

Introduction to FCRS (England)



A webinar presented by:

Dr Andy Bowles

Attendee Notes

 **Food Law**

Introduction to the FCRS (England)

Dr Andy Bowles



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This webinar will consider

Introduction

Scope

Brand Standard

Operation of FCRS

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Introduction to the FCRS

Introduction

Scope

Brand Standard

Operation of FCRS

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Introduction

■ Food Hygiene Rating Scheme

- ❑ Voluntary
- ❑ FSA/LA Partnership

■ Wales/NI

▪ Mandatory scheme



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Purpose of FHRs

■ Allow

- ❑ consumers to make informed decisions
 - About where they choose to eat

■ Encourage

- ❑ improved standards

- Reduce

□ food poisoning



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Food Hygiene Rating Scheme

■ Six tier

- ❑ “5” = Very good level of legal compliance
- ❑ “3” = Generally satisfactory
- ❑ “0” = Urgent improvement necessary



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Provision of information

- Stickers
- Website



The image shows a screenshot of the Food Safety Agency website. At the top, there is a navigation bar with links for 'HOME', 'NEWS AND ALERTS', 'FOOD SAFETY AND HYGIENE', 'BUSINESS GUIDANCE', and 'ABOUT US'. Below this, a banner features the text 'FOOD HYGIENE RATING' and 'Food hygiene ratings'. A search bar is present with fields for 'Business name' and 'Street, town or postcode', and buttons for 'More search options', 'Use my current location', and 'Show results with map'. The main content area shows a blurred image of a food product.

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Main elements of FHRs

- Formal partnership agreement
- Brand Standard
 - Scope
 - Scoring
 - Notification
 - Appeals
 - Right to Reply
 - Reinspection



Food Standards Agency



FOOD HYGIENE RATING

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



Revision 6 – November 2018



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Food Hygiene Rating Scheme

- Rating based on Food Law Code of Practice
 - Hygiene Risk Rating
 - Chapter 5.6
 - Originally designed to determine intervention frequency
 - Also determines nature of intervention
 - Adapted for FHRS

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Chapter 5.6

Food law Code of Practice

- **Part 1: Potential Hazard**
 - ❑ A: Type of food method of handling
 - ❑ B: Method of processing
 - ❑ C: Consumers at risk
 - Vulnerable groups
- **Part 2: Level of current compliance**
 - ❑ Hygiene
 - ❑ Structure
- **Part 3: Confidence in management/control procedures**
 - ❑ Significant risk

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Introduction

Scope

Brand Standard

Operation of FTRS

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Scope

- Three categories of establishment:
 - Supply foods direct to consumers
 - Supply foods direct to consumers
 - Not rated due to specific circumstances
 - No supply of food direct to consumers



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Scope of Fhrs

- Establishments directly supply consumers:
 - caterers
 - restaurants, cafes, takeaways, sandwich shops, mobile traders,
 - other places where people eat food prepared/cooked/served outside of the home;
 - food retailers
 - supermarkets; and
 - establishments where public access is limited but where food is prepared, cooked, or handled and served to consumers,
 - schools, nurseries and residential care homes.



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Exemptions

- 'low-risk' establishments
 - which are not generally recognised by consumers as being food businesses.
 - **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 petrol stations with a retail element akin to such newsagents rather than a small supermarket);
 - **chemist shops**
 - selling only pre-packed confectionery and/or health foods; and off licences selling only drinks and wrapped goods.



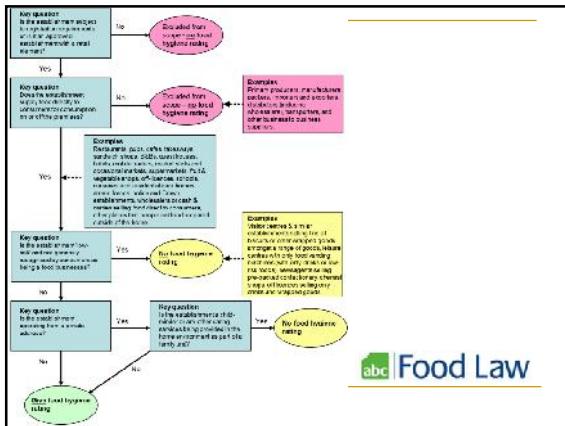
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Exemptions

- Certain establishments operating from private addresses
 - child-minders,
 - caring services provided in the home environment as part of a family unit



