

Carlisle City Council

Food Safety Enforcement Policy

- 1.1 It is this Council's policy to ensure that food and drink intended for sale for human consumption which is produced, stored, distributed, handled or consumed within this district is without risk to the health or safety of the consumer.
- 1.2 Enforcement action is primarily based upon an assessment of risk to public health. In the context of this policy, this risk is the probability of harm to health occurring due to non-compliance with food safety law.
- 1.3 The Council will work with food businesses to achieve legislative compliance, through inspection, education and the provision of information.
- 1.4 The Council's officers are fully acquainted with the requirements of this policy and the Food Safety Enforcement procedure and will follow these when making enforcement decisions.
- 1.5 Any departure from the Policy and Procedure will be exceptional, capable of justification and fully considered by relevant managers before the decision is taken.
- 1.6 The Council has signed up to the Enforcement Concordat and in so doing has agreed to abide by the following principles of good enforcement:-

Standards

In consultation with businesses and other relevant interested parties, and subject to statutory requirements placed upon us, we will draw up clear standards setting out the level of service and performance the public and businesses can expect to receive. We will publish these standards and our annual performance against them.

Openness

We will provide information and advice in plain language on the legislation that we enforce. We will discuss general issues, specific compliance failures or problems with anyone experiencing difficulties.

Helpfulness

We will actively work with businesses, especially small and medium sized businesses to advise on and assist with compliance. We will provide a courteous and efficient service and will provide a contact point and telephone number for further dealings with us. We will ensure that, wherever practicable, our enforcement services are effectively co-ordinated to minimise unnecessary overlaps and time delays.

Complaints against the Service

The Council has a publicised complaints procedure. In cases where disputes cannot be resolved, any right of complaint or appeal will be explained, with details of the process and the likely time scales involved.

Proportionality

We will, as far as the law allows, minimise the costs of compliance for businesses by ensuring that any action we require is proportionate to the risks and will take into account the circumstances of the case.

Consistency

We will carry out our duties in a fair, equitable and consistent manner. We have in place arrangements to promote consistency, including effective arrangements for liaison with other authorities and enforcement bodies.

- 1.7 The Food Safety Enforcement Policy and associated Enforcement Procedure will be regularly reviewed.

This enforcement policy helps to promote efficient and effective approaches to regulatory inspection and enforcement, which improve regulatory outcomes without imposing unnecessary burdens. This is in accordance with the Regulator's Compliance Code.

In certain instances we may conclude that a provision in the Code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code will be properly reasoned, based on material evidence and documented.