

Work Plan for Food and Health and Safety Enforcement 2021/2022



SOUTH
KESTEVEN
DISTRICT
COUNCIL

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1. Introduction

The purpose of the work plan is to set out how the Council delivers official controls and fulfils its duties under food safety, health and safety, public health and drinking water legislation. It is based on the elements required by the Food Standards Agency (FSA) Framework Agreement but covers all areas work undertaken by the Environmental Health, Commercial Team.

1.1 Service aims and objectives

The food and health and safety functions make an important contribution towards making the district a healthy place to live, work and visit.

The work of the service:

- Supports the economy and business growth in South Kesteven
- Protects and enhances the local environment
- Ensures the effective control of risks to the safety, health and wellbeing of our residents
- Ensures a proportionate, risk-based, targeted approach to enforcement while supporting businesses

1.2 Links to corporate objectives and strategies

The Council has recently agreed a new Corporate Plan for 2020-2023 setting out its vision and priorities.

Five priorities are highlighted in the Corporate Plan, based on an analysis of the current performance of SKDC both as a district and as a council, and emerging opportunities and challenges:

- Growth and the Economy
- Housing that meets the needs of all residents
- Healthy and Strong communities
- A Clean and Sustainable Environment
- A High Performing Council

2. Review of 2020/2021 and Estimated Work for 2021/2022

2.1 Food hygiene

PROGRAMMED WORK		Estimated 2020/21	Actual 2020/21	Estimated 2021/22
Food interventions	High risk (Cat A-C)	177	133	97
	Medium risk (Cat D)	245	190	197
	Low risk (E and outside)	146	140	156 & 70
Outstanding interventions	High risk (Cat A-C)	N/A	85	82
	Medium risk (Cat D)	N/A	103	105
	Low risk (E and outside)	N/A	81	112
Food and environmental sampling		5	0	5
Export audit visits		0	0	0

NON-PROGRAMMED WORK		Estimated 2020/21	Actual 2020/21	Estimated 2021/22
General	Export certificates	25	4	10
	Revisits	40	11	40
	Advice	N/A	1	10
	Business advice	20	26	20
	Complaints	80	116	120
	Other requests	250	273	100
	New registration	125	219	125
Food hygiene rating scheme (FHRS)	Enquiries	10	1	10
	Re-score re-inspections	5	1	5
	Appeal requests	1	0	1
	Right to reply	1	0	1

2.2 Infectious disease investigation (ID)

NON-PROGRAMMED WORK	Estimated 2020/21	Actual 2020/21	Estimated 2021/22
Official notification	150	70	150
Unofficial notification	20	0	0
Investigations & enquiries	150	779*	300
Visits	5	322*	100

* Covid19 had a significant impact on the 2020/21 workload

2.3 Health and safety

PROGRAMMED WORK		Estimated 2020/21	Actual 2020/21	Estimated 2021/22
H&S interventions	High risk premises	1	0	1
	Skin piercing	20	0	0
	Cooling tower registration renewal	N/A	1	N/A

NON-PROGRAMMED WORK		Estimated 2020/21	Actual 2020/21	Estimated 2021/22
General	H&S inspections	10	0	10
	Revisits	10	2	10
	Advice	5	2	5
	Complaints	25	5	10
	Other requests	50	46	50
	Smoke free	3	1	3
Skin Piercers	Enquiries	30	50	30
	Complaints	1	0	1
	New skin piercing registrations	30	28	30
Accidents	Reported	70	55	70
	Investigated (No visit)	20	32	20
	Investigated (Visit)	10	2	10

2.4 Private water supply regulation (PWS)

	Estimated 2020/21	Actual 2020/21	Estimated 2021/22
Risk assessment visits	10	0	10
Sampling visits	12	1	12
NON-PROGRAMMED WORK			
Service requests	30	9	20

2.5 Enforcement during 2020/21

Work Area	Improvement Notice	Voluntary Closure	Prohibition Notice	Simple Caution	Prosecution completed
Food	0	0	0	0	0
H&S	5 (4 Covid19 related)	N/A	7 (all Covid19 related)	0	0
PWS	0	N/A	N/A	0	0

