

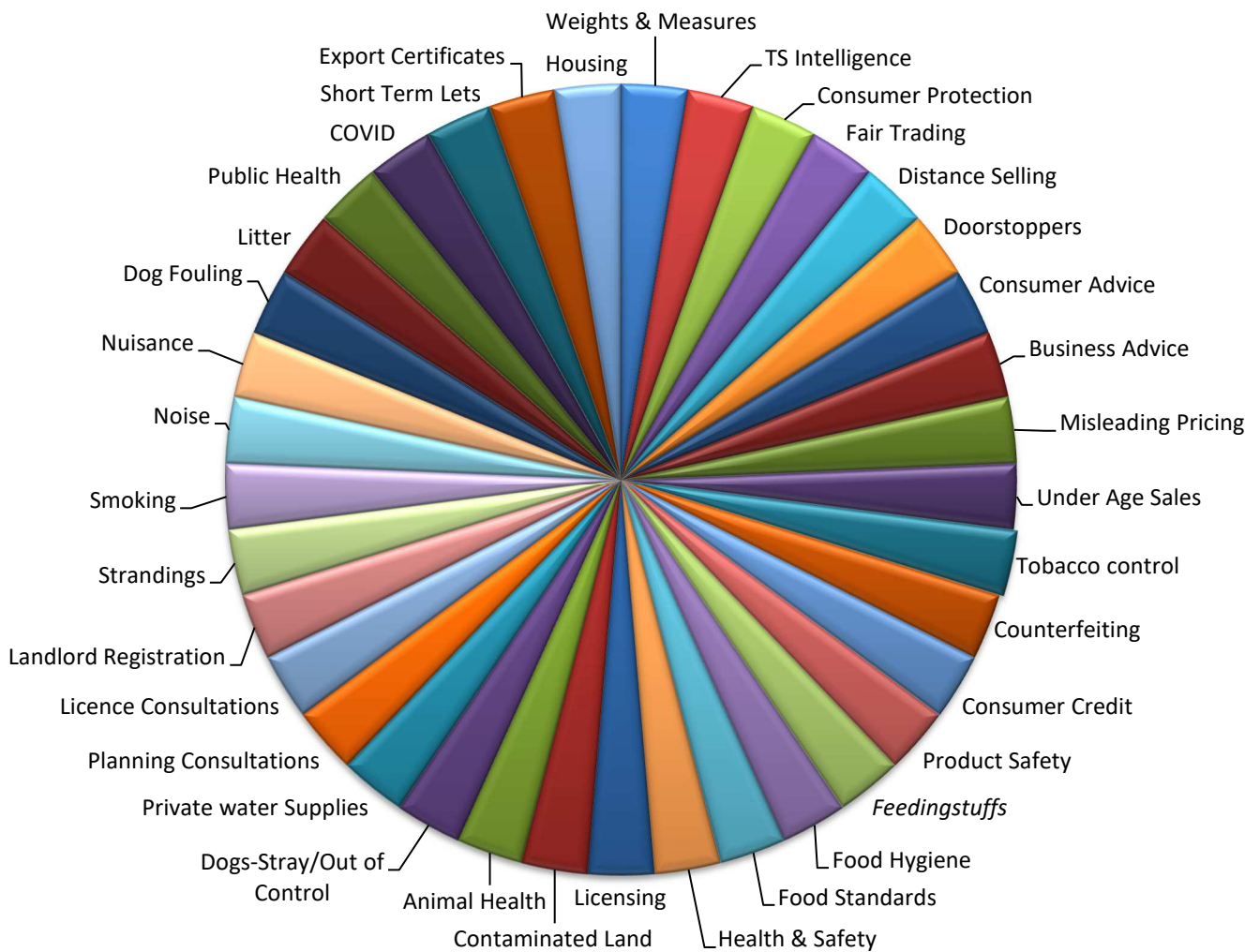


COMHAIRLE NAN EILEAN SIAR

Chief Executive's Department

Consumer and Environmental Services

Service Plan 2024-25



INTRODUCTION

SUMMARY

- 1.1 The Service Plan covers the work undertaken by the Comhairle's Consumer and Environmental Services. It details the framework that will be adopted for the following year and describes the Services':
 - aims and objectives;
 - scope of responsibilities;
 - service delivery;
 - resources; and
 - quality management.
- 1.2 It incorporates the following: the Food Law Enforcement Plan; the Health and Safety Enforcement Plan; the Trading Standards Service Plan; the Animal Health and Welfare Plan; as well as a general environmental health plan. The plan will be reviewed on an annual basis. The Comhairle's mission statement detailed below is taken from the Corporate Strategy for 2022-2027.
- 1.3 The Comhairle had a cyber-attack in November 2022 which resulted in the loss of significant information and systems, impacting on the available data for compiling this annual plan. Where up to date figures for 2024/25 are unavailable the figures for 2023/24 have been used.

CORPORATE STRATEGY 2022-2027

VISION

- 2.1 "To have socially and economically thriving communities with a focus on sustaining our quality of life, natural heritage, and Gaelic language and culture"

MISSION

- 3.1 The mission of the Comhairle is to deliver quality, customer-focused services with an emphasis on community and partnership working to ensure that the Islands maintain their social cohesiveness and have a strong and sustainable natural and economic environment.
- 3.2 The four main priorities of the Comhairle's Corporate Strategy 2022-27 are:
 - Strengthen the local economy
 - Support children, families and young people
 - Support resilient communities and quality of life
 - Be a sustainable and inclusive Council

GENERAL SERVICE INFORMATION

SERVICE AIMS AND OBJECTIVES

- 4.1 The Services' aim is to protect and enhance the health, welfare, environment, safety and trading environment of the people, businesses and visitors to the Outer Hebrides.
- 4.2 The Services' objectives are to:
 - meet all statutory objectives;
 - carry out its duties as a statutory enforcement Authority (including Food, Trading Standards, Animal Health and Health and Safety, Licensing);
 - ensure the Outer Hebrides remains a fair-trading environment for both business and consumer;
 - improve levels of legislative compliance in the Outer Hebrides; and
 - increase businesses knowledge of regulatory requirements.


LINKS TO STRATEGIC PRIORITIES, CORPORATE OBJECTIVES AND PLANS

- 5.1 This plan is the 'lowest rung' in the set of plans the Comhairle has created to ensure its Strategic Priorities corporate objectives and Single Outcome Agreement are fulfilled. As such it provides practical implementation information for the Services. The plan integrates into the objectives of the Consumer and Environmental Services Section of the Chief Executive's Department Service Plan.

PROFILE

8.1 Comhairle Nan Eilean Siar is the local authority for the Outer Hebrides

Area: 290,000 Hectares
Coast Line: 2,700 km
Area also covers Rona to Rockall (300 km west of St Kilda)
OSMA Licence No 10002965



Population Estimates & Projections

Year	Population
2001	26,502
2011	27,684
2028	25,181
2043	22,709

General Statistics

Registered crofts (20/21)	6,374
Livestock (June 2021)	157,239
Food businesses (2022)	600
Fishing Vessels (2024)	210
Fish Landings (2022)	86 tonnes
Shellfish Landings (2022)	2,837 tonnes
Fish Farm-Salmon (2021)	31,114 tonnes

OVERVIEW OF SERVICE

9.1 The Services administer the Comhairle's statutory authority in respect of a wide range of legislation, including that relating to the following functions:

- Food safety
- Public Health
- Health and Safety
- Animal Feedingstuffs
- Public Nuisances
- Dog Control
- Private Water Supplies
- Health improvement
- Trading Standards
- Contaminated land
- Licensing/Registration
- Animal Health
- Air Quality
- Consumer Advice

