

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2013-2014

**ENVIRONMENTAL SERVICES
SCRUTINY COMMITTEE**

27th January 2014

**REPORT OF GROUP DIRECTOR,
ENVIRONMENTAL SERVICES**

Agenda Item No. 4

“Scores of the Doors”

***Implementation of the Food Hygiene
Rating Scheme***

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1.0 PURPOSE OF THE REPORT

1.1 To provide Members with an update on the implementation of the Food Hygiene Rating Scheme in Rhondda Cynon Taf, including the impact of the Food Hygiene Rating (Wales) Act 2013, introduced by the Welsh Government in November 2013.

2.0 RECOMMENDATION

It is recommended that Members:-

- 2.1 Note the content of this report.
- 2.2 Scrutinise and comment on the information provided.

3.0 BACKGROUND

3.1 On 8th December 2009, the committee received a report on the risk based inspection of food premises in Rhondda Cynon Taf, which included information on the proposal by the Food Standards Agency (FSA) Wales to introduce a voluntary food hygiene rating scheme in Wales. That scheme was introduced in 2010 and Rhondda Cynon Taf, along with all Welsh Local Authorities, chose to adopt and implement the scheme.

3.2 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.

- 3.3 The voluntary scheme has been successfully in operation across Wales since October 2010. There are six different food hygiene ratings (0 up to 5) – the top rating represents a “very good” level of compliance with legal requirements. Food hygiene ratings are published online at <http://ratings.food.gov.uk> and businesses are encouraged to display stickers and certificates showing their food hygiene rating at their premises where consumers can easily see them.

4.0 THE FOOD HYGIENE RATING (WALES) ACT 2013

- 4.1 On 28th November 2013, the Welsh Government introduced the Food Hygiene Rating (Wales) Act 2013 and associated Regulations, which makes the rating scheme a statutory requirement. It is also now a requirement for food businesses in Wales to display their food hygiene rating at their premises in a prominent location – such as a front door or window – and at all customer entrances.
- 4.2 The legislation contains numerous provisions which include the food business operators right to appeal a rating, to request a further re-rating inspection for the purpose of the authority considering whether to change a food hygiene rating and the right of a food business operator to reply and comment on a rating given. The legislation also requires the operator of an establishment to ensure that each relevant employee is aware of the establishments food hygiene rating and that all operators and employees must comply with a request made by a person to be informed verbally of the establishments food hygiene rating.
- 4.3 The legislation requires an operator of a business to pay the fee of the re-rating inspection. This fee is required in advance. A single national fee of £150 for a re-rating inspection has been calculated and approved nationally and by Delegated Officer Decision within Rhondda Cynon Taf Council.
- 4.4. The legislation contains prescribed timescales that we are required to adhere to, including the timescale for sending inspection letters and the rating to an operator, timescales for making appeals, for carrying out a re-rating inspection, sending information to new food establishments, timescales for publication of ratings, etc.
- 4.5. Offences under the legislation may involve the service of a fixed penalty notice. The legislation also allows for prosecution through the Magistrates Court.

5.0 PROGRESS WITH IMPLEMENTATION

- 5.1 In 2010/11 the percentage of food businesses that were broadly compliant with food law was 65%. In 2011/12, this percentage increased to 81% and has continued to steadily increase each year, to 83.87% at the end of 2012/13. The broadly compliant percentage is currently 84.63%.
- 5.2 1691 food hygiene ratings of food establishments in Rhondda Cynon Taf are currently published on the Food Hygiene Rating Scheme’s website.

- 5.3 The continued increase in the broadly compliant level may be attributed to the introduction of the Food Hygiene Rating Scheme and highlights the influence of the scheme to assist in improving food law compliance.

6.0 RESOURCE IMPLICATIONS

- 6.1 The fee of £150 will have to be paid by food business operators that request a re-rating inspection. The fee will assist the Council to recoup the costs of officers carrying out the re-rating inspection. These inspections are in addition to the inspections required by the food hygiene inspection programme.
- 6.2 The requirement for food business establishments to display their food hygiene ratings may lead to an increase in the number of re-rating requests received, which in turn may have an impact on the workload of the team.
- 6.3 Funding opportunities have been made available to the authority to assist in work associated with the Food Hygiene Rating Scheme.
- 6.4 The Food Standards Agency has re-imbursed the authority for the postage costs incurred for the distribution of letters and leaflets that were sent to all food establishments within Rhondda Cynon Taf to initially inform them of the forthcoming legislation and again immediately before the legislation came into force.
- 6.5 The Food Standards Agency have provided the authority with the opportunity to bid for funding for the additional requested re-rating inspections that have been received in the run up to the legislation coming into force. This opportunity will be taken up.
- 6.6 A funding opportunity from the Welsh Government has recently been accepted. The purpose of the funding is to provide financial assistance for implementation and enforcement of the Food Hygiene Rating Scheme legislation and migration of food hygiene ratings awarded under the non-statutory scheme to the new statutory scheme.

7.0 SUMMARY & CONCLUSION

- 7.1 Rhondda Cynon Taf County Borough Council was amongst the first local authorities to adopt the voluntary food hygiene rating scheme in 2010. Since its implementation it has proven to be an effective tool in driving up the standards of food hygiene at food premises across the County Borough.
- 7.2 The introduction of the Food Hygiene Rating (Wales) Act 2013 makes this a statutory scheme and places a new requirement on food business operators to display their rating in a prominent location where it can be seen by consumers. It is anticipated that this will provide a further incentive for food business operators to comply with legal requirements in relation to food hygiene.
- 7.3 We are constantly striving to improve food law compliance and the broadly compliant percentage. This is achieved through our inspection programme and taking enforcement action where appropriate. It is hoped that the encouraging improvements in food law compliance already seen will continue.

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