
**Meeting of the Executive Member for
Neighbourhood Services and Advisory Panel**

6 December 2007

Report of the Director of Neighbourhood Services

THE IMPLEMENTATION OF A FOOD HYGIENE 'SCORES ON THE DOORS' SCHEME

Summary

1. The purpose of this report is to seek members approval to the introduction of a food hygiene 'scores on the doors' scheme.

Background

2. Scores on the doors (SOTD) is an initiative that allows members of the public to access certain information gathered during food hygiene inspections, potentially allowing them to gain information about the standards of hygiene within a particular food premise.
3. Food hygiene inspections of commercial premises (e.g. restaurants, clubs and pubs) is a statutory duty under the Food Hygiene (England) Regulations 2006. Inspections are carried out on a regular basis by officers from the food and safety unit. The main purpose of these inspections is to assess compliance with food hygiene legislation. Inspections are also used as an opportunity to educate and advise business operators. The Food Standards Agency (FSA) monitors and assesses the performance of local authorities and how they deliver their food law functions.
4. Following a food hygiene inspection the premise is risk rated by scoring the business on several criteria. Scores cover matters that are in the direct control of the business and also other matters that reflect the nature of the business, but are beyond the influence of the business (e.g. serving vulnerable customers).

The matters in the direct control of the business include:

- food hygiene and safety procedures (e.g. food handling practices and procedures, such as temperature control).
- structure of the establishment (e.g. cleanliness, layout, condition, lighting, ventilation, facilities).

- confidence in management (e.g. track record of the business, the attitude of the management to food safety, whether documented food safety management systems are in place/being maintained).
5. The score from the risk rating determines the frequency of food hygiene inspections.
 6. Where requested, councils are required to make available inspection information under the Freedom of Information Act 2000 (FOI) and the Environmental Information Regulations 2004. This inspection information can take time to gather, which means that it is not instantly accessible to members of the public or other interested parties.

Score on the Doors Schemes

7. One way of making this information widely and freely available is to operate a SOTD scheme.
8. As explained at paragraph 4, information is gathered during food hygiene inspections and is used to risk rate premises. Under the SOTD scheme, the elements of the risk rating that are in the control of the food business are then used to give the premises an overall score. This score is then converted into a “star” rating, to help the public easily understand how well the business is complying with food safety requirements.
9. These “star” ratings are then published on a web site that is available to the general public, allowing them to potentially make an informed decision about how well the business is complying with food safety law. Research by Which? Magazine highlighted that over 90% of consumers wish to view this type of information online. Some schemes operate such that the local authority also provide the businesses with a certificate showing the star so rating that they can display this in their premises.
10. The adoption of SOTD schemes by local authorities is becoming widespread and there is more awareness that people are entitled access to the information gathered during food hygiene inspections. Dealing with individual FOI requests can be a significant drain on limited officer resources. It is anticipated that by publicising the results of food hygiene inspections, the demand for FOI requests will diminish, as most information will be readily available in the public domain.
11. Another important benefit of SOTD is that it encourages businesses to maintain and improve food hygiene.
12. Premises that are already operating to a high standard, are fully compliant with food hygiene legislation and implement good practice are given a high score. This has a number of potential benefits for the business, including raising their profile, earning a good reputation, generating customer confidence and potentially increasing their custom.

13. Conversely, it provides an incentive for less compliant businesses to improve their standards and in turn achieve a higher rating. Otherwise they run the risk of bad publicity, and less custom.
14. For these reasons, once the SOTD scheme is implemented, it is anticipated that businesses will become more self-regulating and meet their legal obligations under food hygiene legislation (meeting a 'broadly compliant' standard – see paragraph 15), without the need for additional interventions from the local authority.
15. This is important, as next year the FSA is proposing to change the way it monitors and assesses the performance of local authorities and how councils deliver their food law functions. Local authorities will be assessed on the number of food businesses in their area that are 'broadly compliant' with food hygiene legislation. The number of 'broadly compliant' premises will also be a performance indicator under government's new performance framework for local authorities Performance Assessment to be introduced in 2008/09.
16. As food businesses start to self regulate more, it is anticipated that this will enable officer time to be better focussed at improving standards rather than undertaking routine low risk, but statutory, inspections. Officers will be able to provide more assistance to high risk businesses and those that require guidance and advice, and also target those food premises that fail to meet minimum food safety standards.
17. The fundamental purpose of food hygiene inspections is to protect public health by reducing the likelihood of food borne illness. A SOTD scheme was introduced in Los Angeles County in 1998. Research was undertaken that looked at the number of local hospitalisations from food-borne illness. During the first year of the scheme, there was a 13% drop in the number of cases, which was sustained for the next two years of the study.
18. The FSA and Chartered Institute of Environmental Health (CIEH) fully support the implementation of SOTD. Feed back from a recent FSA evaluation workshop found that local authorities that already operate SOTD schemes are positive about the schemes and are confident that they are delivering worthwhile and cost-effective benefits.
19. There are other pressures to implement SOTD. Within the region, West and South Yorkshire already operate SOTD schemes. The Food and Safety Unit are also receiving an increasing number of enquiries about SOTD from members of the public, food businesses and organisations such as the Tourist Board.

Legislative requirements

20. Councils are required to make available inspection information under the Freedom of Information Act 2000 and The Environmental Information Regulations 2004 when requested.

