

Stockport Metropolitan Borough Council

Food Hygiene Rating Scheme

POLICY DOCUMENT

Dated: October 2011 (revised)

1.0 Introduction

Stockport Metropolitan Borough Council is committed to publishing food hygiene inspection results of food businesses in the area by way of a food hygiene rating scheme.

This document outlines the main principles of the food hygiene rating scheme

2.0 Project Aim

The aim of the scheme is to improve food safety and hygiene standards among businesses providing food and drink to customers living, working or visiting the region.

This will benefit customers, businesses and the local economy by driving up standards and making business in the region a safer place to eat and drink.

The principles behind the scoring scheme are: -

- i. To provide customers access to information to let them to make an informed choice about where to eat in the district.
- ii. To provide positive encouragement for businesses to improve their standards of food hygiene.
- iii. Promote transparency and consistency in food hygiene inspections

3.0 The Scheme

Under the Food Safety Act 1990 local authorities have a duty to inspect food businesses in their area to ensure that food hygiene standards are maintained. The Environmental Information Regulations 2004 introduced the opportunity for local authorities to provide this information to the public without it being requested.

The legality of this has been confirmed and research, undertaken by local authorities, the Food Standards Agency and the consumer groups demonstrate widespread support by customers and businesses for publishing food hygiene scores.

4.0 The Food Hygiene Rating Scheme

4.1 Following an inspection an officer will rate the business for food safety standards using the scheme set out in Annex V, Food Law Code of Practice (England). Each business is scored against the following criteria.

1. Food type and method of handling.
2. Method of possessing.
3. Customers at risk.
4. Food hygiene and safety compliance.
5. Structural.
6. Confidence in management/control systems.

7. Risk of contamination of food.
- 4.2 Food hygiene rating will be based on the inspection using the Code of Practice (England) risk rating scheme. For information about the re-rating - see appendix 2
- 4.3 Food hygiene rating will be derived by adding the score awarded in points 4,5&6 in paragraph 4.1 above because they are under the direct control of the food business operator.
For information on the scoring process see appendix 1.
- 4.4 A 6 tier rating scheme will be used- see table in appendix 1
- 4.5 The food hygiene rating will stand until the next inspection is carried out in line with the Food Standards Agency Code of Practice, which, could be between 6 months to 2 years later or until a requested revisit is carried out.
- 4.6 This is a rating scheme to demonstrate how well or not a business is complying with food hygiene legislation. Therefore, because a premises has been given a rating it does not mean it is fully compliant with all legislative requirements.
- 4.7 A '0' criteria is included to indicate that premises are unacceptable and possibly the subject of formal action.
- 4.8 The website will include a right to reply section for the use of food business operators. Any responses will be vetted by the Local Authority before they are placed on the website.
- 4.9 The food business operator will also be able to appeal to the officer and or their line manager.
- 4.10 Information about the food hygiene rating scheme is provided to help businesses and customers understand how the business has been judged and rated. Also, to assist business in understanding what general improvements are required see appendix 3.
- 4.11 The latest food hygiene rating will be available on the website.
- 4.12 The food hygiene rating is valid until the next inspection, but would be withdrawn if standards deteriorate and are not maintained.
- 4.13 The Local Authority also has the right to determine whether in exceptional circumstances the rating of a premises should not be applied.
- 5.0 Revisits and Re-rating
- 5.1 The risk rating will be carried out following the requested revisit and the score published on the website.

The score for the hygiene rating will be provided in writing within 14 days from the date of the inspection. This information will include details:

- Why the establishment was scored as it was
- The mechanism for appealing the score
- Contact details of the inspecting and lead officer
- The web link for general information including forms for right to reply, requesting a revisit and lodging an appeal

6.0 Method of Publication

Stockport Metropolitan Borough Council is contracted with the Food Standards Agency to enable the data to be published. The food hygiene rating and other details of the premises can be found on website <http://www.food.gov.uk/ratings>

Stockport Metropolitan Borough Councils website can be found on <http://www.stockport.gov.uk>. This website also contains guidance on food safety.

