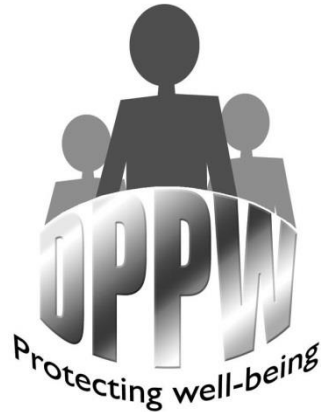


**Directors of
Public Protection Wales**



Food Law Enforcement in Wales

‘REGULATING OUR FUTURE’

**DEVELOPING THE FSA’S NEW APPROACH TO
REGULATING FOOD BUSINESSES**

**Report By Nina Purcell, Director of Wales and Local Delivery
to the FSA Board Meeting – 18th May 2016**

‘IN SAFE HANDS’ - A RESPONSE FROM THE DIRECTORS OF PUBLIC PROTECTION WALES



The Directors of Public Protection Wales (DPPW) is the collective organisation of officers heading up public health protection services within local authorities, with the following Mission Statement:

'To protect personal, environmental, economic and social well-being through policy, regulation and education. By these means to create a safe living and working environment for the communities we serve.'

Public Protection services include all aspects of licensing, environmental health and trading standards. DPPW has two constituent Heads of Service groups - Wales Heads of Environmental Health and Wales Heads of Trading Standards. Under these groups, there are a selection of specialist/expert panels, and groups focusing on generic aspects of delivery such as training, enforcement, and performance management. We also have representation on an extensive range of fora, advisory groups and steering committees.

Local Government in Wales plays a key role in protecting the public through a broad range of services. These include the delivery of food law enforcement – something that has a high priority for local government in Wales.

Executive Summary

The local authority food law regulatory system is being delivered effectively in Wales: compliance levels are high, improving year on year; the highly successful Food Hygiene Rating Scheme has resulted in significant improvements in standards and consumers are better informed than ever before; local authorities have prioritised and protected their food safety resources delivering effective programmed interventions. Local authority food officers use their knowledge, skills and experience to advise businesses to support economic growth, this growing role should not be overlooked or threatened. Consequently, DPPW contends that the food safety regulatory regime provided by local government officers is in safe hands and is concerned that some of the proposals advocated by the FSA could weaken this regime.

In particular, we believe that industry's own monitoring, audit and third party assurance schemes do not provide a guarantee of regulatory compliance and we have significant reservations about placing too much reliance on this; the horsemeat scandal and a number of other examples serve to underline that this is no less true for "big" businesses.

DPPW is concerned by (as yet unclear) proposals to deal differently with "big" businesses and SMEs. We can evidence why local policing of local implementation remains vitally important. We understand that businesses that operate over larger geographical areas might want regulatory assurances about their corporate systems and approaches and seek consistent advice – but we point to the fact that the Primary Authority scheme, well established in law and practice, already offers that.

Whilst we support the concept of businesses sharing data, we are not at all confident of industry's willingness to share adequately its data with regulators; experience suggests that this cannot be relied upon to protect consumer interests.

Therefore, we have made a number of early recommendations in response to the FSA's published papers, although we acknowledge that this is early thinking. We note that the papers are currently silent on a number of matters, including regulation of the meat sector – which the FSA suggests is most outdated. Local authorities do not currently regulate this area. We would be pleased to work together to consider how this sector might best be addressed.

We propose that a licensing scheme for food businesses be introduced that can help streamline regulatory delivery, improve information flows, strengthen assurance and ensure that food businesses can demonstrate that they are able to produce food that is safe and what it says it is *before* they start trading. Such a scheme will be a key component of a fair and proportionate resourcing arrangement.

We have also commented on aspects of "process" with the aim of ensuring that strategic debate can benefit from an appropriate range of insights, including a Wales perspective.

We suggest that revising the Food Law Code of Practice will enable our approach of targeted, risk-based and proportionate regulation to be strengthened and developed further.

In developing and refining the FSA proposals, we are keen to underline the value of the extensive and rich experience of local government in delivering food safety in the field. “Co-production” and working in partnership with policy makers to ensure we have an effective regulatory system works in the best interests of the people and businesses of Wales.

The food sector is a vital part of Wales’ economic future and we do consider that there is both the opportunity for and merit in a Welsh approach to food law delivery. With the recent Brexit vote it is clear that it will be more important than ever for Wales to be able to demonstrate to other countries that it has a robust and independent (of business) regulatory system which ensures high standards of food safety and provenance.

Directors of Public Protection Wales, August 2016

1.0 Background

1.1 The FSA Board in January 2015, identified three important aspects of its work with businesses to support a food system that works in the interests of consumers:

- “• *ensuring that businesses comply with regulatory requirements that protect consumers’ interests;*
- *improving the regulatory framework to make it more risk based and effective for consumers; and*
- *finding ways to encourage businesses to go beyond bare regulatory compliance in doing what is right for consumers.”*

1.2 The paper, [“Regulating our Future – Developing the FSA’s New Approach to Regulating Food Businesses”](#) presented to the FSA Board meeting on the 18th May 2016, includes the following statements:

*“This programme of work will redefine how we gain assurance that businesses are doing the right things for consumers. Those ‘right things’ are, for the time being, defined by our **interpretation of EU and domestic legislation** in relation to food, so our **initial focus is going to be on redesigning the assurance system and driving up compliance.**”*

*“The design of delivery options needs to identify new ways of deriving assurance, and **better enforcement of official controls.** It must propel us and businesses towards **better use of new technology**, and be compatible with consumer empowerment through increased transparency.”*

“We are not approaching this fundamental rethink by starting with the status quo and seeking incremental change.”

*“....the objective of this programme is to define and then **deliver a new regulatory blueprint for a food industry unrecognisable from the one that existed when the current system was designed.**”*

“At this stage we remain agnostic about who should undertake activities within the system. First we must define the overall system and outcomes required and then we can collectively identify functions, roles, delivery structures, and who is best placed to do what. There are likely to be a mixture of delivery options, and variations across the UK. We definitely do not expect a one-size fits all solution.”

1.3 In [Annex D](#) of the report, the FSA states the following reasons for change:

1. *Current one size fits all approach is not fit for purpose in achieving consumer protection.*
2. *Meat industry regulation is most outdated.*
3. *Local authorities are under severe pressure that is worsening.*
4. *There is a major opportunity to use technology to fundamentally change the way we regulate the food industry.*

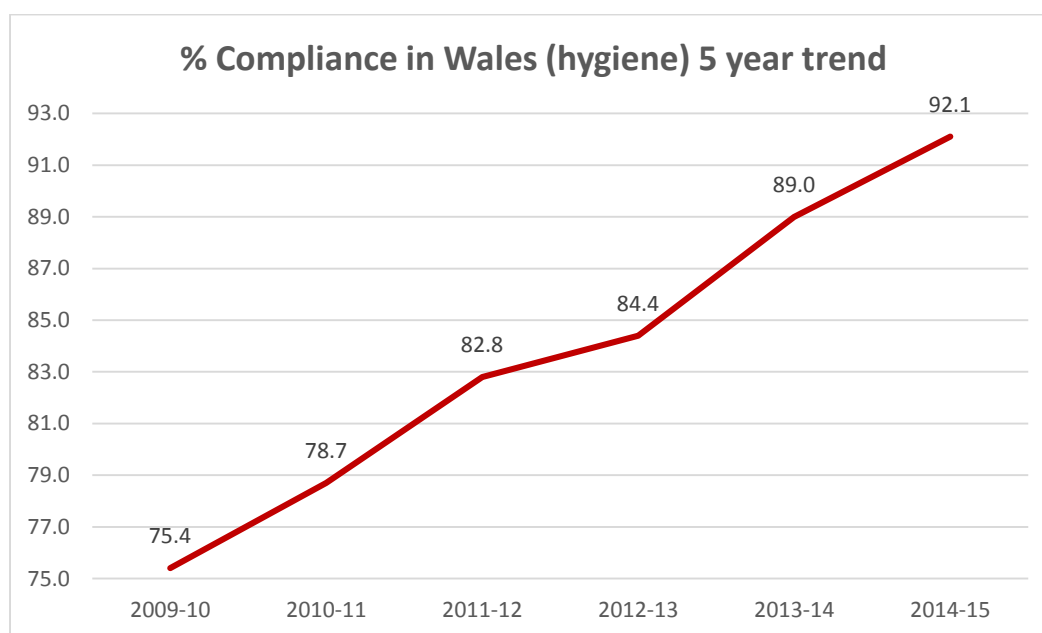
Annex D also details the blueprint for an overarching future model.

