



Thurrock Council Policy
Scores on the Doors Food Hygiene Rating Scheme

Policies and Procedures for the Publication of Premises Details on the Internet

PURPOSE

To define the policy for the posting of food hygiene inspection rating information on the internet as a food hygiene star award system (Scores on the Doors)

TARGET AUDIENCE

Food Safety Officers, Food Business Operators (FBO's) and members of the public.

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

NATIONAL WEBSITE

www.scoresonthedoors.org.uk

POLICY AND PROCEDURE

Background

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 that there is a public demand for this type of information to be made available. Some local authorities have chosen to provide such information – either by publishing full details of their inspection reports whilst others provide a summary of the risk scores as per Annex 5 of the Food Law Code of Practice.

Thurrock 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 star awards for

each premise and these will be posted on an Internet web site. It is not our intention at this stage to publicise reports arising from inspections.

Businesses included within the scheme

The award scheme will be introduced from June 2008, and will generally include all businesses that form part of the Council's food hygiene inspection programme. Businesses which fall within risk categories A-D will attract a star rating. Businesses which fall within risk category E will be included under "Alternative Enforcement Strategy" (AES). It has been determined that for these businesses, a star rating will not be awarded due to the fact that they are generally low risk in terms of food safety, and because a star rating would detract from the value of the scheme for those businesses involved in handling high risk food.

Where certain businesses have a number of activities operating, we will seek to unitise these to ensure that the star rating reflects that particular activity, e.g. supermarkets who also operate a café/restaurant; mobile food vehicles who operate a fleet of vehicles from a number of sites.

In addition, certain categories of business will be excluded. These are as follows:

Businesses that are approved under Regulation EC 853/2004, e.g. certain food manufacturers, as these are currently not subject to the risk rating scheme within Annex 5;

Businesses operated from private homes where there are concerns relating to the protection of children from harm, e.g. childminders;

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;

Small businesses that may have restricted public access, e.g. small residential care homes. This information will still be available upon request.

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.

Any decisions regarding inclusion or exclusion from this 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. The Council will identify the catering premises in its area that will be included in the scheme. Food Business Operators will be notified in writing of their current score before the information is posted in the internet. Food Business Operators will be given the right to reply before the website goes live on 9th June 2008. In the early stages, certificates will be made available to 4 and 5 star businesses only. It is

the intention of Thurrock Council to make window stickers available through the Scores on the Doors User Group, once these have been produced.

The star award will be derived from 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.

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

- ★★★★★ - Excellent - very high standards of food safety management. Fully compliant with food safety legislation)
- ★★★★ - Very good - Good food safety management. High standard of compliance with food safety legislation)
- ★★★ - Good - (Good level of legal compliance. Some more effort might be required)
- ★★ - Fair - (Broadly compliant with food safety legislation. More effort required to meet all legal requirements)
- ★ - Poor - (Poor level of compliance with food safety legislation – much more effort is required)
- Very poor - (A general failure to comply with legal requirements. Little or no appreciation of food safety. Major effort required).

Updates to star ratings

The scheme will be updated as primary inspections (as defined by the Food Law Code of Practice and EC Regulation 882/2004) are carried out in accordance with the inspection frequencies specified in Annex 5. It is intended to update the website at monthly intervals.

These scores will only be assessed at the time of the primary inspection (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. The score will stand until the next primary inspection is carried out. However, if a business changes hands or substantially changes their operation, Thurrock Council may choose to inspect the premises after a food premises registration form has been submitted. 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 “awaiting inspection”.

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

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

- Receipt of a new registration application/change of details;
- Receipt of a customer complaint;
- A material change of ownership, management, layout or nature of the operation;
- A referral under the Home Authority principle;
- A request or other information from the Food Standards Agency
- Awareness of a possible foodborne 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 (as per section 4, chapter 4.1.7 of the Food Law Code of Practice). If at this new primary inspection the score indicates that the premises should receive fewer stars than the record will be updated with the amended score posted on the internet.

Future revisions of star ratings

The above Code of Practice is currently being amended by the Food Standards Agency. Once the new Code of Practice has been adopted by Government, Thurrock Council will review this policy and it is believed that it may then be possible to revisit businesses, where significant improvements have been made to re-risk rate food procedures and structural compliance. Such a revisit will not necessarily result in an amendment to the confidence in management, as the food officer will need to be sure that the new standards will be maintained and not continued only until the premise has received its upgraded star rating.

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). Certificates will be provided for businesses who achieve 3, 4 or 5 stars. This material remains the property of the issuing authority and must be surrendered on request.

After each inspection, the food business operator will receive a letter from the inspecting officer advising on legal requirements and recommendations arising from the visit. The information is targeted to ensure compliance with the business with legal requirements and good practice, both of which will be considered when applying the risk rating. A checklist is also available which businesses can use to assess how they can improve their star rating.

Appeal Process

Where a food business operator believes that an inspection has resulted in an unfair star rating, an appeal may be made in writing to the Principal Environmental Health Officer – Food Team, stating the reason for the appeal. This will be given careful consideration and a written response will be made within 2 weeks.

Right to reply

The Internet web page will include a “right to reply” section for use by the 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 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.

Scoring consistency

Thurrock 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. This will include 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 there 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 as a result.

In addition, more local authorities within Essex intend to sign up to a scores on the doors scheme, and we will continue to work with them through our County Liaison group to identify consistency of working practices and in the way scores are presented. Thurrock is currently working with Southend and Basildon, who already take part and three other Essex Local Authorities who intend to join the scheme in June 2008. Thurrock is also liaising with the User Group representing the other 89 Local Authorities already using this website.

Thurrock will endeavour to keep food business operators and users informed of any such developments as they occur.

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