

DATA LABEL: PUBLIC

PLANNING, ECONOMIC DEVELOPMENT AND REGENERATION
ENVIRONMENTAL HEALTH & TRADING STANDARDS

FOOD SERVICE PLAN 2025/26

OVERVIEW

In order to follow the recommendations of the Food Law Code of Practice (Scotland) and the obligations on competent authorities contained in Regulation (EC) 882/2004, West Lothian Council is required to develop and approve an annual food service plan. The structure of the food service plan is determined by the guidance contained within the Framework Agreement on Local Authority Food Law Enforcement.

The plan outlines how food safety will be monitored and controlled. The plan also covers other public health functions undertaken by the commercial team within environmental health. In Scotland the vast majority of establishments handling, producing and selling food are inspected, monitored and regulated by local authority environmental health teams.

The service plan covers six sections:

- food service aims and objectives;
- authority background;
- service delivery;
- resources;
- quality assessment;
- service plan and operational plan review; and

The vast majority of us take safe food and drink for granted.

This trust relies on a safe, properly regulated and managed supply chain, monitored mainly by environmental health professionals working within local authorities.

This essential work often goes unnoticed. The consequences of a failure in the safety of the food and drink we consume can be catastrophic in costs to human health, the food industry, governments, public confidence and trust.

The purpose of this service plan is to outline how such controls are delivered in West Lothian.

SECTION 1 – SERVICE AIMS AND OBJECTIVES

1.1 Mission Statement

To protect public health and contribute to a healthy community in West Lothian by ensuring the safety, wholesomeness and quality of food and water through education and enforcement.

1.2 Corporate Plan & Single Outcome Agreement Links

Priority 6: **Delivering positive outcomes on health.**

Priority 8: **Protecting the built and natural environment.**

SOA6: **We live longer, healthier lives and have reduced health inequalities.**

<https://www.westlothian.gov.uk/article/33026/Corporate-Plan>

1.3 Aims and Objectives

Our priority customers for the work we undertake are the public and businesses within West Lothian. We support the following objectives of Food Standards Scotland (FSS) Strategic Priorities:

- **Food is Safe and Authentic**
- **Consumers Have Healthier Diets**
- **Responsible Food Businesses are enabled to thrive**
- **Consumers are empowered to make positive choices about food**

1.4 Official Control Obligations

There are specific legal obligations placed on local authorities in regard to delivering food safety official controls. Section 1 of the Food Law Code of Practice (Scotland) requires the statutory obligations covered to be brought to the attention of local authority officials and/or elected member bodies responsible for agreeing budgets or other service arrangements relevant to the delivery of official controls.

The obligations are outlined in Regulation (EC) 882/2004. Appendix 7 gives details of these obligations and how they are met within West Lothian.

1.5 Our priorities

The food service has to be delivered on a priority basis alongside other public health and safety priorities within the environmental health service. Each inspection or service request has its own complexity and issues which determine the amount of work and time required.

The priorities are based on both reactive and proactive work and the potential public health impact of each. Delivery of service priorities will be within the context of resources available. A basic overview of environmental health service priorities and staff contribution is given in Appendix 1 and Appendix 2.

Service priorities have been established to ensure the best practical service in addressing the food safety and public health needs of our communities. They reflect guidance issued by the Scottish Food Enforcement Liaison Committee and Food Standards Scotland in regard to prioritising food inspections. Health and safety enforcement and public health priorities have been included to reflect the combined work undertaken by officers. (A separate health and safety service plan is also prepared and published). Food service priorities are outlined in Appendix 5.

The purpose of the service is to intervene to prevent the human and financial costs of foodborne illness and to ensure that consumers are able to make informed choices about the food they buy.

SECTION 2 - AUTHORITY BACKGROUND

2.1 Profile

West Lothian is a mixed rural and urban authority covering a geographical area of 42,504 Ha. The population is approximately 183,810*. The Environmental Health & Trading Standards service is located in Linlithgow Partnership Centre, Linlithgow. There are 1948 food premises within the area ranging from farms, retailers and caterers, to large manufacturers. (*National Records of Scotland mid-year estimate 2023)

2.2 Organisational Structure

The service structure is shown in appendix 1. The commercial team is part of the Environmental Health & Trading Standards service which is part of Planning, Economic Development and Regeneration.

The authority has appointed Edinburgh Scientific Services (City of Edinburgh Council) to provide analytical and food examination services.

2.3 Scope of the Food Service

The scope of the food service enforcement is set out in appendix 2.

2.4 Demands on the Service

Services are available from 8.30am to 5.00pm Monday to Thursday and 8.30am to 4.00pm Friday. The team, however, has to accommodate working out with these times due to operating times of businesses. Out of hours contact details have been provided to appropriate partner agencies in regards to incident management and food alerts - these arrangements are limited to point of contact notification only.

There are 14 approved premises in West Lothian in terms of Regulation (EC) 853/2004 (premises producing or storing food products of animal origin).

There is a regular turnover in many of the catering businesses with new owners and changes in operation of the business. In the last 10 years there has been a 17% increase in registered food businesses.

In line with the enforcement policy, officers are required, when necessary, to take appropriate enforcement action. This may include service of notices, closure of premises, and reports to the Procurator Fiscal leading to prosecutions and time in court. The level of action required has been relatively consistent in recent years.

The principles of better regulation have been a key aspect of how the food service is delivered for a number of years. As well as food safety, officers in the commercial team will also carry out a number of environmental health interventions This is done to ensure best use of resources and avoid unnecessary additional visits to premises.

The service cost per head of population has remained constant in recent years even though West Lothian's population continues to increase.

Most recent government figures (2022/23) * estimate that the UK public spend £43.33 per person per week on food and drink.

There is no specific budget for the food service plan only. However, the inspecting, sampling, monitoring, enforcing and all other services through this service plan and the health and safety service plan cost the West Lothian population £0.06 per person per week.

* <https://www.gov.uk/government/statistical-data-sets/family-food-datasets>

It is, however, vitally important to remember that the principal purpose of the food service in West Lothian is public health protection. The service continues to build on changes to the approach taken to inspections e.g. prioritisation of workload, changes in inspection reporting and recording, changes to workload allocation and use of flexible working.

2.5 Enforcement Policy

The service has a written enforcement policy which has been approved by the council. The policy has undergone an equality impact assessment, and is followed by officers. The policy has also been cited as a good example in the Scottish Regulators Code of Practice. A copy of the policy is available to anyone on request and is also available on the West Lothian Council website.

(<http://www.westlothian.gov.uk/environmental-health>)

Alternative enforcement arrangements are allowed within the code of practice for certain risk rated food safety inspections. Visits and alternative interventions will be carried out in accordance with internal procedures outlined in Appendix 5.

SECTION 3 - SERVICE DELIVERY

All officers in the environmental health commercial team contribute to the development and implementation of this plan.

In order to meet ever changing demands, the service is always looking at ways of working most effectively. Performance management is a key factor in ensuring this can be achieved (see section 4.4). The quality of the service delivered is essential in protecting public health, and the service is working to ensure that everyone plays a part in delivering the best service possible.

Consumer Expectations

National surveys continue to show the importance of food safety for consumers. The top four food safety issues for consumers are:

- **Chemicals from the environment, such as lead, in food (32%)**
- **Food hygiene when eating out (31%)**
- **The use of pesticides to grow food (31%)**
- **Food poisoning (28%)**

45% of respondents reported concern about food safety in UK restaurants, pubs, cafes and takeaways. 40% of respondents reported concern about food safety in UK shops and supermarkets.

84% of respondents reported being aware of the hygiene standards in places they eat out at or buy food from.