2.6 Variations from the 2020/21 Work Plan

Covid19 Impacts

In response to the pandemic, the FSA allowed derogations from the Food Law Code of Practice in respect of the nature and frequency of interventions in food businesses. This was partly in recognition of the challenges local authorities were facing in delivering their statutory food functions whilst having to prioritise protecting communities from Covid19, but also reflected the changing business landscape, with many food businesses closing or changing operations. These changes enabled available resources to be targeted at the most high-risk establishments while planned interventions were deferred, particularly for low-risk premises.

A significant amount of staff resource from the commercial team and wider Public Protection service was redeployed to contribute towards enforcing business restrictions and outbreak management within local settings and workplaces. This work is ongoing and there continues to be additional demands and expectations in relation to compliance and enforcement as sectors re-open and adjust to new ways of working. Additional temporary contractor resource was bought into the team to support this work, although recruitment of suitably qualified officers has been a significant issue during this period.

From December 2020 Covid Champions were deployed to support the service and carry out basic checks relating to covid19 compliance in a range of premise types. This is ongoing through the recovery roadmap.

The number of 'new' food businesses registering with the council significantly increased during this period, with a large proportion being home-based. While some may have never started trading, these businesses have been prioritised for intervention as the risks associated with them remain largely unknown until the initial inspection has been undertaken. Other businesses have diversified and adapted, changed working practices or ownership, all of which increased workloads. New business demand is expected to decrease into 2021/22, although reactive work is expected to increase as businesses restart – this is already noticeable in the first quarter of 2021.

Premise closures due to the restrictions have resulted in a large number of outstanding routine food hygiene inspections. Combined with this, planned interventions now take longer and are more complex to undertake as they include a Covid19 compliance assessment and must be undertaken in a Covid19 safe way.

Further guidance on the full restart of food hygiene interventions to enable work to realign with the Code of Practice has been received from the Food Standards Agency. Their 'Local Authority Recovery' provides for a risk-based approach that prioritises the inspection of new and higher risk businesses and interventions around new allergen labelling requirements for products pre-packed for direct sale that come in at the start of October 2021. The plan has two phases and runs from 1 July 2021 to April 2023 and beyond.

Fatal accident Investigation

The investigation into a fatal accident at a moto-cross track, near Grantham has been completed. The collision accident happened in June 2019 and has involved significant officer time as primacy for investigation was passed from the police to the council. The inquest is expected later this year.

Private Water Supply Regulation

Plans to increase work in this area were delayed by the Covid19 response. From May 2021, external support has been secured to complete 10 property supplies and risk assessments. This will also provide a training opportunity to support the team to complete the remaining assessments and sampling.

