

UK-WIDE 'SCORES ON THE DOORS' SCHEME ON HYGIENE STANDARDS IN FOOD BUSINESSES

SUMMARY OF CONSULTATION RESPONSES

What did we consult on?

1. This was a UK-wide consultation, which took place from May to August 2008, with the package sent out by the Agency's offices in England, Scotland, Wales and Northern Ireland. These are available on the FSA website at:

<http://www.food.gov.uk/consultations/consulteng/2008/sotdeng08>

<http://www.food.gov.uk/consultations/consultscot/2008/sotdscot08>

<http://www.food.gov.uk/consultations/consultwales/2008/sotdwales08>

<http://www.food.gov.uk/consultations/consultni/2008/sotdni08>

2. Views were sought on the essential features of a UK-wide scheme, and on two different options for the scoring element of the scheme – a four-tier ('three-star, plus fail') system and a two-tier ('pass/improvement required') system based on the one currently being piloted in Scotland. Comments were also invited on other options for the scoring element of the scheme, based on experience of existing scoring systems, such as the various six-tier (five-star, plus fail) systems that are being operated. In addition, views were sought on the essential elements of the necessary support package for local authorities operating the scheme.

Who did we consult?

3. The consultation packages were sent direct to 532 interested parties in England plus the Heads of Service in all local authorities in England, 570 interested parties in Scotland, 341 in Wales, and 388 in Northern Ireland. In addition, the packages were posted on the FSA website and notifications were sent to 8,200 other interested parties that had registered with the Agency as having an interest in food law enforcement.

Who responded?

4. A list of those who responded is included at Annex 1. A total of 414 written responses were received across the UK. Of these 279 were from stakeholders in England, 66 in Scotland, 41 in Wales and 28 in Northern Ireland. Taking all these together approximately 45% were from enforcement stakeholders (including local authorities and their representative and professional bodies), 52% were from industry stakeholders (including trade bodies and individual businesses) and 4% were from consumers and their representative groups.

5. As regards local authorities, 91% (29/32) of those in Scotland responded directly to the consultation. In Wales and Northern Ireland, the views of all authorities (22 in Wales and 26 in Northern Ireland) were represented either through individual responses or through the responses of

the All Wales Food Safety Technical Panel and the Northern Ireland Chief Environmental Health Officers Group respectively. In England, 63% (222 of 354) of local authorities were represented either through individual responses or through responses from local food liaison groups. In addition, responses were received from the Association of London Environmental Health Managers and from the 'National Scores on the Doors User Group' which represents 89 local authorities that publish their scores at www.scoresonthedoors.org.uk.

6. As regards industry responses, it should be noted that the British Hospitality Association encouraged its members to comment separately, and responses were received from 103 businesses in the hospitality sector across the UK.

What did the responses say?

7. The responses are summarised in the table at [Annex 2](#) in terms of the specific questions or issues on which comments were requested. *Percentages given are for the number of actual responses received on a specific question unless otherwise stated.*

8. Copies of individual consultation responses are available in the FSA library: email: InfoCentre@foodstandards.gsi.gov.uk, tel: 020 7276 8181.

What action is being taken by the Agency in response to the consultation results?

9. The Agency's Board considered the consultation results and recommendations from its Executive for a UK-wide Scores on the Doors Scheme at its open meeting on 10 December 2008. In reaching a decision the Board took account of the consultation responses, evidence from formal evaluation exercises of existing SotD schemes, the FSA's aims and objectives for a UK-wide SotD scheme, and the legal, practical, and wider policy issues.

10. The Board decided that:

- a six-tier scheme should be established in England, Wales and Northern Ireland as the majority of schemes already operating in these countries are based on this design;
- a two-tier scheme should continue in Scotland in line with the prevailing views of stakeholders there;
- for the 6-tier scheme, the intervention-rating scheme in the *Food Law Code of Practice* should be used to derive a numerical score which should then be 'mapped' to the relevant tier;
- the schemes should cover catering and retail in line with the views of the majority of stakeholders and so that restaurants, cafes, takeaways, sandwich shops and other places that consumers are eating food prepared outside of the home are covered as well as the many retailers that now also sell 'takeaway' food;

- display of scores at premises should be voluntary (and prominent) at this stage;
- there should be mechanisms for re-inspection/re-visits for re-scoring, and for appeals;
- consumer research should be undertaken to inform decisions on symbols and descriptors; and,
- a local authority support package should be developed (guidance, training, IT platform);
- a UK-wide Steering Group with local authority, food industry and consumer representation and Agency officials should be established to oversee the development of the two schemes with a view to shared learning and commonality of approach, as far as possible.