61% of respondents trusted that people who produce and supply food make sure it is safe, honest and ethically approved.

FSA Biannual Public Attitudes Tracker Report – November 2019

<https://www.food.gov.uk/about-us/biannual-public-attitudes-tracker>

3.1 Food Premises

There are currently 1948 food premises within West Lothian which require to be inspected by the team. Food safety inspections will be carried out to assess food hygiene and food standards (composition, labelling etc.) compliance. Inspection frequencies are determined by the nature of the business and performance against specific criteria set out in the food law code of practice.

Officers carry out routine food law (food safety and food standards) inspections at all premises except a few FSS enforced meat plants where the council enforces food standards legislation only.

Food premises profiles, inspection targets and revisit information are outlined in Appendix 3.

The approach to premises inspections has been reviewed and procedures have been introduced to ensure better recording of activities following inspection and also ensure that significant failures are followed up appropriately. This allows officers to target problem premises. An overview of the “Food Safety Interventions Policy” can be found in appendix 5.

The service participates in the Food Hygiene Information Scheme. This is a national scheme to advise customers at point of use of the food hygiene performance of the food businesses they use.

Each business is rated following the routine food law inspections completed by officers.

Information on whether the business receives a Pass or Improvement Required award is published to the website hosted by the Food Standards Agency ([Search a local authority area - West Lothian | Food Hygiene Ratings](#)), and a certificate is provided for the business to display on the premises.

3.2 Food Complaints and Food Fraud

The commercial team receives a number of complaints about unsatisfactory food or food premises. These are investigated in line with documented procedures.

Investigating food complaints can be quite involved and often requires working with colleagues in other local authorities. This, along with the time taken to receive reports from the public analyst etc., can increase the time taken to resolve the complaint. Complaints about food very rarely result in formal action. However, they do help identify failings in food processing and handling which require to be rectified to prevent further problems occurring in the future, and can be the starting point of food recalls.

Food fraud and food crime have had a rising public profile since the discovery of undeclared horse meat in various meat products in early 2013. More consumers are concerned about being given accurate information about allergens in their food.

During routine inspections and sampling, officers are looking for evidence of any attempts to mislead consumers or provide food which is dangerous.

Food Standards Scotland have established a food crime investigation unit to work more closely with local authorities in improving intelligence, detection and enforcement in regard to food fraud and criminal activity. The expectations, focus and demands of this work continue to increase. Officers work with FSS colleagues to receive and provide intelligence reports on potential food crime through a secure data sharing system.

3.3 Home Authority Principle / Primary Authority Partnership

West Lothian Council has no arrangements in place for being home authority or primary authority) with any food business.

These are formal arrangements made between local authorities and businesses operating regionally or nationally. The intention is to reduce the regulatory burden on the business and agree a consistent application of legal interpretation by focusing concerns raised by other local authority enforcement officers through the local authority rather than the business. There remain a number of concerns with these arrangements and the burdens placed on the home or primary authority.

3.4 Advice and support to Business

All officers are involved in giving advice to businesses on food safety and workplace safety issues. This is an important aspect of work as it helps to ensure that businesses which request help can be set up complying with the necessary legal requirements. It has been established as one of our priorities for higher risk food establishments and fits the model of targeting upstream intervention.

The service recognises that a well-run and viable business will most likely be a safe business.

Officers will direct business owners to support and help from colleagues working through Business Gateway. Information sheets are left at every inspection with details of where businesses can get further help and support in this and other aspects of food safety and workplace safety.

This work is aimed at protecting public health and reducing the financial impact of compliance on businesses.

The ongoing work with established businesses is assisted by a number of information sheets, guidance booklets, and other educational resources. Much of the information used is

produced within the team and aims to give businesses the necessary information for complying with the law and improving hygiene and safety standards.

All new premises are included in the inspection programme when they are registered. First inspection dates are scheduled according to the business type but actual inspection dates can vary because of other workload pressures. It is recognised that this is out with the timeframe expectations of the food law code of practice, and in recent years this target has not been achievable with available resources.

During 2025/26 we aim, in accordance with other priorities, to utilise improved staff availability to make inroads into our inspection backlog and reduce the time taken to carry out first inspections at higher risk premises. Part of this approach is to rate lowest risk businesses within the minimal inspectable risk category. This means there will be no inspection carried out, which allows officers to focus on higher risk businesses. Appendix 3 shows a comparison of enquiries received over recent years. Business satisfaction survey results are also found in Appendix 3

3.5 Sampling – Food and Drink

The team develops an annual sampling plan. Sampling is necessary to monitor the quality and safety of food and drink being produced and sold within West Lothian. Sampling of food prior to a food law inspection is a useful indicator of how the business is operating.

Samples, taken for chemical or microbiological analysis, can fail for various reasons and require to be followed up by officers. Scottish local authorities are now working in a more co-ordinated way in terms of sampling priorities. This is being done in association with FSS.

This joint focused approach will have some potential impact on local sampling as, overall, smaller numbers of samples may be taken due to costs of focused sampling activities. It is however a good example of how environmental health professionals are trying to ensure a public health focus in achieving the best results in difficult times.

Appendix 3 has details of samples taken during 2024/25, and also the sampling plan for 2025/26.

3.5.1 Sampling – Water Quality

The team carry out the service's water sampling functions. Proactive sampling concentrates on private water supplies but samples can also be taken of mains private water, as well as swimming pools, spa pools etc when required as part of other investigations.

The private water regulations place a requirement upon local authorities to monitor those responsible for, higher risk, private supplies to ensure drinking water standards meet prescribed quality standards.

The team is involved in sampling and monitoring local private supplies and undertaking risk assessments on them. Sampling is required at higher risk supplies on an ongoing annual basis.

An annual return on sampling, enforcement and water quality standards is made to the Scottish Government (Drinking Water Quality Regulator). These results are then published in a publicly available report on the DWQR web pages <http://dwqr.scot/information/annual-report/>.

The DWQR host an online risk assessment system which the team has to enter data onto regarding local supplies.

There is no routine sampling of mains water supplies, with any concerns being directed to Scottish Water and the Drinking Water Quality Regulator. This is necessary to accommodate other workload and sampling plan priorities.

The sampling of swimming pools, spa and recreational waters will be reactive to any concerns or incidents. The safety and quality of water should be part of the routine management and monitoring carried out by facility operators.

3.6 Control and Investigation of Outbreaks of Food Related Infectious Disease

Controlling and preventing the further spread of infectious disease is a key part of the service provided by the commercial team. This work is done in partnership with NHS Lothian's Health Protection Team. Notifications of food poisonings and infectious diseases such as, *Salmonella*, *Campylobacter*, *Cryptosporidium*, *E. coli O157* etc., are passed to the team by NHS Lothian. The role of the service is to investigate cases looking for possible sources, or outbreaks, and in doing so take preventative measures to stop the further spread of infection. Recent statistics are shown in appendix 3.

A major outbreak plan has been developed by NHS Lothian and the local authorities of West Lothian, Edinburgh, Midlothian and East Lothian. Procedures for dealing with sporadic cases of illness are also in place.

3.7 Food Emergencies and Safety Incidents

Food safety emergencies and incidents which pose a serious risk to public safety are identified as a priority issue for the commercial team. Procedures are in place to ensure that warnings issued by Food Standards Scotland (FSS), and local incidents which need to be reported to FSS, are dealt with properly.

Most alerts are for information only but a number of press releases and trade notifications have to be completed by the team in relation to the warnings.

As well as food alerts, FSS has a system for notifying local authorities of allergy alerts. These were previously part of the main alert scheme. The main reasons for such alerts is the failure to declare the presence of one of the 14 allergens specified in the food information regulations.

