

# LOCAL NEWS PARTNERSHIPS



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## Food safety in crisis

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BBC Shared Data Unit, BBC Local News partnerships [shared.dataunit@bbc.co.uk](mailto:shared.dataunit@bbc.co.uk)

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## What's the story

**Consumers face an increased risk of food poisoning and other serious health issues because of a crisis in food safety, a BBC investigation has found.**

Analysis shows one in five restaurants and takeaways have not been inspected by food inspectors for more than two years.

Environmental health teams say a recruitment crisis and a backlog from the pandemic are behind the trend.

The public services union, Unison, said: "This is a serious public health issue."

A spokesman said: "Inspections are now so delayed that it's perfectly possible for food businesses with shoddy hygiene practices to operate with little fear of ever being caught."

The investigation comes amid heightened food safety concerns following an [E-coli outbreak in June](#) linked to contaminated products.

Emily Miles, the chief executive of the Food Standards Agency (FSA), which oversees food hygiene inspections in England, Wales and Northern Ireland, said councils were generally getting through backlogs of high-risk inspections, which mounted during the Covid lockdowns.

But she said the FSA was concerned lower-risk venues and new venues were not being checked.

She said: "It's something that could be a slow burn to a very uncomfortable and unhelpful situation. We have high food standards in this country - but it's something you won't know you've got until it's gone."

A Food Standards Scotland (FSS) spokesman said the system was in need of reform, with the staffing levels of food safety officers currently at 47 per cent.

The UK charity, Unchecked, said food standards had been affected by a “general curtailment of enforcement activity”.

A spokesman said: “Its primarily the consequence of years of disinvestment into what used to be a pretty good system.”

## Background

[Guidelines](#) state most food premises in England, Wales and Northern Ireland should be inspected between six months and two years depending on the level of risk.

Some extremely low-risk businesses , such as pharmacists and greengrocers, can be inspected within three years.

Council-employed teams rate premises on things like cleanliness, pest control and safe storage of food - giving a score between 0 in the worst cases and five in the best cases.

More information on how the ratings system works can be found [here](#).

They also have the power to prosecute and shut businesses down in extreme circumstances.

The BBC's analysis of more than 250,000 public records on the Food Standards Agency website has found more than 53,000 had not been inspected since 2021.

Scotland, which runs a pass or fail food hygiene scheme, had nearly 40% of inspected businesses last assessed over two years ago.

Some councils in the UK had not been to around half of the eateries in the area in over two years.

A spokesman for one such authority, Pembrokeshire Council, said a "national recruitment crisis" was behind its backlog.

As a result he said it left diners at increased risk of "food-poisoning", "allergen incidents" and "injuries" from eating unsafe food.

## Methodology

We used Food Standards Agency (FSA) open data on the food hygiene ratings and status of every establishment in England, Wales, Northern Ireland and Scotland at <https://ratings.food.gov.uk/open-data>.

Data from every local authority as of April 10 2024 was downloaded and filtered to establishments in four categories: Restaurant/Cafe/Canteen; Pub/bar/nightclub; Takeaway/sandwich shop; and Mobile caterer.

A second set of data was downloaded on April 25 focusing on wholesale outlets. This was filtered to establishments in three categories: Manufacturers/packers; Importers/Exporters; and Distributors/Transporters.

Each establishment was classified to determine whether it had been inspected since January 1 2022 (i.e. within the last two years and three months) or not, or whether it was still awaiting inspection.

The data was cleaned to remove a small percentage (<1%) of duplicate entries: where an establishment with the same name and latitude, or the same name and postcode, appeared more than once in the same authority's data, the row with the most recent inspection date was retained and the other removed.

*Note: FSA data is updated every night, so some establishments will have since been inspected, added, or removed.*

## What did we find?

Almost one in five inspected food businesses in **England, Wales and Northern Ireland** (19.2%) had not had a follow-up hygiene inspection at least since 2021.

**Scotland**, which runs a different food hygiene scheme, had nearly 40% of inspected businesses last assessed over two years ago.

**TABLE 1. Inspected businesses in England, Wales and Northern Ireland, and Scotland**

	Nations	Inspected before 2022	Inspected in or after 2022	Total inspected	Inspected before 2022 (%)
1	Scotland	9257	14104	23361	39.6 %
2	England, Wales and NI	44226	186498	230724	19.2 %

'Total inspected' figures exclude registered businesses awaiting inspection. This is the case of both new businesses and businesses changing their functions.

## England, Wales, Northern Ireland

**Around 19% of total inspected food businesses** in England, Wales and Northern Ireland have not had a follow-up hygiene inspection at least since 2021 [[see Table 1](#)].

Almost a third of businesses classed as **pubs, bars or nightclubs** were last assessed before 2022 (32.1%), followed by **mobile caterers** (29%), **restaurants, cafes and canteens** (16%) and **takeaways and sandwich shops** (11%) [[see Table 2](#)].