3. Background

3.1 Authority profile

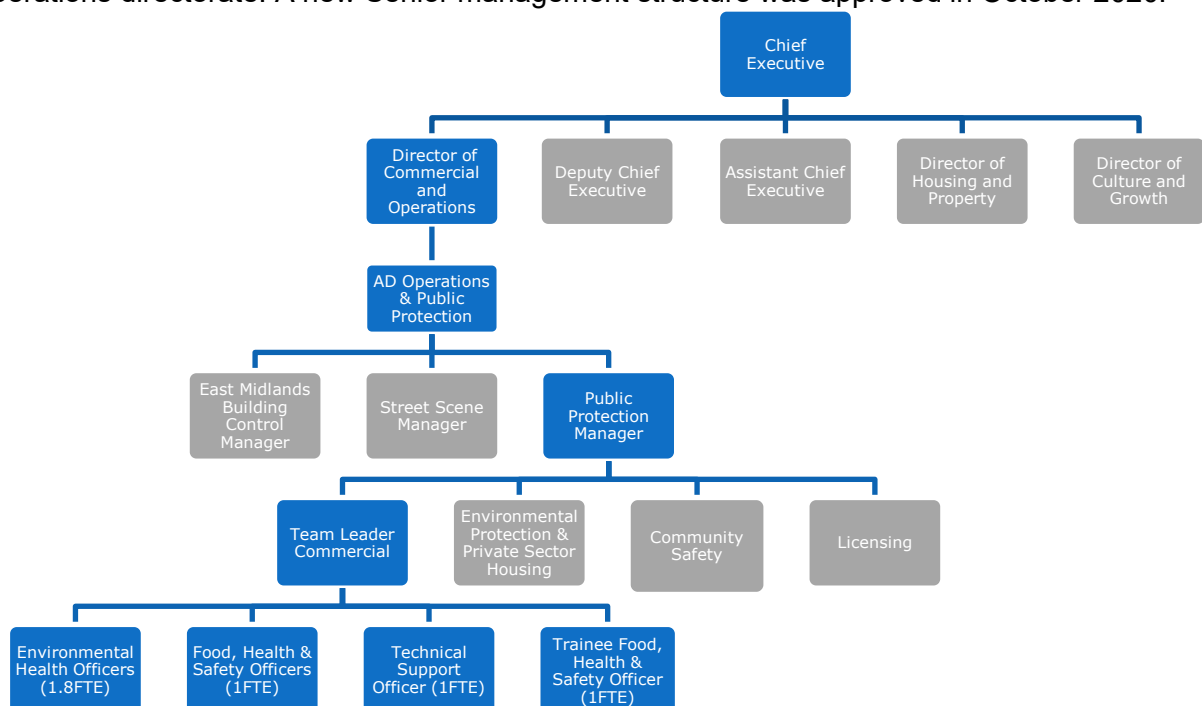
South Kesteven encompasses an area of 365 square miles with four main towns of Grantham, Stamford, Bourne and Market Deeping, alongside over 80 villages.

The population of the district is currently estimated at 141,853 (ONS 2018 mid-year population estimates). The overall population size is projected to increase to 161,400 by the year 2041. 95% of the population is described as white ethnic.

3.2 Organisational structure

The Council consists of 56 Elected Members with a Conservative majority. The Cabinet consists of 9 Members, with 1 Cabinet Member holding the portfolio for Commercial and Operations, this includes food hygiene and health and safety.

The Environmental Health Service is delivered as part of the Council's Commercial and Operations directorate. A new Senior management structure was approved in October 2020.



3.3 Scope of the service

The remit of the Commercial Team within the Environmental Health Services includes food hygiene, health and safety enforcement, infectious disease investigation and the regulation of

private water supplies. In 2020/21 this scope extended to Covid-19 business restriction work and related public health matters placing the service under unprecedented demands.

Provision is made for external specialist services laboratory services:

Provision	Laboratory
Food Examiner	Public Health England Food, Water and Environmental Microbiology Laboratory, York
Public Analyst	Eurofins, Public Analyst Scientific Services, Wolverhampton
Private water supply testing	ALS Environmental Ltd, Coventry

3.4 Accessing the service

Customers may visit customer service centres in Grantham and Bourne (restrictions are in place due to Covid19). Opening times and details of the emergency out of hours service are found on the Council's website www.southkesteven.gov.uk/contactus

3.5 Enforcement policy

The Council is committed to the Principles of Good Enforcement and the Regulators' Code. Enforcement will be undertaken in accordance with the Council's Corporate Enforcement and Environmental Services Enforcement Policies. The policy is published on the Council's website <http://www.southkesteven.gov.uk/index.aspx?articleid=8472>

4. Service Delivery

4.1 Programmed work

Food Hygiene

Whilst it is primarily the responsibility of the food business to control risks and identify food hazards, food premises inspections aim to establish whether food is being handled and produced hygienically, assess the effectiveness of controls and identify contraventions. All programmed food safety interventions are undertaken in accordance with the Food Law Code of Practice.

Food premises will be visited during normal trading hours, however, due to the nature of some businesses this may be outside of normal office hours. Prior notice of inspections is not normally given, although exceptions may be made for some premises in order that key personnel may be available.