3.8 Liaison with Other Organisations

It is important to note that the commercial team does not work in isolation from other internal services or external organisations. Internally, the team works with planning, building standards, economic development, licensing, legal, education, corporate health & safety, corporate communications, and social policy to provide a joined-up service.

The food law code of practice requires local authorities to work together and with national bodies to contribute to consistency of enforcement. Externally, the team works with other local authorities, through contributing positively to Lothian and Borders Food Liaison Group and the Scottish Food Enforcement Liaison Committee. The team maintains links with NHS Lothian and Scottish Water through the Health Protection Liaison group. A Joint Health Protection Plan has been developed and approved by Council Executive. A positive working relationship has been developed with the Procurator Fiscal service. The service is audited by FSS.

Appendix 4 lists the team's main customers, partners and stakeholders.

3.9 Food Safety and Standards Promotion

It is clear that inspection of premises and enforcement of the law will not in itself bring about the necessary improvements in public health. There needs to be a balance of education with enforcement. Although limited due to resources, the team's input to education and promotion of food safety is recognised as an important tool and will be provided as resources permit.

Officers are the main source of support for most small businesses within West Lothian. They have a key role during inspections of ensuring business operators and food workers understand all the necessary requirements placed upon them. Feedback from businesses as part of our annual survey is very positive and is one of the publicly reported key performance indicators for the service.

Officers will support the Healthy Living Awards, as appropriate, with catering business operators. The Awards support the provision of more healthy options on menus and as a balance to the issues of poor health caused by poor diet.

31 businesses in West Lothian hold the Eat Safe award for hygiene standards. We hope more businesses will be able to meet these requirements in coming years.

Our food hygiene training programme "Food Safety is Everybody's Business" continues to be used with catering businesses to help them train staff. It is currently available in English, Polish, Italian, Urdu, Punjabi and Cantonese. The materials have been provided through the council website with video material uploaded and available on the [food safety web pages](#).

SECTION 4 - RESOURCES

4.1 Financial Allocation

There is no specific budget allocation for delivery of the food service plan. The service delivery is shared by officers within the commercial team along with delivery of other environmental health functions. This includes delivery of the health and safety service plan. A full-time equivalent staff figure is provided in appendix 3.

A budget has been set for food, drink and water sampling as follows:

	Budget 24/25	Budget 25/26
Sampling	£20,000	£20,000

West Lothian has the lowest costs per 1,000 population for environmental health within Scottish local authorities. (Scottish average is ££15,518*, and West Lothian is £7,546 * – figures from Local Government Benchmark Framework 2023/2024). There will, however, be some variability between local authorities in terms of the level of service delivered. (*The framework definition of environmental health includes the operation of public conveniences which are not an operational or service function of Environmental Health & Trading Standards in West Lothian but still get counted against costs of service.)

4.2 Staffing

The service is staffed as per the structure indicated in appendix 1.

Food Standards Scotland require local authorities to use a defined calculation to estimate the number of full-time equivalent staff required to complete food safety work obligations. The current calculation would require 6.54 FTE, and the service currently has 6.18 FTE in post. This calculation is a new measure and experience will show how well it encompasses variability caused by workload complexity and volume.

Food safety is only one element of the role of environmental health. The pressures on the whole service increase year on year with changes in legislation, increasing population and demand on the service having to be managed on a priority basis. We are therefore identifying and targeting priority areas of work, delivering aspects of the service differently, reducing or removing aspects previously delivered, and continuing to work as effectively as possible to protect public health.

4.3 Staff Development Plan

The Food Law Code of Practice (Scotland) requires a minimum of 10 hours food safety training to be completed by every officer annually. Officers who are members of the Royal Environmental Health Institute of Scotland are also required to complete 20 hours training and development every year as part of the Continuous Professional Development scheme.

Training and development needs are assessed during individual Appraisal and Development Review meetings held in accordance with the council's Investor in People accreditation. Monthly 1-2-1 performance meetings are also held with officers.

A competency framework for the food service has been developed to help give more detail to skills and knowledge pertinent to the different work areas. This was produced in support of national guidance which provided a simple framework but lacked detail. It will provide officers with links to necessary legislation, guidance, technical information, scientific papers etc. and will continue to develop over time. The framework is also being extended to other areas of the environmental health service.

Recruiting suitably qualified and competent staff is becoming an increasing problem within the environmental health profession. Appendix 1 has details of current age profiles within the environmental health service. Planning for the future is a key element to ensure sustainability and resilience - developing our own officers will be a key part of this.

4.4 Performance Management

Everyone working within the service has a responsibility for ensuring the delivery of the best service possible. To help deliver a positive and productive performance culture the service ensures targets are established which focus on outcomes and outputs.

Performance is monitored and assessed by various methods and reported internally and publicly. Performance expectations and standards are outlined and reported in the following ways:

- Legislation, enforcement and technical guidance.
- Internal working documents and procedures – e.g. framework policies and procedures, enforcement policy, customer service standards, council HR policies and procedures etc.
- Food service plan.
- Internal monitoring of performance – e.g. team meetings, one to one discussions, monthly reporting to senior officers, public reporting of performance through Ideagen, accompanied visits, customer survey and service complaints.
- Appraisal and Development Review (ADR) process.
- Training and professional development of officers and management.
- Reporting to external agencies – e.g. Food Standards Scotland, Scottish Government.
- Internal reporting to elected members – performance committee, Public and Community Safety PDSP, Council Executive.
- Audit by Food Standards Scotland.

SECTION 5 - QUALITY ASSESSMENT

5.1 Quality Assessment

The Environmental Health & Trading Standards service participates in the West Lothian Assessment Model. This is West Lothian Council's adaptation of the European Foundation for Quality Management. This is being used to help deliver continuous improvement of the service in years to come. The service is assessed as part of the corporate Customer Service Excellence award.

The food safety work is subject to audit by the Food Standards Scotland. All audit reports can be found at

<https://www.foodstandards.gov.scot/business-and-industry/safety-and-regulation/audit-and-monitoring>.

An audit of the Delivery of Official Controls in Approved Establishments was carried out during May – July 2024.

Audit reports are sent to the Chief Executive and are reported to appropriate elected member forums. Routine remote audit questionnaires are completed and returned to FSS, although no Council specific reports are provided.

Internal monitoring of procedures and customer feedback regarding food safety inspections and food complaints is also used to assess the quality of the service provided. Customer consultation is a key development issue and a customer and business consultation survey is carried out once a year.

SECTION 6 - SERVICE PLAN AND OPERATIONAL PLANS REVIEW

6.1 Review against Service Plans and Team Plans.

The food service plan will be reviewed in six months.

Internal plans, policies and procedures are reviewed annually, or as and when required.

6.2 Identification of any Variance from the Service Plan

The changing nature of demands upon the service requires a flexible approach to balancing priorities. Food safety and public health protection will always provide challenges. Officers and managers continue to take a constructive and professional approach to such matters, and through prioritisation, effective work planning and delivery, the service has ensured good performance in a number of areas.

There was a focus on highest risk establishments for the inspection plan, and significant work continued to be created by the Official Control Verification (OCV) approach in a number of approved establishments. This approach has been established by Food Standards Scotland as

an expectation on local authorities. It has created a more significant demand in terms of officer time in certain types of premises and skews resource allocation away from other work. Our OCV work was audited by FSS during the year when we took the opportunity to raise some of our concerns regarding OCV requirements. We look forward to pursuing these concerns with FSS and other Scottish councils.

