The Food Hygiene Rating Scheme: Guidance for local authorities on implementation and operation - the ‘Brand Standard’

September 2010
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### Abbreviations

The following acronyms/abbreviations are used in this document.

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>CIM</td>
<td>Confidence in management/control procedures</td>
</tr>
<tr>
<td>FBO</td>
<td>Food business operator</td>
</tr>
<tr>
<td>FHIS</td>
<td>Food Hygiene Information Scheme</td>
</tr>
<tr>
<td>FHRS</td>
<td>Food Hygiene Rating Scheme</td>
</tr>
<tr>
<td>FSA</td>
<td>Food Standards Agency</td>
</tr>
<tr>
<td>HACCP</td>
<td>Hazard Analysis Critical Control Points</td>
</tr>
<tr>
<td>IMS</td>
<td>Information management system</td>
</tr>
<tr>
<td>LAEMS</td>
<td>Local Authority Enforcement Monitoring System</td>
</tr>
<tr>
<td>LBRO</td>
<td>Local Better Regulation Office</td>
</tr>
<tr>
<td>Q&amp;A</td>
<td>Question and answer</td>
</tr>
<tr>
<td>SFBB</td>
<td>Safer food better business</td>
</tr>
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Introduction

Status and purpose of the Guidance

This Guidance represents the ‘Brand Standard’ for the Food Hygiene Rating Scheme (FHRS) and local authorities operating the FHRS are expected to follow it in full.

The purpose is to ensure consistency in implementation and operation of the FHRS by local authorities. The aim is to ensure that where food business establishments are rated under the FHRS and where consumers see FHRS branding, they can be confident that the local authority is operating the FHRS as the Food Standards Agency (FSA) intends.

Food Hygiene Rating Scheme

1. The FHRS, which is for England, Wales and Northern Ireland, is an FSA/local authority partnership initiative. This national scheme provides consumers with information about hygiene standards in food business establishments at the time they are inspected to check compliance with legal requirements on food hygiene. The food hygiene rating given reflects the inspection findings.

2. The purpose of the FHRS is to allow consumers to make informed choices about the places where they eat out or shop for food and, through these choices, encourage businesses to improve their hygiene standards. The overarching aim is to reduce the incidence of food-borne illness and the associated costs to the economy.

3. There are six different food hygiene ratings (‘0’ up to ‘5’) - the top rating represents a ‘very good’ level of compliance with legal requirements and all businesses irrespective of the nature or size of their operation should be able to achieve this. Food hygiene ratings are published online at food.gov.uk/ratings, and businesses are encouraged to display certificates and stickers showing their food hygiene ratings at their premises where consumers can easily see them.

4. The FHRS incorporates safeguards to ensure fairness to businesses. This includes an appeal procedure, a ‘right to reply’ for publication (together with the food hygiene rating) at food.gov.uk/ratings, and a mechanism for requesting a re-inspection/re-visit for the purposes of re-rating when improvements have been made.

Development of the FHRS

5. The FHRS has been developed on the basis of advice and guidance from the Food Hygiene Ratings Steering Group. This Group is independently chaired and includes local authority, consumer and food industry representatives as well as officials from the FSA, the Better Regulation Executive and the Local Better Regulation Office (LBRO).

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1 A different scheme – the Food Hygiene Information Scheme - operates in Scotland. Separate guidance relating to the implementation and operation of this scheme is available for local authorities in Scotland.

2 Detailed information about the Food Hygiene Ratings Steering Group and its work can be found at: http://www.food.gov.uk/enforcement/enfcomm/fhrssteeringgroup/
Local authority guidance – the FHRS ‘Brand Standard’

6. This Guidance, which has been endorsed by the Food Hygiene Ratings Steering Group, is in question & answer (Q&A) format. It covers all aspects of implementation and operation of the FHRS. This includes:

- ‘Getting started’ (Section 1);
- Formal ‘sign up’ (Section 2);
- Scope (Section 3);
- Scoring using Annex 5 of the Food Law Code of Practice (Section 4);  
- Mapping of Annex 5 scores to the food hygiene rating (Section 5);
- Appeals and ‘right to reply’ (Section 6);
- Requests for re-inspections/re-visits for re-rating purposes (Section 7);
- Use of FHRS branding (Section 8);
- Use of the FHRS IT platform (Section 9); and
- Establishing and operating a consistency framework (Section 10).

Resource materials

7. The FSA has developed a range of resource materials to help local authorities implementing and operating the FHRS. These will be updated regularly to reflect feedback from local authorities and any relevant developments. They will also be supplemented as necessary as the FHRS beds in. The materials are available at: http://www.food.gov.uk/safereating/hyg/hygienescoresresources/

8. The current range of resource materials includes:

- **A Communications Toolkit** – This includes advice and guidance on promoting the FHRS at the local level. It also includes template press releases and details of other promotional materials such as web banners, leaflets, posters etc. as well as details of how to order supplies of FHRS stickers and certificate paper. The Toolkit will be updated regularly.

- **Information for elected members** – template briefings and presentations.

- **Information for businesses** - template letters and presentations and an explanatory leaflet, *Good hygiene is good for your business.*

- **Standard forms** – inspection form, appeal form, ‘right to reply’ form and request for a re-visit form.

9. There is also separate User Documentation for use with the FRHS IT platform which will be provided to participating local authorities.

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3 See: [http://www.food.gov.uk/enforcement/enforcwork/foodlawcop/]
FHRS evaluation

10 The FSA is committed to monitoring and evaluating the FHRS to review progress in implementing it and to assess its impact. This will consider:

- consumer awareness and understanding of the FHRS and its impact on consumer behaviour;
- uptake by local authorities and the impact of the FHRS on the intervention-rating programme and on resources;
- business understanding of the FHRS, levels of voluntary display, and the impact on compliance levels, and business turnover; and
- impact on the incidence of foodborne illness.

The FSA Board, the Food Hygiene Ratings Steering Group and stakeholders more generally will be kept up to date on a regular basis.

Review and revision of the Guidance

11. The Food Standards Agency will keep this Guidance under review as the FHRS beds in and will revise and update it, as necessary and appropriate, to reflect the experience of local authorities, any feedback from food businesses or from consumers, or other developments. It will also be reviewed and revised as and when appropriate following the formal evaluation of the FHRS.

Further information

12. For further advice or information please get in touch with the appropriate FSA office – contact details are provided below - or send email enquiries to hygieneratings@foodstandards.gsi.gov.uk.

<table>
<thead>
<tr>
<th>Name</th>
<th>Telephone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>For local authorities in England – London office</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Emily Dee</td>
<td>020 7276 8445</td>
<td><a href="mailto:emily.dee@foodstandards.gsi.gov.uk">emily.dee@foodstandards.gsi.gov.uk</a></td>
</tr>
<tr>
<td>For local authorities in Wales – Cardiff office</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rob Wilkins</td>
<td>029 2067 8957</td>
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</tr>
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<td>For local authorities in Northern Ireland – Belfast office</td>
<td></td>
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</tr>
</tbody>
</table>
Section 1: ‘Getting started’

Introduction

1.1 Local authorities implementing the FHRS fall into two categories:

- 'new scheme' authorities - those operating a food hygiene rating scheme for the first time; and
- 'migrating' authorities - those migrating to the FHRS from an existing 'local' scheme.

The Q&A in this Section aims to cover both situations.

1.2. The Q&A draws on the experience of local authorities that have introduced 'local' food hygiene rating schemes.

1.3. Many of the issues covered are common to both 'new scheme' and 'migrating' authorities. There are some additional factors that 'migrating' authorities will wish to consider and these are also highlighted.

1.4. This Section does not cover issues associated with the FHRS IT platform as these are addressed in Section 9 but it does include matters associated with local authority database preparation.

1.5. Checklists, specifically for 'new scheme' authorities and for 'migrating' authorities, are provided to give an 'at a glance' outline of issues that local authorities should consider. These checklists follow the Q&A at pages 14 to 17.

Question and answer guidance

Q1. What are the first things that a local authority should do if it wants to operate the FHRS?

A1. There are a number of initial activities that both 'new scheme' and 'migrating' authorities should do:

- Consider the resource implications for the authority to implement and operate the FHRS – these will vary between authorities depending, for example, on the business profile within the area, and may be different for 'new scheme' authorities and for 'migrating' authorities;
- Secure agreement for joining the FHRS within the Food Safety Team and with senior management;
- Secure support from elected Members for joining the FHRS (see Q&A 2);
- Consider whether to 'go it alone' or join up with other local authorities, e.g. with neighbouring authorities, as part of a Food Liaison Group, or as a regional group;
- Consider links with Economic Development and Business Advice work;
- Arrange formal ‘sign up’ to the FHRS (see Section 2) by the appropriate local authority representative;
- Consider project management techniques and tools to manage the implementation of the FHRS locally;
• Agree a timetable for implementation stages including launch, and for a communications strategy (liaising as necessary with the authority's communications team and press office);

• Agree the approach to launch - a staged, gradual approach or a critical mass approach using historical data (see Q&A 3);

• Agree date for launch;

• Where a group of local authorities in a local or regional area are launching together, they should agree the timetable for implementation, the approach to launch, and a joint communications strategy; and

• Ensure appropriate resources are allocated to develop and implement the FHRS including appropriate and sufficient resources for database checks (see Q&A 8), appropriate professional resources and IT and administrative support.

Q2. How can political 'buy-in' from elected Members for the FHRS be secured?
A2. For both 'new scheme' authorities and 'migrating' authorities, there are considerable benefits in adopting the FHRS. The operation of a single national scheme will ensure clarity for consumers and greater consistency for businesses. Local authorities adopting the FHRS will benefit from the support package provided by the FSA. This includes this Guidance, consistency training, a Communications Toolkit, marketing and promotional materials, national promotion of the FHRS, and the IT platform/IT support.

On a practical level, the appropriate Member forum should be engaged to secure support for joining the FHRS. The FSA has prepared high-level briefing material that can be used to help inform elected Members about the FHRS and the benefits of the national approach. This is available at the link below and may be tailored to each individual authority's requirements.

http://www.food.gov.uk/safereating/hyg/hygieneratings/hygienescoresresources/hygieneratingtemplates

Q3. What are the options for launching the FHRS in terms of establishments that will have a food hygiene rating on day one?
A3. Two main approaches have been identified - the **staged and gradual approach** and the **critical mass approach** (so-called 'big bang').

• **Staged and gradual approach** - the FHRS is rolled out from a specific launch date with establishments rated as and when they receive their next planned inspection, partial inspection or audit.

• **Critical mass approach** - this may take two forms:
  - Option 1 - historical data may be used to rate establishments retrospectively from a pre-determined date (e.g. from 1 January 2006 when the EU food hygiene legislation came into force); or
  - Option 2 - establishments may be rated during inspections, partial inspections or audits in the current interventions programme and formal launch delayed until there are a sufficient number of establishments in the FHRS to create a critical mass (this should be as near to 100% of establishments as possible, at least in a clearly defined geographical area, but it will depend on local circumstances).
The preferred approach, for both 'new scheme' and 'migrating' authorities, is the **critical mass approach using option 2** as this is considered to be fairer to businesses and more helpful to consumers. The decision, however, is for the local authority to make as local considerations may be a factor. Local authorities should consider the points below before making a decision.

<table>
<thead>
<tr>
<th>Staged and gradual approach</th>
<th>Critical mass (so called 'big bang') approach</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Points to consider</strong></td>
<td><strong>Points to consider</strong></td>
</tr>
<tr>
<td>• Less resource intensive as establishments can be phased into the FHRS on a planned basis starting with specific areas or wards or by specific establishment type e.g. takeaways, restaurants etc. or as establishments receive an inspection, partial inspection or audit in accordance with the authority's planned intervention programme.</td>
<td>• Resource intensive but momentum should not be lost as a considerable number of establishments will be part of the FHRS from the launch.</td>
</tr>
<tr>
<td>• Gradual roll-out can assist in ironing out any problems early on, help trial procedures, control demand for re-inspections/re-visits, and engagement with businesses will be on a smaller scale.</td>
<td>• Careful checks will need to be made if retrospective records are used in order to ensure that Annex 5 scoring has been carried out appropriately and interpreted in accordance with the guidance in Section 4).</td>
</tr>
<tr>
<td>• Effort required to ensure that the momentum is maintained and that interest in the FHRS is not lost.</td>
<td>• Informing businesses of their food hygiene rating prior to publishing will allow issues to be dealt with before launch.</td>
</tr>
<tr>
<td>• Businesses who have not yet been included in the FHRS may be disadvantaged as they will not be able to display a food hygiene rating.</td>
<td>• May generate a large number of enquiries that will need to be responded to, including requests to re-visit.</td>
</tr>
<tr>
<td>• Businesses will, however, be informed about the FHRS before their next inspection, partial inspection or audit.</td>
<td>• Potentially greater consumer awareness as more establishments will be rated so providing real consumer choice.</td>
</tr>
<tr>
<td></td>
<td>• Easier to focus communications efforts where more businesses have been rated or when critical mass is reached.</td>
</tr>
<tr>
<td></td>
<td>• May be easier for 'migrating' authorities in terms of removing 'old' certificates and/or stickers.</td>
</tr>
</tbody>
</table>

**Q4. How should establishments that are subject to an 'alternative enforcement strategy' be dealt with?**

**A4.** Historical inspection data could be used from a pre-determined date (e.g. 1 January 2006 when the EU hygiene legislation came into force).
Q5. **What pre-launch activities should be carried out?**

A5. The activities for 'new scheme' authorities and 'migrating' authorities differ in some respects so are listed separately below.

<table>
<thead>
<tr>
<th>Activities for 'new scheme' authorities</th>
<th>Activities for 'migrating' authorities</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Identify establishments which will be part of the FHRS and those 'exempted' from it (scope checks);</td>
<td>• Review 'local' scheme and identify difference in framework of local scheme and the FHRS - this may include different scope, different scoring/banding, different symbols, absence of re-inspection/re-visit mechanism etc.;</td>
</tr>
<tr>
<td>• Undertake file and database checks and database cleansing;</td>
<td>• Identify establishments which will be part of the FHRS and those 'exempted' from it (scope checks);</td>
</tr>
<tr>
<td>• Ensure necessary IT link is in place for publishing food hygiene ratings at <a href="http://food.gov.uk/ratings">food.gov.uk/ratings</a>;</td>
<td>• Identify establishments where the current score or rating will go up or down in terms of tiers;</td>
</tr>
<tr>
<td>• Establish consistency framework for operating the FHRS and ensure it is in place and that consistency and other relevant training is completed (see Section 10);</td>
<td>• Ensure database records are up-to-date, accurate and in good order;</td>
</tr>
<tr>
<td>• Ensure appropriate FHRS marketing and branding materials are available;</td>
<td>• Ensure necessary IT link is in place for publishing food hygiene ratings at <a href="http://food.gov.uk/ratings">food.gov.uk/ratings</a>;</td>
</tr>
<tr>
<td>• Ensure local liaison where more than one authority in the area or region are planning to launch the FHRS together;</td>
<td>• Establish consistency framework for operating the FHRS and ensure it is in place and that consistency and other relevant training is completed (see Section 10);</td>
</tr>
<tr>
<td>• Develop and begin to implement a strategy for communicating with local businesses (liaising with the authority's communications team/press office);</td>
<td>• Ensure appropriate FHRS marketing and branding materials are available;</td>
</tr>
<tr>
<td>• Develop and begin to implement a strategy for communicating with local consumers (liaising with the authority's communications team/press office);</td>
<td>• Ensure local liaison where more than one authority in the area or region are planning to launch the FHRS together;</td>
</tr>
<tr>
<td>• Collect baseline figures of Annex 5 scores for establishments for future review and evaluation;</td>
<td>• Develop and begin to implement a strategy for communicating with local businesses (liaising with the authority's communications team/press office);</td>
</tr>
<tr>
<td>• Ensure that the appeals procedure is in place (see Section 6).</td>
<td>• Develop and begin to implement a strategy for communicating with local consumers (liaising with the authority's communications team/press office);</td>
</tr>
<tr>
<td></td>
<td>• Collect baseline figures of the Annex 5 scores for establishments for future review and evaluation;</td>
</tr>
<tr>
<td></td>
<td>• Ensure that the appeals procedure is in place (see Section 6).</td>
</tr>
</tbody>
</table>
Q6. **What checks are required to determine which establishments will be rated?**

A6. Checks are required firstly to identify all establishments that fall outside (are 'excluded' from) the scope and establishments that fall within (are 'included' within) the scope. Of those that fall within the scope, those that are 'exempted' from being given a food hygiene rating will also need to be identified.

Once this is determined, database checks - see Q&A 7 and 8 below - can be concentrated on those establishments that will be rated. Advice on determining which establishments are 'excluded', 'included', and 'exempted' is given at Section 3.

For 'migrating' authorities, it will be necessary as part of the exercise to identify any establishments that were part of the 'local' scheme but will no longer be rated, and those that did not receive a score/rating under the 'local' scheme but will receive a food hygiene rating under the FHRS.

Q7. **What are the considerations when undertaking file and database checks and database cleansing?**

A7. Records should be up-to-date, accurate, in good order and should be consistent with this Guidance. They should also take account of the agreed 'Data Standard' for the FHRS IT platform (see Section 9).

In carrying out file and database checks, the following points should be considered:

- **Type of launch that is planned** - i.e. *staged and gradual approach* or *critical mass approach* as this will influence the size of the task and resources necessary;

- **Timing** - checks may be undertaken at the time of intervention where these are being undertaken as part of the current interventions programme or by desktop assessment. If the latter, records going back to the inspection, partial inspection or audit visit that generated the food hygiene rating to be published should be checked.

- **Resources** - sufficient resources should be made available for the checks - as a guide, it has been estimated that these can take 15 to 30 minutes per establishment;

- **Accuracy of Annex 5 scoring** – the Annex 5 scores given to the establishment should be checked against file records including the inspection report and relevant correspondence to ensure that they are accurate and consistent with the guidance in the *Food Law Code of Practice* and at Section 4 of this document;

- **Errors** - if an error has been identified and is rectified, records of any changes should be retained - it may be appropriate for the officer to contact the business to identify current status such as whether it is trading or not and to confirm who the food business operator (FBO) is; and

- **Baseline records of Annex 5 scores at the time of joining the FHRS** - these should be retained to enable tracking of scoring data and trends in food hygiene ratings.
Q8. **What database checks are required?**

A8. The following checks are required:

<table>
<thead>
<tr>
<th>Record</th>
<th>Check</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Details of the FBO</td>
<td>• Spelling, and check against food registration details.</td>
</tr>
<tr>
<td>• Business name or trading name</td>
<td>• Spelling and format, and check against food registration details.</td>
</tr>
<tr>
<td>• Address</td>
<td>• Spelling, format and address in full.</td>
</tr>
<tr>
<td>• Postcode</td>
<td>• In full if the establishment has a postcode.</td>
</tr>
<tr>
<td>• Telephone number</td>
<td>• Useful to have, to allow prompt contact with the FBO when necessary.</td>
</tr>
<tr>
<td>• Unique reference number</td>
<td>• Relating to the establishment/intervention that gave rise to the food hygiene rating.</td>
</tr>
<tr>
<td>• Inspection date</td>
<td>• Format as specified in the ‘Data Standard’ (see Section 9).</td>
</tr>
<tr>
<td>• Intervention-rating scores for all elements of the Annex 5 scheme</td>
<td>• Check against the <em>Food Law Code of Practice</em> and guidance, all scores to be provided to ensure total score is given.</td>
</tr>
<tr>
<td>• Intervention rating category</td>
<td>• Check A to E category specified.</td>
</tr>
<tr>
<td>• Establishment type</td>
<td>• Check accuracy against database, any hard copy record and food registration details, and use of LAEMS coding or consistent abbreviation.</td>
</tr>
<tr>
<td>• Local authority name and unique LA identity code as used for LAEMS</td>
<td>• Check what is used, particularly relevant for those authorities subject to unification.</td>
</tr>
<tr>
<td>• Status of establishment</td>
<td>• Check if open, not trading or closed due to formal enforcement action.</td>
</tr>
</tbody>
</table>

Q9. **What is required in order to link to the national IT platform?**

A9. In the first instance, local authorities should email the FSA’s Food Hygiene Ratings Team at: hygieneratings@foodstandards.gsi.gov.uk

The Team will provide the local authority with the necessary passwords and other login information.

