

ENVIRONMENTAL HEALTH - FOOD HYGIENE RATING SCHEME

Executive Summary

This report provides an outline and explanation of the food hygiene inspection regime carried out by Woking Borough Council's Environmental Health Food Safety Service applicable to all food businesses within the Borough. It includes how the national Food Hygiene Rating Scheme fits in with programmed food hygiene inspections and any resultant official food controls / enforcement action.

The Food Hygiene Rating Scheme is an important tool to encourage businesses to operate professionally and provide a high standard of food products to the public.

Recommendations

The Committee is requested to note the content of this report.

Background Papers: None.

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1.0 Introduction

- 1.1 Woking Borough has a variety of food businesses illustrated in the profile below as of 1st April 2018;

Primary Food Hygiene Activity	Total
Distributors/Transporters	4
Importers/Exporters	2
Manufacturers/Packers	8
Restaurants and other caterers	603
Retailers	156
Mobile Food Unit	37
Total	812

All food businesses are subject to an inspection to ensure they comply with food hygiene regulations and therefore that food sold to the public from the Borough is safe to eat. The frequency of programmed inspections are dictated by the Food Law Code of Practice and is dependent on a scoring system based on the nature and size of the business as well as conditions found at the time of the inspection. The scores awarded are entered into a computerised database which determines a risk rating, A (most high risk) to E (lowest risk). The date due for the next inspection depends on the risk rating;

Frequency of inspection	Risk Rating
6 Months	A
12 Months	B
18 Months	C
24 Months	D
36 Months	E

- 1.2 The national Food Hygiene Rating Scheme (FHRS) was introduced by Woking Borough Council in June 2011. The scheme is administered and supported by government organisation the Food Standards Agency (FSA) and was introduced to allow consumers to make informed choices on where to eat out or purchase food. All Local Authorities in England, Wales and Northern Ireland operate the same scheme whereby ratings are based on the scores awarded during routine programmed food hygiene inspections. Businesses which are in scope of the FHRS, predominantly those selling any form of high risk food capable of supporting the growth of pathogenic bacteria, are given a rating as follows;

Food Hygiene Rating	Description
5	Hygiene standards are very good
4	Hygiene standards are good
3	Hygiene standards are generally satisfactory
2	Some improvement is necessary
1	Major improvement is necessary
0	Urgent improvement is necessary

Ratings are published on the FSA National website; <https://ratings.food.gov.uk/> and businesses are given a sticker with their rating on, which they should display in a prominent place such as their door or window. In Wales and Northern Ireland display of the sticker is mandatory, however, this is not yet the case in England.

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- 1.3 Each year the Environmental Health Service drafts a Food Safety Service Plan which sets out the number of inspections completed, as well as other food related official controls such as complaint investigations, infectious disease investigations and sampling undertaken.

Every month, the number of inspections completed is reported in Woking Borough Council's Green Book and each quarter the number of 5, 4 and 3 rated premises as a percentage of total rated premises is reported in the Green Book.

2.0 Food Hygiene Inspections

- 2.1 During an inspection the officer will observe practices being used by staff, check the cleanliness and structure of the food preparation and storage areas, look at how food safety is being managed, examine temperature control of food, pest control, waste facilities, staff personal hygiene and staff training. Officers carrying out inspections must be suitably qualified, competent and authorised in accordance with the Food Law Code of Practice.
- 2.2 Once the inspection has been completed we give a risk rating score based on the type of food and method of handling, for example, a manufacturer of food of animal origin is a higher risk than restaurants or caterers, which in turn would be a higher risk than a retailer. Risk scores are also given for method of processing, for example, high risk activities which result in an extra score awarded may include; restaurants that serve burgers that are less than thoroughly cooked, premises that produce sushi, sashimi, fish and meat carpaccio, sous-vide cooking, biltong, fermented meats and vacuum packing. We also look at numbers of consumers at risk, that is, does the food get sold locally or distributed nationally / internationally. Additional scores may be given if the business serves food intended specifically for vulnerable groups, such as under 5 year olds, residential care accommodating over 65 year olds, nursing homes or hospitals.