ANNEX 1: LIST OF RESPONDENTS TO THE CONSULTATION

Responses in England

A R Kyte
Abbey Hotel Golf & Country Club
Accent Catering Services Ltd
ACCOR UK Business & Leisure Hotels Ltd
Alison MacDonald
Allerdale Borough Council
Anaphylaxis Campaign
Anis Louise Guest House
ARAMARK Limited
Army & Navy Club
Arora International Hotels
ASDA
Association of Convenience Stores
Association of Licensed Multiple Retailers
Association of London Environmental Health Managers
Aylesbury Vale District Council
Bartlett Mitchell Fundamentally Food
Barton Grange Hotel
Basildon District Council
BBC (London) Clubs
Bed and Breakfast Association
Belmont Hotel (Leicester)
Beryl Morgan (the Food Team leader at Southwark)
Best Western (Yew Lodge Hotel)
Birmingham City Council
Blunsdon House Hotel Ltd
Bolsover District Council
Bolton Council
Bowood Golf and Country Club
Breckland Council
Brentwood Borough Council
Bristol City Council
British Beekeepers Association
British Beer and Pub Association
British Holiday & Home Parks Association
British Retail Consortium
British Sandwich Association
Bromsgrove District Council
Buckinghamshire Food Liaison Group
Business in Sport and Leisure
Buttercross Farm Foods Ltd
Caffe Nero
Calcot Manor Hotel & Spa
Canterbury City Council
Caraffini Ltd & Vivezza Ltd
Caravel
Cavendish Hotel (London)
Centre Parcs
Chesterfield Borough Council
Chichester District Council
Christchurch Borough Council
Christie + Co Business Intelligence
CIEH
Cinema Exhibitors Association Limited
Cllr Antony Barson
Cmi
Compass group
Corse Lawn House Hotel
Coventry City Council
Crewe and Nantwich Borough Council
Crosby Lodge Hotel
Cumberland Hotel (Guoman)
Cumbria Chief EHO Group
Cumbrian Food Liaison Group
David Edwards
David Linnell
7 Day Catering Ltd
Derby Dales District Council
Derbyshire Chief Officers Food Liaison Group
Donnington Valley Hotel and Spa
Dover District Council
Dudley Metropolitan Borough Council
East Midlands Development Agency
East Northamptonshire Council
East Riding Council
Elior UK Services
Elite Hotels
Environmental Health Lancashire Food Officers Group
Environmental Health Merseyside
Essex Food Study Group
Everards Brewery Ltd
Evesham Hotel
Fairlawns Hotel and Spa
Falmouth Beach Resort Hotel
Feast Deli & Feast on the Hill Restaurant
Federation Wholesale Distributors
Fernhill Hotel (Charmouth)
Flying Pizza Limited
Food and Drink Federation
Food Solutions
Fuller Smith & Turner PLC
Glen Beaver
Gonville Hotel (Best Western)
Gore Hotel
Grand Hotel (Eastbourne)
Greater Manchester FLG
Greenwich Council
Haemolytic Uraemic Syndrome Help (HUSH)
Hampshire Safe2eat Local Authorities.
Harrison Catering Services Ltd
Heart of Mersey
Herefordshire and Worcestershire Food Liaison Group
Herefordshire Council
Hertfordshire and Bedfordshire
Environmental Health Heads of Service Group

