

# WIRRAL COUNCIL

## CABINET

21JULY 2011

<b>SUBJECT:</b>	<b>FOOD STANDARDS AGENCY NATIONAL FOOD HYGIENE RATING SCHEME</b>
<b>WARD/S AFFECTED:</b>	<b>ALL</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF LAW, HR, &amp; ASSET MANAGEMENT</b>
<b>RESPONSIBLE PORTFOLIO HOLDER:</b>	<b>COUNCILLOR BRIAN KENNY</b>
<b>KEY DECISION?</b>	<b>YES</b>

### **1.0 EXECUTIVE SUMMARY**

- 1.1 This report is to seek Member approval to implement the Food Standards Agency National Food Hygiene Rating Scheme. The report explains how the scheme operates, how it will help give consumers more choice and how it will encourage businesses to improve food hygiene standards in their premises.

### **2.0 RECOMMENDATIONS**

- 2.1 That members approve the implementation of the scheme in the Wirral area.

### **3.0 REASONS FOR RECOMMENDATIONS**

- 3.1 The implementation of the scheme in Wirral will provide the benefits to consumers and Council objectives as in paragraphs 6.0 and 8.0.

### **4.0 BACKGROUND AND KEY ISSUES**

- 4.1 The National Food Hygiene Rating Scheme (NFHRS) is a local authority/ Food Standards Agency (FSA) partnership initiative which is key to the FSA's strategic objective to improve food safety.
- 4.2 As part of the scheme restaurants, takeaways, cafés, sandwich shops, pubs, hotels, supermarkets and other retail food outlets, as well as other businesses where consumers can eat or buy food, are given a hygiene rating based on the hygiene standards found at the time the premises are visited by food safety officers inspecting for compliance with legal requirements. At the time of the proposed launch in

November 2011 there will be approximately 1400 premises to be included in the scheme.

- 4.3 Consumers will be able to access ratings at [food.gov.uk/ratings](http://food.gov.uk/ratings) and businesses will be encouraged to display stickers and certificates showing their rating at their premises. The scheme will help consumers choose where to eat or shop for food by giving them key information about the standard of the food business and will encourage low scoring businesses to improve.
- 4.4 The overarching aim is to reduce the incidence of food-borne illness and the associated costs to the economy. Around one million people suffer from food poisoning every year at an estimated cost to the economy of £1.5 billion (source Food Standards Agency template NFHRS briefing – revision 2 – March 2011).
- 4.5 There are six hygiene ratings on a simple numerical scale ranging from '0' (urgent improvement necessary) at the bottom to '5' (very good) at the top. The ratings explained in more detail are:
- 5 very good
  - 4 good
  - 3 generally satisfactory (which means broadly compliant with the law)
  - 2 improvement necessary
  - 1 major improvement necessary
  - 0 urgent improvement necessary

## **5.0 BROAD COLLABORATIVE DEVELOPMENT AND SUPPORT**

- 5.1 The NFHRS was developed collaboratively through a Steering Group involving local authorities, Local Government Regulation, the Chartered Institute of Environmental Health, consumers, the food industry, the Better Regulation Executive and the Local Better Regulation Office. The distinctive NFHRS branding is based on the findings of research with consumers about what they find easiest to understand and use.
- 5.2 The FSA has an on-going programme for developing the IT platform set up for publishing ratings to ensure that it has the functionality needed by local authorities and is as easy as possible for consumers to use. The scheme, which was launched formally in November 2010, is backed by the Government and the aim is that it will be up and running in all local authorities in England, Wales and Northern Ireland in time for the 2012 Olympics and Paralympics.
- 5.3 In the Rt Hon Lord Young's report "Common Sense Common Safety" presented to the government in October 2010 and ratified in this year's budget speech, he stated that -

**'This autumn the Food Standards Agency (FSA), in partnership with local authorities, is launching a national scheme called the Food Hygiene Rating Scheme, where the result of each inspection is classified between 0 and 5 and made available to the public. I strongly support the work that is being done by the FSA, as I believe that such a scheme should be deployed on a national basis. Although I welcome the move to introduce greater local decision making and accountability in public services, in this case I believe that consistency is essential for this approach to be effective. A mandatory national food hygiene rating scheme will deliver the maximum benefit to consumers and minimise the costs to businesses, so this single scheme must be rolled out across all local authorities.'**

- 5.4 The Department for Works and Pensions Common Sense Common Safety – progress report March 2011 states that

'Mandatory local authority participation in the Food Hygiene Rating Scheme (FHRS) where businesses serving or selling food to the public will be given a rating of 0 to 5 which will be published in an online database. (Requires primary legislation)

- 5.5 Local authorities began to roll out the FHRS on a voluntary basis from 1 October 2010 – 40% of authorities in England are expected to adopt the scheme by end June 2011. Food safety is a devolved matter so the recommendations relate to England only. With a view to ensuring the Scheme's adoption by the remaining authorities, before the 2012 Olympics/Paralympics, FSA is actively seeking opportunities to introduce legislative proposals mandating local authority participation in the scheme.
- 5.6 Additionally, Department Communities and Local Government's Secretary of State wrote to the Local Government Association on 26 January 2011 adding his support to that of Lord Young for the FHRS and encouraging local authorities – in advance of any legislation – to ensure information on food hygiene standards features among the data sets made available to local people'.
- 5.3 Increasing numbers of local authorities are committing to the initiative and, by the end of June, it is anticipated that around 170 authorities will be operating it in their areas.