Finally we score on conditions found at the time of the inspection; (i) levels of compliance on food hygiene and safety, (ii) levels of compliance on structure and cleanliness, and, (iii) confidence in management including food safety management, track record and attitude of management towards food safety.

- 2.3 All of the elements described in 2.2 above including conditions found at the time of the inspection, provides the risk rating score (A – E). Only the conditions found at the time of the inspection (i) – (iii) in the above paragraph, are used to determine the FHRs score (0 – 5). Appendix 1 shows the risk rating form completed after each inspection, giving a description of the scores making up the risk rating score and the FHRs score.
- 2.4 An inspection report form is completed following each inspection (see Appendix 2), which outlines all the areas the inspector has looked at during the visit. As a result, the inspecting officer has a number of official food control options available;
- Where there are a few minor non-compliances they may be highlighted within the report, which is completed at the time of the visit and a copy left on site (or sent shortly afterwards). Any outstanding legal contraventions are checked at the next inspection or other visit to the business.
 - Where there are non-compliances of a more serious nature these may also be outlined in the inspection report form and a date for a revisit to check compliance is advised. Alternatively it may be more appropriate to write a formal letter following the inspection which advises the food business operator (FBO) what non-compliances have been found, the action expected and by when it must be done. A revisit date will be given.
 - It may be necessary to serve Hygiene Improvement Notices (HIN's) where an inspection or revisit has been carried out but the actions required have not been

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implemented. This may be appropriate straight away where the FBO has a poor track record of compliance and / or it is felt that compliance will not be achieved informally.

- If the inspector finds an 'imminent risk to health', then a Hygiene Emergency Prohibition Notice (HEPN) will be served. Examples of an imminent risk to health include; an active pest infestation which is not being controlled or treated, a blocked drain causing raw sewage to contaminate the kitchen, no water available on site, very poor levels of cleanliness and a combination of poor practices such as temperature controls and cross contamination, which present a high risk of unsafe food being sold to the public. If a HEPN is served the business has to close immediately and the Council has to apply to the court within 3 days to convert the HEPN into a Hygiene Emergency Prohibition Order (HEPO) or a 'declaration', whereby the food business is allowed to re-open before the court converts a HEPN to a HEPO and the court declares that the Council acted appropriately.
- FBO's may be prosecuted for food hygiene offences, particularly where a HEPN or HEPO has been served, a HEPN or HEPO is served and ignored, ie, the business opens when it is not allowed to or where HIN's are not complied with within the specified timescale.
- As part of our official food controls we may also take food samples, seize food, food equipment or food documentation, prohibit part of a food process or prohibit use of equipment.

2.5 To check compliance with any official control an officer will return to the business and carry out a revisit. After a revisit the business is deemed compliant if satisfactory improvements have been made, or further formal action may be required if compliance is not achieved. Either way, the food business is not re-rated at this point. The risk rating (A-E) and the FHRS rating (0 – 5) remains the same after a revisit to check compliance.

3.0 Food Hygiene Rating Scheme (FHRS)

3.1 The food hygiene rating (0 – 5) can only be given to food businesses which fall within the scope of the scheme and are only given after a full food hygiene inspection is completed. The rating is based on the scores awarded for levels of compliance of food hygiene and safety, levels of compliance on structure and cleanliness, and confidence in management – all determined at the time of the inspection.

3.2 Once a rating is given the FBO may appeal that rating or they may have a 'right to reply' to their rating, which means they can write on the national website and state reasons why they were awarded a score that is not a 5 rating. An appeal means that another officer is asked to review the findings of the inspection to determine whether the rating is fair or not. Since the introduction of the FHRS, Woking Borough Council have issued one 'right to reply' and investigated one appeal, which means the vast majority of FBO's agreed with the rating they were awarded.