Higher Wiscombe Limited
 Hilton Hotels
 Holdsworth House Hotel (Halifax)
 Horticultural Trades Association
 Hotel Bristol (Newquay) Ltd
 Hotel Felis
 Hull City Council
 Huntingdonshire District Council
 Hygiene Audit Systems Limited
 Hygienewatch
 Imperial Hotel (Great Yarmouth) Ltd
 Institute of Food Science & Technology
 Isle of Wight Council
 Keith Fowler
 Kent Food group
 KFC Ltd
 Kirklees Council
 LACORS
 Langham Hotels (London)
 Las Iguanas Ltd
 Laurence Dettman [Hull & Goole PHA]
 Lea Marston Hotel
 Leeds City Council
 Leicester City Council
 Leigh Smith
 Lewis Partnership
 Lewisham Borough Council
 London Borough of Barnet Council
 London Borough of Brent Council
 London Borough of Camden
 London Borough of Enfield
 London Borough of Hillingdon Council
 London Borough of Islington Council
 London Borough of Merton
 London Borough of Sutton
 London Borough of Wandsworth Council
 London Bridge Hotel
 London Councils
 M C Kelly Ltd
 Maekong Thai
 Maidstone Borough Council
 Malcolm Turley
 Manchester City Council
 Margaret Goodwin
 Marks and Spencer
 Marriott Hotels International Ltd
 Marston's Inns & Taverns
 Matfen Hall Hotel
 McDonald's Restaurants Ltd
 McMullen & Sons Ltd
 Medway Council
 Mercure Southgate Hotel
 Meson don Felipe
 Middlesbrough Council
 Middlesex University
 Mike Barrett (London Borough of Merton)
 Milsom Hotels Ltd
 Mister Daves
 Mitchells and Butlers plc
 Moor Hall Hotel
 Nando's (UK)
 National Association of British Market
 Authorities
 National Association of Master Bakers
 National Childminding Association
 National Consumer Council
 National Consumer Federation
 National Federation of Meat & Food
 Traders
 National Scores on the Doors User Group
 NEC Group Catering
 Newcastle City Council
 Newspaper Society
 NFU
 Nike Group Hotels Ltd
 North Cornwall District Council
 North Devon Council
 North Somerset Council
 North Yorkshire Food Liaison Group
 Northampton Borough Council
 Northamptonshire Food Liaison Group
 Norwich City Council
 Nottingham City Council
 Oldham Metropolitan Borough Council
 Oriental Club
 Paramount Restaurant Group Ltd
 Park Farm Estates (Castle Donington) Ltd
 Parklands Hotel & Bentley's Restaurant
 Peter Michael Collection
 Philip Matthews Consultancy
 Pizza Hut (UK) Limited
 Pizza Pasta and Italian Food Association
 Premier Foods plc
 Pride of Britain Hotels
 Punch Taverns
 Ramada Jarvis Hotels
 Reading Borough Council
 Regent Inns
 Regional Development Agencies (all)
 Researching the Isolated Elderly (RISE)
 Roast Restaurants Limited
 Rother District Council Cabinet
 Royal Air Force Club
 Royal Automobile Club
 Royal Borough of Kingston upon Thames
 Royal Garden Hotel
 Rural Shops alliance
 Sainsbury's
 Salomie Fouche (London Borough of
 Merton)
 Scottish Grocers federation
 2 Sisters Food Group
 Slough Borough Council
 Sodexo Healthcare
 Somerset Food Liaison Group
 South Derbyshire District Council
 South Holland District Council
 South Northamptonshire Council
 South Yorkshire Food Liaison Group
 Specialist Cheese Makers Association

Stafford Borough Council
Staffordshire Food Liaison Group
Starbucks
Stephen Lewis (Tamworth Borough Council)
Steve Ramm (Southend on Sea BC)
Stoke-on-Trent City Council
STS Solutions
Stud Farm
Suffolk Food Liaison Group
Surrey Food Liaison and Health Promotion Group
Sussex CEHO Group
Sussex Food Liaison Group
Swindon Borough Council
Swinton Park Hotel
Taunton Deane Borough Council
The British Hospitality Association
The Cottage in the Wood hotel and Restaurant
The Gables Hotel
The George Hotel
The Goodwood Estate Co Ltd
The In House Catering Company Ltd
The Lee Wood Hotel
The Nare Hotel
The Picnic Basket
The Restaurant Group PLC
The vineyard at Stockcross
THL Leisure Resort

Thorpeness & Aldeburgh Hotels Ltd
Three Acres Inn & Restaurant
Tim Nice (Chartered EHP)
Tonbridge and Malling Borough Council
Torrige District Council
Tragus Group
Transparency Data SOTD Cheshire Users
Travelodge
Tregarthen's Hotel (Isles of Scilly)
Treglos Hotel
Tufton Arms Hotel
Una Kane (Rother District Council)
Unstuffy Hotel Co Ltd
Venners plc
Vincent Lodge (Erica Day)
Wagamama
Warwick District Council
Wellingborough Council
Welwyn Hatfield Council
West Oxfordshire District Council
Westminster City Council
Which?
Whitbread
Wiltshire Food Liaison Group
Wolverhampton City Council
Worcester City Council
Worthing Borough Council
Wyre Forest District Council
Yo! Sushi
Yorkshire Tourist Board