1.0 INTRODUCTION

- 1.1 DPPW acknowledges the need for continual review and improvement in delivering food and feed official controls and recognises the efforts the FSA has made to engage stakeholders in what may be a radical programme of change. DPPW values the opportunity to contribute to the design and implementation of the programme.
- 1.2 Whilst DPPW recognises that the current proposals relate to the UK as a whole we are most familiar with the position in Wales, a position which is clearly different to that in other parts of the UK for reasons we will address later. Before we consider what improvements might be appropriate it is important to consider what we know about the current position in Wales by asking some key questions about local authority delivery. Are we currently delivering on our food law obligations? Are we improving compliance? Are we informing and protecting consumers? Are we adequately resourcing our services?

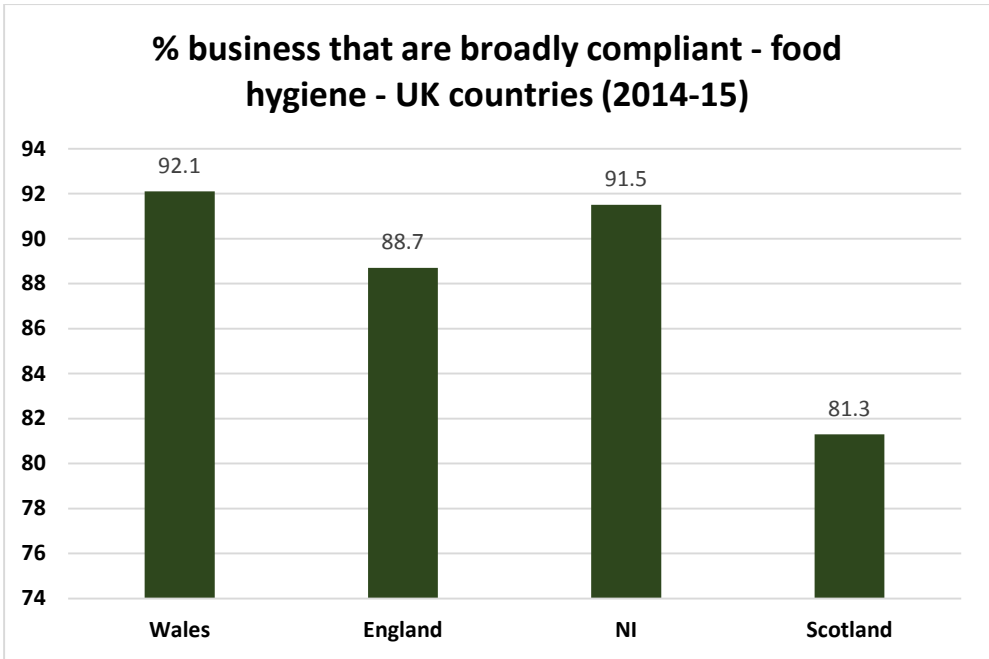
2.0 WHAT DOES BUSINESS COMPLIANCE LOOK LIKE IN WALES?

- 2.1 Welsh Local Authorities are performing well to drive up compliance rates. The graph below demonstrates significant, on-going year on year improvement in levels of compliance in Wales.



Source: FSA LAEMS data (broadly compliant)

2.2 DPPW recognise that compliance levels vary between countries within the UK as illustrated in the graph and table below, with Wales outperforming the other countries:

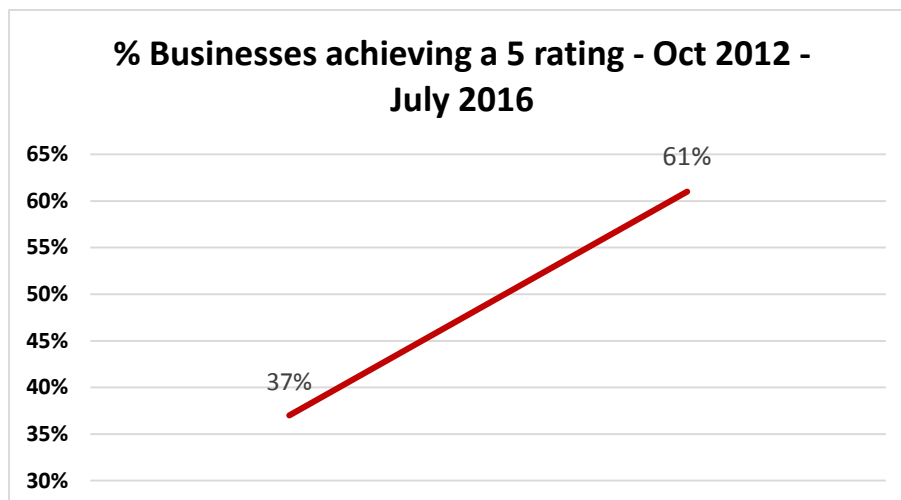


	% of establishments which are 'broadly compliant'		% of establishments which are below 'broadly compliant'		% of establishments which are not yet risk rated	
	2014/15	2013/14	2014/15	2013/14	2014/15	2013/14
England	88.7	87.1	6.4	7.5	4.9	5.4
Northern Ireland	91.5	88.9	3.8*	5.0	4.7	6.1
Scotland	81.3	79.3	11.0	11.4	7.7	9.3
Wales	92.1	89.0	5.5	8.0	2.3	3.0
UK	88.3	86.5	6.7	7.8	5.1	5.7

UK food establishment food hygiene compliance levels 2014/15 (including NYR) % of establishments which are 'broadly compliant' or better. Source: FSA LAEMS data

3.0 FOOD HYGIENE RATING SCHEME (FHRS) IN WALES

- 3.1 The introduction and successful implementation of a mandatory Food Hygiene Rating Scheme in Wales is being hailed as an exemplar. We believe it has helped us to make a real impact on food hygiene standards in Wales as the graph below illustrates.



source: FSA update report and FHRS website

- 3.2 In its 2015 report to Welsh Government, the FSA noted that since November 2013, Food hygiene ratings have continued to improve with 59% of food businesses having a rating of 5 (very good), and 94% having a rating of 3 (generally satisfactory), 4 (good) or 5. (In October 2012 the number of Welsh food businesses with a rating of 5 was 37%, with 83% having a rating of 3, 4 or 5.)
- 3.3 Since the inception of the statutory scheme the report noted that a total of 366 written warnings and 85 fixed penalty notices had been issued by Local Authorities. Seven food businesses have been successfully prosecuted for failing to display their ratings.
- 3.4 In August 2015 information relating to 26,451 food businesses was available on the FSA's FHRS web-site.
- 3.5 327 (95%) of businesses subject to a re-rating visit between 28 November 2014 and 28 May 2015 had made improvements in their food hygiene standards that resulted in a higher FHRS, with 13 staying the same and 7 resulting in a lower rating where compliance with food hygiene legislation had deteriorated.

Source: Review of the Implementation and Operation of the Statutory Food Hygiene Rating Scheme in Wales and the Operation of the Appeals System, February 2015

In the FSA's 2014 "Food and You" survey, recognition of the FHRS in Wales was reported by 72% of respondents. The vast majority (94%) who recognised the associated sticker said that they had seen it in the window or door of a food establishment. Around a third of respondents (35%) reported having used the hygiene rating scheme in the past 12 months to check an establishment's rating before deciding to eat there. In earlier research carried out in 2012, when display was voluntary, this figure stood at only 13%.

The FSA reported: Wales has led the way in the UK by introducing a statutory FHRs and the operation of the first 12 months can be considered as highly successful in terms of raising food hygiene standards and consumer awareness.

