

Scores on the Doors Food Hygiene Rating Scheme

Operational Policy for the publication of food premises inspection details on the Scores on the Doors website.

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PURPOSE

To state the policy which governs the posting of food premises inspection information on the internet in support of a food hygiene rating scheme (Scores on the Doors). The policy is for the benefit of food law enforcement officers, food business operators (FBO) and consumers.

LEGISLATION

Freedom of Information Act 2000
Environmental Information Regulations 2004
Data Protection Act 1998
Article 3 of EC Regulation No 882/2004

REFERENCES

Food Law Code of Practice Annex 5

DOCUMENTATION

www.scoresonthedoors.org.uk

GENERAL POLICY

Whilst it is not a legal requirement either for a Food Authority or a FBO to publicise the results of food hygiene inspections, there is a public demand for this information. Of the local authorities that have undertaken to provide such information, some have chosen to provide full details of their inspection reports, and others just provide a summary of the scores that are determined in accordance with the requirements of Annex 5 of the Food Law Code of Practice. Huntingdonshire District Council (HDC) has chosen to implement a system based on the Food Standards Agency's (FSA) food hygiene intervention rating scheme contained in Annex 5 of the Food Law Code of Practice. The scores will be used as the basis for the premises hygiene rating scheme. The ratings for each food business will be posted on an Internet website and certificates and window stickers will be provided to those premises scoring two or more stars. The FBO will be encouraged to display the certificate and window sticker on their premises.

Details of the Scheme

1. Initially the scheme will include certain catering and retail food businesses as defined by the FSA in their premises classification system. In general terms such businesses are those where food is either prepared on the premises for immediate consumption on the same premises or premises at which food is displayed and/or prepared for consumption elsewhere.

It may not be appropriate to include businesses which generally represent a very low risk to public health and/or those which are not usually recognised as food businesses by the general public. Examples include childminders operating from private addresses which may have to be excluded from the scheme because of child protection and confidentiality issues. Such businesses may be included in the future as the operation of the scheme is reviewed.

2. At the time of the launch (“commencement date”) the scheme will be almost entirely comprised of ratings that are based upon inspections of relevant premises carried out since 1 January 2007. It may include some premises that were last inspected before the commencement date but these are likely to be low-risk businesses and will be marked accordingly. Thereafter, the inclusion of a business in the scheme will be carefully managed: the decision will be made by the authorised officer who carries out the inspection and will be based upon objective criteria. If necessary the recommendation will be subject to a management review.
3. The star rating that appears on the website will be solely based upon the outcome of the last primary inspection (as defined by the Food Law Code of Practice and EC Regulation 882/2004), the date of which could be up to three years prior to the date on which the website is viewed.
4. The rating will be based upon the Food Standards Agency’s food hygiene intervention rating scheme contained in Annex 5 of the Food Law Code of Practice. Some businesses operate over a small area or serve very few people on a day-to-day basis. If such businesses also have high standards of food safety management then this could result in the business being placed in the lowest inspection rating category (“E”). These businesses would normally be dealt with using AES approaches, the effect of which is that they remain within the scope of the scheme but do not get a star rating. Occasionally this will include a business that the public would ordinarily expect to be included in the scheme and/or which the officer believes should be included in the scheme. These cases will be dealt with on a case-by-case basis and where possible the business will be given a star rating together with a certificate and a window sticker. However although the premises will appear on the website, it will still not be possible to include the star rating and such premises will be displayed as ‘Low risk’. The three individual scores for food hygiene and safety, structure and cleanliness and confidence in management will be added together to produce a “total score”; this score will be used to determine the overall premises rating (see 5 below). It is this rating which will be posted on the website. For further information see the Scores on the Doors guidance leaflet which is posted on the “Documents” section of the website.
5. The ratings will be determined as follows:

Star Rating	Total score	Definition
5 stars	0 - 5	Excellent
4 stars	10-15	Very Good
3 stars	20 - 25	Good
2 stars	30 - 35	Fair
1 star	40 – 45	Poor
Zero	Over 45	Very poor/major improvement required

6. These scores will only be determined at the time of a primary inspection (as in 3 above). Except in special circumstances, ratings will be posted on the website within 28 days of the date of the inspection. Similarly, other than in exceptional circumstances, premises will not be re-scored before the next primary inspection and the score will stand until the next primary inspection is carried out. It is the FBO’s responsibility to ensure that high standards are maintained between inspections.
7. Only those premises with zero, one and two stars will be considered for re-scoring: the business will normally be expected to submit an application in writing and must be able to demonstrate that there have been **substantial and sustained** improvements in standards. Examples could include **significant** capital expenditure on the structure/fabric of food preparation areas and equipment or major changes in senior management or personnel who have responsibility for the management of food safety. Similarly, a **significant** change to the nature of the operation of a food business may justify a re-scoring visit if the effect of the change is to lower the food safety hazards associated with the business. All applications will be considered and processed in accordance with the Council’s procedure.

8. If a business changes hands the new FBO will be required to submit a food premises registration form. The website will be updated in accordance with the Council's procedures. The first primary inspection will be carried out within two months of the date of registration. These premises will be denoted as "Not yet rated" on the website.
9. Primary inspections will normally be unannounced and can be carried out at any reasonable time.
10. A primary inspection of a food business may be brought forward (eg if unsafe practices or conditions are brought to the Council's attention, usually in the form of a significant and substantiated complaint). If the scores from the new primary inspection indicate that the business's rating has changed then the website record will be updated in accordance with the Council's procedures.
11. The Council will provide each FBO with information about the operation of the scheme, the calculation of their rating and additional contact details if they wish to discuss these matters further. In addition the website contains a "right to reply" section for FBOs to use if they wish to make a written comment about their rating (each right to reply entry will be checked in accordance with the Council's procedures before it is posted on the website). The Council reserves the right to remove or amend a comment if it is unacceptable. In general terms "right to reply" comments must be accurate, legal, decent and truthful and should not include personal remarks aimed at any individual. In the first instance the FBO will be invited to discuss their concerns with an appropriate manager, usually the Commercial Team Leader, who in turn may discuss the situation with the field officer who rated the business. If the situation still cannot be resolved then the FBO may be invited to use the Council's formal complaints procedure.
12. At the request of the FBO, the officer who carries out the inspection may notify the FBO of their score before the information is posted on the website with the caveat that all ratings are subject to management review. Window stickers and certificates will be provided shortly after the inspection. Each FBO is encouraged to display **the most up-to-date** certificate/sticker in a prominent position for the benefit of consumers. This material remains the property of the Council and must be surrendered or destroyed on request.
13. The Council will make every effort to ensure that its officers apply the scoring and rating schemes consistently. These measures include the provision of written guidance to officers, peer reviews of performance, accompanied inspections, management reviews of documents and records and internal audits.
14. This policy will be reviewed periodically.