

The Positive Partnership Role between a Primary Authority With Any Food Related Organisation



HC
one of a kind



Confident Place, Confident People.

What is Primary Authority?

Confident Place, Confident People.

Primary Authority

- Primary Authority allows businesses to be involved in their own regulation. It enables them to form a statutory partnership with one local authority, which then provides robust and reliable advice for other local authorities to take into account when carrying out inspections or addressing non-compliance.
- A statutory scheme established by the Regulatory Enforcement and Sanctions Act 2008
- Recent changes in the legislation now enables associations like NACC to also have a Primary Authority partnership

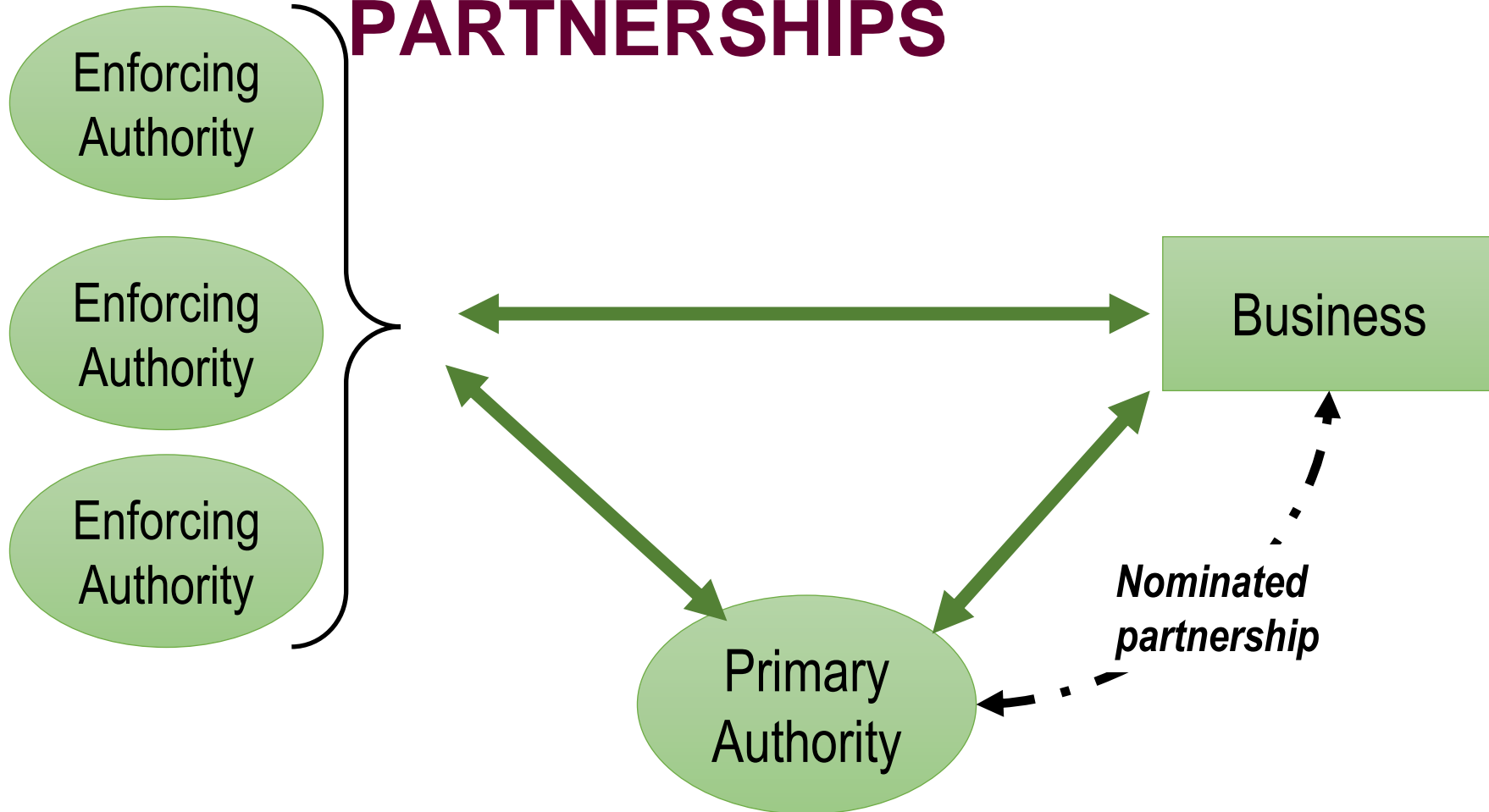
- These agreements can cover environmental health, fire safety, licensing and trading standards legislation, or specific functions such as food safety or petrol storage
- Devolution – limited scope in Scotland and Northern Ireland
- The general aim is to ensure that local regulation is consistent at a national level, but sufficiently flexible to address local circumstances.
- The business can decide what level of support it requires, and the resourcing of partnerships is a matter for the parties concerned. A primary authority can recover its costs.

