

Oxfordshire Better Regulation Group

Scores on the Doors Food Hygiene Rating Scheme Policy

PURPOSE

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

TARGET AUDIENCE

Members of the public, regulatory 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 (COP) Annex 5

NATIONAL WEBSITE

Scores for individual premises will be available on www.scoresonthedoors.org.uk or by following the link on your council's website.

POLICY AND PROCEDURE

All food businesses subject to inspection by Environmental Health Practitioners and other enforcement officers receive a report detailing the main findings of the inspection and any actions which the business must take to achieve compliance. Each business is then risk rated by the inspector in accordance with the Food Hygiene Inspection Rating Scheme (COP Annex 5) and this will give a numerical score that reflects the inspector'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 and in order to provide consumers 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.

The five district councils in Oxfordshire have 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 business and these will be posted on an internet website. Food business operators will be given a certificate/sticker which they will be encouraged to display on their premises. There is no legal power to compel a business to display the certificate/sticker.

Details of the scheme

1. The star-rating scheme will include most food businesses registered with the respective district councils in Oxfordshire and which are subject to inspection i.e. registered food businesses that sell open 'high risk' foods to final consumers which forms a significant part of their business. Low risk premises that are

subject to alternative enforcement strategies, (unless overridden by public interest factors), businesses operated from private homes where there are concerns about the protection of children from harm (e.g. childminders, women's refuges, etc) and mobile food vendors who operate exclusively outside the County will be excluded. However the Council also reserves the right to exclude any single business from the scheme where it deems this to be in the public interest.

2. Certificates/stickers will be made available to all businesses scoring between 2 and 5 stars. These remain the property of the issuing council and if the certificate/sticker is being misused for the benefit of the business the certificate/sticker can be removed and the matter may be referred for criminal investigation.
3. The scheme will be updated as interventions (as defined by the Food Law Code of Practice) are carried out, in line with the rating system in annex 5 of the Code of Practice. The frequency of this will be between 6 and 24 months.
4. The star rating will be derived from the scores given for Food Hygiene; Structure of the Premises and Confidence in Management in line with the inspection rating in annex 5 of the Food Law Code of Practice.
5. The score bands for the number of stars given will be as follows:

Star Rating	Rating	Rating Description	Score
★ ★ ★ ★ ★	Excellent	Excellent record of compliance. Standards are high and conform to industry codes with competent management.	0 - 5
★ ★ ★ ★	Very Good	Standards are generally high with a reasonable management record.	10 - 15
★ ★ ★	Good	Some non compliance with statutory obligations but standards are being maintained or improved.	20 - 25
★ ★	Fair	Some non compliance with obligations. More effort is required to prevent fall in standards.	30 - 35
★	Poor	General failure to satisfy obligations with low standards. Poor management knowledge.	40 - 45
No stars	Very poor	Almost total non-compliance with obligations and poor management track record	50 +

6. These scores will be assessed at the time of the intervention and this is the score that will be published on the internet. However, if a business changes hands or substantially changes their operation, (not just a change of management), the local authority may choose to inspect the premises after a food premises registration form has been submitted.
7. Interventions will normally be unannounced and may be carried out at any time that the business is open for trading.

8. Should an inspector discover serious hygiene defects in premises that previously scored well, the next intervention may be brought forward (as per section 4 chapter 4.1.5.2.5 of the Food Law Code of Practice (England) – June 2008). If at this new intervention the score indicates that the premises should receive a revised rating the record will be updated and the amended score posted on the internet..
9. Each local authority will provide food business operators with information on how they can make representations to a senior manager if they feel that their premises have been incorrectly scored. If the matter cannot be resolved at this stage, the council's formal complaints procedure can be used. Where a query has been raised by a food business operator, the council will remove the score on the website until an investigation has taken place. The internet web page will also include a "right to reply" section for the use of food business operators. Inspectors will check comments and verification will be sought to ensure that the food business genuinely supplied the information before allowing it to be posted on the website. In general, comments must be legal, decent, honest and true, and should not include personal remarks aimed at individuals. The council reserves the right to decide whether to remove or amend the postings if they are unacceptable. Additionally in the event of a food poisoning outbreak investigation the council may remove the score from the website pending conclusion of the investigation.
10. If a food business operator is concerned with the star rating given he/she may apply to the council to have another primary inspection carried out before the next inspection is due. This is available to all food businesses other than those that are the subject of formal enforcement action (notices/prosecution etc). This inspection will be carried out without warning within 28 days to 6 months from the request; depending on the nature of the contravention(s) (i.e. structural changes can be assessed earlier than issues involving confidence in management). Food businesses must clarify what improvements have been made since the initial primary inspection and pay £250 to cover additional costs of inspection and administration. The star rating from this inspection will now form the new Food Safety Star rating regardless of whether it is more, less or as favourable as the last score. This re-scoring inspection will only be carried out once at each business. Food businesses that believe their scoring is unfair or inaccurate **must** use the appeal process
11. Food business operators will be notified of their score in writing, (inspectors may choose not disclose scores at the time of the inspection), and those scoring 2 stars and above will be sent a certificate/sticker with the relevant number of stars, which they may put on display. The certificate/sticker and any other promotional material remains the property of the local authority and must be surrendered on request.
12. The participating local authorities will make every effort to ensure consistency in the allocation of scores. This will include issuing inspectors with written guidance, peer reviews, accompanied inspections, review of documents and records, and internal audits.
13. The Food Standards Agency is undertaking a project with a view to introducing a national scheme. The Oxfordshire scheme will therefore be reviewed at the end of 2009 to consider any implications arising from the project.