ORGANISATIONAL STRUCTURE

10.1 The following charts outline the Organisational structures

CHART 1: Committee Structure of Comhairle Nan Eilean Siar

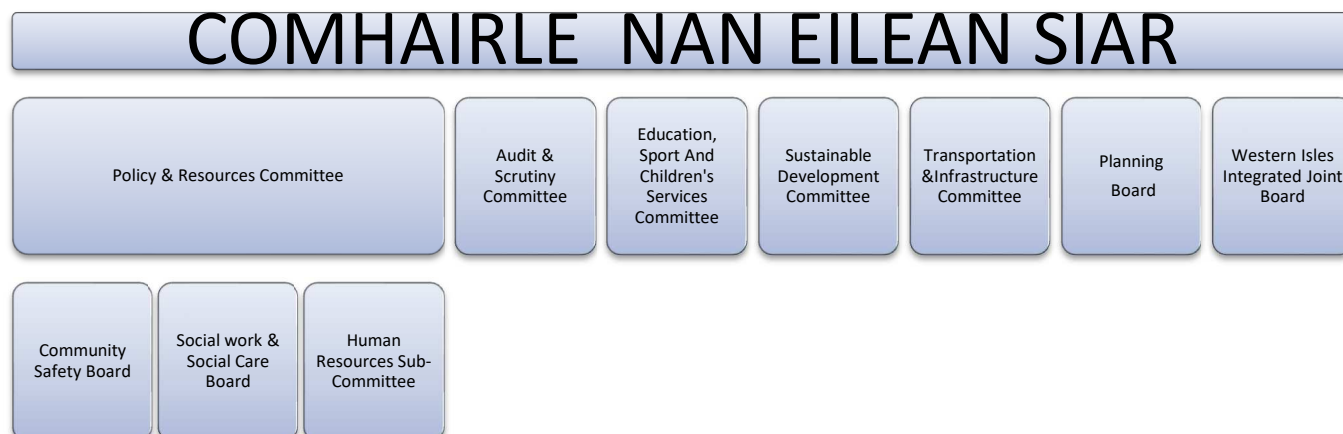


CHART 2: COMHAIRLE STRUCTURE

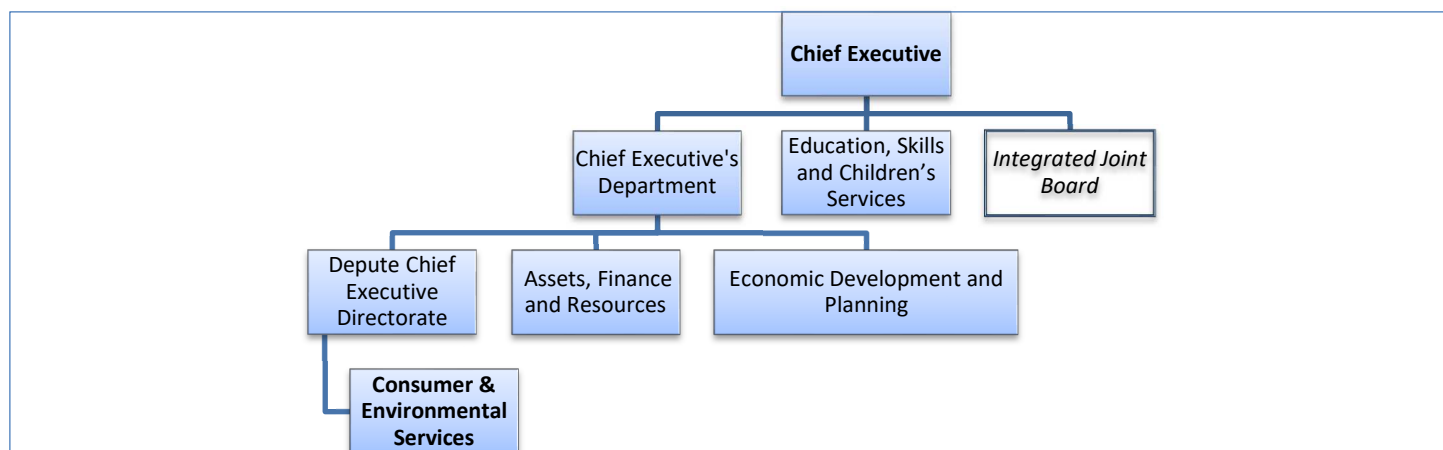
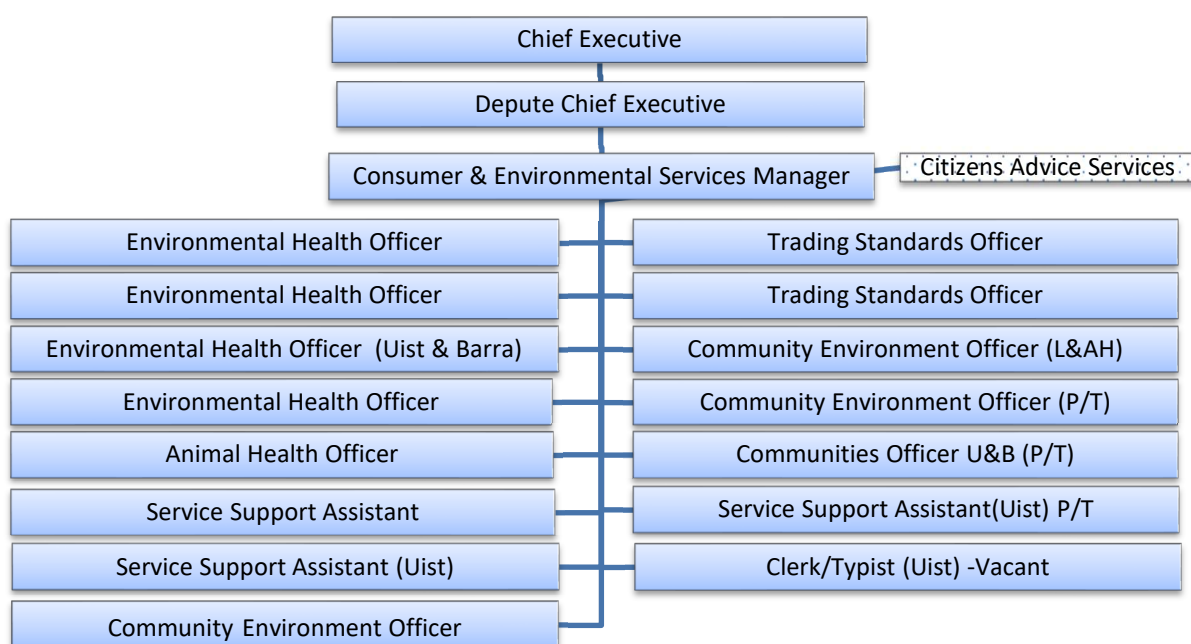


CHART 3 STRUCTURE - CONSUMER & ENVIRONMENTAL SERVICES



- 10.2 The Services operate from Comhairle offices in Stornoway (serving Lewis and Harris) and Balivanich (serving Uist and Barra), which are normally open between 9am and 5pm; however, some staff still work between the home and the office.
- 10.3 The workload of the Services is split between routine/pro-active and reactive work. Routine workloads include inspections, sampling, and testing. Reactive works include dealing with complaints, infectious disease notifications, new licences/registrations, and accident investigation. The reactive work can have an effect on the performance of the routine work.
- 10.4 The Services are responsible for ensuring that businesses in the Outer Hebrides operate in a fair-trading environment and that products sold and exported from the islands are safe and comply with legal standards. The Services are also involved in ensuring public safety.
- 10.5 The majority of the work carried out by the Services is statutory. Non statutory work, like providing advice is normally interlinked with the statutory duties, in that decreasing advisory work may increase statutory activity (e.g., if businesses advice is not provided then it increases the risk of business/product non-compliance when inspected or sampled).
- 10.6 The Comhairle has to make several statutory appointments in relation to people outwith the Authority. These include the Public Analyst and the Agricultural Analyst who are currently appointed from Glasgow Scientific Services.
- 10.7 The Services include an administration team in the Uist office that provide support for the Planning Service and Building Standards, alongside Consumer and Environmental Services. The majority of the workload of this team is for these services and is not detailed in the plan.

STAFFING

- 12.1 The Services currently have 16 posts (11 full time, 3 part-time and 1 vacant.). The full time equivalent (FTE) posts (including vacant posts) and directorate support in place at the start of each year is shown below (based on a 37 hour week). The FTE is nominally broken up into the main functions of the Services as below:

	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
Food Safety	2.93	2.88	2.86	2.86	2.82	2.82
Health & Safety	0.37	0.35	0.35	0.35	0.36	0.36
Trading Standards	2.19	2.15	2.21	2.23	2.24	2.24
Animal Health	1.02	1.02	1.01	1.29	1.28	1.28
Environmental Health	3.33	3.38	3.23	3.49	3.28	3.28
Licensing	1.11	1.27	1.37	1.82	2.50	2.50
Uist Office-Non EH etc	2.42	2.39	2.42	2.42	2.42	2.42
Total FTE	13.36	13.44	13.44	14.44	14.89	14.89

- 12.2 As there is a relatively small number of staff in relation to the number of duties carried out, officers have to be multi-functional and have knowledge in a number of different fields. Some of these functions can only be carried out by officers with specific qualifications.
- 12.3 There are two posts vacant at the beginning of the year but appointments have been made and they should be filled by May 2024.

ENFORCEMENT POLICY

- 13.1 The Service's [enforcement policy](#) was updated in February 2019 and covers all functions of the services.

HOME AUTHORITY PRINCIPLE

- 14.1 The Comhairle supports the Home Authority Principle and will assist any other local authority in the UK regarding enquires about locally manufactured products.

ADVICE TO BUSINESS

- 15.1 The Comhairle shall work with businesses to help them comply with the law and provide a comprehensive advice service alongside its enforcement role. As well as offering on the spot advice during routine visits and inspections as well as responding to queries, the Comhairle also will assist external trainers to organise training courses for businesses.

STAFF DEVELOPMENT PLAN

- 16.1 The Comhairle supports ongoing staff training, and the Services ensures that staff are trained in accordance with the training plan, ensuring that staff remain professionally competent and meet the requirements of any continual professional development schemes. Staff development is incorporated within the Comhairle's staff appraisal scheme, with staff being appraised annually.

CITIZENS AND MONEY ADVICE SERVICES

- 17.1 The Services manage the Comhairle funding for providing citizens and money advice throughout the Outer Hebrides through [Western Isles Citizens Advice Service](#) (WICAS).

STAKEHOLDERS

- 18.1 The services stakeholders include:

Service Users General Public Commercial Businesses Consumers Landlords Tenants	External Agencies Police Scotland Scottish Fire and Rescue Service NHS Western Isles HHP HSE SEPA Scottish Water Food Standards Scotland Scottish Government APHA SSPCA Trading Standards Scotland REHIS	Internal Social work Education Licensing Assets Planning Building Standards Business Gateway
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FOOD SERVICE

SCOPE OF FOOD SERVICE

- 19.1 The Comhairle is the statutory food authority for the Outer Hebrides with the Chief Executive's Department having responsibility for enforcing all relevant food legislation, including food hygiene and food standards.

DEMANDS ON THE FOOD SERVICE

- 20.1 There are around 4500 "premises" in the Outer Hebrides, which are covered by food safety legislation. Further details are provided in the next section, but this includes around 3000 primary producers (crofts etc.) and over 200 fishing vessels. Of the 878 "registered" food businesses, 38 are approved premises in line with assimilated EU Legislation Regulation EC 853/2004.
- 20.2 The service recognises its responsibilities for general surveillance work on imported foods at retail and catering level. This is in line with the Food Standards Scotland Step Change Initiative which aims to improve the co-ordination and delivery of local authority inspection of foods and products of animal origin at seaports and airports.
- 20.3 The Service, as Port Health Authority, has responsibility for the hygiene inspection of shipping and aircraft, including international cruise vessels, merchant shipping, and ferry services that visit or operate in the Outer Hebrides.
- 20.4 There are 26 sites classified annually for shellfish harvesting in the Outer Hebrides. Food Standards Scotland contract out the sampling of these sites with the service managing the outcome of these results, including the issue of Temporary Closure Notices for shellfish toxins.
- 20.5 Although not currently a statutory function the service is responsible for issuing food export health certificates on behalf of the Comhairle. This work stream has changed following the EU exit, with complex certification processes and certification required at weekends.
- 20.6 The Food Information (Scotland) Amendment Regulations 2021 (Natasha's Law) has been in force since 1 October 2021. This requires food businesses selling food packed for direct sale to be fully labelled. The service continues to monitor implementation as part of food Interventions.

CYBER-ATTACK

- 21.1 The cyber-attack has had a significant impact on the service with the loss of the Management Information System (MIS) and document management system used to administer the food programme. The majority of historic intervention records for all the food businesses have been lost. The main list of premises and inspection records were synced with Food Standard Scotland's (FSS) Scottish National Database (SND) so staff have access to the historical and planned inspections allowing programmed inspections to continue.
- 21.2 There is currently no MIS in operation and the service is currently using excel spreadsheets to monitor progress but hope to have a more permanent solution for 2024/25. Given these issues the majority of figures in this section are from 2023/24.

SERVICE DELIVERY

APPROVED PREMISES

- 22.1 There are 38 food businesses approved in line with [Regulation \(EC\) No 853/2004](#).

