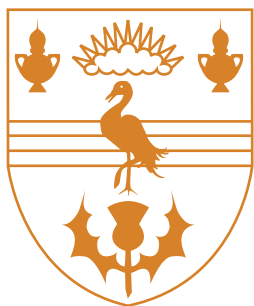


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On the cover: Is it safe? It is difficult to overstate the importance of effective food safety management systems. See pages 5 to 14. Photograph by Ian Britton.

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THE PRESIDENT'S VIEW



David Cameron

We are now in 2004 and REHIS has 'come of age'; 21 years since its inception. There are still a few of us around who were there at the beginning and two present members of Council actually signed the documents bringing about the amalgamation of our predecessor organisations. Have we, therefore, got the key to the door or are we still striving for recognition? In the last volume of the Journal for 2003, I outlined the achievements that REHIS could boast in the time from 1983 and now I should like to develop this slightly in light of where we know we are at this point in time.

The end of 2003 and early 2004 saw the culmination of many years work on Chartered EHO status for appropriately qualified and experienced members of the Institute. The final piece of the jigsaw should be in place very shortly. This is in the form of a Code of Professional Conduct, an internal matter for REHIS and therefore not subject to external delays.

When this is all achieved what next? As an 'adult', REHIS needs to be moving on and what better way to kick this off than our first awards of Ch.EHO MREHIS to worthy members? We cannot stop here and rest on our laurels; we need to be considering the future of REHIS and how we can develop. We need to find ways of efficiently and effectively meeting the aims of our Charter to the benefit of the people of Scotland and, where appropriate, beyond.

Without doubt, the most developed aspect of our work has been in the field of food safety in our contribution to training, enforcement issues and consultation on policy and legislation. This we

welcome and hope our contributions can continue and play a part in the continuing improvement of food safety. Whilst we also contribute in all other aspects of public health including health and safety at work, noise, housing, and pollution in general, the time and effort devoted to these areas have been 'dwarfed' by comparison to the resources devoted to food.

I would like to see REHIS sustain and continue to develop our input to the food debate, not least in the area of healthy eating, but I feel we need to redress the balance in respect of the others areas of public health. To achieve this I feel we require a step change in our approach. Food safety has been a major agenda item since Mrs Currie's live television rhetorical question in December 1988 regarding *Salmonella species* in poultry. We, therefore, reactively fell in step with more than a little help from the media and Government. I should like to think that we are somewhat proactive now although sometimes this is debatable.

Here is an ideal opportunity for REHIS to be proactive. There are many public health issues out there needing some action, eg, noise pollution, lower than tolerable standards of housing (as highlighted by Helen Barron last year) and sustainability of resources with the adherent public health issues.

Now we have 'come of age' I should think that it is appropriate that we become proactive in the development of our strategies. Our annual Development Plan is a start; now let us convert words into actions.

INVESTIGATION INTO THE REASONS FOR NON-COMPLIANCE WITH HAZARD ANALYSIS (REGULATION 4(3)) IN CATERING ESTABLISHMENTS

by Karen Sievwright, Environmental Health Officer, The Moray Council



Introduction

Contaminated food has been found to be the cause of morbidity and mortality for many years to the extent that legislation was introduced to control the situation in 1850 with the first Food and Drugs Act. This legislation has been updated periodically throughout the years with the current manifestation being The Food Safety Act 1990 and its subordinate Regulations.

As our culture changes and the population becomes more affluent there is more and more interaction between the general population and the catering sector, thus creating a greater potential to adversely impact on public health. This research looked at one specific area, The Food Safety (General Food Hygiene) Regulations 1995, Regulation 4(3) Hazard Analysis (HA), within the catering industry from an enforcement officer's perspective. It was to determine why so many catering businesses still do not comply with this legal requirement and what can be done to improve the situation.

Background

According to the Food Standards Agency, food still causes a significant amount of illness in the UK population. It estimates five and a half million people per year are affected. Food poisoning is estimated to cost the economy, employees and the NHS at least £350 million per annum.

Hazard Analysis is preventative rather than reactive in that the critical points of food production are

identified and monitored to ensure the required criteria are reached rather than waiting until the product is finished and then analyse it to check it's safe, ie, end product testing. It is not the only system and is a variation of the HACCP system (hazard analysis and critical control point) that has been used in the food manufacturing industry to great effect for some years. So it would appear that, to incorporate a food safety system into catering based on this precept, should not be too problematic.

Food production has changed significantly over the last few years, leaving control of the production behind in some instances. Some reasons for this are:

- We now live in a global market
- Changes in animal feeding
- Changes in animal husbandry
- Modern farming practice
- Lifestyle changes
- Genetic modification
- Organic foods.

But despite all this, food handlers must ensure that the food they supply is safe to eat. This can be achieved through each business developing, implementing and maintaining a food safety system. To rely on the old system of end product testing takes too long; in many instances the food is consumed before results are obtained, thus exposing the population to unacceptable risk, and can be very costly. The theory of the effectiveness of food safety systems at reducing this risk has been borne out by research that found significantly less unsatisfactory or unacceptable microbial samples from those food businesses that have adopted a food safety system.

The advantages of food safety systems are recognised all over the world and became a legal requirement within the European Union in 1993. This was brought into the UK's domestic legislation in The Food Safety (General Food Hygiene) Regulations 1995, Regulation 4(3).

Regulation 4(3) appears simple and reasonably clear and concise, but implementation is not so simple. Statistics released by the Scottish Food Enforcement

Liaison Committee (previously the Scottish Food Co-ordinating Committee (SFCC)) as at March 2001 report that 45% of food businesses in Scotland still showed little or no progress six years after the adoption of HA became a legal requirement.

From personal experience, it was thought the root cause of the failure was that food business proprietors did not understand what Hazard Analysis is for. They did not understand the aim of the system and therefore could not carry it through. Similarly, it was also possible that enforcers did not understand the overarching aim of the system and, as such, could not effectively communicate this to the business proprietors. This is equally important as the proprietors' understanding because food enforcement officers are often the only source of information to smaller food businesses.

Method

A survey of food legislation enforcers, to investigate whether the same barriers, problems and reasons for non-compliance were to be found across Scotland, was conducted.

A questionnaire was devised to determine how Scottish enforcement officers perceive HA and the reasons they have encountered why caterers are failing to implement Regulation 4(3).

A tick box questionnaire was provided to all 32 Scottish local authorities via their head of food safety or a delegate who attended the REHIS/Food Standards Agency 2001 Food Update Course.

A reminder to any authority that had not responded within one month was issued. 20 of the 32 Scottish local authorities returned at least one completed questionnaire.

The respondents to the questionnaire were asked to identify whether they were EHO food specialists, EHO food and other disciplines, food safety officers (FSO) or technical officers (TO). This was necessary because the training and qualifications of an EHO are different from that of an FSO or TO. The analysis would be able to determine whether the same problems are identified irrespective of the training and qualifications of the officer. A comparison of the opinions of the EHO food safety specialists with the EHO food and other disciplines would determine if more time spent with food businesses realised different opinions, problems or solutions.

The results were analysed using the Chi Squared Significance test. This type of analysis would determine if there were differences of opinion between the different types of enforcers. Any

appropriately performed test of statistical significance lets you know the degree of confidence you can have in accepting or rejecting a hypothesis.

The Chi Squared test tells us how confidently we can generalise into a larger (unmeasured) population from a (measured) sample of that population.

This test is a series of mathematical formulae which compare the actual observed frequencies with the frequencies we would expect if there was no relationship at all between the variables. It assesses whether the actual results are different enough to overcome a certain probability that they are due to sampling error.

Results and Discussion

The questionnaire elicited 64 opinions and, of these, only two opinions between the groups varied, thus showing that training and qualifications or more time with food businesses made no difference.

The specific issues addressed were:

1. Barriers food businesses face to address Regulation 4(3) as perceived by enforcers
2. What approaches taken by local authorities to increase compliance were successful and what guides were used
3. Why systems implemented have failed
4. Training of food handlers
5. An opinion whether the current legislative framework is adequate to protect public health and, if not, how it could be improved.

Barriers Identified

The same barriers were identified consistently by all enforcers. The top five in order of significance as identified were:

1. The proprietor does not understand the concept (96%). This is also one of the points of variance, because all of the EHOs food and other disciplines, FSOs, and TOs identified it, but only 87% of EHO food specialists did. The statistical analysis does not assist in determining which opinion is right or wrong but only identifies that there was a difference of opinion. But even taking this into account and using the lower figure of 87%, this is still the most identified barrier.
2. 'Tell me what to do and I'll do it' attitude. This was the second point of divergence from opinion in that 96% of EHO food specialists have met it, 84% of EHO food and other disciplines have met it and only 60% of FSO/TOs reported encountering it.

3. Lack of management commitment (81%). This is despite HA being a legal requirement.
4. The use of jargon (81%). There are different types of systems. HA, HACCP, HACCP principles, Assured Safe Catering, SFCC RA to name but a few and there is confusion about what each term means. Since HACCP was proposed by NASA in the early 1970s it has been accepted, interpreted and implemented in different ways all over the world. The interpretation and implementation can differ significantly from the Codex Alimentarius Commission's seven principles. In short, it appears that HACCP has become a universal term for any food safety system and it looks like it's about to get worse. The EU is currently working on amalgamating several of the hygiene Directives and introducing HACCP for all food businesses. This will probably be yet another interpretation. The WHO is also looking at altering the existing Codex seven principles because it acknowledges that, as these are defined at present, they cannot be applied in small food businesses. A food safety system is more than HA, it includes all the prerequisites and, in my opinion, we should drop all the jargon terms like HA and HACCP principles and refer to food safety systems as these cover all parts not just the hazard analysis.
5. Each proprietor is required to identify the hazards within their own business (76%).

These are all symptoms of the same barrier, the largest and most difficult to overcome: the ignorance of what the system is for. This is not necessarily confined to the caterer but may well be a problem for the enforcer. This is highlighted by, despite 89% of the respondents identifying the terms *adequate*, *suitable* and *safe* as open to misinterpretation, 23% of these also felt they were suitable terms for a HA. A control open to misinterpretation does not control the given situation. Enforcers must understand what the system is for, not only because they enforce the legislation that requires it and therefore have to make the decision whether or not the premises comply, but, in many instances, as I have said, they are the only information available to the smaller food business.

Local Authority Approach

The most identified reason for an increase in compliance by food businesses is an increase in the proprietors' awareness or need to undertake a HA.

80% of enforcement officers noticed an increase in proprietors' awareness since the media publicised the Central Scotland *E.coli* outbreak, where 21 deaths resulted, and, of these, 44% considered this to contribute to the increase in compliance. Overall, 70% of the total respondents identified an increase in compliance with an increase in proprietors' awareness.

The serving of notices, dedicated teams with no enforcement remit, and an increase in enforcement resources were all shown to contribute to an increase in compliance but not as significantly (46%, 43% and 44% respectively).

No standard package emerged as being used across the country to assist caterers to address the issues. In use were the *Catering Guide* (71%), the SFCC *Risk Assessment for Smaller Food Business* (64%), and *Assured Safe Catering* (47%). These were not always used in isolation but in various mixes, and some authorities do not use any but have developed their own packages. The questionnaire did, however, identify a consensus of opinion that none of these provided caterers with the specific guidance they need. It is understood that the Food Standards Agency currently is trying to address this problem.

Reasons for Failure

The problems do not end with the initial implementation of the system. Once a HA is been initiated the most identified reasons for failure were (again these are in order of significance as identified):

- Lack of understanding
- Failure to identify corrective actions
- Staff ignorance of hazards, controls or system
- Failure to monitor identified controls
- Failure to identify all pertinent hazards
- Failure to identify targets and tolerances
- Failure to review after change
- Confusion between controls, targets and tolerances
- Too many controls thus losing the critical ones
- Confusion between safety and quality.

As can be seen from this list, there are many reasons for the failure of a system. It again comes down to not understanding the basic concept of the system, and, although an enforcement officer during an inspection can identify a failing and initiate a correction, if the basic understanding is not there then another failure will appear by the next visit. You cannot inspect food safety into a business. The business has to take the responsibility.

Training

Training is another significant factor in the effective implementation and use of a food safety system. 94% felt that training of food handlers would reduce foodborne illness. But despite the uptake of Elementary Food Hygiene training increasing since the new legislation came into force at the end of 1995 (certificates issued by REHIS 1991 to date) the reported levels of foodborne illness have remained fairly constant over this period. One reason may be that there is a failure to transpose knowledge from training into the workplace as was in fact identified by 60% of the respondents. The training should be reviewed and I would suggest that the training be developed for specific sectors and include some practical element to assist the transference of this knowledge into the individual workplaces and practices. A competency check.

Current Legislative Framework

The current legislation does not require documentation of any part of the HA and 61% felt that this contributed to the failure to address Regulation 4(3), and 79% stated that some documentation would benefit food safety.

All the respondents felt that the current system where a food business can open without training and/or registering (although a legal requirement) with its local authority is a risk to public health. 89% concurred that food safety could be improved by the legislation being changed to ensure that, before a business opens, it has to produce a written HA system and show the staff have *attained* and not merely undergone a set level of training. Only 3% of respondents felt the current system was satisfactory to adequately control food safety. This indicates that, from the enforcement officer's point of view, the minimum legislative requirement is either not sufficient or not perceived to be enforceable enough to protect public safety and these issues must be addressed.

It should be noted that the questionnaire deliberately did not address the issue of resources within the enforcement sector.

Possible Solutions Proposed to Date

Licensing has been championed by the Chartered Institute of Environmental Health (CIEH) and the Consumers' Association for some time, but it may not be as effective as professed. We are in the fortunate position of licensing being a requirement in one food sector so the effectiveness can be examined before expanding the licensing remit.

