
Report to Audit & Scrutiny Committee

Date of Meeting: 5 February 2026

Subject: Environmental Health Official Food Control Progress Report

Report by: Strategic Director (Place)

1.0 Purpose

- 1.1. To present an overview of the progress of the Council's Official Food Control Service Plan, April 2025 to March 2026 (appendix 1).

2.0 Recommendations

- 2.1. That the Committee note, comment on and challenge the performance of the Council's food law regulation service.

3.0 Considerations

3.1. *Background*

- 3.1.1. The Council, as the food law enforcing authority in Clackmannanshire, has a statutory duty to provide a food law regulation service that meets the requirements of Assimilated Regulation (EU) 2017/625, the Food Law Code of Practice (Scotland) 2019 and the Food Law Interventions Code of Practice (Scotland) 2019.

<https://www.foodstandards.gov.scot/publications-and-research/publications/interventions-food-law-code-of-practice-scotland-2019>

- 3.1.2. Food must be manufactured, prepared, distributed and handled by food businesses in accordance with relevant food safety laws. This ensures that food businesses do not pose a risk to public health. Where food businesses contravene food law in Clackmannanshire, the Council's Environmental Health Service must take appropriate regulatory action to remedy the situation in accordance with the Council's Food Law Enforcement Policy.
- 3.1.3. Clackmannanshire Council implemented a recovery program for the restart of Food Law inspections as the delivery of routine interventions ceased during Covid. This work followed direction provided by Food Standards Scotland (FSS) on local authority recovery. It is based on a phased approach to ensure

that resources are focused on businesses which present the greatest risk. The team is continuing to progress through this ongoing programme of work.

3.2. **Review Process**

3.2.1. The review process focuses on examining evidence to verify whether the Council complies with the planned arrangements for food law enforcement and whether planned arrangements are being applied effectively. Checks are carried out to verify and validate that the Codes of Practice are being implemented correctly by the Council.

3.2.2. Analysis of electronic evidence held by the Council and verification of documentation is carried out, to ensure that policies, procedures and codes of practice have been correctly followed during the inspection process.

3.3. **Review Findings**

3.3.1. Progress with the plan is set out in the table below. Appendix 2 contains extracts from “Interventions Food Law Code of Practice (2019)” which provides the rationale behind risk rating and grouping of food businesses, which in turn determines frequency of inspections required.

Group / Band	Number Due in 2025/26	Achieved (%) by end Dec 25
1A	3	67%
1B	5	100%
1C	1	100%
1D	1	100%
1E	0	N/A
Group1 Unrated	0	N/A
2A	0	N/A
2B	157	46%
2C	81	8
2D	3	100%
2E	1	100%
Group2 Unrated	3	100%
3A	0	N/A
3B	53	32%
3C	12	92%
3D	1	100%
3E	0	N/A
Group3 Unrated	2	100%
Approved Establishments	1	100%
Primary Production	1	0%

3.3.2 The Environmental Health Team is on target to complete the inspection program in all categories except for one. This is highlighted as bold in the table above. It should be noted there has been a marked improvement in overall performance in comparison to the previous year reflected in focusing on this work.

3.3.3 Work has been prioritised following FSS recovery guidance. The team is on target to deliver official controls at all higher risk premises. This includes the

Approved Establishment; all Group 1s; intensive interventions within all Groups; and Band Cs in Groups 2 and 3. In addition, the team have been inspecting new businesses. This includes those registered prior to the inspection plan and also those registered during this reporting year.

- 3.3.4 There has been slippage in the inspection programme for compliant businesses in Band 2B and 3B. Both bands contain the largest number of businesses within the inspection program. Although rated as compliant, it has been some time since they were inspected and there is a risk that standards could slip. Given the level of resources available, the team will need to continue to prioritise higher risk premises. However, these Band 2B and 3B businesses will always be visited if any complaints regarding food safety/hygiene issues are received.
- 3.3.5 The team continues to manage the ongoing turnover of businesses. During the 9 month period, 30 businesses have closed or changed ownership, and 29 new businesses have started to trade. This turnover requires significant resources as the majority of new businesses require considerable input from the Environmental Health Team to help them understand and achieve compliance.

4.0 Sustainability Implications

- 4.1. Nil

5.0 Resource Implications

5.1. Financial Details

- 5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. **n/a**

Yes ☐

- 5.3. Finance have been consulted and have agreed the financial implications as set out in the report.

Yes ☒

5.4. Staffing

- 5.5. Staff have been working on a hybrid basis between the office and their home. All Officers have full remote access to the IT systems.
- 5.6. There have been ongoing vacancies within the team this financial year. There was a vacancy created within the team due to an internal promotion in June 2023 following retirement of the Team Leader. This post has been advertised several times but the Council was unsuccessful in recruiting a suitable individual and it remains vacant. The post is currently being re-advertised.
- 5.7. Food safety work also has to be balanced with the Public Health work which is mainly reactive and unplanned. In addition, there has been the loss of a part-time Senior Environmental Health Officer in November 2024. This reduction in available resources has and will continue to impact on the team's ability to deliver the full inspection programme.