Product	Type	Approved	Dairy	Eggs	Fishery Products	Live Bivalves	Meat
*Premises may have multiple approvals			1	11	18	9	2

- 22.2 There are recognised improvements that can be made in the inspection and enforcement of food safety in approved premises. The Scottish Food Enforcement Liaison Committee (SFELC) have created a new inspection regime, called [Official Control Verification \(OCV\)](#) which the service had aimed to start rolling out in 2022/23 but has been delayed due to staff capacity. It was planned to start to roll out in 2023/24 and although this has started its current progress has been impacted by staff leaving and the cyber-attack. The roll out will continue in 2024/25. It will create a significant increase in the workload for the service; however, it's aim, in the long term, is to improve standards and safeguard food exports.

PRIMARY PRODUCTION

- 23.1 Primary production inspections are currently funded through Food Standards Scotland (FSS). The Comhairle will likely participate in primary production inspections in 2024/25.

FOOD INTERVENTIONS

- 25.1 Food interventions (other than for approved premises) are undertaken in line with the [Interventions Code of Practice](#) which supersedes the parts of the [Food Law Code of Practice](#) for all premises other than approved premises. Premises are inspected and risk assessed using what is called the Food Law Rating System (FLRS) which determines the frequency of interventions.
- 25.2 The following information shows the type and risk rating of premises at January 2023. Approved premises remain under the previous rating system.

Premises Type	Hygiene							Standards				
Frequency (months) Category	6 A	12 B	18 C	24 D	36 E*	None	Totals	12 A	24 B	60 C*	None	Totals
Manufacturers and Packers		12	10	10	5		37	8	28	4		40
Primary Producers				1			1		1			1
Grand Total	0	12	10	11	5	0	38	8	29	4	0	41

Premises Group	Group 1					Group 2					Group 3					unrated	Total
Frequency (Months)	18	12	6	3	1	24	18	12	3	1	60*	36	24	3	1		
Category	A	B	C	D	E	A	B	C	D	E	A	B	C	D	E		
Caring premises	3	5	0	0	0	2	4	0	0	0	21	12	0	0	0	1	48
Distributors/Transporters	0	0	0	0	0	1	0	0	0	0	1	2	1	1	0	0	6
Hotel/Guest House	0	0	1	0	0	2	21	9	2	0	62	26	2	0	0	2	127
Manufacturers & Packers	1	4	2	0	0	13	36	1	3	0	25	53	3	0	0	2	143
Mobile food unit	0	0	0	0	0	4	10	2	1	0	0	1	0	0	0	0	18
Pub/Club	0	0	0	0	0	0	3	0	0	0	2	4	2	0	0	0	11
Restaurant/Cafe/Canteen	0	1	1	0	0	14	42	14	1	0	6	10	0	0	0	1	90
Restaurants & caterers-other	0	0	1	0	0	1	8	2	0	0	7	6	0	0	0	0	25
Retailer - other	0	0	0	0	0	0	4	0	0	0	14	4	0	0	0	1	23
School/College	0	0	0	0	0	15	7	1	0	0	0	1	0	0	0	0	24
Small Retailer	0	0	0	0	0	1	18	4	1	0	22	19	1	0	0	3	69
Supermarket/Hypermarket	0	0	0	0	0	2	5	0	0	0	0	0	0	0	0	0	7
Take-away	0	0	0	0	0	1	11	5	3	1	1	1	0	0	0	0	23
Primary Producers	0	0	0	0	0	0	1	0	0	0	0	3	1	0	0	0	5
Fishing Vessels	0	0	0	0	0	0	0	0	0	0	1	212	0	0	0	0	213
Grand Total	4	10	5	0	0	56	170	38	11	1	162	354	10	1	0	10	832

In terms of inspection frequencies, the above categories can be confusing therefore to simplify the inspection frequencies are summarised below:

Frequency (months)	One	Three	Six	12	18	24	36	60	Not Rated	Totals
Premises	1	12	5	60	184	77	354	167	10	873
Interventions/Year	12	48	10	60	123	40	118	34	10	454

- 25.3 Lower risk premises (inspection frequency of 60 months) are still subject to an alternative enforcement strategy. This consists of the business being contacted and checking to see if anything has changed which may alter the risk category.

FOOD COMPLAINTS

- 26.1 Food complaints are investigated in line with the Approved Code of Practice and departmental food procedures.

FOOD FRAUD AND FOOD CRIME

- 27.1 During routine inspections and sampling, officers are looking for evidence of any attempts to mislead consumers or provide food which is dangerous. Food Standards Scotland have established a food crime investigation unit to work more closely with local authorities in improving intelligence, detection and enforcement in regard to food fraud and criminal activity. The service receives and provides intelligence reports on potential food crime through a secure data sharing system.

FOOD INSPECTION AND SAMPLING

- 28.1 Food inspection and sampling shall be carried out in accordance with the Comhairle's sampling policies.
- 28.2 Very few samples are submitted as a result of food complaints and again resources are provided from within the Service.

- 28.3 The Comhairle currently has a Service Level Agreement appointing Glasgow City Council's Public Analyst Service (Glasgow Scientific Services) as the Food Examiner for microbiological and chemical analysis.
- 28.4 Sampling may also be done as part of national sampling programmes.

CONTROL AND INVESTIGATION OF OUTBREAKS AND FOOD RELATED INFECTIOUS DISEASE

- 29.1 The Comhairle operates a documented procedure for the investigation of outbreaks and notifications of food related infectious diseases, where it is part of a multi-agency team, including NHS Western Isles.

FOOD SAFETY ALERTS AND INCIDENTS

- 29.2 The Comhairle manages food alerts and incidents in line with the Code of Practice.

LIAISON WITH OTHER ORGANISATIONS

- 30.1 The service ensures that enforcement action taken is consistent with those of neighbouring local authorities by means including:
- Representation at the North of Scotland Food Liaison Group;
 - Representation at the Fish and Shellfish Working Group
 - Liaison with the Director of Public Health at NHS Western Isles;
 - Consultation/liaison with the Comhairle's Planning & Building Standards Services; and
 - Reference to REHIS and HPS good practice information and guidance notes.
 - Representation on various [Scottish Food Enforcement Liaison Committee \(SFELC\)](#) working groups.
- 30.2 No specific allocation of resources is made for these liaisons as they are covered by existing arrangements.

FOOD SAFETY PROMOTION

- 31.1 The Comhairle shall aim to promote food safety throughout the islands. This shall include publicity through press releases and articles for the local papers/newsletters and local radio. Information is also shared through the Service's Facebook page. [Consumer & Environmental Services](#)

FOOD HYGIENE INFORMATION SCHEME AND EAT SAFE AWARD

- 32.1 The Comhairle scores eligible food businesses as part of the national [Food Hygiene Information Scheme](#). The Scheme follows a set of nationally adopted rules and provides information to the public on the hygiene status of food premises based on their last inspection.
- 32.2 The Comhairle also participates in the Eat Safe award Scheme for food businesses that meet the food safety legal requirements but are also operating at a recognised level above the minimal legal requirements in terms of staff training and qualification.

EXPORT HEALTH CERTIFICATES (EHCS)

- 33.1 An export health certificate (EHC) is an official document that confirms food being exported meets the health requirements of the destination country. Although not a statutory service the Comhairle's food team provide EHCs for local businesses exporting fishery products, shellfish and bakery goods. Previously the majority of these certificates could be issued within normal office hours and were split between a relatively simple certification process and a more complex process for product going to China.
- 33.2 Since the 1st January 2021 the UK has been considered a "Third Country" in terms of Trade with the EU and Northern Ireland and exported products of animal origin now need EHCs, which have a relatively complex certification process. These EHCs can be issued by Comhairle Food Officers or by certifying officers based at logistic hubs (if the Comhairle provides "Attestations" for the relevant exporting business).
- 33.3 There were further changes to certification in January 2022, only allowing vets to sign certificates for product that was previously signed off by local authority staff. This has reduced demand and it is expected that demand will remain relatively low for 2024/25.

SHELLFISH

The management of bivalve shellfish safety is a significant part of the service workload and although has been comparatively smooth over the last number of years due to the availability of relatively cheap rapid end product testing kits for shellfish toxins. The only commercial company that made this type of kit has stopped the production which will significantly impact food safety (and viability) for all the commercial harvesters in the area in 2024-25, unless a suitable alternative is found.

RESOURCES

FINANCIAL ALLOCATION

- 35.1 The expenditure involved in providing the Food Service is linked to the Environmental Health budget provision.
- 35.2 The Comhairle has a contingency fund that the Food Service could utilise for any legal action necessary as part of its enforcement function, subject to Comhairle approval.
- 35.3 There has been unfunded functional creep over recent years through additional food legislation (Natasha's law), changes to the food codes of practice (new inspection rating system) and FSS guidance (enhanced approved premises inspections) which have put additional pressures on the food services. The impact of these changes on resources and capacity have not been fully determined.

STAFFING

- 36.1 Primarily the food function is carried out by Environmental Health Officers (EHO's). Primary production visits (including the food aspects) are carried out by the Animal Health Officer. The service is supported by all other section staff. The EHOs are involved in the full range of environmental health duties, e.g., health and safety, public health, and complaints. There are currently six fully authorised food officers available to the Comhairle including the service manager, an estimated FTE of 2.89. One of the Trading Standards Officer also has food qualifications which can be utilised if necessary.
- 36.2 Two EHO's left in November 2023/24 and although staffing is anticipated to be back to normal for 2024/25 the vacancies have caused some slip in the 2023/24 programme which will have to be carried forward into 2024/25.
- 36.3 All staff are authorised in accordance with the Food Law Code of Practice (Scotland), and with the Comhairle's "Food Authorisation Procedure". As it is a small service with qualified food staff carrying out other duties, time spent on food safety can be affected by the additional regulatory duties, training issues and reactive work.
- 36.4 The changes in full time equivalent staffing for food over the years are shown below

	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24	2024-25
Authorised Food Officer (AO)	1.95	2.19	2.19	2.18	2.12	2.12	2.12
Other Officer	0.51	0.08	0.23	0.08	0.14	0.1	0.1
Admin	0.64	0.64	0.445	0.58	0.58	0.58	0.58
Management (non AO)	0.015	0.015	0.015	0.015	0.015	0.015	0.015
Total	3.115	2.925	2.88	2.855	2.855	2.815	2.815

PRIORITIES

- 37.1 Priorities include:
- Getting a functional Management Information System and document management system working.
 - Continue to provide food Export Health Certificates, including EU certificates
 - Meet the Inspection Programmes in line with FSS guidance
 - Provide a Food Service that is adequately maintained and to ensure that officers are appropriately trained.
 - Continue to implement changes required for the inspection and monitoring of Approved Premises.
 - Working with FSS and shellfish business to ensure they can continue to sell safe produce.