Verner Wheelock Associates Ltd was asked to evaluate the effectiveness of butchers' licensing in Scotland. The report stated that food safety standards had improved since the Central Scotland *E.coli* outbreak and all these improvements may not be attributed solely to licensing. The critical factor contributing to any improvements has been the substantial input of financial and human resources primarily by the local authorities. The study did not provide any convincing evidence that it would be beneficial to extend licensing to other sectors of food retailing.

The Consumers' Association in September 2000 began a campaign, '*Fit to eat*', which advocated licensing food premises. A later edition of its magazine has altered this stand and it is now calling for prior approval of food business before opening and increased resources to enforcement. It is further suggesting that some of the £20 million being spent by the Food Standards Agency on its food hygiene campaign would be better spent by increasing enforcing resources.

Increase Funding. The 'Pennington' funding began during 1997 and it is understood that the Scottish Executive has taken a policy decision to continue the funding at the original level of £2.6 million for the whole of Scotland. There is no account taken of inflation, so this in fact results in erosion of funding. There are still significant challenges in the area of food safety and, if the Food Standards Agency is to meet its target of reducing food borne illness by 20% by the year 2006, I would advocate that it seriously reviews its spending and allocates some of the £20 million to local authority enforcement. As the Verner Wheelock report states, the increased resources used by the local authorities that were made available by the 'Pennington' monies did improve standards.

Conclusions

HA and other systems based on the same precept have been seen and accepted across the world as the way forward to reduce the large amount of morbidity caused by the ingestion of contaminated food.

It has been a legal requirement in this country since September 1995 when introduced in the Food Safety (General Food Hygiene) Regulations 1995 but, as at the end of March 2001, 45% of food businesses still showed little or no progress.

The major reason identified by the Scottish food safety enforcers is that the whole concept, the 'what's it for, what's it about, what's the benefit to

me', whether 'me' is proprietors, staff, customers, local authorities or the Government has not been understood.

Catering is a difficult field to disseminate information to because few of these businesses are affiliated to a national body. Information transfer must be addressed to ensure it's not just received but understood and used effectively.

HA is not the complete package but part of a food safety system. The benefits to catering must be communicated more effectively than just instruction on the mechanics of conducting a HA.

Of the information packages available to assist caterers with this task, none were felt wholly suitable for catering and the required adaptation by the caterer adds another barrier to implementation. A new guide or manual specifically for catering with training adapted and tailored to this field would likely be of significant benefit.

Financial constraints were not seen as a significant barrier but human resource constraints within the catering industry were. Consultants may be mooted as a solution but 91% of enforcers who responded felt that if the proprietor didn't have the technical knowledge to conduct a HA themselves then they wouldn't be able to understand a consultant's system.

It should also be noted that proprietors would be unlikely to employ a consultant long term to oversee, alter and review the system.

A change in legislation or guidance to enforcement of the legislation may focus attention on the requirement, but documentation may be seen as burdensome and costly. What exactly is required needs to be understood by enforcers and proprietors alike. It is acknowledged that to undertake a HA and implement an effective food safety system does incur costs but, when the entire system is understood and implemented effectively, the initial outlay should be recovered.

Verner Wheelock Associates identified that local authority intervention did drive up standards. Greater resources should be made available to local authorities to enable this proven skill, experience and resource they have available to be used for the benefit of other food sectors.

Finally the ability to understand the whole system is conducive to administering, maintaining and utilising it to the benefit of the business, the government and, most importantly, the public.

This article is based on a paper presented at the 21st Annual Conference on Environmental Health, Nairn, 28th May 2003. Editor.

WHEN FOOD SAFETY MANAGEMENT CONTROLS FAIL

A From the Courts Special Report provided by Dundee City Council

The proprietor of the former Stance and Drum pub in Dock Street in Dundee city centre was fined £1,000 for breaches of food safety regulations when he appeared before Sheriff Newall at Dundee Sheriff Court on 18 December 2003. Geoffrey David Abbott (37), admitted that between 12 February and 5 May 2003 he failed to comply with the Food Safety (General Food Hygiene) Regulations 1995 having been served with an Improvement Notice. He further admitted that on 3 March 2003 he failed to comply with the Regulations in that the floor, ceiling, wall tiles and grouting, back walls of a cabinet under sinks, a fixed metal shelf, wall-mounted double socket point, and waste disposal unit in the kitchen were dirty, greasy and, in some cases, stained with an accumulation of food debris.

He also admitted he failed to store food in a hygienic way. The charge quoted two cans of spoiled fruit and a pot of soup covered by a dirty dish towel in the refrigerator, and an unbaked steak pie covered with a dirty dish towel stored in the fridge freezer.

Mr Abbott's solicitor said that his involvement in the licensed premises was "effectively over" and he was contemplating moving overseas. Sheriff Newall said it posed a serious public health risk punishable by a significant financial penalty. The Sheriff took into account the fact that the premises were no longer operating, that Mr Abbott had not been in trouble before, that he was not a further risk to the public, and that he had suffered "significant financial outgoings" in carrying out belated improvements to the kitchen. The Sheriff went on to say that the offences had arisen from Mr Abbott's "singular failure" to pay attention to the management of food hygiene, despite adequate warnings.

The Sheriff fined Mr Abbott £750 on the first two charges and £250 for the food storage charge, a total fine of £1,000. In reality, this represents a small fine for very poor premises and an enormous amount of food safety enforcement officer work.

Information provided by Andy Petrie, Dundee City Council.

DE-MYSTIFYING HACCP

by Dr David J Cameron, Managing Director, Cameron Food Safety Ltd

Introduction

Since HACCP burst onto the food safety scene in the late 1980s there have evolved almost as many opinions on what is HACCP as there are 'experts' on HACCP. In the beginning, this was not an issue as the whole ethos of introducing HACCP into food production was being driven by technical staff and scientific research establishments, and was only being considered for food manufacturing. After a fashion this was successful. Codex Alimentarius produced the Hygiene Text in 1992 embodying HACCP and subsequently updated this publication in 1997.

The Codex system has been adopted by the World Health Organisation and is based on seven principles, which are universally accepted by most proponents of the 'Art of HACCP'. These seven principles are:

1. Conduct a hazard analysis
2. Determine the critical control points (CCPs)
3. Establish critical limits
4. Establish a system to monitor control of the CCPs
5. Establish the corrective action to be taken when monitoring indicates that a particular CCP is not under control
6. Establish procedures for verification to confirm that the HACCP system is working effectively
7. Establish documentation concerning all procedures and records appropriate to these principles and their application.

However, there is a major problem with the introduction of HACCP into all food businesses. The purists do not think that HACCP is achievable for all food companies. This view is primarily based on their interpretation of HACCP, a position from which they are reluctant to deviate. I would argue quite strongly that HACCP is achievable by all food businesses, but to achieve this we need to move away from the diktats which, to date, have surrounded all attempts to introduce HACCP. One classic example of overkill leading to non-implementation was the Guidance Notes issued by the Scottish Food Co-ordinating Committee to enforcing authorities for the implementation of the Food Safety (General Food Hygiene)(Butchers' Shops) Amendment

(Scotland) Regulations 2000. The information regarding implementation of HACCP was so prescriptive that many retail butchers had no option but to pursue the 'Separation' route available under the Scottish Regulations.

Recently there was a joint position statement issued by REHIS, the Chartered Institute of Environmental Health (CIEH) and the Local Authorities Coordinators of Regulatory Services (LACORS) on the implementation of HACCP for all food businesses, in line with the proposed Regulation of the European Parliament and of the Council on the Hygiene of Foodstuffs. In this statement the three organisations have indicated the approach which would require to be taken to achieve the desirable end result. They have not, as many experts suggest, indicated that the objective will be impossible to achieve.

The Problem!

I became very aware of this problem several years ago. There are two major experiences I had which highlighted the academic approach to HACCP as being rather facile. I was involved with the Central Scotland *E.coli* O157: H7 Outbreak Fatal Accident Inquiry. As part of my role in this I had the opportunity to review the HACCP system of the butcher involved. Within this document there was an identified potential hazard of *Clostridium perfringens* toxin. As a microbiologist I am aware that this organism is a spore forming obligate anaerobe. I am also aware that the toxin can form at the point of sporulation. So to control this potential hazard I could attempt to introduce very obtuse procedures which might just prevent *Clostridium perfringens* toxin production thus eliminating the perceived potential hazard. So what! I now need to start working on the other bacteriological species, which might be present. Can a retail butcher, chef or cook be expected to take this approach? I think not.

My second experience was being invited to Japan in 1999 to deliver seminars to Japanese food manufacturing companies on HACCP and HACCP implementation. Whilst delighted and honoured to be invited, I have to admit to some puzzlement. Japan is a world leader in 'systems'. HACCP is a systematic approach to food safety control, so why were they not ahead of the field in this area? I discovered that the approach to HACCP had been similar to the approach referred to above. The government departments involved with the food

industry and the food research establishments had been quite clear in their philosophy on HACCP. If you were not a large company with extensive technical resources, including laboratory facilities, then HACCP was not for you!

Many businesses are allegedly having difficulty complying with 'HACCP' legislative requirements. I would simply pose the question, "Why are they having difficulties?". As a simple answer I would contend that we are making a potentially very simple and commonsense approach to food safety difficult because the practitioners are desperately clinging on to traditional HACCP, as practised in food manufacturing and dependent on the input of Food Scientists, Chemical Engineers, Food Microbiologists and Environmental Health Officers to operate.

As an academic, I have no problems with the content and interpretation of Codex Alimentarius, Food Hygiene Basic Texts, 1997 in respect of HACCP. I equally have no issue to take with this strict interpretation for manufacturing where there are very specific issues which require to be addressed, eg, the controls of *Salmonella species* and *Campylobacter species* in poultry rearing and manufacture, or the issue of control of *Clostridium botulinum* in the canning of foods. The Food Standards Agency is currently funding research projects such as 'Establishment of critical control points for enteric pathogens in pork production'. This would appear to fall into the same category. I do, however, take offence at the purists' approach which says that all food business operators must implement a HACCP which conforms to this regime – HACCP team, flowchart for every product, detailed hazards (in particular microbiological). I also find it offensive and arrogant to suggest that small businesses cannot operate HACCP, as they do not have the expertise required.

Let us develop this along the lines of the seven principles of HACCP as defined in Codex Alimentarius.

Principle 1

Conduct a hazard analysis

To carry out this we need a flow chart of the operation. A flow chart for each product or recipe is far too onerous and, therefore, let us look at constructing the flow chart with the common factors to the operation and branches for the individual products or dishes emerging from the common core.

Having established that the flow chart is a true reflection of the operation, we now need to carry out the hazard analysis. This would be my second deviation from the very strict interpretation of HACCP. I feel we need to categorise the hazards as simply as possible to enable control to be meaningful. To this end, the hazards should be looked at as microbial growth and survival (this takes account of both growth and toxin production), microbial contamination, chemical contamination and physical contamination. The issue of allergens can also be incorporated in this simple way by being aware of potential problems such as the presence of nut or nut derivatives in foods and dishes.

Therefore, we take each step in turn and decide if there is a case for microbial growth and/or survival as a hazard at that step.

Then we look at the possibility of microbial contamination and where that contamination could come from, as this will point us in the direction of controls. I am suggesting that we do not consider the microbiological species, which, potentially, may be present but rather think generally about microbial contamination.

Having dealt with the microbial contamination, the next issue for attention is chemical contamination. Are there any chemicals likely to be potential contaminants? These usually fall into two categories, viz, cleaning chemicals and process chemicals. Most operations only have to consider cleaning chemicals and, even then, only the correct use and appropriate storage to prevent contamination.

Now we can move to the final category, physical contamination. Here we need to think about the potential physical contaminants and their sources. Thereafter, it is a question of introducing controls to prevent, or minimise the risk of, contamination from these sources. Now we are ready to move onto the next step.

Principle 2

Determine the critical control points (CCPs)

If we were considering microbial growth control then I would argue that we need to control each step where there is the possibility of microbial growth up to the point where a product might be sterilised. Thereafter, the most important issue would be to prevent microbial contamination. If we are not achieving commercial sterility in the product then temperature control is critical all the way through to consumption – in products or dishes where microbial

growth is seen as a potential hazard. Therefore this issue is one where temperature/time controls for minimising microbial growth are all critical control points.

The three contamination hazards need to be dealt with on the basis of simple logic.

Principle 3

Establish critical limits

Some of the controls will lend themselves readily to this approach, others you need to work at a little. If we take a simple example to start: temperature/time control to minimise microbial growth. There may be legislative requirements, which are prescriptive and these make life 'easy' in making the decisions. Examples - some States in the USA require chilled food to be held below 40°F (4.4°C). England and Wales require certain foods to be stored below 8°C. Several European Union countries require certain chilled foods to be held below 7°C. Other countries, such as Scotland, sit on the fence and legislatively require some foods to be refrigerated! I have a minor problem with all of these, the lowest are apparently ideal, but sometimes not achievable and the highest leave possibilities for drifting out of control whilst still inside your critical limits.

My approach here is simple. Firstly, look at your legislative requirements and do not infringe them. Secondly, determine the temperatures which your storage areas are capable of achieving, work to these limits and use this for determining your limits. The control you have and the shelf life of your products is dictated by what you are doing, not what you might have theoretically written into your HACCP!

Other controls, such as personal hygiene, are not at first glance so obvious for the determination and identification of critical limits. However, if we look at this particular control the critical limits should be the personal hygiene 'rules', which are in place. Similarly with cleaning and disinfection, the critical limits are defined within the documented cleaning schedule. Assuming there are no problems related to the ineffectiveness of cleaning and disinfection, then the standards applied must be adequate. The use of microbial monitoring is at best expensive and at least ineffectual for small and medium sized businesses.