Detailed IT User Documentation will also be provided.

Q10. **What consistency checks are required and how should the consistency framework operate?**

A10. Detailed guidance on establishing and operating a consistency framework for the FHRS is provided at Section 10.
Q11. **What consistency training is required and when?**

A11. Consistency training should be carried out at the earliest opportunity and before launch. Local authorities should ensure that all relevant officers participate in training and that officers meet the competency requirements in the *Food Law Code of Practice*.

Additional information on consistency training is provided at [Section 10](#).

Q12. **What other training is required and when?**

A12. Separate IT User Documentation is available on the use of the IT platform and training will be provided by the FSA if appropriate and necessary.

It may be appropriate for relevant officers to receive media training.

Q13. **What marketing and branding materials should be used and how should these be controlled?**

A13. A local authority Communications Toolkit is available and includes template press releases, as well as details of where to download or order web banners, leaflets and posters that may be used to assist with promoting the FHRS.

The Toolkit, which will be regularly updated, is available at:

http://www.food.gov.uk/safereating/hyg/hygieneratings/hygieneratingsresources/

Use of FHRS branding is covered in [Section 8](#).

Q14. **What should the communications strategy cover?**

A14. The local authority’s strategy should cover the timing and nature of communication with local businesses and local business groups or forums, and with consumers. It should also cover engagement with the local media both before and at launch, liaising as necessary with the authority’s press office.

The strategy should take account of the FSA’s communications strategy for promotion of the FHRS at the national level⁴ and should also cover more specific promotion at the local level (the Communications Toolkit should be helpful in this respect).

Q15. **Has the FSA produced any material that local authorities may use for communicating with businesses about the FHRS?**

A15. A general explanatory leaflet for businesses – *Good hygiene is good for your business* – is available. It is intended that this is sent to businesses by local authorities prior to launch to provide general information on the FHRS and to advise that it is being introduced. It is suggested that an accompanying letter is also sent and includes the establishment name, address and registration information with a request for the FBO to update these details if they are incorrect.⁵

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⁴ The FSA will regularly update local authorities on this.

⁵ Template letters that may be tailored by local authorities and used for this purpose are available at:

http://www.food.gov.uk/safereating/hyg/hygieneratings/hygieneratingsresources/hygieneratingtemplates
Q16. When and what should the local authority be communicating to local businesses?

A16. In determining this, local authorities should take account of FSA activities to promote the FHRS on a national basis. They should still communicate with businesses in their area in advance of launching the FHRS at the local level, and at as early a stage as possible (the Communications Toolkit provides advice on this – see Q&A 13).

As a minimum, a mail-shot to all food businesses within the scope of the FHRS should be undertaken and should:

- explain what the FHRS is about, how ratings are calculated, and describe what levels of achievement are required for each rating;
- highlight the food hygiene rating that the business would have achieved at its last inspection and what is required in order to improve that rating by drawing the business' attention to its last inspection report;
- explain that the business will be notified of its food hygiene rating, before it is published at food.gov.uk/ratings and that they may dispute this; and,
- provide details of where the business may get further advice.

For 'migrating' authorities, the mailshot should explain what changes will result from the adoption of the FHRS. Authorities may prefer to visit some establishments to explain the changes.

Q17. When and what should the local authority be communicating to local consumers?

A17. Consumer information is more appropriate when the FHRS is up and running and working satisfactorily. Advice on engagement with consumers and what information should be provided to them is given in the Communications Toolkit.

Q18. What activities are needed at the launch of the FHRS?

A18. Once all pre-launch activities have been completed, the following actions should be undertaken:

- ensure all food business enquiries and any requests for re-assessment have been considered;
- ensure elected Members are briefed on launch;
- inform other local authority colleagues that have responsibility for establishments that have a catering service (e.g. residential care and nursing homes) about the FHRS;
- depending on the type of launch, issue all (or relevant) certificates/stickers in a single mailing or delivery as close to the launch date as possible but with sufficient time to allow them to arrive before the launch;
- whilst the display of ratings by businesses at their premises is voluntary, the publication of ratings at food.gov.uk/ratings is not, so it is important to allow time for potential difficulties or disputes from businesses to be dealt with before the ratings may be accessed by the public; and
- ensure effective management procedures are in place having regard to the consistency framework (see Section 10), such as for uploading new data at the appropriate frequencies, regular checks on food.gov.uk/ratings for data integrity and accuracy, and internal monitoring to ensure accuracy and consistency of interventions, Annex 5 scoring and operation of safeguards.
Checklists for local authorities adopting the FHRS

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## Checklist for 'new scheme' authorities

### Stage 3 - launch activities

- Respond to all food business enquiries and consider any requests for re-assessment.
- Brief elected Members on launch.
- Inform local authority colleagues that have responsibility for catering establishments (e.g. residential and nursing homes) about the FHRS.
- Depending on the type of launch, issue all (or relevant) certificates/stickers in a single mailing or delivery as close to the launch date as possible but with sufficient time to allow them to arrive before the launch.
- Ensure that web information does not go live earlier than the launch so that there is time for potential difficulties or disputes to be dealt with.
- Ensure effective management procedures are in place for uploading new data at the appropriate frequencies, regular checks on [food.gov.uk/ratings](http://food.gov.uk/ratings) for data integrity and accuracy and internal monitoring to ensure accuracy and consistency of interventions, Annex 5 scoring and operation of safeguards.
### Checklist for ‘migrating’ authorities

#### Stage 1 - getting started

1. Consider resource implications.
2. Secure agreement for joining the FHRS within the Food Safety Team and with senior management.
3. Secure support from elected Members for joining the FHRS.
4. Consider whether to ‘go it alone’ or join up with other local authorities.
5. Consider links with Economic Development and Business Advice work.
6. Arrange formal sign-up to the FHRS.
7. Consider project management techniques and tools to manage the implementation of the FHRS.
8. Agree a timetable for implementation of the FHRS and for a communications strategy.
9. Agree on a staged, gradual approach or a critical mass approach to launch.
10. Agree date for launch.
11. If appropriate, agree the timetable for implementation, the approach to launch, and a joint communications strategy with other authorities in the area or region.
12. Ensure appropriate resources are allocated for the work ahead.

#### Stage 2 - pre-launch activities

1. Review 'local' scheme and identify difference in framework of local scheme and the FHRS.
2. Undertake scope checks to identify establishments that will be part of the FHRS:
   - establishments that fall outside scope - ‘excluded’
   - establishments that fall within scope - ‘included’
   - establishments that are 'exempted' from scope
   - establishments that were previously scored/rated but that will no longer be rated.
3. Identify establishments where the current score/rating will go up or down the tiers with the introduction of the FHRS.
4. Undertake file and database checks to ensure records are up to date, accurate and in good order with specific reference to:
   - Details of the FBO
   - Business name or trading name
   - Address and postcode
   - Telephone number
   - Unique reference number
   - Inspection date
   - Inspection/Intervention-rating score for all elements of the Annex 5 scheme
   - Intervention rating category
   - Establishment type
   - Authority name and unique local authority identity code as used for LAEMS
   - Status of premises.
5. Ensure link is in place for publishing food hygiene ratings at [food.gov.uk/ratings](http://food.gov.uk/ratings).
6. Establish a consistency framework and complete consistency and other relevant training.
7. Ensure appropriate marketing and branding materials are available.
8. Ensure local liaison where more than one authority in the area or region are planning to launch together.
9. Develop and begin to implement a communications strategy covering businesses, consumers and media.
### Checklist for ‘migrating’ authorities

#### Stage 3 - launch activities

- Respond to all food business enquiries and consider any requests for re-assessment.
- Brief elected Members on launch.
- Inform local authority colleagues that have responsibility for catering establishments (e.g. residential and nursing homes) about the FHRS.
- Depending on the type of launch, issue all (or relevant) certificates/stickers in a single mailing or delivery as close to the launch date as possible but with sufficient time to allow them to arrive before the launch.
- Ensure that web information does not go live earlier than the launch so that there is time for potential difficulties or disputes to be dealt with.
- Ensure effective management procedures are in place for uploading new data at the appropriate frequencies, regular checks on [food.gov.uk/ratings](http://food.gov.uk/ratings) for data integrity and accuracy and internal monitoring to ensure accuracy and consistency of interventions, Annex 5 scoring and operation of safeguards.
Section 2: Formal ‘sign up’

Introduction

2.1 Consistent implementation and operation of the FHRS is critical to ensuring that consumers are able to make meaningful comparisons of food hygiene ratings for businesses both within a single local authority area and across different local authority areas. It is also critical to ensuring that businesses are treated fairly and equitably.

2.2 The FSA and local authorities participating in the FHRS both have a role to play in achieving such consistency. In order to demonstrate their commitment to working in partnership and fulfilling their respective responsibilities, the FSA and each participating local authority will sign a formal agreement. The agreement is based on the ‘Brand Standard’ for the FHRS which, in effect, is the guidance provided in the other sections of this document. The aim is to ensure that where establishments are rated under the FHRS and where consumers see the FHRS branding, they can be confident that the local authority is operating the FHRS as the FSA intends.

2.3 Guidance on the ‘sign up’ process is set out in Q&A format below.

Question and answer guidance

Q1. Why are local authorities required to ‘sign up’ formally to the FHRS given that its adoption is voluntary?
A1. In order to demonstrate their commitment to operating the FHRS in a consistent and fair manner, it is appropriate to invite participating local authorities to agree to specified conditions in order to safeguard the credibility and integrity of the scheme.

Q2. What form will ‘sign up’ take and who will be required to sign?
A2. Each participating local authority and the FSA will sign an ‘agreement’ - an example is provided at Appendix 1.

Agreements with local authorities in England will be signed on behalf of the FSA by the Operations Group Director. Agreements with local authorities in Wales and Northern Ireland will be signed respectively by the Directors of the FSA’s offices in Cardiff and Belfast.

Agreements should be signed on behalf of the local authority at a senior level, for example, by the Chief Executive, Leader of the Council or Portfolio Holder.

Q3. What commitments will the FSA make?
A3. The FSA is committed to keeping the guidance on implementation and operation of the FHRS under review. It will revise and update it as necessary to reflect the experience of local authorities operating the FHRS and any feedback from food businesses or consumers, and in order to ensure that its application does not compromise public health protection.

The FSA is also committed to fulfilling its role in monitoring and auditing the implementation and operation of the FHRS (see Section 10), and to working with local authorities to resolve any issues identified through this.
Q4. What commitments will local authorities make?
A4. Local authorities will be required to follow in full the FHRS ‘Brand Standard’.

Q5. What is meant by the FHRS ‘Brand Standard’?
A5. The ‘Brand Standard’, in effect, is the guidance provided in the other sections of this document.

Q6. Will agreements with individual local authorities differ in content?
A6. No. The agreement with each participating local authority will be the same.

Q7. What if a local authority subsequently wishes to withdraw from the FHRS?
A7. As it is voluntary for local authorities to participate, they can withdraw their participation if they wish to do so.

Authorities that are considering withdrawing should contact the FSA as early as possible to discuss the reasons for this. They should also give at least 14 days prior notice before formally terminating the ‘sign up’ agreement. This will provide an opportunity to try to resolve any issues/concerns and, where appropriate, to discuss whether additional support can be provided to allow the local authority to continue operating the FHRS.

Q8. What will happen if a local authority ‘signed up’ to the FHRS is unable to fulfil its responsibilities under its agreement?
A8. The agreement between the local authority and the FSA highlights the responsibilities of each with regards to the operation of the FHRS.

Where local authorities encounter difficulties in following the ‘Brand Standard’ in full, the FSA is committed to working with them to resolve matters to ensure that the credibility and integrity of the FHRS is not compromised. In this respect, local authorities are encouraged to give early warning of any emerging problems so that advice and support may be offered.

Support may also be offered by other authorities through Food Liaison Groups, FHRS Local Authority fora, and Local Government Regulation etc.

The FSA is also committed to reviewing and evaluating the FHRS in conjunction with local authority partners.

Where issues cannot be resolved by the above means the FSA may, as a last resort, consider terminating the agreement such that the local authority will be unable to use the FSA’s brand. In such circumstances, unless there are immediate risks to public health protection, the FSA will give the local authority at least 14 days prior notice that it is considering this option. This will provide a further opportunity to work together to resolve any issues.

Q9. In what circumstance will the FSA consider terminating the agreement?
A9. The FSA will consider terminating the agreement only when there is a failure to resolve matters informally – see above. Such circumstances may, for example, be where there is evidence that the local authority is failing to follow the FHRS ‘Brand Standard’ in full such that the credibility and integrity of the FHRS is compromised (for instance where businesses are being treated unfairly or inequitably or consumers are being misled).

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6 Where reference to numbers of ‘days’ are made in this guidance it includes weekends and bank holidays.
Q10. **What will the process be for terminating the agreement and what actions will follow?**

A10. Where the local authority has made a decision to terminate the agreement, it should notify the FSA in writing outlining the reasons for this.

Where the FSA has decided to terminate the agreement, the local authority will be notified in writing of the FSA’s decision and the reason for this. The local authority can appeal this decision – see Q&A 11 – but it should be noted that termination of the agreement is not suspended during the period in which such an appeal can be made or pending the outcome of an appeal once lodged.

Irrespective of which party terminates the agreement, the following steps must also be taken to ensure that the credibility and integrity of the FHRS is not compromised and to ensure that the reputations of the FSA, of the local authority concerned and of businesses in the relevant area are safeguarded.

- **The FSA will:**
  - immediately notify stakeholders that the local authority is no longer participating in the FHRS by means of an announcement at food.gov.uk/ratings on both the home page and on the local authority’s own page;
  - immediately suspend the local authority’s access to the national database so that no further ratings can be published; and
  - within 14 days, remove the local authority’s existing ratings from public access.

- **The local authority will:**
  - if it also publishes ratings on its own website, immediately notify local stakeholders that the authority is no longer operating the FHRS by means of an announcement on an appropriate website page, and within 14 days, remove any published ratings from its site;
  - remove any FHRS branding from its website;
  - suspend distribution of any marketing and advertising material that incorporates FHRS branding;
  - remove stickers/certificates from display in food business establishments as soon as possible and at the next planned intervention of that establishment at the latest;
  - advise businesses in the area that the FHRS no longer operates and that the continued use of any branded materials for marketing and advertising purposes may constitute an offence under trading standards legislation, and
  - confirm to the FSA that these actions have been taken.

Q11. **What if the local authority disagrees with the FSA’s decision to terminate its agreement?**

A11. If the local authority considers that this decision is unjust it can within 14 days of being notified of the FSA’s decision ask for the matter to be referred to an Advisory Disputes Panel (see Q&A 12).

The Advisory Panel will be convened and will investigate the matter and report its findings and recommendations within six weeks.

The FSA will review the Panel’s report and within 14 days will notify the local authority of its decision as to whether it accepts the Panel’s view.
If the local authority remains dissatisfied its Chief Executive can within 14 days request that the dispute be referred to the FSA's Chief Executive.

The FSA’s Chief Executive will review the case and the Panel’s report and issue a final decision that will be notified to the local authority within 14 days.

**Q12. What will be the membership of the Advisory Disputes Panel?**

**A12.** Membership will comprise representatives from or nominated by Local Government Regulation and the Chartered Institute of Environmental Health as well as consumer and food industry representatives. The Panel will elect its own chair and the Secretariat function will be provided by the FSA.
Section 3: Scope

Introduction

3.1 The scope of the FHRS extends to establishments supplying food direct to consumers. This includes restaurants, cafes, takeaways, sandwich shops and other places where people eat food prepared outside of the home, as well as food retailers. The aim is to provide information on hygiene standards to consumers in circumstances where they are making a choice about eating or purchasing food. Certain businesses are 'exempt' from the FHRS.

3.2 Guidance in Q&A format is provided below to assist local authorities in determining if establishments should be rated under the FHRS. Establishments fall into three broad categories:

- those that fall within the scope of the FHRS;
- those that fall within the scope of the FHRS but are exempt from it because specific circumstances apply; and
- those that fall outside the scope of the FHRS and are therefore excluded.

3.3 The decision tree at page 27 may also assist local authorities with scope and exemption issues.

3.4 Local authorities may also get an initial steer on how to categorise food business establishments from the FSA’s Local Authority Enforcement Monitoring System (LAEMS) guidance. This is available at:

http://www.food.gov.uk/enforcement/auditandmonitoring/laems/definitions/

Question and answer guidance

Q1. How is the scope of the FHRS defined?

A1. The scope extends to all food establishments to which registration requirements apply and which supply food directly to consumers for consumption either on or off the premises. Each registered food business establishment within the scope should receive a food hygiene rating under the FHRS when they are inspected unless they are covered by certain 'exemptions' (see Q&A 13 to 15).

Approved establishments may have a retail element. Although this retail element does not require a separate registration, it will fall within the scope of the FHRS and should receive a food hygiene rating when it is inspected unless it is covered by certain 'exemptions' (see Q&A 13 to 15).

Food business operators must register new food business establishments at least 28 days before food operations commence.
Q2. **What categories of food business establishments fall within the scope?**

A2. The categories include caterers such as restaurants, cafes, takeaways, sandwich shops, mobile traders, and other places where people eat food prepared/cooked/served outside of the home. It also includes food retailers such as supermarkets. Establishments where public access is limited but where food is prepared, cooked, or handled and served to consumers, such as schools, nurseries and residential care homes, are also included. Within these categories, certain 'exemptions' may apply (see Q&A 13 to 15) - such that the establishment is not given a food hygiene rating.

Q3. **What categories of food business establishment are outside the scope and therefore excluded from the FHRS?**

A3. Establishments that do not supply food direct to consumers are 'excluded' from the scope and should not be rated under the FHRS. This includes primary producers, manufacturers and packers, importers and exporters, distributors (including wholesalers, and other inter-business suppliers) and transporters. Examples of the types of business included in these categories may be found at: http://www.food.gov.uk/enforcement/auditandmonitoring/laems/definitions/

Where wholesalers, e.g. cash & carries, are supplying food direct to consumers as well as to other businesses, they fall within the definition of scope and should be rated.

Q4. **How should local authorities deal with requests from FBOs of 'excluded' establishments (such as manufacturers) to opt into the FHRS?**

A4. The FSA's Board agreed that the possibility of extending the scope to all food businesses could be considered in the future.

In light of this, businesses that request to 'opt in' should be advised that they are outside of the FHRS at present.

