

Contact Officer: Jodie Harris

KIRKLEES COUNCIL

ENVIRONMENT AND CLIMATE CHANGE SCRUTINY PANEL

Wednesday 25th September 2024

Present: Councillor Andrew Cooper (Chair)
Councillor David Longstaff
Councillor Will Simpson
Councillor John Taylor
Councillor Matthew McLoughlin
Councillor Susan Lee-Richards

Co-optees

In attendance: Councillor Munir Ahmed
Katherine Armitage, Service Director - Climate Change & Environmental Strategy
David Shepherd, Executive Director for Place
Judith Stones, Environmental Health Group Leader - Food Safety
James Kaye, Public Protection Group Leader
Leanne Perry, Public Protection Group Leader

Apologies: Garry Kitchin (Co-Optee)

1 Membership of the Panel

Apologies were received from Garry Kitchen (Co-optee) .

2 Minutes of the Previous Meeting

The Panel considered the Minutes of the meeting of the Panel held on 14th August 2024 and 10th September 2024.

RESOLVED: That the Minutes of the previous meetings be approved.

3 Declaration of Interests

No interests were declared

4 Admission of the Public

All items were considered in the public session.

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5 Deputations/Petitions

No deputations or petitions were received.

6 Public Question Time

No public questions were received.

7 Food Safety Service Delivery Plan 2024

The Panel considered an update on the Food Safety Service Delivery Plan 24-25 presented by Leanne Perry, Public Protection Group Leader. The Panel received a presentation which outlined:

- The requirements of a Food Safety Service Plan.
- The number and types of food businesses in Kirklees and the demographics of Kirklees.
- The work undertaken and the enforcement actions taken in the previous year reporting against the priorities identified in the Food Safety Plan 2023 in compliance with the Food Standards Agency (FSA) Codes of Practice.
- The Priorities of the Food Safety Plan 2024 which were:
 - To continue to deliver official food controls in accordance with the FSA Codes of Practice and any other instruction received during the year.
 - To develop and expand the Steps to Success (STS).
 - To review the communications strategy, including a focus on use of social media.
 - To undertake place-based working in areas where there was a correlation between poor hygiene standards and areas of high deprivation.
 - To carry out consultancy work to educate business owners and support improvement.
 - To increase commercial sampling
- The STS workshops had 4 key objectives which were:
 - To improve understanding of Food Business Operators legal responsibilities.
 - To improve knowledge regarding food safety.
 - To improve understanding of what officers were looking for during an inspection and how ratings were calculated.
 - To improve understanding of the importance of a documented food safety management system and to provide guidance to businesses in completing these.
- After attending the workshop and receiving a follow up inspection, 95% of the food premises that attended an STS workshop were rated at FHR 3 or above (compliant with Food Hygiene Regulations).
- There was also a reduction in officers time in completing re-visits and enforcement action, as well as a positive reduction in non-complaint food premises.
- The FSA Audit September 2023 had a positive outcome and made 3 recommendations which had now been actioned and the audit had been formally closed.

In the discussion to follow the Panel raised the following questions and comments:

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- In relation to the increase in 3 types of bacteria listed in appendix 3, the Panel wanted to understand the reasons for the increase, and it was advised that the current increase shown in the data was largely due to travel abroad and the lifting of travel restrictions following the Covid-19 pandemic. The Panel were further informed that discussions were being held at a West Yorkshire level and further education was required around the issue going forwards.
- In response to a question from the Panel in relation to the Council's budget constraints it was advised that the team were fully staffed, and a training programme was in place to ensure that all staff could be trained in-house to become fully authorised in acknowledging national challenges around the recruitment of trained enforcement officers.
- In response to a question from the Panel in relation to the move from voluntary closures to prohibitions it was advised that this was a result of national challenges during the pandemic which had now returned to a normal position.
- In response to a question from the Panel in relation to the Councils flexibility in responding to reported allergen issues found within national chains, it was advised that the team received Food Safety Agency updates and there was a requirement of the Council to investigate and follow up on once received.
- In response to a question from the Panel in relation to in the use of mystery shoppers, it was advised that Kirklees did not take this approach and instead carried out surprise inspections as well as buying samples from businesses to identify any issues with products being sold.
- The Panel noted consistent high performance from the team and thanked Leanne Perry and the team for their hard work.

RESOLVED: The Panel noted the report Food Safety Service Delivery Plan 24-25 and recommended that Leanne Perry and the team be thanked for their positive work.

8 **Statutory Health & Safety Service Plan 24-25**

The Panel considered an update on the Statutory Health and Safety Service Plan 2024-25 which was presented by James Kaye, Public Protection Group Leader. The presentation outlined:

- The responsibilities of the Local Authorities and the Health and Safety Executive (HSE) in co enforcing provisions of the Health and Safety at Work Act 1974(HSAWA).
- The responsibilities of Local Authorities, which included:
 - LA enforcement within 65% of all workplaces within Great Britain, accounting for over 2million premises - a significant role in keeping workers and members of the public safe while at work.
 - Generally overseeing health and safety in leisure, retail, office and warehouse environments.
- The key aim of the work, which was to protect people's health and safety by ensuring risks in the workplace were properly managed.

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- The service priorities for 2023/2024, which were to ensure risks in the workplace were managed properly by:
 - Having risk-based intervention plans focused on specific risk.
 - Use national and local Intelligence to inform service priorities.
 - Consider a wide range of interventions.
 - Work in line with Enforcement Code guidance (LAC) and be transparent in the approach by welcoming review by the HSE (LAE1 statutory return) and other critical friends.
- The key outcomes for 2023/2024, which included:
 - 22 proactive investigations carried out at builders merchants and very few issues were found.
 - 18 onsite investigations carried out to address the hazard of work-related stress in residential care homes.
 - 74 reactive visits made to businesses to investigate serious accidents or serious health and safety complaints.
 - The blocking of an open mezzanine level following the serving of a prohibition notice.
- The service priorities for 2024/2025, which included:
 - To continue to investigate all major accidents and Health and Safety complaints.
 - To continue the work-related stress project, including a key focus on residential care homes.
 - Planned preventive maintenance of Tyre and Exhaust Sector.
 - Raising awareness of pressure vessels in coffee machines
 - Gas safety in commercial premises, with a focus on identifying poorly maintained gas appliances and providing advice to the duty holder.

In the discussion to follow the Panel raised the following questions and comments:

- In response to a question from the Panel in relation to the nature of injuries reported, it was advised that most incidents were minor such as slips and trips, but Kirklees would investigate any serious incidents.
- In response to a question from the Panel in relation to the focus on work related stress in residential care homes it was advised that the data suggested these workplaces were significantly affected and so this area was prioritised. This area of work also included Council owned care homes.
- In response to a question from the Panel in relation to workplace stress and the impact of workplace culture in contributing to stress, it was advised that it was Kirklees's role to alert businesses to their statutory duty and signpost them to online tools as well as to work with Public Health to promote mental health charities for example. Where workplace stress was identified in several employees the employer could carry out risk assessment followed by the implementation of specific stress policies for example. The approach taken was individual to the specific business, but the company needed to put the control in place
- In response to a question from the Panel in relation to staffing levels, it was advised that the HSE's guidance was followed. Triaging issues had increased capacity as well as working collaboratively with food safety team to have a greater impact with less resources, and it was noted that both teams were performing exceptionally well.

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- In response to a question from the Panel in relation to the budget, it was advised there was no funding in relation to information technology, but due to high performance there was no need to update current technology.
- In response to a question from the Panel in relation to liaison with the health and safety executive, it was advised that legislation set out where Kirklees was required to enforce but there could be anomalies requiring discussion between Kirklees and the health and safety executive.
- In response to a question from the Panel in relation to mitigating the risk of long serving officers leaving the service, it was advised that a 'develop our own staff' , approach had been adopted to support succession planning. This included
- handovers between experienced members of staff leaving the organisation to share their valuable knowledge with the rest of the team.
- In response to a question from the Panel in relation to fees and charges, it was advised that the Council were guided by Finance and any increases were made in line with inflation.

RESOLVED: The Panel noted the report Statutory Health and Safety Service Plan 24-25 and recommended that James Kaye and the team be thanked for their positive work.

9 **Work Programme 2025/25**

The Panel reviewed its Work Programme for the 2024/25 municipal year.

RESOLVED: The Panel noted the Work Programme