Principle 4

Establish a system to monitor control of the CCPs

A very important issue which sometimes, in the most elaborate of HACCP systems, creates problems. A theoretical control is of no value if you do not have a means of monitoring if the control is in place. Therefore, when determining controls for potential hazards, consideration must be given to the method of monitoring. Sometimes indirect monitoring methods are required. As an example, think of control of temperature of food and time out of temperature control during preparation of food. This is important in control of microbial growth during the step, but direct measurement of these two parameters could prove difficult to monitor effectively. Therefore, indirect measurement becomes the best option for control. Determine the highest food temperature that would be acceptable and the time it would take for the food to rise to this level out of temperature control. Thereafter, calculate the maximum amount of food which could be prepared in that time and in this way determine the maximum amount of food to be out of temperature control at any time. In this way you monitor these critical limits by visual observation. An added bonus is that the food is not being probed to determine the temperature with the potential added hazard of contamination of the food by using the probe!

The other, more directly measurable controls can be monitored by recording the parameters with a frequency to give you confidence in the safety of the food.

Principle 5

Establish the corrective action to be taken when monitoring indicates that a particular CCP is not under control

The most important part of this principle is to appreciate that we are not attempting to determine the specific actions to be taken in the event of every conceivable theoretic loss of control which may occur. Instead we should be concentrating on the process by which we can ensure that corrective actions will occur in the event of a non-compliance with the system parameters. The specific corrective action events cannot be pre-determined.

Principle 6

Establish procedures for verification to confirm that the HACCP system is working effectively

There are two elements to this and partly it can incorporate the results of visits from enforcement officers. Firstly, there is the element of whether or not the documented system is being followed. This can be determined by looking at the documented system and comparing it with the records which exist. As an example, the control of the temperature of food in chilled storage may be being monitored by recording the temperature of the chill store three times per day with the critical limits of 0°C to 5°C.

On this basis, review of the temperature records should show three temperatures each day, all the temperatures should be within the critical limits and, if they are outside the critical limits, a note of the corrective action should exist. Assuming all these points are in place then this provides evidence that the system is being followed. The second element is related to the effectiveness of the system. Here, looking at problems which have arisen in the form of repeated corrective actions, customer complaints and enforcement officer criticism can be used to determine the effectiveness of the system. Assuming both these elements are adequately covered, then verification can be assumed to have been achieved.

Principle 7

Establish documentation concerning all procedures and records appropriate to these principles and their application

This principle is an important feature in order to determine the continuing food safety controls in a food business. The results of a spot check by an enforcement officer only gives a moment in time impression of the safety of the business and, on its own, is rather meaningless. The current situation in Scotland, England, and Wales where the hazard analysis requirements of the Food Safety (General Food Hygiene) Regulations 1995 do not specifically require any documentation is a definite 'hostage to fortune'. Neither party wins, it is difficult for the enforcer to prove that the business is not controlling potential hazards, and it is equally difficult for the business to prove that it is controlling potential hazards. There are no winners – in the event of an incident which results in prosecution the business has no defence to offer, as there is no evidence of 'the norm'. Similarly the enforcement officers may miss a 'disaster waiting to happen' because there is

no evidence for them to judge 'the norm' and on every inspection there are no apparent problems. In this situation the enforcement officers will be accused by the press and media of not carrying out their duties correctly in the interests of public health. The Central Scotland *E.coli* O157:H7 outbreak of 1996 when there were 21 deaths could certainly fall into this category.

However, documentation should be straightforward and, where it exists for other purposes, duplication achieves very little. Virtually every company will have some form of delivery records as part of their business requirements. This is used for accountancy purposes and to control stock. The addition of a delivery temperature, if appropriate, integrates this into the HACCP system. I see this as performing two roles. Firstly, there is the minimising of paperwork – how often have you heard the comment 'HACCP, that's just a paper chase'? Secondly, you are now 'integrating' HACCP into the functions of the business (large and small) which every businessperson sees as important to the success of their venture. We are now firmly on the trail of convincing these businesses that HACCP is also an important part of their operation and integral to the success of their company.

Conclusion

HACCP is achievable for all food companies, large and small. The enforcing agencies need to be realistic in their interpretation of HACCP. Do not take the literal approach, be flexible. The European Regulation states clear objectives of the proposal as follows:

- Food business operators have a prime responsibility over food safety
- The HACCP (Hazard Analysis Critical Control Point) system is proposed as a tool to be implemented by food business operators in order to control microbiological, physical and chemical hazards in food and thus to promote food safety
- The establishment of guides to good practice by the food sectors in order to give guidance to food business operators on food safety and the implementation of HACCP
- Flexibility for food businesses in remote areas, for traditional food production and for the implementation of HACCP in small businesses.

As can be seen above, all businesses will need to implement HACCP. If, as is suggested by some reputed experts, this were impossible surely we would be doomed to failure. With the correct approach by food businesses and a professional attitude by the enforcers, the universal implementation of HACCP across all food businesses will materialise, with an increased level of confidence in food safety by the consumer.

If, however, the enforcing agencies do not look at each business' HACCP on its own merits but rather expect a rigid format common to all businesses as perceived by the enforcer we will fail to implement HACCP. As indicated earlier, this was the outcome of the Scottish Food Co-ordinating Committee's guidance for the Food Safety (General Food Hygiene)(Butchers' Shops) Amendment (Scotland)

Regulations 2000. Many butchers' shops had to resort, at the eleventh hour, to the 'Separation' route available under the Regulations as their HACCP systems were not acceptable! Forget pre-requisites, incorporate them into the analysis. In this way food businesses will understand why they are needed and will take account of them during reviews.

HACCP is the way forward, we should have been doing it years ago. I get frustrated when I think about all the effort I misguidedly channelled into controlling quality in food manufacture 30 years ago when I should have been adopting the principles of HACCP. Moreover, HACCP is possible for every food operation, let us stop being professionally 'precious' and come back into the real world.

This article is based on a paper presented at the 21st Annual Conference on Environmental Health, Nairn, 27th May 2003. Editor.

RISK MANAGEMENT: WHY DOES IT ALL GO WRONG? ... SO OFTEN!

by Dr Arnie Arnstein, MB ChB FRCA Dav Med, Consultant Anaesthetist, Western General Hospital, Edinburgh

There is increasing recognition that many hazards associated with healthcare should be preventable. The extra impetus to improve the process may have been driven by media and political expediency but healthcare professionals also accept there are problems. Doctors have always striven to improve outcomes by expanding the knowledge base and developing new therapies. Now the aim is also to improve what we do by reducing error. The major investment in safety made by other high risk complex industries demonstrates that a safety culture can produce dividends.

Healthcare systems may be special in that the aims and processes are dynamic. Patients have unique expectations and patho-physiologies, there are rapid changes in resource and the evidence base. To reduce error in this complex system requires a clear understanding of the processes and the presence of multiple defences.

There are systems in place that aim to reduce the incidence of error and minimise adverse outcome. Nationally there are the National Patient Safety Agency, Medical Devices Agency, Commission for Health Audit and Improvement, etc. At local level; incident reporting schemes, training in guidelines and protocols, induction courses, simulators and the use of information technology particularly in drug therapy have been employed.

The prevalence of human error has not changed significantly over time and is similar for different human endeavours. However, individuals rarely work in isolation and when assessing an adverse event or near miss it is important to consider the multiple temporal and contextual factors present within the system whilst providing support to the individuals directly involved. When designing new systems, the limits of human performance indicate that it is better not to rely on us. There is an increasing understanding that assisting the individual to work within a safe system produces dividends. Maximum benefit will be achieved by analysing every part of the process but the elimination of all risk is not possible and may not be desirable.

Further Reading

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This article is based on a paper presented at the 21st Annual Conference on Environmental Health, Nairn, 28th May 2003. Editor.

ENSURING CONSISTENCY IN LOCAL AUTHORITY REGULATION

by Mark Du Val, Assistant Director, Food and Regulation, LACORS

Summary

This article begins by using food law enforcement as an example of regulation and asks whether the issue of consistency (or, conversely, inconsistency) is an important issue. It describes central Government's key role in ensuring an appropriate framework in which consistency can thrive. The features of local government regulation are considered and some of the challenges discussed. Local government's commitment to ensuring consistency of regulation in certain areas is described with particular reference to the role of LACORS. The article ends with a personal reflection on some of the issues that are likely to make 'ensuring consistency in local authority regulation' an ongoing challenge, at least in this author's lifetime.

Is consistency an issue?

A brief look at local authority food law regulation.

The Audit Commission stated in 1990, 'the ability of local government to implement (food) legislation effectively remains to be demonstrated'. Consistency of food law enforcement was one of the key challenges. The Government of the day set in train a fundamental review of food legislation that led to the Food Safety Act 1990 and introduced statutory Codes of Practice for enforcers to aid consistency. Local government also recognised its responsibility and the remit of the organisation LACOTS (then the Local Authorities Coordinating Body on Trading Standards) had its remit extended to embrace food safety and hygiene matters, making all food law enforcement issues a part of its coordinating and support functions. However, did that make the issue of inconsistency go away?

The profile of food policy remained high during the 1990s and the need for a 'food agency' began to be seriously debated. In early 1997, Tony Blair, then Leader of the Opposition, invited Professor Philip James of the Rowett Research Institute in Aberdeen to make recommendations, in particular regarding the structure and functions of a new Food Standards Agency. Professor James reported in April 1997 and identified three key problems with the, then, current system of food policy and its implementation. One of the problems was the uneven enforcement of food law throughout the UK, particularly with regard

to local authorities. Professor James identified differing local authorities' priorities in service provision and, whilst noting many strengths in the local authorities' system, considered there was a need to raise standards of enforcement and ensure consistency. Public consultation on Professor James' recommendations indicated that there was widespread interest in, and broad support for them.

The Government White Paper *The Food Standards Agency: A Force for Change* followed in January 1998. It reinforced that there were good reasons why local authorities should retain food law enforcement responsibilities but, reflecting on the need for improvement, the White Paper proposed that the Agency should both influence local authorities' enforcement activity and have a proactive role encouraging consistency across the United Kingdom. The White Paper noted that the Agency should build on the work already done by a number of bodies including that of LACOTS.

A fundamental task of enforcement authorities, including local authorities, described in the White Paper was ensuring businesses are complying with their legal obligations. The White Paper recognised that the Government has a key role in providing coherence and support for enforcement so that it can be delivered consistently and proportionately and the benefits are seen by both the public and businesses. So what are the key strands of the Government's role?

The Government's Role

The Government has a key role in defining the overall framework of policy in which regulation is delivered. Whilst the policy framework may change (the early 1990s saw the Deregulation initiative which became in the late 1990s Better Regulation), the important and necessary contribution of regulation and associated enforcement must be promoted and seen as valuable from the centre. Initiatives such as the Enforcement Concordat emphasise the importance of consistency and the Government has a responsibility for ensuring that the wider rules governing proper regulation (for example the Police and Criminal Evidence Act) are developed in a way that allows consistency to be delivered without unnecessary checks and balances.

The Government must ensure that legislation has clear objectives and the expectations of those that have to comply, as well as those who have to enforce, are properly defined. Effective sanctions must be provided to ensure that those reluctant to comply can effectively be made to improve. Guidance needs to be provided for both those that have to comply, and those that have to enforce, to ensure that the objectives are delivered in a consistent and proportionate way. It is essential that the Government provides the necessary resources to ensure proper enforcement. Local government's desire not to see monies for local authority services being ring fenced, should not be used as an excuse for not providing resources from the centre.

The Government also has a responsibility to review both the general framework and specific legislation to ensure that it is indeed delivering the benefits promised to the business community and, particularly, the public. There needs to be a genuine commitment to continuous improvement, not simply from local government enforcement services but more generally from the whole machinery of government.

Within particular regulatory policy areas, of which local authority food law enforcement is but one small area, it is essential that the overall strategic objectives and priorities are ones where there is broad agreement from all key stakeholders. Those objectives and priorities need to be developed and delivered through partnership so that there is ownership from all interested parties, including those with responsibility for enforcement. The contribution and importance of regulation needs to be set within the overall strategic framework. Local authorities are finding, in various service areas, benefits of developing true partnership arrangements in the provision of services and the Government needs to take brave steps towards seeing regulation in similar terms.

The Government's responsibility will also include an important monitoring role and this will in some cases include audit arrangements. However, it is essential that monitoring and audit of enforcement moves beyond simple inputs (numbers of inspections, numbers of samples) and outputs (numbers of notices served, numbers of prosecutions) to encompass outcomes, of which consistency should be an important feature. Whilst moving to a more outcome focussed monitoring regime may be a difficult one to achieve, it is essential.

The Government also has a very important responsibility, particularly where the public's

protection is compromised, to intervene where regulation is failing. Whilst it is essential that 'failure' is appropriately defined and is agreed by all key stakeholders including the regulators, it is also important that the Government intervenes where necessary to show that it is serious. So where does this leave local government regulators?

The Benefits of Local Government

It is sometimes too easy to forget the benefits that local government brings to regulation. Whilst one of the challenges to local government is delivering national expectations within a local framework, this also reflects an important benefit. Local authorities take account of local needs and priorities and this will include both local businesses and the local public. Their respective needs and priorities are in the main **not** mutually exclusive. A particular area of regulation will be delivered within a wider local public protection framework and, indeed, those local public protection services will be delivered within the wider local government strategic context. It is at the local level that we are seeing increasing evidence of effective joining up of services. Local regulatory services are accessible and locally accountable. Local authority regulation also benefits from local intelligence and, in general, can provide a more timely response. However, it must be recognised that these benefits also add certain challenges to achieving consistency.

In defining what is locally relevant, local authorities are encouraged to plan their services having regard to various drivers. The Cabinet Office published in the late 1990s some work on an 'enforcement mix' which reinforces the complexity in achieving consistent services where the local drivers may be quite different. Nevertheless, that is the challenge of a modern locally based regulatory service.