**TABLE 2. Inspected businesses in England, Wales and Northern Ireland, by type**

	Business type	Inspected before 2022	Inspected in or after 2022	Total inspected	Inspected before 2022 (%)
1	Pub/bar/nightclub	14506	30643	45149	32.1 %
2	Mobile caterer	6098	15036	21134	28.9 %
3	Restaurant/Cafe/Canteen	17946	94009	111955	16 %
4	Takeaway/sandwich shop	5676	46810	52486	10.8 %

'Total inspected' figures exclude registered businesses awaiting inspection. This is the case of both new businesses and businesses changing their functions.

The local authority in England, Wales and Northern Ireland with the highest proportion of businesses inspected over two years ago is **Rochford** (68%), followed by **Southampton, East Lindsey, Bury, Walsall, Liverpool, Portsmouth** and **Mole Valley** (all of them in England, and with a proportion between 50-60%) [[see Table 3](#)].

**TABLE 3. Top 10 local authorities in England, Wales and Northern Ireland with the highest proportion of businesses inspected before 2022**

	Local Authority	Nation	Inspected before 2022	Inspected in or after 2022	Total inspected	Inspected before 2022
1	Rochford	England	191	90	281	68 %
2	Southampton	England	423	298	721	58.7 %
3	East Lindsey	England	642	476	1118	57.4 %
4	Bury	England	339	263	602	56.3 %
5	Walsall	England	454	373	827	54.9 %
6	Liverpool	England	1062	932	1994	53.3 %
7	Portsmouth	England	461	411	872	52.9 %
8	Mole Valley	England	144	137	281	51.2 %
9	North East Lincolnshire	England	315	321	636	49.5 %
10	Pembrokeshire	Wales	355	385	740	48 %

'Total inspected' figures exclude registered businesses awaiting inspection. This is the case of both new businesses and businesses changing their functions.

Of the 44,226 establishments we looked at (classified as restaurants, cafes, canteens, mobile caterers, pubs, bars, nightclubs, takeaways and sandwich shops) in England, Wales and Northern Ireland that were last inspected over two years ago, **195 (0.4%) failed their last inspection.**

Of the 3,001 wholesaler establishments in England, Wales and Northern Ireland last inspected more than two years ago, **7 (0.2%) received failing grades** (below 3).

## Scotland

Almost two in five inspected food businesses in **Scotland** (39.6%), which runs a different food hygiene scheme, have not had a follow-up hygiene inspection at least since 2021 [[see Table 1](#)].

Around 60% classed as **pubs, bars or nightclubs** in Scotland were last assessed over two years ago (59.9%), followed by **mobile caterers** (49.8%), **restaurants, cafes and canteens** (38.7%) and **takeaways and sandwich shops** (23.9%) [[see Table 4](#)].

**TABLE 4. Inspected businesses in Scotland, by type**

	Business type	Inspected before 2022	Inspected in or after 2022	Total inspected	Inspected before 2022 (%)
1	Pub/bar/nightclub	2380	1592	3972	59.9 %
2	Mobile caterer	1061	1068	2129	49.8 %
3	Restaurant/Cafe/Canteen	4427	7015	11442	38.7 %
4	Takeaway/sandwich shop	1389	4429	5818	23.9 %

'Total inspected' figures exclude registered businesses awaiting inspection. This is the case of both new businesses and businesses changing their functions.

The local authority in Scotland with the highest proportion of inspected businesses that have not had a follow-up hygiene inspection at least since 2021 is **Argyll and Bute** (65.6%), followed by **Dumfries and Galloway, Orkney Islands, Aberdeen City, Fife, Scottish Borders, Highland** and **East Lothian** (all of them above 50%) [[see Table 5](#)].

**TABLE 5. Top 10 local authorities in Scotland with the highest proportion of businesses inspected before 2022**

	Local Authority	Nation	Inspected before 2022	Inspected in or after 2022	Total inspected	Inspected before 2022 (%)
1	Argyll and Bute	Scotland	303	159	462	65.6 %
2	Dumfries and Galloway	Scotland	497	269	766	64.9 %
3	Orkney Islands	Scotland	89	49	138	64.5 %
4	Aberdeen City	Scotland	679	389	1068	63.6 %
5	Fife	Scotland	1159	691	1850	62.6 %
6	Scottish Borders	Scotland	371	280	651	57 %
7	Highland	Scotland	459	374	833	55.1 %
8	East Lothian	Scotland	204	181	385	53 %
9	Glasgow City	Scotland	1916	1934	3850	49.8 %
10	Aberdeenshire	Scotland	297	366	663	44.8 %

'Total inspected' figures exclude registered businesses awaiting inspection. This is the case of both new businesses and businesses changing their functions.

Of the 8,058 establishments (classified as restaurants, cafes, canteens, mobile caterers, pubs, bars, nightclubs, takeaways and sandwich shops) in Scotland that haven't been inspected since at least 2021, **421** (one in twenty, or 5%) **failed their last inspection**.