This differs from the approach that should be taken to requests to opt into the FHRS from FBOs where their establishment falls within the scope but where a specific 'exemption' applies (see Q&A 16).

Q5. **Are mobile food units included within the scope and, if so, which food authority should be responsible for rating them?**

A5. Mobile food units (both retail and catering units) fall within the definition of scope and should, therefore be rated unless any of the 'exemptions' apply (see Q&A 13 to 15). The responsibility for the food hygiene intervention and, therefore, the rating under FHRS will depend on the type of unit of which there are three main categories:

- those registered and operating within the same local authority;
- those registered in one local authority but trading in a different local authority area; and
- those registered in one local authority but trading in a number of different sites across a number of local authorities.

For the first category, the registering authority should undertake interventions, and rate the unit for FHRS. For the other two categories, the 'inspecting' authority should liaise with the 'registering' authority in order to avoid duplication of interventions and rating. Local Food Liaison Groups may provide a suitable forum for such agreement to be made.
Q6. Are market stalls and occasional markets included within the scope and should they be rated?

A6. Market stalls and occasional markets fall within the definition of scope and should, therefore, be rated where this is feasible and practical unless any of the 'exemptions' apply (see Q&A 13 to 15). Given the range in nature of these market stalls/markets, arrangements for undertaking interventions and rating are best determined at the local level but the key point is that the 'inspecting' authority liaises with the 'registering' authority in order to avoid duplication of interventions and rating. Again, local Food Liaison Groups may provide a suitable forum for discussion and agreement of arrangements.

Q7. Are public houses included within the scope of the FHRS and should they be rated?

A7. Yes, public houses fall within the definition of scope and should, therefore, be rated.

Q8. Are bed and breakfast establishments, guest houses and hotels within the scope of the FHRS and should they be rated?

A8. Unless any of the 'exemptions' apply (see Q&A 13 to 15), these are included within the scope of the FHRS - even if only open for a few months a year.

Q9. Do Armed Forces, Police and Crown establishments fall within the scope of the FHRS and should they be rated?

A9. Armed Forces, Police and Crown establishments are, like other food business establishments, subject to the requirements of food hygiene legislation and inspected in accordance with the Food Law Code of Practice. They also fall within the defined scope of the FHRS.

The inherent security sensitivities, however, should be taken into account in deciding whether or not to rate the establishment.

Where a decision is made not to rate, but the FBO requests it, a food hygiene rating and a corresponding certificate and sticker may still be issued.

Information on these 'sensitive' establishments should be uploaded to the local authority portal of the IT platform so that certificates can be generated. No information, however, will be published at food.gov.uk/ratings unless specifically requested by the FBO.

Q10. When should new establishments be rated?

A10. New establishments should be given an 'awaiting inspection' certificate and sticker if requested by the FBO when they register, and should be rated under the FHRS at the first inspection, partial inspection or audit unless any 'exemptions' apply (see Q&A 13 to 15). The aim is to ensure fairness to businesses and aid consumer understanding.

In cases of a change in FBO, the establishment should be registered and treated as new, and a new food hygiene rating should be given at the first inspection, partial inspection or audit. It is important that the food hygiene rating for the previous FBO is removed from food.gov.uk/ratings, and it is clear that the 'new' establishment is 'awaiting inspection'.

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8 It is acknowledged that because there is usually only short advance notice of occasional markets taking place, and that such events are usually of short duration, it is not always feasible to inspect, rate and issue an FHRS certificate and sticker.
In cases where there is solely a change to the name of the establishment but the FBO is the same, a new certificate and sticker should be issued in the new name but a new food hygiene rating should not be given.

In cases where the FBO moves to new premises, the new establishment should be registered by the appropriate local authority and a new food hygiene rating given at the first inspection, partial inspection or audit.

**Q11. Where establishments falling within the scope comprise different units, should each unit be rated separately?**

**A11.** Each registered food business establishment should receive a rating. Thus, where the individual units are registered as a single food business establishment - e.g. a supermarket with an in-house bakery or butchers or in-house coffee shop or restaurant - a single food hygiene rating should be given. Local authorities, in line with the better regulation and Hampton principles (no inspection without a reason etc.) should wherever possible intervention-rate the establishment as a single entity at an inspection, partial inspection or audit and providing that sufficient information is obtained by the officer to make a judgement on compliance rather than deal with different units separately. The authority may then focus on different areas/aspects when they carry out other interventions.

Where the units are registered as separate food business establishments - e.g. a supermarket with a coffee shop or restaurant under the control of a different FBO - separate food hygiene ratings should be given.

**Q12. Where legal action is in progress or is being considered, is the establishment within the scope of the FHRS, and should it be rated?**

**A12.** If the establishment is supplying food directly to consumers for consumption either on or off the premises, it falls within the scope of the FHRS unless it is covered by any of the 'exemptions' (see Q&A 13 to 15). Whether the establishment receives a food hygiene rating or not is, however, dependent on the nature of the action being taken:

- if the establishment has been closed because of an imminent risk to public health, it should not be rated whilst it remains closed, i.e. is not trading;
- if the establishment is still trading and still supplying food to the public, it should receive a food hygiene rating which should be published at food.gov.uk/ratings.

**Q13. What categories of establishment within the scope are 'exempt' from being rated?**

**A13.** In line with the decisions made by the FSA’s Board, the following establishments are 'exempt' from the scope of the FHRS:

- 'low-risk' establishments which are not generally recognised by consumers as being food businesses (see Q&A 14); and
- certain establishments operating from private addresses (see Q&A 15).

The issue of exemptions will be kept under review and more definitive guidance provided once the FHRS beds in.
Q14. What types of businesses constitute 'low-risk' establishments which are not generally recognised by consumers as being food businesses?

A14. Some types of business operations are required to register as food business establishments but their primary business or activity is not food-related and they are not seen as food businesses by consumers as the food activity is only a small element of the businesses in comparison with its main activity. This includes, for example:

- visitor centres and similar establishments selling tins of biscuits or other wrapped goods amongst a range of other goods;
- leisure centres with only food vending machines selling only drinks or low-risk foods;
- newsagents selling pre-packed confectionery; and
- chemist shops selling pre-packed confectionery and/or health foods.

Q15. What is meant by 'certain establishments operating from private addresses'?

A15. This exemption is mainly for childminders, but also covers other establishments where caring services are being provided in the home environment.

The 'exemption' does not cover home caterers. They should be given a food hygiene rating as consumers would very much expect them to be part of the FHRS. As regards publishing these ratings at food.gov.uk/ratings, careful handling is required and full address details should not be published.

Q16. How should food authorities deal with requests to opt into the FHRS from FBOs where their establishment is 'exempted'?

A16. If the FBO considers that consumers perceive their establishment to be a food business, the local authority should agree to a request to rate the establishment. This provides a safeguard to the operator where they consider that a lack of food hygiene rating is prejudicial to trade.

If the establishment opting in is one exempted on the basis that it operates from a private address, it should be considered as ‘sensitive’ as information should not be displayed at food.gov.uk/ratings (see Q&A 17).

This issue will be kept under review and the guidance revised if appropriate to help ensure consistency in approach.

Q17. Should establishments that are exempt from the FHRS be listed at food.gov.uk/ratings as 'exempt'?

A17. The 'Frequently Asked Questions' Section at food.gov.uk/ratings describes the types of businesses that are 'exempt' from the FHRS and this provides consumers with general information about this.

In addition, details of individual establishments that are exempted on the basis that they are 'low-risk' establishments which are not generally recognised by consumers as being food businesses should also be listed and shown to be 'exempt'. Establishments operating from private addresses that are exempted should be considered as ‘sensitive’ establishments and no information should be published. If the relevant FBO decides to opt into the FHRS – see Q&A 16 - they can share their rating with those using their services, e.g. in the case of childminders, with the parents.
Decision tree for determining which types of establishments should receive a food hygiene rating

Key question
Is the establishment subject to registration requirements or is it an approved establishment with a retail element?

No

'Excluded' from scope – no food hygiene rating

Yes

Key question
Does the establishment supply food directly to consumers for consumption on or off the premises?

No

'Excluded' from scope – no food hygiene rating

Yes

Examples
Primary producers, manufacturers, packers, importers and exporters, distributors (including wholesalers), transporters, and other inter-business suppliers.

Key question
Is the establishment 'low-risk' and not generally recognised by consumers as being a food businesses?

Yes

'Exempted' from scope – no food hygiene rating

No

Key question
Is the establishment operating from a private addresses?

Yes

No

'Included' in scope – give food hygiene rating

Examples
Visitor centres & similar establishments selling tins of biscuits or other wrapped goods amongst a range of goods, leisure centres with only food vending machines (with only drinks or low-risk foods), newsagents selling pre-packed confectionery, chemist shops.

Key question
Is the establishment a childminder or are other caring services being provided in the home environment?

Yes

'Exempted' from scope – no food hygiene rating

No

No

'Exempted' from scope – no food hygiene rating

Examples
Restaurants, pubs, cafes, takeaways, sandwich shops, B&Bs, guest houses, hotels, mobile traders, market stalls and occasional markets, supermarkets, off-licences, schools, nurseries and residential care homes, armed forces, police and Crown establishments, wholesalers or cash & carries selling food direct to consumers, other places that people eat food prepared outside of the home.
Section 4: Scoring using Annex 5 of the Food Law Code of Practice

Introduction

4.1 The following elements of the ‘food hygiene intervention rating scheme’ at Annex 5 of the Food Law Code of Practice are relevant to calculating the food hygiene rating:

- level of (current) compliance with food hygiene and safety procedures (including food handling practices and procedures, and temperature control),
- level of (current) compliance with structural requirements (including cleanliness, layout, condition of structure, lighting, ventilation, facilities etc.), and
- confidence in management/control procedures.

4.2 The table below sets out the Code of Practice guidance on scoring for the purposes of intervention-rating for each of these three elements, and specifically for each of the scores from 0 to 30. It also includes descriptions of the standards that would, in practice, be expected of a business in order to achieve these scores for the purposes of intervention-rating. The standards are summarised in the ‘at a glance’ chart at pages 46 to 48.

4.3 The Code of Practice guidance on scoring was drawn up in such a way that the measures that some businesses have put in place that are over and above the legal obligations are recognised – such businesses receive the lowest scores and, therefore, are subject to less frequent interventions. These measures which are apparent at scores of ‘0’ are highlighted in bold italicised red text. It should be noted that an establishment can achieve a top food hygiene rating by scoring ‘5’ for each of the three elements used for the FHRS.

4.4 Assessment of whether a business’ HACCP plan is appropriate with the identification of the correct hazards and controls is considered as part of the confidence in management/control procedure score whilst the implementation/assessment of practices is considered as part of the compliance with the food hygiene and safety procedures element.

4.5 It is important to note that one of the basic principles underlying use of the Annex 5 is that officers should use the full range of scores available within the system, as the purpose of the intervention-rating system will be frustrated by cautious marking or by a reluctance to recognise effective management/control systems.

4.6 As regards Industry guides to good hygiene practice, it is important to note that these include guidance on compliance with legal requirements and advice on good practice.9

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9 Further information at: http://www.food.gov.uk/foodindustry/regulation/hygleg/hyglegresources/goodpractice
Description of the standards

Notes – text in **bold italicised red text** indicates potential ‘gold-plating’.

<table>
<thead>
<tr>
<th>Score</th>
<th>Guidance/Description</th>
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</table>
| 25    | **Code of Practice guidance**  
|       | **General**  
|       | The score should reflect compliance observed during the inspection according to the guidance set out below. **Adherence to any relevant UK or EU Industry Guide to Good Hygiene Practice should be considered when assessing compliance. Conformity with relevant national guidelines or industry codes of recommended practice will also be necessary to score 0 or 5.**  
|       | **Specific guidance on score of 25**  
|       | Almost total non-compliance with statutory obligations. |

**Description of what 25 looks like in practice**

Evidence of almost total non-compliance with legal requirements.  
Imminent and serious risks.  
Follow-up action by the local authority in accordance with its enforcement policy using a graduated approach but likely to include consideration of prohibition procedures where there is imminent risk and ongoing formal enforcement action, and re-visits within a short timescale to secure compliance.  
Follow-up action identified for food business operator - immediate and significant action required in respect of all serious risks. Address all other matters within stipulated timescale.  
Very poor food hygiene practices, serious food contamination risks, inadequate temperature control for high-risk foods and major improvement needed in all areas.  
Almost total non-compliance in food hygiene and safety procedures (e.g. evidence of actual cross-contamination, food kept out of temperature control, fridge not operating at correct temperature).  
Serious cross-contamination identified – possibly an imminent risk to public health.  
Almost total non-compliance with requirements for safe food preparation, cooking, re-heating, cooling or storage of food identified.  
Evidence of almost total non-compliance with the compliance elements of industry guides to good hygiene practice (that have been recognised formally by the FSA) on food handling practices and procedures, staff personal hygiene and temperature control.
<table>
<thead>
<tr>
<th>Score</th>
<th>Guidance/Description</th>
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</table>
| 20    | **Code of Practice guidance**  
**General**  
The score should reflect compliance observed during the inspection according to the guidance set out below. *Adherence to any relevant UK or EU Industry Guide to Good Hygiene Practice should be considered when assessing compliance.*  
*Conformity with relevant national guidelines or industry codes of recommended practice will also be necessary to score 0 or 5.*  
**Specific guidance on score of 20**  
General failure to satisfy statutory obligations – standards generally low.  
**Description of what 20 looks like in practice**  
Evidence of major and widespread non-compliance with legal requirements in relation to food hygiene and safety procedures.  
Widespread and significant risks.  
Follow-up action by the local authority in accordance with its enforcement policy using a graduated approach but likely to include commencement of formal enforcement action, and re-visiting the establishment to secure compliance.  
Follow-up action identified for food business operator – to address all identified non-compliances as a matter of urgency within stipulated timescale.  
Poor standard of hygienic food handling, temperature control and staff personal hygiene and major improvements required.  
Evidence of actual cross-contamination identified.  
Major and widespread non-compliance with requirements for safe food preparation, cooking, re-heating, cooling or storage of food identified (e.g. inadequate cooking times).  
Evidence of major and widespread non-compliance with the compliance elements of industry guides to good hygiene practice (that have been recognised formally by the FSA) on food handling practices and procedures, staff personal hygiene and temperature control. |
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<tr>
<th>Score</th>
<th>Guidance/Description</th>
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| 15    | **Code of Practice guidance**  
**General**  
The score should reflect compliance observed during the inspection according to the guidance set out below. *Adherence to any relevant UK or EU Industry Guide to Good Hygiene Practice should be considered when assessing compliance. Conformity with relevant national guidelines or industry codes of recommended practice will also be necessary to score 0 or 5.*  
**Specific guidance on score of 15**  
Some major non-compliance with statutory obligations – more effort required to prevent fall in standards. |

**Description of what 15 looks like in practice**  
Evidence of some major non-compliance with legal requirements in relation to food hygiene and safety procedures.  
Some significant risks.  
Follow-up action by the local authority in accordance with its enforcement policy using a graduated approach but likely to include a warning letter, and consideration of formal enforcement, and giving the establishment priority for re-visit to secure compliance.  
Follow-up action identified for food business operator – to address all identified non-compliances within stipulated timescale.  
Examples of non-compliance may include poor stock rotation or poor personal hygiene.  
There may be evidence of actual cross-contamination identified.  
Some major non-compliance with requirements for safe food preparation, cooking, re-heating, cooling or storage of food identified.  
Evidence of some major non-compliance with the compliance elements of industry guides to good hygiene practice (that have been recognised formally by the FSA) on food handling practices and procedures, staff personal hygiene and temperature control. |
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<th>Score</th>
<th>Guidance/Description</th>
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</table>
| 10    | **Code of Practice guidance**  
**General**  
The score should reflect compliance observed during the inspection according to the guidance set out below.  
**Adherence to any relevant UK or EU Industry Guide to Good Hygiene Practice should be considered when assessing compliance.**  
**Conformity with relevant national guidelines or industry codes of recommended practice will also be necessary to score 0 or 5.**  
**Specific guidance on score of 10**  
Some non-compliance with statutory obligations and **industry codes of recommended practice**. Standards are being maintained or improved.  
**Description of what 10 looks like in practice**  
Evidence of some non-compliances that are not critical to food safety (i.e. are not significant but may become significant if not addressed) but overall generally satisfactory standard of compliance with legal requirements.  
Not likely to put consumers at unacceptable risk in relation to hygienic food handling, temperature control and staff personal hygiene but may do so if non-compliances not addressed.  
Follow-up action by the local authority in accordance with its enforcement policy but likely to be considering informal action (report of inspection/letter identifying issues). Establishment unlikely to be a priority for a re-visit.  
Some follow-up action identified for food business operator (in relation to issues that are not critical to food safety and not likely to put consumers at unacceptable risk but which may do so if not addressed) in relation to food handling practices and procedures, staff personal hygiene or temperature control. Standards being maintained or improving.  
Some lapses in food hygiene and safety procedures identified (e.g. a member of staff not washing hands before handling high-risk food but no evidence of handling raw then high-risk without washing hands, high-risk food held under refrigeration generally below 8°C but some evidence of rising above such as when busy, some lapses in monitoring of critical control points).  
Potential risk of cross-contamination identified but no evidence of actual contamination (e.g. some containers of raw and cooked food stored on same shelf in fridge or some high-risk foods uncovered).  
Generally satisfactory food preparation, cooking, re-heating, cooling and storage of food demonstrated but some lapses may be evident over short periods. Evidence of generally satisfactory compliance with the compliance elements of industry guides to good hygiene practice (that have been recognised formally by the FSA) on food handling practices and procedures, staff personal hygiene and temperature control. |
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<tr>
<th>Score</th>
<th>Guidance/Description</th>
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</table>
| 5     | **Code of Practice guidance**  
**General**  
The score should reflect compliance observed during the inspection according to the guidance set out below. *Adherence to any relevant UK or EU Industry Guide to Good Hygiene Practice should be considered when assessing compliance. Conformity with relevant national guidelines or industry codes of recommended practice will also be necessary to score 0 or 5.*  
**Specific guidance on score of 5**  
High standard of compliance with statutory obligations, *industry codes of recommended practice* and minor contraventions of food hygiene regulations. *Some minor non-compliance with* statutory obligations and *industry codes of recommended practice.*  
**Description of what 5 looks like in practice**  
Evidence of very good compliance with legal requirements, with only some minor non-compliances that are not critical to food safety.  
No follow-up action by local authority apart from report of inspection provided to food business operator. No re-visit necessary before next planned intervention.  
Only minor follow-up action identified for food business operator (in relation to issues that are not critical to food safety) in relation to food handling practices and procedures, staff personal hygiene or temperature control.  
Only minor lapses in food hygiene and safety procedures (e.g. some protective clothing not very clean and needs cleaning, a member of staff observed not washing hands when entering kitchen and starting work).  
No risk of cross-contamination identified.  
Safe food preparation, cooking, re-heating, cooling and storage of food demonstrated.  
Evidence of very good compliance with the compliance elements of industry guides to good hygiene practice (that have been recognised formally by the FSA) on food handling practices and procedures, staff personal hygiene and temperature control. |
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<th>Score</th>
<th>Guidance/Description</th>
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| 0     | **Code of Practice guidance**  
**General**  
The score should reflect compliance observed during the inspection according to the guidance set out below. *Adherence to any relevant UK or EU Industry Guide to Good Hygiene Practice should be considered when assessing compliance. Conformity with relevant national guidelines or industry codes of recommended practice will also be necessary to score 0 or 5.*  
**Specific guidance on score of 0**  
*High standard of compliance with statutory obligations and industry codes of recommended practice; conforms to accepted good practices in the trade.*  
**Description of what 0 looks like in practice**  
Evidence of meeting legal requirements *or exceeding legal requirements.*  
No follow-up action by local authority apart from report of inspection provided to food business operator. No re-visit necessary before next planned intervention.  
No follow-up action identified for food business operator in relation to food handling practices and procedures, staff personal hygiene, or temperature control.  
No risk of cross-contamination identified.  
Safe food preparation, cooking, re-heating, cooling and storage of food demonstrated. *Evidence of meeting or exceeding good practices in the trade and/or good practice requirements included in industry guides to good hygiene practice (that have been recognised formally by the FSA) in relation to food handling practices and procedures, staff personal hygiene, or temperature control.* |
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| 25    | **Code of Practice guidance**  
**General**  
The score should reflect compliance observed during the inspection according to the guidance set out below. *Adherence to any relevant UK or EU Industry Guide to Good Hygiene Practice should be considered when assessing compliance. Conformity with relevant national guidelines or industry codes of recommended practice will also be necessary to score 0 or 5.*  
**Specific guidance on score of 25**  
Almost total non-compliance with statutory obligations.  
**Description of what 25 looks like in practice**  
Evidence of almost total non-compliance with legal requirements.  
Imminent and serious risks.  
Follow-up action by the local authority in accordance with its enforcement policy using a graduated approach but likely to include consideration of prohibition procedures where there is imminent risk and ongoing formal enforcement action, and re-visits within a short timescale to secure compliance.  
Follow-up action identified for food business operator - immediate and significant action required in respect of all serious risks. Address all other matters in relation to structural requirements including cleanliness, layout, condition of structure, lighting, ventilation, facilities within stipulated timescale.  
Dirty establishment and equipment, major structural problems.  
Almost total non-compliance with structural requirements (e.g. problems with hot water supply or problems with drainage, absence of essential wash hand basin or sink, dirty establishment with old food debris on floors, dirt engrained on work surfaces).  
Evidence of widespread pest infestation or totally unsatisfactory waste disposal provision.  
Almost total non-compliance with the compliance elements of industry guides to good hygiene practice (that have been recognised formally by the FSA) on food handling practices and procedures, staff personal hygiene and temperature control. |
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<th>Score</th>
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<td>20</td>
<td><strong>Code of Practice guidance</strong></td>
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<td><strong>General</strong></td>
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<td>The score should reflect compliance observed during the inspection according to the guidance set out below. <strong>Adherence to any relevant UK or EU Industry Guide to Good Hygiene Practice should be considered when assessing compliance.</strong> <strong>Conformity with relevant national guidelines or industry codes of recommended practice will also be necessary to score 0 or 5.</strong></td>
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<tr>
<td></td>
<td><strong>Specific guidance on score of 20</strong></td>
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<tr>
<td></td>
<td>General failure to satisfy statutory obligations – standards generally low.</td>
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**Description of what 20 looks like in practice**