Responses in Northern Ireland

Agri-Food and Biosciences Institute
Ards Borough Council
Armagh City and District Council
Banbridge District Council
Belfast City Council
Belfast Health and Social Care Trust
British Beer and Pub Association
British Holiday & Home Parks Association Ltd
British Hospitality Association
Carrick Fergus Borough Council
Castlereagh Borough Council
Chief Environmental Health Officers Group, NI
Consumer Council (NI)
Derry City Council

Down District Council
Dungannon District Council
Fermanagh District Council
Food Solutions
Horticultural Trades Association
Larne Borough Council
Magherafelt District Council
Niall Convery (Belfast City Council)
Northern Ireland Food Advisory Committee
Northern Ireland SOTD Steering Group
Omagh District Council
Punch Taverns
Strabane District Council
Western Health and Social Care Trust

Responses in Scotland

Aberdeen City Council
Aberdeenshire Council
Always Sunday Limited
Angus Council
Argyll & Bute Council
Bill Crosson
British Beer Pub Association

British Holiday and Home Parks Association Ltd
British Hospitality Association
Cavendish Hotel London
Chapters Restaurant
City of Edinburgh Council
Clackmannanshire Council

Dumfries & Galloway Council
Dundee City Council
East Ayrshire Council
East Dunbartonshire Council
East Lothian Council
East Renfrewshire council
Falkirk Council
FHIS Steering Group
Fife Council
Food Solutions
Glasgow City Council
Glasgow Restaurateurs Association
Highland Council
Horticultural Trades Association
Individual (name withheld)
Inverclyde Council
Knockomie Hotel (Forres)
Mark Barnett
Moray Council
National Beef Association
National Federation of Meat & Food Traders
North Ayrshire Council
North Lanarkshire Council
Orkney Islands Council
Paramount Restaurant Group Ltd
Perth and Kinross Council
Pride of Britain Hotels
Punch Taverns

R T Stuart Ltd
Ramada Jarvis
Regents Inns
REHIS
Renfrewshire Council
S M Bayne & Company Ltd
Scottish Association of Farmers Markets
Scottish Association of Master Bakers
Scottish Association of Meat Wholesalers
Scottish Borders Council
Scottish Consumer Council
Scottish Federation of Meat Traders
Scottish Food Advisory Committee
Scottish Food Enforcement Liaison Committee
Scottish Food Enforcement Liaison Committee, Food Safety Sub-committee
Scottish Food Enforcement Officers Association
South Ayrshire Council
South Lanarkshire Council
St George's West Church-Olive Tree Cafe
Stirling Council
University of Edinburgh
University of St Andrews
VisitScotland
West Dunbartonshire Council
West Lothian Council

Responses in Wales

Alun Barnes
Best Western Cross Lanes Hotel
British Beer and Pub Association
British Holiday & Home Parks Association
Caerphilly Council
Cardiff Council
Castle Hotel
Ceredigion County Council
City and County of Swansea
Crossways Manor House
Denbighshire County Council
Directors of Public Protection Wales
Farm Stay UK
Farthings
First Milk Cheese Company
Food Solutions
Fourcroft Hotel
Gliffaes Country House Hotel
Great Barn Guest House
Guidfa House
Gwynedd Council

Horticultural Trades Association
Iceland Foods Ltd
Laura Pritchard - EHO
Llandudno Esplanade Hotel Ltd
Marketglen Ltd
Metropole Hotel
Monmouthshire County Council
Newport City Council
North Wales Food Safety Technical Panel
On the Shore Restaurants Ltd
Pembrokeshire County Council
Powys County Council
Pride of Britain Hotels
Punch Taverns
Rhondda Cynon Taf County Borough Council
Rowan Hughes (individual principle EHO)
Tides Reach Guest House
Vale of Glamorgan Council
Wales Tourism Alliance
Wrexham County Borough Council