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Introduction to the FTRS

Introduction

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Brand Standard



Introduction
 Section 1: Formal partnership agreements
 Section 2: Scope
 Section 3: Scoring using the food hygiene intervention rating scheme set out in the Food Law Code of Practice
 Section 4: Mapping of intervention rating scores to the food hygiene rating
 Section 5: Notification of food hygiene ratings
 Section 6: Appeals
 Section 7: Right to reply
 Section 8: Requests for re-inspections/visits for re-rating purposes
 Section 9: Use of Food Hygiene Rating Scheme branding
 Section 10: Use of the Food Hygiene Rating Scheme IT platform
 Section 11: Establishing and operating a Consistency Framework
 Appendix 1: Sample partnership agreement between the Food Standards Agency and local authority
 Appendix 2: Standard template forms
 Appendix 3: Logos and stickers
 Appendix 4: Descriptors for ratings breakdown at food.gov.uk/ratings

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Operation of FTRS

- Scoring
- Mapping
- Notification
- Appeals
- Right to Reply
- Reinspection



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Scoring

- Rating only given after
 - Inspection, partial inspection or audit
 - Exception to this
 - Reinspection requested by FBO
 - Physical visit to premises
- Guidance on scoring
 - provided in Brand Standard

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Approach to scoring

- 1 • Breach of law?
 - Annex II, 852/2004
- 2 • Chapter 5.6
 - Food Law Code of Practice
- 3 • Brand Standard
 - As required

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Scoring

Description of the standards

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

Level of (current) compliance with food hygiene and safety procedures

Code of Practice - General guidance
The score should reflect compliance observed during the inspection according to the specific circumstances for each score.
In circumstances where the failure to comply involves both elements of the establishment's structure and procedures, this non-compliance should be reflected in the scores awarded for both 'Procedural' and 'Structural' factors.

Code of Practice - Specific guidance on score of 25

Almost total non-compliance with statutory obligations.

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Description of the standards

Description of what 25 might be expected to look 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.

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 cross-contamination, food kept out of temperature control, fridge not operating).

Failure to apply any of (i.e. all) the control measures required to prevent cross-contamination.

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.

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Gold plating

Code of Practice - 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 .						
*where a relevant code/ industry guide has been published.						
Description of what 0 might be expected to look 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.						
All necessary control measures in place to prevent cross-contamination.						
Safe food preparation, cooling, 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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Description of the standards 'at a glance'

Score	Standards	Significance	Compliance	Risk to public	FSAO action	LA action
19	Food handling, preparation, storage, display and service of food	Significant risk to public health. Failure to meet requirements could result in serious food safety issues.	No evidence of any food safety or hygiene controls in place to prevent cross-contamination. No evidence of any food safety or hygiene controls in place to prevent food safety issues.	No evidence of any food safety or hygiene controls in place to prevent cross-contamination. No evidence of any food safety or hygiene controls in place to prevent food safety issues.	Address all food safety and hygiene controls in place to prevent cross-contamination. Address all food safety and hygiene controls in place to prevent food safety issues.	In accordance with LA enforcement priority, consider follow-up action to include: a) food safety and hygiene controls in place to prevent cross-contamination; b) food safety and hygiene controls in place to prevent food safety issues.
20	Food handling, preparation, storage, display and service of food	Significant risk to public health. Failure to meet requirements could result in serious food safety issues.	No evidence of any food safety or hygiene controls in place to prevent cross-contamination. No evidence of any food safety or hygiene controls in place to prevent food safety issues.	No evidence of any food safety or hygiene controls in place to prevent cross-contamination. No evidence of any food safety or hygiene controls in place to prevent food safety issues.	Address all food safety and hygiene controls in place to prevent cross-contamination. Address all food safety and hygiene controls in place to prevent food safety issues.	In accordance with LA enforcement priority, consider follow-up action to include: a) food safety and hygiene controls in place to prevent cross-contamination; b) food safety and hygiene controls in place to prevent food safety issues.

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Description of the standards 'at a glance'

Score	Standards	Significance	Compliance	Risk to public	FSAO action	LA action
15	Food handling, preparation, storage, display and service of food	Significant risk to public health. Failure to meet requirements could result in serious food safety issues.	No evidence of any food safety or hygiene controls in place to prevent cross-contamination. No evidence of any food safety or hygiene controls in place to prevent food safety issues.	No evidence of any food safety or hygiene controls in place to prevent cross-contamination. No evidence of any food safety or hygiene controls in place to prevent food safety issues.	Address all food safety and hygiene controls in place to prevent cross-contamination. Address all food safety and hygiene controls in place to prevent food safety issues.	In accordance with LA enforcement priority, consider follow-up action to include: a) food safety and hygiene controls in place to prevent cross-contamination; b) food safety and hygiene controls in place to prevent food safety issues.
16	Food handling, preparation, storage, display and service of food	Significant risk to public health. Failure to meet requirements could result in serious food safety issues.	No evidence of any food safety or hygiene controls in place to prevent cross-contamination. No evidence of any food safety or hygiene controls in place to prevent food safety issues.	No evidence of any food safety or hygiene controls in place to prevent cross-contamination. No evidence of any food safety or hygiene controls in place to prevent food safety issues.	Address all food safety and hygiene controls in place to prevent cross-contamination. Address all food safety and hygiene controls in place to prevent food safety issues.	In accordance with LA enforcement priority, consider follow-up action to include: a) food safety and hygiene controls in place to prevent cross-contamination; b) food safety and hygiene controls in place to prevent food safety issues.