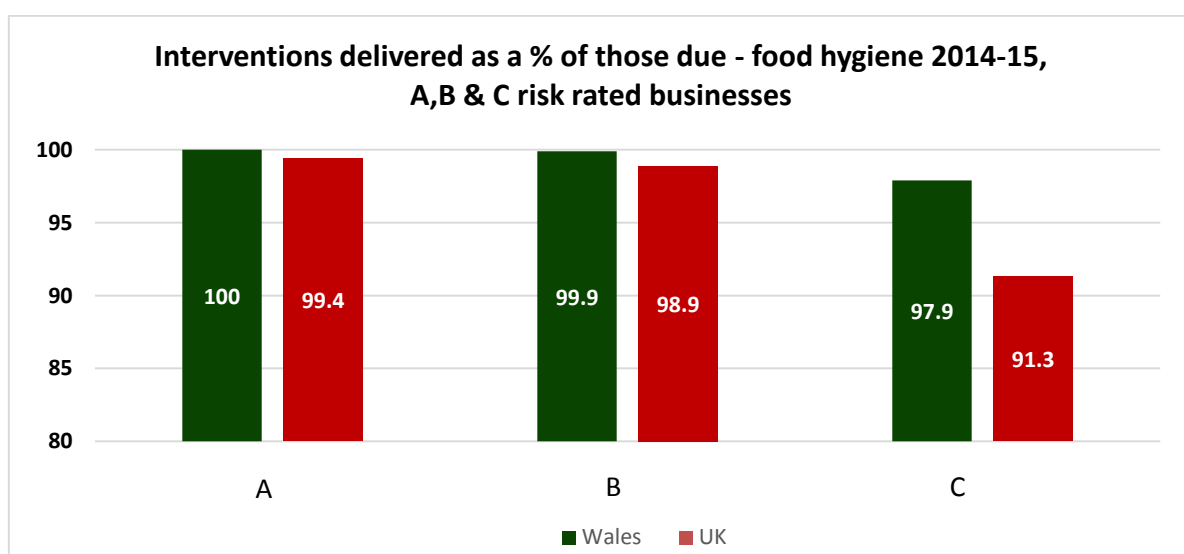
All Welsh local authorities are operating the FHRs scheme and the appeals system in accordance with the Act and statutory guidance. Their commitment in delivering the scheme for consumers is to be commended.

Source: Review of the Implementation and Operation of the Statutory Food Hygiene Rating Scheme in Wales and the Operation of the Appeals System, February 2015

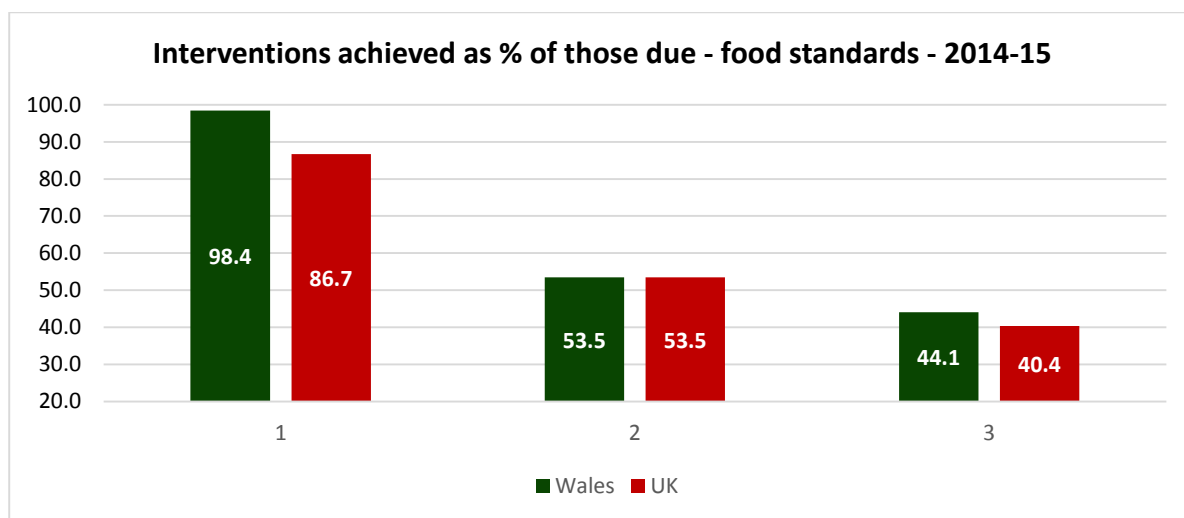
- 3.6 Local authorities have worked hard, in partnership with the FSA, to establish the key characteristics of the scheme: visibility, profile, consistency, independence & objectivity, transparency and openness. DPPW believes that the success of the scheme is dependent on timely inspection by independent enforcement officers. DPPW believes that long periods between interventions would undermine the validity of the scheme and consumer confidence. Furthermore, consistency in application of the scheme in Wales is vital and this has been key to its success. This cannot be achieved if independent third party bodies are accredited to issue ratings.

4.0 MEETING CURRENT OBLIGATIONS - DELIVERY OF PROGRAMMED INTERVENTIONS IN WALES:

- 4.1 The graph below shows programmed food hygiene interventions delivered by local authorities in Wales as a percentage of those due, and compares with the UK average for businesses risk-rated A, B and C. The graph illustrates that local authorities in Wales are delivering on the expectations placed upon them by the Food Law Code of Practice to complete high risk programmed interventions at food businesses.



- 4.2 Local authorities in Wales are taking a targeted, risk-based approach to delivering programmed interventions in relation to food standards (labelling, composition, etc) as shown in the graph below. Whilst the graph might appear to suggest that LAs are not meeting all expectations in relation to lower risk businesses, the Food Standards risk assessment as set out in the Food Law Code of Practice (FLCoP) is outdated and unnecessarily focuses on programmed inspection rather than intelligence and risk. It currently requires an unnecessary and disproportionate input of resource. LAs are therefore taking a considered and proportionate approach to managing risks and DPPW are of the opinion that the FLCoP should be revised.



5.0 LOCAL AUTHORITY FOOD LAW RESOURCES IN WALES

- 5.1 The table below summarises the staff resources (FTEs) per 1000 food businesses. Whilst DPPW acknowledges that public spending cuts have left some local authorities in England with limited capacity to effectively carry out their food functions, the table shows that whilst some efficiencies have been achieved, local authorities in Wales have afforded budgetary protection for their front line officers in order that food safety and standards services continue to be delivered.
- 5.2 The table indicates that in 2014-15 in Wales there were 5.7 FTE staff in post per 1000 food establishments compared to 3.2 FTE in England.

Number of professional FTE staff in post per 1000 food establishments Number of FTEs in post per 1000 establishments

	2012/13	2013/14	2014/15
England	3.7	3.4	3.2
Northern Ireland	7.0	5.8	5.7
Scotland	6.3	6.0	5.7
Wales	6.3	6.4	5.7
UK Totals	4.2	3.9	3.7

Source: Annual report on UK local authority food law enforcement 1 April 2014 to 31 March 2015

6.0 RESILIENCE AND CAPACITY TO RESPOND

- 6.1 The current FSA blueprint includes regulation by private sector companies instead of Local Authorities. DPPW is extremely concerned about the damage the loss of food team officers would do to wider public protection functions and to the capacity of the regulators to respond to food and other incidents.
- 6.2 Local Authorities have a flexible resource (outside of the officers employed on food and feed day to day) that could be (and has been) deployed to deal with food incidents, which the private sector does not have. Local Authority knowledge of local businesses facilitates investigation of and prompt, effective response to incidents and complaints.
- 6.3 DPPW believes local authority officers are best placed in the communities we serve to support businesses in achieving legal compliance through tailored advice, assistance and regulation.
- 6.4 Trading Standards and Environmental Health Officers, achieve more for less in a single inspection because several areas of legislation are covered in one visit. For example, Trading Standards cover Food Standards, Weights & Measures, Fair Trading and Safety; whilst Environmental Health Officers deliver a range of other interventions during food hygiene inspections including amongst others: health and safety, communicable disease control, smoking regulation, fire safety and licensing checks. This way of working reduces duplicity and the burden of inspection on business saving them time and disruption. If private companies were engaged to deliver the food programme, then this would result in duplicate visits being undertaken to the same business, as the other regulation would also continue. This is not in line with recommendations from Regulatory Delivery, in that fewer visits should be made. If third party auditors or private companies were used to undertake audits or interventions, who would investigate complaints regarding foreign bodies in food, suspected food poisoning, food labelling and composition or unhygienic premises?
- 6.5 During times of difficulty such as mounting a response to investigate and control a major outbreak of food poisoning, Local Authorities have benefitted from mutual support from neighbouring authorities. This has allowed the local officers to utilise their knowledge to respond efficiently and effectively, whilst the seconded officers have responded to routine priorities. Mutual support was vitally important during the protracted 2005 South Wales outbreak of *E. coli* O157. Local Authority staff also have local networks of contacts including the police and health professionals.