- 5.8. Food Standards Scotland audited Clackmannanshire's Environmental Health Service in 2022 and even though at that time the Team was fully staffed it was identified through the resource calculation process for food law enforcement that there is a 1.2 FTE resource deficit of Environmental Health Officers identified through the resource calculation process for food law enforcement. As has previously been reported to this Committee, it is contended that a change in the rating of food businesses, introduced by Food Standards Scotland, increased our inspection liability. It was therefore considered that central government should provide funding for this deficit or revise the new rating system so as to be resource neutral. This was fed back to Food Standards Scotland for their consideration. Other local authorities are of the same view.
- 5.9. Food Standards Scotland has secured funding to develop a new food law delivery model called the Scottish Authorities Food Enforcement Rebuild (SAFER).
- 5.10. SAFER is the FSS strategic response to risks around the food law delivery platform in Scotland and supports Ministerial commitments to wider public service reform. It was acknowledged that a continued decline in resources and staff numbers within Local Authority Environmental Health functions presents a significant risk to the current and future successful delivery of food official controls and action is urgently required.

Key aspects of the SAFER programme include:

Modernisation: Reforming the delivery of food law to ensure safe and authentic food for consumers.

Sustainability: Securing a sustainably resourced delivery system, including developing options for a food business registration and charging system.

Risk-Focused: Adopting an intelligence-led, risk-based approach to food enforcement.

Technology: Utilising data and digital technologies to improve compliance and efficiency.

Addressing Resource Declines: Mitigating risks associated with the decline in resources and staff numbers within Local Authority Environmental Health functions.

6.0 Exempt Reports

- 6.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities**

- Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☒
- Our families; children and young people will have the best possible start in life ☒
- Women and girls will be confident and aspirational, and achieve their full potential ☒
- Our communities will be resilient and empowered so that they can thrive and flourish ☒

(2) **Council Policies**

- Complies with relevant Council Policies ☒

8.0 Impact Assessments

- 8.1 Have you attached the combined equalities impact assessment to ensure compliance with the public sector equality duty and fairer Scotland duty? (All EFSIAs also require to be published on the Council's website)

No ☒

- 8.2 If an impact assessment has not been undertaken you should explain why:

An equality impact assessment is not required as there are no changes to existing service delivery or policy. This paper is purely for reporting purposes.

9.0 Legality

- 9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

10.0 Appendices

- 10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1: Official Food Control Plan.

Appendix 2: Extract of Interventions Food Law Code of Practice (2019)

11.0 Background Papers

- 11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes ☒ (please list the documents below) No ☐

Council's Official Food Control Service Plan, April 2025 to March 2026

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Dawn Brisbane	Environmental Health Team Leader	2579

Approved by

NAME	DESIGNATION	SIGNATURE
Kevin Wells	Strategic Director (Place)	



**Clackmannanshire
Council**

www.clacks.gov.uk

Comhairle Siorrachd
Chlach Mhanann

Place

Development Services

Official Food Control Service Plan

1 April 2025 to 31 March 2026

Approved by Strategic Director of Place

Signed

A large black rectangular box redacting the signature of the Strategic Director of Place.

(Kevin Wells)

Date

14/07/2025

Section 1 - Service Aims and Objectives

1. Aims & Objectives

- 1.1. Safe food and drink is something that is taken for granted by the majority of the population. The safety of this fundamental human need relies on a competent, trustworthy and managed supply chain. Regulation of this process is undertaken by Environmental Health professionals working in local authorities. The consequence of failure can be costly in terms of human health, and also public confidence in the food industry and government.
- 1.2. Clackmannanshire Council recognises the importance of ensuring that all food produced and sold within the county is safe. Providing a service capable of carrying out the statutory duties placed upon the Council is fully recognised. This Official Food Control Service Plan underlines the Council's commitment to fulfilling those duties and it covers the key areas of food law regulation for the period 1 April 2025 to 31 March 2026. The Council remains committed to:
 - provide the resources needed to meet the statutory obligations and duties placed upon it to maintain a safe food supply in Clackmannanshire
 - ensure officers are trained and meet the requirements of Continual Professional Development to carry out food control duties
 - ensure officers have sufficient equipment, adequately maintained, to carry out their statutory duties in relation to food control
- 1.3. Clackmannanshire Council's food law service is provided by the Environmental Health team. The team's objectives are to ensure that:
 - Food is safe and authentic
 - Responsible food businesses are enabled to thrive
 - Consumers are empowered to make positive choices about food

These objectives support those contained within Food Standards Scotland's Corporate Plan 2021-2026¹.
- 1.4. This Service Plan supports the priorities of Clackmannanshire Council's Place Directorate Business Plan². That Business Plan sets out the main priorities to be pursued and outcomes to be achieved taking account of the Corporate Plan. The Official Food Control Service Plan contributes to the following Corporate Outcomes:
 - Sustainable, inclusive growth
 - Empowering individuals, families and communities
 - Health and wellbeing