Of the 4532 wholesaler establishments in Scotland last inspected more than two years ago, **21** (0.5%) received an **"Improvement Required"** grade.



# Expert quotes and interviews

## Unison

### *Unison's head of local government Mike Short*

He said: "Environmental health is a shadow of its former self. Government cuts have put an almighty squeeze on council spending. Many jobs have gone and vital experience has been lost.

"Departments now have so few staff that inspections only happen when it's too late and a problem's been reported. In the past, councils would offer guidance and training to new businesses to help them stay the right side of the law. This has all long gone.

"Without a doubt, cuts have put the public at risk. Inspections are now so delayed that it's perfectly possible for food businesses with shoddy hygiene practices to operate with little fear of ever being caught. This is a serious public health issue."

## Food Standards Agency (FSA)

### **Emily Miles chief executive, Food Standards Agency**

#### **Q&A**

**Q: Our figures show one in five restaurants, bars, pubs, takeaways, sandwich shops and canteens in England haven't been inspected for more than two years - while some authorities haven't inspected the majority of establishments for over two years. Does this surprise you?**

**A:** "We wouldn't expect some businesses to be inspected that frequently. The rating system divides businesses up by risk - so the highest risk, such as the really big manufacturers or a takeaway with a really poor compliance history, we would expect them to be inspected about every six months. With your lowest risk businesses – like your chemist selling sweets, or home baker only operating occasionally – we would expect them to have an inspection about every three years.

“In the middle there you have restaurants with really good hygiene controls, compliant restaurants serving a large amount of people. They would be getting inspections every 18-24 months. So having some businesses without an inspection after two years we would expect.

“However, we are concerned there is an increase in businesses awaiting a first inspection. Pre-pandemic, something like 26,000 businesses were awaiting an inspection – that’s about the normal frictional level you would expect in the system every quarter. Now the figure is about 41,000 awaiting an inspection – that’s down from April 2021 when there were about 77,000 waiting.

“Local authorities have done a fantastic job getting on top of that backlog, however we are concerned that number is not back down to that 25 - 30,000 level. Lowest risk businesses haven’t had the inspections we expect them to have.”

**Q: What does the situation look like now?**

A: “Take your highest risk businesses - something like nine out of 10 of the inspections took place that we were expecting, for the middle risk it was about 68 per cent – but the lowest risk, only about 18 per cent of those were happening.

“Local authorities are doing the right thing in many ways - they are putting their effort and priority towards the higher risk, that’s where they need to protect the public. But the lower risk (businesses) are getting less attention and we think that’s a shame. When an inspector goes into a place, they are not just taking a clipboard and going through a list – they are also giving a lot of training and advice about how to keep people safe and about compliance controls.”

**Q: So why is that the case? Why is there a backlog?**

A: “If we wind back to march 2020, all of a sudden the hospitality industry was closed. The food inspections that were planned in those six months either didn’t happen or couldn’t happen. We were also in a situation where inspections weren’t wanted because we were trying to minimise the exposure people had to each other.

“Food inspectors in councils were diverted onto other work - things like checking Covid controls and compliance with Covid rules. At one point we worked out something like six out of 10 officers who would normally be doing food inspections were diverted onto other work.

“At the time, we said to local authorities to focus on the highest risk inspections first and get back to the normal inspections within a couple of years. That deadline was March 2023 - so it’s only in the last year we’ve expected things to get back to normal - that means going to the highest risk premises every six months and the lowest risk every three years.

“What we’ve got now is local authorities largely keeping up with the interventions they need to do in higher risk and medium risk - but they are not managing to keep up with the lower risk

premises. And that's just a concern to us - it means food businesses are missing out on advice and support. And we also know that when somewhere gets a higher food rating it's far less likely to cause someone to be ill."

**Q: And why is that?**

A: "We've done some research, which shows if you get a food hygiene rating of three or below your business is much less likely to cause foodborne disease - and if its lower than a three it's just more likely to cause food disease.

"We would really like the food hygiene rating to be displayed mandatorily in England. At the moment in Wales and Northern Ireland, you have to put it in your window.

"We estimate that if the hygiene rating had to be displayed - and therefore customers were choosing between restaurants more actively - something like between two and seven thousand incidents of foodborne disease would be prevented each year. We know that restaurants and the pubs that take care and get higher ratings; where they've got good structures for the buildings and kitchen good management practices; that are following the best guidance around food hygiene and using the right chopping boards, we know that prevents people from getting sick and we think that's worth it.

**Q: What sort of illnesses are we talking about?**

A: "E coli, salmonella, norovirus, listeria - these are the sorts of foodborne pathogens that if you don't take care and you don't chill food properly, prevent cross contamination, or cooking food properly. If you're not doing those things, illnesses are more likely to be caught from food."

**Q: How under pressure are local authority food hygiene teams?**

A: "We do see a lot of pressure facing local authorities at the moment. The number of people in post is not dissimilar to what it was before the pandemic - we are looking at about 1,400 food hygiene staff across the country and about 380 trading standards officers. But it's the vacancy rates that do worry us. Between one in seven and one in ten are vacant and local authorities can struggle to recruit.