A range of interventions may be utilised in accordance with the Code of Practice. These can be either official or unofficial controls.

Official controls include:

- Inspections
- Monitoring
- Surveillance
- Verification

- Audits
- Sampling

Unofficial controls include:

- Education
- Advice
- Coaching
- Information and intelligence gathering

The Council participates in the national food hygiene rating scheme in accordance with the FSA Brand Standard and ratings are displayed on the FSA website.

Details of the programmed work for 2021/2022 are detailed in Appendix 1.

Registered food businesses

In accordance with Regulation EC 852/2004 all businesses that handle food must be registered with their local authority. Premises in South Kesteven are categorised as follows:

Food Premises Type	Number 2020/21	Number 2021/22	% of total premises 2021/22
Primary producers	24	24	1.7
Manufacturers and packers	46	51	3.5
Importers and exporters	4	5	0.3
Distributors and transporters	39	39	2.7
Retailers	252	277	19.3
Restaurants and caterers	960	1041	72.5
Total	1325	1435	

Food hygiene interventions

In accordance with the Food Law Code of Practice, at each intervention, a score is given to each business to determine the frequency of interventions. The intervention rating is based on assessment of several elements: type of food and processing; number and type of consumers potentially at risk; current compliance; risk of contamination; confidence in management. Category A businesses pose the highest risk and are inspected more frequently, Category E establishments pose the lowest risk and are subject to alternative interventions. See Appendix 1 for further information.

Businesses within the district are categorised as follows:

Risk Category	Minimum Inspection Frequency	Number	%
A (Highest risk)	At least every 6 months	0	0
B	At least every 12 months	38	2.5
C	At least every 18 months	213	15
D	At least every 24 months	486	34
E	Programme of alternative interventions every 3 years	559	39
Outside		69	4.7
Not yet rated		70	4.8
Total		1435	

Food hygiene rating scheme (FHRS)

The Food Hygiene Rating Scheme (FHRS) extends to businesses supplying food directly to consumers. This includes restaurants, cafes, retailers and other places where people eat food outside of the home. The overall aim of the scheme is to reduce the incidence of food borne illness and the associated costs of this to the economy. From a local perspective, the scheme helps consumers to make informed choices about places they wish to eat or shop for food, and through this encourages businesses to improve hygiene standards. Ratings are displayed on the Food Standards Agency website.

In South Kesteven, 76% of food businesses are inside the scope of the scheme. The rating depends on the overall level of compliance across three elements; food hygiene procedures, cleanliness and structural compliance and confidence in management. There is currently a high level of compliance in the district, with 85% of food businesses reaching the maximum food hygiene rating of 5, and 98.6% achieving a rating of 3 or above.

FHRS Rating	Description	Number	%
5	Very good	931	85.1
4	Good	109	10
3	Generally satisfactory	38	3.5
2	Improvement necessary	14	1.3
1	Major improvement necessary	2	0.1
0	Urgent improvement necessary	0	0
	Total	1094	

Approved food premises

Certain food premises involved in the production, handling and storage of products of animal origin must be approved under Regulation EC 853/2004. This legislation requires compliance with more detailed hygiene requirements than for registered premises.

Approved premises within the district are categorised as follows:

Food Premises Type	Number
School caterer	4
Cold store	5
Poultry manufacturer	1
Mechanically separated meat manufacturer	1
Biltong manufacturer	1
Milk and Dairy Processor	1
Total	13

In addition, there are 4 further manufacturing premises which do not require 'products of animal origin' approval.

Food sampling

Food sampling is an important element of food safety enforcement, providing information about the microbiological safety of food which is available within the district.

Sampling is undertaken in accordance with relevant guidance and may be taken during a routine inspection, in response to a complaint or as part of a national sampling programme.

Officers are expected to undertake a minimum of one sampling exercise per year to maintain competency.

