

THE ROYAL BOROUGH OF KENSINGTON AND CHELSEA

HEALTH, ENVIRONMENTAL HEALTH AND ADULT SOCIAL CARE SCRUTINY COMMITTEE – 13 MARCH 2013

CABINET MEMBER FOR ADULT SOCIAL CARE, PUBLIC HEALTH AND ENVIRONMENTAL HEALTH

CABINET MEMBER'S REPORT ON CURRENT ISSUES

The purpose of this report is to inform Members of recent developments which are likely to impact on the future work of the Business Group and to update Members on progress of important current projects.

FOR INFORMATION

ADULT SOCIAL CARE

1. The Kensington and Chelsea Health and Wellbeing Board (HWB)

- 1.1 The Health and Wellbeing Board met on 5 March 2013 to further discuss the workplans that are being developed as part of the Joint Health and Wellbeing Strategy. They looked at the work of the Joint Strategic Needs Assessment, Public Health Transition, and received an update from the North West London Primary Care Trust on the 'Shaping a Healthier Future Programme' and consultation results.
- 1.2 This is the last time the Board will meet in shadow form as from 1 April 2013 Councils are required by the Health and Social Care Act 2012 to set up Health and Wellbeing Boards. At its meeting on 27 March, the Administration Committee will be asked to recommend that Full Council approves the membership and terms of reference of the HWB on 17 April, when the Board will be officially established.
- 1.3 The findings from a piece of work funded by NHS London and carried out by Matrix Knowledge will be delivered to the Chairs of the three Health and Wellbeing Boards in March. The aim of this project was to identify and explore joint health and wellbeing priorities that could usefully be addressed at a Tri-borough level through collaborative working between the Health and Wellbeing Boards for the London Borough of Hammersmith and Fulham (LBHF), the Royal

Borough of Kensington and Chelsea (RBKC), and Westminster City Council (WCC). RBKC led on this project after successfully applying for £12,000 from NHS London in August 2012.

2. Safeguarding Adults

2.1 Strategic Review

2.1.1 A consultation paper was circulated to stakeholders in September 2012 which set out the plan to review the existing local adult Safeguarding Boards in LBHF, RBKC and WCC. The paper proposed a number of options for the future governance of Adult Safeguarding.

2.1.2 The consultation was completed in November. The result of the consultation report was distributed to all members of all the three Boards.

2.1.3 Three committee reports are in the process of being presented (one for each Cabinet Member) recommending a single Executive Board across the three boroughs with an Independent Chair and designated administrative support, to mirror the arrangements of the Local Safeguarding Children's Board.

2.1.4 The new Executive Board is expected to be in place by April 2013. The Executive Board members will then make a decision about how the three Safeguarding Partnership Groups will go forward and are supported.

2.1.5 The contracts for the two current Independent Chairs for RBKC and WCC have been extended to 31 March 2013.

2.2 Safeguarding Executive Board

2.2.1 For this quarter the Safeguarding Adults Executive Board (SAEB) met on 13 December 2012.

2.2.2 There was a report back from Mike Howard, the RBKC Independent Chair, on the multi-agency Winterbourne View Task and Finish Group. The Board members discussed the local response to the findings and recommendations of the Serious Case Review.

2.2.3 This work has resulted in an action plan which will inform the priorities for the new Tri-Borough Executive Board.

2.2.4 The Annual Report 2011-12 was presented to the Health, Environmental Health and Adult Social Care Scrutiny Committee in January 2013 and has been approved by the Chief Executive.

2.3 Quality Assurance

- 2.3.1 The Tri-borough Safeguarding Team commissioned an external audit of 25 safeguarding cases per borough which was completed in October 2012. The audit tool used measured compliance with Pan London Policy and Procedures.
- 2.3.2 Out of the three boroughs RBKC had the highest number of cases deemed to be performing well at 56%. This compares with LBHF who had 36% of cases performing well and WCC had none.
- 2.3.3 Of the remaining 44% RBKC cases, 32% were deemed adequate and 12% (3 cases) were considered poor. Overall the auditor concluded that the safeguarding practice in RBKC is good. In her view there is a strong foundation to further develop practice to achieve the Tri-borough target of at least 100% cases adequate with 60% performing well and above. The Quality Assurance systems set up in RBKC in the form of monthly peer audits appears to have delivered this foundation.
- 2.3.4 Overall the auditor concluded that the safeguarding practice in RBKC is good.
- 2.3.5 As part of the 2012-13 Internal Audit Plan agreed by the Audit Committee on 15 March 2012, a Tri-borough internal audit of Safeguarding Adults was also conducted by Deloitte Audit Services.
- 2.3.6 Out of the three boroughs RBKC received the highest rating and were awarded substantial assurance.