Following the Inquiry into the 2005 South Wales Outbreak of *E. coli* O157 In September 2005 Professor Pennington, reported:

"My overall conclusion is that the Outbreak was handled well. Importantly, the Outbreak Control Team identified a common link between the cases at a very early stage. They reacted with speed and applied a precautionary approach that led to the early removal of Tudors' cooked meats from the food chain. The prompt action resulted in some unused cooked meats infected with E.coli O157 being recovered from schools. I am in no doubt that, but for the quality of the analysis and the control measures taken, the Outbreak would have been considerably more severe and prolonged.

The families have told me that the tracing of the Outbreak was quick, efficient and praiseworthy. I fully endorse those comments. I know that those involved in the Outbreak Control Team and the many others who were also involved in action to control the Outbreak put in considerable time and effort to tackle the Outbreak, including extra hours and out-of-hours working."

Campylobacter Outbreak, Cardiff June 2015 -Report of the Outbreak Control Team concluded:

10. The use of specialist officers for the communicable disease and food safety functions working together across Local Authority areas enabled timely and effective outbreak investigation in this outbreak.

Campylobacter Outbreak, Cardiff June 2015 - Report of the Outbreak Control Team Recommendations included:

4. Local Authorities should ensure that they retain sufficient Environmental Health staff with Food Safety and Communicable Disease skills to be able to proactively follow up communicable disease cases and investigate suspected outbreaks.

- 6.6 DPPW believe that we can do the job better and more consistently and, since we do not have to make a profit, more cost effectively too. Our staff are highly trained, professional and experienced officers, recognised by many partner agencies.
- 6.7 The Wales Heads of Trading Standards and the Wales Heads of Environmental Health Group are established to develop their services, share good practice and provide consistency. They have a long established history of working with FSA Wales to deliver appropriate, timely and cost effective training to ensure that officers are up to date, competent and provide consistent advice and application.

7.0 BEING TARGETTED, RISK-BASED AND PROPORTIONATE

- 7.1 DPPW believes that the existing food safety risk assessment scheme provides some flexibility of approach. Officers risk rate individual businesses and score them accordingly, which in turn generates the frequency of inspection and the next intervention date. The system also allows for alternative enforcement options. Therefore the better performing and compliant businesses are inspected less frequently than the poorer performing and less compliant businesses; this approach happens irrespective of the size of the business, big or small, national or local, etc. However, this approach could be further strengthened through revisions to the Food Law Code of Practice rather than wholesale change.
- 7.2 DPPW are happy to review the risk rating criteria and frequency of inspections. Additionally, DPPW would encourage the introduction of licensing certain categories of food businesses. Local Authority experience of licensing butchers was a success which significantly improved hygiene and safety. Such an option would also generate annual income for local authority delivery of food safety and standards monitoring and enforcement whilst further protecting Local Authority staffing resources.
- 7.3 The risk assessment scheme for the application of official controls for feed in the Feed Code of Practice has been adjusted to incorporate assurance schemes in the form of

earned recognition. However, there is concern that this and the COP scoring process for the generation of the schedule of Official Controls create considerable intervals between planned Official Controls. Consequently it is felt that feed officers even on a regional basis may not be able to remain in touch with all feed industry sectors in their region when the present risk assessment criteria is applied.

8.0 PROTECTING CONSUMERS' INTERESTS – DOING THE RIGHT THING FOR CONSUMERS

- 8.1 Point 1.2 of the “Regulating our Future – Developing the FSA’s New Approach to Regulating Food Businesses” paper presented to the Board on 18th May 2016 reaffirmed that commitment to *“the protection of consumer’s interests [is] the central driver of any new system”* and point 2.2 shows that the FSA still has a strong consumer focus. The FSA’s strap line “food we can trust” says it all.
- 8.2 Local Authorities have a good track record of both helping businesses to establish & grow and also of taking effective action where necessary to protect the interests of consumers. The following example illustrates the latter:

SUSPENDED JAIL SENTENCE FOR CAERPHILLY SUPPLEMENT SELLER

Jeffrey Young Director of JY Nutrition Ltd, Pontymister was investigated by Caerphilly Trading Standards after he sold weight loss pills which made a young man ill. Young failed to remove the items from sale despite being advised to do so. 47 out of 48 products subsequently sampled from the shop were found to contravene regulation.

In Feb 16 the company pleaded guilty to 15 charges under 6 separate pieces of legislation relating to health claims, food labelling, misleading descriptions and traceability. One product was found to contain the active ingredient Sibutramine, which is not only a prescription only medicine, but also one which is banned in the UK because of its links to cardiovascular problems.

Young was sentenced to 13 weeks suspended prison sentence, fined £500 and ordered to pay prosecution costs of £2,137.65 and an £80 victim surcharge.

The Cabinet Member said, “This was an extremely serious case, and one which potentially could have put people’s lives in danger. Our Trading Standards team work relentlessly to ensure that people operating outside the law, and risking the safety of others in doing so, are brought to task over their actions. I am pleased that the courts emphasised the seriousness of this case in the sentence and fines imposed both upon the company and Mr Young”.

- 8.3 Unfortunately, merely because a company is a “big business” does not necessarily mean they will do the right thing by consumers and it does not mean they can be relied upon to share their data (where gained from third parties or not) with regulators. The following examples illustrate these issues.

Cadbury were fined £1 million for food hygiene offences, including the introduction of an “allowable tolerance level for salmonella” in its products. The company’s actions resulted in an outbreak of salmonella in which more than 40 people fell ill and the recall of more than 1 million chocolate bars. The Court heard that the company did not notify the relevant authorities until June 2006 despite being aware that there was a problem in January of that year and that they failed to take immediate steps to notify the authorities and to recall the relevant products.

Sevenside Provisions Ltd, were prosecuted by Newport City Council for numerous breaches of Food Hygiene legislation that occurred in December 2013. The company were found to be importing frozen turkey from Poland, defrosting it outside, immersed in dirty water.

Despite a caution and prohibition notice during the first visit, the second visit later the same day revealed continuation of the process and 8 tonnes of turkey in the premises. The meat was cut, re-packaged and re-labelled as fresh Welsh turkey. This was being carried out in unhygienic conditions that lacked the appropriate approval by the council. There was no hot water available for effective cleaning or hand-washing. Equipment was dirty and there were numerous sources of potential contamination found. The building had no means of refrigeration for the product.

The turkey found at the premises was seized and sent for destruction to ensure it did not get into the food chain. As some turkey had already been sold to butchers’ shops, restaurants and other outlets a national recall of the product was instigated.

The company is plainly a **repeat offender** having been cautioned in 2010 when turkey had also been found being processed on the premises. Despite this the company records have shown that large quantities of turkey were still being sold by Sevenside Provisions Ltd during 2011, 2012 and 2013.

The company was fined £100k for food hygiene offences; Proceeds Of Crime Act and costs amounted to £308,000 and each individual received 24 weeks imprisonment.

9.0 EARNED RECOGNITION AND ASSURANCE SCHEMES

- 9.1 DPPW recognises a political momentum behind self-regulation and earned autonomy and the current Westminster government's continued pursuit of the deregulation agenda. However DPPW has serious concerns about the protection afforded to consumers if internal audits and Assurance Schemes (as they are currently operating) are relied upon to deliver compliance. They are set up by industry, for industry and audits often only look at a specific part of a business, which is subject to the scheme – the rest is not audited at all.
- 9.2 Companies choose which auditor to use and what level of audit to subject themselves to. Critically an audit will not necessarily be unannounced. A business can become skilled at passing the audit but not necessarily complying with the spirit of the law. The two examples below include examples of where third party assurance schemes and internal assurance schemes have not worked:

Easibake Foods Ltd pleaded guilty to 2 charges for the unlicensed abstraction of water and failure to ensure an adequate supply of potable water was used to ensure food was not contaminated. A water supply obtained from a borehole was contaminated with Trichloroethene and was used as an ingredient in bakery products, including part baked products supplied to national retailers.

The premises were audited by BRC, however the use of a private water supply was not identified in the audit.

KFC (GB) Ltd were recently fined £100,000 and full costs awarded to Torfaen C.B.C when it was found that a restaurant was operating without any hot water for hand washing and cleaning for 10 days. Opening and closing checks carried out as part of their food safety management system noted that cleaning had been carried out satisfactorily.