2024/25 TARGETS

- 38.1 The Food Service targets for 2024/25 are:

Subject	Target
Management	Getting management systems back in operation.
Food Interventions	To implement the inspection programme
Approved Premises	To inspect within 28 days of due date (80%) Trial several premises with new OCV guide. To issue Attestations when requested
Export Health Certificates	To support the export market for local product.
Sampling	30 microbiological & 30 chemical samples

HEALTH AND SAFETY SERVICE PLAN

GENERAL

SCOPE OF THE SERVICE

- 39.1 The Comhairle is the statutory health and safety at work enforcement authority for the Outer Hebrides with the Chief Executive's Department having responsibility for all relevant health and safety legislation.

DEMANDS OF THE SERVICE

- 40.1 There are around 600 premises in the Outer Hebrides, which are covered by health and safety legislation. The majority of these are low risk and an approximate breakdown of this figure is detailed below:

Premises Type	Lewis & Harris	Uist & Barra	Total
Catering Premises	12	4	16
Consumer Services	132	24	156
Hotels, Campsites and Other Short Stay	32	23	55
Leisure and Cultural Services	13	5	18
Offices	52	23	75
Other Premises	41	6	47
Residential Care Homes	3		3
Retail	125	42	167
Wholesale, Warehouse, Fuel Storage	16	7	23
Grand Total	426	134	560

Cyber-Attack

- 41.1 The cyber-attack has impacted on the health and safety function through the loss of historical data and records. The inspection programme is relatively small and also more based on national and local priorities so it easier to develop a programme for 2024/25.

SERVICE DELIVERY

HEALTH AND SAFETY PREMISES INTERVENTIONS

- 42.1 The [National Local Authority Enforcement Code](#) (National Code), is designed to ensure that local authorities take a more consistent and proportionate approach to enforcement and along with the associated [supplementary guidance](#) details when and what interventions should be carried out. Priorities and targeted interventions are in accordance with the [HSE Circular LAC 67/2 \(rev 13\)](#) and the list of proactive activities and sectors for pro-active inspections.
- 42.2 In terms of assistance and advice, as well as officers giving assistance, business operators are also referred to the Healthy Working Lives organisation which gives [free online](#) advice to small businesses.

ACCIDENT INVESTIGATION

- 43.1 The procedure for reporting accidents under the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013, requires the appropriate person to notify via the National Incident Contact Centre. Reports are posted on the Contact Centre's website. The lead officer shall check the site weekly and pass any reports to the officer responsible for the premises. Fatalities and major injuries are notified by the Incident Centre via telephone or email.
- 43.2 All fatalities and major incidents shall be investigated. Others shall be selected by the procedure given in [LAC 22/13](#).

HEALTH AND SAFETY COMPLAINTS AND REQUESTS FOR SERVICE

- 44.1 Health and safety complaints are investigated in line with relevant LAC guidance, and the Departmental complaints procedures. Requests for service are also dealt with in line with the Departmental procedures.

LIAISON WITH OTHER ORGANISATIONS

- 45.1 The health and safety service ensures that enforcement action taken is consistent with those of neighbouring local authorities by means that include:

- Representation at the North of Scotland Health and Safety Liaison Group;
- Consultation/liaison with the Comhairle's Planning & Building Standards Services; and
- Reference to HSE Approved Code of Practice information and guidance notes.

45.2 No specific allocation of resources is made for these liaisons as they are covered by existing arrangements.

HEALTH AND SAFETY PROMOTION

46.1 The Comhairle shall aim to promote health and safety at work through the Services' Facebook page.

RESOURCES

FINANCIAL ALLOCATION

47.1 The expenditure involved in providing the health and safety service is part of the overall environmental health budget provision.

47.2 The Comhairle has a contingency fund that the health and safety service could utilise for any legal action necessary as part of its enforcement function, subject to Comhairle approval.

STAFFING ALLOCATION

48.1 All staff are authorised in accordance with the relevant LACs, and with the Comhairle's Authorisation Procedures. There are five officers fully authorised under the Act. The number of staff currently working in Health and Safety law enforcement and related matters (including clerical and management) is still less than 1.0, in terms of full time equivalent (FTE) staff. All officers (not including clerical staff) are authorised under the Health and Safety at Work etc. Act 1974.

STAFF DEVELOPMENT PLAN

49.1 The Comhairle supports ongoing staff training, and health and safety enforcement staff are trained in accordance with the training policy, ensuring that staff remain professionally competent and meet the requirements of any continual professional development schemes. Staff development is incorporated within the Comhairle's staff appraisal scheme, with staff being appraised biannually.

QUALITY ASSESSMENT

50.1 Information on the previous year's performance can be obtained from the Services following the submission of the annual return to the HSE at the end of June each year and through the annual service review.

PRIORITIES

51.1 Priorities and issues include:

- Continue to investigate and act on reported accidents and incidents.
- Carry out the intervention programme for high-risk premises identified in line with national priorities and construct a work plan to deliver the priorities set out by the HSE in the National Code.

Intervention Priorities	Reason for Intervention	Sectors and Activities to be targeted	Intervention Method	Due Date
Storage of Petroleum	High Risk Premises	Petrol stations	Proactive inspections	2024/25
Commercial Gas	National Priority	Catering	Email campaign	2024/25
Inflatables Safety	Local Evidence	Voluntary & Commercial operators	Email campaign	2024/25
Event Safety	National Priority	Shows & Large Events	Safety Advisory Group Meetings and site visits	2024/25

TARGETS FOR 2024/25

HEALTH AND SAFETY PREMISES INTERVENTIONS

52.1 The service aims to have:

- High Risk Premises 100% 'intervention on time' target.
- Investigate all RIDDOR accidents and incidents as per para 42.1.
- Carry out sector wide initiatives in accordance with the Intervention Plan Summary.

ANIMAL HEALTH SERVICE PLAN

GENERAL

SCOPE OF ANIMAL HEALTH SERVICE

- 53.1 The Comhairle is the statutory authority for the Outer Hebrides, with the Chief Executive's Department having responsibility for enforcement of all relevant Scottish, National, and European Animal Health and Welfare legislation.

CURRENT SITUATION

- 54.1 Local authorities have a statutory duty to enforce the current UK and EC Animal Health and Welfare legislation. They also play a significant role in responding to notifiable disease outbreaks such as foot and mouth disease and avian influenza. This can result in short intensive involvement from the Service, including door to door visits and erecting signage in affected areas.
- 54.2 The service is also currently responsible for licensing and inspecting pet shops, the keepers of dangerous wild animals, zoos, dog breeding establishments, boarding kennels and catteries and riding establishments. They are also responsible for the enforcement of identification regulations for cattle, sheep, pigs, and horses, and for animal by-product legislation.

CYBER-ATTACK

- 55.1 The cyber-attack has impacted on the animal health function through the loss of historical data and records. The inspection programme is relatively small and can be easily developed for 2024/25.

SERVICE DELIVERY

LIVESTOCK AND OTHER ANIMALS

- 56.1 The [Scottish Agricultural census](#) of 2023 gives an indication of the number of animals in the Outer Hebrides as detailed below (the 2021 figures and difference are included for comparison):

	Year	Cattle	Sheep	Pigs	Poultry	Goats	Horses	Others	Totals
Holdings with Animals	2021	383	2,207	38	481	14	164	23	3,310
	2023	374	2,486	82	272	19	197	19	3,449
	Difference	-9	279	44	-209	5	33	-4	139
Animal Numbers	2021	5,940	143,247	159	7,424	66	403	50	157,289
	2023	5,736	136,952	1,135	2,898	55	350	45	147,171
	Difference	-204	-6,295	976	-4,526	-11	-53	-5	-10,118

- 56.2 The difference in poultry may be attributable to avian flu and associated housing requirements.
- 56.3 There are 115 [fish farms](#) currently listed in the Outer Hebrides with only 46 having production in the last three years. .

HOLDINGS

- 57.1 There are approximately 6000 registered holdings in the Western Isles. This includes both small crofts (less than 0.5ha) and larger units (up to 50ha) with the typical croft 3 acres in size. These crofts also normally have a significant common grazing share at their disposal. Inspections are undertaken as required under legislation or as results of complaints. External agencies i.e., Animal and Plant Health Agency (APHA), the Scottish Government and Rural Payments Inspectorate Division (SGRPID), or the Scottish Society for the Prevention of Cruelty to Animals (SSPCA) could also be involved in joint inspections. Primary producers of food require to be inspected in accordance with food legislation. This involves inspecting feed, movement, medicine, and by-product records and also production regimes on the holding. The Feed function transferred to Food Standards Scotland (FSS) on 1st April 2021 with the Comhairle carrying out some of the function on behalf of FSS.

AUCTION MARTS

- 58.1 There are auction marts in Stornoway, Lochmaddy, and Lochboisdale. These hold sales on a regular basis and the service aims to have a presence at these sales to ensure compliance with relevant legislative requirements i.e., sheep or cattle identification or traceability requirements. The auctioneering firm that manages the sales at Lochmaddy mart have withdrawn their services so there are currently no planned sales at the mart for 2024/25.

ABATTOIRS

- 59.1 There are year-round abattoirs facilities in Barra and a seasonal facility in Stornoway and Lochmaddy. Enforcement within these premises is undertaken by Food Standards Scotland (FSS) which who may refer issues to the Animal Health Officer for investigation.

LICENSING

- 60.1 The service has the responsibility for licensing and inspecting various animal activities. The table below details the various licences and the number, if any, in the Outer Hebrides (*January 2023*).

Licence Type	Licences
Animal Boarding Establishment Licence	6
Animal Breeding Licence Establishment	1
Pet Sellers Licence	1
Horse Riding Establishment	2
Dangerous Wild Animals	0
Zoo Licence	0
Performing Animals Licence	0

- 60.2 All licensed businesses are inspected on a regular basis.

COMPLAINT INVESTIGATIONS

- 61.1 The majority of complaints (of which a large proportion are anonymous) are received from members of the public – including other stockholders. Complaints are also passed on from other agencies e.g., APHA ,SGRPID (usually animal identification and transport complaints where the local authority is the enforcement body) and SSPCA. Reported complaints include welfare concerns relating to stock, problems with animal identification and traceability, animal transport issues, animal by-product issues, and breaches of licensing conditions. Complaints are immediately investigated and, in some situations, involve joint approaches with either APHA, SGRPID or SSPCA. Ultimately a report can be submitted directly to the Procurator Fiscal, in line with our [enforcement policy](#).