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Description of the standards 'at a glance'								
Zone	Standards	Topics	Structure	QHSE	Competence	Regulatory	Implementation	
5	Key information to be provided to consumers about food products including calories and other nutritional information	Calories, vitamins, minerals, protein, fats, carbohydrates, and other substances present in the food product.	• Nutritional information • Product information • Safety information • Marketing information • Product specifications • Food information • Product information • Safety information • Marketing information • Product specifications • Food information	• Good hygiene practices • Safety practices • Quality practices • Marketing practices • Product specifications • Food information	Regulations produced by EC and EU member states Regulations produced by EC and EU member states			
6	All necessary information about food products including calories and other nutritional information	Calories, vitamins, minerals, protein, fats, carbohydrates, and other substances present in the food product	• Nutritional information • Product information • Safety information • Marketing information • Product specifications • Food information	• Good hygiene practices • Safety practices • Quality practices • Marketing practices • Product specifications • Food information	• Good hygiene practices • Safety practices • Quality practices • Marketing practices • Product specifications • Food information	• Good hygiene practices • Safety practices • Quality practices • Marketing practices • Product specifications • Food information	Regulations produced by EC and EU member states	

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Mapping of numerical scores from the intervention-rating scheme in the Food Law Code of Practice to the six FHRs food hygiene ratings						
Total intervention rating scores	0 - 15	20	25 - 30	35 - 40	45 - 50	> 50
Additional scoring factor	No individual score greater than 5	No individual score greater than 10	No individual score greater than 15	No individual score greater than 15	No individual score greater than 25	-
Food hygiene rating	0 0 1 0 2 3	0 0 0 1 2 4	0 0 0 3 2 0	0 1 2 3 0 0	0 1 3 2 0 0	0 0 3 0 0 0
Descriptor	Very good	Good	Generally satisfactory	Improvement necessary	Major improvement necessary	Urgent improvement necessary

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Mapping				
Individual intervention rating scores	Total intervention rating score	Highest score – additional scoring factor	Food hygiene rating	
5, 5, 5	15	5	5	
0, 5, 10	15	10	4	
5, 5, 20	30	20	1	

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Notification

- Notification of score to FBO

- ❑ In accordance with LA policy
 - At time of intervention
 - In writing within 14 days of intervention



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Notification

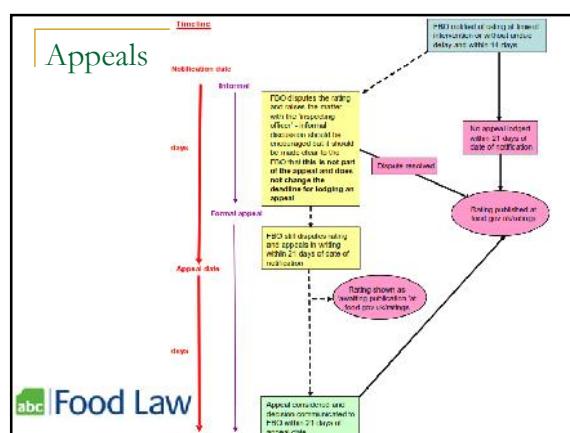
- Must notify FBO:

- ❑ Food hygiene rating and how this was determined
- ❑ Details of why the establishment was rated as it was
- ❑ In cases where the top rating has not been achieved,
 - ❑ actions needed to achieve legal compliance
- ❑ Details of when
 - ❑ food hygiene rating will be published at food.gov.uk/ratings
 - ❑ FBO will receive a sticker to voluntarily display at the establishment;
- ❑ In cases where the top rating has not been achieved:
 - ❑ details of the appeals process and the deadline
 - ❑ contact details for the 'inspecting officer' and Lead Officer for Food; and
 - ❑ a weblink to food.gov.uk/ratings

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Appeals



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Right to Reply

- FBOs have a right to reply',
 - local authorities must publish this at food.gov.uk/ratings together with the business's rating.
- Purpose
 - enables FBO to
 - Explain remedial actions that have been taken
 - Provide mitigation