Another challenge is for those local services to be properly informed by the emerging evidence base regarding what, indeed, is the best approach to regulation. Again, it is important to remind oneself that regulation has a particular outcome and that the primary focus on consistency is ensuring consistent levels of public protection where the public is indeed protected.

There are a number of strands to consistency when one considers local government regulation. Often the focus is on consistency at an officer level with individual interpretations of the law and professional judgements on enforcement decisions. Qualifications,

training and experience are important factors, but so are the local circumstances which, when comparing one with another, are rarely the same. Then there is the manager, who is an important part of ensuring consistency including having the necessary procedures and processes in place locally, to reinforce its importance and deal with issues as they arise. Then there is the overall service plan and what level of commitment, priority and resources are provided to providing particular services and ensuring consistency. At another level is the corporate importance and priority of regulation and whether it is considered that local, regional and national consistency is an important feature.

LACORS

It was the need for local government to deliver consistency within the trading standards service in the mid 1970s that led to the creation of LACOTS, then the Local Authorities Coordinating Body on Trading Standards. In the early 1990s, the organisation's remit was expanded to embrace all food law enforcement matters and then, in 2002, the organisation was asked to look at supporting local authorities in England and Wales with regard to the civil registration service for births, marriages and deaths and licensing reform (bringing together liquor licensing and public entertainment licensing). In 2003 the organisation was charged with developing support, again for local authorities in England and Wales, with regard to their health and safety enforcement responsibilities. Such changes led the organisation to change its name to LACORS, the Local Authorities Coordinators of Regulatory Services, to reflect its current expanded remit and also an emerging view that all regulatory services need the type of support that a local government body such as LACORS can provide.

LACORS is a local government central body created by the UK local government associations to help support all UK local authorities. It is accountable to senior local authority elected members nominated by the local government associations that form its Management Committee. The organisation's core support functions are funded by local government monies.

LACORS has a small Secretariat, mainly based in London, with an officer in both Wales and Scotland. Its strength is its large volunteer advisory network consisting of Directors, Heads of Service, Managers and Experts regionally nominated by local authorities.

Advisers seek to work by consensus and consider some of the more difficult issues for local authorities.

LACORS' core strategies to ensure consistency include its information and advice services which have been enhanced over recent years with the development of its website (www.lacors.gov.uk) and e-mail bulletins to Heads of Service and Specialists and, more recently, Elected Members with a particular interest in regulatory services. The organisation provides advice to local authorities and attempts to promote relevant information from other organisations. It seeks to promote examples of good practice in regulatory services. The Home Authority Principle is a key strategy that has been developed and supported by LACORS. The organisation seeks to coordinate certain projects and also draws on the excellent liaison that takes place at a local, regional and country basis.

So why is consistency still an important issue?

The ongoing challenges

Consistency is difficult because joined up government (both big 'G' at central and local levels and small 'g' in the context of organisations) is difficult. Local authorities are very aware of the overlapping and often competing demands set centrally with a myriad of strategies, plans, etc. There will always be a tension between national expectations and local priorities which will, invariably, lead to inconsistencies. An important question is whether or not such inconsistencies are actually for the public good and, whether in certain circumstances, consistency might potentially undermine public protection? The historical context sometimes works against the ongoing aim of consistency.

Specific regulations and the regulatory framework change with, on occasions, fundamental changes. In regulation and the disciplines of regulatory services such as environmental health and trading standards, there will also be difficult, sometimes unanswered, questions in which professionals need to make judgements.

This author is very aware that we are all human and we all have our own opinions. There is a real tension between, on occasions, professional judgement and the rugged individualist. It is essential that we learn and are committed to listening to each other and working out what is best for the public good. It is essential that common sense becomes common!

It is also important to recognise that we are delivering consistency in regulation within a very diverse world

of business. Goal-based legislation and risk-based judgements are now central to regulatory services, but it is important to remind ourselves that sometimes those decisions can be life or death for individuals.

And, of course, one can add within the regulatory framework the role of the courts, lawyers and expert witnesses (and in Scotland the Procurator Fiscal) that add to the complexity in attaining consistency. The challenge to us all is to see consistency as an important feature, to be committed

to achieving it, embracing fully the mechanisms that exist to help us all achieve consistency, listening to each other and, where necessary, challenging each other in a constructive spirit. The key objective of consistent regulation is better public protection. We can and should be consistent in that.

This article is based on a paper presented at the 21st Annual Conference on Environmental Health, Nairn, 28th May 2003. Editor.

RENFREWSHIRE COUNCIL: STAFF TRAINING/CPD INITIATIVE

by Russell McCutcheon, Renfrewshire Council

Renfrewshire Council's Environmental Services Department recently introduced a Staff Training and Development programme, principally but not exclusively, for its Environmental Health staff.

The programme was devised, firstly, to ensure the ongoing development of our Environmental Health Officers and support staff and, secondly, to facilitate compliance with the Royal Environmental Health Institute of Scotland's (REHIS) Continuing Professional Development (CPD) scheme. In addition, invitations are extended to other Departments and partner agencies where topics being presented lend themselves to a wider audience.

Training events take place every fourth Wednesday between 1.00pm and 2.30pm. The format of each event usually consists of two 45 minute sessions with a short interval for a coffee break. Each 45 minute session takes the form of a 35 minute presentation with 10 minutes for discussion and questions. Topics covered consist of a mix of core Environmental Health subjects and other relevant subjects such as Modernising Government, Geographical Information Systems (GIS) and the Health Improvement Agenda.

Like a number of other local authorities, Renfrewshire's Environmental Health function has developed over the years and now has a number of specialist Teams. We have a Business Services Division with two Teams dealing with Food Safety and Occupational Health and Safety, and an Environmental Protection Division with two Teams, one dealing with Public Health, Housing and Pest Control and one dealing with Pollution Control. This set up works well, but officers do get 'pigeon holed'

into their specialism and do not tend to get the opportunity to deal with a number of issues outwith their Team's remit. The introduction of a staff training scheme, with topics such as: the Border Inspection Post, Contaminated Land, Sunbed Licensing, and Dry Rot Remediation allows officers to keep pace with topics and developments within the wider spectrum of the Environmental Health profession.

The training and CPD scheme is co-ordinated by four Team Leaders within the Department. Regular review meetings take place to discuss possible topics and any other issues arising. The first event took place in June 2003, and the programme is in place for events to run until May 2004. This will cover over 20 subjects and it is hoped the scheme will continue to develop over the forthcoming months with the intention that the programme will be extended beyond May 2004.

Suggested CPD credit time is allocated to each session, therefore, all Environmental Health Officers who are members of REHIS are being given a structured programme of events covering a wide range of topics to assist in fulfilling the REHIS CPD requirements.

In order to ensure the scheme develops in the right direction all those attending each event are asked to complete an evaluation form and asked for their comments on the speakers and their topics. Officers are also asked to suggest topics for future events and where possible all suggestions are taken on board. To date the training programme has proved to be a success and has been well received by those attending.

BUILDING AN EFFECTIVE PARTNERSHIP

by Allan Davies, Head of Local Authority Unit, Health & Safety Executive

This year will be a particularly important year in the health and safety calendar when we should see some significant moves towards creating a stronger and more effective partnership between the Health and Safety Commission (HSC)/Health and Safety Executive (HSE) and local authorities. I have, in the last twelve months or so, signalled the need to make some radical changes to the way in which local authorities and HSE discharge their duties in health and safety and especially in the way that the two bodies work together, or not as the case may be.

In January, Derek Allen of LACORS wrote in the Chartered Institute of Environmental Health publication *Environmental Health News* about the HELA conference that took place in London during early December of last year, and the success of the event. He commented that the conference signalled a change in the relationship between HSC/E and local government and was looking forward to LACORS' involvement in developing the 'new relationship' during the course of the year. The Minister for Work, Des Browne MP, gave the keynote address at the conference and clearly demonstrated his enthusiasm and commitment to improving health and safety in Great Britain, and also asserted the critical role of local government in making the Commission's strategy a success. The response from the three local government politicians could not have been more positive; welcoming the new approach and giving their commitment to encouraging local authorities to 'playing their part' in working with the HSE, nationally and regionally, delivering the strategy. Alison Hay from CoSLA was the first to respond to the Minister, setting out the commitment in Scotland to improve health and safety standards and to work more effectively with the HSC and HSE. What a fantastic start to the New Year and 'the new relationship', how can it fail?

I have been working in Environmental Health for longer than I am prepared to admit and I think I can safely say this is the first time that I have been aware of such enthusiasm for joint working between central and local government. Almost certainly there will be opportunities for secondments to HSE and, hopefully, the other way into local government, I think perhaps a first? However I don't want to get carried away with this new-found optimism, my experience over the years has made me recognise that just because

we say we want change doesn't mean it will necessarily happen. I have made a number of comments over the last year about making sure that elected members of local authorities are involved in health and safety at the local level but let's not fool ourselves - this partnership will only work if we in the profession make it work. This means that we cannot be complacent; we must work together, recognise the role of colleagues working in commerce and the contribution of other professionals in delivering the strategy. Business and the trades unions must be embraced as partners in this endeavour and, for my part, I will be making sure that the links currently in place to make these connections are strengthened and I think, critically, we must all be prepared to take some risks here. After all, nothing ventured nothing gained.

Still thinking about opportunities for expanding on partnership working and looking at shared agendas; as Environmental Health professionals we are again being recognised for our ability to contribute to the public health agenda, and health and safety is clearly a fundamental part of this. There is now a clear recognition by the Commission of the need to be more proactive in the occupational health field, Scotland is 'blazing the trail' in this regard. I believe the approach being developed through the Health and Safety Commission's strategy will give opportunities for the profession to make a difference, let's make sure we do!

There will be regular communication on the developments over the coming months but I would welcome any views and comments, including ideas about how we can ensure the success of our efforts, from anyone in the profession. I have certainly never claimed to possess all the ideas, this has to be a mass combined effort.

HEALTH & SAFETY UPDATE COURSE 2004

The very popular Health & Safety Update Course is scheduled for 28-30 September. Arrangements are being made and members will receive information regarding the course during the summer.

'CHARTERED EHO' STATUS

by John Frater, Chief Executive

History

The Royal Environmental Health Institute of Scotland (REHIS®) was incorporated on 16 February 1983. This gave effect to the amalgamation of the Royal Sanitary Association of Scotland and the Scottish Institute of Environmental Health. The former was established in 1875 and the latter in 1891. Both organisations altered their titles over the years; the most significant change being the Incorporated Sanitary Association of Scotland becoming the Royal Sanitary Association of Scotland on 24 December 1924. This honour was given by King George V to mark the organisation's half-century in 1925. It is important to note that the Royal Sanitary Association of Scotland was incorporated under company legislation and that it did not have a Royal Charter.

The amalgamated organisation was fortunate that The Queen was pleased to approve the title of the Royal Environmental Health Institute of Scotland. The Institute was incorporated as a company limited by guarantee under the Companies Act 1981.

First moves towards Chartered Status

The Chartered Institute of Environmental Health (CIEH), then called the Institution of Environmental Health Officers (IEHO), was granted a Royal Charter in 1984. This was intended to consolidate a process of encouraging technical excellence in its members leading to the possibility of Corporate Members being recognised as 'Chartered Environmental Health Officers'. In September 1988, IEHO and REHIS began discussions to explore how the organisations could achieve a closer constitutional relationship. These discussions evolved into negotiations regarding the merger of the two organisations. The negotiations continued until the summer of 1992, when it became clear that agreement on a merger was not going to be reached.

On 29 July 1992 the President of REHIS, John Crawford, wrote to Edna Milne, its Secretary, recommending that the Institute should '...pursue our own Charter'.

The Royal Charter

REHIS commenced the necessary steps to petition for a Royal Charter in late 1992. This complicated and time-consuming process was successfully concluded and the Warrant for a Charter to be prepared was signed by The Queen on 31 January 2001. Letters Patent were passed under Her

Majesty's Seal on 8 March 2001 and REHIS was then Incorporated by Royal Charter.

Acting on the guidance of advisors, the Petition for a Royal Charter did not make any reference to 'Chartered Status' for individual members of the Institute. The advice obtained was that it was more appropriate to petition for a Royal Charter and, if granted, to seek a subsequent amendment to the Bye-Laws made under the Charter.



Dr John Curnow, then President, receives the Institute's Charter in 2001.

During the nine years since the merger discussions were halted, the IEHO (subsequently called the CIEH) had been progressing towards 'Chartered Status' for its members. It was successful and *Chartered Environmental Health Practitioner* status became available to those members meeting the necessary requirements in 2003.

Amendment to the Bye-Laws

At the REHIS Council meeting on 7 September 2002, the Institute's President, Alistair Somerville, obtained approval for a proposal for the Annual General Meeting (AGM), instructing the Council to take the necessary steps to obtain 'Chartered EHO' status, to be prepared.

The AGM on 16 November 2002 passed a Special Resolution giving the Council authority to obtain the Privy Council’s approval for an amendment to the Bye-Laws to allow for ‘Chartered EHO’ status.

Some preparatory work was undertaken and the Council, on 26 May 2003, instructed me to proceed as I thought fit with the amendment to the Bye-Laws. Good progress was made and an Extraordinary General Meeting (EGM) was convened on 15 November 2003 to consider a Special Resolution to add a new Bye-Law stating:

8.3A Any Member entitled, by virtue of Bye-Law 8.3 hereof, to use the designatory letters “EHO MREHIS” or “EHO FREHIS”, and who fulfils such conditions as the Council may from time to time determine, will be entitled to describe himself as a “Chartered Environmental Health Officer” and, as indicative thereof, to use the designatory letters “Ch.EHO MREHIS” or, as the case may be, “Ch.EHO FREHIS”.

