 

North Lincolnshire Council

**Food Safety Business Advice Service Policy**

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* 1. **Strategic Overview**
  2. Our vision is for North Lincolnshire to be an area with aspiring people and inspiring places. We strive to deliver excellent outcomes for the people and places of North Lincolnshire. Our priorities are to:
  + Enable communities to thrive and live active, healthy and fulfilled lives
  + Support, safeguard and protect the vulnerable
  + Shape the area into a more prosperous place to live, work, invest and play
  + Commission to improve outcomes for individuals and communities
  + Transform and refocus, ensuring we remain a dynamic and innovative council

1. **Introduction**

2.1 This policy document sets out how North Lincolnshire Council’s Food and Safety Team, seeks to engage with new local food businesses with the objective of achieving improved economic growth supported through the provision of practical and timely advice on food law.

2.2 The Food and Safety Team is responsible for overseeing a wide range of legislation. New businesses in particular may find it helpful to have access to expert advice on many areas that are relevant to successful planning of a business before it starts trading. Our Food Safety team can offer advice on, but is not limited to:

* Guidance on food registration.
* Premises layout, structure, facilities and equipment.
* Food safety practices and procedures.
* Food Hygiene Rating Scheme requirements.
* Food legislation specific to your business.
* Food safety management procedures and control systems.

2.3 All businesses currently have free access to business advice via links available at the Food safety pages of the Council’s website. (Food Standards Agency). Despite this, some businesses will seek additional advice particularly on more complex queries. This policy sets out how we will decide when additional advice or support requested by a business will be subject to charge or provided at no cost. The policy also specifies what those charges will be.

2.4 Business advice can be made available to businesses either as free advice over the telephone/email or as chargeable advice involving a site visit.

2.5 Where charges are applicable for advice, they charged in advance of the advice being given.

1. **Service Delivery**

3.1 Businesses who require advice on legislation relating to the set up or running of a business will be directed in the first instance to our web pages at <http://www.northlincs.gov.uk/planning-and-environment/environmental-health/food-safety/food-safety-business-advice>

3.2 Where new businesses are unable to find the advice they need via our web pages they can make a request for further advice. Any request for advice will be made via a request form available on our website.

3.3 All requests for new business advice will be acknowledged within 3 working days of receipt. If the enquiry is complex or is likely to take time to respond to, we will discuss and agree a timescale with the business and where bespoke advice is requested provide a written quotation for the work.

3.4 All chargeable advice received will be followed up in writing and charged at the normal hourly rate for the package as business advice. Any business advice issued as part of a Primary Authority Partnership (see 5.0 below for further details) will be provided in writing as standard and published on the Primary Authority website.

1. **Advice to Businesses**

4.1 Business advice not subject to charge

4.1.1 New businesses and those taking on existing businesses that are not eligible for a Primary Authority Partnership are entitled to 30 minutes of initial general advice on Food Safety legislation, for free, per annum. This advice will include the signposting of businesses to alternative sources of advice and self-help and will normally be delivered over the telephone or by email.

4.1.2 Businesses referred to in 4.1.1 that are eligible for free advice (not eligible for a Primary Authority Partnership), are businesses that solely trade within the boundary of North Lincolnshire and their goods or services are not made available via outlets outside of North Lincolnshire.

4.1.3 Where a need arises we may choose to provide advice to certain business sectors on significant changes to the law or giving basic guidance on new legislation, which will be done at no cost to the business.

4.2 Chargeable business advice

4.2.1 Where a new business has received its free 30 minutes advice and requires more detailed, comprehensive support. (Or is a business that is eligible for the Primary Authority Partnership, whether or not in a formal partnership), a chargeable advice package is available which can provide bespoke advice on Food Safety legislation. Chargeable advice provided includes, but is not limited to:

* + Provide interpretations of legislation specific to your business.
  + Advice on diligence procedures and control systems.
  + Guidance on food registration.
  + Guidance on premises layout, structure, facilities and equipment.
  + Guidance on food safety practices and procedures.
  + Food Hygiene Rating Scheme requirements.
  + Food legislation specific to your business.
  + How to complete the Safer Food better Business pack.
  + A site visit and report.

4.2.2 Businesses wishing to receive advice from the Food Safety Business Advice Service will first be required to register their request for advice via our website and agree to the term and conditions.

4.2.3 Fees are charged based on a full cost recovery basis. The Food safety Business advice service package is charged at £175.00 + VAT and includes a maximum of 3 hours advice and a Safer Food Better Business pack. Advice given will be recorded in quarter hour units.