Health and Safety

The Council is responsible for enforcing health and safety in approximately 2130 premises in the following categories:

- Hotels, campsites and short stay accommodation
- Residential care homes (in conjunction with the Care Quality Commission)
- Catering, restaurants and bars
- Leisure and cultural (e.g. cinemas, places of worship)
- Offices
- Retail shops
- Warehouses
- Consumer services (e.g. hairdressers, tattooists)

Inspections are carried out in accordance with the Health and Safety Executive's circular LAC 67/2 (Rev 10) and National Priority Plans. In practice this comprises programmed inspections of the highest risk workplaces alongside targeted projects. This is in addition to risk-based interventions in response to reported accidents, complaints, dangerous occurrences and work-related diseases. Estimated work for 2021/22 is detailed in section 2.3.

Registered skin piercing establishments and piercers

Both premises and individuals that carry out tattooing and body piercing are registered as follows.

Premises Type	Number	%
Semi-permanent make-up	45	34
Cosmetic piercing	8	6
Electrolysis	16	12
Acupuncture	26	20
Ear piercing	22	17
Tattooist	15	11
Total skin piercing premises registrations*	132	

*Some premises carry out more than one skin piercing activity

Individual Piercer Type	Number	%
Semi-permanent make-up artist	49	18.2
Cosmetic piercer	19	7
Electrolysis practitioner	35	13.1
Acupuncturist	46	17.2
Ear piercer	49	18.2
Tattooist	70	26.1
Total	268	

Tattoo hygiene rating scheme

The Tattoo Hygiene Rating Scheme (THRS) is a voluntary scheme and is supported by The Tattoo and Piercing Industry Union and the Chartered Institute of Environmental Health and delivered by local authorities. Although tattooists must register as skin piercers, this voluntary scheme was introduced in 2015 to help customers make informed choices about the premises

they use for tattooing. Details are available on the Councils website at <http://www.southkesteven.gov.uk/index.aspx?articleid=8926>

Private Water Supply Regulation

Private water supplies may come from a variety of sources, including wells, springs, boreholes and streams. Samples of the water are taken and analysed by an accredited laboratory against a range of parameters to determine the wholesomeness. Supplies are risk assessed to determine contributory factors that may affect water safety such as the proximity of farm animals to the supply or type of treatment system.

Supply Type	Number	%
Single domestic	28	54
Multiple domestic (Reg 10)	5	10
Commercial (Reg 9)	19	36
Total Supplies	52	

In addition to the minimum legal sampling requirements, sampling on request is also undertaken. Charges are made in accordance with the fees in Private Water Supplies (England) Regulations 2018.

4.2 Non programmed work

Re-visits

Following an inspection, it may be necessary to carry out a re-visit after an appropriate time to check that matters have been attended to or check compliance with any enforcement notices. Reasons for re-visits include:

- The nature of the contravention is deemed so serious that if it was not addressed, formal action would need to be taken
- The number of minor contraventions is excessive and indicative of poor management and/or little confidence in the management addressing the matters

Service requests

We aim to respond to all complaints and requests for service as soon as possible, but in any case, customers will be contacted within 5 working days. Complainants will be advised of the outcome of all complaints.

Anonymous complaints will not usually be investigated unless there is concern about the nature of the complaint and/or premises history.

Business owners/managers will be contacted about complaints relating to their premises and/or practices, usually by an unannounced visit.

Business advice

We acknowledge that most businesses want to comply with the law and the commercial team will provide advice and encourage best practice. Free basic advice is provided to assist business in complying with the law.

New business start-ups and existing businesses who want to improve their food hygiene rating can also access additional support which is chargeable on a cost recovery basis.

Food safety incidents

Food safety alerts notify the public and food authorities of incidents concerning food which does not meet food safety or composition standards. Alerts from the FSA are received by e-mail which is monitored during office hours. Any alert marked “for action” is referred to the Team Leader to determine the most appropriate course of action.

Health and safety incidents

Health and safety accidents and complaints are investigated in accordance with the Health and Safety Executive’s Incident Selection Criteria Guidance LAC 22/13 (Rev1).

