

Scottish Food Enforcement Liaison Committee



Chairman
Mr G Fairgrieve

Honorary Secretary
Mr Jim Dixon

8 December 2008

Ms Sue Johns
Board Secretariat
Food Standards Agency
Aviation House
125 Kingsway
London
WC2B 6NH

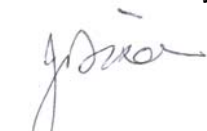
Dear Ms Johns

UK Wide “Scores on the Doors” scheme of Rating of Hygiene Standards in Food Premises.

I refer to the above and the recommendation being put to the FSA Board on 10 December 2008 and attach hereto additional comments on this subject from the Scottish Food Enforcement Liaison Committee. This Committee represents the enforcement, food industry and consumer interests in Scotland.

Should you wish to discuss any aspect of the contents of the report please do not hesitate to contact me.

Yours faithfully



J J Dixon
Honorary Secretary

c/o 6th Floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ

Tel: 01224 285113
Fax: 01224 285110

Food Law Enforcement by Local Authorities: The New Vision National SOTD Scheme – Compatibility with Food Safety Work Streams

FSA initiated a new approach to food law enforcement by Local Authority's (LA's) via the Changes in Local Authority Enforcement (CLAE) project. The new performance monitoring scheme (LAEMS) and the revision of the Code of Practice were key elements of this process and LA's will be considering how to use the new flexibilities open to them for work year 2009/10.

The successful uptake of a National SOTD scheme will largely depend on how well it fits in with the other activities impacting on food safety enforcement.

A Pass/Improvement Required SOTD scheme could provide the best fit with the CLAE project for the following reasons:

- Focus on Outcomes – the 'pass' criteria for the Pass/Improvement Required scheme provides easy comparison with the new 'broadly compliant' measure.
- Risk based – the 'improvement required' criteria is consistent with existing advice on when to initiate revisits and is therefore compatible with routine enforcement practice.
- Range of interventions (including alternatives to inspection) – the Pass/Improvement Required scheme is the only SOTD scheme which is wholly compatible with this objective. In multi-tier schemes 'broadly compliant' food businesses will need to receive a full inspection or audit in order to change the rating score, which in turn will generate a new rating eg number of stars. With a Pass/Improvement Required scheme, 'broadly compliant' food businesses can receive other less resource intensive interventions and keep their 'pass' rating.
- Flexibility to choose intervention type to suit individual food business – as above, only the Pass/Improvement Required scheme is wholly compatible with this objective.
- Enable LA resources to be focused on areas of highest risk – the Pass/Improvement Required system will allow LA's to implement the flexibility provided by LAEMS and the revised Code and enable LA's to target resources at food businesses that are not 'broadly compliant'. Whereas every food business in a multi-tier system will need to receive a resource intensive full inspection or audit.

The introduction of a Pass/Improvement Required SOTD scheme would allow LA's to adopt this scheme and still benefit from the greater flexibility the Agency has introduced through the CLAE project. This would go a long way to ensuring a consistent approach to food safety enforcement and performance monitoring throughout the UK. It would also enable efficient and effective use of enforcement staff.

FSA Consultation On UK-Wide Scores on the Doors (SOTD) Scheme on Hygiene Standards in Food Businesses

The **primary purpose** of SOTD is to empower consumers so that they may make informed choices about the places in which they choose to purchase food. The incentive for businesses to improve standards is a welcome benefit but not the primary purpose.

The consumer criteria for a scheme are as follows:

- **Simple and easy to understand** - Stars create confusion with the hotel rating scheme. A two tier pass/improvement required system gives a clear message that premises either meet minimum standards or don't
- **Meaningful** - Schemes need to be based on logic – the risk rating scheme used for star scheme is not designed for this purpose, it is a tool for telling enforcers when to revisit. There is a danger, in over extrapolation, of misleading the consumer
- **Non-compliance not tolerated** – Allowing an award, eg one star, for 'some major non compliance' is confusing for the consumer. The rating could be interpreted simply as being at the lower end. Why should a 'star' or similar award be given for non-compliance?
- **Focus resources on lowest standards** - the limited resources of enforcement officers should be focussed where needed and not on reinspections to gain higher ratings eg stars, for food businesses that are already compliant. An Award scheme can be used for good practice – the Eat Safe scheme has worked well with the Scottish pilot scheme

Any proposed scheme should meet the principles of better regulation – the Pass/Improvement Required system is the more proportionate.

Consumer Research

SCC (now Consumer Focus Scotland) commissioned research on this consultation. Deliberative techniques with 6 focus groups on Scotland (3 in pilot areas and 3 in non pilot areas) were used. The views of the consumers were clear – they found the Pass/Fail scheme easier to understand and there was confusion over the star scheme. The main findings regarding differences between the two schemes were as follows:

- Both schemes provided information but the Pass/Improvement Required scheme provided the crucial information as to whether the outlet had reached standards
- Pass/Improvement Required scheme was perceived to be more consistently understood – this was confirmed by a matching exercise undertaken
- Both schemes would influence decisions. The Pass/Improvement Required would influence these decisions more fairly
- The star scheme provided more gradation, and, in this sense, more information. However there was confusion as to what the gradation meant in practice and this out weighed any benefits of the extra information
- The confusion of the use of stars with hotels, food quality and scale was seen as a major drawback. Anything less than 3 stars left consumers unsure
- Most consumers wanted the scheme to be simple as few were going to take time to read certificates in any detail. Important information needs to be conveyed quickly.
- The two tier Pass/Improvement Required scheme was seen as more meaningful and helpful in making informed choices