Evidence of major and widespread non-compliance with legal requirements. Widespread and significant risks.

Follow-up action by the local authority in accordance with its enforcement policy using a graduated approach but likely to include commencement of formal enforcement action, and re-visiting the establishment to secure compliance.

Follow-up action identified for food business operator – to address all identified non-compliances in relation to structural requirements including cleanliness, layout, condition of structure, lighting, ventilation, facilities, as a matter of urgency within stipulated timescale.

Poor standard of structural and equipment cleaning. Poorly maintained and in poor repair. Not all appropriate hand and equipment washing facilities provided.

Major and widespread non-compliance with structural requirements (e.g. some structural disrepair or poor work surfaces, inadequate number of wash hand basins or sinks, accumulations of dirt).

Evidence of pest infestation or inadequate waste disposal provision.

Evidence of major and widespread non-compliance with the compliance elements of industry guides to good hygiene practice (that have been recognised formally by the FSA) in relation to structural requirements.
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<th>Score</th>
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| 15    | **Code of Practice guidance**  
**General**  
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*Conformity with relevant national guidelines or industry codes of recommended practice will also be necessary to score 0 or 5.*  
**Specific guidance on score of 15**  
Some major non-compliance with statutory obligations – more effort required to prevent fall in standards.  
**Description of what 15 looks like in practice**  
Evidence of some major non-compliance with legal requirements.  
Some significant risks.  
Follow-up action by the local authority in accordance with its enforcement policy using a graduated approach but likely to include a warning letter, and consideration of formal enforcement, and giving the establishment priority for re-visit to secure compliance.  
Follow-up action identified for food business operator – to address all identified non-compliances, in relation to structural requirements including cleanliness, layout, condition of structure, lighting, ventilation, and hand and equipment washing facilities, within stipulated timescale.  
Significant improvements needed in standard of structure, equipment cleaning, maintenance and repair, or hand and equipment washing facilities.  
Major non-compliance with structural requirements (e.g. may be some damaged work surfaces, some significant dirt).  
Evidence of pest infestation/activity or inadequate waste disposal provision.  
Evidence of some major non-compliance with the compliance elements of industry guides to good hygiene practice (that have been recognised formally by the FSA) in relation to structural requirements. |
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<th>Score</th>
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| 10    | **Code of Practice guidance**  
**General**  
The score should reflect compliance observed during the inspection according to the guidance set out below. **Adherence to any relevant UK or EU Industry Guide to Good Hygiene Practice should be considered when assessing compliance. Conformity with relevant national guidelines or industry codes of recommended practice will also be necessary to score 0 or 5.**  
**Specific guidance on score of 10**  
Some non-compliance with statutory obligations and industry codes of recommended practice. Standards are being maintained or improved. |

**Description of what 10 looks like in practice**  
Evidence of some non-compliances that are not critical to food safety (i.e. are not significant but may become significant if not addressed).  
Not likely to put consumers at unacceptable risk but may do so if non-compliances not addressed.  
Follow-up action for local authority in accordance with its enforcement policy but likely to be considering informal action (report of inspection/letter identifying issues) with establishment unlikely to be a priority for a re-visit.  
Some follow-up action identified for food business operator in relation to issues that are not critical to food safety (but which may become so if not addressed) in relation to structural requirements including cleanliness, layout, condition of structure, lighting, ventilation, facilities.  
Generally satisfactory standard of structural and equipment cleaning. Fairly well maintained and in reasonable repair. Appropriate facilities provided with some issues of non-compliance.  
Standards being maintained or improving.  
Some repairs may be required (e.g. some cracked and missing wall tiles near to a food preparation surface, evidence of food contact surfaces being thoroughly cleaned but some areas where cleaning inadequate and needs to be improved).  
Evidence of satisfactory pest control (there may be minor pest proofing required but no evidence of pest activity).  
Evidence of satisfactory waste disposal provision (tidy, lidded bins and adequate collection arrangements).  
Evidence of generally satisfactory compliance with the compliance elements of industry guides to good hygiene practice (that have been recognised formally by the FSA) in relation to structural requirements.
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<th>Score</th>
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| 5     | **Code of Practice guidance**  
       General  
The score should reflect compliance observed during the inspection according to the guidance set out below. **Adherence to any relevant UK or EU Industry Guide to Good Hygiene Practice should be considered when assessing compliance. Conformity with relevant national guidelines or industry codes of recommended practice will also be necessary to score 0 or 5.**  
**Specific guidance on score of 5**  
High standard of compliance with statutory obligations, **industry codes of recommended practice** and minor contraventions of food hygiene regulations. **Some minor non-compliance with** statutory obligations and **industry codes of recommended practice.**  
**Description of what 5 looks like in practice**  
Evidence of very good compliance with legal requirements, with only some minor non-compliances that are not critical to food safety.  
No follow-up action by local authority apart from report of inspection provided to food business operator. No re-visit necessary before next planned intervention.  
Only minor follow-up actions identified for food business operator (in relation to issues that are not critical to food safety) in relation to structural requirements including cleanliness, layout, condition of structure, lighting, ventilation, facilities.  
Only minor repairs required (e.g. a few cracked wall tiles in a non-critical area, a minor lapse in cleaning of a hard to reach/inaccessible area).  
Evidence of adequate pest control and waste disposal provision.  
Evidence of very good compliance with compliance elements of industry guides to good hygiene practice (that have been recognised formally by the FSA) in relation to structural requirements. |
## Level of (current) compliance with structural requirements

<table>
<thead>
<tr>
<th>Score</th>
<th>Guidance/Description</th>
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</table>
| 0     | Code of Practice guidance  
  **General**  
The score should reflect compliance observed during the inspection according to the guidance set out below. *Adherence to any relevant UK or EU Industry Guide to Good Hygiene Practice should be considered when assessing compliance. Conformity with relevant national guidelines or industry codes of recommended practice will also be necessary to score 0 or 5.*  
**Specific guidance on score of 0**  
*High standard of compliance with statutory obligations and industry codes of recommended practice; conforms to accepted good practices in the trade.*  
**Description of what 0 looks like in practice**  
Evidence of meeting legal requirements or exceeding legal requirements.  
No follow-up action by local authority apart from report of inspection provided to food business operator. No re-visit necessary before next planned intervention.  
No follow-up action identified for food business operator in relation to structural requirements including cleanliness, layout, condition of structure, lighting, ventilation, facilities.  
No repairs required and no potential improvements identified, or robust procedures in place for ongoing rectification of minor repairs.  
Premises and equipment clean and in good condition.  
Evidence of effective pest control and waste disposal provision.  
*Evidence of meeting or exceeding good practices in the trade and/or good practice requirements included in industry guides to good hygiene practice (that have been recognised formally by the FSA) in relation to structural requirements.* |
## Confidence in management/control procedures

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<th>Score</th>
<th>Guidance/Description</th>
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| 30    | **Code of Practice guidance**  
*General*  
The actual performance of management is scored in Part 2 [Level of current compliance] on the basis of the results achieved and observed. A management that achieves good food hygiene performance, well understood by the workforce, should have achieved a good standard in Part 2, and consequently a low score for that factor. Confidence in management is not meant to reconsider this aspect. It is to *elicit a judgement on the likelihood of satisfactory compliance being maintained in the future.*  
Factors that will influence the inspector’s judgement include:  
- the “track record” of the company, its willingness to act on previous advice and enforcement, and the complaint history;  
- the attitude of the present management towards hygiene and food safety; and  
- hygiene and food safety technical knowledge available to the company (internal or external), including hazard analysis/HACCP and the control of critical points;  
- satisfactory HACCP based procedures.  
**Specific guidance on score of 30**  
Poor track record of compliance. Little or no technical knowledge. Little or no appreciation of hazards or quality control. No food safety management procedures.  
**Description of what 30 looks like in practice**  
Follow-up action by the local authority likely to include prohibition procedures where there is imminent risk and ongoing formal enforcement, using a graduated approach in accordance with local authority enforcement policy and re-visiting the establishment within a short timescale to secure compliance.  
Follow-up action identified for food business operator - immediate and significant action required in respect of all serious risks. Address all other matters in relation to development of food safety management/procedures, supervision, instruction and training, within stipulated timescale.  
No evidence of food safety management/documentated procedures as appropriate for size and nature of the business (e.g. SFBB), taking into account the flexibilities provided by Article 5 of Regulation (EC) 852/2004 on food hygiene and the related European Commission Guidance Document on *Implementation of procedures based on HACCP principles, and facilitation of the HACCP principles in certain food businesses.*  
Significant hazards not understood and no effective controls in place. Major improvements in food safety procedures/implementation of controls required. No or totally inadequate food safety management procedures. Staff not suitably supervised, instructed and/or trained in food hygiene and no appreciation of food hazards or controls. Appropriate staff not adequately trained in application of HACCP principles. Poor track record, may be some evidence of previous problems. |
## Confidence in management/control procedures

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<tr>
<th>Score</th>
<th>Guidance/Description</th>
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</table>
| 20    | **Code of Practice guidance**  
**General**  
The actual performance of management is scored in Part 2 [Level of current compliance] on the basis of the results achieved and observed. A management that achieves good food hygiene performance, well understood by the workforce, should have achieved a good standard in Part 2, and consequently a low score for that factor. Confidence in management is not meant to reconsider this aspect. It is to *elicit a judgement on the likelihood of satisfactory compliance being maintained in the future*.  
Factors that will influence the inspector's judgement include:  
- the "track record" of the company, *its willingness to act on previous advice and enforcement, and the complaint history*;  
- the attitude of the present management towards hygiene and food safety; and  
- hygiene and food safety technical knowledge available to the company (internal or external), including hazard analysis/HACCP and the control of critical points;  
- satisfactory HACCP based procedures.  

**Specific guidance on score of 20**  
Varying record of compliance. Poor appreciation of hazards and control measures. No food safety management system. |

### Description of what 20 looks like in practice

Follow-up action by the local authority likely to include commencement of formal enforcement action, using a graduated approach in accordance with local authority enforcement policy and re-visiting the establishment to secure compliance.  
Follow-up action identified for food business operator – to address all identified non-compliances in relation to development of food safety management/procedures, supervision, instruction and training, as a matter of urgency within stipulated timescale.  
Food safety management/documented procedures inappropriate or inadequate for size and nature of the business (e.g. SFBB), taking into account the flexibilities provided by Article 5 of Regulation (EC) 852/2004 on food hygiene and the related European Commission Guidance Document on *Implementation of procedures based on HACCP principles, and facilitation of the HACCP principles in certain food businesses*.  
Significant hazards not fully understood and not all controls in place.  
Significant improvements in food safety procedures/implementation of controls required.  
Some staff not suitably supervised, instructed and/or trained in food hygiene.  
Appropriate staff not adequately trained in application of HACCP principles.  
Varying track record, may be some evidence of previous problems.
## Confidence in management/control procedures

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<tr>
<th>Score</th>
<th>Guidance/Description</th>
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</table>
| 10    | **Code of Practice guidance**  
          **General**  
The actual performance of management is scored in Part 2 [Level of current compliance] on the basis of the results achieved and observed. A management that achieves good food hygiene performance, well understood by the workforce, should have achieved a good standard in Part 2, and consequently a low score for that factor. Confidence in management is not meant to reconsider this aspect. It is to **elicit a judgement on the likelihood of satisfactory compliance being maintained in the future.**  
Factors that will influence the inspector's judgement include:  
- the "track record" of the company, its willingness to act on previous advice and enforcement, and the complaint history;  
- the attitude of the present management towards hygiene and food safety; and  
- hygiene and food safety technical knowledge available to the company (internal or external), including hazard analysis/HACCP and the control of critical points;  
- satisfactory HACCP based procedures.  
**Specific guidance on score of 10**  
Satisfactory record of compliance. Access to and use of technical advice either in-house, from trade associations and/or from Guides to Good Practice. Understanding of significant hazards and control measures in place. Making satisfactory progress towards a documented food safety management system/procedures commensurate with type of business.  
**Description of what 10 looks like in practice**  
Follow up action for local authority in accordance with its enforcement policy but likely to be considering informal action (report of inspection/letter identifying issues) with establishment unlikely to be a priority for a re-visit. Some follow-up action identified for food business operator in relation to further development and completion of documented procedures where these are commensurate with the size and nature of the business and where issues are not critical to food safety but may become so if not addressed, and not likely to put consumers at unacceptable risk. Generally satisfactory food safety controls in place and appropriate for size and nature of the business, and making satisfactory progress, taking into account the flexibilities provided by Article 5 of Regulation (EC) 852/2004 on food hygiene and the related European Commission Guidance Document on Implementation of procedures based on HACCP principles, and facilitation of the HACCP principles in certain food businesses. All significant hazards understood and controls in place. Generally, food safety management procedures satisfactorily cover all activities but some further development/completion needed. Food safety management records appropriate for size and nature of business, and are generally maintained but with some deficiencies/gaps identified. Staff generally suitably supervised, instructed and/or trained in food hygiene but there may be some minor issues e.g. not all staff fully aware. Appropriate staff adequately trained in application of HACCP principles. Satisfactory track record but new businesses or those existing businesses where there has been a change in circumstances (e.g. a change in management) should not be penalised on track record where they have food safety management procedures in place. This might include existing businesses with a good previous track record but with some minor recent lapses. |
### Confidence in management/control procedures

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<tr>
<th>Score</th>
<th>Guidance/Description</th>
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</table>
| 5     | **Code of Practice guidance**  
**General**  
The actual performance of management is scored in Part 2 [Level of current compliance] on the basis of the results achieved and observed. A management that achieves good food hygiene performance, well understood by the workforce, should have achieved a good standard in Part 2, and consequently a low score for that factor. Confidence in management is not meant to reconsider this aspect. It is to *elicit a judgement on the likelihood of satisfactory compliance being maintained in the future.*  
Factors that will influence the inspector's judgement include:  
- the "track record" of the company, its willingness to act on previous advice and enforcement, and the complaint history;  
- the attitude of the present management towards hygiene and food safety; and  
- hygiene and food safety technical knowledge available to the company (internal or external), including hazard analysis/HACCP and the control of critical points;  
- satisfactory HACCP based procedures.  
**Specific guidance on score of 5**  
Reasonable record of compliance. *Technical advice available in-house or access to, and use of, technical advice from trade associations and/or from Guides to Good Practice.* Have satisfactory documented procedures. Able to demonstrate effective control of hazards. Will have satisfactory documented food safety management system. Audit by Food Authority confirms general compliance with procedures.  
**Description of what 5 looks like in practice**  
No follow-up action by local authority apart from report of inspection provided to food business operator. No re-visit necessary before next planned intervention. Only minor follow-up actions (not critical to food safety) identified for food business operator in relation to food safety management system (e.g. minor record keeping issues that are being dealt with by management).  
Food safety management/procedures in place and appropriate for size and nature of the business (e.g. SFBB), taking into account the flexibilities provided by Article 5 of Regulation (EC) 852/2004 on food hygiene and the related European Commission Guidance Document on Implementation of procedures based on HACCP principles, and facilitation of the HACCP principles in certain food businesses. Hazards understood, properly controlled, managed and reviewed with supporting evidence.  
Food safety management procedures adequately cover all activities. Food safety management records appropriate for size and nature of business are generally maintained – but some minor deficiencies/gaps. Technical advice available in-house or access to, and use of, technical advice from trade associations, other sources such as the local authority enforcement officer and/or from Guides to Good Practice. Staff suitably supervised, instructed and/or trained in food hygiene with good general staff knowledge and new staff receiving induction training. Appropriate staff adequately trained in application of HACCP principles. Good track record but new businesses or those existing businesses where there has been a change in circumstances (e.g. a change in management) should not be penalised on track record where they have food safety management procedures in place. |
<table>
<thead>
<tr>
<th>Confidence in management/control procedures</th>
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</thead>
<tbody>
<tr>
<td><strong>Score</strong></td>
</tr>
<tr>
<td>-----------</td>
</tr>
<tr>
<td>0</td>
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<tr>
<td>Score</td>
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<tr>
<td>5</td>
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</table>
Section 5: Mapping of Annex 5 scores to the food hygiene rating

Introduction

5.1 The following elements of the ‘food hygiene intervention rating scheme’ at Annex 5 of the Food Law Code of Practice are relevant to calculating the food hygiene rating:

- level of (current) compliance with food hygiene and safety procedures (including food handling practices and procedures, and temperature control),
- level of (current) compliance with structural requirements (including cleanliness, layout, condition of structure, lighting, ventilation, facilities etc.), and
- confidence in management/control procedures.