7.0 Scope

The food hygiene rating shall apply to all businesses which supply food direct to consumers. For example restaurants, takeaways, hotels, bed-and-breakfast, cafes, staff canteens, care homes, sandwich shops, delicatessen, schools and retailers. The aim is to provide information on hygiene standards to consumers when they are making a choice about eating or purchasing food.

Certain premises may not be inspected due to the low risk level of the food sold or prepared or sold on the premises. These may be subject to alternative enforcement strategies and will therefore not receive a food hygiene rating.

8.0 Changes in Ownership

When a business changes ownership it may result in improvements or a decline in standards of food hygiene. When a local authority receives notification of a change in ownership via a food registration form, the rating may be removed until the premises have been inspected.

Alternatively the new owner may be directed to use the right to reply option to indicate any improvements and change in ownership until the next inspection is carried out.

Where the change of ownership is identified during an inspection the food hygiene rating will be calculated on the risk rating carried out at the time of the visit.

If a premises is no longer trading then the premises details will be removed.

9.0 Appeals

- 9.1 The food premises will have the right to appeal a decision if the owner believes that the score given is unjust as it does not reflect the hygiene standards and management controls found at the time of the inspection.
- 9.2 Appeals must be made within 14 days of the notification of the score, after this time the score will be published on the web site.
- 9.3 When an appeal is received it is for the inspecting officer to resolve any dispute, if this is not possible the lead officer will make a judgement. The decision will be communicated to the business within 7 days of receipt.
- 9.4 When a business submits an appeal the current score will be removed from the website and “awaiting publication” will be posted until the outcome of the appeal is known.
- 9.5 A right of reply on the website will also be provided for food business to use to indicate the improvements they have made. All entries for the website will be vetted by the local authority before they are placed on the website.

10.0 Requests for re-inspection for re-rating

- 10.1 A business can request a re-inspection at any time if they consider they have made improvements to address the non compliances identified at the inspection.
- 10.2 The re-inspection would not take place until 3 months have elapsed since the inspection i.e. standstill period but will be within 6 months. These re-inspections will be unannounced.

11.0 Consultation / Awareness Raising

The Chartered Institute of Environmental Health, the Food Standards Agency and other Local Authorities have undertaken extensive consultation already. Therefore it is not the intention of the Metropolitan Borough of Stockport that further detailed consultation is undertaken.

12.0 Timing

Stockport Metropolitan Borough Council will go live with the scheme in 2011. The Food Hygiene Rating Scheme replaces the Scores on the Doors Scheme.

13. 0. Review

Stockport Metropolitan Borough Council will maintain this policy under review to ensure the contents are still relevant and at any time as appropriate. A review will also be carried out following changes to the Food Law Code of Practice and, or amendments to the national scheme.

14.0. Consistency

Stockport Metropolitan Borough Council will look at consistency issues and review the food hygiene rating awarded to ensure fairness and proportionality.

APPENDIX 1

The Scoring Process

Stockport Metropolitan Borough Council undertakes risk ratings of all food businesses following an inspection and the main categories used to determine the overall score are as follows:

1. type of food and method of handling
2. method of processing
3. consumers at risk
4. level of current compliance with food hygiene and safety procedures
5. level of current compliance with structure of premises
6. confidence in management and control systems
7. Risk of contamination of food.

Risk ratings 4, 5 & 6 are the only ones that are directly controllable by the food business and are the reason they have been used to obtain the food hygiene rating.

The overall score is then used to determine the frequency of inspection for the business in line with the aforementioned code of practice.

The following table outlines the ratings and scores that are used in order to determine the hygiene rating that will be given to the premises.

Mapping of numerical scores from the intervention-rating scheme at Annex 5 of the <i>Food Law Code of Practice</i> to the six tiers of the national 'Food Hygiene Rating Scheme'						
Annex 5 scores	0-15	20	25-30	35-40	45-50	>50
Additional scoring factor	No score >5	No score >10	No score >10	No score >15	No score >20	-
Tiers	Top	Second	Third	Fourth	Fifth	Bottom
Food hygiene rating	5	4	3	2	1	0
Descriptor	Very good	Good	Generally satisfactory	Improvement necessary	Major improvement necessary	Urgent improvement necessary