3. Thamesbrook update

3.1 Safeguarding and Establishment Concerns

3.1.1 Thamesbrook has been the subject of a series of formal Establishment Concerns meetings with Police and the Care Quality Commission (CQC) since November 2012, due to the high number of safeguarding cases in 2012.

3.1.2 The majority of cases were due to incidents of violence and aggression by residents with dementia and high levels of challenging behaviour. The establishment concerns process has highlighted that Thamesbrook, being an in-house service, has tended to accept referrals that other similar providers have refused. This has resulted in placements of more people with higher needs than Thamesbrook is equipped to deal with.

3.1.3 The outcome of the establishment concerns process was a voluntary block on new placements in the dementia units, with a review of the referral and panel procedure to improve screening of referrals, and a review of the most challenging residents. A number of residents have been moved to EMI or dementia nursing units in other homes.

3.1.4 The last establishment concerns meeting on 8 February 2013 with CQC agreed that good progress has been made against the risk management plan, and that once the last high risk resident has been moved on (expected late February), we may lift the temporary block on dementia placements.

3.2 CQC Standards

3.2.1 Thamesbrook's last CQC inspection in September 2012 found two standards were not being met, with improvements required, in the area of documentation of resident consent to use of restraint such as bed rails, or mental capacity assessment and best interest decisions. An action plan was put in place for completion by end of March 2013, and a lot of work has been undertaken on new policies and procedures, new care plan documentation, and mandatory training for all staff. A further, unannounced inspection is expected soon after the end of March.

3.3 Current Occupancy

- Dementia Units: 20 beds, 7 vacancies, 1 further move pending
- Nursing Units: 31 beds, 7 vacancies

4. Community Health and Social Care Integration

4.1 Operations update

- 4.1.1 The implementation of Phase 1, which plans to establish an integrated Adult Social Care Operations leadership structure, remains on track to be completed in April 2013 despite some delays in the recruitment process for the jointly appointed Deputy Executive Director, Community Health and Social Care Adults. There has been a good response to the job advertisement and a preliminary review of the long-list of applicants suggests that the final interviews, which are now planned for the week commencing 18th March, are expected to result in a successful appointment.
- 4.1.2 Formal consultation with staff in roles that are affected by the next tier of the joint management structure (Assistant Director roles) is underway and the process is due to be completed at the beginning of March. Appointments to these new roles are expected to be made in early May, although this will be dependent on the successful appointment and availability of the Deputy Executive Director role to lead the interview process.
- 4.1.3 Good progress has been made in defining the Tier 3 Locality Management and the joint team structures and a transitional organisation design is expected to be agreed before the end of February, which is in line with planned milestone timelines.
- 4.1.4 Engagement with the Clinical Commissioning Groups (CCGs) remains a priority and has been formalised through a series of integration programme update presentations. These have been jointly delivered by Andrew Webster (Executive Director Tri-borough Adult Social Care) and James Reilly (Chief Executive Central London Community Healthcare (CLCH) NHS Trust) at each CCG Board meeting over the course of January and February 2013.
- 4.1.5 The decision by the CCGs to proceed with the commissioning of a new community nursing specification and commitment to a timetable to assess the capability of the existing provider, CLCH, to deliver this in the future has increased the profile of this known risk within the programme. Risk management actions remain unchanged and include Tri-borough and CLCH directly engaging CCGs and GPs in the design of the strategic target operating model for an integrated community health and social care service and provision in the legal agreement to support a safe withdrawal and repatriation from the proposed integrated operating arrangement if this was required.
- 4.2 Future key dates and milestones over the next six months
- Set up Joint Integration Board – First meeting is planned for March 2013

- Joint Deputy Executive Director, Community Health and Social Care Adults appointed (22 March 2013)
- Joint Operations Assistant Directors of Health and Adult Social Care and Joint Operations Associate Director Learning Disabilities appointments confirmed (early May 2013)
- Tier 1 and 2 integrated management structure in place and operational (May 2013)
- Co-location of ASC Operations Teams (Assessment and Care Management) with CLCH Community Adults teams into team bases and aligned with GP Locality Networks begins from May 2013
- Joint Locality Managers (Tier 3 management structure) appointed (June 2013)