We entered 2024/25 with a significant carry over of inspections. The fundamental factor at play is the resources available to complete the inspection plan, and accumulation of missed inspections for similar reasons in previous years. We have made some headway in reducing this carry over, particularly in the later part of the year when more qualified staff were available due to recruitment and success at professional examinations. We intend to continue this momentum in 2025/26

Staffing continues to be a key impact. The estimated FTE for delivery of food related work is higher than current establishment, which is further impacted by transfer of officer post to assist another part of the environmental health service deliver priority workload. All Scottish local authorities are struggling to recruit into vacant posts at this time due to lack of professional staff being available, and more staff are leaving the profession than are currently being educated and trained to replace them.

However, even in challenging times it is important to acknowledge the positive aspects of team work addressed and delivered during 2024/25. These include:

- Adapting and supporting changes in team staffing including success at professional examinations
- Continued development of new management information system for environmental health and trading standards.
- High level of service delivery performance for highest risk food establishments.
- Positive customer survey feedback for business engagement.

Performance and workload comparisons are made in Appendix 3.

6.3 Areas for Improvement / Challenges.

In addition to the challenges from workload and staffing resource which would have impacted the service in normal circumstances, the following have been identified as the key challenges for 2025/26 and ongoing:

- Ongoing demands on officers from challenging premises and incidents in terms of food safety, workplace safety and public health issues.
- The developing and changing regulatory landscape as the UK addresses and adapts to the impact of future trade agreements with the European Union and other parts of the world.
- Working to ensure newly appointed and newly qualified staff are supported in developing their skills and experience.

- Ensuring that all officers are supported, developed and capable of dealing with challenging, time consuming and high-risk workload. Maintaining capacity in skills and knowledge, as well as officer resource.
- Establishing and targeting workload priorities with available resources which deliver and maintain the best achievable levels of public health protection.

There are no specific projects identified for attention in 2025/26.

The biggest demand on the food service remains dealing with risks to public health balanced against an increasing workload. Officers are committed to meeting these challenges through established work priorities, improved efficiency and effectiveness in work planning and actions, ensuring appropriate and balanced enforcement action and supporting businesses where possible to work safely. Management and colleagues support officers in dealing with difficult and complex public health protection work.

The priority focus remains on outcomes, not output. This core approach has been in place for many years.

The plan for 20245/26 and beyond, is to ensure the service focuses resources at priority areas of work, and takes the correct action to protect public health when risks are identified.

Appendices:

Appendix 1 – Service structure & Staff Age Profile.

Appendix 2 – Extended public health links from food safety controls.

Appendix 3 – Workload and performance comparisons.

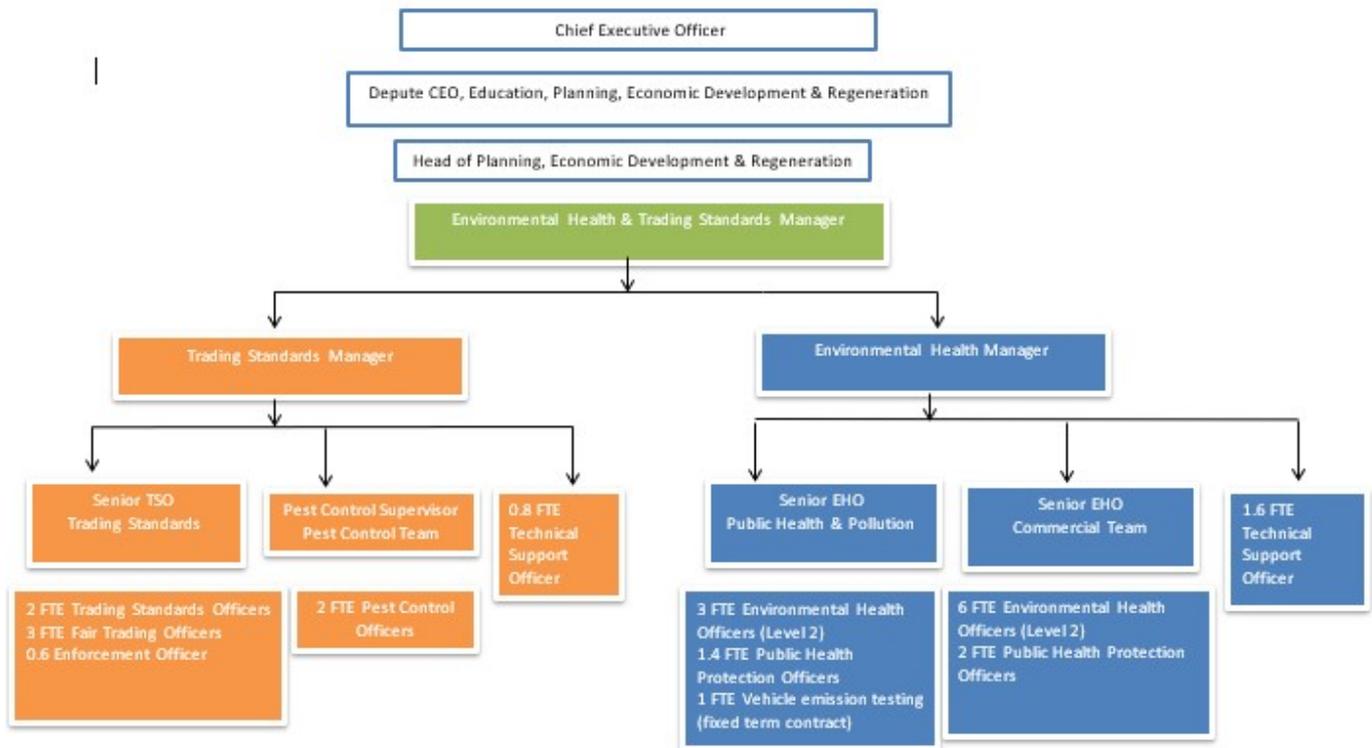
Appendix 4 – List of customers / partners / stakeholders.

Appendix 5 – Overview of food interventions policy.

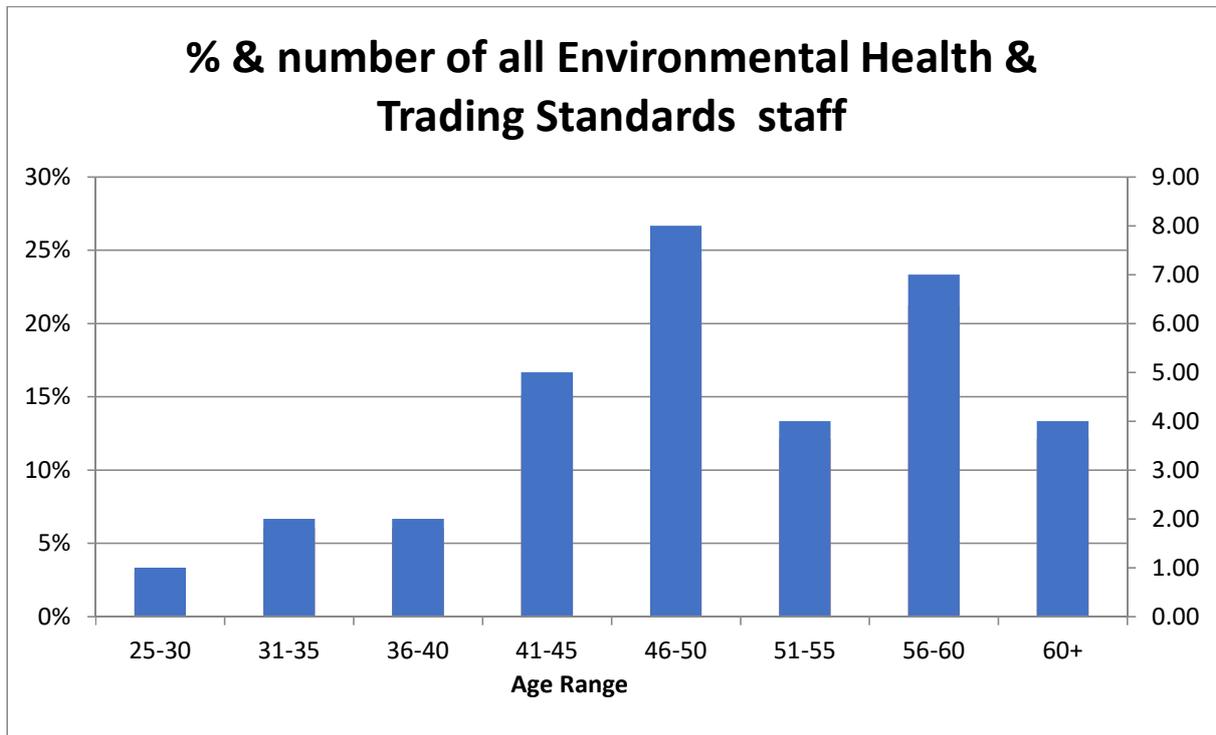
Appendix 6 – Service requests / complaints – service standards and prioritisation.