During the **2013 Horsemeat incident** national brands and major retailers were found to be selling beef products adulterated with horsemeat. Welsh local authorities mounted a rapid and extensive food sampling response. The FSA funded the laboratory costs, however it was Welsh local authorities that undertook the extensive sampling response. In total 1828 tests were performed on behalf of the FSA along with a further 409 tests that were undertaken by local authorities to safeguard consumers.

This demonstrates that self regulation and third party audits were unable to prevent such a potentially large scale fraud, as well as the ability of local authority food enforcement to provide an immediate and agile response to an incident.

- 9.3 The Horsemeat scandal showed that even the larger businesses cannot be relied upon to prevent large scale food fraud, despite internal and supplier audits being carried out. Some of the biggest multinational companies were producing products containing horse meat and others were distributing and selling it. Welsh Local Authorities were not responsible for regulating the points of entry of horsemeat into the food supply chain. However, the FSA/police investigation and recovery was backed up by Local Authority skills and knowledge. Meat hygiene regulation is delivered by the FSA, however the report remains relatively silent regarding proposals to ensure improvement.
- 9.4 Welsh Government has recently commissioned research aimed at understanding barriers to third party accreditation/certification. Views expressed at a workshop held at Cardiff Metropolitan University provided evidence to show that businesses often view multiple third party audits undertaken by their customers as onerous. There was no suggestion that interventions conducted by independent Local Authority enforcement officers are a burden on business.

The FSA paper reports: UK food is some of the safest in the world, and UK businesses benefit from consumers (in home and domestic markets) trusting the food they produce. The industry tells us they **value a strong, independent regulator**. We believe that the regulatory regime should be as cost-effective as possible, for example by working with others and using a range of sources of information. Industry should meet that cost, with those requiring the greatest regulatory intervention/attention contributing the most.

- 9.5 Whilst the preponderance of private sector auditors employed (and paid) by the food industry may seem to provide a ready alternative, we fear that this will not sit comfortably with consumers who, we feel, value regulators who are clearly independent of the industry.

10.0 INFORMATION SHARING, COLLECTION AND USE TO DETERMINE INTERVENTION

- 10.1 One of the fundamental principles of the blueprint relies on industry sharing data and information with the regulators. DPPW is concerned that this is unlikely to materialise and that it is improbable that big business in particular will consistently share especially if sharing involves a risk of expense, legal action, reputational damage or revealing commercially sensitive information.

Smaller businesses tend to generate less data to share. Indeed, it is local authority officers that support smaller businesses via assistance with the development of HACCP (Hazard Analysis and Critical Control Point) systems, sampling programmes, labelling requirements, traceability, etc. Such data is therefore already in the domain of local authorities.

Campylobacter Outbreak, Cardiff June 2015 - Report of the Outbreak Control Team concluded:

6. Implementation of some control measures in this outbreak were delayed by involvement of the Primary Authority.

7. Being unable to interview food handlers involved in this outbreak at an early stage in a structured format away from Premises A hampered outbreak investigation and control.

11. Multiagency collaboration and the Communicable Disease Outbreak Plan for Wales worked well in this outbreak.

- 10.2 DPPW recognises the potential for management information to inform prioritisation of work. Indeed, Trading Standards Services are already using an Intelligence Operating Model to identify and prioritise their work on local, regional and national levels. However, there are questions about what data should be collected in the new model and how will it be used that is different from the way we use our data and intelligence now. There is a risk of data overload and insufficient analysis to determine interventions or inform strategic change.

**Campylobacter Outbreak, Cardiff June 2015 - Report of the Outbreak Control Team
Recommendations included:**

1. The Food Standards Agency E. coli O157 Control of Cross Contamination Guidance (revised December 2014) should be reviewed in light of the issues identified in this outbreak.

2. The Food Standards Agency should work with the Better Regulation Delivery Office to develop advice for Primary Authorities on providing timely and effective responses to outbreak investigations.

4. Local Authorities should ensure that they retain sufficient Environmental Health staff with Food Safety and Communicable Disease skills to be able to proactively follow up communicable disease cases and investigate suspected outbreaks.

6. The use of 'Requests for Co-operation' under health protection legislation should be considered early in outbreak investigations in order to effectively interview food handlers.

8. The benefits of the Communicable Disease Outbreak Plan for Wales and the Lead Officer training for Communicable Disease in Wales were evident in this outbreak and these should continue in their present format.

- 10.3 DPPW agrees that improved technology would assist the delivery of food safety programmes. Local Authorities are currently introducing a new cloud based database with more agile working and the ability to access live information.

- 10.4 Access to third party audit reports have limited benefit, as the auditors only audit to a specified audit framework/matrix and are paid by industry to do so. They are not always independent reports.
- 10.5 In the South Wales Outbreak of E. coli O157 in September 2005, a total of 157 cases were identified, 31 people were admitted to hospital and tragically one boy, aged 5, died. The Outbreak resulted from the food business operator cutting corners to save money and the lessons from the Inquiry must not be forgotten.

Following the Inquiry into the 2005 South Wales Outbreak of E. coli O157 In September 2005 Professor Pennington, reported:

The proprietor failed to ensure that critical procedures, such as cleaning and the separation of raw and cooked meats, were carried out effectively. He also falsified certain records that were an important part of food safety practice. The business's Hazard Analysis Critical Control Point (HACCP) plan was not valid. In some respects it was positively inaccurate and misleading. William Tudor, the proprietor, misled, and lied to Environmental Health Officers on some issues, such as the use of the vac packing machine and a machine being away for repair.

11.0 SEGMENTATION

- 11.1 DPPW supports segmentation of food businesses on the basis of risk and has long called on the FSA to work together to further consolidate Local Authorities' flexibility to adopt a proportionate and risk-based approach to regulatory delivery. DPPW acknowledge that there are a range of matters that might be sensible to consider in determining the most appropriate regulatory approach to an individual business. DPPW would wish to be an equal partner in developing the thinking on what that might best look like.
- 11.2 However we might segment our businesses going forward, we believe that local authorities are best placed to regulate businesses, whether "big" or "small". On that point, our vast experience tells us that in relation to large chains, local implementation of corporate standards can be variable and poor local management frequently gives rise to repeated issues of non-compliance at odds with those that the company might hope for. DPPW believes that Local Authorities in Wales have dealt effectively with all segments of food businesses and we recommend that model continues.
- 11.3 FSA proposals, as they currently stand indicate that there could be a different regulatory approach between "Big Businesses" and "SMEs". DPPW are unclear as to how the FSA defines these, but DPPW have grave reservations about whether these proposals will effectively protect consumers.

- 11.4 As illustrated earlier, there is a catalogue of examples where “big” businesses have failed to protect consumers. Whilst we support the notion of “segmenting” we urge great caution in how best or whether at all to approach the question of “size”.
- 11.5 We acknowledge that businesses that operate to common corporate standards over larger geographical areas or many sites value consistent regulation and access to “assured advice” and regulatory understanding of their specific business. The Primary Authority scheme, well established in both law and practice, already provides such businesses with the opportunity to do that, without the need to develop new models of regulatory delivery.
- 11.6 Whatever the approach, DPPW believes that there is strong evidence of the continued need for local policing of local business implementation. Our experience shows us that local implementation often falls down despite the best intended and well developed corporate standards.

12.0 LICENSING AND FUNDING FOR REGULATION

- 12.1 Currently anyone can open a business. Experience shows that many food business operators set up businesses without notifying or registering with their local authority; they often have no experience or indeed training in relation to food hygiene, safety or standards. Replacing the existing registration scheme for a licensing regime (with some potential exceptions) is supported by DPPW. Pre-licensing engagement with food business operators, with the use of appropriate conditions and permissioning, would ensure the production of safe food from day one of trading. This is good for business and good for the consumer.

Our experience of licensing butchers was a great success which significantly improved hygiene and safety.

- 12.2 DPPW recognises that any regulatory regime must be funded appropriately. Cuts to Local Authority budgets in England have made some services unviable. The concept of charging for regulation in some way is gaining purchase and may be the only way in which public sector regulation can be sustained. Funding by licence fee is preferred to Fixed Penalty Notices or charging for enforcement, which we believe would undermine our independence. A license regime should cover both premises and food business operators. We would be pleased to work with FSA to help shape such a scheme.

13.0 LEGISLATIVE FRAMEWORK IN WALES

- 13.1 Local Authority delivery of the official controls on food is embedded in Wales. The delivery of the Mandatory FHRs by Local Authorities is written in statute in Wales and it would require new legislation to privatise that function. We believe that Welsh Government is very satisfied with the current arrangements and would resist any such proposal.

- 13.2 Local Authorities have statutory enforcement powers. What will happen if the function is privatised? Auditors may be able to do the audit but are they empowered or capable of enforcement? Does the FSA propose to take over the enforcement function? Legislative change would be needed to divest Local Authorities of these powers and confer them on accredited private sector bodies or FSA.
- 13.3 The Well-being of Future Generations (Wales) Act 2015 is a new Act introduced by the Welsh Government, which will change aspects of how we work. The general purpose of the Act is to ensure that the governance arrangements of public bodies for improving the well being of Wales take the needs of future generations into account.
- 13.4 The Well-being of Future Generations (Wales) Act 2015 is about encouraging public bodies to think more about the long-term, work better with people and communities and each other, look to prevent problems and take a more joined-up approach. This will help us to create a Wales that we all want to live in, now and in the future. To make sure we are all working towards the same vision, the Act puts in place seven well-being goals, which are noted below:
- A globally responsible Wales
 - A prosperous Wales
 - A resilient Wales
 - A healthier Wales
 - A more equal Wales
 - A Wales of cohesive communities
 - A Wales of vibrant culture and thriving Welsh language

Proposals to change food law regulation should include the above principles.

- 13.5 The sustainable development principle, as defined in the Act, sets out five ways of working:
- Looking to the long-term – to not compromise future generations
 - Taking an integrated approach – to reach all the goals
 - Involving people – the full diversity of the population
 - Collaborating with others – to find sustainable solutions
 - Taking a preventative approach – by understanding root causes

Public bodies in Wales are required to contribute to the well-being goals and adopt the five ways of working and proposals to change food law regulation should reflect this.

- 13.6 The recent result of the EU referendum will need to be taken into account, as in future there may no longer be a requirement to report data to the EU; legislation may need to be amended and there may be a lesser requirement to audit Local Authorities. Consideration will need to be afforded to the future role of the FSA.

14.0 SUPPORTING LOCAL AND NATIONAL ECONOMIES

- 14.1 All Welsh Local Authorities have Economic Development as an overarching theme in their corporate plans. Local Authority Environmental Health and Trading Standards Officers can provide a tailored service by giving advice to help local businesses comply with the law and hence to ensure that their products are marketable. This supports both the local and national economies. Supporting reputable business is one of the five priorities in the Wales Heads of Trading Standards Control Strategy and we would not want to see our food businesses excluded from accessing this support.
- 14.2 Local Authority officers have vast experience and knowledge they can offer businesses to help them become established and grow. They have significant experience of what works and what doesn't and can identify opportunities to reduce costs and improve profits. Many Authorities are increasing their "offer" of business support (See Appendix 1).

Better Business for All

As part of the council's work on developing the local economy, our Better Business for All (BBfA) project brings together businesses and regulators to improve how local regulation is delivered and received. It involves the creation of local partnerships to identify the issues facing local businesses and shapes the provision of effective support services to them.

Regulatory services play an important role in supporting businesses. This support can provide businesses with both an economic advantage, confidence to grow and thrive and reassurance that they are meeting statutory requirements. We support hundreds of businesses every year, but here are a few case study videos from businesses who have received our support and how they believed it has helped their business.

Source: Denbighshire CBC website

- 14.3 The Welsh Government has aspirations to increase the amount of food produced within and exported from Wales. This will require strong independent regulation; export requirements place an importance on accompanying documentation and export certification issued by government bodies including Environmental Health. Will EU and Third countries accept certification from Third Party or private company auditors?

The food and drink industry is important to the economy and the people of Wales; the UK agri-food sector contributes up to 7% (£79.4 billion) of UK Gross Value Added.

Source: Food for Wales, Food from Wales 2010:2020 - Food Strategy for Wales

15.0 THE REVIEW PROCESS AND PROPOSALS

- 15.1 The FSA is conducting this review and making recommendations for future regulation; however the FSA are not independent. Feedback provided to the FSA during a stakeholder consultation exercise with local authority expert officers in Wales held on the 18th March 2016 has not been included in the report.
- 15.2 Whilst the report initially identifies significant problems with the FSA's Meat Operations' regulation of the meat industry, the recommendations to address the issue are relatively silent.

Following the Inquiry into the 2005 South Wales Outbreak of E. coli O157 In September 2005 Professor Pennington, reported:

Over a prolonged period, the MHS repeatedly failed to perform effectively its overall enforcement function in relation to the Abattoir. The longstanding, repetitive, failures were made much worse by the fact that there was an abundant knowledge amongst the staff that it was a failing abattoir. Despite this knowledge, the Abattoir was allowed to continue to function in breach of the legislative requirements.

- 15.3 The membership of the Expert advisory panel includes a local authority individual, with insight rather than to represent their organisation. The recommendation includes one local authority representative; how could one person be representative of the UK? There needs to be one or more representatives from each of the devolved countries.

16.0 WHO IS BEST PLACED TO DELIVER “FOOD WE CAN TRUST” IN WALES?

- 16.1 DPPW believes that regulator independence is a critical factor for public confidence in the food they eat and in the bodies responsible for its official controls. DPPW believe that LAs in Wales have a proven track record in the delivery of the official controls on food and feed and have the confidence of Welsh consumers and the Welsh Government. DPPW believe that we also have the confidence of FSA Wales, with whom we have effectively worked to deliver these initiatives. Therefore, DPPW firmly believes that the delivery of official food law controls must continue to be performed by Local Authority authorised officers.

Annex A (page 7) of the report refers to “UK food is some of the safest in the world, and UK businesses benefit from consumers (in home and domestic markets) trusting the food they produce. The industry tells us they value a strong, independent regulator.”

- 16.2 A Wales-specific solution is not only a possibility but probably a necessity to deliver some of the ambition outlined in the blue-print. The devolved nature of food law to Welsh Ministers along with existing primary legislation that frames the delivery of its mandatory Food Hygiene Rating Scheme would necessitate a change in primary legislation to deliver some of the proposals implied. The current record of effective food

law delivery by Local Authorities in Wales, the political commitment to public health (and the FHRS), the legacy of *E. coli* O157, a strong track record in prosecuting businesses involved in food fraud and the distinct agricultural and food production context all point towards the potential for a distinctly Welsh political perspective on future delivery of food law in Wales.

- 16.3 LAEMS data underlines a record of effective delivery and commitment of resources in Wales. Our success in implementing new models of delivery bears testimony to the potential effectiveness of a Wales-wide approach. These include the FHRS and the design and delivery of a Regional Feed Inspection Programme.

17.0 CONCLUSIONS

- 17.1 The current regulatory system being delivered by local authorities in Wales is working well. LAEMS data underlines a record of effective delivery and commitment of resources in Wales. Programmed interventions are being delivered, Local Authorities are adopting a risk-based approach when they can, compliance is good and improving year on year, the percentage of businesses achieving a 5 food hygiene rating has improved significantly, and Local Authorities have protected resources for food regulation. Improvements can be made, but without the need for radical reform:
- i) Better performing and compliant businesses are inspected less frequently than the poorer performing and less compliant businesses; this approach happens irrespective of the size of the business, big or small, national or local, etc. However, this approach could be further strengthened through revisions to the Food Law Code of Practice rather than wholesale change.
 - ii) Replacing the existing registration scheme for a licensing regime (with some potential exemptions) is supported by DPPW. This could require businesses to demonstrate that they are able to meet their obligation to produce food that is safe before they start trading. Funding by licence fee is preferred to Fixed Penalty Notices or charging for enforcement, which would undermine Local Authority independence. A licensing regime (possibly annually) should cover both premises and food business operators. It would improve the flow of information between businesses and regulators.
 - iii) We agree that solutions should be identified to rectify and improve the significant shortcomings with the FSA regulation of the meat industry.
- 17.2 A Wales-specific solution is not only a possibility but probably a necessity to deliver some of the ambition outlined in the blue-print. The devolved nature of food law to Welsh Ministers along with existing primary legislation that frames the delivery of its mandatory Food Hygiene Rating Scheme would necessitate a change in primary legislation to deliver some of the proposals implied. Success in implementing new models of delivery bears testimony to the effectiveness of a Wales-wide approach. There is a Welsh political perspective on future delivery of food law in Wales that is, by necessity, embedded in the Well-being of Future Generations (Wales) Act 2015.
- 17.3 The need to protect consumers through appropriate food safety and standards compliance remains and the most effective delivery model is best achieved through working together whilst at the same time ensuring that food law enforcement resources in Wales are maintained.
- 17.4 We have serious concerns about the protection afforded to consumers if earned recognition, internal audits and assurance schemes (as they are currently operating) are relied upon to deliver regulatory compliance. Audits are set up by industry, for industry and audits often only look at the part of a business, which is subject to the scheme – the rest is not audited at all.