5. Carers Allowance and Personal Independence Payments

- 5.1 The Department of Work and Pensions (DWP) is to replace the current Disability Living Allowance (DLA) with Personal Independence Payments (PIPS).
- 5.2 The process will start in pilot areas in April 2013 and will be rolled out nationally for new claimants from June 2013. Existing claimants of DLA will be assessed for PIPS between June 2013 and April 2016.
- 5.3 The eligibility rules for PIPS are different to those for DLA, having been amended following consultation by the DWP. The change applies only to people of working age. Claimants who are under 16 or over 65 will continue to receive DLA.
- 5.4 The new assessment criteria for PIPS are expected to reduce the numbers of people receiving disability benefits. Current analysis suggests that those most affected are likely to be in the mental health and learning disability service groups and those at the lower end of the care needs spectrum. This will become clearer once assessments start taking place in April 2013.
- 5.5 Loss of DLA would result in a carer losing their Carers Allowance (CA). The DWP estimates that nationally, following the transition process, 25,000 current recipients of Carers Allowance (CA) will no longer be eligible and will lose benefit of £59.75 per week at 2013/14 rates. However, 20,000 carers who currently are ineligible to claim CA will be able to do so under the new rules. A net reduction of 5,000 claims for CA is therefore anticipated.
- 5.6 The effect on household incomes for those who lose eligibility can be substantial. A DLA middle rate recipient in receipt of £53 per week, and their carer in receipt of £59.75, will see a drop in household income of £112.75 if they are assessed as not being eligible for PIPS.

5.7 The loss of CA does not impact on the Council's budget as this is not taken into account when determining a service user's ability to contribute towards the cost of their care. However, the loss of other disability benefits (e.g. Disability Living Allowance or Severe Disability Premium) could potentially reduce Adult Social Care income, as these benefits are taken into account when calculating their contribution to the cost of care provided. However, at this stage, the loss of income is not expected to be significant as the income receivable from the most affected service groups is a small proportion of total income. The number of service users who lose benefit will be closely monitored and any adverse variance addressed as part of the quarterly budget monitoring process.

5.8 Commissioning Services update

5.8.1 Feedback on the impact of these changes for carers will be collated from Carers Kensington & Chelsea (CKC), the CAB and the Council's Benefits Service from June. The emerging picture in RBKC, as well as in WCC and LBHF, will be reported upon at the Tri-borough Carers Joint Partnership Board.

5.8.2 The February issue of CKC's newsletter includes a summary of the changes (from 1 April 2013) to Housing Benefit size criteria rules ("bedroom tax") and Benefit Caps, as these will be the first welfare reforms to potentially impact negatively on disabled people and their carers.

5.8.3 The May issue of the newsletter will have a focus on Carers Allowance and PIPS.

5.8.4 The above changes mean that the drive to increase the uptake of carers' personal budgets is all the more relevant, and this will be actively promoted by carers' support services.

6. Changes to the Independent Living Fund (ILF)

6.1 Introduction

6.1.1 The ILF makes regular payments to disabled people, providing financial support to enable people to live independently in the community. It is Government funded but administered by a board of trustees and awards are discretionary.

6.1.2 To qualify individuals must receive services or cash to a value of at least £340 per week from the local authority and have less than £23,250 in savings.

6.1.3 In December 2010 the Government permanently closed ILF to new applicants and announced that a consultation would take place in 2012, when the Government published proposals for changes to the wider care and support system, on how best to support ILF users beyond 2015. Existing claimants will retain their ILF payments until 2015.

6.1.4 The consultation regarding the future of ILF funding started on 12 July 2012 and closed on 10 October 2012.

6.2 The future of ILF

6.2.1 The Government announced in January 2013 its decision to transfer the funding and responsibility for ILF support to local authorities.

6.2.2 This will mean the closure of the ILF on 31 March 2015, although current ILF service users will continue to be funded until this date, as long as they continue to meet ILF eligibility criteria.

6.2.3 To allow the smooth transfer of people's care and support, the Department of Work and Pensions ILF Team will be working closely with ASC, both the Operations and Finance teams, to agree the transfer review programme.

6.2.4 The ILF Team are planning a series of events with all local authorities in the first quarter of 2013. From April 2013, the ILF Team and ASC Operations Teams hope to start visiting users to undertake a joint transfer review programme. The expectation is that an ongoing support plan, including provision, resources and outcomes, is agreed for each ILF user.

6.3 Financial Risk

6.3.1 There are currently 33 ILF service users in Kensington and Chelsea, with payments totalling over £500,000. The ongoing provision and resources will be agreed as part of the transfer work with the ILF team. Officers will closely monitor the position and report any financial implications.

7. Update on Homecare and Personalisation

7.1 Two major Tri-borough projects have been initiated and are being run in tandem. One of these focuses on the procurement of a new service providing flexible support to live at home, which will replace the three Councils' current contracts for homecare. The other focuses on the development of a joint approach to personalisation across the three boroughs, with an improved Direct Payments (DP)

offer at the centre of this, aimed at making DPs a positive option for more people.