5.2 Each element is numerically scored against the relevant criteria on the basis of guidance given in the Code and in Section 4 of this document.

Mapping Annex 5 scores to the six food hygiene ratings of the FHRS

5.3 The Annex 5 numerical scores are then 'mapped' to the six FHRS bands or tiers as illustrated below.

<table>
<thead>
<tr>
<th>Annex 5 scores</th>
<th>0 - 15</th>
<th>20</th>
<th>25 - 30</th>
<th>35 - 40</th>
<th>45 - 50</th>
<th>&gt; 50</th>
</tr>
</thead>
<tbody>
<tr>
<td>Additional scoring factor</td>
<td>No score &gt; 5</td>
<td>No score &gt; 10</td>
<td>No score &gt; 15</td>
<td>No score &gt; 20</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Tiers</td>
<td>Top</td>
<td>Second</td>
<td>Third</td>
<td>Fourth</td>
<td>Fifth</td>
<td>Bottom</td>
</tr>
<tr>
<td>Food hygiene rating</td>
<td>5</td>
<td>4</td>
<td>3</td>
<td>2</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Descriptor</td>
<td>Very good</td>
<td>Good</td>
<td>Generally satisfactory</td>
<td>Improvement necessary</td>
<td>Major improvement necessary</td>
<td>Urgent improvement necessary</td>
</tr>
</tbody>
</table>

5.4 Where an individual score (from the three elements in the Code of Practice) exceeds the additional scoring factor, the position of the establishment will drop down the banding to the maximum level at which the additional scoring factor is permitted. Where there is an individual score of 15, for example, the establishment would drop down to the fourth tier at least.

5.5 The decision to use numbers with simple word descriptors for the ratings was based on the findings of independent research with consumers.\(^{10}\)

5.6 The FHRS branding is designed to represent the ratings in a way it is easy for consumers to understand and use as illustrated below.

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\(^{10}\) The report of this research is published at: [http://www.food.gov.uk/news/newsarchive/2010/jun/research](http://www.food.gov.uk/news/newsarchive/2010/jun/research)
Very good

Da iawn

Good

Da

Generally satisfactory

Boeddhacl ar y cyfan

Improvement necessary

Angen gwella

Major improvement necessary

Angen gwella yn syweddiol

Urgent improvement necessary

Angen gwella ar frys
Section 6: Appeals and ‘right to reply’

Introduction

6.1 To ensure fairness to businesses, local authorities must have an appeals procedure in place for FBOs to dispute the food hygiene rating given in respect of their establishment if they consider it to be unjust.

6.2 The appeals procedure is illustrated in the following flow chart. In essence, if an FBO considers that the food hygiene rating given by the ‘inspecting officer’ (i.e. the officer undertaking the intervention - an inspection, partial inspection or audit) is unjust, s/he may appeal this with the local authority’s Lead Officer for Food or in his/her absence, by the designated deputy.

6.3 Although not part of the FHRS appeal procedure, the FBO may still use the local authority’s formal complaints procedure if s/he is dissatisfied with any aspect of the authority’s services.

6.4 As an additional safeguard to businesses, local authorities must also provide FBOs with a ‘right to reply’. This is to enable them to give an explanation of actions taken since they received their food hygiene rating to rectify non-compliances or of mitigation for the circumstances at the time of the intervention.

6.5 Guidance in Q&A format is provided below to assist local authorities in operating the appeals procedure and the ‘right to reply’ facility and in providing information to businesses on these.
Flowchart illustrating the appeals procedure

Intervention (inspection, partial inspection, or audit) of establishment by local authority officer

Food business operator notified of 'food hygiene rating' at time of intervention or without undue delay and within 14 days

Food business operator disputes the 'food hygiene rating' given and raises the matter with the 'inspecting' officer - this is not a pre-requisite but should be encouraged

Dispute resolved

No 'appeal' lodged within 14 days of date of notification

Appeal considered by Lead Officer for Food and decision communicated to food business operator within seven days of appeal date

Notes

Any reference to numbers of 'days' includes weekends and bank holidays.

Sufficient legal protection is given to FBOs if appeals against a disputed food hygiene rating are determined by the Lead Officer for Food (or his/her designated deputy). There is no legal requirement for the local authority's complaints procedure to form part of the FHRS appeals procedure. This does not, however, prevent an FBO from using the complaints procedure where s/he is dissatisfied with any aspect of the authority's services.
Question and answer guidance

Q1. Should the food hygiene rating be notified to an FBO at the end of the intervention or at a later date?

A1. Local authorities operating the FHRS must have a policy for communicating the food hygiene rating to businesses. The decision on when a business should be notified of its food hygiene rating must be in accordance with that policy.

The food hygiene rating must be provided in writing whether it is notified at the time of intervention (this must be an inspection, partial inspection or audit) or afterwards. For multi-site businesses, local authorities must ensure that the food hygiene rating is communicated to the head office.

If not notified at the time of intervention, the food hygiene rating must be communicated in writing without undue delay and within 14 days\(^{11}\) from the date of the intervention.

Irrespective of when the FBO is notified of the food hygiene rating, information should be provided in writing about how to appeal it. This must make clear that the notification of the food hygiene rating triggers the start of the ‘appeal’ period.\(^ {12}\)

Q2. What information should the local authority provide to an FBO with the notification of the establishment’s food hygiene rating?

A2. The following information should be provided:

- details of why the establishment was rated as it was and, in cases where the top rating has not been achieved, what priority actions are needed for each of the three Annex 5 elements that are used for the FHRS in order to improve the level of legal compliance (see Q&A 3);
- details of when the food hygiene rating will be published at food.gov.uk/ratings (see Q&A 4), and when the FBO will receive a certificate/sticker to voluntarily display the food hygiene rating at the establishment;
- details of the mechanism for appealing the food hygiene rating (if the top rating was not given), including -
  - the deadline by which an appeal to the Lead Officer for Food must be made (see Q&A 4);
  - contact details (name, telephone number) for the ‘inspecting officer’ and Lead Officer for Food (see Q&A 6);
  - a weblink to food.gov.uk/ratings where more general information on the FHRS (including information on the appeals and re-inspections/re-visits mechanisms, and template forms for lodging an appeal, for requesting a re-visit, and for submitting a ‘right to reply’) are available.\(^ {13}\)

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\(^{11}\) Where reference to numbers of ‘days’ are made in this guidance it includes weekends and bank holidays.

\(^{12}\) The rule established by section 7 of the Interpretation Act 1978 will be applied for the purposes of notifying the food hygiene rating to food business operators. Section 7 is concerned with the service of documents by post. Under that rule as applied for the purposes of notifying the food hygiene rating to food business operators, notification will be regarded as having been given by properly addressing, pre-paying and posting a letter informing the food business operator of the food hygiene rating. It will be regarded as being effective at the time at which the letter would be delivered in the ordinary course of post. All notifications will be sent by first class post. A letter sent by first class post is taken to be delivered on the second working day after posting.

\(^{13}\) In addition to being able to access information electronically, FBOs should have the option of requesting hard copies of information and template forms from the local authority.
Q3. How should details of why the establishment was rated as it was and on what priority actions are needed to improve the level of legal compliance be presented to the FBO?

A3. It will be helpful to the FBO if the information is presented for each of three elements assessed - hygiene, structure and confidence in management/control procedures.14

Q4. How long does an FBO have to appeal the food hygiene rating before it is published?

A4. The appeal has to be made in writing within the period of 14 days beginning with the date of notification.15

A standard template form is available at food.gov.uk/ratings for FBOs to use to appeal the food hygiene rating. A copy is provided at Appendix 2 and is also available on the local authority FHRS resources page of the FSA website at the link below so that local authorities may download it, add relevant contact details and provide hardcopies to FBOs if requested to do so.

http://www.food.gov.uk/safereating/hyg/hygieneratings/hygienescoresresources/

After the 14 day period has expired, the food hygiene rating will be published on the food.gov.uk/ratings if no appeal has been lodged.

Q5. When is it appropriate for an FBO to use the appeals procedure?

A5. The appeals procedure is relevant where the FBO believes that the food hygiene rating given is unjust as it does not reflect the hygiene standards and management controls found at their establishment at the time of intervention.

An appeal is not appropriate in circumstances where an FBO has requested a re-inspection/re-visit for re-rating on the basis that non-compliance(s) identified at the time of the initial intervention have been rectified. An FBO, however, may appeal after a re-inspection/re-visit if s/he considers that the ‘new’ food hygiene rating given is unjust (see Q&A 9).

Q6. How should appeals be handled?

A6. A graduated approach should be adopted.

In the first instance, it may be possible for the inspecting officer to resolve any dispute about the food hygiene rating in an informal manner by further clarifying and explaining how it was derived. Although not a pre-requisite, FBOs should be encouraged to do this and every effort should be made to resolve the matter at this stage before resorting to the appeal procedure.

If the dispute is not resolved informally, the FBO may lodge an appeal in writing and the matter should be considered by the Lead Officer for Food or in his/her absence, the designated deputy.

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14  A standard template intervention report (to use in place of the Report of Inspection Form at Annex 6 of the Food Law Code of Practice) is provided at Appendix 2

15  The rule established by section 7 of the Interpretation Act 1978 will also be applied in respect of lodging of an appeal by the food business operator with the local authority Lead Officer for food (see footnote 2). Under that rule as applied for the purposes of appealing the food hygiene rating, an appeal will be regarded as having been made by properly addressing, pre-paying and posting a letter informing the local authority Leader Officer for Food that an appeal is being made. It will be regarded as being effective at the time at which the letter would be delivered in the ordinary course of post. Proof of posting should be retained by the food business operator in the event that verification is required that an appeal has been made.
In some circumstances, a further visit to the establishment may be required. This will depend on the nature of the injustice alleged and whether a decision can or cannot be made on the basis of the paperwork associated with the intervention and the food hygiene rating given.

The Lead Officer’s decision should be communicated to the FBO as early as possible and within a maximum of seven days from the date that the appeal was lodged, after which time the food hygiene rating will be published at food.gov.uk/ratings.

Q7. Where the food hygiene rating is being appealed should the rating in dispute be published at food.gov.uk/ratings and displayed at the establishment?

A7. No. Until the outcome of the appeal is determined by the local authority’s Lead Officer for Food, food.gov.uk/ratings will show that, for the establishment in question, the assessment of hygiene standards is ‘awaiting publication’.

The previous food hygiene rating will not be displayed at food.gov.uk/ratings.

In relation to display at the establishment, where the food hygiene rating is notified at the time of the intervention, the certificate and sticker for the previous rating should be removed and a new sticker provided (and the new certificate should be issued within 14 days). Where the food hygiene rating is notified at a later date the new certificate and sticker should be provided with the notification of the new rating. The FBO should be requested to destroy the certificate and sticker for the previous rating and reminded that to continue to display these may constitute an offence under trading standards legislation for example an offence under the Consumer Protection from Unfair Trading Regulations 2008. Only one rating – the most recent – can be displayed at any point in time (see also Section 8).

Q8. Should appeals lodged later than 14 days after the notification of the food hygiene rating be considered?

A8. No. Appeals must be made within 14 days of the notification of the food hygiene rating. After this time, the rating should be published at food.gov.uk/ratings.

Q9. Can an FBO appeal a ‘new’ food hygiene rating given following a re-inspection/re-visit that they have requested?

A9. Yes. As with the initial assessment, an FBO may appeal in such cases if it is considered that the ‘new’ food hygiene rating is unjust. Appeals must be made within 14 days of the notification of the rating. After that period has expired, the food hygiene rating should be published at food.gov.uk/ratings if no appeal has been lodged.

Q10. When will the food hygiene rating be published at food.gov.uk/ratings following an appeal?

A10. The food hygiene rating will be published when the Lead Officer for Food has reviewed the rating and communicated the outcome of the appeal to the FBO.

Q11. What happens if the FBO disagrees with the outcome of the appeal?

A11. The FBO can challenge the local authority’s decision by means of judicial review.

The FBO has recourse to the local authority complaints procedure (including taking the matter to the Local Government Ombudsman where appropriate) if they consider that a council service has not been properly delivered.
Q12. **Is the local authority’s complaints procedure part of the appeal process?**

A12. No. Sufficient legal protection is given to FBOs if appeals against a disputed food hygiene rating are determined by the Lead Officer for Food. There is no legal requirement for the local authority complaints procedure to form part of the FHRS appeals procedure.

This does not, however, prevent an FBO from using the local authority’s complaints procedure where s/he wishes to complain about the process followed in delivery of a service.

Q13. **Do FBOs have a ‘right to reply’ and should this be published at food.gov.uk/ratings?**

A13. Yes. FBOs have a ‘right to reply’ and this must be published at food.gov.uk/ratings with the food hygiene rating. The purpose is to enable the FBO to give an explanation of subsequent actions that have been taken to rectify non-compliances or mitigation for the circumstances at the time of the intervention, rather than to complain or criticise the FHRS or ‘inspecting officer’.

FBOs can send comments electronically or in writing to the local authority.

The text may be edited by the local authority before being published at food.gov.uk/ratings in order to remove any offensive, defamatory, clearly inaccurate or irrelevant remarks.

A standard template form is available at food.gov.uk/ratings for FBOs to use. A copy is provided at Appendix 2 and is also available on the local authority FHRS resources page of the FSA website at the link below so that local authorities may download it, add relevant contact details and provide hardcopies to FBOs if requested to do so.

http://www.food.gov.uk/safereating/hyg/hygieneratings/hygienescoresresources/
Section 7: Requests for re-inspections/re-visits for re-rating purposes

Introduction

7.1 To ensure fairness to businesses, local authorities must have a procedure in place for undertaking re-inspections or re-visits at the request of the FBO for re-assessing the food hygiene rating of their establishment.

7.2 The re-inspection/re-visit mechanism applies in cases where FBOs have made the necessary improvements to address non-compliances identified during the local authority’s planned intervention (this must be an inspection, partial inspection or audit) of the establishment.

7.3 The Guidance is designed to outline the procedure for dealing specifically with re-inspections/re-visits requested by the FBO and not those undertaken in the course of normal follow-up enforcement action. This does not preclude local authorities from including in their LAEMS returns the numbers of requested re-inspections/re-visits carried out.

7.4 The Guidance highlights that where the requested visit involves an inspection, partial inspection or audit, the intervention rating can be revised by the local authority officer in accordance with the provisions of the Food Law Code of Practice.

7.5 Guidance in Q&A format is provided below to assist local authorities in the application of this safeguard mechanism.

7.6 The Guidance reflects the need to balance the operation of this safeguard mechanism against the potentially adverse effects on the control and enforcement regime in the way it is designed to protect public health.

7.7 The Guidance will be kept under review and will be revised and updated as necessary to reflect the experience of local authorities operating the FHRS and, in order to ensure that its application does not compromise public health protection.

Question and answer guidance

Q1. When does the re-inspections/re-visits mechanism apply?
A1. It applies where, following an appropriate planned intervention (an inspection, partial inspection or audit) by the local authority where an establishment is given a food hygiene rating, an FBO has taken action to rectify non-compliances identified and makes a request to the authority to be re-assessed with a view to receiving a higher rating.
Q2. When and what type of information should the local authority provide to an FBO about the re-inspections/re-visits mechanism?

A2. The following information should be provided with the notification of the food hygiene rating following the planned intervention:

- details of why the establishment was rated as it was and, in cases where the top rating has not been achieved, what priority actions are needed for each of the three Annex 5 elements that are used for the FHRS in order to improve the level of legal compliance (see Q&A 3);
- contact details (name and telephone number) for the 'inspecting officer' and Lead Officer for Food;
- a weblink to food.gov.uk/ratings where more general information on the FHRS (including information on the re-inspections/re-visits and appeals mechanisms, and template forms for requesting a re-visit, for lodging an appeal, and for submitting a ‘right to reply’).\(^{16}\)

Q3. How should details of why the establishment was rated as it was and on what priority actions are needed to improve the level of legal compliance be presented to the FBO?

A3. It will be helpful to FBOs if the information is presented for each of the three elements assessed - hygiene, structure and confidence in management/control procedures.\(^{17}\)

Q4. Is there a time limit within which a request for a re-inspection/re-visit must be made?

A4. No. The FBO can make a request for a re-inspection/re-visit at any time after the planned intervention as long as the actions necessary to rectify the non-compliances have been carried out. The FBO cannot, however, dictate when the re-inspection/re-visit will take place (see Q&A 5).

Q5. Where the case for a re-inspection/re-visit is substantiated, when should this take place?

A5. Although the FBO can make the request at any time after the planned intervention, the re-inspection/re-visit should not in general take place until three months have elapsed (the ‘stand still’ period) since the intervention at which the original food hygiene rating was given.

At the local authority’s discretion, the requested re-inspection/re-visit can be undertaken during the ‘stand still’ period in cases where the non-compliances identified at the time of the planned inspection, and which have since been rectified, concerned only the need for permanent structural improvements or repairs or upgrading of equipment.

The re-inspection/re-visit must, however, take place within three months of the end of the three month ‘stand still’ period, or within three months of the request where this is made after the ‘stand still’ period. This means that six months is the maximum amount of time a business should have to wait for a re-inspection/re-visit after making a request (provided the local authority agrees to the request - See Q&A 10).

\(^{16}\) In addition to being able to access information electronically, FBOs should have the option of requesting hard copies of information and template forms from the local authority.

\(^{17}\) A standard template intervention report (to use in place of the Report of Inspection Form at Annex 6 of the Food Law Code of Practice) is provided at Appendix 2.
Q6. What happens if the re-inspection/re-visit is not carried out within the three month window?

A6. The FBO can raise the issue with the Lead Officer for Food. If the matter cannot be resolved, the FBO has recourse to the local authority complaints procedure.

Q7. How many requested re-inspections/re-visits can an FBO have?

A7. For each planned intervention where a food hygiene rating has been given by the local authority, an FBO can have only one requested re-inspection/re-visit, other than in duly justified exceptional circumstances.

The request should be made when the FBO is of the opinion that the priority actions needed to improve legal compliance have been made.

It may be appropriate for the local authority officer to discuss progress by telephone to establish what remedial action has been taken to ensure that the re-inspection/re-visit is appropriately timed and to confirm that all matters of non-compliance have been addressed.

Q8. Can the food hygiene rating be changed if the local authority re-visits the establishment without a request from the FBO?

A8. It is expected that for poorer performing establishments, re-visits will take place in the course of normal follow-up enforcement action in accordance with the local authority’s enforcement policy. In these cases, if an assessment of the level of compliance overall is made and has changed, the food hygiene rating can be changed in line with this (see also Q&A 13 and Q&A 16 which are also relevant to unrequested re-visits).

Q9. What form should the request for a re-inspection/re-visit take?

A9. The request should be made in writing (including by email) and should outline the case for a re-inspection/re-visit, i.e. it should indicate the actions that have been taken by the FBO to rectify the non-compliance(s) identified at the planned intervention and, where appropriate, should include supporting evidence.

The supporting case should refer to those actions that the local authority informed the FBO would need to be made in order to improve the level of legal compliance (see Q&A 2).

