

FOOD REVIEW TASK & FINISH GROUP

TERMS OF REFERENCE

FEBRUARY 2013

1. PURPOSE

Due to the significant interest that has recently been shown following the Horse Meat Scandal, and the concerns that have stemmed from these events, the Corporate Executive Team has agreed to set up a small Member/Officer Task & Finish Group to review our current policies and procedures and to provide Members and the public with as much reassurance as possible that the right policies and procedures are in place in Denbighshire, and to gauge whether there are any lessons to be learned in order to make further improvements for the future.

2. GROUP MEMBERSHIP

- Councillor Julian Thompson-Hill - Lead Member (Procurement)
- Councillor David Smith - Lead Member (Public Protection)
- 4 Members representing the Political Groups
- Corporate Director - Lead Officer
- Relevant officers from School Meals Service, Social Care, Public Protection and Procurement

3. SCOPE OF THE REVIEW

The Group will look at the following issues:

- a) Assurances about any health related matters (we don't believe this to be an issue, but have included it for completeness)
- b) An understanding of, and assurances about, our current procurement procedures and how they can be further improved if necessary
- c) Our sourcing policy for the future
- d) The Council's role as an enforcing and regulatory body

- e) The sufficiency of contractual arrangements with commissioned services and the advice and support for Arms Length Organisations

The output from this Task & Finish Group will be a report that will be presented to a future Scrutiny Committee (date and Committee to be determined). Scrutiny can then make appropriate recommendations to Cabinet if any changes to policy is necessary.

4. TIMEFRAME

This may be dependent to an extent on developments at national level which are not entirely clear at the moment. However, this task should be completed in readiness for a May/June Scrutiny meeting. It is envisaged that this group meets during February/March and a report be prepared in April for the Committee timetable in May.

Position Statement: Review of Food Procurement

BACKGROUND

Denbighshire County Council spends approximately £1.2 million annually on food, the majority of which is supplied to our Schools and Social Services establishments. The greatest spend is with suppliers on TUCO (The University Caterers Organisation Ltd) framework agreement. This is a specialist, sector specific, food procurement consortium. Their role is to create legally constituted EU framework agreements on behalf of the public sector clients to maximise their buying power, whilst taking into account food hygiene considerations.

TUCO use STS (Support Training Services), an accreditation company to carry out annual audits on Framework suppliers. The audits are conducted initially on a prearranged basis during tender evaluation. Subsequent year's annual audits are conducted on either a prearranged or unannounced spot visit basis. TUCO undertake to alert all Framework users, if any of the suppliers fail the audit.

There are currently 59 catering suppliers identified within the catering category analysis carried out by procurement, with an additional 57 sub-contractors involved within the supply chain. Of the 59 suppliers identified, 16 of these are with TUCO and 7 of the 16 are local. The catering category consists of suppliers of fresh/frozen meat & poultry, grocery, fruit & veg, milk, bread, sandwich fillers, confectionery, pasta and also outside catering establishments. These suppliers are graded by the FSA (Food Standards Agency). This is an independent Government department responsible for food safety and hygiene across the UK.

The Denbighshire departments who are the major users of the suppliers in the catering category are:

- Catering Services (DCC schools & St. Brigid's)
- Social Services (Residential Care homes, Hafan Deg, Llys Nant Activity Centre(meals on wheels) and Popty
- Leisure Centres, Rhyl Pavilion, Llangollen Pavilion and Ruthin Craft Centre

Following actions from the Food Review Task and Finish Group meetings, Procurement has electronic and manual files containing all evidence and correspondence collated which can be viewed by request. Detail held includes copies of all statements from suppliers and also information from TUCO, STS, FSA and internal service areas of Denbighshire CC.

Meat and Poultry products purchased by Denbighshire CC has been identified in management information reports received from suppliers and sub-contracting suppliers. Their source of origin is traced by batch and resource codes on the label on each product. Statements along with certificates of analysis testing have been received, all with successful results.

