

# Tees Valley Food Hygiene Award Policy Document



## 1. Introduction

The five unitary authorities that make up the Tees Valley Food Safety Liaison Group (Darlington BC, Hartlepool BC, Middlesbrough BC, Stockton BC and Redcar & Cleveland BC) have agreed to deliver the same food hygiene award scheme.

Every food business that is eligible to join the scheme is issued, free of charge, with a certificate and window sticker showing the star rating for standards of food hygiene. Inspections of food businesses and the decision on the star rating awarded are made by Food Safety Enforcement Officers who are employed and authorised in writing by their Council.

The intended benefits of the scheme are:

- Providing public access to information held by each authority about the hygiene standards of food businesses
- Encouraging businesses to achieve high standards of compliance
- Promoting transparency and consistency in inspection style.

Details of the scheme are given below.

## 2. Inspection and rating of food businesses

The Food Safety Enforcement Officers within the Tees Valley undertake risk ratings of all food businesses following an inspection, carried out in accordance with the Food Law Code of Practice, published by the Food Standards Agency.

Of particular importance is:

The inspection rating of a food business is assessed or reassessed at the conclusion of an inspection and in accordance with Annex 5 of the Food Law Code of Practice, June 2008 (or any amendment thereto that may be notified to Food Authorities by the Agency). Inspection ratings are not re-assessed on visits for purposes other than inspections, which include sampling or advisory visits.

The overall rating score is calculated taking account of the:

- type of food and method of handling
- method of processing
- consumers at risk
- level of current compliance with food hygiene and safety procedures
- level of current compliance with structure of premises



### 3. Inspections

An inspection requires food safety enforcement officers to:

- Consider the scope of the business and the relevant food law that applies to the operations taking place
- Thoroughly and systematically gather and record information from the observation of practices, procedures and processes, including procedures based on HACCP principles, and discussion with food handlers, contractors, food business operators and managers
- Determine whether it is necessary to collect samples of raw materials, ingredients, additives, intermediates, finished products, or materials and articles in contact with food for analysis and/or examination
- Identify any actual or potential breaches of food law and, if appropriate, gather and preserve evidence
- Determine relevant enforcement action and communicate this to the business.

### Star Awards

#### 4. Provisional Star Award

At the time of the launch of the scheme, all food businesses were issued with a provisional certificate and the number of stars awarded was based on the results of the last recorded inspection.

#### 5. Subsequent Star Awards and Re-ratings.

Food businesses are re-rated following each programmed inspection and under normal circumstances premises will not be re-rated at any other time.

An exception may be made when a business makes a written request to its local authority for a re-rating inspection. Re-rating visits will not normally be made until at least 6 months has elapsed since the initial inspection. A fee is payable in advance for this special visit (see appendix). The re-rating inspection will be unannounced and a revised star rating score will apply regardless of whether it goes up, down or remains the same.

A food safety enforcement officer may recalculate the risk rating score when there is an incident or event that relates to management or control of the business.

Examples would be when the Food Authority:

- receives a new registration application or a request to change the registration details
- receives a consumer complaint
- becomes aware of any material change in the ownership, management, layout or nature of operation of a food business
- receives a referral under the Home Authority Principle
- receives a request or other information from the Food Standards Agency
- investigating a possible outbreak of foodborne infection
- becomes aware that the business may be closed at the time of the due inspection date because of seasonal closure.

The revised risk rating score will be used to calculate a new star rating score. A new certificate and window sticker will then be issued.

## **6. Appeals Procedure**

Any complaint made by a business or a member of the public relating to any award issued shall be a matter for the Local Authority in whose area the business premises is located and will be dealt with through that Councils complaints procedure. The results of any such complaint investigation shall be referred to the Tees Valley Food Safety Liaison Group for information.

## **7. Right to Reply**

Food businesses are able to update information on the website. This will only be uploaded to the website following the agreement of the appropriate Local Authority. Food businesses can use feature to indicate the improvements they have made following the last star award rating.

## **8. Availability of Information**

The star rating award for each premises is made available to the public via the internet and each business will be given a window sticker and a certificate bearing the business name, star rating and date of issue. There is no legal requirement to display the certificate or window sticker, however, businesses are encouraged to do so and consumers are encouraged to look for the star rating.

Individual Authorities within the scheme may choose to link the inspectors report to the star rating award on the relevant internet website, however, this will be a local decision.

## 9. Food Businesses Applicable

The Star Award rating will only be given to food businesses that are inspected by the Local Authority in line with the Authority's Food Law Enforcement Service Plan. Certain premises may not be inspected due to the low risk level associated with that premises. These may be subject to alternative enforcement and will therefore not receive a star rating.

Exemption from the scheme is not a reflection of the controls operating within the business, only the low level of risk. Such premises will be issued with a certificate which identifies them as being exempt and this information will also be available on the website.

The certificate and window sticker issued to each premises will remain the property of the local authority. Any food business that makes a false claim about its' star rating may face legal proceedings under the Consumer Protection from Unfair Trading Regulations 2008.

## 10. Historical Information

Only the latest star rating award will be accessible from the website. Any previous ratings or information relating to particular premises may be available on written request to the relevant Local Authority.

### **Important Note**

The Food Standards Agency is undertaking a pilot project for this type of scheme to apply on a national basis. This may alter how businesses will be rated in the future. **It is important to note that both the risk rating score and star rating given to a premise is subject to change in the future. A Star rating given could go down or up if a national scheme is different to the above scoring system.** Each Local Authority will endeavour to keep businesses and users informed of this.

Further information is available from;

The Food and Safety Team  
Community Protection Service  
PO Box 502  
Vancouver House  
Gurney Street  
Middlesbrough  
TS1 9FW

Freephone: 0800 0136001

## Appendix

### Charges for re-rating inspections to food businesses

Charges are made for re-rating inspections that are outside of the normal inspection programme. Businesses requesting a re-rating inspection are required to put this request in writing to the Environmental Health Manager, The Food and Safety Team, Community Protection Service, PO Box 502, Vancouver House, Gurney Street, Middlesbrough, TS1 9FW

Applications can be made at any time; however, re-rating inspections will be carried out unannounced and normally 6 months after the initial inspection.

Payment for re-rating inspections can be made by cheque, made payable to Middlesbrough Council. Alternatively, an invoice can be arranged and this method of payment should be requested in writing with the application.

Applications for a re-rating inspection will be confirmed in writing.

#### **The following fees for re-rating apply.**

Fees are calculated according to the premises risk category which is calculated following a programmed inspection and is stated on the letter of inspection.

If paying by cheque please use 'Cost including VAT'.

<b>Category (risk band)</b>	<b>Cost Excluding VAT</b>	<b>Cost Including VAT</b>
Band A	£100	£117.50
Band B	£75	£88.12
Band C	£50	£58.75
Band D	£50	£58.75