STRANDINGS

- 62.1 The service also undertakes the Comhairle responsibility relating to the removal and disposal of cetaceans that are regularly washed up on the shores. This involves liaison with Scottish Environmental Protection Agency (SEPA), Scottish Government (Marine Scotland), Scottish Agricultural College (SAC) and local contractors. There is no budget for this: it is funded through the service or in extreme cases the Comhairle contingencies budget.

AGGRESSIVE DOGS

- 63.1 The service is also responsible for the enforcement of the Control of Dogs (Scotland) Act 2010 in relation to aggressive and nuisance dogs. This is done in liaison with Police Scotland. Under this legislation the Comhairle has to appoint at least one specific Authorised Officer (several officers are authorised). This Act allows the Comhairle to serve formal Dog Control Notices which can specify actions i.e., muzzling, micro chipping etc. which dog owners must legally comply with.

DANGEROUS DOGS

- 64.1 The Scottish Government added the XL Bully dog breed to those covered by the Dangerous Dogs Act 1991 resulting in [new controls](#) on the owners of XL Bully dogs coming in on 23 February 2024, making it an offence to have them without a muzzle and on a lead in public. It is also illegal to breed, sell or give away any dog of this breed. Any owners must also apply for an exemption certificate (which is still being developed) by 31 July 2024. The service has no intelligence that there are any of these dogs in the islands however are liaising with the local police about any potential issues.

ADVICE TO BUSINESS

- 65.1 The Comhairle shall work with businesses and stockholders to help them comply with the law.
- 65.2 As well as offering on the spot advice during routine visits and inspections and responding to queries, the Comhairle will arrange the dissemination of relevant information using mail shots and social media (information is shared through the Service's Facebook page).

HOME AUTHORITY PRINCIPLE

- 66.1 The Comhairle shall have regard to any information or advice it has received from any liaison with home and/or originating authorities. The Comhairle having initiated liaison with any home and/or originating authority, shall notify that authority of the outcome.
- 66.2 The Comhairle does not have any formal home authority agreements but will respond to enforcement queries when acting as the originating authority.

RESOURCES

FINANCIAL/STAFFING ALLOCATION

- 67.1 The service is primarily staffed through an Animal Health Officer and a Community Environment Officer - Licensing & Animal Health with support, when necessary, by other staff of the Service. The estimated full-time equivalent is 1.28 excluding animal licensing. The Comhairle has a contingency fund that the service could utilise for any legal action necessary as part of its enforcement function, subject to Comhairle approval.
- 67.2 There is no separate budgetary provision for Animal Health and Welfare, apart from that for the dedicated officer; costs are met from the wider service budgets.

STAFF DEVELOPMENT PLAN

- 68.1 The Comhairle supports ongoing staff training, and the service ensures that staff are trained in accordance with the training policy, ensuring that staff remain professionally competent and meet the requirements of any continual professional development schemes. Staff development is incorporated within the Comhairle's staff appraisal scheme, with staff being appraised annually.

FRAMEWORK AGREEMENT

- 69.1 [Regulation \(EU\) 2017/625](#) requires the government to prepare a National Control Plan describing the national official animal health and welfare control arrangements.
- 69.2 The UK National Control Plan states that each local authority in Scotland is required to produce a Service Plan outlining activities for animal health and welfare control. In this context animal health and welfare comprises of:-
- Ensuring livestock is correctly identified and moved with required documentation and passports,
 - Record checks at farms, slaughterhouses, markets and during transportation.
 - Maintain welfare standards of livestock.
 - Monitor biosecurity rules to reduce the risk of potential disease spread.
 - Ensure the correct disposal of carcasses and animal by-products.
- 69.3 The [Animal Health and Welfare Framework](#) was introduced to recognise the importance of central and local government working together. It was created in partnership between the Scottish Government, the Convention of Scottish Local Authorities (COSLA), the Society of Chief Officers of Trading Standards in Scotland (SCOTSS), the Society of the Chief Officers of Environmental Health in Scotland (SOCOEHs) and the Animal and Plant Health Agency (APHA). All parties work in partnership on the operation of this Framework.
- 69.4 The Comhairle's Animal Health and Welfare Service Plan has been produced using the designated pro-forma format, contained in the Framework, and referred to as the local authority activity matrix which is set out in 3 columns as follows:-

ACTIVITY HEADING

- 70.1 Reflecting the total range of activities likely to be carried out by local authorities in animal health and welfare work.

CONTENT AND RELEVANT OUTCOME(S)

- 71.1 Describing what each activity heading should include plus the intended outcome(s) to which the particular activity is linked to.
- 71.2 There are six intended outcomes listed in the Framework document as follows:
1. effectively reduce the risk of animal disease incursion and spread, thereby protecting public and animal health;
 2. improve animal welfare;
 3. promote a joined-up approach between all agencies involved in animal health and welfare;

4. improve provision of management information to local and national government on the delivery of animal health and welfare services, and to allow the UK to fulfil its obligations to the European Union and other trading partners;
5. support the objective of Scottish Government for 'high welfare, healthy livestock produced by resilient systems with minimal environmental impact' by minimising disease incursions, eradicating outbreaks, setting and enforcing minimum standards of welfare by effective regulation to achieve compliant businesses that reduce the likelihood of disease incursion and enable effective control measures to be applied;
6. protect local communities, including the effects on the local economy.

LOCAL AUTHORITY PLANNED LEVEL OF SERVICE DELIVERY

- 72.1 The completion of this column falls under three headings as follows:
- a) Standard to be met which describes three levels of practice delivery for each activity (e.g., minimum standard-priority activity; good practice and better practice). The standard of the lower level must be achieved before progressing to a higher level.
 - b) How the standard will be achieved.
 - c) Numbers and target percentage where applicable.
- 72.2 The information supplied in the last column may need to be reviewed and updated during the year as circumstances change.
- 72.3 The Plan has been provisionally agreed with the Animal Health and Veterinary Laboratories Agency (AHAVLA) and will be implemented subject to Committee Approval.

Local Authority: Comhairle nan Eilean Siar, Animal Health & Welfare (AHW)		
Service Plan for year: 01/04/2024 to 31/03/2025		
Activity Heading	Content and relevant outcome(s)	Local Authority Planned Level of Service Delivery
1. Planning the Delivery of the Local Authority Animal Health Function		
1.1 Profile of Local Authority area and associated animal health and welfare workload	<p>Analysis of critical control points by type, number, days of operation, including:</p> <ul style="list-style-type: none"> premises used for sales (e.g., auction markets etc.) abattoirs/slaughterhouses <p>Analysis of agricultural premises according to risk</p> <p>Summary of staff engaged in Animal Health and Welfare work</p> <p>Outcomes 3 and 5</p>	<p>Minimum Standard/Priority Activity (only option)</p> <p>a) Complete AHW Profile for the Comhairle nan Eilean Siar. (CnES). This year's analysis of premises will be assessed by considering previous history of compliance and other intelligence Premises will have RA reassessed after any visit.</p> <p>b) Approved Enforcement Policy</p> <p>c) CNES hold regular meetings with APHA Staff and also Regional meetings with other LA's</p>
1.2 Annual Service Plan for delivery of services in Animal Health and Welfare	<p>Service Plan produced detailing levels of Service Delivery for all activities detailed in this activity framework, reflecting national and local priorities.</p> <p>Outcomes 3, 4, and 5</p>	<p>Better Practice</p> <p>a) Service Plan to be completed by year end, with APHA VL's agreement.</p> <p>b) , Progress and outcomes of Service Plan formally reported to CNES through business plan updates, presented to CNES Community Safety Board (CSB)~ 6 months.</p> <p>c) Service Plan to be reviewed within 6 months of completion.</p> <p>d) Any significant changes to be discussed with APHA.</p> <p>e) Service Plan (and annual review outcome) agreed by the Comhairle through the CSB.</p>
1.3 Risk Assessment	<p>Premises risk assessed in accordance with a risk scheme in line with methodology detailed in Section 4 or other comparable risk assessment scheme.</p> <p>Risk based inspection programme</p> <p>Outcomes 1, 2, 5 and 6</p>	<p>Good Practice</p> <p>a) The Service has developed its risk-based scheme in partnership with the local Veterinary Lead. Premises will be classed as low risk (not subject to routine inspection) and high risk (inspected annually). Premises will normally sit as low risk but where intelligence highlights issues they will move into high risk until any issues have been fully resolved. The service will have capacity for 20 inspections annually and where there are less than 20 high risk premises the service will do spot inspections on low risk premises to achieve this number.</p> <p>Intelligence sources will include mart inspections, complaints, APHA notifications, local knowledge, Primary production and feed visits.</p> <p>The Service will work with APHA and SGRIPD to ensure premises are not being subject to programmed inspections by the different agencies in the same year.</p> <p>b) n/a</p>
2. Training and Development		

Activity Heading	Content and relevant outcome(s)	Local Authority Planned Level of Service Delivery
2.1 Training for new officers On-going professional development	Officers are authorised to enforce all relevant legislation. All enforcement staff to hold recognised qualification or have equivalent professional experience i.e., 'Grandfather rights' or undertake to achieve such qualifications as soon as possible. It is recognised that in emergency situations i.e., outbreaks of disease, there may be a need to call upon non-animal health qualified officers to assist in carrying out animal health and welfare duties. Time and resources allocated to keep up to date on appropriate Animal Health and Welfare legislation, codes of practice, guidance etc. – e.g., by accessing Local Government Regulation website. Outcome 5	Good practice a) AHW Officer (1) - holds an agricultural related qualification CEO-L&AH Officer (0.4) – animal husbandry experience and will attend relevant training where available; also has the CTSI Animal Health & Welfare Certificate of Competency Other Authorised Officers (8) including Environmental Health Officers can be utilised in emergency circumstances e.g., corroboration, intelligence gathering and investigations during disease outbreaks. b) All inspectors have access to internet. c) Training and CPD is provided through attendance at national/regional seminars and courses, internal training sessions, section meetings and self-learning. Review carried out annually which includes training needs analysis. d) AHW & CEO-L&AH officers -15 Hours training per year
3. Licensing		
None required		