- The primary authority can guide local checks on the business, for example by publishing an inspection plan
- The primary authority provides advice and guidance which is assured through a statutory mechanism
- Overseen by the Better Regulation Delivery Office (BRDO)
- On 1 October 2014, over 1900 businesses were in partnerships with 140 local authorities.

BUSINESS ELIGIBILITY (1)

- A business regulated by more than one local authority
 - Premises in multiple local authority areas eg. retail chains, hotel, restaurant and pub chains
 - Products marketed or sold in multiple local authority areas eg. manufacturers, producers
- Now described in the statutory guidance as a 'direct partnership'

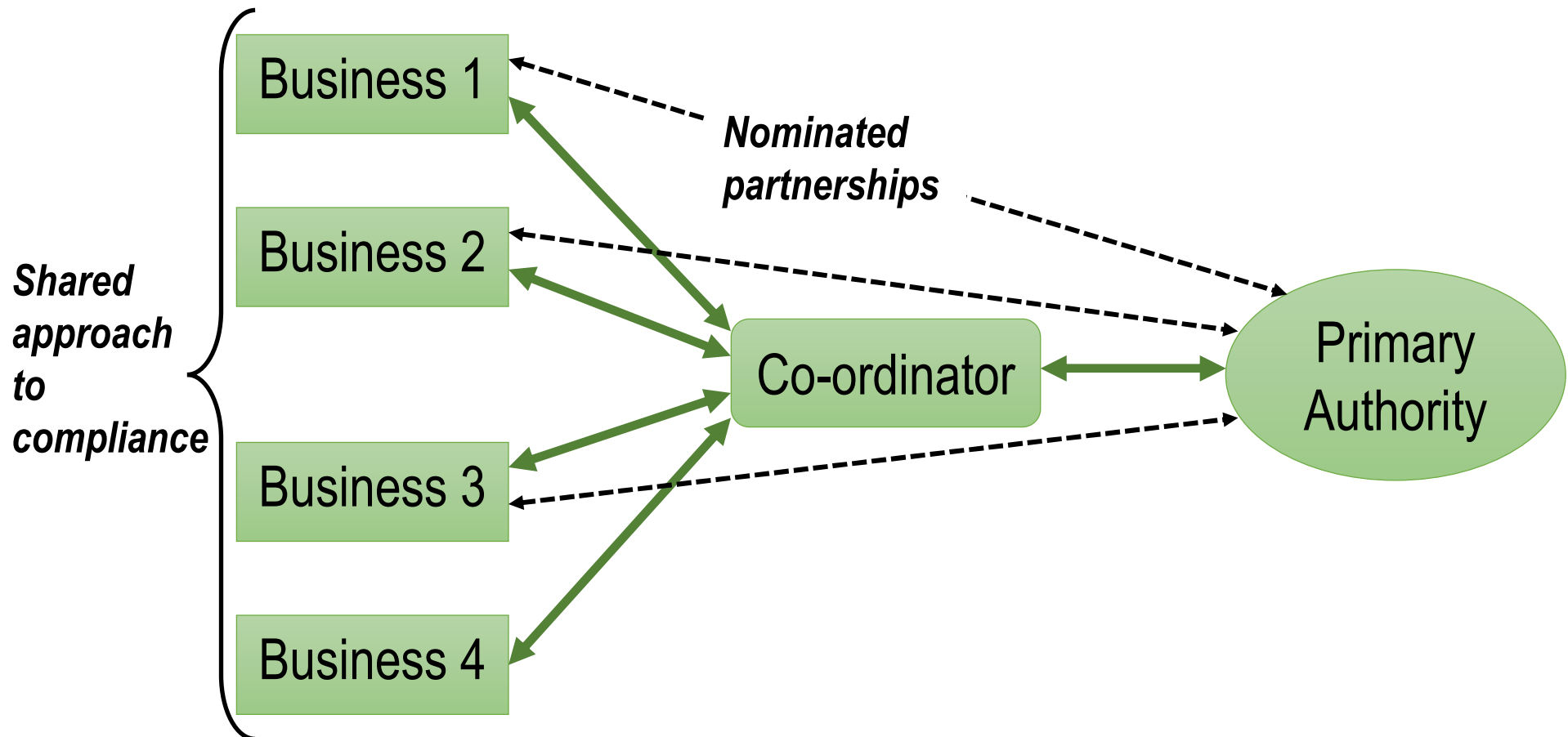
DIRECT PARTNERSHIPS



BUSINESS ELIGIBILITY (2)

- A business that is part of a group of businesses collectively regulated by more than one local authority, where these businesses '*share an approach to compliance*':
 - Members of a trade association that provides regulatory guidance on which the businesses rely;
 - Franchisees following compliance controls specified by the franchisor;
 - A group of related companies following the same compliance controls.
- Described in the statutory guidance as a 'co-ordinated partnership'

CO-ORDINATED PARTNERSHIPS



How can Primary Authority benefit my business?