Catering services stipulate in their product specification with TUCO what they want for example PGI (Welsh origin), specific cuts of meat and permitted fat levels. This is then put into the tender documentation and must be monitored by the contract manager. Denbighshire CC has a direct contract with Hughes Meats (with Woodward's as their distributor) whereby all meat is PGI and the supplier supplies beef below 30 months old. Following investigation work by procurement over the past month, it was established that one product item was sourced from

Germany. This supplier was a sub-contracted supplier to Woodward's. This example stresses the need for better contract management with TUCO and the supplier. Procurement held a telephone conference with both to determine a way forward.

Procurement has been working with Social Services over the past two years to establish a more robust procurement operation. (Residential homes, activity centres and Popty) This involves using suppliers on contract and streamlining products to avoid exposure to risk. Fresh meat purchased from local supermarkets on an ad hoc basis has been discouraged, with the emphasis placed on purchase from local butchers or suppliers included on the TUCO framework agreements. The Social Services commissioning team have established terms and conditions for a six month contract with the supplier for the 'Meals on Wheels' service. This arrangement is periodically reviewed. Procurement has details of menu, products and traceability of the supply chain.

Butchers selected by Social Services for the purchase of fresh meat are required to supply beef below 30 months old and ensure traceability to source. Their suppliers must be PGI approved. Passports can be obtained back to the abattoirs. Butchers must be graded 5 by the FSA. (This also applies to Hughes Meats, supplier of fresh meat to schools).

Procurement has also been liaising with The British Poultry Council. All their suppliers are 90% Red Tractor (Quality Assurance). All fresh meat is British and manufactured meats can be imported from France. They use NSF/CMI accredited body (food assurance brand).

To review current food procurement, the Procurement department has requested regular management information from suppliers and encouraged more frequent communication with internal service users and TUCO relating to sharing of information. TUCO have received quotes from three organisations to set up a programme of auditing deliveries of high risk projects at high spend institutions. TUCO are introducing a National Procurement Group and its first meeting is currently being arranged. Procurement department has developed a master spread sheet showing all current activity relating to the on-going work so far along with example letter from the butchers who supply meat to the Residential homes.

CURRENT UPDATE

The Strategic Procurement Department has undertaken extensive checks with Denbighshire CC suppliers and other National organisations to enable collation of the relevant information contained within this report to present to the Food Review and Task Finish Group. All suppliers used by Denbighshire within the food supply chain have been contacted by letter, email and phone call to ask for statements on their testing results. All of these have now been received stating that **no horse DNA has been found following sampling in various product ranges.**

Information has also been received from FSA, TUCO, STS, WLGA, Red Tractor farm assured, British poultry Council and Hybu Cig Cymru.

POTENTIAL ISSUES IDENTIFIED

- Fragmented Catering responsibilities. No designated Catering Category Manager in post at present providing effective contract management.
- No immediate traceability facility from deliveries back to source of batch and reference codes.
- At present there is only one audit undertaken by STS annually with suppliers within the TUCO framework agreement. In light of recent events, is this sufficient?
- TUCO are not forthcoming in sharing complaints, issues, supplier updates and audits conducted by STS to a central point in Denbighshire. Catering services receive some information on an ad hoc basis but are not informed of any change in supply chain supplier or replacement product.

- Catering Services for schools specify in their contract with TUCO that all meat & poultry must be British. Can we guarantee we are using British meat & poultry following evidence that we are sourcing a product from Germany
- Individual service areas are working in isolation and are not sharing information regarding all aspects of food purchasing, complaints and issues. There is no centralised point collating the information for review by interested parties. This has led to breakdown in performance and increased exposure to risk.
- There is limited control on which suppliers service areas are authorised to use. There is no centralised control for the authorisation of orders.
- Insufficient supplier audits are being carried out by DCC or its representatives. A Right of Audit Clause within the contract would enable unannounced checks with suppliers.
- Social Services butchers spend £26,000 per year. This is not formally tendered.
- Communication between service areas and procurement needs to be improved and formalised. Currently, there are no regular reviews or meetings apart from the Procurement Department and Food health & Safety working on the Pennington Inquiry.