"In addition, local authorities are facing significant financial pressures and we've seen a long-term decline in funding into the food system in local authorities. The levels of sampling are lower, we've got almost half the number of trading standards officers we had ten years ago, we are down 14-15 per cent on food hygiene inspectors. So, we are concerned about that and we also think the number of businesses has grown in that time as well, so there's more work to do with fewer staff."

**Q: What can the FSA do to help?**

“We can’t fund officers and we can’t run local authorities - they are independent, competent authorities. We do look at ways of helping local authorities with their recruitment and retention so we’ve done things like review the list of suitable qualifications you need to have in order to deliver an inspection and we are looking at whether we can extend the roles that less qualified individuals - what we call regulatory support officers - can do.

“We’ve also been working with the Chartered Institute of Trading Standards and the Association of Chief Trading Standards Officers on an apprenticeship scheme and there have already been 100 candidates enrolled.

“We are working with them too on how we publicise these professions.

“The agency also monitors local authorities closely - if we hear about a local authority being in financial trouble then we get in touch straight away with the officers there and find out how they’re doing with their food inspections. I’ve written to all local authority chief executives reminding them that the food work they do is a statutory service.

“Finally we are looking at how we can support local authorities to use their precious resource in a more targeted way. We’ve been trialling things like pooling intel on dodgy food businesses and targeting their intelligence better with their inspections - that’s really reaping results.”

**Q: Unless recruitment and retention is improved, what is the risk to the public here? Is it already less safe to eat out?**

A: “At the moment food standards remain high in the UK - three quarters of businesses get a rating of five for their hygiene. We are not seeing a big increase in foodborne disease so overall at the moment we are okay.

“However, if there are not enough people with the right skills in these local authority inspection roles - there just isn’t that line of defence around inspection, assurance and actually support to businesses. Businesses have an incentive to do the right thing by the consumers, they don’t want to make people sick, but also sometimes they need support and help to know how to do that well. If you are slowly degrading or depleting the inspection capability in the UK, that line of defence gets weaker and that’s just not an acceptable situation for the food standards agency.

“Knowing you’ve got an inspector coming every 18 months to 2 years to keep an eye on what you’re doing makes a big difference to you as a business

“What we’d really like is for governments, across the UK, to work with us to address some of these matters. It’s important local authorities get enough financial support to ensure these food inspections don’t get cut any further.

“It’s something that could be a slow burn to a very very uncomfortable and unhelpful situation. We have high food standards in this country - but it’s something you won’t know you’ve got until it’s gone - we do not want big food disease outbreaks just happening around the country.

“If you think about the cost the BSE crisis had to the UK in the 1990s - it’s only been in the last few years that beef exports have resumed to the US. It was only a couple of years ago that, if you were from Australia and you’d lived in the UK for more than six months - you weren’t allowed to give blood. That long tail of an effect from a big foodborne disease that isn’t caught is just not worth it. It’s not worth the pain and tragedy of the people who get sick and it’s not worth the dent in our trust as a food nation.”

## Food Standards Scotland (FSS)

***Food Standards Scotland is the public sector food body for Scotland. Its role is to protect the public from risks to health which may arise in connection with the consumption of food.***

**The following Q&A answers can be attributed to a Food Standards Scotland (FSS) spokesman.**

**Q: Broadly speaking, what does FSS think about the figures? Do they concern the organisation?**

A: “Food Standards Scotland (FSS) has been vocal for some time about the sustainability of the current model and the impact the lack of resources is having on the regulation of food businesses. We have raised this issue with Scottish Ministers and it is one that we, and other stakeholders, continue to take very seriously. We know the system needs reform and are working with a range of stakeholders to consider how best to deliver changes to the current system.

**Q: Although a backlog in inspections mounted further during the pandemic across the UK, do you think local authorities are doing enough to catch up?**

A: “The vast majority of businesses are compliant and focus on ensuring food is safe because their livelihood depends on it. Legally primary responsibility for food safety lies with the food business operator, and the role of our Official Controls is verification and assurance, primarily through Local Authorities.

“Our food safety system is essentially a preventative model based on businesses understanding and identifying risks and hazards which are then positively managed and controlled by the business. However, in terms of our assurance role, we now have the situation where Local Authority staff numbers, sampling volumes and the number of food law interventions are reducing for lower risk premises which means the system of prevention through assurance is increasingly at risk and has been for some time.

“This is not simply an issue about “LA commitment” to regulatory services. There is an underlying structural issue with the Environmental Health and Food Safety Professions and the way the system is set up, with too few qualified officers to fill the existing posts and a lack of entry into the profession too. The food law enforcement staffing deficit is currently estimated to be around 47% of the LA requirement in Scotland.”