The key benefits of having a primary authority vary from business to business. However, the benefits that co-ordinated partnerships aim to deliver include:

- **Expertise**
- **Understanding**
- **Reassurance**

Primary Authority Register

- The online, interactive Primary Authority Register is managed by BRDO and is an essential reference source for local authorities.
- It gives easy access to details on every registered partnership and a means to communicate with primary authorities, aiding dialogue about local compliance and feedback from inspections.
- Primary authorities can highlight issues and make key information on business risks and systems readily available to local regulators preparing to visit premises.

Assured advice

- Primary authorities provide robust, bespoke advice that must be respected by all local regulators. This enables businesses to invest with confidence in products, practices and procedures, knowing that the resources they devote to compliance are well spent.
- Advice can address any matter relating to the categories of regulation covered by the partnership, including:
 - legal obligations;
 - interpretation of the law;
 - regulatory procedures and compliance systems; and
 - the effective implementation of such controls.

Inspection plans

- An inspection plan for a business can be produced by its primary authority to improve the effectiveness of visits by local regulators, avoid repeated checks, and enable better sharing of information.
- Local authorities must follow the requirements of a plan, unless the primary authority is notified in advance and has agreed to an alternative course of action.
- Once completed, the inspection plan is published on the Primary Authority Register
- If a plan specifies feedback to the primary authority after an inspection, it has to be provided.

HC *one of a kind*

- The partnership works to design, create, deliver, train and audit the Catering Safely programme. The partnership directs each step from conception to delivery and monitoring, providing assurance that the systems are safe.
- The partnership has developed a number of initiatives including:
 - a compulsory induction food safety training programme for all care employees,
 - A CIEH assured award equivalent to Level 2 Food Safety in Catering tailored to the business and rolled out online to all catering staff;
 - a pioneering food safety policy recognised by other stakeholders; and
 - a robust inspection plan which links any local authority environmental health officer inspection outcomes to internal HC-One reporting.
- Primary Authority advice has now been issued on ‘Catering Safely’ and HC-One’s training policy.
- HC-One now have a greater level of internal confidence about their compliance and ability to manage regulatory compliance and due diligence.

Confident Place, Confident People.

HC *one of a kind*

- The effects of such initiatives have wielded great benefits for HC-One and its residents. Significant time has been saved on 'reactive' management of food safety breaches and there have been a reduced number of requirements and recommendations per inspection. This has reduced facilities costs with projected savings in excess of £1 million (2014).
- With over 82% of the outlets now 5 FHRS



HC *one of a kind*



- Award – BRDO Partnership 2014
- **The judges said:**

“The partnership between Wigan Council and HC-One is effective and responsive. Together they have achieved real outcomes, including through providing assurance for the Catering Safely programme. The qualitative and quantitative benefits were particularly impressive and evidence the impact of a successful partnership.”



Confident Place, Confident People.

References

Primary Authority: Nurturing Partnerships for Growth

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/359600/pa-overview.pdf

Primary Authority Awards 2014

<https://primaryauthorityregister.info/par/images/documents/pa-award-winners-14.pdf>

Publications and other documents

- [Primary Authority Statutory Guidance](#) – provides a framework for the operation of the scheme, adding detail to the legislative provisions (see [List of Legislation](#))
- [List of Primary Authority Categories](#) – includes the regulatory functions within scope of Primary Authority and summarises their geographic applicability
- [Revision of the List of Primary Authority Categories: Summary of Changes](#) - summarises the changes to the list on 1st October and 6th April, 2014
- [Primary Authority Terms & Conditions for partnerships](#) - these are agreed by all partnerships as part of the application process
- [Suggested agenda items](#) – this provides suggestions for areas of discussion between prospective partners.
- [Summary of Partnership Arrangements Template](#) – provides partnerships with a structure for recording the arrangements that they agree for operating their partnership
- [Review of Partnership](#) – this document provides suggestions for areas of discussion when partners review how their partnership is working



**Thank you for your time
and attention.**

Questions and Answers