7.2 The intention of progressing both initiatives at the same time is to bring about improvements for *all* service users requiring support to live at home, regardless of whether they want the Council to arrange this for them or to make their own arrangements via a DP. The intention is that people will be able to make an informed choice between these options and for that choice to be a real one, as DPs will operate in a way that works well for more people than currently. This change will in turn put pressure on contracted homecare providers to perform to a good standard, as loss of business could otherwise result.

7.3 Homecare project

7.3.1 The first major priority is to develop a contract that will deliver a higher standard of care, specifically tackling the familiar issues of quality in relation to the current service without increasing overall expenditure.

7.3.2 The second priority, which is necessary in order to deliver on the first, is to move away from the traditional service model for homecare as this has an inbuilt tendency to *increase* dependence, so that the amount of support people receive increases year on year. The new support to live at home service, for which the specification is currently being drafted, will require providers to work in a different way, geared to reablement and prevention. This is not to ignore the fact that many people's needs will still increase, due to progressive health problems and advancing age; the principle is about working with the potential for independence, however limited.

7.3.3 The procurement of the new service is due to begin in May 2013 for commencement around 12 months later.

7.4 Personalisation Project

7.4.1 Key aims of this project are to establish a Tri-borough approach to DPs, based on a common policy on the use of DP funding; shared DP processes and systems; and a range of services on offer to help people set up and manage a DP. The latter will include signposting to services and activities, help to plan and set up support arrangements including the employment of personal assistants and help with managing the money.

7.4.2 The other major priority is to improve monitoring and oversight of DPs so that the three Councils can consistently ensure appropriate use of public funds, in line with the agreed DP policy.

7.4.3 In relation to all of the above, there will be an emphasis on streamlining systems to cut out waste and duplication and making best use of available technology, so as to ensure DP administration costs are minimised.

ENVIRONMENTAL HEALTH

8. Update on Service Reviews

8.1 Work continues across the Department on the Bi-borough service reviews. The Residential Teams have taken their reports through both the Programme Board and the Members' Steering Group. Commercial Services, Licensing and Trading Standards have reports at various stages and it is hoped that these reviews will have been through both the Programme Board and the Steering Group by the end of March. An update on all Environmental Health areas will be brought to the next Committee.

9. Briefing on Foxes – Background, legislation and the Council’s advice

9.1 Background

9.1.1 Foxes are considered to be wild animals, not pests. There is no legislation which places the responsibility for controlling foxes on a local authority. The Council has no statutory powers or legal rights to eradicate foxes on private or other land and the Royal Borough’s Pest Control Service does not currently take direct action to reduce the number of foxes in the Borough.

9.1.2 On 06 February a four week old baby boy was attacked in his bedroom by a fox in the London Borough of Lewisham. Thankfully these incidences are extremely rare. However, in light of this event, it is timely to review the Council’s position on foxes and the information and advice given to residents.

9.2 Foxes – general behaviour

9.2.1 Most towns and cities in southern England have urban foxes. They are classed as omnivores and will eat virtually anything – small rodents, rabbits, birds, worms, beetles and berries.

9.2.2 The population is generally self regulating, limited by the amount of food and territory available. Although fox cubs have been found in nearly all months of the year, foxes are seasonal breeders with litters usually born in late March to early April. These cubs replace the number of adults lost since the previous breeding season. Therefore, contrary to popular belief, the population is fairly stable.

9.2.3 Foxes will scent-mark by anal gland secretions and urine. They often deposit their faeces in prominent places and are used as a means of communication. Foxes also communicate by distinctive calls, most frequently heard during the breeding season, between December and February and also sometime during the autumn when juveniles are dispersing.

9.2.4 Foxes can be infected with a number of zoonoses (these are diseases communicable to man). In the UK, there are two main parasites of concern (there are more in other parts of the world), *Sarcoptes scabiei*, which causes mange and *Toxocara canis*, a round worm.

9.2.5 Foxes are susceptible to sarcoptic mange (which dogs may also catch). The fox strain (*Sarcoptes scabiei* var. *canis*) can be transmitted to humans but does not last long; infected people develop a rash that naturally dies away in a few weeks. The chances

of infection increase with the degree of contact, so it is not advisable to handle mangy foxes without protection.

9.2.6 *Toxocara canis*, the roundworm, inhabits the intestine of dogs and foxes. The roundworm sheds its eggs in faeces and humans can be infected through direct contact or via contaminated soil. Young children or anyone suffering from pica disease are particularly at risk if they are curious to put this contaminated soil in their mouth, as this will then be ingested. Contamination cannot happen by just handling pets and their faeces, the eggs must be ingested.