A standard template form is available at food.gov.uk/ratings for FBOs to use. A copy is provided at Appendix 2 and is also available on the local authority FHRS resources page of the FSA website at the link below so that local authorities may download it, add relevant contact details and provide hardcopies to FBOs if requested to do so.

http://www.food.gov.uk/safereating/hyg/hygienerications/hygienescoresresources/

Q10. Must the local authority accede to all requests for re-inspections/re-visits?

A10. No. If the case made by the FBO is not substantiated or insufficient evidence is provided, the local authority can refuse to undertake a re-inspection/re-visit on that basis. In doing so, the local authority must explain why the request is being refused at this stage and should re-emphasise the priority actions that must be taken in order to improve the level of legal compliance and indicate what evidence will be required for agreement to a re-inspection/re-visit to be made on further request.

If the FBO disagrees with the local authority’s decision to refuse a request for a re-visit, they can raise the issue with the Lead Officer for Food. If the matter cannot be resolved, the FBO has recourse to the local authority complaints procedure.
Q11. Where there is a supporting case, must a re-inspection/re-visit be made or can a new food hygiene rating be given on the basis of documentary evidence?

A11. A re-inspection/re-visit must be made. A new food hygiene rating should not be given on the basis of documentary evidence only.

Q12. Where a re-inspection/re-visit is to be undertaken, should this be unannounced?

A12. Yes. Such a visit should be unannounced unless it is necessary to ensure that certain staff are present and it does not compromise food safety.

Q13. Are powers of entry/authorisation required for requested re-inspections/re-visits?

A13. By virtue of making a request, the FBO is inviting the local authority onto their premises. Clearly, where entry onto premises is with the consent of the FBO, formal powers of entry/authorisation are not being exercised. It should be made clear, however, that the officer is still authorised under the Food Hygiene (England) Regulations 2006 (or the parallel legislation for Wales or Northern Ireland) and as such retains powers of entry and has the powers to take enforcement action where appropriate.

Q14. If hygiene standards have not improved or have deteriorated at the time of the re-inspection/re-visit, should a lower food hygiene rating be given?

A14. At the time of the re-inspection/re-visit, the local authority officer should not only check that the required improvements have been made, but should also assess the level of compliance that is found overall. This means that the food hygiene rating could go up, down or remain the same if deemed appropriate by the local authority officer.

Q15. Can a fee be charged?

A15. Local authorities may only impose charges for such re-inspections/re-visits if they have the statutory powers to do so. Legislation is always needed if charges are to be imposed. It is the FSA’s views that such powers do not exist in domestic food law.\(^{18}\) The FSA is not opposed in principle to charging for such requested re-inspections/re-visits as part of the FHRS and the possibility of this is being considered by the FSA for the longer-term.

Q16. If an appropriate intervention is undertaken, can the intervention-rating also be changed?

A16. Yes. In line with the Food Law Code of Practice, if an inspection, partial inspection or audit has been undertaken, the intervention-rating can be revised if deemed appropriate by the local authority officer.

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18 The FSA’s views on this issue are set out in detail in the document ‘Food Hygiene Rating Scheme/Food Hygiene Information Scheme - Legal issues’. September 2010. This is published at: http://www.food.gov.uk/safereating/hyg/hygieneratings/hygenescoresresources/
Section 8: Use of Food Hygiene Rating Scheme branding

Introduction

8.1 Proper use of FHRS branding is critical to ensuring that the credibility and integrity of the FHRS are maintained. It also safeguards against reputational damage to the scheme’s partners – the FSA, participating local authorities and food businesses that receive ratings.

8.2 Guidance on the use of FHRS branding is set out in Q&A format below.

Question and answer guidance

Q1. What is meant by FHRS branding?
A1. The branding comprises:
   - FHRS logos;
   - FHRS certificates - one for each rating from 0 to 5 and one for establishments 'awaiting inspection'; and
   - FHRS stickers – one for each rating from 0 to 5 and one for establishments 'awaiting inspection'.

There are both English and bilingual Welsh/English versions. Examples are shown in Appendix 3.

Details of where to order stickers and certificate paper are given in the Communications Toolkit.

Q2. Should certificates and stickers be issued for all establishments rated under the FHRS?
A2. All establishments rated as part of the FHRS must be given a certificate and should be encouraged to display this in a prominent position so that it is clearly visible to members of the public.

All establishments rated as part of the FHRS must also be provided with a sticker and should be encouraged to display this in the window or on the door (or where there is no suitable glass surface, such as on market stalls, affix it to a transparent surface before affixing that on a wall or other surface).

Generally only one certificate and sticker should be provided per establishment but for those with multiple entrances, additional stickers may be provided if requested by the FBO.

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19 There are two options for stickers: one showing the FSA logo and the statement ‘This scheme is operated in partnership with your local authority’; and one showing the FSA logo with a space for the local authority logo to be added. Local authorities choosing the latter option will be required to fund the costs for the commercial printers producing the stickers to amend the artwork to include the local authority logo on the front, and to pre-print batches of the stickers. Details are given in the ‘FHRS Communications Toolkit’.

20 The Communications Toolkit includes advice and guidance on promoting the FHRS at the local level. It also includes template press releases and details of other promotional materials such as web banners, leaflets, posters etc; as well as details of how to order supplies of FHRS stickers and certificate paper.
Q3. **When should the certificates and stickers be given?**

A3. FBOs must be notified of their rating in writing at the time of the intervention or within 14 days\(^{21}\) from the date of the intervention.

Where the rating is notified at the time of the intervention, the sticker and/or certificate for the previous rating or the ‘awaiting inspection’ sticker and/or certificate, if appropriate, should be removed. A new sticker for the new rating should be provided at the time and a certificate must be issued within 14 days.

Where the rating is notified at a later date (this must be within 14 days of the date of intervention – see Section 6), the new sticker and/or certificate should be provided with the notification of the rating. The FBO should be requested to destroy the sticker/certificate for the previous rating and reminded that to continue to display these may constitute an offence under trading standards legislation for example an offence under the Consumer Protection from Unfair Trading Regulations 2008. Only one rating – the most recent – can be displayed at any point in time.

Where there has been a change to the name of an establishment but the FBO is the same, a new certificate and/or sticker should be issued in the new name (but a new rating should not be given).

When certificates/stickers are issued, FBOs should be reminded that the certificates/stickers remain the property of the local authority and that all rights are reserved.

Q4. **When should ‘awaiting inspection’ certificates and stickers be issued?**

A4. An ‘awaiting inspection’ certificate and/or sticker should be given in the following circumstances if requested by the FBO:

- Where a ‘new’ establishment is registered;
- Where there is a change of FBO such that the establishment should be registered and treated as ‘new’;
- Where the FBO moves to new premises, the new establishment should be registered by the appropriate local authority and a new rating given at the first inspection, partial inspection or audit;
- Where a local authority is taking a staged and gradual approach to roll out of the FHRS, for those ‘awaiting inspection’ for the first time under the FHRS.

The aim is to ensure fairness to businesses and aid consumer understanding.

Q5. **How are the stickers and certificates authenticated?**

A5. For **certificates**\(^{22}\) – the local authority should add the following when generating the certificate (this will be achieved using either the local authority ‘portal’ of the IT platform or the local authority’s Information Management System):

- the name and address of the business;
- the date of the hygiene rating OR date of issue for establishments ‘awaiting inspection’;
- contact details for the local authority;
- an authorising signature; and

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\(^{21}\) Where reference to numbers of ‘days’ are made in this Guidance it includes weekends and bank holidays.

\(^{22}\) Certificates will be generated by printing relevant details onto template paper that is being provided by the Agency – there are separate templates for each rating and for ‘awaiting inspection’. Details of where supplies can be ordered are provided in the local authority ‘FHRS Communications Toolkit’.
• the local authority logo (which should be incorporated in the bottom left-hand corner).

For **stickers** - the local authority should add the following information on the reverse side of the pre-printed sticker:

• the name of the business;
• the date of the hygiene rating OR date of issue for establishments ‘awaiting inspection’;
• the local authority name; and
• an authorising signature.

The local authority may also add a sticker/stamp of its own logo to the top right hand corner of the reverse side of the pre-printed sticker if it wishes (this is in addition to the logo on the front if option 2 stickers are being used – see footnote 18).

Local authorities should also ensure that supplies of certificate paper and stickers are kept in a secure place.

Q6. **What action should be taken if a certificate or sticker has been defaced, tampered with or altered in any way?**

A6. Local authorities should only use certificate template paper and stickers from the suppliers listed in the Communications Toolkit and should not attempt to reproduce or amend these in any way other than adding the details highlighted at Q&A 5 above.

If the original condition of the certificate or sticker is altered in any way after issuing it to the food establishment, the local authority should ensure that it is confiscated and destroyed.

Q7. **What action should be taken if a certificate or sticker is being used to mislead the public or misrepresent the food business in any way including by defacing and tampering?**

A7. This may constitute an offence under trading standards legislation for example an offence under the Consumer Protection from Unfair Trading Regulations 2008, which impose a general prohibition on unfair commercial practices. The local authority should, therefore liaise with the appropriate regulatory body - the Office of Fair Trading, local authority trading standards services in England and Wales, and the Trading Standards Service of the Department of Enterprise, Trade and Investment in Northern Ireland, enforce the Regulations.

Q8. **What action will be required as regards branded materials where a local authority ceases to participate in the FHRS?**

A8. The local authority should:

• remove any FHRS branding from its website;
• suspend distribution of any marketing and advertising material that incorporates the branding;
• remove certificates/stickers from display in food business establishments as soon as possible and at the next planned intervention of that establishment at the latest; and
• advise businesses in their area that the FHRS no longer operates and that the continued use of any branded materials for marketing and advertising purposes may constitute an offence under trading standards legislation.
Q9. Can local authorities use any of the branding for marketing and advertising purposes?

A9. Local authorities are encouraged to promote the FHRS to both food businesses and consumers in their areas and can use the FHRS branding for marketing and advertising purposes. The Communications Toolkit gives advice and guidance on how this might be carried out. It also includes details of how to obtain copies of the branding.

Q10. Can FBOs use any of the branding for marketing or advertising purposes?

A10. It is recognised that FBOs will wish to capitalise on their rating.

Where marketing or advertising by a business misleads the public about their rating or misrepresents the business in any way, this may constitute an offence under trading standards legislation.

Any request to use the FHRS branded artwork must be referred to the FSA.
Section 9: Use of the Food Hygiene Rating Scheme IT platform

Introduction

9.1 The credibility and integrity of the FHRS will depend on up-to-date and accurate food hygiene ratings information being available to consumers. Regular transfer of local authority data to the national database and timely publication of ratings at food.gov.uk/ratings will be key to this. Effective management of the ‘right to reply’ facility will also be important.

9.2 Guidance on these issues is set out in Q&A format below.

9.3 Local authorities participating in the FHRS will be provided with separate User Documentation covering technical issues and practical aspects of using the IT platform.

Question and answer guidance

Q1. What is meant by the ‘IT platform’?
A1. The IT platform comprises the following key elements:

- a central database for storing the data on food business establishments uploaded to the system by local authorities;
- a ‘portal’ where participating local authorities are able to review and validate data, configure system functions to meet local needs, upload information not collected in automated processes and run management reports;
- a reporting facility that allows the FSA to run management reports; and
- an online search facility that provides a single access point to consumers for hygiene ratings for food business establishments covered by the FHRS – food.gov.uk/ratings.

Q2. What file formats can be used for uploading local authority data to the central database?
A2. Data must be extracted from the local authority’s Information Management System (IMS) to an Excel, CSV or XML file.

Q3. What data are local authorities required to supply and in what format?
A3. The ‘Data Standard’ is set out below and lists the data that must be provided for establishments that are currently trading.24

Local authorities can choose whether to provide this for all establishments within their area or only for those that are included within the scope of the FHRS.

Where data on all establishments is provided not all of this will be published at food.gov.uk/ratings – see Q&A 4 below – but it can be included when running management reports.

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23 Where Excel files are used, the worksheet containing the data must be named ‘Data’. No naming conventions apply to the Excel file itself, or in the case of CSV or XML files.

24 The ‘Data Standard’ also includes some data that it is voluntary for local authorities to provide – where this is the case, it is specifically stated.
<table>
<thead>
<tr>
<th>Data field name</th>
<th>Required format</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local authority ID</td>
<td>Alpha-numeric: usually three or four characters long</td>
<td>This ID is the same ID used for the Local Authority Enforcement Monitoring System (LAEMS). Supply of this data is not mandatory as these IDs will be stored within the system and log in details will indicate the local authority to which the upload relates.</td>
</tr>
<tr>
<td>Local authority name</td>
<td>Text: 255 character limit</td>
<td>The name of the local authority. Supply of this data is not mandatory as the log in details will indicate the local authority to which the upload relates</td>
</tr>
<tr>
<td>Establishment ID</td>
<td>Alpha-numeric: 255 character limit</td>
<td>This is the premises ID/unique premises reference number. This is not published at <a href="http://food.gov.uk/ratings">food.gov.uk/ratings</a> but must be supplied. All information about a particular establishment is contained in a single record (row). A given establishment ID value is unique to a single record in every data file.</td>
</tr>
<tr>
<td>Establishment name</td>
<td>Alpha-numeric: 255 character limit</td>
<td>The name of the business</td>
</tr>
<tr>
<td>Operator/Proprietor</td>
<td>Text: 255 character limit</td>
<td>The name of the food business operator - this will not be published at <a href="http://food.gov.uk/ratings">food.gov.uk/ratings</a>. Supply of this data is not mandatory.</td>
</tr>
<tr>
<td>Establishment telephone number</td>
<td>Numeric :15 character limit</td>
<td>This will not be published at <a href="http://food.gov.uk/ratings">food.gov.uk/ratings</a>. Supply of this data is not mandatory.</td>
</tr>
<tr>
<td>Establishment address line 1</td>
<td>Alpha-numeric: 255 character limit</td>
<td>No individual address line is mandatory but the supply of a valid address is, so at least one of the address lines must contain data and it is the responsibility of the local authority to ensure that a valid and recognisable address is supplied.</td>
</tr>
<tr>
<td>Establishment address line 2</td>
<td>Alpha-numeric: 255 character limit</td>
<td></td>
</tr>
<tr>
<td>Establishment address line 3</td>
<td>Alpha-numeric: 255 character limit</td>
<td></td>
</tr>
<tr>
<td>Establishment address line 4</td>
<td>Alpha-numeric: 255 character limit</td>
<td></td>
</tr>
<tr>
<td>Establishment post code</td>
<td>Alpha-numeric: 9 character limit</td>
<td>This should be supplied unless the establishment does not have a post code</td>
</tr>
<tr>
<td>Business type (category)</td>
<td>Text: 255 Character limit</td>
<td>If the local authority does not categorise businesses on their local system using the LAEMS categories, it will be able to use a mapping facility on the FHRS portal to indicate how the categories used relate to the LAEMS categories.</td>
</tr>
<tr>
<td>Data field name</td>
<td>Required format</td>
<td>Comment</td>
</tr>
<tr>
<td>-----------------</td>
<td>----------------</td>
<td>---------</td>
</tr>
<tr>
<td>Inspection date</td>
<td>UK date formats: dd/mm/yyyy dd/m/yy d.m.yy dd/mmm/yy dd-mm-yyyy dd mm yyyy dd.mm.yyyy</td>
<td>This is required for all establishments.</td>
</tr>
<tr>
<td>Scope</td>
<td>Alpha-numeric: 255 character limit</td>
<td>Identifier to indicate if the status of the establishment - ‘excluded’, ‘included’, ‘exempt’, or ‘sensitive’. This will determine what if any information is published – see Q&amp;A 4. The IT system will allow local authorities to specify what is indicated by no value e.g. if those establishments ‘excluded’ from the FHRS do not have a ‘scope’ value, the mapping facility may be used to indicate that such establishments are ‘excluded’.</td>
</tr>
<tr>
<td>Annex 5 score for level of compliance – food hygiene and safety procedures</td>
<td>Prescribed values: 0, 5, 10, 15, 20 or 25</td>
<td>A valid record must contain values in each of the three fields or none in any of them. Where values are included, the food hygiene rating will be calculated from these.</td>
</tr>
<tr>
<td>Annex 5 score for level of compliance – structure of the establishment</td>
<td>Prescribed values: 0, 5, 10, 15, 20 or 25</td>
<td>The absence of all three values will indicate that the establishment has not yet been rated under the FHRS. In such cases, ‘awaiting inspection’ will be displayed at food.gov.uk/ratings instead of a food hygiene rating.</td>
</tr>
<tr>
<td>Annex 5 score for confidence in management/control procedures</td>
<td>Prescribed values: 0, 5, 10, 20 or 30</td>
<td></td>
</tr>
<tr>
<td>Annex 5 overall score</td>
<td>Numeric: three character limit</td>
<td>This is the overall intervention-rating score for the establishment. Supply of this data in not mandatory. This will not be published at food.gov.uk/ratings.</td>
</tr>
<tr>
<td>Revised food hygiene rating</td>
<td>Prescribed values: 0, 1, 2, 3, 4 or 5 (5 being a ‘top tier’ rating and 0 a ‘bottom tier’ rating)</td>
<td>This relates to food hygiene ratings given when an establishment has been re-visited at the request of the food business operator under the re-inspections/re-visits mechanism. A value will be provided only in cases where the intervention rating was not also re-assessed.</td>
</tr>
</tbody>
</table>

25 The need for any changes to IMS software to accommodate this is being considered by the Local Authority IT Advisory group and information/good practice will be shared via the Group.
### Q4. Of the data supplied, what information exactly will appear at food.gov.uk/ratings for the different scope categories – ‘excluded’, ‘included’, ‘exempt’ and ‘sensitive’?

#### A4.

This is summarised in the table below.

<table>
<thead>
<tr>
<th>Establishment scope category</th>
<th>Information published at food.gov.uk/ratings</th>
</tr>
</thead>
<tbody>
<tr>
<td>‘Excluded’</td>
<td>No information will be published.</td>
</tr>
<tr>
<td>‘Included’</td>
<td>Establishment name and address&lt;br&gt;LAEMS business category&lt;br&gt;Date of inspection OR date of revised food hygiene rating&lt;br&gt;Food hygiene rating OR revised food hygiene rating OR ‘awaiting inspection’ OR ‘awaiting publication’</td>
</tr>
<tr>
<td>‘Exempt’ (falls within scope but an exemption applies)</td>
<td>Establishment name and address&lt;br&gt;LAEMS business category&lt;br&gt;‘Exempt’</td>
</tr>
<tr>
<td>‘Sensitive’ (falls within scope but there are inherent security sensitivities regarding the establishment and publication of address information)</td>
<td>No information will be published, but the system will allow the generation of a certificate if a rating is given</td>
</tr>
</tbody>
</table>

### Q5. How frequently must local authorities upload data?

#### A5.

If the local authority generates certificates via the IT platform, as a minimum, it must upload data once every 13 days to ensure that certificates can be issued to food business operators within 14 days of the date of intervention at which the rating was given.

If the local authority is using its own IMS to generate certificates, as a minimum, it must upload data once every 27 days (it must be less than the notification plus appeal period – see Q&A 8).

There is no maximum upload frequency.

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26 See Section 3 on scope for further advice on this.