3.3 Should a FBO feel that they have made the required improvements to the business following their food hygiene inspection and FHRS rating, they may request a 're-inspection'. There is a charge for this of £150.00 and a complete full inspection is completed, which is necessary in order for a new risk rating (A – E) and hence food hygiene rating (0 – 5) to be awarded. This is different to a revisit to check compliance, which is where the officer only returns to check actions as a result of an inspection and is free of charge and will not result in a new risk rating or food hygiene rating. This therefore sometimes results in a food business appearing to have a poor rating on the website for some time. It is likely that an inspector has carried out a revisit to check compliance, however, the FBO hasn't requested a re-inspection, and will therefore have the poor rating until the next programmed full inspection becomes due.

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- 3.4 It is possible for a food business to have a 0 rating but not be closed down. To close a business we would need to consider there is an imminent risk to health and serve a HEPN, as explained in 2.4 above. A 0 rating may be given though because of major non compliances that are very serious but don't amount to an imminent risk to health.

4.0 Current Position

- 4.1 Over the previous couple of years there have been a number of Freedom of Information requests and subsequent press enquiries / press releases about food premises with low food hygiene ratings.
- 4.2 Within the Environmental Health team we have 4 Environmental Health Officers who are competent to carry out the full range of official food duties, alongside other duties in health and safety and environmental protection.
- 4.3 In 2017/18, 408 inspections were carried out, 113 food complaints were investigated and 42 food samples taken. The current percentage of broadly compliant food premises (those rated 3, 4 and 5) is 97% and of the few that are not compliant we will use the most appropriate enforcement action. A table is provided in Appendix 3 showing the current number and type of establishments in each rating category.
- 4.4 We have prosecuted one food business in recent years (July 2017) and served 7 HEPN's from 1st April 2017, to date.

5.0 Implications

Financial

- 5.1 There are no financial implications as a result of this report.

Human Resource/Training and Development

- 5.2 Authorised officers carrying out official food controls are required to maintain a minimum of 10 hours food related Continuing Professional Development each year.

Community Safety

- 5.3 Providing the food safety service contributes to the protection of public safety of residents and visitors to the Borough. Whilst carrying out food official controls, officers are able to also identify matters of concern relating to health and safety and licensing.

Risk Management

- 5.4 There are no risk management implications in this report.

Sustainability

- 5.5 There are no sustainability implications in this report.

Equalities

- 5.6 Food business operators within the Borough represent a diverse range of cultures providing a varied selection of cuisine and culinary traditions. Where necessary officers will seek assistance from translation services, particularly where enforcement action may be appropriate.

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Safeguarding

5.7 There are no safeguarding implications in this report.

6.0 Conclusions

6.1 It is a statutory function of the Council to provide a food safety service including the inspection of food businesses within the Borough and any other official food controls. Legislation and mandatory guidance determines the inspection programme and the FHRS regime, and the Council is required to provide an annual return reporting on the official controls undertaken throughout the year.

6.2 As reported in the annual Food Safety Service Plan there are high demands on Woking Borough Council's Food Safety Service, but we successfully meet inspection targets and carry out a full range of enforcement actions and official controls to protect public safety.

REPORT ENDS

FOOD HYGIENE INSPECTION RATING

Premises Name :	
Address :	
Date of Inspection :	Officer :

Premises Code: **FO1** Primary Producer **FO2** Manufacturers & Packers **FO3** Importers / Exporters **FO5** Distributors / Transporters **FO6A** Supermarket / Hypermarket **FO6B** Small Retailer **FO6C** Retailer – other **FO7A** Restaurant / Café / Canteen **FO7B** Hotel / Guest House **FO7C** Pub / Club **FO7D** Take-Away **FO7E** Caring Premises **FO7F** School / College **FO7G** Mobile Food Unit **FO7H** Restaurants & Caterers - other

FHRS Code: In Scope Sensitive Exempt Excluded Included & Private
Exempt & Private