Position Statement: Review of Regulation of Food Controls

Public Protection has 3 important responsibilities when it comes to regulation of the food industry:

- to check the standards of hygiene in all food related premises (i.e. a public health function within the Environmental Health profession)
- to monitor that food sold within the County is correctly labelled and its origin can be traced (i.e. a food standards function within the Trading Standards profession)
- to monitor farms, slaughter houses and markets for animal movements and animal welfare (i.e. animal health/licensing function within the Trading Standards profession)

These responsibilities involve all types of food related businesses including farms food manufacturers, supermarkets, cafes, restaurants, private care homes etc.

These responsibilities also include our own Council premises serving food, such as schools and residential care homes.

In exercising these responsibilities Officers work closely with the Food Standards Agency Wales (FSA).

Officers who carry out these responsibilities need to meet specific competency requirements as set out and required by the FSA.

The horse meat incident was primarily a food standards/animal licensing matter, i.e. the regulatory control of meat from the “farm to the fork”.

We have approximately 1200 food related premises within the county, some of which are food manufacturers that supply and distribute their food products nationally and internationally e.g Patchwork Pate, Henllan Bread, Wholebake, Llandyrnog Creamery, etc.

Following the departure of our qualified and competent food standards officer some 2 years ago we agreed a collaboration project with Conwy CBC, where a qualified Officer would work for 1 day per week in Denbighshire to undertake a limited amount of food standards work, including sampling, inspections of high risk premises and complaints. At the same time we have been training one of our younger trading standards officers to specialise in food standards. That Officer should become qualified in food standards work within the next 12 months. Given various pressures the collaboration arrangements with Conwy CBC ceased at the end of March this year. In addition we have approximately 1,000 registered farms. Animal Licensing/Health Officers have enforcement responsibilities for the farm to abattoir chain and visit farms, markets and associated premises to check on transportation and traceability of animals. Included in their inspection remit on farms is the food and feed hygiene obligations for farmers - this being the beginnings of the food chain. They have a pivotal role in capturing and auditing movement information.

The team currently operate with 2.6 FTE enforcement officers and 1.2 FTE support officers, predominantly paid for by a grant received direct from WG (i.e. not part of the RSG structure,

the grant being a response to the Foot and Mouth outbreak in 2001). The WG grant has been significantly reduced in recent years, resulting in savings from within the service budget being redirected to support the team. Given budget pressures this will not be sustainable as further reductions in the WG grant are forecasted.

While not directly linked to the horsemeat scandal, the food hygiene function is an important responsibility in the monitoring of the food industry and the safety of the public. The team are able to maintain a 100% inspection regime of high risk food premises, but many of the lower risk premises are not being inspected as regularly as Officers would like and important none regulatory work, such as providing support/advice to the food industry, organising best practice seminars for food proprietors etc. is not being done.

Position Statement: Review of Social Services functions, particularly external care homes

As part of the investigation into food procurement, Adult Services have been asked to explain the current situation with commissioning and monitoring of care home placements with the independent sector in respect of food procurement.

Denbighshire County Council commission residential accommodation with 55 care homes in Denbighshire and a further 63 out of county - 38 in Wales, 25 elsewhere. The homes in Denbighshire have a total of 1389 beds, an average of 25 beds per home. However, only 500 of those beds are commissioned by Denbighshire, just over 35%. The balance is either used by other local authorities, by health or privately by self-funders.

All care homes in Wales are registered by CSSIW. They are annually inspected against minimum standards. Those reports are publically available and are used as part of contract monitoring.

Care homes have signed a contract with Denbighshire and will imminently be signing a regional contract - agreed across the 6 local authorities in North Wales and BCUHB. Monitoring of that contract is carried out by two Contract Officers in Denbighshire and the process followed is being developed and agreed regionally.

NUTRITION

There are no specific nutrition standards required of care homes either from a regulation perspective or contractually. The expectations are, however, that residents' nutritional needs are met.

CSSIW REGULATION AND MONITORING

The minimum standards expected of care homes in respect of food include the following:

- Nutritional screening is undertaken on admission and re-assessed periodically; a record is maintained of nutrition, including weight gain or loss, and appropriate action is taken.
- Service users receive a wholesome, appealing, balanced diet in pleasing surroundings at times convenient to them
- Staff are employed in sufficient numbers to ensure that standards relating to food, meals, nutrition are fully met, and that the home is maintained in a clean and hygienic state, free from dirt and unpleasant odours.

