

North Hertfordshire District Council

Scores on the Doors

Food Hygiene Rating Scheme Policy

PURPOSE

To define the policy for the release of food hygiene inspection rating information on the internet as a food hygiene award system (“Scores on the Doors”).

TARGET AUDIENCE

Members of the public, Food Safety Officers and Food Business Operators.

LEGISLATION

Freedom of Information Act 2000
Environmental Information Regulations 2004
Article 3 of EC Regulation No 882/2004

REFERENCES

Food Law Code of Practice Annex 5
Regulators’ Compliance Code

NATIONAL WEBSITE

Scores for individual premises will be available on the following web site;
www.scoresonthedoors.org.uk or by following the link on the council’s website at
www.north-herts.gov.uk.

POLICY AND PROCEDURE

Background All food businesses are regularly inspected by the ‘local food authority’; this is normally the district or borough council. Inspections are normally undertaken by Environmental Health Officers for the purpose of protecting public health; determining compliance with food safety law and assisting and advising food businesses on how to achieve compliance. At the conclusion of an inspection the officer will issue a report detailing the main findings of the inspection and the actions that must be taken for the business to achieve compliance with the legislative requirements (these may be confirmed in a letter where there are more than just one or two minor breaches). Business will then be given a numerical score reflecting the officer’s findings.

There is no legal requirement for local authorities or food business operators to publicise the scores resulting from food hygiene inspections, however, there is strong evidence to suggest public demand for this type of information. In order to provide the public with guidance on the hygiene assessment within individual premises, many local authorities have adopted a system known as ‘scores on the doors’ that converts the numerical score into a star rating.

North Hertfordshire District Council has chosen to implement a system based on the Food Standards Agency's risk rating system contained in Annex 5 of the Food Law Code of Practice. The individual scores will be translated into a star rating for each business that will be posted on an Internet web site. Food Business Operators will be given a certificate which they will be encouraged to display in a conspicuous position on their premises. Certificates will remain the property of the Council, they are not transferable and may be withdrawn at any time should hygiene standards fall. There is no legal duty to compel a business to display the certificate.

- It is proposed that not all food businesses will be included in the scheme as premises selling only wrapped/package foods (grocers, chemists, confectioners etc) pose only a low risk to food safety. All other food outlets that make up the Council's inspection programme (i.e. restaurants, takeaways, public houses serving open food, schools, and care homes) are to be included in the Council's Scores on the Doors Scheme.

Other food businesses not in the scheme :-

- Businesses operated from private homes where there are concerns relating to the protection of children from harm, e.g. childminders or where inclusion within the scheme will result in the release of sensitive information, e.g. a women's refuge;
- Low risk businesses that are not subject to a food hygiene inspection, or which are subject to inspection by other agencies, e.g. the Meat Hygiene Service;
- Mobile food vendors where the business vehicle is registered with another food authority;
- Mobile food vendors that are registered with North Hertfordshire District Council but which operate exclusively in another authority;
- Businesses that fall within risk category E under the Food Law Code of Practice because they are deemed to be "low risk" and therefore are subject to an alternative enforcement strategy.

Whilst the above policy will generally apply, all decisions regarding inclusion and exclusion from the scheme will be made on a case by case basis. The Council reserves the right to exclude a business from the scheme where it deems this to be in the public interest.

Any decisions regarding inclusion or exclusion from the scheme will not affect the programmed inspection frequency of a food business.

Initial implementation of the scheme Initial implementation of the scheme will be carefully managed. North Hertfordshire District Council will identify the catering premises in its area that will be included in the scheme. Food Business Operators will given notice of their star rating before the web site goes live. Certificates will be issued to all businesses that score between 1 and 5 stars.

The star award will be calculated from the sum of the scores given for Food Hygiene, Structure of the Premises and Confidence in Management in line with the inspection rating system in Annex 5 of the Food Law Code of Practice, with a lower numerical score equating to good practice and therefore a higher star rating.

The star bands for the award scheme will be as follows:

★★★★★ - **Excellent** - Businesses awarded 5 or less points - high standards of compliance with statutory obligations and food safety management. Documented procedures may be supported by internal or external audit procedures.

★★★★ - **Very Good** - Businesses awarded between 10 and 15 points - high standards of compliance with statutory obligations and food safety management, some minor non-compliance. Satisfactory documented procedures;

★★★ - **Good** - Businesses awarded between 20 and 25 points - some non-compliance with statutory obligations. Making satisfactory progress towards implementation of a fully documented safety management system commensurate with the type of business. More effort required;

★★ - **Fair** - Businesses awarded between 30 and 35 points - varying record of compliance with statutory obligations. Making satisfactory progress towards implementation of a fully documented safety management system commensurate with the type of business. More effort required to meet statutory obligations;

★ - **Poor** - Businesses awarded between 40 and 45 points - some major non-compliance with food safety legislation – much more effort is required;

No Star - Very Poor - Businesses awarded between 50 or more points - a general failure to comply with legal requirements. Little or no appreciation of food safety. Major effort required. A star rating of 0 will indicate that, although the food produced is safe to eat, there are significant food safety issues that the business needs to address.