Please refer to COP Annex 5 for complete descriptions

Type of Food and Method of Handling	Score
Manufacture high risk (HR) foods. Packers who re-wrap or re-pack HR foods	40
Preparation, cooking or handling open high risk foods by caterers & retailers	30
Handling pre-packed HR foods. Caterers preparing HR food serving <20 meals/day. Wholesalers / distributors not included above. Manufacturers / packers of low risk foods. Filleting or salting of fish for retail sale to final consumer	10
Retail handling low risk foods	5
Method of Processing	[20 only allocated once]
Canning or aseptic packing of low-acid food, vacuum / sous-vide packing, manufacture of cook/chill food, ie cooked and prepared meals or foods which may be eaten cold or after reheating (simple reheating of cook/chill meals is excluded), fermentation of meats eg sausage, salami, air drying eg biltong, jerky, freeze drying, addition of salt and / or other preserving agents, cooking and cooling of meat products prior to service eg. production of hams by retailers including butchers, establishments that manufacture, prepare or serve high risk uncooked or lightly cooked ready to eat food of animal origin – steak tartare and other raw meat dishes, fish and and meat carpaccio, types of sushi or sashimi, ceviche and burgers intended to be eaten rare or undercooked through controlled procedures	20
Any other case not included above	0
Consumers at Risk	
Manufacturer, distribution, packing or wrapping nationally or internationally	15
Substantial number of customers, e.g. superstore, including from outside local area. Manufacturers not included above	10
	5

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Businesses whose customers living, staying, working in local area eg. high street or corner shop	0
Less than 20 consumers each day	22
Vulnerable Groups (<5 or >65, sick or immunocompromised people)	0
Service of high risk food where more than 20 in a vulnerable group	
Any case not included above	
Food Hygiene and Safety (practice and procedures, temperature control)	25
Almost total non-compliance with statutory obligations	20
General failure to satisfy obligations, standards generally low	15
Some major non-compliance, more effort required to prevent fall in standards	10
	5
Some non-compliance, standards being maintained/improved	0
High standard of compliance, minor contraventions	
High standard of compliance, evidence of good practice	
Structural (including cleanliness, layout, condition, lighting ventilation, etc)	25
Almost total non-compliance with statutory obligations	20
General failure to satisfy obligations, standards generally low	15
Some major non-compliance, more effort required to prevent fall in standards	10
	5
Some non-compliance, standards being maintained/improved	0
High standard of compliance, minor contraventions	
High standard of compliance, evidence of good practice	
Confidence in Management/Control Systems	
Poor track record of compliance. Little or no technical knowledge. Little or no appreciation of hazards or quality control. No food safety management system. Manager does not recognise or accept the need for food safety and hygiene controls	30
	20
Significantly varying record of compliance. Poor appreciation of hazards and control measures. No food safety management system. Reluctance in recognising and accepting need for procedures	
	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 documented food safety management system/procedures commensurate with type of business. NB: 'Making progress' can only be considered appropriate once – if at next intervention food safety management procedures are no satisfactory the score of 10 is not appropriate.	5
	0
Good record of compliance. Technical advice available in-house or access to and use of technical advice from a PA, trade associations and/or from Guides to Good Practice. Have effective self checks with satisfactory	

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<p>documented procedures. Audit by Food Authority confirms general compliance with documented system.</p> <p>Excellent record of compliance. Access to technical advice or manager knowledgeable and competent. Pro-active and ability of self regulation. Has satisfactory documented food safety management system commensurate with type of business, which may be subject to external audit process. Audit by Food Authority confirms compliance with documented procedures with few minor non-conformities not identified in the system as critical control points.</p>	
<p>Significant Risk of (incident likely to occur) Cl.botulinium, E.coli O157, other VTEC, Salmonella, B cereus Any other case not included above</p>	20 0
	Total :

Entered on Caps: Officer :	Date :	Revisit Due :
Status : NFA	WW	IFSA
	IN	Change Of Risk Rating :

Food Hygiene Rating Scheme Score :						
Annex 5 scores	0 - 15	20	25 - 30	35 - 40	45 - 50	> 50
Additional scoring factor	No score > 5	No score > 10	No score > 10	No score > 15	No score > 20	-
Food hygiene rating	5	4	3	2	1	0
Descriptor	Very good	Good	Generally satisfactory	Improvement necessary	Major improvement necessary	Urgent improvement necessary
FHRS Rating Given :						

Comments / Notes: