

# Equality Assessment

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|------------------------------------|--|----------------|
| Title:                             | <b>Delivery of Food Health and Safety Service</b>        |                |
| Version:                           | <b>1.0</b>   |                |
| Owner:                             | <b>Elizabeth Street<br/>Environmental Health Manager</b> |                |
| Date sent to the Equalities Group: |  | <b>18.5.17</b> |

| <b>VERSION</b> | <b>DATE</b> | <b>REVISION DESCRIPTION</b> | <b>APPROVAL DATE / REASON FOR REJECTION (to be completed by Equalities Officer)</b> |
|----------------|-------------|-----------------------------|---|
| 1.0            |             |                             |   |

## Section 1: Getting Started

|  |   |
|--|---|
| <b>Name of Policy, Procedure, Practice, Strategy or Service:</b> | <b>Delivery of Food Health and Safety Service</b>                                     |
| <b>Service, Group, Team:</b>                                     | <b>Environment and Housing Services, Environmental Health, Food Health and Safety</b> |
| <b>Equality Assessment Lead Officer:</b>                         | <b>Elizabeth Street Environmental Health Manager</b>                                  |
| <b>Head of Service</b>   | <b>Nick Thurstan Head of Environment and Housing Services</b>                         |
| <b>Date</b>  | <b>10 April 2017</b>  |

## Section 2: What is being assessed?

*What are the broad objective(s) of the policy, procedure, practice, strategy or Service to be assessed?*

*What are you assessing and what is being affected*

*What needs is the policy/service designed to meet?*

*What are the current priorities and the intended outcomes?*

*You could also refer to your current Service Plans and how the policy/service fits into EBC's strategic objective*

*How does the policy, procedure, practice, strategy or service align with Corporate Priorities*

to deliver the food safety and health and safety regulatory process based on requirements in the national guidelines:-

- The Food Standards Agency's Framework Agreement on Local Authority Food Law Enforcement; and,
- The Health and Safety Executive's Section 18 Standard on Enforcement.

The Food Health and Safety Team implement these guidelines through the current Operational Services Service Plan and more specifically in the Food Health and Safety Service unit plan. The enforcement of the relevant legislative requirements in relevant premises across the borough is achieved by:-

- delivering food safety and health and safety enforcement programmes in the borough;
- focusing on those business which present the highest risk (i.e. have the poorest standards); and,
- taking appropriate actions to ensure that premises meet standards in line with the council's Enforcement Policy.

It is important that all business understand their legal obligations in relation to food safety and occupational health and safety. Therefore in business whose first language is not English special arrangements may be required to ensure:-

- that business operators understand their responsibilities in respect of food safety, hygiene and occupational health and safety;
- that language and culture do not present a barrier to this understanding; and,
- food safety, hygiene and occupational health and safety standards in local businesses are maintained or improved

All food premises in the Borough are subject to food safety inspections and the legislation applies to some not for profit food providers such as lunch clubs. Health and safety enforcement is split by legislation between the Health and Safety Executive and local authorities. The team are only responsible for the enforcement of health and safety in specified premises.

The desired outcome is to maintain and improve food safety and health and safety standards for residents and employees in Erewash. This may require positive action in premises where English is not the first language of business operators or their employees.

Certificates are issued for establishments to display and ratings are included for each establishment on the Food Standards Agency website.

**The service aligns with Corporate Priorities as follows:-**

**A clean, safe and welcoming borough;** by providing a consistent approach to the inspection of properties where food is prepared and the publication of hygiene ratings in a way that the public understand and trust.

**Improved access to services;** ensure that any requirements relating to access to the service are understood and met, such as English not being the first language of the business owner or staff.

**Delivering efficient and effective services that residents need;** by providing a consistent approach residents and visitors come to trust the awarding of food hygiene ratings to enable them to make informed decisions about where they purchase prepared food.

**Creating opportunities for economic growth and prosperity;** the scheme supports the efficient running of businesses within the borough. By working with businesses to improve on their rating and address any concerns that an inspection identifies, the service can reduce the impact of poor publicity and temporary closure on a business.

## Section 3: Gathering Information

What equality monitoring information do you gather and how is this information used to develop services, functions and policies at the current time. You could look at the take up of services, customer satisfaction (complaints and compliments) and enforcement action.