9.3 Fox control

9.3.1 The destruction of foxes is an emotive subject with public opinion divided between wanting them destroyed, tolerated and actively encouraged. While some residents welcome them, others view them as pests who cause a multitude of problems.

9.3.2 Foxes are protected under a series of wildlife protection laws against poisoning, gassing, asphyxiating, maiming, stabbing, impaling, drowning, clubbing and most forms of snaring. Anyone found to carry out such acts could be charged and sentenced to 6 months imprisonment and/or £5,000 fine per animal.

9.3.3 Culling, is permitted, provided it is carried out in accordance with the appropriate legislation. However, it has been proven to have very little impact on the fox population, and any relief obtained through culling has been short lived as other foxes quickly colonise the newly vacated territory. Invariably more than one fox moves in and then there are also fights over the territory which brings more noise and fouling. The use of firearms for pest control purposes can also be a real cause for concern in an urban environment.

9.4 Advice to residents

9.4.1 The Council's policy for controlling foxes has consistently been to try to educate residents about the circumstances which 'encourage' foxes to occupy an area and the simple steps (set out below) that may be taken to ensure foxes are not encouraged to stay in a particular neighbourhood.

A. Do not feed foxes:

- Where people feed foxes, they are likely to become more tame. Where this happens it will be comparatively easy to get foxes to come and take food from your hand or even come indoors to be fed. This often causes great problems, both for the fox and for other local residents. The fox assumes that all people will react in the

same way and may approach people for food who are either scared of it or likely to be aggressive towards the fox.

B. Securely store rubbish and waste:

- It is important to deprive foxes of a constant and regular supply of food. Where waste is stored in plastic sacks, foxes (and other pests) will break open the sacks to gain access. It is critical that refuse is stored in suitable dustbins that have close fitting lids. If foxes are gaining access to bins which have secure fitting lids, then it is advisable to store the bin in a protected enclosure.

C. Consider your garden:

- Neglected and overgrown gardens provide a welcome shelter for foxes.
- Do not use fertilizers that contain fish, bone or blood products or foxes could dig down into flowerbeds or lawns in search of a non-existent carcass.
- Ensure that all holes around your shed or house are blocked with sturdy materials. Foxes can use holes all year round, but 'denning' with cubs is largely restricted to the period from March to June. In the first instance it is important to lightly infill holes and to only block holes properly once it is obvious that this infill has not been disturbed for a few days so you can be confident that no fox is blocked in and left to starve to death.

D. Consider increasing the size of your fence:

- A fox-proof enclosure requires a fence that is 1.8 m - 2 m high with an overhang at the top and a buried section at least 45 cm deep to prevent foxes digging under it; any changes to fencing heights should be checked with Planning enforcement.

E. Repellents/deterrents:

- We would recommend the use of non-toxic chemical repellents which move foxes on humanely. These provide an artificial scentmark. According to the Fox Project <http://www.foxproject.org.uk/deterrence/>, 'a scentmarking contest between two animals usually results in acceptance by each of their dominant or subordinate position in the pecking order. However, where the 'scentmark' cannot be identified and contested, an animal may become nervous and choose to avoid the area. In effect, repellents use the animal's own ammunition against it'. Further information on products can be found on their website.

9.4.2 If residents do want to take steps to exterminate foxes on their property they would need to use the services of a professional pest control contractor. It is a specialist service and the Council does not offer this.

9.4.3 In light of the recent dreadful event involving the fox, we have reviewed the information provided on the Council's website and updated it where required.

10. Briefing on the Horse meat investigation

10.1 The Food Standards Agency (FSA) is investigating, in conjunction with other Government departments, local authorities and the food industry, how a number of beef products on sale in the UK came to contain horse meat.

10.2 Background

10.2.1 In November 2012, the Food Safety Authority of Ireland (FSAI) announced they were developing authenticity methods and considering a survey. On 15 January FSAI issued a press release reporting that some of the meat products that had been tested, including beef burgers, contained horse and pig DNA. Following on from this a number of other products in the UK have tested positive for containing horse DNA.

10.2.2 The FSA launched an investigation into this issue and is working closely with other Government departments, local authorities and the food industry. As part of this investigation, the Agency has ordered food businesses to conduct authenticity tests (in other words, check the content is listed accurately on the label) on all beef products, such as beef burgers, meatballs and lasagne, and provide the results to the FSA. The tests will look for the presence of horse meat.

10.2.3 The deadline for the first set of results to be provided to the FSA was the 15 February. They have also ordered some manufacturers to test their products for the veterinary drug phenylbutazone, known as bute.