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Reinspection

- Can be requested by FBO
 - In writing
 - Include details of corrective actions taken
- Reinspection
 - Normally after 3 months of initial intervention
- Charge can be made



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Summary

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Main elements of the FGRS

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Brand Standard



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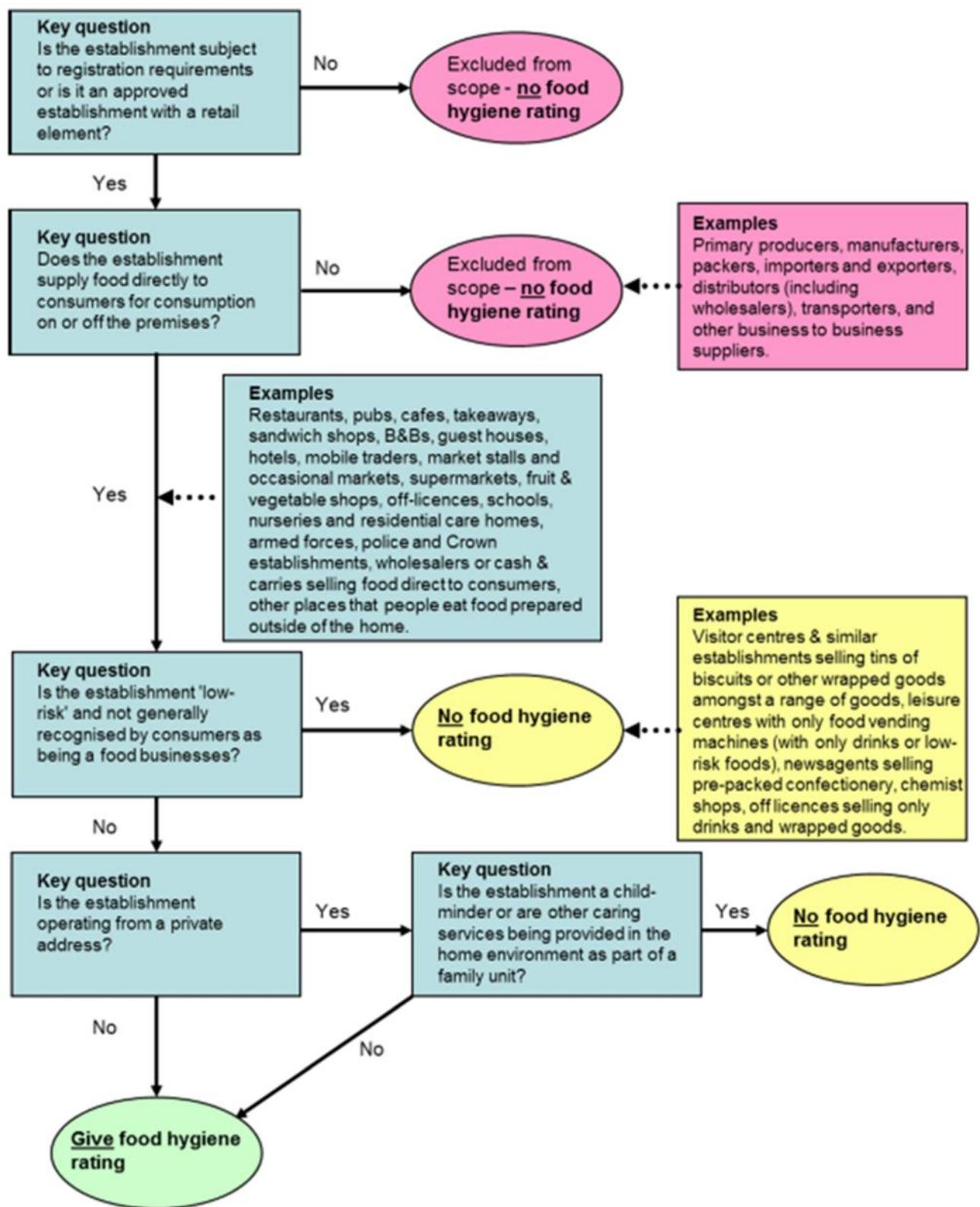
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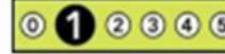
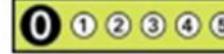


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Mapping of numerical scores from the intervention-rating scheme in the *Food Law Code of Practice* to the six FHRs food hygiene ratings

Total intervention rating scores	0 - 15	20	25 - 30	35 - 40	45 - 50	> 50
Additional scoring factor	No individual score greater than 5	No individual score greater than 10	No individual score greater than 10	No individual score greater than 15	No individual score greater than 20	-
Food hygiene rating						
Descriptor	Very good	Good	Generally satisfactory	Improvement necessary	Major improvement necessary	Urgent improvement necessary

Timeline