**Q: What does the backlog in timely food hygiene inspections mean for the consumer? Essentially – does the fact a restaurant has not been inspected for two years put restaurant goers at risk?**

A: “Ensuring public health is effectively protected remains our focus. It’s important that when consumers go out to eat or purchase food ‘on the go’ they have trust and confidence in food businesses. This means we require an effective and appropriately resourced regime of official controls must be in place.

“Our system of prevention through assurance is not only needed to protect consumers in Scotland, it is also essential in facilitating trade, with the issues around the current LA delivery model becoming more critical since EU exit. There are also third party audit schemes that many businesses use that also provides some assurance. One of the opportunities is to see how we can work better with third party auditing bodies and use their information to support our own.

“FSS is working closely with colleagues across Scottish Government Directorates and Local Authorities to identify resources to develop a modernisation programme for food law regulation across four broad themes. These include reviewing the resourcing model; introduction of a registration and licencing scheme; making better use of data and intelligence to target high-risk activities; and increased efficiencies.”

## Unchecked UK

**Phoebe Clay, director of UNCHECKED UK**

*Unchecked UK is the UK’s largest network of civil society organisations making the case for better consumer protections. Its goal is to promote a more informed conversation about regulation in the UK and raise awareness about its systemic challenges.*

## **Q&A**

**Q: Our findings show that one in five food venues haven't been inspected for more than two years - what do you think about the findings? Do they concern you?**

"They concern but don't surprise us - this is part of a longstanding trend we have seen this in relation to a whole set of issues. Food standards has been affected by this general curtailment of enforcement activity.

"Its primarily the consequence of years of disinvestment into what used to be a pretty good system.

"There is increasing evidence of a rise in things we don't expect in the UK. Things like salmonella, E-coli - things that are directly the consequence of low standards and lack of cleanliness."

**Many councils we have spoken to say they cannot recruit and retain enough staff to run an effective food hygiene system. Is this something you are seeing? What does capacity look like now in relation to when things were working well?**

Most of our research predates the pandemic so a lot of our analysis was done in 2019 - but it's fair to say the pandemic has exacerbated the trends we were seeing then. Local authorities are facing a real financial crisis - and generally this has fallen on parts of their responsibility for which there is less visibility.

Food hygiene and consumer protections have been big losers of that austerity drive - we have seen the boots on the ground fall quite significantly. There are less people out there carrying out basic checks and the pandemic has made that a lot worse.

**So is it a case food hygiene has slipped down the priority list for councils?"**

"The way the current government has spoken about standards and regulations has tended to be in relation to them being burdensome, holding back growth and being inconvenient for businesses.

"But we are learning at our own peril now. People are suffering serious illnesses because those checks aren't there.

"Local authorities have not been held to account as much as they should have been on these issues and that's partly because of the policies emerging from central government.

"The responsibility is collective and I think it does come from the top.

“You look at food now - we have the prospect of lab processed meat, we have what are referred to as ‘dark kitchens’ - so falling behind on standards just when there are very big changes going on is probably a recipe for disaster.

**Q: What does this mean for the consumer?**

A fit, young individual can probably sit it out if they get ill - it will be really uncomfortable - you’ll feel pretty rough, but you’ll probably come through.

“But the question is, are we building a system that protects everyone? A bout of salmonella could be really deadly for a grandparent, can be really serious for a child. We often forget, people with the least choice in terms of prices, are the ones most likely to lose out. People on the lowest incomes are more likely to be eating in more dangerous establishments.

“So I guess there is also a question of fairness here - it’s whether we want to live in a country where we expect everyone to have the key essentials.”

**Q: Is there a way to fix the system?**

“There is something that doesn’t cost any money which is to shift that focus around regulation being burdensome.

“But, in terms of funding, we are not talking about huge amounts of money here - it’s not fixing the NHS. Relatively small investments would make the difference between having an inspection every two years to having one every six months.

“There is a longer term perspective - ultimately these problems are going to cost us dearly in the long-run. It’s much cheaper to ensure there are regular inspections that are constructive and proactive than having a salmonella outbreak in your community, which will inevitably incur the cost of acute care and maybe even long-term clinical dependency.

“Food safety seems like a really cost-effective intervention to make now.”

## **Hospitallity UK**

**Hospitallity UK represents hotels, food and drink venues across the UK.**

A UKHospitality spokesperson said: “UKHospitality works closely with the Food Standards Agency and Food Standards Scotland, and publishes industry leading food hygiene guidance



specifically for the hospitality sector, developed with FSA/FSS and local authorities, to ensure food businesses have the best advice available.

“The most recent FSA data shows just over three-quarters (75.7%) of food businesses in England, Wales and Northern Ireland achieved a top rating of 5 for hygiene, and overall 97.1% of businesses scored satisfactory or above. Even with re-inspection challenges, this shows the sector demonstrates very high compliance.

“Despite the pressures the sector has faced in recent years, the safety of our customers remains non-negotiable and food hygiene is a major focus for businesses – alongside work on allergens and food crime.”