The EGM passed the Special Resolution and a Certified Copy of the Special Resolution was signed and sealed in the required manner and sent to the Privy Council.

The Lords of the Privy Council approved the amendment on 31 December 2003. The Clerk of the Privy Council subsequently provided a certificate

giving conclusive evidence that the new Bye-Law had been approved, as required by Article 15 of the Institute’s Charter. This certificate was received by the Institute’s solicitor on 9 January 2004.



The Privy Council’s certificate approving the new Bye-Law 8.3A.



Helen Barron seals the Certificated Copy of the 2003 EGM Special Resolution.

‘Chartered Environmental Health Officer’

The REHIS Council, at its meeting on 4 December 2003, considered a paper from Helen Barron, Past President, outlining how the new Bye-Law, if approved by the Privy Council, could be put into effect.

The Council agreed in principle that the conditions to allow a member entitled to describe herself or himself as a *Chartered Environmental Health Officer* will be documented compliance with the REHIS EHO CPD Scheme and compliance with Regulations regarding professional conduct, supported by a code of disciplinary procedures. The Examinations and Professional Standards Committee was remitted to develop a draft code of conduct and a draft code of disciplinary procedures, and to seek the advice of the Institute’s solicitor regarding how the Charter and Bye-Laws could be used to give effect to Chartered EHO status. At the Committee’s instruction I have met with the Institute’s solicitor and we are discussing the whole matter, including any potential implications for members who do not intend to become Chartered Environmental Health Officers. At the time of writing, a preliminary report had been prepared for the Council meeting on 6 March 2004. Members will be kept advised of developments over the next few months.

THE REHIS PROFESSIONAL EXAMINATION – AN ASSESSMENT OF PROFESSIONAL COMPETENCE

by Tom Bell, Director of Professional Development

The Professional Examination for the Institute's Diploma in Environmental Health (required to practise as an Environmental Health Officer) is an assessment of a Student/Graduate Trainee EHO candidate's professional competence. The examination consists of seven 30 minute interviews and the completion of a food safety case study.

The Professional Examination topics correspond to the seven technical programme areas set out in the Institute's Practical Training Manual for Student/Graduate Trainee EHOs and are as follows:

- Food Safety
- Food Standards
- Occupational Health and Safety
- Public Health
- The Built Environment
- Waste Management
- Pollution Control

The five areas of general competency - administration, policy, enforcement procedure, record keeping and sustainability/sustainable development - are common themes for each of the seven technical programme areas and are included in the examination process.

To ensure that the Professional Examination reflects each candidate's practical training experience the interview questions are typically based on one major scenario for each of the seven areas. Professional Examination diets are currently held over two or three days in March and November.

Two examiners conduct each interview, with an observer in attendance. The observer does not take part in the interview, but is there to ensure that each candidate receives a fair examination.

Examiners are required to attend an annual seminar where scenarios and questions for each programme area will be set for the forthcoming examination diets. These seminars are held to ensure, as far as is reasonably possible, the uniformity, consistency and fairness of the questions each candidate will receive, and for the examiners to agree what candidate responses will be acceptable.

The Practical Training Manual contains all the essential advice and direction that the candidate requires for the satisfactory completion of his or her training, including itemised 'Standards of Competence' guidance on each component part of the seven technical programme areas.

As Director of Professional Development, I am required to meet with each Student/Graduate Trainee EHO twice during their practical training programme to assess progress. The second of these meetings provides the ideal opportunity for me to advise prospective candidates on what they can expect at the interviews, so that they can properly prepare themselves.

Trainee examiners must have seven years' post-qualifying experience and are required to undergo training and peer-reviewed assessment before being invited to become a member of the panel of examiners.

Examiner training involves attending the annual seminar and participating in the scenario-setting examiners' meetings. Trainee examiners are required to observe interviews and will also be given the opportunity to take part in the questioning of candidates. Should the examiners feel that the trainee has achieved the required standard, the trainee will be invited to become one of the Institute's Professional Examination examiners.

The whole assessment process is dependent upon the other stages in a Student/Graduate Trainee EHO's theoretical and practical training being properly delivered and completed. The academic underpinning of the BSc (Hons) Environmental Health degree course at the University of Strathclyde and the proper assessment of the students whilst at University are subject to scrutiny through the Institute's accreditation protocol. The satisfactory completion of the 48 week (absolute minimum) practical training programme requires both the training provider and the Student/Graduate Trainee EHO to be pro-active in complying with the requirements of the Institute's Practical Training Manual. The Institute oversees the practical training component by requiring the Training Provider to set out a Training Plan for the Student/Graduate Trainee EHO. The Student/



After completion of the Practical Training Manual and the REHIS Professional Examination...a group of newly-qualified EHOs with David Cameron, President of the Institute, having received their Diplomas on 4 December 2003.

Graduate Trainee EHO must work with their Training Officer to ensure that all seven technical programme areas plus the five general competencies are comprehensively covered and must complete a Training Record based on their visits and inspections. This record must be supplemented with a portfolio of material which will highlight the particular elements for each technical programme area. The thorough compilation of a pertinent Training Record will produce a 'database' of training material that will allow the Training Provider, the Student/Graduate Trainee EHO and the Institute to assess progress.

Before a Student/Graduate Trainee EHO can be presented for the Professional Examination the Training Provider must satisfy itself that the Student/Graduate Trainee EHO has satisfactorily completed the training programme and must sign a certificate to this effect. Chief EHOs and Training Officers are encouraged only to present candidates who have satisfactorily completed the training programme and are, in each of their opinions, ready to take the Professional Examination. It is better for the Student/Graduate Trainee EHO to wait until the next diet of the examinations than to be presented as an under-prepared candidate. Only three attempts at the Professional Examination are normally permitted.

To pass the Professional Examination, candidates must pass (50% or over) all seven technical programme areas. Candidates failing to pass between one and three technical programme areas will have to resit those areas. Candidates failing four or more technical programme areas will be required to resit all seven areas at a future diet. Resits can be taken at the next appropriate examination diet.

The results of the Professional Examination are posted directly to each candidate with the least possible delay.

To ensure that each candidate has useful feedback on their performance, examiners must fill out a feedback and mark sheet for each candidate in each technical programme area. Identified areas of weakness may then be given further attention in time for any resit.

Successful candidates are presented with the Diploma in Environmental Health at the Institute's Annual Presentation of Diplomas ceremony.

Should any member wish further information or advice on any aspect of the Professional Examinations for the Institute's Diploma in Environmental Health they should contact me at the REHIS office by telephone (0131 225 5444), by e-mail (tb@rehis.com) or by letter. I should be delighted to assist.

Definitions:

'Student Environmental Health Officer' – an individual registered with a local authority, who is following the Scheme of Practical Training and who has enrolled on an accredited BSc (Hons) Environmental Health degree course but who has yet to graduate.

'Graduate Trainee Environmental Health Officer' – an individual registered with a local authority, who is following the Scheme of Practical Training and who has graduated with a BSc (Hons) Environmental Health degree from an accredited course.

'Candidate' – a Student or Graduate Trainee who has applied to sit the Professional Examinations for the Institute's Diploma in Environmental Health.

COMMONWEALTH FELLOWSHIP IN ENVIRONMENTAL HEALTH

by Dr A M Grimason, Head of Environmental Health, University of Strathclyde

Introduction

Mr Paul Chunga, District Environmental Health Officer, Chikwawa District Hospital, Malawi, has been awarded the first Commonwealth Fellowship in Environmental Health. Most of these projects have been undertaken in Chikwawa and Blantyre, Malawi, funded through the Department for International Development (DfID) Higher Education Link on Environmental Health. During this time, the Royal Environmental Health Institute of Scotland (REHIS) and the International Federation of Environmental Health (IFEH) have embraced the objectives of this link and have provided advice on the revitalisation of the Environmental Health Officers' Association of Malawi.

The role of REHIS, IFEH and the Chartered Institute of Environmental Health (CIEH)

The Malawi Ministry of Health in its National Health Plan (1990-2004) set a goal of providing quality services to all Malawians. The services are preventive, curative and rehabilitative. In order to achieve good preventive services, Health Inspectors at the Ministry of Health headquarters initiated the establishment of the Environmental Health Officers' Association of Malawi (EHOAoM). However, in recent years, it has been noted that, "The Environmental Health profession in Malawi is suffering and losing its professional credibility as a result of the Association's inactivity". (Prof. Kafwe Tembo, University of Malawi, personal communication). The reasons for this are many, eg, inadequate human and financial resources, poor secretariat management and the premature death of key executive members. This in turn has led to general disappointment amongst the membership at grass roots level, especially amongst newly qualified graduates who then decide to leave the profession to pursue a different career after only a few years.

Mr Chunga is from the Southern Centre of EHOAoM and has been trying to revitalise the Association with the help of the Ministry of Health, REHIS, IFEH, the Department of Environmental Health, University of Malawi and the University of Strathclyde. Preliminary discussions have taken place between Tom Bell, Director of Professional Development, REHIS and Mr Chunga regarding the revitalisation of the profession in Malawi. For the past three years, the University of Strathclyde and Tom Bell have

been actively encouraging the Association, through the office of the Chief Environmental Health Officer of the Malawi Ministry of Health, to re-activate itself, but little progress has been made.

This Fellowship provided an ideal opportunity for Mr Chunga to consult with the UK national and international bodies responsible for environmental health to explore potential avenues of income generation to make EHOAoM both viable and sustainable. Mr Chunga also learned about the range of Food Safety, Occupational Health and Safety, and Environmental Protection accredited courses offered by REHIS and CIEH which are available to the commercial sector. These courses generate significant income for the UK professional bodies, and it is envisaged that similar courses could be instigated in Malawi and overseen by the EHOAoM. Mr Chunga also discussed with REHIS and CIEH the potential for developing a Continuing Professional Development (CPD) programme for Environmental Health Officers in Malawi similar to those in the UK.

In addition, Mr Chunga spent time at the following UK organisations (in consultation with the following professionals):

- Scottish Centre for Infection and Environmental Health
Professor George Morris
National surveillance of communicable diseases and environmental health hazards
- Scottish Environment Protection Agency
Mr John Beveridge
Environmental protection and improvement
- Environmental Health Department, South Lanarkshire Council
Mr Robert Howe
Environmental health policies through monitoring and control activities
- Water for Kids Charity, UK
Mr Stewart Petrie
To discuss instigation of safe water and sanitation projects in Malawi
- Scottish Parasite Diagnostic Laboratory
Professor Huw Smith
Standard methods for the detection of protozoan and metazoan parasites in water and water-related samples.

The Commonwealth Scholarship Commission In the UK

The Commission was set up under the Commonwealth Scholarship Act 1959, as the body responsible for the United Kingdom's participation in the Commonwealth Scholarship and Fellowship Plan (CSFP), itself established in 1959. The Plan was designed as a system of awards to men and women from all Commonwealth countries chosen for their high intellectual promise and their capacity to return to make a significant contribution to life in their own countries. One of its guiding principles is that it be based upon mutual co-operation and the sharing of educational experience among all countries of the Commonwealth. Funds for awards tenable in the United Kingdom come from two Government sources: the Foreign and Commonwealth Office, which provides an annual budget of around £2 million to support scholars from Canada, Australia and New Zealand; and the Department for International Development which provides an annual budget of some £10 million to support award holders from the remainder of the Commonwealth. As well as General Scholarships, the Commission also administers Academic Staff Scholarships, Commonwealth Academic Fellowships, Split-Site Doctoral Scholarships, Scholarships by Distance Learning, Professional Fellowships and the DfID Shared Scholarship Scheme. More information on all of these schemes, and also on the work of the Commission (including Annual Reports and events information) can be found on the UK page of the recently launched international CSFP website, at <http://www.csfp-online.org/hostcountries/uk>.

Commonwealth Scholarship Commission Professional Fellowships

The Professional Fellowship Programme seeks to enhance the skills of mid-career practitioners in developing countries. Priority is given to visits which have a practical application in the areas of education, engineering, environment, governance, public health and technology.

Key features of the programme

- Applications must be made by organisations based in the United Kingdom which have the capacity to host Fellows. Host organisations can be from the public, private or voluntary sectors.
- Applications should be on behalf of named individuals. Each host organisation can nominate up to six individuals in their application.

- Applications must contain the details of the programme to be followed in the UK.
- Awards cover living costs of Fellows whilst in the UK, return airfares to the UK, an allowance for travel and a contribution towards the costs of the host organisation. Other costs may be met subject to individual approval.
- Fellows can be drawn from any sector, but must not hold a full-time academic appointment as the Commission operates a separate competition for academic Fellowships.

Conclusion

In Malawi, very little opportunity exists for practising Environmental Health Officers to be seconded abroad for professional training and development. Those EHOs that are successful at obtaining scholarships usually work for international Non-Governmental Organisations, or scholarships are restricted to Medical Officers of Health within the Ministry of Health or academics at the University of Malawi. It is highly unusual that a government official at District Environmental Health Officer level is successful and offered such an opportunity, despite the fact that he/she may be the best person to benefit from the raining programme. Here I report the successful nomination of Mr Paul Chunga, District EHO in Chikwawa, Malawi for a Commonwealth Fellowship. This is the first Association of Commonwealth Universities scholarship to be awarded to a practising Environmental Health Officer from a Commonwealth country and hopefully will not be the last.

Acknowledgement

The support of the above organisations, especially REHIS, IFEH, CIEH and South Lanarkshire Council is acknowledged. I would also like to acknowledge the Association of Commonwealth Universities, London and British Council, Lilongwe, Malawi for administering the Fellowship.

Paul Chunga was nominated for the Fellowship by Dr Tony Grimason, the author of this article. Dr Grimason has been working in close collaboration with the University of Malawi over a number of years on various environmental and public health research projects. REHIS has a close relationship with the Environmental Health Officers' Association of Malawi and Tom Bell, our Director of Professional Development, continues to assist the Association develop its role in supporting the Environmental Health profession in Malawi.
Editor.

