

**Derbyshire County Council**

**Meeting with Cabinet Member – Health and Communities**

**30 July 2013**

**Report of the Strategic Director, Cultural and Community Services**

**REQUEST TO SEEK TO ENGAGE A PROFESSIONAL TRADING STANDARDS ENFORCEMENT OFFICER FROM AN EMPLOYMENT AGENCY**

**1. Purpose of Report**

To seek approval from the Cabinet Member; Health and Communities to contract with an Employment Agency for a trading standards enforcement officer to support delivery of grant funded trading standards enforcement work.

That the Cabinet Member agrees the revised Feed Hygiene and Farm Food Hygiene inspection programme – subject to a successful bid to the Food Standards Agency

**2. Information and Analysis**

- 2.1. Further to the recent CabCo report dated 9<sup>th</sup> July 2013 on Feed Hygiene, the Trading Standards Division now has further information about a regional bid to enforce the provisions of the farm feed and feed hygiene controls in Derbyshire and a forthcoming Food Standards Agency (FSA) audit of the measures taken to seek compliance. The authority has a duty to enforce the provisions of the legislation introduced following animal disease outbreaks, such as Foot and Mouth and BSE, to ensure that animal feed and farm food products are produced in a hygienic environment to minimise the risk of animal disease as a consequence of contaminated feed.
- 2.2. Following discussions with professional colleagues and the Food Standards Agency, the FSA have invited regional bids for funding to support additional feed hygiene and farm hygiene sampling and inspection. A bid has been submitted which, if successful, would enable the Division to undertake additional feed hygiene inspections as detailed in the Appendix to this report. To ensure that the Trading Standards Division has sufficient staffing capacity to deliver these additional inspections, approval is sought to go to a specialist recruitment agency to secure short-term support. Any such agreement would be dependent upon a successful regional bid and would be for a period not exceeding 31<sup>st</sup> March 2014.
- 2.3. The FSA have also confirmed its intentions to carry out a two day audit of Derbyshire to ensure that adequate measures are in place to enforce the provisions of the feed hygiene legislation. This is now scheduled for 17<sup>th</sup> and 18<sup>th</sup> September 2013.

### **3 Financial Considerations**

The cost of any agency officer engaged will be from the grant funding should the bid be agreed by the FSA.

This report is in respect of the contract to provide professional and technical staff and so the requirements of tender procedures are excluded (Ref: Financial Regulations, Section D, Part 4, S010).

### **4 Human Resource Considerations**

The Agency workers Regulations 2011 will be complied with. This provides entitlement to the same basic employment and working conditions as if they had been recruited directly, if and when a qualifying period of 12 weeks has been completed in the same job.

The trade unions will be consulted on this proposal.

### **5 Other Considerations**

In preparing this report the relevance of the following factors has been considered; legal, prevention of crime and disorder, equality of opportunity; environmental, health, property and transport considerations.

### **6 Background Papers**

CabCo report Feed Hygiene dated 9<sup>th</sup> July 2013

### **7 Key Decision:**

No

### **8 Call-in:**

Is it required that call-in be waived for any decision on this report?

No

## **9 Strategic Director Recommendation**

That the Cabinet Member, Communities approves the appointment of a professional trading standards enforcement officer from an Employment Agency – subject to a successful FSA grant application – on a fixed term contract to terminate by 31<sup>st</sup> March 2014; and agreed the revised inspection programme – subject to a successful bid.

**Martin Molloy**  
**Strategic Director**  
**Cultural and Community Services**

## Appendix 1

**Table of Derbyshire Feed Establishments and suggested inspection rates**

Types of feed Business Establishment		Suggested percentage of establishments	Type of establishment (abbrev)	Number of premises and Code of practice recommended rate	Number proposed (subject to FSA bid)
1	Approved manufacturers (A1 - A8)	50%	A1-A8 (mfr)	2	1
			50%	1	
2	Other approved establishments (A1 - A8)	50%	Other A1-A8	0	
3	Manufacturers including food manufacturers placing surplus food into the feed chain (R1-R7) and Co-producers (R12) <i>(but not including retail premises)</i>	20%	R1	2	13
			R2	0	
			R3	0	
			R4	8	
			R5	17	
			R6	4	
			R7	53	
			R12	22	
			Total	106	
			Total (w/o retail)	61	
	20%	12.2			
4	Other establishments (R1-R3)	50%	R3	0	
5	Transport of Feed and Feed Products (R8)	20%	R8	43	9
			20%	8.6	
6	Storage of feed and feed products (R9)	20%	R9	3	1
			20%	0.6	
7	Farms using additives or premixtures but not complimentary feeds for their own use (R10)	2%	R10	4	2
			20%	0.8	
TOTAL NO. OF FEED BUSINESSES (not farms)				158	
8	Farms registered as R11, R13 and R14	2%	R11	3,686	74
			R13		
			R14		
			Total		
			2%	73.7	
TOTAL NO. OF FEED BUSINESSES				3844	

TOTAL NO. OF INSPECTIONS FOR FEED					100
9	Food Hygiene inspections at primary production premises at 2%	2%	3686 (livestock + 393 non livestock = 4079, 690 are Farm Assured at 2% works out at 14 visits	14	1
10	Food Hygiene inspections at primary production premises at 25%	25%	3389 not farm assured	848	259