10.2.4 The evidence the FSA has about the two cases of horse meat in burgers and lasagne, points to either gross negligence or deliberate contamination in the food chain. The FSA have involved the Police, both here and in Europe. The investigation is ongoing.

10.3 What is being done?

10.3.1 Food companies are legally responsible for the food safety of the food they sell and the accuracy of its labelling and it is important that in the light of these incidents the public can have confidence in the food they buy. As a result the FSA have asked the food industry to do this testing. The laboratories doing the tests are independent

and will share the results with both the company and the Food Standards Agency.

10.3.2 The FSA are also carrying out a large scale survey through local authorities to provide information about the possible presence of horse or pig DNA in a range of beef products available in the UK. This work is in addition to the preliminary sampling work that has already taken place. It is planned that 28 local authorities across the UK will be involved. The FSA will publish the results from the study, including brand names, and will disclose any formal action taken.

10.3.3 It is anticipated that a full analysis of the results of this survey will be published in April 2013.

10.3.4 The Royal Borough of Kensington and Chelsea and the London Borough of Hammersmith and Fulham are not included in this list of Local Authorities. The 28 Local Authorities were selected on the basis of achieving a representative geographical spread throughout the UK, based on population figures in the different Government Office regions and UK countries. The FSA are also asking local authorities to check on businesses where they act as the primary authority for their help in prioritising inspections at cold stores and meat processing plants. RBKC is not a primary authority and does not have any of these types of premises in the Borough.

10.4 Is there a public health risk?

10.4.1 There is no reason or evidence to suspect that there is a food safety risk from these products and the FSA have not advised people to stop eating them. If people are concerned, they are advised to contact their local authority or the retailer where they bought the product.

10.4.2 The FSA is stressing that, on the basis of the evidence so far, there is no food safety risk to consumers from these products. There is nothing about horse meat which makes it any more or less safe than other meat products and the meat products were supplied to the retailers by approved establishments. The burgers that tested positive for horse DNA were tested by the FSAI for the presence of bute and all of the results were negative.

10.5 What is the concern about bute?

10.5.1 Animals treated with bute are not allowed to enter the food chain as it may pose a risk to human health. Bute (phenylbutazone) was previously used as a human medicine for treatment of conditions such as rheumatoid arthritis, but it is now recommended that it should only be used by a specialist in severe cases of one specific condition (ankylosing spondylitis) where other treatments have been found unsuitable.

10.5.2 Therapeutic doses of bute in humans started at about 300 mg. To achieve an equivalent dose from consumption of a large (200g) portion horse meat would require the meat to contain 1500 mg/kg of bute. In tests conducted by the FSA, the highest level of bute detected in horse samples was 1.9 mg/kg, which is about 1000 times lower. The levels of bute were much lower in most of the other positive samples and it was not detected in about 95% of the horse samples tested.

10.5.3 This suggests that even if you have eaten products which contain contaminated horse meat, the risk of damage to your health is very low.

10.6 What are we doing?

10.6.1 RBKC has contacted our Approved Premises and large food premises. They are checking their suppliers and some are undertaking their own sampling as an extra precaution.

10.6.2 In addition officers are discussing this investigation with businesses when undertaking their routine inspections. So far businesses all seem to be very aware of the current situation because the news is

dominated by this ongoing investigation and restaurants are checking their suppliers as they don't want to be implicated.

10.6.3 Representatives from across the Tri-borough have recently met to discuss the school meals contracts. The Hammersmith and Fulham school meals contractor is Eden Food Services and in RBKC the contractor is Alliance in Partnership. It was agreed that all three boroughs would sample a selection of beef and lamb products from a small selection of schools. The sampling will be paid for by Children's Services and the sampling undertaken by EHO's from each Food Safety Team. The samples will be taken week commencing 25 February and submitted for species authenticity at the Eurofins Public Analyst Laboratory. Full documentation traceability checks will be undertaken on these samples.

10.6.4 There are some Council funded schools outside of the meal contract and the Tri-borough Director for Children's Services is writing to these schools and offer the councils assistance as necessary.

10.6.5 In addition, Appetito provide food for the Meals on Wheels service in the three boroughs and a selection of meals will also be sampled for detailed analysis.

10.6.6 RBKC has so far only received one complaint/enquiry from a local resident.

10.6.7 A timeline of events is listed below:

Timeline on horse meat issue

Timeline of statements and news stories on the horse meat investigation published by the Food Standards Agency. The most current is listed first and then in chronological order.

22 February

The FSA published further results from industry testing, which show that out of 1,133 samples 6 were positive for equine DNA or meat above a level of 1%. None of the 6 tested positive for the veterinary drug phenylbutazone.