Appendix 7 – Official control obligations

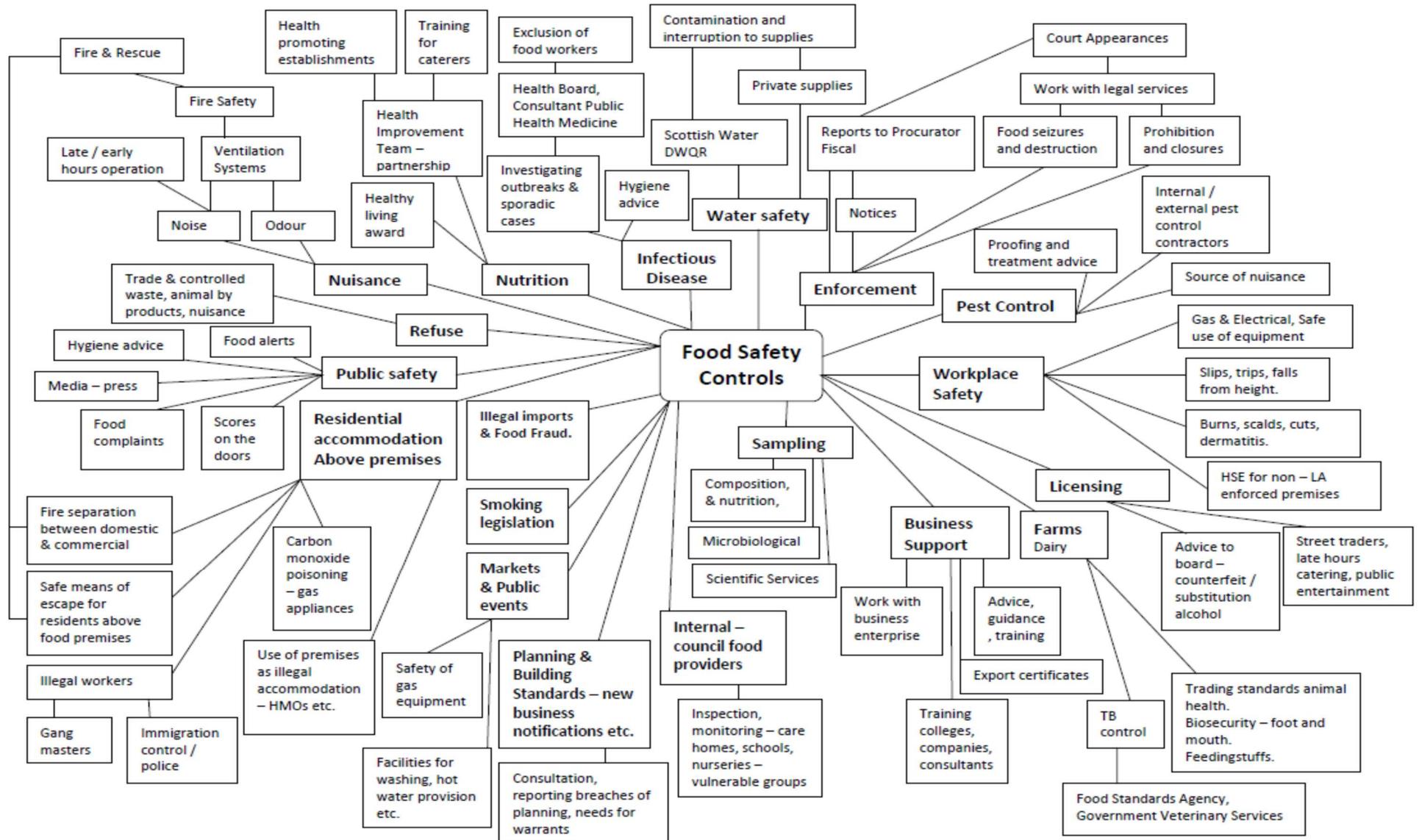
Appendix 1 Service Structure & Staff Age Profile



EH&TS Staff Age Profiles (01/04/2025)



Appendix 2 – Extended public health links from food safety controls.



Appendix 3 – Workload Comparisons

Activity	2021/2022		2022/2023		2023/2024		2024/2025	
	Completed	Missed	Completed	Missed	Completed	Missed	Completed	Missed
Food Law Inspections (combine food hygiene and food standards from July 2019)	178*	226	279	573	414	359	776	532
(By alternative enforcement)	137	0	76	261	83	0	231	0
Approved premises subject to official controls verification (OCV) programme	-***		12		13		14	
Revisits / other visits	-*		108		121		89	
Number of premises	1840		1888		1937		1956	
Broadly complaint food law	98.7%		98.9%		98.6%		97.6%	
Highest Priority Inspections completed by due date.	100%		100%		100%		90.5%	
Number of enquiries	762		627		702		942	
% Enquiries responded to on time (Target 85%)	95.7%		97.1%		86.7%		92.9%	
Number of food complaints	60		38		86		115	
Number of premises complaints							41	
	102		121		58			
Food alerts	2		6		1		3	
Advisory visits	-*		9		13		0	
Infectious disease investigations/ notifications	27		52		89		93	
Export certificates	73		79		63		50	
Food condemnations	0		0		0		0	
Workplace safety interventions (food establishments)	52		148		4		7	
Samples taken	Type	No.	Type	No.	Type	No.	Type	No.
	Food Chem	110	Food Chem	78	Food Chem	81	Food Chem	64
	Food micro	24	Food micro	121	Food micro	110	Food micro	68
	Water mains	0						
	Water private	20	Water private	19	Water private	21	Water private	25
	Swimming pool	0						
Reports to fiscal	0		0		0		0	
Hygiene improvement notices	0		1		0		11	
Remedial action notices	0		3		3		2	
Emergency Closures (including voluntary)	0		0		0		0	
Number of staff available	6.9		6.0		7.27		8.13	
£ Cost / Head of population / year (Per Week)	£3.07** (£0.06)		£3.02** (£0.06)		£3.17** (£0.06)		£3.20** (£0.06)	

*Inspection / intervention programme halted by COVID pandemic response and priorities. Restarted September 2021. Approved by FSS.