## Rights of reply

### A Housing Communities and Local Government spokesman said:

“We will get local government back on its feet by doing the basics right.

“We will do this by providing councils with more stability through multi-year funding settlements, ending competitive bidding for pots of money and reforming the local audit system.”

### A Scottish Government spokesperson said:

“Food Standards Scotland works closely with local authorities which employ people involved in food inspection and environmental health. Councils, as independent bodies, are responsible for the management of their workforce. However, we recognise the significant challenges councils face in continuing to deliver sustainable environmental health services in communities across Scotland, some of which have been made worse by Brexit and the imposition of new export processes which have impacted heavily on some local authorities.”

## NE Lincolnshire

A Council spokesperson said: “Like many other local authorities who faced backlogs due to the COVID pandemic, we’re following post-COVID guidance issued by the Food Standards Agency (FSA).

“Since 2021 the team has grown, and investment in this area has increased.

“Where the FSA has concerns over backlogs, it contacts Councils to offer support.”

## Walsall Council

“Environmental Health alongside other regulatory services worked tirelessly hard during the Covid-19 pandemic to ensure communities were protected from the harm caused by the illness. This work led to Central Government suspending routine activity such as food safety inspection to free up capacity for the Covid-19 work to take place. As a result there was a backlog of inspection for all local authorities post Covid-19 and the Food Standards Agency (FSA) developed a recovery plan to deal with this.

“Walsall Council has been working with the FSA over the last two years to analyse performance and ensure work is effectively prioritised.

“Resources have been directed to the highest risk premises and in the last two years the council has inspected over 1100 food businesses, the majority being satisfactory or higher on the national scheme of food hygiene ratings. The service formerly closed 13 premises using emergency prohibition powers to protect public health and prosecuted eight such premises. During that period, over 750 new food businesses have registered with the authority. While this is good news for the local economy, it requires these businesses to also receive an inspection to check their legal compliance.

“To reflect the importance of this work and the pressures faced within the service, the administration has invested in three full time posts to supplement the current staffing levels. These posts are being recruited to currently, which will significantly help with the inspections of newly registered premises and the backlog of other premises.

“The council is a strong advocate of the national Food Hygiene Rating Scheme and has written to the FSA calling for mandatory display of the scores so that consumers can make informed decisions about where to buy their food. It is possible for businesses to let standards slide if they are not monitored regularly. Environmental Health staff provide advice and information to businesses to ensure any risk to consumers is minimised.”

## Liverpool City Council

**A spokesperson for Liverpool City Council said:** “The Covid-19 pandemic paused Environmental Health inspections of food businesses, and in Liverpool the backlog this created was exacerbated by more than 1,000 new food business registrations.

“The sector also has a high turnover, so the Council has had to place its focus on those deemed at the highest risk. Where a food business is found to be non-compliant our Environmental Health team takes enforcement action, where necessary, which includes prosecutions. The team works extremely hard and also focuses on premises that produce high risk foods that can be sold within the UK and exported, as well as responding to complaints, food alerts, and infectious disease notifications and outbreaks.

“The length of time investigations take to ensure compliance is met has also increased, partly due to training issues in new businesses and the rise in prices, which has further compounded the backlog.

“Food hygiene is a major public health concern and recruiting food qualified officers has been particularly challenging over the last 5 years. In response the Council has been investing in

graduate training to strengthen service resilience. This is a long-term process but steps are in place to redress the balance.”

## Bury Council

**A Bury Council spokesperson said:** “We are absolutely committed to ensuring the safety of customers who visit food premises.

“Firstly, we fully investigate every case where we have received a complaint, or received information, about an establishment that may pose a risk.

“And secondly, we are making sure that our resources are directed towards premises in the highest category of risk. This has been endorsed by the Food Standard Agency.

“Historically, Bury has enjoyed a high level of food premises with the top 3 hygiene star ratings – the current rate is around 97%.

“In terms of resources, Bury Council – in common with many across the land - is facing severe financial challenges due to rising costs and increasing demand for services. This does not, however, lessen our commitment to ensuring food safety in our borough.

“Our small team of professionals carry out a wide range of statutory enforcement activities. For food safety inspections specifically, we use external qualified consultants to bolster the work of our in-house team, and we are hoping to appoint a new inspector later this week.

“We take the welfare and safety of residents very seriously. Our prioritised approach to inspections and our prompt response to complaints is ensuring that consumers are not placed at undue risk.”

## Southampton City Council

Further to your enquiry, please find below our statement:

“Southampton City Council recognises the importance of ensuring businesses provide safe food to consumers. The council’s environmental health service is working to tackle the backlog of inspections and has agreed an action plan with the Food Standards Agency to address the situation during 2024 – 25. A risk based approach is used to prioritise premises for inspection, with the available resources focussed on the highest risk premises. The council has maintained the number of posts for officers authorised to carry out food hygiene inspections but in common with many other local authorities, has faced challenges with recruiting to vacancies over the past five years.”