21 February

Scotland: frozen beef burger contains horse DNA

North Lanarkshire Council reports a positive result for horse DNA in a frozen beef burger that they submitted for sampling. Investigations are ongoing to determine the source of the burger.

Burger company withdraws products

The Burger Manufacturing Company withdraws products that contain at least 1% horse meat, after testing carried out by Powys County Council.

19 February

FSA meat testing survey expanded

The FSA publishes details of the expanded UK-wide survey of food authenticity being carried out through local authorities.

15 February

FSA publishes industry test results on beef products

The FSA publishes the first set of industry results from beef products that have been tested for the presence of horse DNA.

Update on police investigations into horse meat

The FSA announces that further to the arrests made yesterday in Wales and West Yorkshire in relation to suspected fraud, there have been seizures of evidence in Hull and London.

14 February

Arrests made at meat plants

Dyfed-Powys Police make arrests at both meat plants inspected by the FSA on Tuesday, 12 February.

Rangeland Foods withdraws burgers due to horse meat

Catering supplier Rangelands Foods in the Republic of Ireland tells the Food Safety Authority of Ireland that some of its burger products contain significant levels of horse meat.

Latest bute test results on horse carcasses

The FSA's recent tests on the presence of phenylbutazone (bute) in horses slaughtered in the UK checked 206 horse carcasses between the 30 January 2013 and 7 February 2013. Of these, eight tested positive for the drug. Six were sent to France and may have entered the food chain. The remaining two did not leave the slaughterhouse in the UK.

12 February

FSA raids meat plant involved in alleged supply of horse meat

The Agency issues a statement after the FSA and the Police enter two meat premises, one in West Yorkshire and the other in West Wales, which were involved in an alleged supply of horse meat.

11 February

The FSA issues a statement on horse testing

The FSA announces that it has begun a system of 'positive release' for horses slaughtered in the UK. This means that horse carcasses will require a negative phenylbutazone (bute) test before they are allowed to enter the food chain.

Tesco finds horse meat in some Everyday Value Spaghetti Bolognese

Tesco tests the frozen Everyday Value Spaghetti Bolognese, which had been previously withdrawn, and finds that while most positive results are at a trace level of less than 1%, three have shown significant levels of horse DNA, exceeding 60%. The company also tested the horse meat for bute. The results were negative.

10 February

The FSA issues advice to public institutions

The FSA issues interim advice to public institutions, such as schools and hospitals, caterers on procurement and reminds them to check meat supplies.

9 February

The FSA issues a statement on its meeting with Defra and food industry representatives

The FSA and Defra demand that more authenticity tests are carried out on all beef products, such as beefburgers, meatballs and lasagne, and for industry to provide the initial results to the FSA by 15 February. It is agreed that initial tests will focus on the areas of most concern, but that all products will be tested as part of the programme and all results reported.

The FSA and the food industry commits to work together to identify the best points in the supply chain to test as part of the ongoing programme and to publish regular reports of test results.

8 February

The FSA issues a further statement on horse meat investigation

The FSA announces that it has involved the police, both here and in Europe, after evidence it has in two cases, of the significant amount of horse meat in burgers and lasagne, points to either gross negligence or deliberate contamination of the food chain.

Aldi finds horse meat in beef lasagne and spaghetti Bolognese

Aldi withdraws two beef products after its tests find between 30% and 100% horse meat in samples.

The FSA issues advice to other retailers or producers that have sourced beef products from the French company Comigel to consider precautionary withdrawal.

7 February

Findus beef lasagne products test positive for horse meat

The FSA confirms that the meat content of beef lasagne products previously recalled by Findus has tested positive for more than 60% horse meat. Findus withdrew the beef lasagne products after its French supplier, Comigel, raised concerns about the type of meat used in the lasagne.

The Agency reiterates that there is no evidence to suggest that this is a food safety risk, but does order Findus to test the lasagne for the veterinary drug phenylbutazone, known as bute.

The FSA issues an update on the FSA and industry testing programme

The FSA announces that it requires a more robust response from the food industry in order to demonstrate that the food it sells and serves is what it says it is on the label, and demands that food businesses conduct authenticity tests on all beef products, such as beef burgers, meatballs and lasagne and provide the results to the FSA. The tests will be for the presence of horse meat.

6 February

Meat testing protocol published

The FSA publishes the protocol for the UK-wide survey of food authenticity in processed meat products. The survey will use specialised analytical techniques to provide information about the possible presence of horse or pig DNA in a range of beef products. It is planned that 28 local authorities across the UK will take a total of 224 samples in accordance with the detailed protocol. Results will be published in April 2013.