**Costs now include food service plan and health and safety service plan delivery. No specific food service plan budget.

***Requirement for OCV programmes, rather than inspections, at approved premises began in 2022/23

Appendix 3 - Inspection Workload Targets

Inspection Workload 2025/26

Table 1. Food Safety Inspections 2025/26

Priority Group	Total Number of premises in Group	Planned Inspections / Interventions due for 2025/26
1	10	10
2	436	403
3	1502	792

During 2019/2020 the Food Law Code of Practice was changed to bring in a new inspection programme and risk rating scheme for food establishments in Scotland. To simplify the inspection plan, premises have been categorised in terms of priority groupings based on the different risk ratings and business groups. Details of categories in each priority grouping is provided in Appendix 5.

A significant portion of inspections due in Priority 2 and, particularly, Priority 3 are inspections carried forward from previous years.

Appendix 3 – Sampling Performance Measures

Sampling Outcomes 2024/25

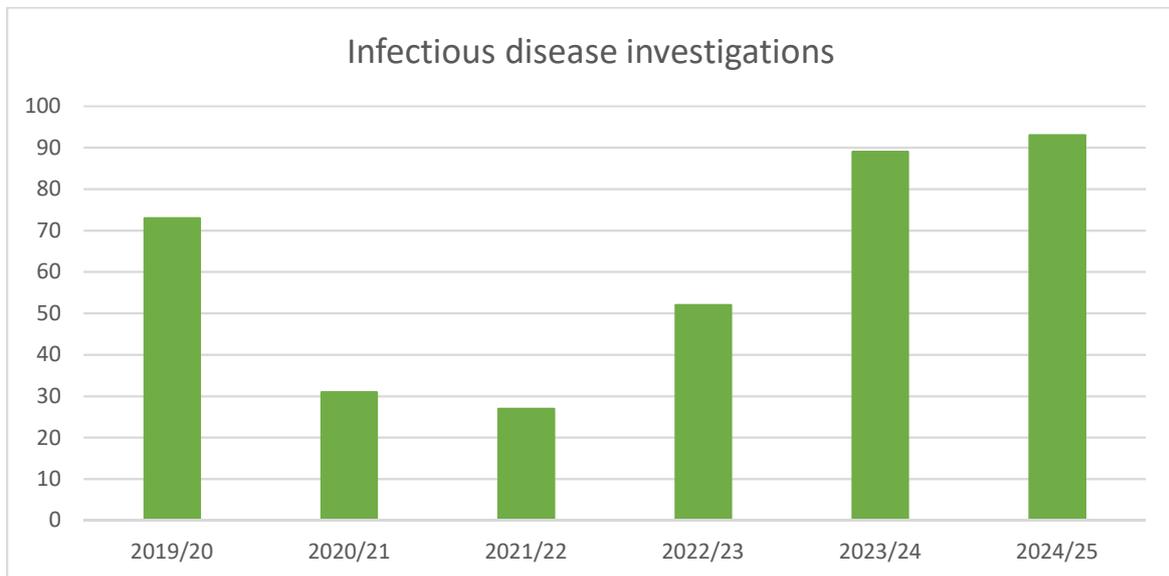
Sample Type	% Pass
Food microbiological	64
Food chemical	96

*Of sample reports received to date.

Sampling Plan 2025/26(Draft)

Sample Type	Number
Food Microbiological	125
Food Chemical	100
Private Water Supply (PWS) Regulated Micro	9
PWS Regulated Chemical	9

Appendix 3. Infectious Disease Investigations – West Lothian



The information in the graph above reflects the number of cases of specified infectious diseases, other than Campylobacter and Covid-19 which were reported and followed up by this service.

Appendix 3 – Business Customer Satisfaction

Business Customer Satisfaction. (Percentage of businesses who rated officer’s explanation of how to comply with legislation as good or excellent)



Overall customer satisfaction remains high. It is encouraging to note that officers input to business visits is viewed so positively. Business customers are surveyed annually to help us ensure that officers are providing the best service possible. It remains a difficult balance when officers are having to take enforcement action and convey challenging information. Other information gathered in our annual surveys is highlighted in the table below.

	2021/22	2022/23	2023/24	2024/25
Staff overall knowledge and professionalism (good/excellent)	91.7%	97.2%	95.2%	98.6%
Overall level of service (good / excellent)	94.4%	97.2%	95.2%	98.6%
Treated fairly at all times	97.4%	98.6%	100%	98.6%

This feedback would tend to support the view that local businesses support the visits to their premises and the assistance offered by officers.

Appendix 4 – Customers / Partners / Stakeholders

GROUP	RELATIONSHIP	COMMUNICATION EXAMPLES	PROPOSED FOR 2025/2026
Businesses within West Lothian	Inspections; application of legislation; advisory activities; investigation into incidents, sampling, education, training, enforcement, motivation. New business support.	Provide guidance, training materials online, technical information, guidance notes, information leaflets, Use of Interpretation and Translation for ethnic languages as appropriate, press releases, mail shots etc. Improved web content and links to other sources of information.	No change to current approach.
Public	We protect them. We investigate complaints on their behalf. We provide guidance and information.	Press releases, infectious disease information sheets. Customer feedback on food complaints. Food hygiene information scheme. Web information on food safety issues. Social media.	No change to current approach.

FSS	They provide direction and guidance on a partnership basis. We report to them annually. They audit our performance.	Audit reports. We consult them on technical guidance and policy. They consult with us on legal, policy and technical matters. Will engage through working groups and similar. Upload of data to Scottish National Database.	No change to current approach.
Elected Members (Councillors)	We respond to complaints and enquiries and provide information as required.	Reports to PDSP, and Council Executive. Advice to licensing board. Annual Service Plan is presented to Council Executive for approval. Email local members when premises in area is closed.	No change to current approach.
Other LA Services – Planning, Building Standards, Economic Development, Legal & Licensing, Facilities Management, Education services, Integration Joint Board, Social policy.	Act as statutory consultee. Provide and receive guidance and support. Work in partnership in specific areas of interest.	Planning and building warrant application comments. Licensing applications and comments. Reports as required. Meetings with facilities management, as required, to discuss common issues from inspections. Developed social policy food safety and infection control procedures document.	Ongoing communication where changes in legislation or policy likely to impact on services.
Lothian NHS	We work together on investigation and control of infectious diseases.	EHO/HPT meetings. Sporadic and outbreak plans. Agreed joint health protection plan.	No change to current approach.

Other local authorities	Share information and best practice. Sampling initiatives. Developing guidance and working standards to ensure consistency of approach. Contribution to national policies and legislation development.	Liaison groups. Scottish Food Enforcement Liaison Committee. National working groups.	No change to current approach.
PF and legal system.	Take legal action based on reports sent by us.	We send reports. Work together on content of report. We provide technical guidance. Send reports electronically.	No change to current approach.

Appendix 5

Overview of food interventions policy:

The Interventions Food Law Code of Practice (Scotland) advocates achieving compliance through the use of a range of interventions and allows local authorities some flexibility in the type of intervention used at a food business.

West Lothian Council recognises that different approaches are required to ensure a business complies with the law in terms of food hygiene and food standards. It is however important to recognise that the approach used by officers will be determined by the circumstances identified at the time of a visit and not in advance.

It is recognised that the code of practice expects a risk based approach to inspections is put in place by local authorities. With this in mind West Lothian Council has always established a priority basis for workload, as follows:

Priority	Category	Description
1	Emergencies and threats to public health	<ul style="list-style-type: none"> • Food alerts for action (issued by Food Standards Scotland) – high threat to public health. • Fatalities / serious accidents. • Communicable disease outbreaks and public health incidents. • Communicable disease investigations. • Revisits to secure compliance. • Formal action to protect public health (remedial action notices, hygiene emergency prohibition, seizure and detention of food, prohibition notice etc.) • High priority food and water concerns and monitoring. • Serious workplace safety concerns.
2	Highest consequence proactive	<ul style="list-style-type: none"> • Routine priority 1 group inspections.
3	Medium consequence proactive / reactive	<ul style="list-style-type: none"> • Routine priority 2 group inspections. • Guidance to potentially high risk new establishments. • Project / support activities to address high consequence public health issues. • Routine high risk / unrated health and safety interventions. • Street traders certificates of compliance, and Section 50 certificates (Licensed establishments). • Export certificates. • Project / support activities to support service delivery and customer / business information access.
4	Lower consequence proactive / reactive	<ul style="list-style-type: none"> • Routine priority group 3 inspections. • Consultations / comments – licensing of events, planning etc. • Guidance to low risk new establishments.