Investigation of outbreaks and infectious disease

The team work closely with colleagues at Public Health England to identify, control and prevent the spread of infectious diseases, including Covid19.

Notifications of infectious disease are investigated using the East Midlands Public Health England Protection Team’s Response to Gastrointestinal and Legionnaires’ disease Matrix.

Complaints about suspected food poisoning are investigated in accordance with the infectious disease procedure for multiple cases and outbreaks.

Primary/home/lead authority

South Kesteven does not currently have any Primary, Home or Lead authority arrangements with businesses.

However, as required by the Regulatory Enforcement and Sanctions Act 2008 (as amended) and s.67 and 68 of The Enterprise and Regulatory Reform Act 2013, regard is given to the Primary Authority Principle when carrying out inspections, investigations and enforcement action for food safety and health and safety

Businesses with a Primary Authority partnership are identified on the Environmental Health premises database.

Liaison with other authorities

In addition to working with other teams within the Council, officers liaise with other local authorities, agencies and organisations to facilitate consistent enforcement, share good practice and reduce duplication of effort. These include:

- Lincolnshire Environmental Health Managers Group
- Lincolnshire Food Officers Group
- Lincolnshire Health and Safety Officers Group
- Kesteven Safety Advisory Group
- Food Standards Agency (East Midlands, Yorkshire and Humber Region)
- Health and Safety Executive (Nottingham Region)
- Public Health England
 - East Midlands Health Protection Team
 - Food Water and Environmental Laboratories York
 - Public Health Laboratory, Birmingham
- Lincolnshire County Council
 - Trading Standards
 - Fire and Rescue
 - Police
 - Highways and Planning
 - Public Health
- Drinking Water Inspectorate

- Anglian Water

Promotional Activities

Education and awareness are key methods of encouraging high standards in businesses across the district and informing the public.

FSA media campaigns are supported, promoting messages through press releases, the Council's website and social media.

The Council's website is maintained with relevant information to assist businesses to comply with legislation. During the Covid19 pandemic, a bespoke webpage was created providing resources and links to latest Government guidance.

Press releases are issued following successful prosecutions to act as a deterrent to others and inform the public.

4.3 Looking forward 2021/22

Covid 19

The response to the Covid19 pandemic is expected to continue into 2021/22. The commercial team will work to the FSA requirements for the recovery of planned interventions and other activities by local authorities at food establishments during the period from 1 July 2021 through to 2023/24. In particular, the plan aims to achieve the following:

- To ensure that local authorities
 - return diverted resources to food teams;
 - can identify and focus on those businesses that are trading;
 - revert to the expected inspection frequencies in the Food Law Codes of Practice for those businesses posing the greatest risk to public health/consumer protection; and
 - identify where risks in low-risk establishments have changed through assessment of intelligence and information gathering as part of ongoing proactive surveillance.
- To improve hygiene and standards compliance and reduce risks by focusing activity where non-compliance is identified and by undertaking appropriate follow-up and enforcement action.
- To ensure more routine operation of the Food Hygiene Rating Scheme (FHRS).

Additional services

A range of products and services which are discretionary and charged on a cost recovery basis will continue to be offered. These include:

- Food safety organisers
- Safer Food Better Business packs
- New food business advice consultations
- Food hygiene check-up for existing business
- On site staff training

Businesses can access free information on the Council's website and receive basic advice to ensure they comply with the law.

Health and Safety

Proactive health and safety interventions will be undertaken in accordance with the Health and Safety Executive's National Priority Inspection Areas priority inspection areas as detailed in LAC67-2.

Healthy Eating

The Healthier Options Award was launched in January 2019. To date, 4 businesses met the criteria with other applications in progress. The scheme is hosted by Lincolnshire County Council with all Lincolnshire local authorities participating. Food businesses with a Food Hygiene Rating Scheme score of 3 or above will be eligible to apply for the award providing they pledge to provide a range of healthy choices on their menu. Covid19 has impacted on the growth of this scheme which will be reviewed in 2021.