4. Education and advice to maximise compliance		
Activity Heading	Content and relevant outcome(s)	Local Authority Planned Level of Service Delivery
4.1 Education and advice	Guidance provided to businesses on all aspects of Animal Health and Welfare for which local authorities are responsible, including any movement licensing requirements. Delivery targets should be set in accordance with individual Local Authority 'charter' response times. Outcomes 1, 2, 5 and 6	a) Better practice b) Rebuild Animal Health & Welfare Section of CnES website when new website available. Provide an email address and telephone for out-of-hours contact. Maintain attendance at markets and agricultural shows c) N/A
4.2 Proactive activity	Proactive involvement or lead in education and training events with stakeholder organisations etc. Joined up approach to education and advice through liaison with the Scottish Government, Local Government Regulation and APHA Outcomes 1, 2, 5 and 6	a) Good Practice b) National level- Participate in Animal Health & Welfare Panels & Animal Health & Welfare Strategy Group through which liaison with Scottish Government, Animal Health & other bodies as well as SCU & other industry representatives. Local – participate in <ul style="list-style-type: none"> any Animal Health & Welfare industry liaison groups Welfare enforcement meetings (informal, usually monthly) with APHA, & SSPCA General enforcement meetings (informal, occasional) with APHA, SGRPID Market liaison (annual) with market operators and APHA Also give talks to industry & others with an interest on request c) N/A
5. Enforcement activities to maximise Animal Health and Welfare compliance		

5.1 Attendance at Critical Control Areas - Livestock markets, Sales, and Assembly Centres	<p>Highly visible preventative enforcement presence. Attendance at markets and other sales, and Assembly Centres to ensure compliance, in particular with:</p> <ul style="list-style-type: none"> • Biosecurity (vehicles, premises, and people) • Livestock identification • Welfare • Transport • Licensing and record keeping • Specific pre-movement licensing • All other relevant legislation <p>Exact attendance levels and times according to status of gathering</p> <p>Outcomes 1, 2, 5 and 6</p>	<p>a) Minimum Standard/Priority Activity (only option) b) Majority of marts and collections attended. Sales at weekend only attended if presence considered essential. c) Minimum of 75% sales/collections at marts attended.</p>
5.2 Attendance at Critical Control Areas - slaughter houses <i>- activities with regard to the transport unloading and identification of livestock should normally occur outside of the slaughterhouse production area.</i>	<p>Attendance at slaughterhouses (high and low through put, red meat and poultry (white meat)) in liaison with FSS Operations to ensure legislative compliance, in particular with:</p> <ul style="list-style-type: none"> • Biosecurity (vehicles, premises, and people) • Livestock identification • Welfare • Transport • Licensing and record keeping • Specific pre movement licensing • All other relevant legislation <p>Outcomes 1, 2, 5 and 6</p>	<p>a) Minimum Standard/Priority Activity b) Established good rapport with Official Veterinarians (OV's) at 3 abattoirs currently operating in area who inform AHW Section of any infringements/problems encountered. Appropriate action then taken. OV's promptly advised of any findings. Not believed to be need for routine visits to abattoirs but will attend if appropriate intelligence received. Willing to meet with OV's & APHA for liaison/training. c) n/a</p>
5.3 Attendance at Critical Control Areas - Dealers/Agents	<p>Identification of Dealers and Agents Visits/inspections to verify legislative compliance</p> <p>Outcomes 1, 2, 5 and 6</p>	<p>a) Good Practice b) In conjunction with APHA compile & maintain list of known dealers & agents. Review annually. Visits made where considered necessary and if no other agency such as Scottish Government, APHA intending to visit. Carbonised paper used to report findings during inspection - copy left with dealer/agent at end of visit. APHA to be advised of any significant non-compliance. c) n/a</p>
5.4 Attendance at Critical Control Areas - Ports (excluding BIP's)	<p>Attendance at Ports to ensure legislative compliance, in particular with:</p> <ul style="list-style-type: none"> • Biosecurity (vehicles, premises, and people) • Livestock identification • Welfare • Transport • Import/export documentation • All other relevant legislation <p>Outcomes 1, 2, 5 and 6</p>	<p>a) Minimum Standard/Priority Activity b) CnES has vast coastline and numerous harbours. Agreed with DVM that only 1 port (Stornoway) could have regular international visitors which pose a risk through landing of significant amounts of catering waste or of potential for illegally landing of pets. Medium Risk- 5 fishing ports with potential for international vessels to land catering waste. Low Risk – many small ports with potential visits from international recreational boats Initial programme of visits to be made to CCA ports to ensure</p> <ul style="list-style-type: none"> • disease information signs displayed • CnES contact details available • Confirm facilities available for international catering waste <p>For others establish liaison with Port/Harbour Management and Port Health Services c) Visit CCA port by end of financial year (if not visited by APHA)</p>

5.5 Attendance at Critical Control Areas - High risk Farms (Other than dealers or agents)	Visits/inspections to verify legislative compliance Outcomes 1, 2, 5 and 6	<p>a) Minimum Standard/Priority Activity b) Currently no such high risk. No routine visits carried out other than primary production visits (15/year). Other visits carried out according to intelligence received and take account of visits by other agencies. All premises visited are re-assessed for risk and database updated. Written report given at time of inspection. Revisit when any actionable infringements have occurred Major non compliances found during inspections reported to relevant agencies.</p> <p>c) n/a</p>
5.6 Visits and inspections to other premises	<p>Visits to verify legislative compliance. Commercial hauliers Farms (including own livestock vehicle) Agricultural Shows and farm dispersal sales Animal by products premises including Knackers/Hunt kennels/renderers Any other premises of livestock origin and destination</p> <p>Outcomes 1, 2, 5 and 6</p>	<p>a) Minimum Standard/Priority Activity b) Farm transport checked as part of primary production visits (15/year). Hauliers/farmers transport regularly checked during attendance at livestock marts. Visits carried out according to intelligence received. Inspection programme considers other agency inspections e.g., SGRPID/APHA to avoid duplication or arrange joint visits where necessary. Checks from ScotEID, and BCMS data prior to visit & SAMU if felt appropriate No knackerries, Hunt kennels and Renderers</p> <p>c) n/a</p>
5.7 In transit checks	<p>Roadside checks (in conjunction with police) Police led multi agency roadside checks Local authority led checks for animal health and welfare compliance only (including co-ordination with adjacent Local Authorities) National exercises and operations</p> <p>Outcomes 1, 2, 3, 4 and 6</p>	<p>a) Minimum Standard/Priority Activity b) Vehicles checked at Markets Will act on intelligence, involving police if felt appropriate, to investigate suspected breaches of Animal Health and Welfare legislation. Willing to participate in national exercises if requested.</p> <p>c) n/a</p>
5.8 Postal record recall checks (if carried out) on livestock premises	<p>Postal recall checks and verification according to risk Non responses subject to follow up action as appropriate (including, if necessary, premises visit and inspection)</p> <p>Outcomes 1, 2, 5 and 6</p>	<p>a) Not applicable b) Not applicable c) Not applicable</p>
5.9 Vehicle biosecurity-cleansing and disinfecting compliance	<p>Checks on vehicles to ensure cleansing and disinfection carried out at premises other than where they have delivered livestock.</p> <p>Outcomes 1, 5 and 6</p>	<p>a) Minimum Standard/Priority Activity (only option) b) Farm transport checked as part of primary production visits (~20/year) & Hauliers/farmers transport regularly checked during attendance at livestock marts. Otherwise, intelligence lead checks to ensure compliance with cleansing and disinfecting/construction requirements</p> <p>c) n/a</p>
5.10 Out of operating hours checks	<p>Checks out of normal specified operating hours or subsequent days for Markets, Slaughter houses, Premises used for collection of animals for slaughter or for further rearing or finishing</p> <p>Outcomes 1, 2, 5 and 6</p>	<p>a) Minimum standard b) Intelligence lead visits carried out where considered appropriate</p> <p>c) n/a</p>
5.11 Stand by and on call arrangements	<p>Emergency inter-agency contact regarding disease and other enforcement incidents</p> <p>Outcomes 1, 2, 3, 4 and 6</p>	<p>a) Minimum Standard/Priority Activity (only option) b) Currently contact through Faire (01851 701702) No routine standby of Animal Health and Welfare Section officers.</p> <p>c) n/a</p>
6. Partnership working and intelligence driven enforcement		

6.1 Identified infringements	Identified breaches of legislation, including biosecurity, licensing, welfare, livestock identification, standstill breaches, illegal imports, by products, and other disease control work. Irregularities found on documentary checks followed up Outcomes 1, 2, 5 and 6	<p>a) Minimum Standard/Priority Activity (only option)</p> <p>b) Identified breaches of legislation investigated and appropriate action taken in accordance with the local authority's Animal Health & Welfare Enforcement Policy. Any irregularities notified to (e.g., by FSS Operations) or identified by Animal Health and Welfare Section in relation to ScotEID, BCMS and SAMU investigated.</p> <p>Also provide enforcement support to APHA to investigate breaches and prepare cases for Procurator Fiscal.</p> <p>c) n/a</p>
6.2 Intelligence/Information and systems	Provision and collection of Intelligence Information Outcomes 1, 2, 5 and 6	<p>a) Good practice</p> <p>b) IT LA database to record Animal Health and Welfare activities.- rebuilt since Cyber-attack. Email FSS activities as required AMES (Animal Health database) - not yet operational and not yet committed to</p> <p>Intelligence sharing -Participate in</p> <ul style="list-style-type: none"> • North Regional Animal Health & Welfare Panel • Scottish Animal Health & Welfare Panel • Animal Health & Welfare Strategy Group • Local welfare meetings (usually monthly) with APHA, SGRPID & Scottish SPCA. • Meetings with FSS operations <p>c) n/a</p>
6.3 Intelligence led actions	Infringements or suspected infringements reported from external enforcement sources or identified by use of data interrogation or intelligence sources; members of the public/complaints. Outcomes 1, 2, 5 and 6	<p>a) Minimum Standard/Priority Activity</p> <p>b) Reports of Infringements or suspected infringements investigated, and appropriate action taken in accordance with the Enforcement Policy</p> <p>c) 75% of complaints/service requests investigated within 5 working days.</p>
6.4 Cross border and multi-agency working	Assessment and communication to interested parties of cross cutting issues Research/intelligence led activities including workshops Joint investigations/exercises/initiatives Mentoring arrangements Outcomes 1, 2, 3, 4 and 6	<p>a) Minimum Standard/Priority Activity</p> <p>b) Reactive work with other local authorities and agencies and regular contact to keep others informed of anything of interest. Annual meeting with all auction marts in conjunction with APHA to discuss enforcement issues. Willing to participate in any joint training exercises/initiatives. All LA's/ other agencies undergoing changes due to budget restraints.</p> <p>c) n/a</p>
7. Post enforcement reporting of management information		
7.1 Reporting management information	The electronic and recording of animal health and welfare activities and the subsequent reporting of data on local authority enforcement activities, results and actions. Recording of data on infringements Outcomes 1, 2, 3, 4, 5 and 6	<p>a) Minimum Standard/Priority Activity</p> <p>b) An electronic information management system which records animal health and welfare activities and actions. Reporting of statistics and data to Scottish Government in prescribed format and frequency</p>