What does available data and the results of any consultations show about the take up of services? What is the impact on different groups? (qualitative and quantitative). You could look at:

- *previous community consultation exercises,*
- *customer service reviews and analysis.*
- *Census data*
- *the experiences and views of front-line staff in relation to the provision of the service?*
- *location of facilities.*

**Remember:** by law you are required to be able to demonstrate, through data analysis and evidence, that you have considered the impact of your service on **ALL** of the relevant protected groups. This document is just a short summary of this process and a tool to help you to check that you have taken the Equality Act 2010 and the Council's equality objectives into consideration.

### Background Information

From 2011 Census data it was identified that 5% of the Erewash population is not English/Welsh/Scottish/N. Irish or British. From the environmental health database it is identified that there are 80 ethnic food businesses in the Borough which equates to 8.5 % of food business where English may not be the first language of the proprietor or employees.

### Consultation

During 2009-10 and 2010-11 the work of the Food Health and Safety team was assessed using the National Indicator 182 Percentage Satisfaction of Businesses with Regulatory Services. On average a satisfaction rate of 75% was achieved over the time period this monitoring was undertaken. However no Government standard for this indicator was set and the national indicator set was removed for 2011-12 so the information in that format is no longer collected. However two of the questions from NI182 i.e. 'I felt my business was treated fairly' and 'I felt the contact was helpful' were used in subsequent customer surveys – see 'Customer Surveys' below.

### Food Inspection Forms

A record is made on the food safety inspection form to identify if there are any specific language requirements at the premises. Officers can then prepare for their inspection accordingly.

### Delivery of the service

Internal monitoring of inspections is undertaken by the Senior Environmental Health Officer. This provides a check and balance to ensure

actions are fair, transparent and proportionate to the problems identified but most importantly that action is taken to improve standards. To meet the needs of business owners whose first language is not English the following is undertaken:-

- When a business owner is identified to have a poor understanding of English a statement may be included on letters in their own language to highlight that the papers contain important information.
- If requested, officers will make appointments to visit premises when family members or an interpreter are available.
- All cases of enforcement action are made in line with the council's adopted Enforcement Policy.
- In cases of formal enforcement action interpreters will be used to undertake any interviews under caution.

For food businesses that are operated by people who may have difficulty understanding officers will take any or all of the following actions as appropriate:-

- On identification of food business operators who cannot fully understand English leaflets in an appropriate language will be provided. The Food Standards Agency (FSA) produces a limited range of leaflets in the main ethnic languages.
- Spend additional time with the business to ensure that the food safety requirements are understood and implemented.
- Use the services of 'language line', the council's interpretation service to communicate any aspects of food safety which the Officer considers the food business operator has not fully understood.

The council operate the national Food Hygiene Rating Scheme -the scheme operates to a brand standard produced by the Food Standards Agency to ensure consistency across all local authorities signed up to the scheme. The scheme is based on the risk rating criteria in the Food Law Code of Practice which is applied to all food business following the findings of an inspection. Detailed guidance is available on the application of this risk rating criteria. The rating is taken from the score given to the premises in the assessment of how they meet three specific areas that are within their control; these are food hygiene, structure/ cleaning and confidence in their management.

In premises where health and safety issues are raised and leaflets in other languages are not provided by the Health and Safety Executive, Officers may:-

- Spend additional time with the business to ensure that the health and safety requirements are understood and implemented.
- Use the services of 'language line' to communicate any aspects of health and safety which the Officer considers the business operator has not fully understood.

### **Food Hygiene training**

This was identified in 2013-14 service plan to start delivery and the first training was delivered during 2013-14. Courses continue to be provided. The cost has been kept as low as possible and is operating on a cost recovery basis. Although candidates need a reasonable literacy level there is some flexibility to read out the exam script for any who may struggle with reading the exam script. If necessary an interpreter can be used to provide courses in other languages if a need is identified.

### **Customer Surveys**

Checks on satisfaction rates with the service were introduced during 2012-13 via a customer survey and have continued. An electronic survey

form is available on line and a specific link is provided in inspection reports and in letters sent to businesses. There has been little take up and to encourage an improved response rate a hard copy of the survey form is also sent out to 10 premises selected at random that had received a food and/or health and safety inspection in the previous month. For 2016-17 the survey format was changed so the data below is for 12 months from 16 returned questionnaires

Overall satisfaction rates from all survey responses to date are:-

- 100% of respondents are 'Very satisfied' or 'fairly satisfied' with the different aspects of our service
- 100% of respondents 'strongly agree' or 'agree' that their business was treated fairly
- 100% of respondents 'strongly agree' or 'agree' that the contact was helpful

As this survey is anonymous it is not possible to identify why respondents are not happy with any aspect of our survey unless they provide contact details. It is often the case that a dis-satisfied response is given but no further information is provided.