SAFETY AND CORPORATE CRIMINAL ACCOUNTABILITY

by Calum Melrose, Glasgow City Council

Introduction

A conference on Safety and Corporate Criminal Accountability was held on 23 October 2003 at the Moir Hall, Mitchell Theatre Complex, Glasgow. The conference's aim was to explore the adequacy of Scots Law and the Scottish Criminal Justice System in investigating, prosecuting and sentencing companies and individuals whose conduct results in death or injury. The conference in particular considered the Law of Homicide, the arrangements for the investigation of deaths, and the duties imposed upon directors and whether reforms in this area are necessary. The conference was arranged by the Centre for Corporate Accountability (CCA).

Dr Charles Woolfson of the CCA chaired the meeting and provided the opening remarks. He reminded the audience that only two company directors in Scotland had ever been convicted of health and safety offences since April 1999. One of the directors was admonished and the other received a fine of £1000. His research also revealed that the average fine imposed by Scottish Courts on companies convicted of health and safety offences after January 2002 was £16,900, where a death was involved the average rose to £28,000. No director has ever been convicted of homicide in Scotland.

Fatalities Increase in Scotland

Mr Ian Tasker, Assistant Secretary of Health and Safety, STUC, identified further problems. Health and safety statistics reveal that Scotland is going the opposite direction from the rest of the UK. Fatalities have increased by 11% in Scotland while in the UK there has been a reduction of 15%. Very little has been done since 1997 when the issue of corporate killing was placed in the Labour Party Manifesto with the intention of issuing specific legislation. Although the Government has supported the revitalising health and safety strategy, it has failed to bring forward new legislation in relation to corporate killing.

He also highlighted that the HSE has approximately 50 officers about to retire, who will not be replaced, and that local authorities are not recruiting Health and Safety Officers, which is creating an enforcement problem. However, at present the STUC is having meetings with the Scottish Executive to improve

health and safety, for example, the Occupational Health and Safety Strategy via the Scotland Bill, and is lobbying Westminster for greater health and safety backing.

Although Mr Bob Leitch, Director of the Scottish Chamber of Commerce, was unable to attend, Mr Ian Tasker spoke on his behalf. He stated that the Scottish Chamber of Commerce felt that robust legislation is required to ensure that directors are held accountable for their failings which lead to death or injury.

Criminal Justice System

Mr David Bergman, Director of the Centre for Corporate Accountability, spoke on the key themes of the seminar. His investigations had found that although major injuries reported had increased, preventive inspections had decreased and funding to the HSE was being restricted. He explained how two parts of Scotland's Criminal Justice System are in the spotlight, the Police and the Procurator Fiscal. Whilst, in England and Wales, the Police follow investigation protocols that require them to undertake manslaughter enquires into work related deaths, in Scotland no such protocol exists. He believes the low prosecution levels of directors for health and safety offences is because in Scotland it is for the Procurator Fiscal to decide whether or not to prosecute, and it appears that there is not the same commitment on the part of the Procurator Fiscal to consider the conduct of company directors.

From the viewpoint of the families of injured persons, the situation is unsatisfactory. The Fiscal does not give proper reasons why prosecutions are not taken, unlike in England and Wales where reasons for non-prosecution are given to families. The present law in Scotland is unsatisfactory. Under homicide law, in Scotland, it is unclear how a company can be prosecuted, therefore, reform in relation to corporate killing is required, which has already been undertaken in England and Wales. At present directors have no legal obligations in ensuring health and safety is provided in the company. In relation to sentencing, since the Government does not give enough Parliamentary time, reforms have not been passed. No Government committee has ever been set up to look at the sentencing of companies.

Law of Homicide

Jenifer Ross, a Senior Law Lecturer at the University of Strathclyde, who has written on homicide in Scotland, provided a most instructive presentation. She discussed the Law of Homicide and its application to work related deaths.

Under Scots Law there are three types of Culpable Homicide: Mitigated Murder, Unlawful Act Culpable Homicide and Lawful Act Culpable Homicide. Lawful Act Culpable Homicide is what we are interested in and is where a death is caused whilst carrying out lawful business, even if in an unlawful manner, eg, in breach of health and safety legislation. Culpable Homicide is a Scots Law term and must not be confused with corporate manslaughter which is used by the English Legal System.

For the Law of Homicide to apply, it is necessary to show gross or criminal negligence or recklessness, for example, where there is an obvious risk and a wilful disregard or indifference is shown to safety. A company has never been put on trial for Culpable Homicide.

Although recently TRANSCO has been indicted for Culpable Homicide, there may be insufficient evidence to link the company to that charge. Consequently, legal arguments between the relevant parties must take place to determine whether this is possible. The outcome of this case will have a significant impact on the law of Corporate Culpable Homicide.

The ‘controlling mind’ doctrine of attribution applies to Corporate Culpable Homicide. Before a company can be prosecuted, the ‘controlling mind’ of the company must be identified. In most large companies the same person does not have control over all operations, therefore, it is difficult to identify a specific individual. Consequently, it becomes so difficult to identify such a person that it leaves the company with impunity.

Arguments for Reform

Mr Manus Blessing, who is an Advocate, spoke on the topic of arguments for reform. Due to the difficulties in identifying a specific individual before a company can be prosecuted for Culpable Homicide, it is possible that only smaller companies could be successfully prosecuted. In practice, with large companies, directors do not know exactly what is happening throughout the company. Consequently, the requirement to identify a ‘controlling mind’ cannot be achieved and any prosecution would fail. However, in England and Wales there is support

for change. It is proposed that it should be possible to prosecute a company on its own, which would eliminate the ‘controlling mind’ requirement. This in turn would result in a greater likelihood of successful prosecutions in relation to Culpable Homicide. His personal view was that penalties for any convictions must be severe enough to impact on the directors or shareholders. He suggested that imprisonment of convicted directors would be the most effective penalty, however, equity fines on shareholders would also be effective.

Duties of Directors

Mr David Bergman spoke again, this time on Directors’ Duties. He referred to Section 7 of the Health and Safety at Work etc Act 1974 and how this could potentially be used against directors. In addition, he asked the question as to whether Section 37 imposed duties on directors. He explained that there is no positive obligation to ensure that directors must be aware of health and safety matters in the company. It is only when they are aware of health and safety matters that a duty exists. Consequently, it is difficult to prosecute a director in terms of the above Section.

The proposed Bill would require that companies should take steps to ensure that they take all reasonable steps to ensure that the company is complying with Health and Safety Law and a director must be nominated to ensure that health and safety information is provided to the board. He also believes that such duties should be set out in a Code of Practice produced by the HSC.

The Human Cost

The experience of bereaved families was presented by Mr Gavin Cleland whose son, Robert, died in the Piper Alpha disaster and Catherine Tweedie, whose son died in April 1999 whilst working for James Forsyth Ltd. Both of these presentations revealed how significant health and safety failures had resulted in the death of their sons, without the companies in question being prosecuted. They both felt that the legal system had failed them and that they had not received justice. These were powerful presentations, which provided a reminder of why we must all strive to ensure that everything is done to ensure the safety of employees and that, where companies fail, then they should be held accountable.

Calum Melrose is a member of the REHIS Health and Safety Co-ordinating Group (HASCOC).

FOOD STANDARDS AGENCY SCOTLAND NEWS

by Emma Lane, Communications Officer, Food Standards Agency Scotland

This year is set to be key for the FSA in Scotland as it continues to work to bring to fruition a number of vital food hygiene and audit programmes.

With recent public concern over the report in *Science* magazine about dioxins and PCBs in salmon and the growing trend of childhood obesity, it has arguably never been more important that we continue to communicate vital messages to consumers to ensure they make informed choices about diet and nutrition.

Science Salmon Dioxin/PCB Survey

The FSA has not altered its advice to consumers following this survey which claimed people should eat salmon sparingly due to the amount of dioxins and PCBs in the fish.

Consumers should continue to eat at least two portions of fish a week – one of which should be oily like salmon. The health benefits outweigh any possible risks.

The results found by the *Science* research were entirely in line with FSA figures and, as such, raised no new food safety concerns.

Indeed the levels of dioxins and PCBs in salmon are within internationally recognised food safety limits and, importantly, our Total Diet Survey 2001 showed the levels of dioxins are reducing across the board.

Last year we asked a group of experts to advise on the balance of risks and benefits of eating more than the recommended levels regularly over a lifetime and they will report later this year. We have also commissioned research into dioxins and PCBs in farmed fish, wild fish and shellfish which is likely to be completed later this year.

Restaurants Invited to Reap Benefits

In March, Scottish caterers were offered an invaluable opportunity to tap into the numerous benefits of improved food management standards.

Two conferences, hosted by the Scottish Food Advisory Committee, were scheduled to be held at the Newton Hotel in Nairn on March 9 and the Stirling Management Centre on March 17.

Each one-day event covered a number of key topics including the business benefits of adopting a Hazard Analysis Critical Control Point based food safety management system, such as building customer loyalty, as well as helping caterers identify what training they require.

Both events concluded with a question and answer session chaired by television presenter Cathy MacDonald and speakers included Dr David Cameron, Managing Director, Cameron Food Safety Limited; Billy Hamilton, Chair of the HACCP Working Group; David Close, Chairman of the Northern Ireland Chefs and Cooks Association and Gavin Ellis, Director, Knockomie Hotel, Forres.

Helping Children make Healthier Choices

The FSA Board is currently considering policy options to present to Ministers in a bid to reverse the trend of growing obesity in children.

It's a well known fact that many children's diets contain more fat, sugar and salt than is recommended – so much so that obesity levels are rising fast.

In November 2003, the Food Standards Agency published a discussion paper on possible options for action relating to the promotion of foods to children that could improve their diet and health.

The options include research, building on existing guidance, best practice and new regulation. These measures could cover sponsorship, advertising, labelling, endorsements and in-store activity and loyalty schemes.

In Scotland, an event attracting a wide cross section of stakeholders and the public was held in Edinburgh at the end of February to help gather public opinion about the best way forward to combat this trend.

The feedback from this event, and another held in January in London, will help formulate the Board's advice to Government.

Audit Update

FSA Scotland will shortly, following recent consultation with stakeholders, be issuing its audit programme for 2004-2007.

This involves a wide-ranging core audit of each local authority and focused audits with specific topics over a sample of local authorities.

The new programme will distinguish between major and minor non-conformances and will involve positive measures to identify and disseminate good practice.

FSA Scotland Out of Hours Contact Exercise

FSA Scotland is currently drafting a report following an out of hours contact exercise carried out with local authorities using their listed emergency numbers on November 8 last year.

Encouragingly, 31 of the 32 local authorities were contactable within 40 minutes of the first attempt and most were available within five minutes.

Amended contact details have been received for the one uncontactable local authority.

Consolidation of EU Food Hygiene Regulations

The FSA plans to consult stakeholders on the implementation of consolidated EU food hygiene regulations this spring.

In July 2000 the European Commission published a package of five measures to update and consolidate 17 existing hygiene directives with the aim of maximising public health protection.

Under the new legislation, all food businesses, with the exception of primary producers, will be required to adopt food safety management procedures based on Hazard Analysis Critical Control Point (HACCP) principles.

If the formula for application agreed in Council is adopted, and the dossier successfully completes second reading during the current European Parliament, the new procedures should be adopted by January 1, 2006.

Although the legislative work continues, the FSA and agriculture departments are now preparing for implementation of the package and the consultation is part of this process.

BODY ART FORUM MONDAY 19 JANUARY 2004, GLASGOW

by *Graham Robertson*

This meeting was held specifically to discuss the findings of a skills survey undertaken by the Hairdressing and Beauty Industry Authority (HABIA). Andrew Darby, Deputy Chief Executive of HABIA, chaired the meeting. Present were body piercing practitioners, tattooists and Environmental Health Officers.

HABIA is a standard-setting body which is Government-recognised but not Government-funded. It is currently focusing on the development of National Occupational Standards for qualifications and competence of all practitioners, which is quite timely as the draft proposals for the regulation of Tattooing and Skin and Body Piercing have only recently been made available, and have been submitted in the form of instructions to the Scottish Executive Solicitors for drafting. Within these proposals, businesses trading will require to demonstrate that all operators who administer or undertake such tattooing or piercing have 'sufficient' knowledge, skills and experience. Unfortunately there is no definition of 'sufficient'.

Detailed discussion took place over the issues raised by the response to the skills survey, but it seemed that a move to set such minimum standards was welcomed by the majority of practitioners as well as the Environmental Health profession.

It was therefore suggested that both the Public Health Policy Division of the Scottish Executive Health Department, who produced the proposals for regulation, and HABIA liaise in order that such minimum standards could be incorporated into the draft proposals. The

proposal is to form a UK Steering Group in the near future, to progress the introduction of minimum standards. REHIS will be invited to participate in this group.

Note

Regulation of Tattooing and Skin and Body Piercing: Instructions to Solicitors

In June 2003 Ministers approved plans for the introduction and content of Regulations under section 44 of the Civic Government (Scotland) Act 1982 relating to mandatory local authority licensing of businesses offering tattooing and a range of skin and body piercing services in Scotland. The proposals submitted to the Solicitors set out detailed policy instructions to facilitate the production of draft clauses which may be the subject of a further round of consultation.

Essentially the broad policy intent is to seek to reduce the risk of transmission of infection by introducing, in 2004, consistent Scotland-wide standards relating to the physical environment in which the procedures are conducted, the tools and equipment utilised, and the roles and conduct of the practitioner, the client and the regulator. This should also encompass businesses which provide mobile services, but exclude services provided by a registered medical practitioner in a hospital or independent clinic, which are subject to alternative and established regulatory arrangements.

Graham Robertson is the Council member with responsibility for health and safety matters.