7.2 Management information	Collation of management information data for internal use and provision to the Scottish Government and Animal Health, Outcomes 3, 4 and 5	<p>a) Minimum Standard/Priority Activity (only option)</p> <p>b) Timely provision of information, in particular submission of statutory returns e.g. WATSR (for Annual Enforcement Statistics return to the Commission) and Prosecutions, report to Scottish Government.</p> <p>Record information on Uniform: Record enforcement action on Uniform to facilitate generating of accurate management reports.</p> <p>Use of Uniform reporting facility to produce reports to monitor progress of agreed Service Plan. Reports produced quarterly.</p> <p>e) n/a</p>
8. Contingency planning and emergency action		
8.1 APHA, Scottish Government, COSLA and local authority emergency preparedness	Planning and contributing to emergency preparedness plans with APHA, Scottish Government and other agencies as appropriate. Outcomes 1, 3, 5 and 6	<p>a) Minimum Standard/Priority Activity</p> <p>b) Joint Generic Animal Disease Plan (including for Rabies) drawn up and adopted and consistent with Scottish Government and Animal Health generic plans for disease outbreaks.</p> <p>The generic plan annex contains more detailed information for specific diseases. No specific diseases identified as high risk for the local authority area as a result of local intelligence.</p> <p>Joint Plan reviewed annually by HIEPG (Animal Health Sub-Group) whose members include APHA, Police, NHS, SG and Highland, Comhairle nan Eilean Siar, Orkney Islands, & Shetland Isles Councils.</p> <p>Comhairle nan Eilean Siar contact details on the Local Government Regulation master checked & updated when requested.</p> <p>Respond to notification of disease outbreaks</p> <p>c) n/a</p>
8.2 Testing and Training	Testing, training, practising, and evaluating activities in relation to the emergency plan Outcomes 1, 3, 5 and 6	<p>a) Minimum Standard/Priority Activity</p> <p>b) Contribute to & participate in exercises organised by APHA, Scottish Government. Internal and external contact details reviewed annually</p> <p>c) n/a</p>
8.3 Emergency Action	Provision of full emergency range of services under the emergency plan, when disease emergency declared by the Scottish Government Outcomes 1, 3, 5 and 6	<p>a) Minimum Standard/Priority Activity (only option)</p> <p>b) Respond, as appropriate to confirmed disease, and give best endeavours to assist APHA within the limited resources available.</p> <p>c) n/a</p>
9. Additional Activities		
9.1 National priorities	Provide details in Service Plan (Annex C) of identified priorities as agreed with the DVM's and the Scottish Government. Outcomes 1, 2, 5 and 6	<p>a) Minimum Standard/Priority Activity (only option)</p> <p>b) As Agreed with APHA VO</p> <p>Assist APHA in notifiable disease outbreaks, participate in LDCC Management Control Team, provide limited services but fully support local communications to stakeholders & public.</p> <p>c) n/a</p>
9.2 Regional priorities	Agree regional priorities, with the DVM at regional animal health and welfare panel meetings for consideration in annual service planning Outcomes 1, 2, 5 and 6	<p>a) Minimum Standard/Priority Activity (only option)</p> <p>b) As Agreed with APHA VO</p> <p>Participate in AHW Framework with Director of APHA Scotland & his representatives.</p> <p>c) n/a</p>

9.3 Local priorities	As determined by local authority in agreement with DVM Outcomes 1, 2, 5 and 6	a) Minimum Standard/Priority Activity (only option) b) As Agreed with APHA VO <ul style="list-style-type: none">• Participate in industry & enforcement meetings• Assist in enforcement case work
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TRADING STANDARDS SERVICE PLAN

GENERAL

SCOPE OF TRADING STANDARDS SERVICE

- 73.1 The Trading Standards Service carries out a wide range of legislative duties in the field of consumer protection, both statutory and non-statutory. The day-to-day activities play an important role in protecting the economic well-being of local consumers. The safety of the goods and services they buy, their price, their quantity or quality, the truthfulness of how they are described, the information they receive if buying on credit, protection from scams, unfair trading practices, dubious itinerant traders, all of these issues are the responsibility of the Trading Standards Service.
- 73.2 The main objectives of the Trading Standards Service are to protect consumers by promoting a fair-trading environment and assisting legitimate businesses. In the main, consumer protection is a reserved policy area with the regulatory objectives set by the UK Government, such as legislation dealing with weights and measures, product safety, trade descriptions, misleading prices, and consumer credit. However, some key areas such as community safety, age restricted goods, animal feeding stuffs and money advice are devolved matters to the Scottish Government.
- 73.3 To achieve these objectives the service currently provides a comprehensive Trading Standards Service comprising enforcement, consumer advice and assistance and business advice and assistance.

CYBER-ATTACK

- 74.1 The cyber-attack has impacted on the service with the loss of the Management Information System (MIS) and document management system used to monitor and record premises and complaints. Historic intervention records and complaint investigation records have been lost.
- 74.2 There is currently no MIS in operation and the service is currently using excel spreadsheets to monitor progress. The inspection programme is relatively small and also more based on national and local priorities so it easier to develop a programme for 2024/25.

ENFORCEMENT

- 75.1 The amount and breadth of legislation that the service has a statutory duty to enforce means that every business in the Western Isles is liable for some form of enforcement visit to ensure that they are complying with their legal obligations. Enforcement activities that are carried out include licensing of certain businesses, inspection of businesses (based on a Risk Assessment), investigation of complaints and general market surveillance for intelligence gathering purposes. The service has a high priority for dealing with itinerant traders who come to the Islands. Experience shows that these traders generate a disproportionate number of problems and the service endeavours to intercept them, generally together with colleagues from the Police, and take the appropriate action to ensure they comply with their legal obligations.

CONSUMER ADVICE AND ASSISTANCE

- 76.1 Basic consumer advice is available to everyone from the national telephone helpline run by Citizens Advice Scotland. However, some consumers require greater help than the helpline can provide. The service provides this specialist advice to consumers and, if appropriate, will undertake direct intervention to help obtain some form of redress for a consumer.
- 76.2 The service has developed several initiatives to assist consumers. This includes "Doorstoppers Western Isles" which is a campaign to highlight and combat the problem of rogue doorstep callers who rip off vulnerable consumers. As well as helping individuals the service seeks to increase consumers' awareness of consumer issues and scams through various media including talks, presentations to interested organisations, exhibitions and newspaper and radio articles.
- 76.3 The service is also responsible for ensuring that the Western Isles Citizens Advice Service is providing the quality of money advice and general citizens advice services as detailed in its funding agreement with the Comhairle.

SUPPORTING BUSINESSES

- 80.1 In addition to advising consumers, it is also important to advise businesses of their rights and obligations when supplying goods and services to their customers. It can be difficult for smaller businesses to keep up to date with legislative changes in their particular trade and to help them seminars and training sessions can be provided. Our aim is to ensure that problems don't occur in the first case. We provide businesses with clear straightforward information and advice. This enables them to comply with the requirements of consumer law, ensuring fair competition and a thriving local economy.
- 80.2 Specialised services, particularly in the field of metrology and quality control, are also made available to assist businesses. In challenging times for legitimate local businesses, it is important that the service does all it can to help them by ensuring that they are not disadvantaged by the unfair trading practices of others.

TOBACCO AND NICOTINE VAPOUR PRODUCTS

- 81.1 The main provisions of the Health (Tobacco, Nicotine etc. and Care) (Scotland) Act 2016 (the Act) came into force on 1st April 2017. The Act extends existing controls on tobacco products and introduces controls on "nicotine vapour products" (NVP's). The service will continue to implement the provisions.
- 81.2 New law are expected to come into force in 2025 which will see a ban on single use NVPs and make it illegal to sell tobacco to anyone born on or after January 1st 2009. There will also be restrictions on NVP flavours, the way they are displayed in store and how they are packed. This new law will be enforced by Local Authority Trading Standards Services.

TARGETS FOR 2024/25

- 82.1 The planned activities and targets for 2024/25 are shown below:

Activity	Key Tasks/Targets
<u>Inspections:</u>	complete 100% of high-risk businesses and review risk assessments of all other businesses.
<u>Licensing:</u>	complete Trading Standard's involvement within 21 days of receipt. Work with Police to ensure that individuals undertaking a licensed activity are properly licensed.
<u>Doorstep Sellers:</u>	intelligence led response to doorstep sellers. Joint working with Police Scotland.
<u>Scams:</u>	increase awareness locally and continue to support local victims of scams and take any enforcement action necessary.
<u>Cyber-attack</u>	Continue recovery of systems from cyber-attack
<u>Consumer Complaints:</u>	complete 80% of complaints within 14 days and 100% within 28 days.
<u>Business advice requests:</u>	complete 100% of requests within 7 days.

ENVIRONMENTAL HEALTH AND LICENSING SERVICE PLAN

GENERAL

SCOPE OF SERVICE

- 83.1 The service carries out a wide range of activities and statutory duties, some of which are detailed in this section. A lot of these functions have a large element of reactive work which can affect overall service performance.

CYBER-ATTACK

- 84.1 The cyber-attack has impacted on the service with the loss of the Management Information System's (MIS) and document management systems used to monitor and record licences, premises and complaints. Historic records relating to licences, premises, intervention, and complaint investigation have been lost.
- 84.2 The service will continue to rebuild its databases and processes for administering and issuing the various licences and registrations it is responsible for.

CONSULTATIONS

- 85.1 The service is consulted on Planning applications and licences issued by other parts of the Comhairle. The service provides advice to the Comhairle on consultations on new legislation.

PUBLIC REGISTERS

- 86.1 The service is obligated to keep various public registers and had published some on the website prior to the cyber-attack. The service aims to rebuild the registers that were lost and continue to review the other various licences it is responsible for and have any required public registers easily accessible on the website (this will also likely be dependant on when the Comhairle has a new permanent website).

