

# **Maldon District 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 posting food hygiene inspection rating information on the internet as a food hygiene star award (Scores on the Doors)

## TARGET AUDIENCE

Food safety officers, food business operators 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](http://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.

This 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.

### Businesses included within the scheme

The award scheme introduced in June 2008 will include catering 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 or F 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.

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 Data Protection or 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.

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 the scheme will not affect the programmed inspection frequency of a food business.

#### Initial implementation of the scheme

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 in June 2008. In the early stages, certificates will be made available to 4 and 5 star businesses only.

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 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 and 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 that the website will be updated at fortnightly intervals.

**Scores will only be assessed at the time of the primary inspection** 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. If a new business or if an existing business changes hands, the Council will inspect the premises after a food premises registration form has been submitted.

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;
- change of ownership, management, layout or nature of the operation;
- Awareness of a possible foodborne infection;
- 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 the new primary inspection score indicates that the premises should receive fewer stars, records will be updated with the amended score posted on the internet.

### Notification of star ratings

After each inspection, the food business operator will be notified of their star rating, this may be verbally or in writing, but will be within 10 working days of the inspection. The food business operator will be advised by the inspecting officer of any legal requirements and recommendations arising from the visit. The information is targeted to ensure compliance by the business 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, an appeal may be made in writing to the Senior Environmental Health Officer - Commercial, stating the reason for the appeal. This will be given careful consideration and a written response will be made within 10 working days.

### Right to reply

The internet web page will include a “right to reply” section for use by the food business operator. Comments will be checked by officers before they are posted on the web and may be removed or amended if 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

The 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.

### 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 that particular premise, 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.**

The Council will work with other local authorities in Essex who are using the same Scores on the Door scheme to ensure consistency in the way the scores are derived and presented.

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