EU Exit

Appropriately qualified Officers have been registered as Food Competent Certifying Officers (FCCOs) to issue Export Health Certificates (EHC) for certain products of animal origin exported to the EU.

During 2020-21 the number of requests for export declarations (for non-products of animal origin) has reduced on previous years, this is likely to be because of Covid19 and it is anticipated this will increase in the coming year. This non-statutory service is chargeable.

5. Resources

5.1 Financial

The cost of providing the Commercial Service is detailed by area:

Discipline	Budget 2021/21	Budget 2021/22
Food safety	229,240	229,273
Health and Safety	111,564	108,829
Water quality	32,517	31,438
Infectious Diseases	41,305	40,298
Total	414,626	410,538

The service is resourced sufficiently to operate in the absence of exceptional events or demands.

5.2 Staffing allocation

The staff allocation work for 2021/22 is:

Team Leader 1 FTE
Environmental Health Officers 1.8FTE
Technical Officer 1FTE
Trainee Technical Officer 1FTE
Technical Support Officer 1FTE

The Lead Officer function required by the Food Law Code of Practice is undertaken by the Commercial Team Leader.

EHOs hold the BSc or MSc Environmental Health and are Authorised Officers, competent to carry out all levels of official and non-official controls, enforcement for food safety and undertake inspections of all approved food premises.

TOs hold the Higher Certificate in Food Premises Inspection and Food Control and are Authorised Officers with restrictions relating to premises closure and seizure and detention of foodstuffs.

The TSO acts as a Regulatory Support Officer, supporting the work of the Authorised Officers.

EHOs and TOs are competent to undertake the full range of health and safety enforcement activities and infectious disease investigation and enforcement.

Additional support may be provided through agency EHOs as necessary to meet demands.

5.3 Staff training and development

All officers are trained to a level commensurate with the work they undertake. They receive an annual Personal Development Review and regular one to one meetings. During this process consideration is given to Continual Professional Development (CPD) requirements for each area of work.

The Food Law Code of Practice requires that local authorities ensure that authorised officers receive relevant structured ongoing training. The minimum requirement is 20 hours CPD per year, of which 10 hours must be on core food matters. Training is provided through short courses, e-learning, in house training, cascade training, team meetings and self-learning.

5.4 Quality assessment

The Team Leader undertakes random checks of post inspection risk scores and database entries and authorises alterations to risk ratings or FHRS scores have increased/decreased dramatically. Officers are accompanied on selected visits and participate in consistency exercises.

A data cleansing exercise is undertaken annually to comply with the Data Protection Act 2018 and the Council's data retention policy as well as the General Data Protection Regulations.

Appendix 1 Programmed food safety intervention work for 2021/2022

Risk category	Intervention frequency (months)	Minimum intervention permitted	OFFICIAL CONTROLS Inspections (High/medium risk)	ALTERNATIVE INTERVENTIONS Enforcement interventions (Low risk)	Comments
A	6	Official controls	0	N/A	High risk premises Many of these businesses will be “broadly noncompliant” and require additional officer time to rectify. May have intrinsic high risks associated with the type of food activity and/or poor compliance
B	12	Official controls	38	N/A	
C	18	Official controls	141	N/A	
D	24	Alternates between official controls and alternative interventions	302		Medium risk premises Premises that prepare, cook or handle open high-risk food or manufacture or re-wrap high risk foods will be visited each time. All others receive alternate interventions
E	36	Alternative interventions	268		Low risk premises Premises that are low or minimal risk. Selling low risk food or not handling open food. Business with significant changes or subject to complaints will be visited
Outside	36	Alternative interventions	N/A	N/A	
Not yet rated	Within 28 days of registration	Official controls	61	N/A	Initial inspections of new food establishments which should normally take place within 28 days of registration or from aware of operation (as at 11 May 2020)
Outstanding Inspections from 2020/2021		Official controls and/or alternative interventions dependent on business type	299		Outstanding inspections due to impacts of the Covid19 pandemic prioritised for 2021/22 (in accordance with the FSA recovery plan)