27 This is for the two categories of establishments that are 'exempt' from receiving ratings - 'low-risk' establishments which are not generally recognised by consumers as being food businesses and certain establishments operating from private addresses. It is not for establishments where legal action is in progress – these establishments will have a rating and this will be displayed.
Q6. **What data validation is required?**

A6. The IT platform will carry out a number of validation routines to check that the necessary data have been supplied for each establishment. These will include checks for:

- establishment ID – must be present, must be no more than 255 characters and must be unique to one record in the file;
- establishment name – must be present, and must be no more than 255 characters;
- Annex 5 scores for hygiene, structure and confidence in management/control procedures – where present, each must be consistent with one of the prescribed values and there must be a valid inspection date supplied or all values should be absent;
- business type – must be present and must not exceed 255 characters;
- establishment address – must be present and no address line should have more than 255 characters;
- inspection date (if supplied) - valid date less than or equal to the date of upload;
- revised food hygiene rating (if supplied) - values of 0 to 5 and revised food hygiene rating date as a valid date less than or equal to the upload date.

The upload will fail if any errors are detected such as only one or two Annex 5 scores rather than all three. It will also highlight where combinations of these scores might benefit from closer scrutiny as the combination of scores appears to be inconsistent.

Q7. **How do local authorities correct errors?**

A7. A report identifying errors will be produced by the IT platform when the local authority uploads the data file. This report can be exported to Word, Excel etc. Local authorities should review the errors and make the necessary changes within their local IMS or the portal (in the case of mapping being required).

A new data file must then be produced and uploaded if the errors need to be corrected first on the IMS.

After successfully uploading a data file, the data is available for review prior to publication at food.gov.uk/ratings. At this stage, records may be withheld from publication to allow further investigation and until the local authority is content to publish.

Q8. **When will a new food hygiene rating be published at food.gov.uk/ratings?**

A8. Where the establishment has received a rating of ‘5’, this will be published as soon as the data is uploaded to the system (and the local authority has released it).

In other cases, the new rating cannot be published until the FBO has had 14 days from the date of notification of the rating in which to appeal. The systems software will, therefore, suppress publication for a default period long enough to allow notification of the result and lodging of an appeal. The results of recent inspections can therefore be safely supplied to the portal. The software allows local authorities to force publication where appeals are dealt with earlier than the default period or to delay publication where there is for example, a delay in notifying a rating outcome.

After the appeal period has expired, the rating will be published at food.gov.uk/ratings if no appeal has been lodged.

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28 Where reference to numbers of ‘days’ are made in this Guidance it includes weekends and bank holidays.
During this time, the previous rating or ‘awaiting inspection’, whichever is appropriate, will be displayed.

If an appeal is lodged, the new rating must not be published until the outcome is determined. food.gov.uk/ratings will show that, for the establishment in question, the assessment of hygiene standards is ‘awaiting publication’. The previous rating will not be displayed.

Q9. **Must local authorities generate certificates from the portal?**

A9. Local authorities can do this but they may also generate certificates onto the template paper using their IMS.

Q10. **What information must be displayed on the local authority’s own page at food.gov.uk/ratings?**

A10. Each local authority will have its own page with its logo/banner. Each authority must upload key contact details to this and add a link to the local authority’s own website.

Q11. **What must a local authority do if it receives a ‘right to reply’ from a food business in its area?**

A11. FBOs have a ‘right to reply’ in respect of the rating given and local authorities must publish this at food.gov.uk/ratings with the rating. Businesses will be able to download a standard form from food.gov.uk/ratings, and will be directed to post/email this to their local authority.

The purpose of the ‘right to reply’ is to enable the FBO to give an explanation of subsequent actions that have been taken to rectify non-compliances or mitigation for the circumstances at the time of the inspection, rather than to complain or criticise the FHRS or ‘inspecting officer’.

Where a ‘right to reply’ is received from an FBO the local authority should review the text before publishing at food.gov.uk/ratings and edit it in order to remove any offensive, defamatory, clearly inaccurate or irrelevant remarks. The text should then be entered by the local authority against the record for the relevant business.

The local authority must also ensure that when a new rating is given and published at food.gov.uk/ratings, the ‘right to reply’ relating to the previous rating is removed from the system.

Q12. **Can local authorities publish ratings for establishments in their areas on their own website and/or other websites in addition to food.gov.uk/ratings?**

A12. There is nothing to prevent local authorities doing this but they should consider very carefully the accuracy of the data and potential challenge where this is compromised.

Consideration must also be given to how the FHRS is advertised on any other website. A clear articulation of what the FHRS is (including that ratings reflect the standards found at the time of inspection – i.e. a snapshot in time) should be available on any website or other material available about the FHRS. Information about the FHRS and marketing type information (for example reviews or other evaluative information relating to businesses) should be kept separate.
Introduction

10.1 Consistent implementation and operation of the FHRS is critical to ensuring that consumers are able to make meaningful comparisons of hygiene ratings for establishments both within a single local authority area and across different local authority areas, and to ensuring that businesses are treated fairly and equitably. Local authorities participating in the FHRS must establish and operate a Consistency Framework in order to achieve this.

10.2 It is important to note that operation of the FHRS does not affect the statutory duty of local authorities to monitor compliance with food hygiene law and to take enforcement action where appropriate and in accordance with its enforcement policy.

10.3 The Consistency Framework should include the application of the FHRS ‘Brand Standard’ i.e. the guidance included in this document covering the different elements of the FHRS.

10.4 The Framework should include monitoring and auditing to ensure consistent application of the guidance and consistency in the way that interventions are undertaken (and in particular how the intervention-rating scheme at Annex 5 of the Food Law Code of Practice is applied). The Framework should recognise that monitoring and auditing should operate on three levels: within the local authority; within a liaison group/region; and at a national level by the FSA. The measures required should be based on those already in place in relation to the local authority’s statutory duty to monitor compliance with, and enforcement of, food hygiene legislation. The aim is to ensure that operation of the FHRS does not place additional burdens on local authorities.

10.5 In addition, the Framework should specify training requirements and participation in consistency exercises.

10.6 Guidance on establishing and operating a Consistency Framework is set out in Q&A format below. The Guidance is not intended to be prescriptive but rather provides local authorities with the flexibility to base their Consistency Framework on existing mechanisms, and to strengthen and build on these where appropriate.

Question and answer guidance

Q1. What elements should make up the Consistency Framework?
A1. The framework should comprise three main elements:

- application of the FSA’s guidance on implementation and operation of the FHRS – the ‘Brand Standard’;
- monitoring and auditing arrangements (consistency controls based on local authority policies, procedures and documents that meet the requirements in the Food Law Code of Practice, Framework Agreement on Food Law Enforcement and other official guidance) – internal and external measures – and the actions to be taken to address identified inconsistencies; and
- training requirements and participation in consistency exercises.
Q2. **What does the guidance on implementation and operation of the FHRS cover and why is it important?**

A2. It covers the following areas:

- ‘Getting started’ (Section 1);
- Formal ‘sign up’ (Section 2);
- Scope (Section 3);
- Scoring using Annex 5 of the *Food Law Code of Practice* (Section 4);
- Mapping of Annex 5 scores to the food hygiene rating (Section 5);
- Appeals and ‘right to reply’ (Section 6);
- Requests for re-inspections/re-visits for re-rating purposes (Section 7);
- Use of FHRS branding (Section 8);
- Use of the FHRS IT platform (Section 9); and
- Establishing and operating a consistency framework (Section 10).

Application of the guidance by local authorities participating in the FHRS will form an essential element of the Consistency Framework. This is key to ensuring fair, equitable and consistent treatment of FBOs. It is also key to ensuring that consumers are able to make meaningful comparisons of hygiene ratings for establishments both within a single local authority area and across different local authority areas.

Q3. **What is the FSA’s role in relation to consistent implementation and operation of the FHRS?**

A3. The FHRS is an FSA/local authority partnership initiative.

The FSA is responsible for keeping implementation and operation of the FHRS under review and, working with stakeholders, to revise and update the associated guidance to ensure that the FHRS is operated fairly and consistently, and to ensure that it does not impact adversely on public health protection.

The FSA also has a monitoring and audit role to check and provide assurance (as far as practical) that the FHRS is operated consistently within and between authorities (see Q&A 9).

Q4. **What measures should be put in place for local authority monitoring of operation of the FHRS?**

A4. As food hygiene ratings are a means of presenting intervention findings, the internal monitoring arrangements that local authorities must already have in place in respect of their statutory duties to monitor compliance with and enforcement of food law should form part of the Consistency Framework for operation of the FHRS.

All relevant service activities should be subject to proportionate and routine quantitative and qualitative monitoring so that the Service is able to demonstrate its conformance with legislation, with the *Food Law Code of Practice*, with ‘the Standard’ in the *Framework Agreement on Local Authority Food Law Enforcement* and with official guidance.

These monitoring arrangements should be detailed in the local authority’s internal monitoring procedures.

Appropriate and proportionate records should be maintained to verify management oversight of key service activities and actions, and the measures taken to address any identified problems.
Q5. What are the key service activities in relation to operation of the FHRS that should be covered?

A5. These include:

- officer competency;
- food business database management;
- carrying out inspections and other interventions;
- interpretation of the intervention-rating scheme at Annex 5 of the *Food Law Code of Practice*;
- maintenance of intervention records and correspondence;
- service monitoring and related record-keeping; and
- operation of FHRS safeguards – appeals, ‘right to reply, and re-inspections/re-visits for re-rating.

Q6. What types of local authority checks are appropriate in respect of these key activities?

A6. A range of existing documents, tools and guidance is available to assist local authorities with this (see Q&A 7) but checks might include: desk top checks of file/database records and correspondence, reality checks, shadowing, joint inspections, inter-authority consistency exercises, business satisfaction questionnaires etc.

Q7. What are these existing documents, tools and guidance?

A7. These include:

- *Food Law Code of Practice* and associated *Food Law Practice Guidance*,
- *Framework Agreement on Local Authority Food Law Enforcement*,
- *Making every inspection count* - internal monitoring advice for local authority food and feed enforcement team managers (FSA summary document);
- FSA report on Inter-Authority and Peer Review Processes, and toolkit of document templates;
- LACORS guidance on monitoring the quality and consistency of food inspections;
- LACORS guidance on Article 5 of EC Regulation 852/2004;
- LACORS guidance on training of food handlers;
- Local authority existing policies and procedures.

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29 See: [http://www.food.gov.uk/enforcement/enforcework/foodlawcop/](http://www.food.gov.uk/enforcement/enforcework/foodlawcop/)
30 See: [http://www.food.gov.uk/enforcement/enforcework/frameagree/](http://www.food.gov.uk/enforcement/enforcework/frameagree/)
Q8. Should Food Safety Team and Food Liaison Group meetings and activities form part of the Consistency Framework?

A8. Yes. Regular programmed meetings should be used as an opportunity for group training/exercises, learning from others and undertaking co-ordinated consistency and monitoring activities. Regional groups can also provide a support network for local authorities and a forum for discussion and consideration of consistency issues.

Q9. What FSA audit and monitoring arrangements are in place to address consistency in application of the FHRS?

A9. Local Authority Enforcement Monitoring System (LAEMS) data provides information on business compliance levels which may be monitored by the FSA for consistency purposes.

FSA audit of local authority food law enforcement activities is carried out against a planned annual programme. Issues relating to food hygiene ratings are being addressed, where appropriate, in protocols and checklists as part of these planned audits.

FSA ‘core’ audits focus on inspections, database management and internal monitoring arrangements and include ‘reality checks’. These include consideration of consistent scoring/rating and appropriate application of Annex 5 intervention-rating criteria. Such audits identify issues of inconsistency, non-compliance with legislation, the relevant Food Law Code of Practice and official guidance. Such issues are relevant to all local authority food law enforcement services and not just to those operating the FHRS.

A focused audit programme may be undertaken in the future once the FHRS has bedded in and a pilot template developed that could be used by participating authorities. Such a programme could consider verification of relevant elements of the Framework Agreement on Local Authority Food Law Enforcement.

The FSA will also use data from the national FHRS national database, together with feedback from stakeholders on implementation of the FHRS, to identify any consistency issues.

Q10. What local authority audit and peer review arrangements should be put in place?

A10. Many local authorities already participate in third party audit and/or peer review/challenge processes or benchmarking activities of the food service against the ‘Standard’ in the Framework Agreement on Local Authority Food Law Enforcement. Whilst the precise arrangements will vary amongst authorities, these activities will cover issues that relate to the operation of the FHRS and so should form part of the Consistency Framework for its operation.

In addition to individual exercises, benchmarking or other peer review/challenge processes may also be carried out at liaison or regional group level.

Audit protocols and checklists used by the FSA (see Q&A 9) are published on the FSA’s website and relevant elements may be used by local authorities as part of any self or peer assessment or inter-authority audit.

Guidance on development and implementation of robust inter-authority audits is currently being drafted by the FSA following a 2009 focused audit programme and this should assist local authorities that participate in audit activities. The FSA also intends to produce an inter-authority audit toolkit of document templates to assist Food Liaison Groups and local authorities in the practical aspects of the inter-authority audit process.
Q11. What will happen if local authorities that ‘sign up’ to the FHRS fail to operate this to the standards set by the FSA?

A11. Details about the formal ‘sign up’ process and information about what will happen if local authorities fail to follow in full the FHRS ‘Brand Standard’ are given in Section 2.

Q12. What consistency training is required and when?

A12. Consistency training should be carried out at the earliest opportunity and before launch. Local authorities should ensure that all relevant officers participate in training and that officers meet the competency requirements in the Food Law Code of Practice.

Authorities should participate in the consistency training being organised and funded by the FSA (based on the interpretation of the food hygiene intervention-rating scheme at Annex 5 of the Food Law Code of Practice), or ensure that they participate in equivalent training. This is necessary to ensure that local authorities are confident that Annex 5 is applied consistently and in accordance with the FSA’s guidance.

Local authorities should organise and undertake cascade training of those officers that do not participate in the FSA-funded or equivalent training but are engaged in the inspection of food establishments or in monitoring inspections of food establishments. The course materials from the FSA-funded training will be made available for this purpose. Local authorities should consider working with neighbouring authorities or through liaison groups to deliver this cascade training.

Local authorities should also identify additional ongoing training needs and prioritise and plan for these. This should include training for new local authority food officers, for contracted staff and for re-training of local authority food officers where a need is identified (e.g. through internal monitoring and review).

Records of any consistency training should be maintained by the local authority as part of its established internal monitoring arrangements.

Q13. What about consistency exercises?

A13. Local authorities should participate in appropriate consistency exercises, for example suitable scenarios, at the earliest opportunity and before launch, and on an ongoing basis.

Local authorities may wish to consider involving food businesses with premises in their area in these exercises.

The FSA is funding consistency training, and may develop/organise national consistency exercises from time to time. Local authorities should ensure that they participate in any national exercises.

Records of participation in consistency exercises should be maintained by the local authority.

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36 This programme is for all local authorities in England, Wales and Northern Ireland and not just for those adopting the FHRS. Courses for FHRS ‘early adopters’ have been arranged for September to December 2010.

37 In the longer term, it is the FSA’s intention to consider developing a sustainable training resource - the potential for developing interactive web-based training and re-fresher training will be considered as options.
Q14. Does participation in the FHRS have an impact on how reports of inspections/other interventions and correspondence with the FBO are managed?

A14. Participation in the FHRS should not affect the local authority’s current practice in this regard.

The FHRS does not involve publication of inspection/intervention reports but it is essential that the current food hygiene rating of each food establishment is not contradicted by the authority’s related correspondence.

Hygiene reports are discoverable under the Freedom of Information legislation and the FHRS does not affect the statutory right of consumers to request information.

Q15. Are local authorities required to use a standard template for the report of inspection/intervention?

A15. No. The FSA has, however, developed a standard template – see Appendix 2 - and local authorities are strongly encouraged to use this. It should be noted that the template is intended to replace the Report of Inspection Form at Annex 6 of the Food Law Code of Practice (and is not intended to be used in addition to this).

Where this template is not used, local authorities must ensure that the information specified at Annex 6 of the Food Law Code of Practice is provided, either as a separate report or as part of a letter from the food authority to the FBO such that obligations in respect of reports are met.

Local authorities should also provide details of required priority actions/improvements to the FBO38 in relation to the three elements of the intervention-rating scheme at Annex 5 of the Food Law Code of Practice so that the findings are clearly linked to the numerical rating given for:

- compliance with food hygiene and safety procedures;
- compliance with structural requirements; and
- confidence in management/control procedures.

This will help ensure clarity for businesses as to why a numerical score was allocated for a particular element.

Q16. What effect will operation of the FHRS have on intervention practice?

A16. Participation in the FHRS should not affect the local authority’s current practice in this regard.

The FHRS is compatible with the Food Law Code of Practice and should not affect local authorities’ use of the flexibilities in the Code (e.g. the intervention-rating under Annex 5 of the Code may be revised following an inspection, partial inspection or audit).

The FSA will keep the guidance on the FHRS under review to ensure that it remains consistent with any revisions to the Food Law Code of Practice.

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38 For multi-site businesses, local authorities must ensure that the food hygiene rating is communicated to the head office.
Q17. **Will local authorities be required to take particular enforcement action in relation to food establishments with a particular rating under the FHRS?**

A17. Local authorities should carry out enforcement activities in accordance with their documented enforcement policy and procedures in the normal way.

It is anticipated that poorest scoring establishments will receive formal enforcement action in line with the local authority's enforcement policy.

The scoring guidance at Section 5 outlines the likely enforcement action at different ratings, but specifies that action must be in accordance with the local authority's enforcement policy.

The FHRS should not be used as a means of alternative enforcement. It may encourage more proactive attention to compliance on the part of some businesses or motivate an FBO to rectify non-compliance more rapidly than may otherwise be the case. The FHRS must not, however, undermine the fundamental duty of local authorities to ensure that consumers are protected through the appropriate use of enforcement powers.

Local authorities should advise the FSA of any situations that arise where they consider that operating the FHRS compromises their obligations in terms of the Code.

Q18. **How does the FHRS fit with the Primary Authority arrangements?**

A18. Existing arrangements and mechanisms should continue.

Local authorities in England and Wales should have regard to the statutory Primary Authority Scheme, Primary Authority guidance issued by LBRO and individual Primary Authority Agreements dealing with food safety and hygiene.

When conducting food hygiene interventions with businesses subject to Primary Authority Agreements, Enforcing Authorities should have regard to any Primary Authority Inspection Plan, liaise with the Primary Authority where appropriate and provide feedback through the mechanism established by LBRO.

With regard to food hygiene ratings given as part of the FHRS, it is not considered necessary for enforcing authorities to notify the Primary Authority of individual ratings. Enforcing Authorities should, however, liaise with the Primary Authority, where appropriate, in discussing policy and interpretation issues to reduce the likelihood of any inconsistencies.

Q19. **How does the FHRS fit with the Home Authority Principle arrangements?**

A19. Existing arrangements and mechanisms should continue.

Local authorities in the UK should have regard to the Home Authority Principle, and obligations on food law enforcement services relating to this as detailed in the *Food Law Code of Practice* and ‘the Standard’ in the *Framework Agreement on Local Authority Food Law Enforcement*. 
Q20. **What is the mechanism for businesses to feed back comments and issues on consistency of operation of the FHRS?**

A20. The FSA will monitor the number of appeals, requests for re-inspections/re-visits for re-rating, complaints etc. as part of the evaluation of the FHRS and on an ongoing basis, and this data will help to identify inconsistencies in operation. A ‘right to reply’ for individual businesses is included in the FHRS as a safeguard mechanism.