¹ Food Standards Scotland - Healthy, Safe, Sustainable: Driving Scotland's Food Future Corporate Plan 2021-2026

² Clackmannanshire Council Place Directorate Business Plan 2021-23

Section 2 – Background

2. Profile of Clackmannanshire Council

- 2.1. Clackmannanshire Council is the smallest mainland Scottish Council. The county covers an area of 61 square miles and has a population of 51,940³. It's bounded by the Ochil Hills in the North and the River Forth in the South. Neighbouring authorities are Fife, Perth & Kinross, Stirling and, south of the River Forth, Falkirk. Clackmannanshire is a mix of rural and urban areas with Alloa as the main town. The district is primarily residential in nature with no large industrial sites.
- 2.2. The 2022 census contains details of Clackmannanshire's population statistics and can be found at - <https://www.scotlandscensus.gov.uk/2022-reports/>

Organisational Structure

- 2.3. Clackmannanshire Council has three directorates, each managed by a Strategic Director. They are:
- People
 - Place
 - Performance and Partnerships

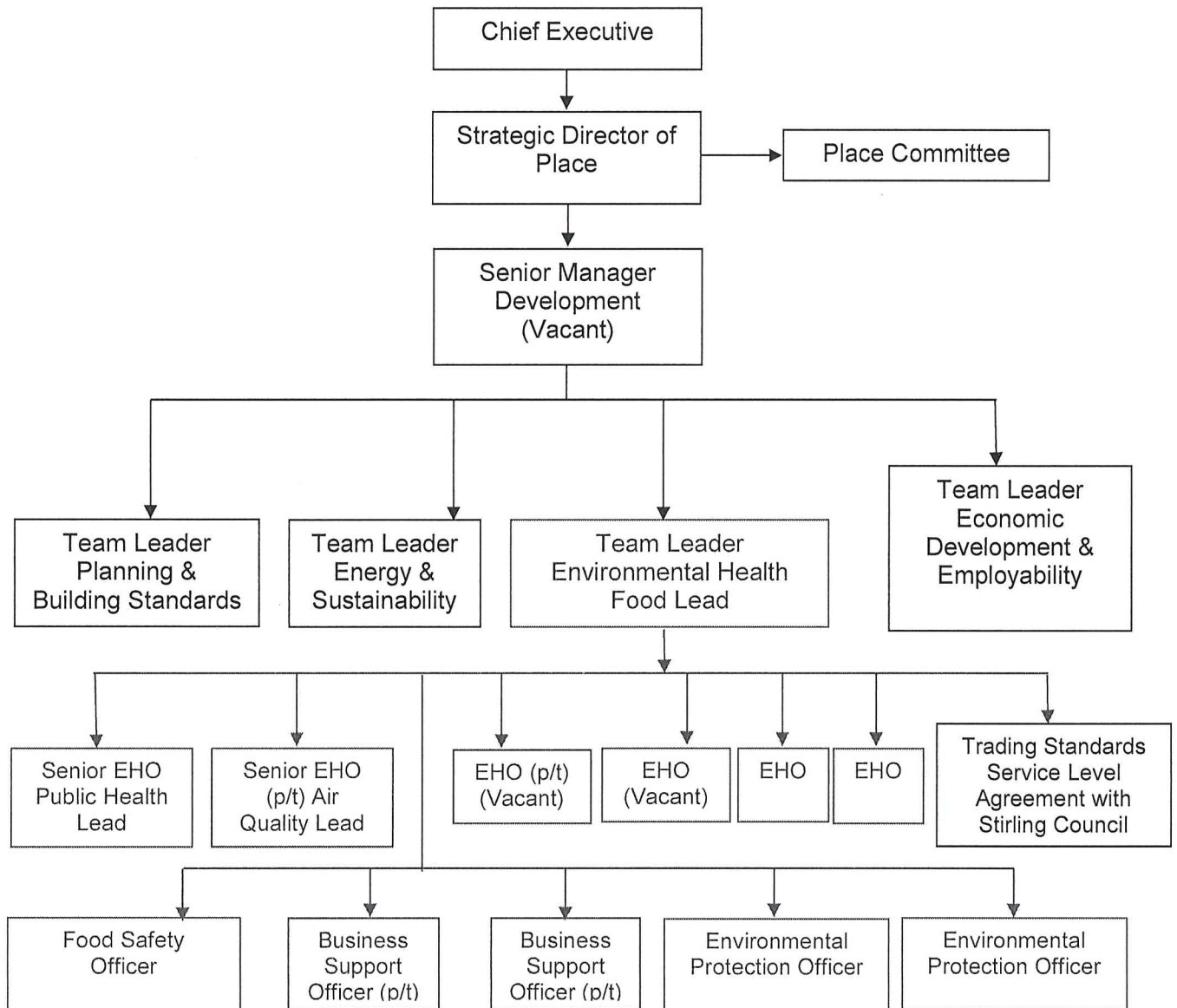
The Place Directorate covers Housing, Property, Development and Environment. Environmental Health is situated within Development Services. This service includes predominantly statutory, front-line services that support community health & safety, well being and economic prosperity. This includes:

- Planning
- Building Standards
- Trading Standards
- Environmental Health
- City Deal / Regional Economic Partnership
- Regeneration
- Climate Change

- 2.4. The Council's Environmental Health Officers and Food Safety Officer are responsible for the entire range of Environmental Health work, in addition to the delivery of the food control service. They are supported in non-food Environmental Health work by two Environmental Protection Officers. Environmental Health is managed by the Environmental Health Team Leader. The Team Leader is the Council's Lead Officer responsible for delivery of Official Food Controls for food law. The Team Leader also manages the service level agreement for the provision of the Trading Standards service within Clackmannanshire which is provided by Stirling Council.