Table 1: Information about the food hygiene rating

Food Hygiene Rating	Score - total of: <ul style="list-style-type: none"> • Hygiene and Safety • Structure • Confidence in Management 	Compliance	Performance Level
5	0 to 15	Meeting or exceeding legal requirements	Very good
4	20	Very good with only some minor non-compliance not critical to food safety	Good
3	25 to 30	Evidence of some non-compliance that are not critical to food safety (i.e. are not significant but may become so if not addressed)	Generally satisfactory
2	35 to 40	Some major non-compliance	Improvement necessary
1	45 to 50	Major and widespread non-compliance	Major improvements necessary
0	> 50	Almost total non-compliance	Urgent improvement necessary

Appendix 2

Re-Rating Policy

Introduction

Stockport Metropolitan Borough Council undertakes food hygiene inspections of certain food businesses within the borough. This is undertaken in line with the '*Food Law Code of Practice, June 2008*, which is issued by the Food Standards Agency. All Local Authorities must follow and implement the provisions of the code that apply to them.

This policy outlines the main principles of the code of practice that are applicable to the food hygiene inspection rating of food businesses and how this is applied to the Hygiene Rating System.

This is in line with the guidance below.

4.1.6 Timing of interventions

To determine the appropriate timing of interventions, Food Authorities should have regard to all relevant and available information. This includes:

- the hours of operation of the food establishment
- Seasonal factors (where applicable).

A Food Authority's Intervention Programme should provide for food establishments to be subject to intervention at times when they are open for business, whether or not that coincides with the Food Authority's normal hours of work. Food establishments that only operate at night, at weekends or in the early hours of the morning should be subject to interventions at these times. Professional judgement should be applied in respect of establishments subject to 24 hour opening in determining the most appropriate time(s) to carry out an intervention at such establishments.

A Food Authority's approach to interventions out of hours should be documented in It's Food Service Plan.

4.1.7 Need to defer planned intervention

Circumstances may arise where the Agency requires Food Authorities to defer their interventions in order to take urgent action over a period of time

Such situations may include those where there is evidence that:

- An unsafe practice is occurring or has occurred which represents a significant hazard to public health
- A particular food handling or food preparation practice is found to entail a previously unsuspected hazard to public health

- A foodstuff previously thought to be safe is found to be hazardous to public Health
- A food with widespread distribution is found to be contaminated and thereby presents a significant hazard to public health;
- A food with widespread distribution is the subject of fraud in labelling or presentation

APPENDIX 3

Food Hygiene Rating Scheme

Stockport Metropolitan Borough Council has adopted a 6-tier rating scheme that provides user-friendly information about the standards of hygiene and compliance with the law in food premises in the borough.

How will the scheme work?

Following an inspection an officer will rate the business for food safety standards using the scheme set out in Annex V, Food Law Code of Practice (England).

The food hygiene rating is based on the scores for hygiene, structure and confidence in management, because they are under the direct control of the food business operator.

The better the standards of food safety the higher the number of rating given, this will range from 5 (very good) to 0 (urgent improvement necessary).

The overall risk rating score and food hygiene rating will be given following an inspection.

The food hygiene rating can be withdrawn if standards deteriorate. Therefore, the premises and food safety practices must be kept up to standard all the time to maintain the food hygiene rating.

Appeals Procedure

Following the inspection the food business will be notified of their food hygiene rating. At this stage, if they are not happy with the rating they may appeal to the officer or their line manager.

Right to Reply

A right of reply is available on the website. This allows the food business operator to tell people about the improvements they have made following the last rating visit. All comments will be vetted before they are placed on the website to ensure they are true.

Where will the information be available?

The food hygiene rating for all business will be displayed on the website and they will be sent promotional materials to display on their premises. Customers will expect to see this in all food premises.

This is a rating scheme to demonstrate how well or not a business is complying with food hygiene legislation. Therefore, because a premises has been given a food hygiene rating it does not mean it is fully compliant with all legislative requirements.

Who will it apply to?

The food hygiene rating will only be given to those food business that are inspected by the local authority

Premises that are not inspected due to the low risk level of the food sold or prepared or sold on the premises will not form part of the scheme. These may be subject to alternative enforcement strategies and will therefore not receive a rating.