A ‘contact us’ facility is provided at [food.gov.uk/ratings](http://food.gov.uk/ratings) so that businesses may provide feedback to the FSA. The FSA will liaise with local authorities on any relevant issues raised by businesses as appropriate.

Businesses may also provide feedback to their Primary Authority regarding the implementation of the FHRS by the Enforcing Authority.

Q21. **What is the mechanism for consumers to feed back comments and issues on consistency of operation of the FHRS?**

A21. Consumers can also use the ‘contact us’ facility at [food.gov.uk/ratings](http://food.gov.uk/ratings) to provide feedback to the FSA. The FSA will liaise with local authorities on any relevant issues raised by consumers as appropriate.

This does not preclude consumers from contacting their local authority or the relevant local authority that rated the establishment.

A future consumer information campaign will also highlight how consumers can feedback comments on the FHRS.

Q22. **What is the mechanism for local authorities to feed back comments and issues on consistency of operation of the FHRS?**

A22. The FSA will establish one or more local authority forums for identifying and discussing practical implementation issues and for providing the FSA with ongoing feedback on the FHRS. In the first instance, this will be through an ‘early adopters’ group(s).

Local authorities should continue to use existing mechanisms, including food liaison groups and Local Government Regulation (previously known as LACORS) to discuss issues of interpretation and consistency.

Clarification on policy issues may be raised through the local authority forum or directly with the FSA’s Food Hygiene Ratings Team.

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39 A mechanism to collect this information is being considered but initially this may be through the local authority ‘Early Adopters’ forum.
Appendix 1: Sample agreement between the Food Standards Agency and local authority

THE AGREEMENT

Dear [Name of LA signatory],

Implementation and operation of the Food Hygiene Rating Scheme

This letter of agreement is to confirm that [local authority name] agrees to implement and operate the Food Hygiene Rating Scheme in accordance with the ‘Brand Standard’ set out in ‘The Food Hygiene Rating Scheme: Guidance for local authorities on implementation and operation – the ‘Brand Standard’.

The Agreement comprises this letter and the appended ‘Outline of Responsibilities’. Details of the process for terminating the Agreement are also appended.

You are requested to indicate your acceptance of this Agreement by signing both copies of this letter and returning them to the address below as soon as possible.

One copy will be signed on behalf of the Agency and returned to you.

<table>
<thead>
<tr>
<th>Signed:</th>
<th>Signed:</th>
</tr>
</thead>
<tbody>
<tr>
<td>(On behalf of the Local Authority)</td>
<td>(On behalf of the Food Standards Agency)</td>
</tr>
<tr>
<td>Name (Print):</td>
<td>Name (Print):</td>
</tr>
<tr>
<td>Position:</td>
<td>Position:</td>
</tr>
<tr>
<td>Date:</td>
<td>Date:</td>
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</table>
Food Hygiene Rating Scheme (FHRS) – Outline of responsibilities

[Name of local authority] undertakes to:

- Follow in full the Food Standards Agency’s (FSA’s) guidance on the FHRS - the ‘Brand Standard’; and
- Give early warning of any emerging problems to the FSA so that advice and support may be offered to ensure that the credibility and integrity of the FHRS is not compromised.

The Food Standards Agency undertakes to:

- Keep the guidance for local authorities on the implementation and operation of the FHRS under review as the scheme beds in and to revise and update it as and when appropriate to reflect the experience of local authorities, any feedback from food businesses or from consumers, or other developments;
- Work with local authorities to resolve situations where they encounter difficulties in fulfilling their responsibilities to follow in full the FHRS ‘Brand Standard’ in order to ensure that the credibility and integrity of the scheme is not compromised;
- Provide and maintain the central database and on-line search facility for publishing food hygiene ratings and provide the associated IT support and training;
- Provide other support such as promotion of the FHRS to consumers and to businesses through appropriate channels;
- Monitor and audit the implementation and operation of the FHRS to ensure the consistent interpretation and application of the ‘Brand Standard’ and to work with local authorities to resolve any issues identified through this; and
- Conduct a formal evaluation of the FHRS after it is rolled out and within an appropriate timeframe.

Intellectual Property Rights

Any intellectual property rights (IPR) created during or resulting from the work to support the FHRS shall remain the property of the party by whom or on whose behalf the particular IPR were created.

Data protection

The parties confirm that they will observe their respective obligations in respect of the Data Protection Act 1998. Any data and information introduced by a party to support the work of the FHRS shall belong to that party.

Information access legislation

Both parties acknowledge that the other party is subject to the requirements of the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 and each party will assist and cooperate with the other party to enable both parties to comply with such information disclosure obligations and to meet the necessary statutory deadlines.
**FHRS - process for termination of Agreement**

*Note – The aim will be to resolve any problems or issues through informal discussion and that the processes outlined below will be used in exceptional circumstances only.*

**Prior notice**

Where the local authority is considering terminating the agreement, it should give at least 14 days prior notice to the FSA.

Where the FSA is considering terminating the agreement, unless there are immediate risks to public health protection, it similarly will give at least 14 days prior notice to the local authority.

In both sets of circumstances this provides a further opportunity to work together to try to resolve any issues/concerns and, where appropriate, to discuss whether additional support can be provided to allow the local authority to continue operating the FHRS.

**Notification**

Where the local authority has decided to terminate the agreement, it should notify the relevant FSA Director in writing outlining the reasons for this.

Where the FSA has decided to terminate the agreement, the local authority will be notified in writing of the FSA’s decision and the reason for this. The local authority can appeal this decision – see below – but it should be noted that termination of the agreement is not suspended during the period in which such an appeal can be made or pending the outcome of an appeal once lodged.

**Actions following termination of Agreement**

Irrespective of which party terminates the agreement, the following steps must also be taken to ensure that the credibility and integrity of the FHRS is not compromised and to ensure that the reputations of the FSA, of the local authority concerned, and the businesses in the relevant area are safeguarded.

The FSA will:

- immediately notify stakeholders that the local authority is no longer participating in the FHRS by means of an announcement at [food.gov.uk/ratings](http://food.gov.uk/ratings) on both the home page and on the local authority’s own page;
- immediately suspend the local authority’s access to the national database so that no further ratings can be published; and
- within 14 days, remove the local authority’s existing ratings from public access;
- notify the local authority when these steps have been taken.

The local authority will:

- If it also publishes ratings on its own website, immediately notify local stakeholders that the authority is no longer operating the FHRS by means of an announcement on an appropriate website page, and within 14 days, remove any published ratings from its site;
- remove any FHRS branding from its website;
- suspend distribution of any marketing and advertising material that incorporates FHRS branding;

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40 Where references to numbers of ‘days’ are made these includes weekends and bank holidays.
• remove stickers/certificates from display in food business establishments as soon as possible and at the next planned intervention of that establishment at the latest;
• advise businesses in the area that the FHRS no longer operates and that the continued use of any branded materials for marketing and advertising purposes may constitute an offence under trading standards legislation; and
• confirm to the FSA that these actions have been taken.

Local authority appeals

If a local authority considers that the FSA decision to terminate the Agreement is unjust it may appeal against this. The process is as follows:

• The local authority can, within 14 days from the date of notification of termination, ask for the matter to be referred to an Advisory Disputes Panel (see box below).
• The Advisory Panel will be convened and will investigate the matter and report its findings and recommendations within six weeks.
• The FSA will review the Panel’s report and within 14 days will notify the local authority of its decision as to whether it accepts the Panel’s view.
• If the local authority remains dissatisfied its Chief Executive can within 14 days request that the dispute be referred to the FSA’s Chief Executive.
• The FSA’s Chief Executive will review the case and the Panel’s report and issue a final decision that will be notified to the local authority within 14 days.

Advisory Disputes Panel

Membership will comprise representatives from or nominated by Local Government Regulation and the Chartered Institute of Environmental Health as well as consumer and food industry representatives.

The Panel will elect its own chair.

The Secretariat function will be provided by the FSA.
Appendix 2 - Standard template forms

A number of FHRS templates forms are available.

**Appeal form/'Right to reply' form/request for re-visit form**

These are for use by FBOs. They can access copies from the ‘Frequently Asked Questions’ page of food.gov.uk/ratings.

Templates are also available on the local authority FHRS resources page of the FSA website at the link below so that local authorities may download them, add relevant contact details and provide hardcopies to FBOs if requested to do so.

http://www.food.gov.uk/safereating/hyg/hygieneratings/hygienescoresresources/

**Standard template intervention report**

This is for use by local authorities in place of the Report of Inspection Form at Annex 6 of the Food Law Code of Practice.

As with the other forms, a template is available on the local authority FHRS resources page of the FSA website (see link above) so that local authorities may download it.

A report containing the information detailed in the form must be provided to the FBO following each intervention. The information may be provided as a separate report or included as part of a letter from the Food Authority.

For FHRS purposes, the details of required improvements must be presented in any letter or report to FBOs in relation to the three elements of the intervention rating scheme used in determining the food hygiene rating. The FBO should be advised when the food hygiene rating will be published at food.gov.uk/ratings and when the FBO will receive the certificate and sticker (Section 6 on the appeals procedure provides further information).
Notes for businesses

• As the food business operator of the establishment you have a right to appeal the food hygiene rating given following your inspection if you do not agree that the rating reflects the hygiene standards and management controls found at the time of the inspection.

• You have 14 days (including weekends and bank holidays) from the date of receipt of the notification letter to lodge an appeal.

• Please use the form below and return it to the Lead Officer for Food from your local authority – contact details are provided with the written notification of your food hygiene rating.

• The Lead Officer for Food will review your rating and communicate the outcome of your appeal to you within seven days.

Food business operator/proprietor

Business name

Business addresses

Business tel no

Business email

Date of inspection

Date notified of rating

I do not agree with the food hygiene rating given by the food safety officer because (please explain below under each of the three headings):

Compliance with food hygiene and safety procedures

Compliance with structural requirements

Confidence in management/control procedures

Signed

Name in capitals

Position

Date

Please now return this form to: [local authority contact details to be included].
Notes for businesses

- As the food business operator of the establishment you have a ‘right to reply’ in respect of the food hygiene rating given following your inspection.
- The purpose is to enable you to give an explanation of subsequent actions that have been taken to make the required improvements as detailed in the inspection letter, or to explain mitigation for the circumstances at the time of the inspection. It is not for making complaints or for criticising the scheme or food safety officer.
- If you wish to use this ‘right to reply’, please use the form below and return it to the food safety officer that undertook your inspection - contact details are provided with the written notification of your food hygiene rating.
- Your comments will be reviewed by the food safety officer and may be edited in order to remove offensive or defamatory remarks before being published online and displayed together with your food hygiene rating at food.gov.uk/ratings.
- There will be a statement at food.gov.uk/ratings that will highlight that the accuracy of your comments has not been verified by local authority officers.

<table>
<thead>
<tr>
<th>Food business operator/proprietor</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Business name</td>
<td></td>
</tr>
<tr>
<td>Business addresses</td>
<td></td>
</tr>
<tr>
<td>Date of inspection</td>
<td></td>
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<tr>
<td>Food hygiene rating given</td>
<td></td>
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</table>

- I agree with the inspection results but have since carried out the following improvements (tick all that apply):
  - The establishment has been thoroughly cleaned and procedures are in place to ensure that cleanliness is maintained.
  - The establishment has been or will shortly be fully renovated.
  - A new management system has been implemented.
  - There is now a new manager and/or new staff.
  - The staff have been trained/re-trained/given instruction/are under revised supervisory arrangements.
  - Other – please expand below and use only the space provided

- The conditions found at the time of the inspection were not typical of the normal conditions maintained at the establishment and arose because (Please explain below and use only the space provided. You can also state any other improvements made):

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<th>Signed</th>
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<tbody>
<tr>
<td>Name in capitals</td>
<td></td>
</tr>
<tr>
<td>Position</td>
<td>Date</td>
</tr>
</tbody>
</table>
Notes for businesses

- As the food business operator of the establishment you have a right to request a re-visit for the purposes of re-rating if you have taken action to rectify the non-compliances identified at the time of inspection.
- You can make one request for a re-visit per each planned statutory inspection by the local authority and you can make this at any time after the inspection provided that you have made the required improvements.
- You must provide details of the improvements made with your request, including supporting evidence where appropriate.
- If the local authority considers that you have provided sufficient evidence that the required improvements have been made, and provided that a three month ‘stand still’ period has passed since the statutory inspection, the local authority will make an unannounced visit. This will take place within three months of the end of the three month ‘stand still’ period or within three months of the request if this made after the ‘stand still’ period (if you were only required to make permanent structural improvements or repairs or to upgrade equipment, the local authority can choose to carry out the requested re-visit sooner than this).
- The local authority officer will give you a ‘new’ food hygiene rating based on the level of compliance that is found at the time of the re-visit - you should be aware that your rating could go up, down or remain the same.
- To make a request for a revisit, please use the form below and return it to the food safety officer from your local authority – contact details are provided with the written notification of your food hygiene rating.

<table>
<thead>
<tr>
<th>Food business operator/proprietor</th>
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<tbody>
<tr>
<td>Business name</td>
<td></td>
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<tr>
<td>Business addresses</td>
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<tr>
<td>Business tel no</td>
<td></td>
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<tr>
<td>Business email</td>
<td></td>
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<tr>
<td>Date of inspection</td>
<td></td>
</tr>
<tr>
<td>Food hygiene rating given</td>
<td></td>
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</table>

Please describe the remedial action you have taken with reference to the issues identified in the inspection letter/report provided to you by your local authority with your score:

<table>
<thead>
<tr>
<th>Compliance with food hygiene and safety procedures</th>
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<tbody>
<tr>
<td>Compliance with structural requirements</td>
</tr>
<tr>
<td>Confidence in management/control procedures</td>
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</table>

Please provide any other supplementary evidence (e.g. photographs, invoices, copies of relevant HACCP documentation etc.).

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<tr>
<th>Signed</th>
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<tbody>
<tr>
<td>Name in capitals</td>
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</tr>
<tr>
<td>Position</td>
<td>Date</td>
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</table>

Please now return this form to: [local authority contact details to be included].
Food business establishment/food premises intervention report

**Business details**

<table>
<thead>
<tr>
<th>Name of the food business operator/food business proprietor</th>
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<table>
<thead>
<tr>
<th>Trading name</th>
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<table>
<thead>
<tr>
<th>Business/Branch and Head Office addresses</th>
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<table>
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<tr>
<th>Registered address(if different)</th>
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<tr>
<th>Type of business</th>
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**Intervention details**

<table>
<thead>
<tr>
<th>Date, time and intervention type (to be specified)</th>
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<table>
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<tr>
<th>Specific food law under which intervention conducted</th>
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<tr>
<th>Areas inspected/audited (to be specified)</th>
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<table>
<thead>
<tr>
<th>Name(s) of person(s) seen and/or interviewed</th>
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<table>
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<tr>
<th>Documents and/or other records examined (to be specified)</th>
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<tr>
<th>Samples taken (to be specified)</th>
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<thead>
<tr>
<th>Key points discussed during the visit (to be specified)</th>
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<table>
<thead>
<tr>
<th>Action to be taken by the Food authority (to be specified)</th>
</tr>
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<td></td>
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</tbody>
</table>
### Priority actions/improvements necessary

| Compliance with food hygiene and safety procedures |  |
| Compliance with structural requirements |  |
| Confidence in management/control procedures |  |

### Food hygiene rating

<table>
<thead>
<tr>
<th>Criteria assessed</th>
<th>Annex 5 score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compliance with food hygiene and safety procedures</td>
<td></td>
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<tr>
<td>Compliance with structural requirements</td>
<td></td>
</tr>
<tr>
<td>Confidence in management/control procedures</td>
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### Notes for food business operator

- If you consider that the rating given is unjust, you may appeal this with the local authority lead officer for food or in his/her absence, by the designated deputy.
- A weblink to information on the scheme including template forms for lodging an appeal or ‘right to reply’ is available at [food.gov.uk/ratings](http://food.gov.uk/ratings). A paper copy will be provided on request.

### Local authority and inspecting officer details

| Signed |  |
|--------|  |
| Name in capitals |  |
| Designation of inspecting officer |  |
| Contact details of inspecting officer |  |
| Contact details of senior officer in case of dispute |  |
| Food Authority name and address |  |
| Date |  |
Appendix 3 - FHRS logos, stickers and certificates

**Note**
Details of suppliers of the materials are provided in the Communications Toolkit. There are English versions and Welsh/English bilingual versions for use by local authorities in Wales.

**Logos**

- **Food Hygiene Rating**

- **Sgor Hylenid Bwyd**

- **Food Hygiene Rating**

**Stickers**

Examples for the rating of ‘3’ and ‘awaiting inspection’ are used.

There are two options for stickers:

1. FSA logo plus statement ‘this scheme is operated in partnership with your local authority’; and
2. FSA logo and space for the local authority logo to be added by the commercial printer/supplier.

![Sticker Example](image-url)
Certificates

Examples for the rating of ‘3’ and ‘awaiting inspection are provided.
FOOD HYGIENE RATING

AWAITING INSPECTION

NAME OF BUSINESS

ADDRESS OF BUSINESS

Date issued

4 JUNE 2010

Authorising signature

Contact details

FILL IN DETAILS HERE

FILL IN DETAILS HERE

FILL IN DETAILS HERE

FILL IN DETAILS HERE

For more information about the Food Hygiene Rating Scheme visit food.gov.uk/ratings

The business named above will be given a food hygiene rating when it is next inspected by the local authority. Ratings are given on a scale from 0 (urgent improvement necessary) up to 5 (very good). The rating is not a guide to food quality.

This certificate remains the property of the local authority which reserves the right to remove it at any time.
SGÔR HYLENDID BWYD
FOOD HYGIENE RATING

0 1 2 3 4 5

BODDHAOL AR Y CYFAN
GENERALLY SATISFACTORY

NAME OF BUSINESS
ADDRESS OF BUSINESS

Dyddiad y sgôr hylenendid
Date of hygiene rating
4 JUNE 2010

Llofnod awdurddodi
Authorising signature

Manylion cyswrllt
Contact details

FILL IN DETAILS HERE
FILL IN DETAILS HERE
FILL IN DETAILS HERE
FILL IN DETAILS HERE

I gael rhagor o wybodaeth am y Cynllun Sgorio Hylenendid Bwyd, ewch i food.gov.uk/ratings
For more information regarding the Food Hygiene Rating Scheme visit food.gov.uk/ratings

Mae'r sgôr hylenendid bwyd a nodir uchod yn adlewyrchu safonau'r safle ar ddyddiad yr archwiliad neu'r ymweriad gan yr awdurddod lleol. Caiff pob safle sgôr rheung 0 (angen gwella ar unwaith) a 5 (da lawm). Nid yw'r sgôr yr ymwenedd ag ansawdd y bwyd.
The food hygiene rating shown above reflects the standards found on the date of inspection or visit by the local authority. Ratings are given on a scale from 0 (urgent improvement necessary) up to 5 (very good). The rating is not a guide to food quality.

CITY OF LOCAL AUTHORITY COUNCIL

Eiddo'r Awdurddod Lleol yw'r dystysgrif hon ac mae ganddo'r hawl i'r thynnu'n ôl ar unhyw adeg
This certificate remains the property of the local authority which reserves the right to remove it at any time.