- 17.5 Big business in particular is unlikely to consistently share data and information, especially if sharing involves a risk of expense, legal action, reputational damage or revealing commercially sensitive information.
- 17.6 Local Authorities have a flexible resource (outside of the officers employed on food and feed day to day) that could be (and has been) deployed to deal with food incidents, which private sector does not have. Local Authorities' background knowledge of local businesses facilitates investigation of and prompt, effective response to incidents. Any loss of resource from existing food teams would damage the wider public protection functions and ability to mount a local response to a major incident with potentially serious consequences.
- 17.7 The Wales Heads of Trading Standards and the Wales Heads of Environmental Health groups are developed to continually improve their services, share good practice and provide consistency. There is a long established history of working with FSA Wales to deliver appropriate, timely and cost effective training to ensure that officers are up to date, competent and deliver consistent regulation. This cannot be readily achieved with private sector provision.
- 17.8 Local Authority delivery of the official controls on food is embedded in Wales. The delivery of the Mandatory FHS by Local Authorities is written in statute and it would require new legislation to privatise that function. Welsh Government is very satisfied with the scheme and its delivery and we would expect they would resist any such proposal. Local Authorities have statutory enforcement powers. Legislative change would be needed to divest Local Authorities of these powers and confer them on accredited private sector bodies or the FSA.
- 17.9 Consumers and industry value regulators who are independent of the industry. DPPW believes that regulator independence is a critical factor for public confidence in the food they eat and in the bodies responsible for its official controls. The Horsemeat scandal showed that big business cannot be relied upon to prevent large scale food fraud, despite their internal and supplier audits.
- 17.10 All Welsh Local Authorities have Economic Development as an overarching theme in their corporate plans. Local Authority Environmental Health and Trading Standards Officers can provide a tailored service by giving advice to help local businesses comply with the law and hence to ensure that their products are marketable. This supports both the local and national economies.
- 17.11 Feedback provided to the FSA during a stakeholder consultation exercise with local authority expert officers in Wales has not been included in the report to the FSA Board. The Expert Advisory Panel proposed by the FSA does not include adequate representation from the devolved countries.
- 17.12 We are as yet unclear about the implications of a Brexit vote. However we suspect that in the future it will be more important than ever to be able to demonstrate to other countries that Wales has a robust and independent system to ensure that food meets required standards. To threaten the robust and independent nature of regulatory delivery at this time would be a grave mistake.

18:0 RECOMMENDATIONS

- 18.1 Food Law delivery in Wales should remain in the safe hands of Welsh local authorities. LAEMS and other available data shows that there is no credible case for radical change in the regulatory system being delivered by local authorities in Wales, however improvements are needed:
- i) These should be delivered in part through **revisions to the Food Law Code of Practice** to improve the risk rating scheme particularly in relation to food standards.
 - ii) To protect consumers and increase consumer confidence, **an annual licensing scheme** should be developed to cover both premises and food business operators. This could require businesses to demonstrate that they are able to meet their obligation to produce food that is safe before they start trading. Such a scheme should include an annual licence fee which would support Local Authority budgets and safeguard resources for food law delivery. DPPW's expert officers offer to help co-produce the licensing scheme.
 - iii) **A review of regulation of the meat industry** should be undertaken by an independent body.
- 18.2 An independent, Wales-centred review, based on Welsh evidence and information should be undertaken, resulting in derived solutions to improve delivery of official food and feed controls in Wales. Any proposals should recognise that the situation in Wales is different and the clear potential for a Wales-specific approach and comply with the Well-being of Future Generations (Wales) Act 2015.
- 18.3 Local Authority resources in Wales must be maintained at or above the level indicated in the latest Annual LAEMS report. Any new model of delivery must safeguard consumer protection through appropriate food safety and standards compliance; this can only be achieved through partnership working between the FSA and Local Authorities and co-production of future delivery models.
- 18.4 Earned recognition should not exempt big businesses from independent regulation and any proposed model should not rely on current approaches to third party audit / assessment as sufficient to deliver the necessary assurance of regulatory compliance.
- 18.5 Future delivery models should ensure an ongoing requirement for businesses to provide data and information as and when requested to do so, and also to disclose any in-house discovery of serious food safety issues to the Local Authority.
- 18.6 Any proposals should not diminish Local Authority resources and capacity to deliver their wider public protection duties nor their capability to mount a response to a major incident.
- 18.7 The FSA must continue to support Local Authority training and consistency exercises.
- 18.8 Primary legislation that frames the delivery of the Mandatory Food Hygiene Rating Scheme (FHRS) by Local Authorities is written in statute in Wales; this legislation should be retained.

- 18.9 Delivery of official controls and food law should be undertaken by properly authorised and competent Local Authority employed staff only. Private companies should not be engaged to perform official duties including statutory actions and legal proceedings.
- 18.10 Proposals must recognise the value to businesses of experienced Local Authority officers providing support in helping FBOs develop their business and achieve economic growth.
- 18.11 The membership of the Expert Advisory Panel should include representation from each of the devolved countries.
- 18.12 The implications of the Brexit vote need to be considered to ensure that going forward Wales can demonstrate to other countries that it has a robust and independent regulatory system that ensures that expected food safety standards are met.

GLOSSARY

DPPW	The Directors of Public Protection Wales
EHO	Environmental Health Officer
FBO	Food Business Operator
FHRS	Food Hygiene Rating Scheme
FLCoP	Food Law Code of Practice
FSA	Food Standards Agency
HACCP	Hazard Analysis and Critical Control Point
LAEMS	Local Authority Enforcement Monitoring System
RD	Regulatory Delivery
TSO	Trading Standards Officer
WHoEHG	Wales Heads of Environmental Health Group
WHoTS	Wales Heads of Trading Standards

Appendix 1

Business Support and Development

Samosa Co - a small family run business, that retailed small quantities at food festivals and events. The business moved into a small industrial unit and expanded it's range of products that can also be found in Tesco supermarkets. Trading Standards Officers provided guidance and assistance with labelling of products, including a recent review of multi lingual labelled products that the company is hoping to export. Trading Standards has also undertaken sampling for nutritional analysis of products and presence of allergens.

Source: Rhondda Cynon Taff CBC

Gwynt y Ddraig Cider - was a small family run hobby enterprise, that retailed at local farmers markets. The Trading Standards department donated a number of surplus sampling bottles to enable the business to increase production, labelling assistance is still provided when new products are being prepared for launch. The company has grown over the years and their cider is now found in major supermarkets, national pub chains and is exported to a number of countries.

Source: Rhondda Cynon Taff CBC

Treally Farm is a charcuterie producer. It was a tiny business when they started in a shed on the farm. Environmental Health did a lot of sampling and were very flexible in how they dealt with the company. EHOs gave a lot of free advice when they decided to move into new premises and agreed the layout of the new production unit. The producer is now supplying the likes of Harrods.

Source: Monmouthshire CBC

My name is Mike Woods, I am the Chief Executive of the Just Love Food Company

I started my nut-free celebration cake manufacturing business in Oakdale, Caerphilly in 2010. As a father of 3 children, 2 of which have nut allergies, I wanted to create cakes for nut allergy sufferers to enjoy. My business offers a nut-free promise to customers and from the outset we required the advice and support from our Trading Standards Service in order to check and challenge our thinking and rationale. We needed to be confident our product lines were safe and the labelling was legally compliant and accurate. The Just Love Food Company has recently developed a gluten free range and has grown over the years, with us now supplying celebration cakes nationwide to major supermarkets. We continue to liaise with and enjoy a close working relationship with Caerphilly Council Trading Standards professionals.

Terry's Patisserie provide chefs in the Catering, Hotel and Corporate Industry with a Fresh exceptionally high quality tasting dessert for them to finish with their own Professional Signature Touch.