## Pembrokeshire Council

- **Q: What does the backlog in timely food hygiene inspections mean for the consumer? Essentially – does the fact a restaurant has not been inspected for two years put restaurant owners at risk?**

A: In summary the consequences for consumers are:

- Increased risk of non-compliance with associated food safety consequences - increase risk of food poisoning incidents/outbreaks, allergen incidents and injuries from consumption of unsafe food, increased risk of fraudulent activity.
  - Increase in consumer complaints resulting in an increase in reactive work.
  - Food Hygiene Ratings out of date and invalid
  - Increased concern and dissatisfaction
- 
- **Q: Over the past five years, have there been any savings / efficiencies made within the environmental health in terms of budget/FTE headcount?**

A: Despite, the very challenging financial settlement there have been no budget cuts (efficiency savings) which have required a cut in headcount over this period. However, the Authority has encountered significant recruitment challenges and staff absences which have impacted on its

ability to recover services following the pandemic. These have been particularly acute in our food law enforcement and trading standards teams. This is set against a backdrop of a national recruitment crisis and scarcity of qualified Environmental Health and Trading Standards professionals.

While the Authority continues to operate with a heavily depleted workforce, activities continued to be risk-based, with a focus on achieving its highest risk inspections and complaints.

- Q: How is the local authority seeking to catch up? Will a move to a new inspection model improve the situation?

A: The Public Protection Service has developed a workforce strategy and action plan, to increase and promote opportunities for careers in environmental health and trading standards, with a particular emphasis on food safety and standards enforcement. This will help address the national shortage of qualified professionals, enable the Council to 'grow our own' and to support staff development and progression. In addition agency staff are engaged where possible, in particular focusing on food safety and standards inspections. Colleagues are also engaged in work at a national level to address the recruitment and retention crisis and the development of a Workforce Strategy and Action Plan by Directors of Public Protection Wales. This includes exploratory work to develop new routes into the profession through the creation of apprenticeship pathways.

The Authority is unable to comment on the likely benefits of changes to the Food Standards Delivery Model in Wales and will need to await the outcome of the Food Standards Agency's evaluation of the pilot studies. The benefits may differ across local authorities depending on whether food standards inspections/interventions are delivered as a combined food hygiene and standards service as in our Authority, or as separate functions by Environmental Health and Trading Standards Services.

Changes to the food hygiene inspection model are not proposed for Wales at this time

**Cllr Martin Foster, Portfolio Holder for Environmental Services at East Lindsey District Council, said:** "In response to the media enquiry, we are actively addressing an IT issue with the FSA regarding the uploading of our inspection data. Upon replacing our back-office IT system, we encountered challenges with aligning the unique identifying codes for food businesses during data migration. As a result, our ability to upload up-to-date inspection data to the FSA has been impacted.

"We are diligently working to reconcile this issue to ensure accurate and current data can be provided. However, this process requires careful validation to assure the FSA that the old and new datasets are aligned, which has proven to be challenging.

"We want to emphasise that the data obtained does not fully reflect the comprehensive efforts we are undertaking in food hygiene inspections particularly establishments which are designated high risk or are failing to meet a food hygiene rating of 3 or above. Public safety remains our top priority, and while the current data may not accurately portray our inspection activity, rest assured that any changes in inspection outcomes where food businesses significantly reduce or improve their rating are promptly updated in the FSA system.

"We appreciate the patience of the public and stakeholders as we work to resolve this matter. Our commitment to ensuring food safety standards remain high in East Lindsey remains unwavering."

## Portsmouth City Council

A council spokesperson said: "Food businesses need to comply with the law and the majority of them do, with most Portsmouth businesses rated as satisfactory and above, which is the same as the picture nationally. Inspections are important, but it's worth remembering they are a snapshot of a business on one particular day. At present we are targeting our resources into inspecting food businesses where non-compliance has been reported or discovered, and we

have also recently recruited an additional full-time food enforcement officer, which is already having a positive effect on outstanding inspections.

"The council is working closely with the Food Standards Agency who are aware of our plans going forward. If you are concerned about a food business' hygiene standards you can report it by emailing [public.protection@portsmouthcc.gov.uk](mailto:public.protection@portsmouthcc.gov.uk)"

## Rochford District Council

- **Q: What does the backlog in timely food hygiene inspections mean for the consumer? Essentially – does the fact a restaurant has not been inspected for two years put restaurant goers at risk?**

A: The authority takes food safety very seriously and the backlog occurred due to a fault with the IT system that generates the inspections. As soon as the fault was discovered it was repaired and a contractor engaged to catch up with the backlog. It is anticipated the back log will be cleared in the next 6 weeks.

- **Q: Over the past five years, have there been any savings / efficiencies made within the environmental health in terms of budget/FTE headcount?**

A: The authority has not made any reductions in resources in the environmental health department, we have had a vacant food officer post that we have until recently been unable to fill despite advertising.