The CSSIW inspections tend to be very person orientated; they look at what residents think of their food, how much choice they have and whether they are enjoying it. They usually visit at meal times to witness the choice and satisfaction.

In addition to this they look at food hygiene, the standard of cleanliness in all food preparation and eating areas. They also look at food storage in terms of hygiene and sufficiency.

CONTRACT MONITORING

Our contract with providers does not duplicate the CSSIW standards; it requires providers to comply with those standards and with all appropriate legislation and regulation.

Our monitoring visits also look at choice and satisfaction of residents and at food storage and preparation. Providers are asked where food is purchased but that has, to date, been about quantity and quality of food available for residents and not to do with food provenance.

Environment colleagues carry out inspections at care homes and award 'scores on the doors' as with any food preparation business. This information is taken into account during contract monitoring and is also considered by CSSIW when they inspect. Health and Safety colleagues also carry out monitoring visits, providing care homes with advice and reports showing any areas of concern including hygiene issues.

All inspection and monitoring reports are taken into account when contract monitoring is carried out. To date, none of these have ever dealt with food provenance.

Neither regulation nor our contracts allow us to dictate where food is purchased. As previously stated, the question is asked and, for the most part, people are shopping locally and buying fresh produce. Some providers also buy ready-made food from local supermarkets.

ACTIVITY UNDERTAKEN SINCE THE RECENT SCANDAL

A letter has been sent out to all care home providers asking that they ensure that they have processes in place to satisfy themselves that any food products supplied to them do not contain horse DNA. That letter did not require a response but some providers have responded. They have advised that they use local butchers and buy fresh produce.

ADDITIONAL COMMENTS REGARDING IN-HOUSE SERVICES

Over the last 18 months there has been a close working relationship with the Procurement Unit with regards to suppliers, in terms of their suitability, cost effectiveness and the quality of the products purchased. Officers also work closely with Environmental Health to seek advice and guidance with regards to food procurement and health and safety matters.

Since the recent concerns regarding contamination of Horse DNA in some foods and the food chain, officers have taken even more precautions especially in terms of best practice to ensure, as far as is practicable, that the risks to our service users of eating food items that may be contaminated are reduced. Examples of this are:-

- **Work with Procurement** - ensuring written confirmation of traceability from each supplier of at risk foods (meat/meat derivatives). A joint visit was undertaken with the Procurement Officer to Popty to discuss their catering operation.
- **In consultation with our Contracts Officer** we have strengthened the temporary contract with the food provider for meals to day-care by inserting a clause in the contract as follows:-

“Denbighshire continuously monitor the quality of food, and request that given the recent concerns regarding contamination of Horse DNA in foods, the Provider must contact Denbighshire prior to any proposed changes to their food suppliers. Failure to do so may result in termination of this contract. Where individual items of food are identified as contaminated, then this item, any other foods which

contain this item, should be removed from the menu. Confirmation of this will be sought by that day centre.”

- **Apetito is a food supplier of frozen meats to our Day Centres.** In addition to receiving confirmation of traceability from this supplier they also advised that they had DNA tested over 100 of their meat products and all were clear. On this basis managers were asked to ensure only items off this list were offered to service users (who are involved in choosing the menu).
- **In addition to receiving written confirmation from the Butcher** who supplies us fresh meat, an officer visited their premises to check their records of traceability; these appeared to be in good order on that visit.

Brief Role Descriptor – Food Standards Officer

This person would be qualified and competent to undertake the following duties:

- Inspection of High Risk Food Businesses
- Responding to complaints and enquires in relation to food labelling and origin matters.
- Supporting businesses by providing advice and guidance to businesses on labelling their products.
- Being a point of contact with the Food Standards Agency in relation to food standards matters.
- Act as a point of contact for other enforcement agencies for issues identified relating to Denbighshire businesses
- Conduct food sampling projects to ascertain legislative compliance, for example meat content of meat products, correct labelling of food, correct description of food and origin.
- Undertake a degree of audit work to support corporate colleagues e.g. sampling products within schools or residential care homes and tracing the products back to source to ensure that we are getting what we are requesting.