4 February

FSA and industry agree to publish testing programme

The Agency announces that it has agreed with the food industry to publish the results of industry testing of meat products. The results will also be made publicly available.

Horse meat is found in NI cold store

The FSA announces that, as part of its ongoing investigation into mislabelled meat, it has tested a quantity of frozen meat currently detained in a cold store on the premises of a company called Freeza Meats in Northern Ireland. Freeza Meats is potentially linked to the Silvercrest factory in the Republic of Ireland. Of the 12 samples from the suspect consignment that have been tested, two of the samples came back positive for horse meat, at around 80%. As this meat was detained, it has not entered the food chain.

1 February

The FSA issues a statement following Ministry of Justice announcement about non-Halal meat

The FSA announces that it has called an urgent meeting of major retailers and suppliers on Monday 4 February, following the Ministry of Justice announcement that a number of meat pies and pasties supplied to prisons in England and Wales were labelled and served as Halal, but contained traces of pork DNA.

25 January

The FSA issues a third update

The Agency announces that it has today received the results of tests conducted on samples taken from the Dalepak plant by North Yorkshire Trading Standards.

North Yorkshire Trading Standards took seven samples of burger lines, comprising all the meat being used currently in the production of these lines. Neither horse nor pork DNA was detected in any samples.

24 January

The FSA issues statement on bute in horse meat

The Agency reiterates that horses that have been treated with the drug phenylbutazone, known as bute, are not allowed to enter the food chain and carries out regular enhanced sampling and testing for phenylbutazone in meat from horses slaughtered in the UK.

Bute in horse meat update

The FSA issues an update explaining that in 2012, it identified nine cases where horses tested positive for bute. Seven were exported for the food chain. The other two did not enter the food chain. None of the meat was destined for the UK. Where the meat had been exported to other countries, the relevant food safety authorities were informed.

18 January

FSA issues a second update

The results of all burgers tested for bute are found to be negative. The Department for Agriculture, Food and the Marine in Ireland announced that further samples of products from the Silvercrest processing plant had been tested. Seven samples of raw ingredients were tested, one of which, sourced from another European Union Member State, tested positive for the presence of horse DNA. The Silvercrest plant temporarily has suspended all production. The FSA's investigation into the Dalepak plant in Yorkshire is focusing particularly on Dalepak's suppliers and whether it has suppliers in common with Silvercrest.

The retailers named by the FSAI have confirmed that they have removed all relevant products from their shelves. Other major retailers have also decided to remove products from sale from the suppliers named in the investigation.

16 January

FSA issues first statement in response to FSAI news

The FSA announces it is 'investigating urgently' how a number of beef products on sale in the UK and the Republic of Ireland came to contain some traces of horse and pig DNA. All of the retailers involved so far have removed potentially affected products from their shelves.

FSA issues update to statement

The FSA sets out the four-point plan for the investigation, which it will be implementing in conjunction with other Government departments, local authorities and the food industry:

1. To continue the urgent review of the traceability of the food products identified in the Food Safety Authority of Ireland's survey. The retailers and the UK processor named in the survey have been asked to provide comprehensive information on the findings by the end of Friday 18 January.
2. To explore further, in conjunction with the FSAI, the methodology used for the survey to understand more clearly the factors that may have led to the low level cases of cross-contamination.
3. To consider, with relevant local authorities and the FSAI, whether any legal action is appropriate following the investigation.
4. To work with the Department for Environment, Food and Rural Affairs (Defra), the devolved rural affairs departments and local authorities on a UK-wide study of food authenticity in processed meat products.

The Agency noted that there two distinct types of case:

- In all but one of the cases, extremely low levels of horse and pig DNA.
- In the one exceptional case, the level of horse meat accounted for 29% of the meat content.

Therefore the causes of these two problems are likely to be different and the focus of the investigations into the causes will be different.

15 January

Food Safety Authority of Ireland identifies horse and pig DNA

The FSAI publishes the findings of a targeted study examining the authenticity, or labelling accuracy, of a number of burger products, which reveals that products some contained horse and pig DNA.

In particular, 27 beefburger products were analysed, with 10 of the 27 products (37%) testing positive for horse DNA and 23 (85%) testing positive for pig DNA. In nine of the ten beefburger samples, horse DNA was found at very low levels. In one sample from Tesco, the level of horse DNA indicated that horse meat was present and accounted for approximately 29% of the total meat content of the burger.

FOR INFORMATION

Councillor Fiona Buxton

Cabinet Member for Adult Social Care, Public Health and Environmental Health

Background papers used in the preparation of this report: None.

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