## **6.0 BENEFITS OF NATIONAL FOOD HYGIENE RATING SYSTEMS**

- 6.1 Local authorities operating their own 'local' food hygiene rating schemes have found them to be successful in encouraging businesses in their areas to improve hygiene standards. Introducing a single scheme operating in England, Wales and Northern Ireland will help to bring consistency for businesses and clarity for consumers across local authority boundaries.

- 6.2 The single national scheme will mean that consumers will be able to compare like for like wherever they are and businesses will have the reassurance that they are being treated fairly and consistently with regard to their local, regional and national competitors.

## **7.0 FOOD STANDARDS AGENCY SUPPORT**

7.1 The FSA are supporting the scheme by

1. providing a free software platform (with helpdesk support) for publishing ratings,
2. covering the cost of certificates and stickers for businesses and
3. providing grant funding for local authorities adopting the scheme in 2011/12 to cover the costs of preparatory activities necessary prior to launch.

Wirral successfully bid for and received £10,922.43 towards the additional costs incurred informing all local businesses of the scheme, undertaking file/database checks and database cleansing activities and carrying out scoping checks.

7.2 The Agency has organised and funded consistency training for local authority food safety officers and is also working with local authorities to promote the scheme locally to raise awareness among consumers and businesses and they will also promote the scheme on a national basis.

## **8.0 THE BENEFITS TO LOCAL CONSUMERS AND LOCAL BUSINESSES**

8.1 The scheme will help consumers to make informed choices about where to eat out or shop for food and to easily compare one business with another within their local area and further afield.

8.2 The scheme will provide a competitive incentive to businesses to improve standards. Good food hygiene ratings will be good for business. Poor food hygiene ratings will make customers think twice. Any improvements businesses need to make to achieve a higher rating are no more than would already be required of them by good practice within current intervention standards.

## **9.0 RELEVANT RISKS**

9.1 The adoption on the NFHRS presents the following opportunities:

9.1.1. It allows Wirral to participate in a national scheme that is being endorsed by the Government.

9.1.2 By helping to reduce the incidence of food poisoning in the Borough the NFHRS will contribute to the Council's objective of improving the health and wellbeing for all.

9.1.3 Encouraging local businesses to raise standards should help increase their client base and contribute to the Council's objective to create more jobs and achieve a prosperous economy.

9.2 Adoption of the scheme will also support the Local Better Regulation Office Department for Business, Innovation and Skills 5 Draft Regulatory Outcome Priorities of:

- Helping people live healthier lives by preventing ill health and harm and promoting public health.
- Ensuring a safe healthy and sustainable food chain for the benefit of consumers.
- Supporting enterprise and economic growth by ensuring there is a fair, responsible and competitive trading environment.

9.3 No significant risks have been identified

## **10.0 OTHER OPTIONS CONSIDERED**

10.1 The Food Standards Agency (FSA) has provided a scheme developed through research for which Wirral has been a partner and was allocated financial support for implementation. Prior to the FSA scheme, some other local authorities have implemented other systems to make public the results of inspections of food premises. However, the new FSA scheme is set to become the standard and has the support of the Government.

## **11.0 CONSULTATION**

11.1 To inform all Food Business Operators that Wirral was considering introducing the National Food Hygiene Rating Scheme a letter and guidance booklet was sent to all relevant food businesses in February 2010.

## **12.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS**

12.1 The NFHRS will apply to the majority of the food premises within Wirral. It does not differentiate between premises being run by voluntary, community or faith groups.

### **13.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS**

- 13.1 Implementation of the scheme has been scheduled around the Food Safety Divisions existing planned food hygiene intervention programme in order to minimise any additional burden on the Food Safety Team.
- 13.2 Food businesses will have opportunity to request a new rating when any recommended improvements have been made (this safeguard is essential if the scheme is to be legally robust). Officer revisits to re-assess the business are likely to be outside of any planned intervention programme and this is likely to have an initial resource impact depending on the level of demand. The FSA have given a commitment to keeping this matter under close review and may recommend a revision of procedures as necessary.

### **14.0 LEGAL IMPLICATIONS**

- 14.1 There are none arising directly out of this report.

### **15.0 EQUALITIES IMPLICATIONS**

- 15.1 To ensure all businesses are treated equally and fairly Officers will refer to FSA guidance when risk rating premises. All officers have undertaken consistency training.
- 15.2 Discussions have taken place with Wirral Multi cultural centre with a view to training and coaching to be made available to any groups of people exhibiting a disproportionately number of low rating scores.
- 15.3 Equality Impact Assessment (EIA)

(a) Is an EIA required? - No as there is no relevance to this report.

### **16.0 CARBON REDUCTION IMPLICATIONS**

- 16.1 There are none arising directly out of this report.

### **17.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS**

- 17.1 There are none arising directly out of this report.

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### **APPENDICES**

**None**

## **REFERENCE MATERIAL**

Common Sense, Common Safety – progress report, Department for Work and Pensions, March 2011.