³ National Records of Scotland 2023

2.5. The Structure of Environmental Health within Development Services is detailed in the diagram below. Red writing and red lines denote the Environmental Health staff:



Scope of the Food Service

- 2.6. The scope of the food law work undertaken by Environmental Health includes:
- Programmed food law inspections of food businesses.
 - Assisting businesses to meet their legal obligations in terms of food law by providing appropriate advice and information
 - Enforcement of the legal requirements in respect of food law through formal regulation, e.g. Hygiene Improvement Notices, Hygiene Emergency Prohibition Notices, Remedial Action Notices, Reports to the Procurator Fiscal, etc.
 - Issue of Food Hygiene Information Scheme ratings
 - Investigation of cases of food poisoning
 - Investigation of food complaints and complaints about food premises
 - Approval of premises in terms of EU Hygiene Regulations
 - Sampling of foods for analysis by Glasgow Council Scientific Services
 - Consultation to the Licensing Board and other Council Services
 - Consultation advice on Civic Government (Scotland) Act 1982
 - Advice on all food law matters to the general public and others
 - Responding to Food Alerts and notification of incidents issued by Food Standards Scotland (FSS)
 - Issue Export Health Certificates for exports to third countries.
- 2.7. As the EHOs are generic officers, they also undertake all other statutory functions required by the service which includes public health, health and safety and statutory nuisance. Officers are also involved with supporting businesses and Forth Valley Health Board with compliance and reacting to complaints and incidents.
- 2.8. The Environmental Health service is located at Kilncraigs, Greenside Street, Alloa, FK10 1EB. Reception is open Monday to Friday 9am to 5pm for public enquiries. Reports and complaints can also be made online to ehhealth@clacks.gov.uk. Officers work on a hybrid basis between the office and their home. They are required to be based in the office at least 40% of the working week. Staff have full remote access to IT systems for home working. Officers work flexible hours between 8:00am and 6:00pm. Out of hours services are provided when necessary by prior arrangement. There is no formal system of out of hours cover, however, the Team Leader can be contacted in cases of emergency.

Official Food Control Plan 2025-26

Demands on Food Service

2.9. Clackmannanshire has 579 Registered Food Premises. The current profile of these businesses are as follows:

Business Type	Number of Businesses
Approved Establishment	1
Primary Producers	2
Manufacturers and Packers	32
Importers / Exporters	0
Distributors / Transporters	12
Supermarket / Hypermarket	15
Small Retailer	85
Retailers Other	15
Restaurant / Café / Canteen	80
Hotel / Guest House	8
Pub / Club	42
Take-away	60
Caring Premises	83
School / College	27
Mobile Food Unit	21
Restaurants & Other Caterers	99

FLRS Group/Band	A	B	C	D	E	Unrated
1	6	7	1	0	0	0
2	6	222	89	4	2	3
3	85	128	24	0	0	2

FLRS	No. Establishments	Risk Rating
Approved Establishments	1	1B

Annex 5 Risk Rating	No. Establishments	Risk Rating (FH)
Primary Production	2	E

- 2.10. Performance for the service, in terms of food control delivery, is measured by:
- Completion of the annual food law inspection programme within timescales specified in the Code of Practice. Clackmannanshire's target for performance on this standard is detailed in the table below:

	1	2	3
FLRS Band A	100%	80%	0%
FLRS Band B			50%
FLRS Band C		100%	100%
FLRS Band D			
FLRS Band E			
Approved Est	100%		
Primary Production	50%		

- Officers achieving the required 10 hours Continuing Professional Development
- Response times to service requests
- Internal monitoring of officers delivering the food control service by a Senior EHO, including accompanied inspections.
- The completion of an annual food sampling programme that is focussed on the safety and quality of food locally produced and sold.

Enforcement Policy

- 2.11. The Council has produced a Food Law Enforcement Policy which is agreed by the Place Committee. This document sets out what businesses can expect from the enforcement officers whilst undertaking food law work. Enforcement will be applied in a graduated, risk-based manner and resources shall be targeted at those businesses which pose the greatest risk to health.

3. Section 3 - Service Delivery

Inspections at Food Establishments

- 3.1. In September 2021, Clackmannanshire Council implemented a recovery program for the restart of food law inspections as the delivery of routine interventions ceased during the Covid pandemic. This work was prepared following direction provided by FSS on local authority recovery⁴. It is based on a phased approach and ensures that resources are focussed on businesses which present the greatest risk. The team was in the final year of this program of work which was due to be completed by March 2025. Due to operational constraints and limited resources, this has now been extended. Details of the amended recovery strategy are in Annex .