REHIS JOURNALISM PRIZE 2003

This article, written by Martyn McLaughlin, was the winner of the Institute's Journalism Prize for 2003. Each year, journalism students at the Scottish Centre for Journalism Studies are given the opportunity to enter a competition for a prize sponsored by REHIS. Articles entered in the competition must be relevant to Environmental Health. The Institute is grateful to John Stirling, who makes the necessary arrangements for the competition, in conjunction with the Scottish Centre for Journalism Studies. The writer of the winning entry each year is invited to the Annual Presentation to collect the prize.

The cardboard box bulges under the weight of the newspapers. Underneath the *Sun*, I catch sight of a *Daily Mirror*, a *Greenock Telegraph*, perhaps a *Herald*. A tightly folded *Sunday Mail* is wedged down a side of the box, its various supplements and magazines presumably adding to the considerable bulk.

"Do you give your paperboy tips?" I ask Janice Duncan as we walk up the garden path of her Port Glasgow home.

"Oh, of course," she laughs. "Every couple of weeks and a wee bonus at Christmas time. It's not always the same boy, though. They come and go."

Judging by the newsprint in my arms, it's hardly surprising. There's probably an Inverclyde waiting room full of 12-year-olds with hernias. Cruelty to children notwithstanding, Janice considers herself a socially-minded citizen. She has been recycling for ten years, ever since she read in the papers - unsurprisingly - of a new recycling organisation, Recycling Advisory Group Scotland (RAGS), committed to promoting waste management.

"It's something that's very important to me," she says, "The future depends on people nowadays taking responsibility for the world they live in and the world their kids will live in."

Given such sentiments, it seems strange that I've just taken the box of newspapers from the pavement back into her garage. Shouldn't the journey have been the other way around?

"It should be, yes. But this is the third time in a fortnight I've had to take the papers back inside because they haven't been collected," she explains. "And you'll know yourself how heavy they are!"

"I've rang the council twice and both times they just told me to put it out with the normal refuse, but that way it won't get separated. How can people be encouraged to help the environment if no one's coming to recycle their rubbish?"

It is a question for the body responsible for Inverclyde's recycling programme, Greenlight Recycling. Since October of 2001, the company has been employed by Inverclyde Council to operate a

kerbside collection service for three-quarters of the homes in the area. Under the scheme, a specialised vehicle for the service, bought with £41,000 of the Scottish Executive's Strategic Waste Fund, is contracted to uplift refuse every two weeks.

Senga Majilton of Greenlight accepts the rounds have been less and less frequent in recent weeks.

"There have been a few problems in the past month or two and this isn't the first time the issue has been drawn to our attention," said Ms Majilton.

"In some areas we have been suffering from staff shortages and services have been reduced," she added. "But we're looking at a recruitment drive and the frequency of the rounds should be back to normal soon."

It is the same short-staffed company with poor resources that was welcomed by Ross Finnie, Minister for Environment and Rural Development, back in 2001.

"This will not only help develop recycling and composting initiatives," he said, "but create economic opportunities as new products are created from the reuse and recycling of resources that would otherwise simply be buried."

The problems facing Greenlight and residents like Janice Duncan are symptomatic of Inverclyde's recycling plight as a whole. Last year, only 4.8% of waste in the area was processed, putting it at a lowly 21st out of the 32 local authorities in the country for recycling. The Scottish average is 7.4%, and the council appears to have misjudged the effectiveness of the Greenlight programme. In any event, the statistics do not back up Councillor Margaret Morrison's claim that the kerbside collection scheme "places Inverclyde at the forefront of innovative recycling initiatives in Scotland."

Indeed, nationally, the targets for recycling set by the Scottish Executive appear optimistic given the funds set aside. Inverclyde received a mere £81,000 overall from the Strategic Waste Fund, and Drew Hall, the Principal Environmental Health Officer at Inverclyde Council, believes more is needed to really make a difference.

“I’d have thought it’s difficult enough getting the message of recycling out to people,” he says, “but it turns out that’s not the only problem.”

“The Executive plans to have all local authorities recycling and composting 25% of municipal waste by 2006. Realistically, that’s not going to happen under the current provisions.”

In 1991, the UK Government announced a similar target for recycling in Scotland. Then, the date being aimed for was 2000, and the rate again, 25%. Drew Hall’s view that more funding is needed is one shared by Friends of the Earth Scotland. Dan Barlow of the organisation believes doorstep collections are pivotal to improving the nation’s poor record of recycling.

“We need to make it more convenient for people to recycle so that it becomes second nature,” he explains, “just like taking out a normal bin. But in order for that to happen, local authorities need the resources to set up and run regular, efficient programmes, not fragmented pick-up schemes.”

Albeit optimistic in the eyes of some, the Scottish Executive’s projected recycling rate of 25% in three years’ time actually pales in comparison to the current European average, which stands at over 50%, with countries such as Austria processing 64% of their refuse.

Only three months ago, the Audit Commission published a report condemning Scotland’s approach to waste management. “It is not acceptable for councils to recycle low levels of waste,” said Alastair MacNish, chairman of the Commission, “and some councils are nowhere near meeting the target.”

The £230m National Waste Plan introduced by the Executive earlier this year sets down firm guidelines for the implementation of a new approach to recycling. In conjunction with the Scottish Environment Protection Agency, the Executive plans to co-ordinate between local authorities across the country, ensuring the pre-existing target of 25% is met. Theoretically, the plan would appear to readdress the balance.

A week after my visit, Janice Duncan tells me over the telephone she hopes the NWS money is put to good use, and that more kerbside collections are introduced to householders.

“It’s a good scheme, but it needs to be available to more people. I’ve got friends and family only a few streets away who aren’t included in the collection route, which seems a bit daft.”

I ask Janice if Greenlight have been round her street since I visited.

“Yes, they came a couple of days ago,” she reveals. “At least you won’t have to lift that box again!”

THE SCOTTISH FOOD SAFETY OFFICERS’ REGISTRATION BOARD

by John Stirling, Chairman

Whilst the Board has not met since my report was published in Volume 15, No 3 of the Journal, a sub-committee has met.

The sub-committee was charged with reviewing the submissions of four further education establishments invited to demonstrate that their food science and food technology related courses met the Board’s pre-entry/pre-registration academic requirement. A report on the sub-committee’s deliberations will be presented to the Board when it next meets on 5 March 2004.

This year the Board will review the practical training requirements for the three Food Safety Officer qualifications awarded by it.

Statistics pertaining to awards administered by the Board follow:

Higher Certificate in Food Premises Inspection

5 candidates qualified in 2003

5 candidates are expected to present at the next diet
109 certificates have been awarded since the qualification was introduced in 1996.

Ordinary Certificate in Food Premises Inspection

1 candidate qualified in 2003

1 candidate is expected to present at the next diet
4 certificates have been awarded since 1998.

Higher Certificate in Food Standards Inspection

5 candidates qualified in 2003

2 candidates are expected to present at the next diet
36 certificates have been awarded since the qualification was introduced in 1999.

HEALTH & SAFETY CO-ORDINATING GROUP (HASCOG)

by *Graham Robertson*

HASCOG Meeting - 15 January 2004

An important item on the agenda of the most recent meeting of HASCOG on 15 January 2004 centred around a report given by Gareth Broughton of the Health & Safety Executive's Local Authority Unit (LAU) who gave an update on the major review being undertaken both within LAU and HELA. Also highlighted was the content of the proposed HELA Strategy 2010.

HELA Strategy 2010

The proposed HELA Strategy 2010 is now complete and with the Minister (Des Browne) for agreement. It would appear that the Strategy has given a commitment to the creation of a better partnership between local government and the Health and Safety Executive (HSE) and has recognised the essential role played by local authorities in the enforcement of health and safety.

The Strategy is recommending a change in approach with a more equal partnership in the way the partners work. The Health and Safety Commission (HSC) proposes significant changes in how local authorities and the HSE work together. With this in mind, the HSC has asked for the HSE and local authorities to establish a strategic Programme Board, which will be chaired by a representative from local government and from HSE, with a view to developing and delivering, in partnership with practitioners, detailed arrangements for improving on joint working. The role of local politicians was seen as crucial and it is likely that the Programme Board will respond to a steering group of elected members.

Programme Directors

Programme Directors will include Phil Scott, Director of Strategy and Policy, and Derek Allan (LACORS). The Programme Board will also include Bill Myers, Joint HELA Chair, Trish O'Flynn (LGA) and CoSLA. It was emphasised that EHOs are to be involved in the inception.

A Programme Management Team will also be established including Allan Davies, Head of the Local Authority Unit, Alan Plom, Gareth Broughton and Tony Hetherington plus two seconded EHOs.

The role of the existing Enforcement Liaison Officers will also be reviewed, but it is likely that they will

be replaced with ten full time 'HELA Partnership Managers'. It was pointed out that they wouldn't necessarily have to be HSE personnel.

It was also suggested that all legal, technical and policy resources within HSE may be accessed directly by EHO local authority Enforcement Officers. There is a possibility also for IT databases with exchanging data between local authorities and HSE.

Local authorities' roles will undoubtedly change in the future.

Project Groups

It was announced, at the HASCOG meeting, that project groups or partnerships had been established between local authorities, HSE, LAU and HSE's Enforcement Liaison Officers (ELOs). The local authorities had been selected by the current Enforcement Liaison Officer.

This, I feel, was disconcerting as the issue had never been raised with HASCOG prior to the meeting, although it was touched on at the HELA Conference last year.

Six local authorities in Scotland had been pre-selected in order to progress the idea of partnership working. These are Glasgow, Edinburgh, South Ayrshire, North Lanarkshire, Inverclyde, and Perth and Kinross. Sadly, no authority from the North of Scotland Liaison Group area had been selected to participate.

There will be the creation of three multi-groups, which will be chaired by Terry Williams, Ian Bowie and Trevor Johnston of the HSE.

The partnerships are now looking at ways of working together, including local arrangements such as the 'swapping of premises', etc. It would appear that the remaining 26 Scottish authorities will become involved after 2004.

It was recognised by HASCOG that it was essential for continued good communication between local authorities and within HASCOG.

Graham Robertson is the Council member with responsibility for health and safety matters.

MANAGEMENT COMMITTEE

by *Keith McNamara, Committee Chairman*

The first meeting of the new Management Committee took place on 3 February 2004. The main matters considered at this meeting were as follows:

Development Plan

The REHIS Development Plan sets out the priority areas of work for the Institute over a three year period, based on the various external and internal factors affecting Environmental Health in Scotland.

The Development Plan is reviewed each year, to ensure that the action required is still relevant, and to take stock of progress with existing tasks. Examples of successes with the Development Plan include achieving 'Chartered Status' for EHOs.

The revised Development Plan was put forward to the REHIS Council on 6 March for approval. The workload of implementing the Development Plan is shared between the various REHIS Committees, the office staff, and individual members of the Institute. The Management Committee will be monitoring progress with actions over the year.

World Congress Delegate(s)

In order to make the selection process more robust for determining who should attend the biennial IFEH World Congress on Environmental Health from amongst the membership, a set of options for the selection process was presented to the March Council for approval.

Treasurer's Report

Martin Henry reported that the 2003/04 financial year is progressing in line with the approved budget. Martin has commenced work on a draft budget for the financial year 2004/05. Sound financial management is fundamental to the Institute achieving its objects and the committee is grateful to Martin for all his efforts in this regard.

Annual Conference

The early preparations have started for this year's 22nd Annual Conference which is to be held on 18th and 19th November 2004, at the Menzies Belford Hotel, Edinburgh. It has been decided to combine the Conference and Annual General Meeting with the presentation of diplomas into a single event. The theme of the 22nd Annual Conference is Sustainability and Public Health in Scotland.

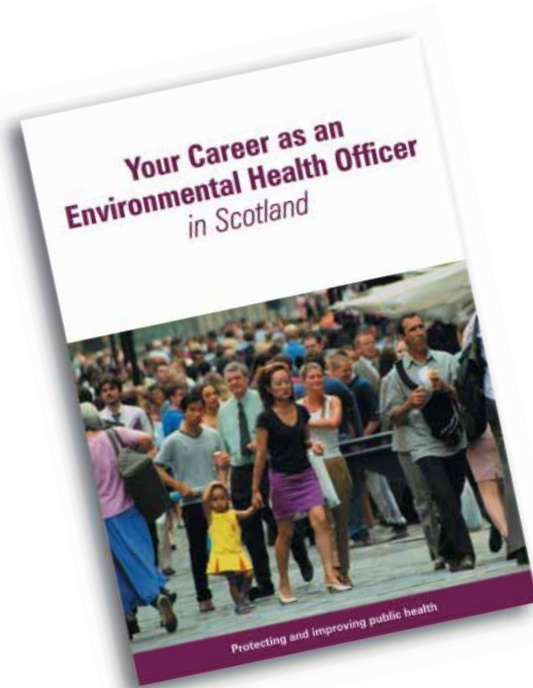
Professional Development Officer

The final arrangements were made for a new post in REHIS - for a Professional Development Officer. This postholder will assist Tom Bell, (our Director of Professional Development). This will allow Tom more time to concentrate on the promotion of Environmental Health in the community within Scotland. This development is in direct response to the recent membership survey, which highlighted members' views that REHIS should be doing more in this important area.

Trade Marks

The Chief Executive confirmed that 'REHIS' and the Institute's simplified shield device have been registered as trademarks after a lengthy legal process. It is intended to make more use of the acronym and device in a range of material, particularly within electronic media.

NEW EHO CAREERS BROCHURE



REHIS has just published a completely revised brochure, written by Tom Bell, providing information about a career as an EHO in Scotland. This attractive full colour A5 size brochure has been circulated very widely to Scotland's secondary schools and the Careers Information Service. A copy is available, on request, from the REHIS office for any member wishing one. Supplies are also available for careers information events and suchlike.