Note: Businesses that are

- awarded 10 points in any one of the 3 scoring categories will not be awarded a rating above 3 stars;
- awarded 15 points in any one of the 3 scoring categories will not be awarded a rating above 2 stars;
- awarded 20 points in any one of the 3 scoring categories will not be awarded a rating above 1 star;
- awarded 25 points in any one of the 3 scoring categories will not be awarded a rating above 0 star.

Updates to star ratings The scheme will be updated as programmed inspections are carried out in accordance with the inspection frequencies specified in the Code of Practice. It is intended to update the website at monthly intervals.

The star ratings will only be assessed at the time of programmed inspections (as stated above) and this is the score that will be publicised on the Internet. No subsequent visits will be undertaken with a view to modifying the scores given, or re-scoring premises even if remedial works have been completed. This policy is intended to encourage businesses to maintain good standards at *all* times. The score will stand until the next primary inspection is carried out. However, if a business changes hands or substantially changes their operation, North Hertfordshire District Council may choose to inspect the premises. Once a registration form has been submitted, the details for that business will be amended on the website at the next update to demonstrate that it is “not yet rated”.

Programmed inspections will normally be unannounced and may be carried out at any time that the business is open for trading.

In accordance with the Code of Practice, circumstances may arise that make it appropriate to bring forward a programmed inspection, e.g.

- Receipt of a new registration application/change of ownership;
- Receipt of a customer complaint;
- A material change of management, layout or nature of the operation;
- A referral under the Home Authority Principle (to be replaced by the Primary Authority);
- A request or other information from the Food Standards Agency
- Awareness of a possible food-borne infection;
- The business being closed at the time of the due date because of seasonal closure.

Should an officer discover serious hygiene defects in premises that previously scored well, the next primary inspection may be brought forward in accordance with the Code of Practice. If at this new primary inspection the score indicates that the premises should receive fewer stars the amended score will be posted on the internet.

Notification of star ratings Food Business Operators will be notified of their score in writing (officers will not disclose scores at the time of inspection) and will be sent a certificate with the relevant number of stars, which they may put on display. The certificate remains the property of North Hertfordshire District Council and must be surrendered on request.

After each inspection, the inspecting officer will leave a copy of the Report of Inspection with the food business operator (or his representative). Where there are more than one or two minor contraventions, or a serious breach/breaches of the law a letter will be sent to advise on legal requirements and recommendations arising from the visit. The information is targeted to ensure compliance with legal requirements and good practice, both of which will be considered when applying the risk rating.

Appeal Process Where a food business operator believes that an inspection has resulted in an unfair star rating, the food business operator is invited to discuss his/her concerns with the Commercial Team Manager either in person or by telephone. If the matter cannot be resolved at this stage, the business will be advised to follow the Council's BSI accredited "3Cs" complaints procedure.

Right to reply The Internet web page will include a "right to reply" section for use by food business operators. Comments will be checked by officers before they are posted on the web-site and may be removed or amended if they are unacceptable. Verification will be sought to ensure that the comments are genuinely made by the food business operator. In general, comments must be legal, decent, honest and true and should not include personal remarks aimed at individuals.

Scoring consistency North Hertfordshire District Council will make every effort to ensure consistency in the allocation of scores by officers. This will include issuing officers with written guidance, peer reviews, accompanied inspections, review of documents and records and internal audits. North Hertfordshire District Council will liaise with other local authorities where opportunities arise.

Use of the scheme for posting of information about businesses The website allows for certain information to be posted by businesses in connection with their particular premises, e.g. photos, menu information, etc. Verification will be sought to ensure that the information is genuinely supplied by the food business operator. In general, comments must be legal, decent, honest and true and should not include personal remarks aimed at individuals.

The future development of the scheme The Food Standards Agency has been undertaking a pilot project for this type of scheme with a view to recommending a national scheme. This may alter how businesses will be rated in the future, and could result in a business receiving a different star rating. In addition, it is likely that, in time, more local authorities throughout the country will sign up to a scores on the doors scheme, and we will continue to work with them through a national user group to identify consistency of working practices. North Hertfordshire District Council will endeavour to keep food business operators and users informed of any such developments as they occur.