- **Q: How is the local authority seeking to catch up? Will a move to a new inspection model improve the situation?**



A: Once we were aware of the backlog we immediately engaged a contractor, who has been with us for a couple of months, to help work through the inspections. The appointment of a new inspector in November and another currently undergoing training means we have sufficient resources in the food team

## Mole Valley

**Seonaid Webb, Executive Head of Transformation and Partnerships, said:** “Alongside all other local authorities responsible for food safety services, Mole Valley District Council (MVDC) was required to alter its practises during Covid, following the introduction of an intensive Food Standards Agency’s (FSA) Covid Recovery Plan. During this period, MVDC made the decision to prioritise inspecting higher risk businesses, where required, due to resources being required elsewhere to support food businesses to comply with pandemic-related restrictions.

“Having now returned to a business-as-usual approach, MVDC can confirm it is up to date with higher risk business inspections. Those food establishments categorised as ‘lower risk’ meant that, at the time of that business’s previous inspection, it had demonstrated the required level of food safety. This approach was carried out in the best interests of Mole Valley consumers, ensuring that higher risk businesses were prioritised for inspection against the backdrop of a challenging and unprecedented pandemic. Importantly resources have always been made available for inspections of businesses we have been made aware of where it has been noted that hygiene standards have fallen, and potential risks to consumers increased.

“A shortage of qualified environmental health officers (acknowledged by the FSA as a national recruitment and retention pressure), has resulted in an MVDC role remaining unfilled this year. Despite this challenge, we have embarked on delivering a prioritised food hygiene inspection programme, which will include the backlog of businesses identified as lower risk. We will

continue to focus efforts on recruiting into this vacancy to support successful delivery of the programme.

“I can also confirm that, over the past five years, no savings or efficiencies have been made in terms of budget/FTEs in MVDC’s Environmental Health team.”

## Aberdeen City

Declined to comment

## Orkney Islands Council

Staffing shortages continue to impact many services across local authorities and, unfortunately, Orkney is no different.

In addition, there’s an administrative glitch in relation to Scotland’s provision of data to Food Standards Scotland (FSS) – the public sector food body for Scotland. Along with a number of other Local Authorities an error has been identified in the automatic transmission of information from Orkney Islands Council’s system to the FSS system, so the data is incorrect. We are in the process of trying to rectify this situation, which would show a more accurate position.

Recruitment challenges within many sectors, including the Environmental Health Service at OIC remain a challenge, but staff are working hard to rectify legacy issues.

This includes an updated service plan – bearing in mind the SAFER (Scottish Authorities Food Enforcement Re-Build) - and setting out the work that the team intend to do during the coming year.

Our food service plan for 2024/25 is currently being finalised and will shortly be published on our website setting out the number of inspections that are due during the year, including backlog/legacy inspections and data anomalies corrected.

It's important to note that risk ratings can vary from three months to five years in terms of required inspections – and sometimes no inspection is needed.

It is also clear that the food business operator is responsible for running their business and complying with food law and thereby protecting consumers. We have prioritised inspections of the higher risk establishments, such as manufacturers and processors.

## Fife Council

Fife Council's head of protective services Nigel Kerr commented: "Food businesses are responsible for complying with food law, and our environmental health officers play an important part in making sure that happens.

"Last year our team carried out 2195 food law interventions including inspections, revisits, monitoring samples, responding to concerns regarding businesses and requests for advice.

"There is a backlog of inspections, and difficulties in recruiting qualified environmental health officers and food safety officers have impacted on our ability to deliver services.

“However, we are committed to exploring alternative ways of making sure we deliver our regulatory activities. We are working with Food Standards Scotland on a pilot project to develop new routes to authorisation for food law activities.”

NOTE – Over the past five years savings amount to £0.474m plus one FTE post.

## Argyll and Bute Council

During the pandemic, to help with the national public health emergency, we redeployed Officers in accordance with Scottish Government priorities. This led to the temporary pause in routine food control arrangements.

Argyll and Bute Council’s Food Control Enforcement Plan 2023-2025 has since restarted. This includes food control arrangements focusing on manufacturers, vulnerable groups and high and medium risk catering and retailing Food Business Operators (FBO’s).

FBO’s who have implemented a food safety management plan are required to ensure the food they serve consumers is safe. Food Hygiene Inspectors regularly check food safety management plans to make sure businesses are compliant. We target our resources at high-risk activities, which include food manufacturers, exporters and those providing food to vulnerable groups.

Where intelligence suggests a deterioration, we inspect businesses and take appropriate action. The service continues to respond to suspected or confirmed cases of food-borne disease, complaints about food related businesses and to formal food alerts issued by Food Standards Scotland.

Council budgets have been reducing year after year. Cutting or stopping services is always a last resort. Our priority is to save the services we have a duty to deliver. All council services, including Environmental Health, have made savings to address this funding gap.

Nationally, there is a shortage of qualified environmental health and food safety officers, reflected in a number of long-term vacancies within the service as we continue to recruit positions.

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