		<ul style="list-style-type: none"> • Low priority food and water concerns.
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The priorities reflect the combined work areas of food safety, workplace safety and public health.

Food Safety Inspections

Category	Inspection target	Intervention
Priority 1	By due date (+ 28days)	Inspection
Priority 2	Within financial year	Inspection*
Priority 3	Within financial year	Inspection /Alternative enforcement**
853/2004 establishment	By due date (+ 28days)	Inspection

*Priority being given to premises where there is potential cross contamination issues.

**Includes premises with no inspectable risk (already categorised as alternative enforcement)

Priority	Inspection categories (risk ratings before inspection)
1	Approved establishments (only premises producing ready to eat food) Food law rating scheme – 1D, 1E, 2D, 2E, 3D, 3E.
2	Unrated premises. Approved establishments not producing ready to eat food. (Inspections to be carried out every second year if controls at last intervention satisfactory.) Food law rating scheme – 1A, 1B, 1C, 2C.
3	Food law rating scheme – 2A, 2B, 3A, 3B, 3C Primary Production Holdings (All premises rated alternative enforcement / minimal inspectable risk)

Inspections and Interventions

All inspections and interventions will be carried out in accordance with West Lothian Council's inspection procedures and enforcement policy. Inspections will be conducted in accordance with the Interventions Food Law Code of Practice (Scotland) and will utilise the appropriate West Lothian Council inspection aide memoire. Not all inspections are able to be targeted by the due date as required by the code of practice.

Alternative Enforcement – Food Law

In line with the principles of the Food Law Code of Practice (Scotland) West Lothian Council ensures that priority is given to food premises which present a greater risk to public health and food safety. In order to do this a hierarchical approach to inspections and visits has been established. In order to ensure the best use of the staff resources we have available and also ensure that we maintain a level of intelligence regarding premises within our area it has been appropriate to remove a number of food premises from our routine inspection programme and target them through an alternative enforcement approach.

Premises which are subject to alternative enforcement have been identified above. Alternative enforcement will be considered as follows:

Premises subject to alternative enforcement will be contacted by a site visit or by letter.

Officers undertaking alternative enforcement work within such premises will not need to be qualified as per code of practice requirements. The purpose of this approach will be to establish the operating arrangements of such premises and distribute appropriate guidance to food business operators. A record of such visits will be completed and held electronically. Should there be a change in the business operation likely to change the inspection rating of the premises then such matters will be referred back for a qualified officer to pursue.

Where the premises is deemed to be operating in a way which requires no further intervention by a qualified officer then a rating will be applied to maintain the premises within its current category and ensure a further intervention is made within the time frame for such premises outlined in the code of practice.

Premises which are visited by a non-qualified officer in terms of this approach cannot be included within the scope of the food hygiene information scheme.

This approach will be kept under review.

Non – Broadly Compliant Premises

Following an inspection any business that does not meet the broadly compliant criteria will be subject to further intervention. Officers will determine the most appropriate action considering the West Lothian Council enforcement policy and inspection procedures.

Interventions will be recorded by officers, and may include:

- further inspection and audit;
- verification and surveillance;
- advice and education; and
- formal sampling.

Food Hygiene Information Scheme

Officers follow nationally issued guidance and internal procedures when inspecting businesses and assessing in terms of the FHIS. Only businesses which have been inspected and rated by a qualified officer will be included within the scope of the scheme.

Officers will be mindful of the response times for visit requests in terms of the scheme and ensure these are met.

Appendix 6

Service Requests and complaints – service standards and prioritisation:

Response times and updates:

We will aim to respond to 85% of enquiries within 2 working days of receipt. We will aim, if required, to update customers of progress within 28 days of receipt. Our response may be by phone, mail or email.

New business advice

We will provide initial advice over the phone, by email or letter. We will provide written guidance to assist (if required), and / or, direct customers to other sources of information.

Further assistance, such as review of plans or site visits, is not possible for routine new business work due to other workload demands.

Licensed premises – Section 50 Certificates

We will provide initial advice over the phone, by email or letter. We will provide written guidance to assist (if required), and / or, direct customers to other sources of information.

There will be no routine site visits. Final site visits will be carried out only after notification that the appropriate building warrant has been issued and premises are in finished condition ready for operation. The site visit will be carried out within 15 working days of request by the customer to the appropriate officer. If the premises is visited and not complying with requirements then further visits will be carried out. Revisits will be carried out within 15 working days of notification by the customer that works have been completed.

The timeframes reflect the need to balance other higher priority workload within the service.

Street trader application – Vehicle inspections – New Licences

We will provide initial advice over the phone, by email or letter. We will provide written guidance to assist (if required), and / or, direct customers to other sources of information.

Inspections of new vehicles to issue a hygiene certificate will be carried out within 15 working days of the customer requesting a visit with the appropriate officer.

The timeframes reflect the need to balance other higher priority workload within the service.

Investigation of consumer concerns – food and drink, premises etc.

Concerns will be prioritised and addressed relevant to the nature of the concern. Officers will assess the nature of the concern, the history of the food business and confidence in food safety management systems.

Appendix 7 – Official Control Obligations

The following outlines the main operational obligations on competent authorities in terms of Regulation (EC) 882/2004 and the measures for delivery within West Lothian Council.

Obligation on local authorities	Summary of service delivery in West Lothian
<p>Official controls are applied at an appropriate risk-based frequency. (Article 3, (1))</p>	<p>It has been highlighted in previous food service plans that not all controls are completed in accordance with the timescales determined within the Food Law Code of Practice (Scotland). Prioritisation is given to the highest risk premises for inspection. There is a continuing impact on service delivery from vacancies within the service. We have an issue with attracting suitably qualified staff to advertised posts. During 2024/25 we have managed to appoint qualified staff into vacant positions and other staff have qualified as environmental health officers. We hope to benefit from this improved staffing situation in 2025/26</p> <p>In 2024/25:</p> <ul style="list-style-type: none"> • 90.5% of highest risk businesses were inspected on time. • There were a significant number of business engagements for other purposes which included review and discussion of food safety practices with the business operator. • There were a large number of service requests received. 92.9% were responded to by the due date.
<p>The effectiveness and appropriateness of official controls. (Article 4, (2)(a))</p>	<p>The service has been audited by Food Standards Scotland. No major concerns were highlighted during audits. There is a balanced approach to enforcement and education, and a high level of business compliance, and business satisfaction with the approach taken by officers. The enforcement policy for the service is cited as a good example in the Scottish Regulators Code of Practice.</p> <p>In 2024/25:</p> <ul style="list-style-type: none"> • For all risk rated food establishments in West Lothian, 97.6% were broadly compliant in terms of food law requirements. • 97.4% of relevant establishments within the food hygiene information scheme held a Pass award.
<p>Staff carrying out official controls are free from conflicts of interest. (Article 4, (2)(b))</p>	<p>This is addressed through the councils' code of conduct for employees.</p>
<p>They have access to an adequate laboratory capacity and capability for testing.</p>	<p>Edinburgh Scientific Services have been appointed to provide laboratory services. They are an official control laboratory and</p>