LICENCES

- 87.1 In addition to the Animal Licences that are issued, the service is responsible for the administration and issuing of the following licences/registrations *(January 2023):

	<u>Live Licences (January 2023)</u>
Animal Boarding Establishment Licence	3
Dog Breeding Licence Establishment	1
Pet Shop Licence	1
Horse Riding Establishment	2
House in Multiple Occupation Licence	24
Street Trader Licence	21
Late Hours Catering Premises Licence	4
Market Operator's Licence	8
Metal Dealers Licence	5
Acupuncture - Electrolysis - Single use	1
Ear Piercing Licence - no clinical waste	4
Tattooing etc. with reusable equipment	10
Venison Dealers Licence	6
Caravan Site Licence	59
Explosives Registration	5
Petroleum Certification	20
Knife Dealers Licence	2
Second Hand Car Dealer Licence	11
Second Hand Goods Dealer	3
Short-term Let (March2024)	694
Total	884*

PRIVATE LANDLORD REGISTRATION

- 88.1 The Service, on behalf of the Comhairle, registers all private landlords and agents in the Outer Hebrides and enforces and advises on the related legislation. A particular difficulty in relation to managing this in the Outer Hebrides is that croft houses are exempt from registration and many of the associated requirements. The register (March 2024) contains 640 registered landlords with 636 properties.

SHORT TERM LET LICENSING

89.1 The service continue to implement the new government short-term let licensing scheme. The service had a large volume of applications prior to the final deadline for operators to apply (1 October 2023) and although most have been processed the service is still working with a number of applicants to get their applications competent. This will be the priority for 2024-25. The current licensing figures are 263 invalid, 66 pending applications and 694 licences granted. There have been no refusals.

SAFETY ADVISORY GROUP

90.1 The Safety Advisory Group (SAG) for the Outer Hebrides is a sub-group of the Western Isles Emergency Planning Co-ordinating Group (WIEPCG), co-ordinated by Comhairle Nan Eilean Siar and is made up of representatives from the Comhairle, the emergency services and other relevant organisations. They meet to review event proposals and advise on public safety (this includes the safety of participants).

90.2 SAG meetings are normally organised and chaired by the service and meet with the organisers of the main festivals and events held in the islands. If a member of the SAG has concerns regarding any event, they can ask that the organisers meet with the SAG to help ensure the event proceeds safely.

90.3 As well as the SAG function, the Services are involved in most events, including the larger events in terms of making sure they are safe from a licensing, food, and general environmental health perspective.

HOUSING

91.1 As well as private landlord registration, house in multiple occupation licensing and short-term let licensing, the Services also deal with housing issues raised by both private tenants and social housing tenants in terms of houses meeting the tolerable and repairing standard.

NUISANCES

92.1 The service is responsible for investigating a variety of public health complaints, including noise, smoke, drainage, smells, dusts, lighting, and pest control. There is some overlap between nuisance and housing issues for domestic properties .

PRIVATE WATER SUPPLIES

93.1 The service is responsible for ensuring that the quality of water from private water supplies (PWS) in the Outer Hebrides complies with the [Water Intended for Human Consumption \(Private Supplies\) \(Scotland\) Regulations 2017](#). There are approximately 138 properties served by private water supplies (15 Regulated supplies with 83 separate domestic and non-domestic uses and 40 Type B supplies serving 55 domestic properties).

93.2 The service is responsible for taking samples and carrying out risk assessments in accordance with the Regulations. Supplies serving commercial or public activities (Regulated Supplies) are sampled annually for a range of parameters. There is a charge for this, and the level of charge will depend on the exact range of parameters for which the sample requires to be analysed. These parameters will be determined following risk assessment, the main purpose of which is to identify the points on the supply where contamination is most likely. Supplies serving less than 50 persons for domestic use (Type B) will generally only be sampled on request and a charge is made for this service.

93.3 The service also administers the private water supplies grant scheme which provides grants of up to £800 per household to improve the quality of the supply, irrespective of it being a Regulated supply or Type B supply.

93.4 The PWS supplies in the Outer Hebrides are primarily in rural locations with significant travel time; bacterial samples also have to be ready for collection by early afternoon causing logistical issues. A lot of the bacterial PWS treatment involves UV light systems which are not as effective with peaty water and require regular filter maintenance. This results in a lot of sample failures which require resample visits.

93.5 It is estimated that there will be about 30 PWS samples in 2024/25.

AIR QUALITY

- 94.1 The service is responsible for reviewing the status of the air quality in the area and making annual reports to the Scottish Government. These annual assessments continue to show that there are no issues and that detailed assessments are not required for any pollutants. The next annual report is due to be submitted by June this year.
- 94.2 The service also investigates complaints about dark smoke and other air quality issues.
- 94.3 The service does not carry out routine air quality monitoring.

SMOKING

- 95.1 During all inspections, for whatever purpose, to premises to which the Smoking, Health and Social Care (Scotland) Act 2005 and associated Regulations apply, checks are made to ensure compliance with the legislation.
- 95.2 In the vast majority of circumstances business are complying. However, when they are not a warning letter is sent reminding the business operators of the requirements of the legislation. If further breaches of the legislation are noted, then a fixed penalty notice will be served.
- 95.3 One area where non-compliance has been increasingly noted is in work vehicles. If observations are made of this, and the vehicle and business details are seen, a letter is sent to the employer again reminding them of their obligations to display the relevant signs in their vehicles and to ensure their employees do not smoke in the work vehicles. Where appropriate, further breaches will be dealt with by means of fixed penalty notices.
- 95.4 From the 5 December 2016 the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Act 2016 made it illegal to smoke in a vehicle if there was anyone under 18 in the vehicle, with sanctions including fixed penalty notices.
- 95.5 Local authorities will be primarily responsible for enforcing the Act although Police Scotland can also serve fixed penalty notices. There is no additional resource to local authorities for enforcing the Act.
- 95.6 Further legislation in 2022 made it an offence to smoke within 15 metres of an NHS hospital building, with enforcement responsibilities falling on local authorities.

DOG FOULING

- 96.1 The Services deal with dog fouling complaints. Staff erect notices and spray-paint pavement signage where appropriate; carry out patrols of problematic areas; and issue fixed penalty notices when breaches of the legislation are observed. The service is always looking at new methods and best practice from other local authorities to deal with this issue.

STRAY DOGS

- 97.1 The majority of stray dogs are on Lewis, primarily around the Stornoway area. The service works closely with the Police and collects stray dogs during office hours, whilst members of the public can take strays to the Police station at all other times. Cases in Uist & Barra are so rare that they are dealt with on an individual basis; however, can be difficult to deal with due to the lack of kennel facilities and staffing, particularly on Barra.
- 97.2 There has been a significant reduction in the number of reports over the years with very few dogs being kennelled through the Comhairle.

LITTERING

- 98.1 The service has responsibility for monitoring littering. service staff carry out patrols, including joint patrols with the Police where necessary, of problems areas and will issue warnings and fixed penalty notices when breaches of the legislation are observed, The service also works closely with colleagues in cleansing with regard to littering and fly-tipping.

ZERO WASTE REGULATIONS

- 99.1 The Waste (Scotland) Regulations 2012 require businesses to take all reasonable steps to ensure the separate collection of dry recyclable waste and, where applicable, food waste. The islands are classed as rural areas under the regulations therefore there is no requirement to separate food waste, although it is promoted where the Comhairle offer a service. The service works with our colleagues in Technical Services and SEPA and have an enforcement role where there are persistent offenders.

- 99.2 New regulations on single-use plastics came into force on 01 June 2022. Banning certain single-use plastic items unless an exemption applies. The service provided information to businesses prior to the ban being implemented and will continue to offer advice and assistance to businesses as well as investigating any complaints in line with the Services enforcement policy.

PUBLIC HEALTH

- 100.1 The service has a close working relationship with NHS Western Isles (NHSWI) in terms of Public Health. Officers have worked closely with NHSWI in implementing the requirements of the Public Health (Scotland) Act 2008 and in producing joint plans on Outbreak Control and Blue-Green Algal Blooms. The Health Protection Team, comprising staff from NHSWI and EHOs meet every quarter and issue regular public advice through press releases and other strategies. The Joint Health Protection Plan was revised in 2018.
- 100.2 The service has four officers authorised as local authority competent persons under the Public Health (Scotland) Act 2008.
- 100.3 There is also close liaison on issues concerning drinking water quality in terms of both public and private water supplies.

PORT HEALTH AUTHORITY

- 101.1 The service carries out the Port Health Authority function of the Comhairle and is responsible for the enforcement of infectious disease controls on ships and issues ship sanitation exemption certificates which are designed to prevent international vessels from causing a public health risk. The service liaises closely with NHS Western Isles (NHSWI) public health team in relation to any potential incidents.

BURIAL AND CREMATION (SCOTLAND) ACT 2016

- 102.1 The service carries out the Comhairle duties under the Burial and Cremation (Scotland) Act 2016 other than for those from Comhairle homes. This requires the Comhairle to make suitable funeral/burial arrangements for deceased persons if no other arrangements have been made. The Comhairle has no specific budget for this.

RADIATION MONITORING

- 103.1 Following the Chernobyl accident, the Comhairle has undertaken radiation monitoring that has been designed to provide information on the background levels of radiation in the environment of the Outer Hebrides. It also considers the potential for radioactive contamination from sources such as Chernobyl and Sellafield. In addition, local concerns in relation to possible illegal disposal and use of radioactive substances have been considered by sampling such things as leachate from our landfill sites and the taking of marine samples at Benbecula.
- 103.2 In addition to the samples taken annually, equipment is used to monitor atmospheric gamma radiation at the fixed sampling points.
- 103.3 The service aims to take 24 radiation samples and 4 atmospheric readings per year.

CONTAMINATED LAND

- 104.1 The service carries out the regulatory role of the Comhairle in relation to threats to health and the environment from land contamination and has a published strategy for the identification of contaminated land. The service provides an advisory service alongside its enforcement role and aims to ensure that land remediation is carried out where necessary (other than where SEPA is the enforcing authority).
- 104.2 There is also a duty to maintain a contaminated land public register. There are currently no contaminated land sites on the public register.

PRIORITIES

- 105.1 The Services priorities are to:
- Rebuild the systems used to manage and maintain the various EH and licensing functions
 - Continue to create accessible public registers on the Comhairle website
 - Provide an environmental health service that is adequately maintained and to ensure that officers are appropriately trained.
 - Complete the annual air quality report.

2024/25 TARGETS

107.1 The service targets for 2024/25 are:

Subject	Target
Licensing	Have fully functional systems to allow the proper adminstarion, monitoring and issuing of the Service's various licences and registrations.
Air Quality	Produce the annual air quality report as required by the Scottish Government
Landlords	Aim to approve 90% of landlords within 28 days of competent application
Private Water Supplies	Ensure that all Regulated supplies are sampled annually and have risk assessments in place.
Public registers	Have all the required public registers available on the Comhairle website.