21. This information takes time to gather, which means that the information is not instantly accessible to members of the public or other interested parties. The advantage of a SOTD scheme is that it allows public to access most of this information, without any time delays.
22. Many local authorities across the country are already using SOTD and there are a variety of schemes in use (e.g. different rating schemes).
23. To date the FSA has not endorsed or recommended any one approach. However, it has recently embarked on an evaluation exercise of SOTD and is expected to recommend a nationwide scheme by March 2008.

Implementation

24. There are a number of stages involved in the implementation of a SOTD scheme, from ensuring an accurate database of information, through to the maintenance of the scheme once it is in operation.
25. North Yorkshire local authorities have agreed to implement the FSA preferred scheme to ensure consistency across the county. It is anticipated that the scheme could be launched in York in April 2008.
26. Regardless of which SOTD solution is chosen, links to the relevant website will be placed on the council's website. We will also raise public awareness of the scheme through advertising and other promotional campaigns nearer to the launch date. It is anticipated that we will also get the support of other important partners, such as The Tourist Board.
27. York has in the region of 1800 food businesses, ranging from small retailers and home caterers, through to manufacturing sites. A decision has to be made on whether to include all, or only some types of premises as part of the scheme. It is expected that this decision will be made in conjunction with the other North Yorkshire Authorities.
28. Decisions also need to be made across North Yorkshire regarding several other factors such as whether to re-rate premises (e.g. where they have made improvements after receiving a low score) and the banding of star ratings (i.e. what score equates to how many stars).
29. As part of the SOTD scheme, it is possible to issue certificates to premises. These will be used in York as they are particularly important for such a popular tourist destination. The certificates will help visitors, and residents, readily identify those premises with a good score. However, it will not be compulsory to display the certificates.
30. It is planned that inspections carried out since January 2006 will be included in the scheme. This date has been chosen as new food legislation came into force on this date and the risk rating was amended (earlier scores are not compatible with the SOTD scheme).

31. When the scheme goes live, members of the public will be able to access ratings for those premises inspected since 1 January 2006. Data from inspections after the launch will be uploaded on the website on a regular basis to ensure the information available is up to date.
32. Prior to the launch of the SOTD scheme there are a number of tasks that need to be undertaken these include:
 - Data cleansing – This will involve a review of premises data and risk ratings relevant to the SOTD scheme, to ensure its accuracy.
 - Policy – A number of areas need to be decided upon, such as the bandings to be used. This is currently being undertaken as a North Yorkshire exercise to ensure consistency across the county.
 - Informing businesses about SOTD - This would include writing to businesses with information on the SOTD scheme.
 - Publicity campaign - For SOTD to be effective, it needs to be widely used. Publicity will be used to raise awareness of the scheme and to encourage its use, thereby helping it to deliver on the objectives previously outlined. It is also anticipated that a formal launch event of the SOTD scheme would be held.
33. Once the SOTD scheme is operating, minor maintenance will be required. This would include the regular uploading of recent food hygiene inspection scores to the web site.
34. The costs to implement and maintain a SOTD scheme can be met within existing resources.

Consultation

35. Consultation on the implementation of a SOTD scheme is being carried out with the other North Yorkshire local authorities. Many are keen to implement a SOTD scheme and a number hope to launch at the same time as York.
36. The York Hospitality Association (YHA) has been made aware of the proposal to implement a SOTD scheme. Should implementation of the scheme be approved, YHA have agreed to assist in raising awareness and understanding of the scheme through their membership newsletter.

Options

37. There are two options for members to consider:

Option 1

Approve the implementation of a food hygiene SOTD scheme within York.

Option 2

Not approve the implementation of a food hygiene SOTD scheme within York.

Analysis

38. As previously mentioned, implementation of a SOTD scheme has several benefits, including:
- Enabling customers to be informed about a premises compliance with food hygiene legislation.
 - Improving food safety in businesses, with less routine intervention from the local authority
 - Officers will be able to dedicate more time to help food businesses and deal with food businesses that fail to meet minimum standards
 - Reducing the number of cases of food borne illness
 - Reducing the number of FOI requests
39. Not approving the implementation of a SOTD scheme will be a missed opportunity to implement a simple and cost effective way of improving food safety in York.

Corporate Priorities

40. The SOTD scheme has the potential to impact upon a number of the council's corporate priorities and values:
- Improving the health and lifestyles of the people who live and work in York.
 - Delivering what our customers want.
 - Encouraging improvement in everything we do.

Implications

41. The implications of the recommendations in this report are as follows.
Financial
42. There are no financial implications associated with this report and SOTD can be delivered within existing resources.

Human Resources (HR)

43. There are no HR implications.

Equalities

44. There are no equalities implications.

Legal

45. The council is legally required to provide inspection data and associated documentation if requested. Providing this data through a SOTD scheme does not breach data protection legislation.

Crime and Disorder

46. There are no crime and disorder implications.

Information Technology (IT)

47. There are no IT implications.

Property

48. There are no property implications.

Other

49. There are no other implications.

Risk Management

50. There are no anticipated risks arising from the implementation of a SOTD scheme.

Recommendations

51. That the Advisory Panel advises the Executive Member to note the contents of this report, and to approve the implementation of a scores on the doors scheme.

Reason: To empower consumers, whilst also improving levels of compliance with food safety legislation in a cost effective and efficient manner.

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Report Approved

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Specialist Implications Officer(s)

There are no specialist implications.

Wards Affected:

All

For further information please contact the author of the report.

Background Papers

There are no relevant background papers.

Annexes

None.