⁴ Food Standards Scotland – Local Authority Recovery Project Recovery Process Guidance (Dec 2020)

Official Food Control Plan 2025-26

- 3.2. The table below details the planned program of food interventions for 2025-26:

FLRS Group/Band	A	B	C	D	E	Unrated
1	3	5	1	1	0	0
2	0	157	81	3	1	3
3	12	53	12	1	0	2

FLRS	No. Establishments	Risk Rating
Approved Establishments	1	1B

- 3.3. All programmed interventions are by way of inspection, including new unrated businesses. Officers undertake inspections in accordance with Clackmannanshire Council's Enforcement Policy and Inspection Procedure which incorporates the provisions of the Food Law Code of Practice Scotland, Practice Guidance and other centrally issued guidance. The above figures do not include the potential increase in the number of inspection due to businesses being placed on intense intervention (one or three month inspection frequency) due to poor compliance. Nor does it include new businesses that will open during this reporting year which and will require inspection.
- 3.4. It is estimated that officers will be required to undertake at least 142 revisits to follow up on significant contraventions raised during routine inspections. This number is an estimate based on previous history as the need to revisit can only be determined once the initial inspection has been undertaken.
- 3.5. New businesses that register with Environmental Health are entered onto the team's database. The target for all new businesses to be inspected is within 3 months of opening and they shall be allocated on a risk basis.

Food Complaints

- 3.6. The investigation of food complaints is in accordance with the Council's written procedure and all complaints are reviewed and investigated. Action taken shall be proportionate to risk. Based on data from previous years, an estimate of 46 complaints relating to problems with food items or poor practices at a business is predicted. However, this type of work is reactive and can not be planned.

Home Authority Principle

- 3.7. The Council supports the Home Authority Principle and Primary Authority Scheme. It does not act as Home or Primary Authority for any business. Where an officer is considering taking enforcement action which they believe may be contrary to any advice issued by the relevant Home/Originating or Primary Authority, they will discuss the facts with the relevant Authority before action is instigated.

Advice to Business

- 3.8. Clackmannanshire Council provides advice for businesses either on request or in the course of normal service operation. The Council is committed to providing quality and comprehensive advice to local food businesses and this is reflected in the Enforcement Policy and written procedures.

Food Sampling

- 3.9. A sampling programme is prepared each year which incorporates local producers, exported food, SFELC/FSS national sampling priorities and local issues. Sampling is carried out by the Environmental Health Officers and the Environmental Health Technical Officer in accordance with written procedures. The Council has appointed Glasgow City Council Scientific Services as Food Examiner and Public Analyst and all food samples for examination and analysis are submitted to them.

Control and Investigation of Outbreaks and Food Bourne Infectious Disease

- 3.10. The Council, in partnership with, and led by, Forth Valley Health Board, investigates all reported cases of outbreaks and food related infections. This is in accordance with procedures agreed with Forth Valley Health Board. The Team Leader Environmental Health attends meetings with the Consultant in Public Health Medicine as called.

Food Law Incidents

- 3.11. All food law incidents reported to the Council by local food businesses will be dealt with in accordance with the Council's procedures. These procedures follow the requirements of the Food Law Code of Practice Scotland. The Council's procedures extend to reports of food safety incidents through the alert system operated by Food Standards Scotland. All alerts "for action" are acted upon if relevant to businesses in Clackmannanshire. A record of all alerts is kept electronically.

Liaison with other Organisations

- 3.12. The Environmental Health team maintains positive liaison with many organisations. The food law code of practice requires local authorities to work together with national bodies to contribute to consistency of enforcement. The team works with other local authorities through attendance of the East of Scotland Liaison Group (ESFLG) and the Scottish Food Enforcement Liaison Committee (SFELC). The Senior Environmental Health Officer for Food Safety is the Chair of the ESFLG and is a representative on SFELC. The service is audited by Food Standards Scotland and

there is a strong commitment to attend any events organised by this agency. The Council also provides full commitment to supporting working groups.

Food Crime and Fraudulent Activities

- 3.13. The Environmental Health team work with the Food Crime and Incidents Unit at Food Standards Scotland in support of work undertaken on food fraud and food crime. During routine inspections and sampling, Officers are looking for evidence of any attempts to mislead consumers or provide food which is dangerous. The team shall share intelligence with this agency and assist with any investigation as required.

Section 4 – Finance and Staffing

Financial Allocation

- 4.1. The following financial resources are available to the service for **all** Environmental Health Work, including food control delivery and it is not possible to break this figure down any further:

Staff	£517,330
Transport	£2,200
Equipment Maintenance	£4,100
Equipment Purchase	£1,000
Staff Clothing	£570
Materials	£1,500
Training (Centrally Held)	£2,000

- 4.2. The staffing budget has increased slightly from the previous financial year due to pay increase awarded the previous year. Staff positions remain stable. The training budget has remained the same and is held centrally. These funds are predominantly used for food CPD for authorised officers. Equipment maintenance has decreased slightly due to budget restraints.
- 4.3. Clackmannanshire Council must ensure that services are prioritised on meeting targets and fulfilling statutory obligations to protect people's health, safety and welfare. Previous years have seen slight reductions in budget but for the period of this service plan the position remains fairly stable. The Council must ensure that it maintains a food control service that meets statutory obligations.
- 4.4. The Council continues to face challenging times and further budget cuts but, at this current time, it is not planned for further reductions in Environmental Health's staffing levels or budget allocation. The Council is fully committed to meeting statutory duties and any future changes will not impact on its ability to deliver services at that level.

Staffing Allocation

- 4.5. The Environmental Health team at Clackmannanshire Council are generalist officers that adapt and react to the multiple functions that the profession covers. This includes public health, statutory nuisance, health and safety and food control. The team's current staffing levels and the proportion of officer time dedicated to food control work is listed in the table below:

Position	All EH Work (FTE)	Vacant Post (FTE)	Food Control Work (FTE)
Team Leader Environmental Health	1	0	0.4
Senior / Environmental Health Officer	5	1.5	2.6
Food Safety Officer	1	0	0.8
Environmental Protection Officer	2	0	0
Total	9	1.5	3.8

- 4.6. The resources required for delivery of the 2025-26 food control program has been calculated to require 3.8 full time equivalents (FTE). Full details of the resource calculation are available in Schedule 2. Due to the vacant EHO post, the available resource available to deliver the food control program is 3.0 FTE.
- 4.7. The levels of competency and authorisation of staff is as outlined in the Inspection Procedure and Enforcement Policy. The Business Support and Environmental Protection Officers are not authorised in any capacity for food control work.

Staff Development Plan

- 4.8. Clackmannanshire Council is committed to staff development. Training and development needs are assessed during individual Constructive Conversations with staff in accordance with the council's performance management process.
- 4.9. Training will be provided using a range of formats including formal qualifications; external courses delivered in person or online; internal training sessions; shadowing and mentoring. All Officers authorised to undertake food law work shall complete at least 10 hours training annually as part of their continuing professional development (CPD) to maintain competency as required by the Food Law Code of Practice.

Section 5 - Monitoring

Quality Assessment and Internal Monitoring

- 5.1. The Council is committed to providing quality services and has in place a system of internal monitoring. This covers:
- review of files to check that inspection procedures etc. have been carried out;
 - review of all reports submitted to the Procurator Fiscal prior to submission
 - checks on all formal enforcement notices issued;
 - checks on informal reports issued;
 - accompanied inspections and visits to check quality and practices;
- 5.2. The performance of this Authority against the Service Plan will be monitored by:
- comparison of annual inspections against the inspection programme
 - annual review of food sampling;
 - annual review of procedural guidance
 - annual training assessment.

Section 6 – Review

Review against the service plan

- 6.1. The Service Delivery Plan will be reviewed on an annual basis by the Environmental Health Team Leader to assess its relevance to current operations and targets and will be amended where there are significant changes. The Official Food Control Service Plan will be submitted annually to the Head of Service for approval.
- 6.2. An end of year report will be submitted to the Strategic Director identifying where the service has varied from the Service Plan, the reasons for this and the actions taken as a consequence.
- 6.3. Any areas of improvement of service delivery identified will be set out within the review with proposals for their implementation.

Areas for Improvement / Challenges

- 6.4. The recovery of the food law inspection program following disruption due to the Covid pandemic is a significant undertaking for the team. The recovery period was due to end in March 2025, but is now extended for the foreseeable future. It is important that Officers are supported throughout this transition so that they deliver a competent service. Over the past few years, the operational and economic pressures have been extremely challenging for the food industry and have resulted in a changing landscape within the food industry which has impacted on the inspection program. Many businesses are now trading online, some have introduced higher risk processes and cut backs often impact the general standard of compliance.

Official Food Control Plan 2025-26

- 6.5. The recovery is made more complex by the transition to the new food law rating scheme. This new scheme has changed the inspection profile of the businesses due to the different priorities built into the scheme, resulting in many businesses requiring inspection on a more frequent basis. Large or complex businesses are to be inspected more frequently due to their inherent risk. The introduction of intense interventions is effective at securing improvement at poorly performing businesses. However, this involves significant officer time. A significant number of lower risk premises are being risk rated at higher inspection frequencies due to the increased priority placed on food standards. All these factors contribute towards a heavier inspection program moving forward.
- 6.6. The Interventions Food Law Code of Practice (Scotland) now applies to Approved Establishments. This type of businesses will be addressed in a future Code of Practice which includes the introduction of the Official Control and Verification manual. Implementation of this new inspection regime required to be fully introduced at Approved Establishments. Officers required support with this change in working practice.
- 6.7. There has been a vacant full time EHO post within the team since June 2023 and a further part time EHO post since November 2024, recruitment has been unsuccessful. This shall impact the performance of the team in the year going forward. All Scottish local authorities are struggling to recruit at this time due to a lack of professional staff being available, and more staff leaving the profession than are currently being educated and trained. Recruitment for this vacant post is a priority for the coming year. As part of the inspection recovery plan, there is a growing number of Group 2B and Group 3B businesses that are outstanding and require to be inspected. Due to the challenges detailed above, and the demand of reactive public health work, priority has been given to ensure resources for planned Food Law inspections is directed to the higher risk businesses, those with a poor history of compliance and also new businesses where the risk is unknown. Although the Band B businesses have been identified as compliant and lower risk, the challenge going forward is to manage and reduce this backlog.

Official Food Control Service Plan prepared by the Environmental Health Team Leader

Signed:



(Dawn Brisbane)

Date:

14/07/2025

Official Food Control Plan 2025-26

Annex 1 – Food Law Recovery Inspection Plan (September 2021 to March 2026)

Inspection Type		Insp Freq CoP (Months)	Permitted Time Scale for recovery (months)	Total No. business	Year 21/22	Year 22/23	Year 23/24	Year 24/25	Year 25/26
Group 1	A	18	18	0	0	As per CoP			
	B	12	12	7	7	As per CoP			
	C	6	6	2	2	As per CoP			
	D	3	3	1	1	As per CoP			
	E	1	1	0	0	As per CoP			
	Unr'd		-	1	1	As per CoP			
Group 2	A	24	48	0	0	0	As per CoP		
	B	18	24	164	41	123	As per CoP		
	C	12	18	101	60	41	As per CoP		
	D	3	6	21	21	As per CoP			
	E	1	1	0	0	As per CoP			
	Unr'd		-	42	42	As per CoP			
Group 3	A	60 / No proactive visit	60	81	0	0	0	Assess if Req'd	
	B	36	48	116	0	0	58	As per CoP	
	C	24	36	43	0	22	21	As per CoP	
	D	3	6	3	3	As per CoP			
	E	1	1	0	0	As per CoP			
	Unr'd		-	27	27	As per CoP			
Approved Establishments		12	12	1	1	As per CoP			
Primary Production		24	-	2	0	2	As per CoP		

Annex 2: Resource Calculation Information

Table 1: Interventions

Inspection Type		Estimate time per intervention (Hrs)	Factor for Witness / Officer Support	No Inspections Planned in 2025/26	Total time to implement plan
Group 1	A	13.5	2	4	108
	B	13.5	2	2	54
	C	19.25	2	3	116
	D	21.75	2	1	44
	E	26.75	2	0	0
	Unrated	21.75	2	0	0
Group 2	A	4.75	1	0	0
	B	4.75	1	120	570
	C	8.5	1.2	74	755
	D	11.75	1.5	17	300
	E	13.9	2	0	0
	Unrated	11.75	1	11	130
Group 3	A	3.5	1	16	56
	B	3.5	1	50	175
	C	6.25	1	15	94
	D	8	1.2	0	0
	E	9.75	2	0	0
	Unrated	8	1	4	32
Approved Establishment		30	2	1	60
Primary Production		5	1	0	0
Total				318	2,494
FTE Officers for Insps					2.3

Official Food Control Plan 2025-26

Table 2: Other Food Law Work out with Inspection Program

Other Intervention Activities	No	Time per activity (hrs)	Total Time (Hrs)
Food Complaints	20	4	80
Complaints re premises	17	4	68
Food Alerts for Action	1	7.5	7.5
Food Alerts for Information	114	1.2	136.8
Food Poisonings	12	3	36
Food Incidents	1	10	10
Sampling: Micro & Chem Formal Satisfactory	2	5.8	11.6
Sampling: Micro & Chem Formal Unsatisfactory	0	15.25	0
Sampling: Micro & Chem Informal Satisfactory	101	3	303
Sampling: Micro & Chem Informal Unsatisfactory	7	5	35
Implementation of new allergen regs October		20	20
Planning Applications re food premises	21	2.5 (+2hr 50%)	105
Licensing S50	4	5	20
Licensing Variation	4	2.5 (+2hr 50%)	20
Public Entertainment	32	5	160
Late Hours Catering Licence	5	0.25	1.25
Market Operators Licence	1	5	5
Advice to business/public/agencies	45	1 (+2hr 50%)	90
CPD/Training Activity		120	120
Total			1229.15
Officer FTE			1.1

Official Food Control Plan 2025-26

Table 3: Food Law Management Activities

Management Activities	No.	Time per activity (Hr)	Total Time (Hrs)
Management of MIS & SND Data		60	60
Internal monitoring		60	60
Complaints against service	1	5	5
Create & manage sampling plan		7.5	7.5
Service Plan, Service Review, Policies,		50	50
Provision of data to FSS Audit Team		12.5	12.5
Attendance at Liaison Groups & Working Groups		30	30
Management of FHIS	1.5Hr/month	18	18
Management of Export Certificates	2 Hrs/month	24	24
Production Export Health Certificates	647	0.25	161.75
FOIs & CIIr/MSP/MP enquiries	11	2.5	27.5
Total			456.25
Officer FTE			0.4

5. Food Law Rating System

5.1 The Ladder

Group 1 Business	Performance Levels	Band	Intervention Frequency
<ul style="list-style-type: none"> Manufacturer of High Risk Foods. Manufacturer, Caterer, Processor or Retailer that undertakes a specific method of processing that has the potential to increase the risk to public health beyond that of normal preparation, storage or cooking. Manufacturers of Foods for Specific Groups. All Exporters. Manufacturers, Processors, Importers, Wholesaler, Distributor, Food Broker, Packers of Food at enhanced risk of food fraud, substitution, adulteration or contamination. 	Sustained Compliance	1A	18 Months
	Compliant and confident in compliance going forward	1B	12 Months
	Minor Non-compliance and/or gaps in confidence in compliance going forward	1C	6 Months
	Significant Non-Compliance and/or no confidence in compliance going forward	1D	3 Months
	Sustained non-compliance and/or Issues of Public Health Significance or Fraudulent Activity	1E	Intensive Intervention. 1 Month.
Group 2 Business	Performance Levels	Band	Intervention Frequency
<ul style="list-style-type: none"> All other Manufacturers, Processors, and Caterers. Importers, packers, wholesalers and distributors of high-risk foods not in Group 1. Head Office Business that undertakes a regional/national decision making function. Retailers handling open high-risk foods. 	Sustained Compliance	2A	24 Months
	Compliant and confident in compliance going forward	2B	18 Months
	Minor Non-compliance and/or gaps in confidence in compliance going forward	2C	12 Months
	Significant Non-Compliance and/or no confidence in compliance going forward	2D	3 Months
	Sustained non-compliance and/or Issues of Public Health Significance or Fraudulent Activity	2E	Intensive Intervention. 1 Month.
Group 3 Business	Performance Levels	Band	Intervention Frequency
<ul style="list-style-type: none"> All other retailers, Food Brokers, Importers, packers, wholesalers and distributors. Public Houses and similar Licenced Business not providing catering. Business providing limited refreshments (e.g. tea, coffee, soft drinks) as an adjunct to main activity. Child minders. Supported Living Business. Business producing low risk food based from a domestic dwelling. Bed & Breakfasts. 	Sustained Compliance or Businesses where information available at point of registration, indicates there is minimal inherent risk	3A	No proactive Intervention or 60 months.
	Compliant and confident in compliance going forward	3B	36 Months
	Minor Non-Compliance and/or gaps in confidence in compliance going forward	3C	24 Months
	Significant Non-Compliance and/or no confidence in compliance going forward	3D	3 Months.
	Sustained Non-Compliance and/or Issues of Public Health Significance or Fraudulent Activity	3E	Intensive Intervention. 1 month.

5.7 The Compliance Matrix and Definitions

COMPLIANCE CATEGORY		COMPLIANCE LEVEL										
FOOD SAFETY AND PRACTICE PERFORMANCE	CROSS CONTAMINATION PERFORMANCE	Serious (wilful and/or sustained serious) non-compliance. Any non-compliances that are an immediate risk to consumer health, allow consumers to make unsafe food choices or could give rise to fraudulent gain	Significant non – compliance Any non-compliances which may adversely affect consumer health or which might do so if not remedied quickly. Failure to comply with product or process specific requirements. Food Standards non-compliances where the consumer is misinformed or prejudiced.	Minor non – compliance Technical non-compliances which do not adversely affect consumer health or consumer choice but which require to be remedied.	Generally compliant No non-compliances or only very minor non-compliances which the LA has decided should not be pursued until the next intervention.	Full and continuing compliance and/or evidence of going beyond legislative requirements Evidence of a proactive approach. Evidence of compliance with third party programmes which are recognised as additional or beyond legislative requirements.						
							STRUCTURAL PERFORMANCE	FOOD INFORMATION PERFORMANCE	COMPOSITION PERFORMANCE	FOOD SAFETY MANAGEMENT SYSTEM	CONFIDENCE IN MANAGEMENT	AVERAGE SCORE
		Serious lack of control of food safety and/or standards. No appropriate FSMS or failure to follow FSMS.	No appropriate FSMS or general/significant failure to follow FSMS. Significant lack of control of food safety and/or standards.	An appropriate FSMS (HACCP based) is in place and is followed but with minor gaps in scope/use.	Fully Documented appropriate (HACCP based) FSMS in place and followed.	Fully Documented appropriate (HACCP based) FSMS in place and followed with additional 3 rd party accreditation.						
		No confidence. Unwilling to engage with obligations. Serious formal action required at this visit	Little confidence. Willing, but largely unable, to engage with obligations.	Some confidence. Engage with obligations but gaps in technical awareness. Reliant on LA. New Business or FBO.	Confident. Obligations are routinely met. Able to identify and control emerging issues. Good technical awareness.	Full and continuing compliance. Confident. Proactive approach to food safety management. Own or access to technical expertise. Implementation of externally audited FSMS at least equivalent to HACCP.						
		5	4	3	2	1						