<p>(Article 4, (2)(c))</p>	<p>meet the necessary requirements. A food sampling plan is included within the service plan. Sampling outcomes are recorded on a national database – SFSD.</p>
<p>They have a sufficient number of suitably qualified and experienced competent staff and adequate facilities and equipment to carry out their duties properly. (Article 4, (2)(c) & (2)(d))</p>	<p>Food Standards Scotland issued local authorities with a new method for calculating full-time equivalent staff for purposes of carrying out food safety official controls. The new calculation would require 6.54 FTE for food work and service currently has 6.18 FTE in post. The limitations of such calculations are recognised, but do support the recognition that staff resource has not permitted full delivery of official controls, and the service has to continue to prioritise the approach taken. These priorities have to be balanced across the whole environmental health service, and not just food safety. However, in recent years the service has delivered a high standard of output and outcomes. The professional development requirements for officers in terms of the code of practice are being met, and officers have the necessary facilities to complete their work. It is recognised within the service plan that work is not easily quantifiable and impacts on workload delivery will vary depending on circumstances. Resources available to support service delivery continue to be kept under review. Vacancies within the service have impacted on official control delivery but by the end of 2024/25 we were approaching a full complement of staff in post. There are no reductions in staffing from previous service plan.</p> <p>West Lothian has the lowest costs per 1,000 population for environmental health (Scottish average is £15,518, and West Lothian is £7,546 – figures from Local Government Benchmark Framework 2023/2024). Although there is some variability in the levels of service provision there is no real evidence of serious detriment to food safety and public health in West Lothian at this time.</p>
<p>They have legal powers to carry out official controls. (Article 4, (2)(e))</p>	<p>Officers carrying out official controls are authorised in terms of the Council’s scheme of delegation. Authorisation documents are available for officers. Officers will be authorised in terms of legislation applicable and appropriate to level of professional competence and grading.</p>
<p>They have contingency plans in place, and are prepared to operate plans in event of emergency. (Article 4, (2)(f))</p>	<p>The service will implement emergency plans as appropriate. There are different national and regional incident management plans for purposes of consistency. Staff have been involved in testing these plans. There is a service wide business continuity plan which is tested and reviewed appropriately. There are also internal procedures and information to assist officers involved in emergency situations.</p>

<p>They shall ensure efficient and effective co-ordination between all competent authorities involved. (Article 4, (3))</p>	<p>The service will liaise and co-operate appropriately with Food Standards Scotland. The service is also involved with other regional local authority colleagues in the Lothian & Borders Food Liaison Group which provides regular links to ensure consistency of approach and sharing of intelligence. Officers are also involved in national networks and working groups. The service also has access to a national database for food crime intelligence sharing. The service also uploads official control data to the Scottish National Database. It will work with primary and home authority local authorities in ensuring consistent food law enforcement.</p>
<p>They shall ensure the impartiality, quality and consistency of official controls at all levels. (Article 4, (4))</p>	<p>Officers will follow national guidance and internal policies and procedures to ensure consistency of approach. Officers will regularly discuss issues of concern with colleagues and will come forward for consideration at monthly team meetings. Issues for clarification or opinion can also be shared with regional liaison group colleagues, and if necessary taken to national groups for determination. Concerns of interpretation will also be raised with Food Standards Scotland. The service has a Council approved and publicly available enforcement policy which demonstrates a graduated and transparent approach to enforcement. It is recognised within the Scottish Regulators Code of Practice as a good example. All inspection reports and guidance issued will direct customers and business operators to the process of raising concerns which might arise from the implementation of official controls. Customer survey information with business customers has always reported high levels of satisfaction with officers and official control activity.</p>
<p>They shall carry out internal audits or may have external audits carried out to ensure the objectives of the regulation are being achieved. (Article 4, (6))</p>	<p>Internal monitoring procedures are in place. These will include performance management – with internal and public performance standards being made available. Monitoring will also involve accompanied visits, case review, 1-2-1 meetings and performance appraisal in compliance with the Council’s ADR process. External audits are carried out by Food Standards Scotland. Annual returns have been made (LAEMS and SFEAR). Official control data is uploaded to Food Standards Scotland – Scottish National Database.</p>
<p>They shall ensure staff performing official controls receive appropriate training for area of competence, and have aptitude for multidisciplinary cooperation. (Article 6, (a)-(c))</p>	<p>Ongoing training and development is essential, and the food law code of practice anticipates at least 10 hours CPD will be provided annually. Training records are kept, and training opportunities are provided for all staff. Training and development needs will be discussed and considered as part of 1-2-1 and ADR discussions. A number of staff are involved with internal and external partners, working groups and represent the service competently in such circumstances. This is a key element of succession planning within the service.</p>

<p>They shall carry out activities with high level of transparency and make relevant information publicly available. The public will have access to information on control activities and their effectiveness, and information relating to product withdrawals. (Article 7, (1))</p>	<p>An annual food service plan is developed and approved by Council Executive. This is a public document and is available on the council website. A lot of other information has been made available on the council website. The service participates in the Food Hygiene Information Scheme to ensure appropriate public information is available regarding food hygiene compliance in local food establishments. The service will also encourage businesses to pursue Eat safe awards, which are also publicly available information regarding standards of compliance. The service will issue media information appropriately. It will also ensure provision of information in terms of freedom of information. Food Standards Scotland coordinate product withdrawals. Information will be shared with the public and businesses appropriately.</p>
<p>They shall ensure staff maintain professional secrecy in regard to certain information obtained in carrying out official controls. This includes confidential investigation and legal proceedings, and personal data. (Article 7, (2) &(3))</p>	<p>Staff are made aware of legal obligations. Staff will also complete internal council training sessions on data protection and information security. These are regularly completed by staff to ensure awareness is maintained.</p>
<p>They shall carry out official controls in accordance with documented procedures containing information and instruction for staff performing official controls. (Article 8, (1))</p>	<p>Staff will have access to and will be aware of national standards and guidance, e.g. Food Law Code of Practice. All staff have access to internal systems or web access for necessary documents. There are also internal policies and procedures which staff are made aware of and are expected to follow. These are openly available, and contain appropriate cross referencing to other relevant guidance. Internal monitoring will consider compliance with procedures.</p>
<p>They shall have in place procedures to verify the effectiveness of official controls carried out and ensure that corrective action is taken when needed. (Article 8, (3)(a) & (b)).</p>	<p>Internal monitoring, including accompanied visits will take place appropriately. Performance management processes are also in place. For example, a monthly report considers the premises which have been inspected and require a revisit based on the rating for compliance. It will ensure that officers are following up issues of concern. Reports are also provided which identify improving standards within food establishments over time, and through food hygiene information scheme. The outcomes and information is collected and stored on IDOX public protection system. The service is also audited by Food Standards Scotland.</p>
<p>They shall provide reports on official controls carried out and ensure business operators are provided with a copy of the report. (Article 9)</p>	<p>It is standard procedure to ensure that a report is left with a business operator after official control inspections and interventions. A written report will be left at time of visit, and if necessary followed up by a more detailed typed report. Guidance is also left to explain purpose of visit and also direct to sources of further information. Reports are designed to</p>

	ensure compliance with the requirements within the Food Law Code of Practice.
They shall carry out official controls using appropriate control methods and techniques such as monitoring, surveillance, verification, audit, inspection, sampling and analysis. (Article 10, (1))	Various methods and techniques for official controls are used and are reflected in internal policies and procedures, and information recording on IDOX public protection system. Methods and techniques are considered appropriately in context of the hazard and risk activity of business operation or process. There is a prioritisation of work activities which is also included in the food service plan.