service has fallen by 8.6% since 2014/15

- Central establishment charges reduced by 8.7% compared to 2014/15

- Average number of food standard complaints per premises has reduced by 5% since 2014/15

- Food hygiene complaints per 1000 premises have fallen from 82.84(2014/15) to 73.24 (2015/16)

- Staff absence levels have fallen from 3.97% to 3.17% between 2014/15 and 2015/16

- Customer satisfaction level scores for the service have rose from 88.97% in 2014/15 to 91.08% in 2015/16

- Efficiency and innovation being cited for improvements.