Of the 7 respondents that completed the ethnic origin questions :-

72% White – British (5)

28% Chinese (2)

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100%

## Section 4: Impact Assessment

Here you need to analyse the needs of different groups and the possible impacts the service may have on them. List below any groups you need with to assess need or impact and methods used: (you may need to add extra rows)

How is the policy or decision likely to affect the **promotion of equality** and the **elimination of discrimination** in each of the groups?

| Stake Holder Group  | Specific Needs/Requirements in relation to the service  | Possible Impact (positive and negative) of service  |
|---|---|---|
| Age (older people, young people)  | Not identified as a direct impacting factor on the implementation of the service but an indirect positive effect  | <p><b>Positive</b></p> <ul style="list-style-type: none"> <li>vulnerable people will benefit from increased food safety and health and safety measures</li> </ul> <p><b>Negative none</b></p>   |
| People with Disabilities (Both physical and mental impairments)                                 | <p>The service is only applied to owners of a relevant business.</p> <p>Documents and letters are available in different formats, upon request</p>  | <p><b>Positive</b></p> <ul style="list-style-type: none"> <li>There is an indirect impact of ensuring a safe place of work for all, but positive action would be required for any people with protected characteristics that are employed by the business</li> </ul> <p><b>Negative none</b></p>  |
| Gender (Women, Men, Transgender, Transsexuals)  | The service is only applied to owners of a relevant business.   | <p><b>Positive none</b></p> <p><b>Negative none</b></p>   |
| Race (Black, Asian, Minority Ethnic groups. Include people whose first language is not English) | <p>to ensure all business owners meet the requirements of the legislation the following additional support is available:-</p> <ul style="list-style-type: none"> <li>if needed a statement is in the recipients own language is included in the letter advising the papers are important</li> <li>a translator on site or accessed via language line if the officer considers this type of support is required.</li> <li>Some cuisine specific information is available from FSA.</li> <li>Officers attended a Food Standards Agency course Working Effectively with Minority Ethnic Food Businesses.</li> <li>Translation of letters if it is identified that translation will increase the food business operator understanding.</li> </ul> | <p><b>Positive</b></p> <ul style="list-style-type: none"> <li>From the environmental health database it is identified that there are 80 ethnic food businesses in the Borough which equates to 8.5 % of food business where English may not be the first language of the proprietor or employees</li> </ul> <p><b>Negative</b></p> <ul style="list-style-type: none"> <li>Long term not broadly compliant premises may be a result of lack of understanding.</li> <li>Food hygiene training is not provided by the council in other languages.</li> </ul> |
| Sexual Orientation  | The service is only applied to owners of a relevant business.   | <b>Positive none</b>  |
| Religion and belief   |   | <b>Negative none</b>  |
| Dignity, Human Rights and Socio-economic disadvantage   |   |   |

## Section 5: Actions

*How will you mitigate the possible negative impacts of the policy, procedure, practice, strategy or service*

| <b>Negative impact</b>   | <b>Action required to mitigate any potential negative impact</b>   | <b>Lead Officer</b> | <b>Deadline</b>  |
|--|--|---------------------|--|
| Letters for not broadly complaint premises where the food business operator's first language is not English. | Monitoring will be undertaken on premises that are not broadly compliant to identify if additional support such as translation of letters or use of an interpreter would improve the food business operator's understanding and increase legal compliance and food hygiene standards.  | Liz Street          | A decision will be made for each relevant premises following an inspection and is ongoing as food business ownership may also change |
| Food hygiene training is not provided by the council in other languages                                      | <p>It is not reasonably practicable to offer this training in a range of languages however if officers identify a specific need for a particular language across the borough which will benefit a number of food business then consideration will be given to the use of relevant interpreters.</p> <p>Leicester City Council already offers food hygiene training in various languages.</p> | Liz Street          | During 2017-18 for other languages if a need is identified and reasonably practicable  |