SOUTHERN CENTRE REPORT

by Martin Valenti, Centre Secretary

This is my first report as Southern Centre Secretary since taking over from Paul Bradley, and I am thrilled to be nominated to try to maintain the excellent work done by Paul. The Southern Centre Management Committee has undergone some personnel changes and we are shortly to be embarking on a new and revised programme of events for members.

In the winter 2003 edition of *Environmental Health Scotland* our President, Dr David Cameron, postulated on the changing environment that Environmental Health professionals operate within, and I found myself agreeing out loud with his statement that 'When change occurs it needs to be seen as an opportunity for improvement'. With this in mind I believe we should consider how to widen the appeal of events and the range of topics normally offered.

Our members are part of a wider group of professionals involved in public health and this will be borne in mind when considering topics for future events.

Undergraduate Support

We propose to enlist the views of the Environmental Health and Environmental Protection undergraduates at the University of Strathclyde and to support them in whatever way we can. One way we suggest to help is by arranging a series of short training events/sessions for students aimed at giving them some of the real life practical experiences that their chosen profession can offer, which they may not necessarily be able to learn from academic studies alone.

Potential employers may not always be in a position to provide long term placements, however, we shall be seeking the views from local authorities and other potential employers on the provision of six half-day job shadowing placements for students from the Environmental Health degree course. First and second year students would be exposed to the practical elements of their chosen careers at an early stage and students in the third and final year would be able to gain a valuable insight into their profession and, perhaps, be better prepared for interviews.

The shadowing would involve a student accompanying a qualified officer for a half-day, observing and learning about the basics in the most popular tasks performed by EHOs and EPOs.

Suggested half-day job shadowing training events may include:

- Food Hygiene and Food Safety inspections
- Health and Safety inspections
- Pollution Control complaints and investigations
- Waste Management and Sustainability
- Public Health complaints and investigations
- Contaminated Land complaints and investigations.

Member Support

The Southern Centre also proposes some changes in the way we arrange members' events. The Centre recognises that it can often be difficult for members to devote a full day to attend events due to work commitments, therefore, we shall be arranging a series of half-day events.

Centre training courses and seminars shall range from basic understanding sessions to specialist events to ensure that attendees gain the most from events; for example, certain events shall be regarded as 'update events' and these are primarily aimed at providing information and guidance for those wishing to maintain a general understanding in a particular discipline. Very often EHOs have to specialise in one or two particular areas yet, understandably, wish to maintain their broad knowledge base. It can be quite daunting to have to stand in for a colleague in the noise section if you are not up to speed on the subject.

It perhaps makes good economic sense for a local authority to have multi-skilled officers who can switch from section to section as and when required. There are further benefits to members who are eager to keep up with their CPD.

Conclusion

One of the roles of the Southern Centre is to encourage the active participation of members in promoting the interests of the Institute and the participating professions and, with this in mind, I would like to openly invite members to send in their suggestions and ideas for events which would support this aim.

It's your interests we seek to support.

Contact: Martin Valenti, Southern Centre Secretary, tel: 0141 880 7212, email: martin@fias-ltd.com .

NEW REHIS HACCP COURSES FOR FOOD BUSINESSES

by Stephen Rooke, Director of Training

The Institute has developed two new HACCP courses for food businesses. These courses are designed to support the new HACCP initiative from the Food Standards Agency Scotland, which is expected to be introduced by 2006.

Introduction to HACCP and Hazard Analysis Course

This course is of a minimum of 6 hours' duration, is aimed at all food handlers and will provide a basic understanding of the principles of HACCP systems and hazard analysis systems. The course will provide the necessary information and knowledge, so that food handlers can understand the responsibilities and requirements placed upon them. Course participants wishing to undertake this course must be in possession of a current Elementary Food Hygiene certificate, or an equivalent, recognised by REHIS. The course will be tutor assessed and include a short (500 word) case study, based on the syllabus. The Introduction course will be available later this year.

Intermediate HACCP Practices Course

This course is of a minimum of 17 hours' duration and includes two, one hour, tutorials. It is intended

for supervisors, managers and proprietors of small businesses. The course provides an understanding of the Hazard Analysis and Critical Control Point system (HACCP) adopted by the Codex Alimentarius Commission, and how this system can be used by a food business to control potential food hazards. The course covers the theory and practical application of HACCP. Course participants wishing to undertake his course must be in possession of a current (post 1995) Intermediate Food Hygiene certificate recognised by REHIS. The course is examined and course participants must prepare an agreed assignment of at least 2,000 words and give a group presentation on the assignment. Course participants who successfully complete the assignment can sit the two hour short-answer written paper.

Both courses are designed to improve knowledge and understanding in this particular area, and can be delivered across Scotland by Centres approved by the Institute. As the main awarding body for Food Hygiene Courses in Scotland, the Institute is committed to raising awareness of food safety issues in order to improve the quality and safety of food in Scotland.

ENVIRONMENTAL HEALTH IN SCOTLAND AND THE HEALTH IMPROVEMENT CHALLENGE

The Institute is now well into an extensive project, led by Keith McNamara, Senior Vice-President and financed by the General Reserve Fund, to promote the role of Environmental Health in the developing public health agenda and health improvement challenge in Scotland. All members of REHIS have already received a copy of the booklet **Environmental Health Securing Safe, Healthy Environments**. This publication was also widely circulated to MPs representing Scottish constituencies, MSPs, MEPs, local authorities, health boards and other relevant organisations and individuals. It has received a very positive and encouraging response and the Council is considering arranging an information seminar for interested parties. A few additional copies are still available.

A report, written by Professor George Morris and Mrs Ruth Robertson of SCIEH, was commissioned and is available on the REHIS website (www.rehis.org). All members were notified of this



in February and invited to comment prior to the whole matter being discussed at the March Council meeting, at which the authors provided a detailed and helpful presentation.

This is an important subject for the Institute and one which will see further work during 2004.

MEMBERSHIP, EDUCATION AND TRAINING COMMITTEE

by John Stirling, Committee Chairman

The first meeting of the Membership, Education and Training Committee this year saw me assuming the Chairmanship by virtue of position as Junior Vice-President, and the committee readily agreed to Alistair Thomson as the Vice-Chairman.

The first report considered was from John Frater, Chief Executive, concerning the National Occupational Standards for Public Health Practitioners Key Stakeholders' Meeting of Tuesday 27 January 2004. John has been an excellent participant in this group, representing REHIS members in a most effective manner, and gave a full report on its final meeting.

It is now the Institute's intention to cross-match the standards developed with the Practical Training Manual for the Diploma in Environmental Health, and the committee agreed to request the Hon Treasurer to include this work in the year 2004/05 annual budget.

The National Occupational Standards will be officially 'launched' at the 12th Annual Public Health Forum in Brighton on 21 April. REHIS is a 'collaborative organisation' for this event and Keith McNamara, Senior Vice-President, will attend.

Reports were received from the Northern and Southern Centres, Nicola Paton and Martin Valenti respectively, and displayed once again that the work of the Institute at grassroots levels is progressing most satisfactorily. I take this opportunity of reminding members that they are entitled to attend any of the Institute's business meetings as an observer. It is an excellent way for any aspiring 'Council Member' to learn more about the workings of the Institute.

An agenda item on Professional Courses gave us all a chance to catch up on the success of several of the courses run by the Institute in the intervening time between committee meetings. Prior to publication of this Journal, a further two courses will have been provided, the Law Enforcement Course and Food Update Course. Other courses are being developed for later on in this year and will be reported on at a later date.

The meeting drew to a conclusion with a very good and comprehensive report by Stephen Rooke on Community Training where he detailed the increase

in the number of certificates issued last year. The members also heard how REHIS is actively ensuring that centres and presenters on all grades of course are actively monitored to ensure that the high quality set by REHIS is maintained.

Stephen closed with a resumé of developments regarding the Food and Health Course which is being developed by a consortium of partners who have requested REHIS to act as the awarding body.

LETTER TO THE EDITOR

from Mike Halls

As readers will probably know, REHIS tries to play a leading role in the work of the International Federation of Environmental Health (IFEH), not only in the main forum (the Council) but also in so far as the Europe Regional Group is concerned.

Through contacts made in that Group, I have learned that several members of the German Association, (Bundesverband der Lebensmittel Kontrolleure or BVLK for short), are interested in working for a short period in Scotland.

Members of BVLK are essentially food inspectors and therefore would benefit from seeing how Scottish enforcement officers operate in terms of food safety, etc. It is possible that an exchange visit might work the other way, also, with a REHIS member spending time working in Germany.

REHIS already has a similar arrangement with FMK Denmark and exchange visits have been made between officers in both countries. In regard to Denmark it has been found that, as well as arranging a work placement, it is also of great benefit to all concerned if arrangements can be made for home stays.

If any member of REHIS feels that he or she would like to pursue this matter, please, in the first instance, get in touch with me (see contact details below) and I will take it up with my colleague in Germany.

Postal address: 16 Abbotsford Road, Galashiels, TD1 3DS; phone: 01896 752624; fax: 01896 758089; email: mikeh@eastfield16.freeserve.co.uk .

Yours sincerely

Mike Halls

FROM THE COURTS

Glasgow City Council

Accused: Amjad Ali
 Address of Premises: Flat one up, 24 Glasgow Street, Glasgow
 Legislation: Civic Government (Scotland) Act, 1982, (Licensing of Houses in Multiple Occupation) Order, 2000
 Date of Offence(s): 12 February 2003
 Brief account of case: Continuing to operate a house in multiple occupation (four persons) without a licence.
 Date Determined: 5 August 2003
 Outcome: Pled guilty
 Penalty: Fined £500
 Other Observations: Flat now empty - to be subdivided.

Accused: Kishwar Sarwar
 Address of Premises: Flat two up one, 156 Hyndland Road, Glasgow
 Legislation: Civic Government (Scotland) Act, 1982, (Licensing of Houses in Multiple Occupation) Order, 2000
 Date of Offence(s): 18 November 2002
 Brief account of case: Continuing to operate a house in multiple occupation (four persons) without a licence.
 Date Determined: 13 October 2003
 Outcome: Pled guilty
 Penalty: Fined £400
 Other Observations: Owner has now applied for a licence.

Accused: Omar Ali
 Address of Premises: Flat one up one, 37 St Mungo Avenue, Glasgow
 Legislation: Civic Government (Scotland) Act, 1982, (Licensing of Houses in Multiple Occupation) Order, 2000
 Date of Offence(s): 22 January 2003
 Brief account of case: Continuing to operate a house in multiple occupation (four persons) without a licence.
 Date Determined: 15 October 2003
 Outcome: Pled guilty
 Penalty: Fined £500
 Other Observations: Owner has now applied for a licence.

Accused: Gordon Lawrence Murray
Address of Premises: Flat two up one, 166 Hyndland Road, Glasgow
Legislation: Civic Government (Scotland) Act, 1982, (Licensing of Houses in Multiple Occupation) Order, 2000
Date of Offence(s): 13 November 2002
Brief account of case: Continuing to operate a house in multiple occupation (four persons) without a licence.
Date Determined: 3 November 2003
Outcome: Found guilty
Penalty: Fined £1,000
Other Observations: New owner has applied for a licence.

Accused: Ballater Property Management Company Limited
Joint Accused: Schindler Limited
Joint Accused: Dawn Construction Limited
Address of Premises: Days Inn, 80 Ballater Street, Glasgow
Legislation: Health and Safety at Work etc Act, 1974 and Electricity at Work Regulations, 1989
Date of Offence(s): 26 May 2001
Brief account of case: An employee received an electric shock when she touched live terminals at a lift control panel that were not suitably protected. Insufficient ventilation had been provided for the lift shaft and caused the lift to overheat and break down. To reset the safety trip switch, staff had to access the lift control panel.
Date Determined: 22 October 2003
Outcome: Schlinder Ltd pled guilty to a breach of the Regulations
Penalty: Fined £1,000
Other Observations: Fiscal decided not to proceed against Ballater Property Management Co Ltd and Dawn Construction Ltd.

Scottish Environment Protection Agency (SEPA)

Accused: Scottish Water, Auchengeich Sewage Treatment Works, Moodiesburn
Offence Reported: S. 30(F)(3) CoPA. Causing or knowingly permitted sewage effluent to be discharged into controlled waters.
Outcome: Fined £3,000, 16 September 2003.

Accused: Scottish Sea Farms Limited, Rannoch Burn
Offence Reported: S. 30(F)(1) CoPA. Causing or knowingly permitting trade effluent to enter controlled waters.
Outcome: Fined £1,000, 25 September 2003.

THE ROYAL ENVIRONMENTAL HEALTH INSTITUTE OF SCOTLAND



The Institute was incorporated as a Company Limited by Guarantee on 16th February 1983, to give effect to the amalgamation of The Royal Sanitary Association of Scotland and The Scottish Institute of Environmental Health. The Institute was Incorporated by Royal Charter on 8th March 2001, following which the Company was wound up.

The Royal Environmental Health Institute of Scotland is a Recognised Scottish Charity, Number SC009406.

The objects for which the Institute is established, contained in Article 3 of the Charter, are for the benefit of the community to promote the advancement of Environmental Health by:

- a. stimulating general interest in and disseminating knowledge concerning Environmental Health;
- b. promoting education and training in matters relating to Environmental Health; and
- c. maintaining, by examination or otherwise, high standards of professional practice and conduct on the part of Environmental Health Officers in Scotland.

The Royal Environmental Health Institute of Scotland is an independent and self-financing organisation. It neither seeks or receives grant aid. The Institute's charitable activities are funded significantly by the subscriptions received by its members.

The Institute's affairs are managed by a Council which is elected by members.

The Royal Environmental Health Institute of Scotland is a founding member of the International Federation of Environmental Health.

The Institute frequently uses the acronym: REHIS®.