The Company started out as a home caterer but as the business grew the FBO decided to expand and took on an industrial unit. An Environmental Health Officer was involved in providing advice from the planning stage on layout and structural finishes etc. Once the business structure was set up the officer undertook advisory visits to assist the business in producing the Company's HACCP and traceability system.

Source: Caerphilly CBC

Spike's Tonibell, The Dairy, Rhymney

Mr & Mrs Harris ran a small convenience store in Rhymney for many years known as Spike's Shop. Prior to this they had operated a small fleet of ice-cream vans but it had always been their desire to produce soft ice-cream. At the start of 2016, they decided to totally refit the shop and set up a business manufacturing soft ice-cream mix. An Environmental Health Officer, worked closely with Mr and Mrs Harris to produce a food safety management system which helped them not only to comply with legislative requirements but to produce a safe product with good systems of work and a positive food safety culture from the outset. Manufacture of soft ice-cream mix, labelled Spike's Tonibell has now commenced and they are successfully selling their product to local retailers and wholesalers.

Source: Caerphilly CBC

Fahim Hossain from Samirah Spice Indian and Bangladeshi restaurant in Llangollen.

"We've got a really good view from restaurant of Dinas Bran Castell you can see through the window. We've got different range of food here especially the best curry, chicken tikka masala, also we do the lamb from local Welsh lamb.

We got really good support from local Denbighshire County Council food hygiene rating. We got best food hygiene rate, like we got a 5, we can't get more than 5 and also this is really good for our customers, they know we got our best food hygiene rate.

Also I took food hygiene course on how to handle the food and also all my staff did the food handling training. They are telling us how to keep everything nice and clean surrounding the restaurant inside the restaurant, also when they come to visit they really help us, they will tell us which type of cleaning product we need to use.

If you start from day one with how to handle the food, if you train then you are definitely going to do good business.

For me as a business owner it is important that I invest back into my business to make my business more efficient and to give better customer service."

My name is John Edwards, I am the Managing Director of Rhug Estate Farm Shop.

"The business has been here since 2002, it's a farm shop, restaurant, take-away on the busy A5 in Corwen, Denbighshire. It's situated on the Rhug Estate which is 12000 acres and half a million people come through the doors every single year. We, from the start of me being here, have tried to build really positive relationships with the whole of Denbighshire Council and the Public Protection team. We believe it's a relationship that should work from both sides, we don't see them as evasive, we don't see them as people who come to try and catch you out, we see them as a working relationship.

Before we started making any real foundations the team were on board, looking at how we were going to set it up, looking at all the legalities to ensure we delivered. As soon as we got the building up they walked around with us, they looked at the operation, they looked at everything from start to finish and the HACCP plan was then written with them in mind and they guided us through every single step of the way. Denbighshire are always coming to us with e-mails and they forward us everything from HACCP courses to allergen courses and also labelling courses. I just felt it was right to have people understand the whole process. They are there they are accessible, they are free and are very, very informative and it means that you actually start investing in your staff which means that they are comfortable as well.

My advice to anybody who is in a very young business or is looking to start a business is get these people on board from day one. They are not there to trip you up they are not there to catch you out they are there to support direct and help you through the process of setting up a business. There is no point in setting up a business and trying to keep them away, they will visit you, get them on board from day one, they are there to guide you through all the pitfalls that are there, so when they do visit it something you have worked on together, there are no surprises they have been there from day one, it makes such a big difference."

My name is Tanya Mortimer, I am the Technical Manager here at Patchwork Foods.

"We are a purpose built factory in Ruthin, we employ some 24 people.

The business started with family from the family home producing pates and selling to restaurants in the Llangollen area and we've been growing ever since.

We've got a really good relationship with the Public protection team at Denbighshire, they've helped us a lot over the years in areas of food labelling training, advice on the factory, we hold training courses here with Trading Standards for example. Before we do anything new, before starting a new project or a change to the site we always invite them down so that they can approve what we are going to do and make sure we've got more eyes looking and we make the right financial decision.

I strongly believe that the Public Protection team are the power to my elbow because I would rather get their advice before I do something new or before I am going to change something in the factory so that I know I am doing it to the word of the law and also I am not going to waste any money or time in the wrong areas.

We have benefitted hugely by the support we've gained because we have confidence with what we are doing. For example running a training course in food labelling laws, a new law which came out in 2014 it's scary for so many businesses so to be able for Trading Standards to go to a site and run a training course for up to 18 local food businesses was pretty major really and to have that networking framework and support between us businesses with Public Protection is vital for success so having good standards and the right quality standards in place helps the business grow because it gains trust and confidence in your customers and that's paramount in your business development plan so to work successfully with a good relationship with Public Protection and taking advice and running courses and doing everything you need to do will make your business grow in the right way."

Henllan Bread is a family wholesale bakery, fifth generation, established in 1908.

“We deliver to North Wales, Mid Wales and the North West, bread, morning goods confectionary. We have had plenty of support from Trading Standards they are always there if we need to phone them, we can pick up the phone and they will answer are questions right away, so in 2014 the new Food Labelling Regulation came through so we had people from Trading Standards come down, speak to us and guide us through what we needed to do throughout the business. Without their support we would not have been able to hit the deadline that we needed to do for December 2014.

It was very easy to get advice and support from Denbighshire County Council. They are literally a phone call away, they also do workshops and courses which are also great for us to attend and learn what we need to do for the future. The help we've had from Denbighshire County Council has been huge, without them we would not have been able to have grown as much as we have over the last couple of years and different projects such as recycling, labels, waste etc., so it really has been beneficial to us.

We've had a huge growth in the last 12 months from 60 staff to 70n staff and a lot of this has come from new orders, increased products, we are also exporting now over to America, Dubai etc., so yes the help has been huge and they have also come in because we have to do different legislation for foreign customers. With their support it has helped us to export to America, the Far East and other countries in Europe. Every business should invest money at the end of the year back into the business, we've invested huge amounts in new machinery, new ovens etc., to get better efficiencies and the products, is also a lot better quality.”

My name is Anna Taylor and I own Chilly Cow Ice Cream.

“We are a artisan ice cream producer, using fresh milk from our own dairy farm. We are based in Ruthin, we have a range of different flavour ice creams available in different pot sizes, we distribute within a 30 mile radius to hotels, pubs, restaurants, shops and the like.

We contacted Public Protection as soon as we possibly could to understand what we needed to do in setting up the business, ensuring that the premises was correct, the labels were good for the product and everything was right from the very first day that we started with the business.

I think I am confident that now my products are safe for the consumer and the consumer can understand everything about the products that I provide them with and I know I can go back to that Public Protection office to ensure that I can get the right advice if anything changes or if I need some advice down the line.

I absolutely recommend any new business going straight to them before they start anything else and getting the advice that they need to be able to do it correctly and not have to cover their tracks at the other side so that they get it right first time.

The advice is at the other end of the telephone straight away and they are always a telephone call or e.mail away that they will visit you if they need to as well so they will give you advice face to face if you need it.

Their support is really important to ensure that you are complying with the law but also your peace of mind to make sure you are doing it right and that everything you produce and give to that consumer is safe for them.

We are already putting the money we are making back into the business to help it grow. It is very important for businesses to do that and also this helped us be more efficient making us more productive each week and allowing us to produce for more customers across the area.”

I am Dtoi Harvey, I have the Authentic Thai Cuisine

“The great curry chicken is the most popular one to bring Wales and Thailand together, it is my passion. We supply our food to Different outlets such as Loggerhead Garage, Patchwood Pate in Ruthin and Chiltern Post Office.

At Authentic Thai Cuisine we receive a lot of support from the Denbighshire County Council. We receive a few training courses regarding the labelling to get the information provided correctly for the safety of the customer, they also do give me some knowledge on how to look at the HACCP as well how to get it correctly and how to do it in every aspect of the hot and the cold. The ingredients, the process of the HACCP which is very much in detail they really gave me good support in that area.

In terms of the food hygiene for my staff they sent me a Thai version of the food hygiene, which I felt very, very excited about it, so thrilled because I tried to do it by myself but it was so difficult but the authority was so grateful to give it to me and I have it in colour which is very useful for my staff.

I think it is very important to get the support to get the information in order that you start a business and it is very important to start it right from day one.

I'd actually recommend it to my friends who want to do a interior bar and I told them to go to Denbighshire County Council right from the beginning so that you don't have to have any hiccups, get it right. It is very easy to get support you can e.mail them, you can telephone them, any problem you have they will help you immediately.”