

Review of Enforcement Action

Food Business proprietors can seek review of any decision or action taken by the Department. A request for a review should be made to the appropriate Team Leader or Manager within 14 days. If a written request is made it should be made to the Director of Environmental Services, Department of Environmental Services, Renfrewshire House, Cotton Street, Paisley, PA1 1BR

Complaints Procedure

Anyone who is dissatisfied, for any reason, with the services provided by Officers in our Food Service should make his/her complaint to the Public and Customer Liaison Officer, Department of Environmental Services, Renfrewshire House, Cotton Street, Paisley, PA1 1BR.

A full copy of the Food Enforcement Policy can be viewed at:

Department of Environmental Services
Renfrewshire House
Cotton Street
Paisley
PA1 1BR

or visit the website
www.renfrewshire.gov.uk



For further information Tel: 0141 840 3106
Fax: 0141 842 5457
E-mail: b-serv.es@renfrewshire.gov.uk

Renfrewshire Council Food Enforcement Policy

Information for Food Businesses



This leaflet explains **Renfrewshire Council's Food Enforcement Policy**. It will outline the Department's role in Food Safety Enforcement, and what you can expect when an Enforcement Officer visits your premises. It will also outline the **Council's Complaints Procedure**, and how you can request a review of any enforcement action taken against you if you do not agree with it.

Renfrewshire Council is responsible for enforcement of the Food Hygiene (Scotland) Regulations 2006, Food Safety Act 1990 and associated regulations throughout the Council area. The Council must ensure that all food or drink handled or consumed within Renfrewshire is safe, and is not going to affect public health. We do this through inspection, sampling, licensing, investigation of food and hygiene complaints and investigation of suspected illness arising from food.

Our Principles

- We will relate any enforcement action to the risks to public safety and the seriousness of the breach of the law.
- We will strive for a consistent approach to enforcement.
- We will target resources at premises which are higher risk, and where hazards are least well controlled.
- We will be open and helpful at all times, and willing to discuss general issues, specific compliance failures or any other problems with proprietors.

What an Enforcement Officer can do

Food Enforcement Officers are authorised in terms of their qualifications, training and practical experience. All our Enforcement Officers carry warrant cards, and normally don't give advance notice of a visit. Officers may visit alone or accompanied. Enforcement Officers are authorised to enter and inspect premises take samples, look at and take away records, interview staff and take photographs as evidence.

When dealing with businesses we expect our officers to;

- Be courteous.
- Explain the purpose of their visit.
- Show appropriate identification when requested.
- Wear appropriate protective clothing.
- Offer advice.
- Explain clearly what needs to be done and why, and by when.

- When writing to you, clearly distinguish legal requirements from best practice advice and guidance.
- Agree a reasonable time period to take remedial action.
- Provide an opportunity to discuss the issues before formal action is taken
- Confirm any action in writing.
- Undertake not to disclose any commercially sensitive information (unless this is required in carrying out their duty or when directed to do so by a court).

Enforcement Action

We will take a graduated approach to enforcement, aiming to encourage a preventative approach to food safety.

- **Informal action** will apply when contraventions are not serious enough to warrant formal action or where the business is willing to take corrective action. It will also apply where confidence in management is high and non compliance would not constitute a risk to the public.
- **Formal Action** will be taken where there is a clear and significant breach of legislation, or if a business fails to respond to the informal/educative approach.

Following an enforcement visit, the Enforcement Officer may;

- Decide no action is required and this will be confirmed in writing
- Take informal action which will result in a written warning and possible revisit
- Use statutory notices
- Submit a report to the Procurator Fiscal

Once a report is submitted, it is the Procurator Fiscal who decides whether the case goes to Court or is dealt with by other means. Enforcement Officers must inform their Team Leader or Manager of their involvement in any formal enforcement action as soon as is practical. The Team Leader or Manager will consider the facts of the case, and authorise the proposed action if appropriate. Prosecution reports are always subject to final approval by the Director of Environmental Services.