1. **Primary Authority Partnerships**

5.1 Local businesses that operate or sell products outside of North Lincolnshire, are eligible to enter into a Primary Authority Partnership. This is an arrangement for a single point of contact which is formalised through a statutory Primary Authority Partnership agreement as set out in Part 2 of the Regulatory Enforcement and Sanctions Act 2008.

The contract between us and the business will allow for the provision of on-going advice and support on specific areas of regulation applicable to the business. The purpose of these agreements is to ensure consistency of advice and limit interventions when a business has the need to deal with another or several Food Safety Services.

Under Primary Authority, other regulators are unable to take enforcement action when the business has followed assured advice provided by us.

Primary Authority Partnerships are charged based on a cost recovery basis. An annual Partnership fee will be charged to businesses which will include a pre agreed number of hours advice, subject the type of business and expected demand on the Service. Any additional advice over the pre agreed amount will be charged in quarter hour units based on an hourly rate.

For more information on Primary Authority Partnerships, visit <https://www.gov.uk/guidance/local-regulation-primary-authority>

Appendix 1

North Lincolnshire Council Food Safety

Business Advice Terms and Conditions

Administration

Chargeable business advice is managed and administered by the North Lincolnshire Council’s Food and Safety Service (FSS).

Point of contact

Upon receipt of your request for advice a named officer will be nominated as your point of contact.

Acknowledgement of application

We will acknowledge your request within 3 working days and aim to provide business advice within 10 working days. If your enquiry is urgent or has a specific timescale requirement, please let us know and we will try and accommodate this, depending on the complexity of the enquiry and available resources.

Registration

When seeking chargeable advice on Food Safety matters from the FSS you need to submit the registration form which can be found at <http://www.northlincs.gov.uk/planning-and-environment/environmental-health/food-safety/food-safety-business-advice>

Provision of advice

On receipt of the registration form your point of contact officer will give you free advice if you are eligible and/or chargeable advice and appropriate guidance on relevant Food Safety legislation if you elect to purchase the Food Business Advice Service package. We will identify the Food Safety legislation that your business needs to be aware of and give you advice in general terms on how you can comply with these laws. This may include the provision of leaflets, links to useful websites and discussing some examples of your products and/or services. If you would like assured advice please discuss the benefits of a Primary Authority Partnership advice with us.

The advice provided is not legally binding and is open to interpretation. You may also wish to take independent legal advice for any specific issues you may have regarding your particular business.

Agreement

In asking for business advice you or your business, agree to pay any charges for officer time incurred by the FSS within fourteen days of receiving an invoice from us for the services provided.

Fees

Fees for the chargeable advice package are charged on a cost recovery basis at £175.00 + VAT based on a maximum of 3 hours advice. The advice is recorded in quarter hour units and does not include travel time.

Fees for Primary Authority Partnerships. An annual Partnership fee will be charged to businesses which will include a pre agreed number of hours advice, subject the type of business and expected demand on the Service.

Outstanding payments

In the event that you do not pay the FSS the outstanding amount within the prescribed time then the FSS may institute civil proceedings against you and/or your business to recover the cost and future services under Scheme will cease to be provided until the outstanding amount is settled in full.

Freedom of information

Please be aware that the FSS is subject to legal duties which may require therelease of information under the Freedom of Information Act (FOIA) or any other applicable legislation or codes that govern access to information and that the FSS may be under an obligation to provide such information on request.

Data protection

The FSS will not keep information longer than is necessary and whilst in our possession we will safeguard your personal information according to the requirements of the Data Protection Act 1998 or any equivalent legislation.

Investigations/Breaches of legislation

The FSS has a duty to investigate any allegations of breaches of food legislation and the provision of advice under this Scheme does not affect this duty in any way whatsoever.

Logos/Affiliation

The use of the services under the Scheme does not entitle you or your business to use any of North Lincolnshire Council’s logos or claim any affiliation with North Lincolnshire Council.

Complaints

If you or your business have any complaints or are not satisfied with the quality of the services provided under the Scheme please refer to the [corporate complaints procedure](http://www.hants.gov.uk/complaints) as to how to make a complaint to North Lincolnshire Council.

Review of terms and conditions

These terms and Conditions will be subject to review.

For further help or information please contact:

**Tel: 01724 297000 North Lincolnshire Council Contact Centre**

**E-mail: food.safety@northlincs.gov.uk**

**Website:** <http://www.northlincs.gov.uk/planning-and-environment/environmental-health/food-safety/food-safety-business-advice>