ANNEX 2 SUMMARY OF CONSULTATION RESPONSES

FSA proposal/other points raised	Summary of responses
<ul style="list-style-type: none"> What businesses should be given a hygiene score? 	
<ul style="list-style-type: none"> The UK-wide scheme should include all businesses supplying food directly to consumers but not those businesses that have no direct sales. 	<p>Over three-quarters of all respondents across the UK agreed with the proposed scope. This included 80% of consumer and 89% of industry respondents. As regards enforcement stakeholders, the picture was slightly different with only 63% of respondents UK-wide in agreement. In Scotland (75%), Wales (66%), and Northern Ireland (94%) over two-thirds of enforcement respondents agreed with the scope but in England only just over half of enforcement respondents did so.</p> <p>The majority of those who took a different view, mainly enforcement stakeholders, preferred a wider scope such that manufacturers, packers, slaughterhouses etc. would also be included.</p> <p>The main retail trade body, the British Retail Consortium, and some other businesses opposed the inclusion of the retail sector within the scope on the basis that there is no evidence of consumer demand for this.</p>
<ul style="list-style-type: none"> Where businesses represent a low risk to public health and which are not generally recognised by consumers as being food businesses e.g. certain childminders working from private addresses, hairdressers providing light refreshments, they should be exempt. 	<p>There were no particular objections to the exemptions proposed, however a number of additional suggestions for exemptions to the scope were made. These included exemptions for security reasons, exemptions for businesses that do not handle open high-risk food, and those that are subject to alternative enforcement strategies (AES) under the 'food hygiene intervention-rating scheme' in the <i>Food Law Code of Practice</i>.</p> <p>Of those that expressed a view, 98% believed that there should be a UK-wide framework for agreeing exemptions.</p> <p>Overall, 63% of respondents thought that exempted businesses should be listed as exempt on the SotD website - to avoid confusing consumers and to assure them that the local authority does still deal with food safety issues in these premises.</p> <p>Those who believed that exempted businesses should not be listed suggested that it would be more sensible to have an explanation on the website describing the different categories of businesses that are exempted from the scheme, given the amount of work in keeping the website up-to-date with excluded businesses, the different approaches to AES in different authorities, and because some businesses would be exempted for security reasons.</p> <p>Where different types of businesses are exempted from the scheme, 72% of respondents (65% of industry, and 75% of enforcement respondents) from across the UK were opposed to individual businesses in these groups having the choice to opt in on the basis that this could cause confusion.</p> <p>Over three-quarters of all respondents believed that an exemption should stand even where hygiene standards fell below a certain level. In Scotland, the picture was less clear with around half of industry and enforcement stakeholders believing that the exemption should be lifted in certain circumstances.</p>
<ul style="list-style-type: none"> Where there are a number of separately registered food businesses within a single establishment, each should have its own score on the door. 	<p>There was almost unanimous agreement (99% of respondents) that where there are a number of separately registered food businesses within a single establishment, each should have its own score.</p>

FSA proposal/other points raised	Summary of responses
<ul style="list-style-type: none"> What should the basic design of the UK-wide SOTD scheme be - should the scoring system have four tiers ('three-star, plus fail' design) or only two ('pass' or 'improvement required' design), and what criteria should be used for classification and what symbols and/or descriptors should be used to denote each tier? 	
<p>Number of tiers</p> <ul style="list-style-type: none"> Two options were proposed for the scoring system to underpin the scheme: <ul style="list-style-type: none"> a four-tier ('three-star, plus fail') option, based on a recommendation made to the Agency's Board following an evaluation of a variety of different SotD schemes; a two-tier ('pass/improvement required') option, based on the <i>Food Hygiene Information Scheme</i> (FHIS) that has been piloted in Scotland. Comments on other options for the underpinning scoring system, based on experience of existing scoring systems, such as the various six-tier ('five-star, plus fail') systems being operated, were also invited. 	<p>Consumer stakeholder views</p> <p>For consumers, it was apparent that the need to establish a single UK-wide scheme is a more important factor than the number of tiers that are used. That said, preferences were evident: the Scottish Consumer Council (now Consumer Focus Scotland) favours a two-tier approach on the basis that it is simple and easy for consumers to understand; but the National Consumer Council (now Consumer Focus), the National Consumer Federation and Which? favoured multi-tiered approaches on the basis that these provide differentiation for consumers and incentives to businesses. Which? preferred a four-tier approach but given the substantial number of local authorities operating six-tier schemes suggest that there is a need to be pragmatic and recognise that this approach may provide the best route to establishing a national scheme.</p>
	<p>Industry stakeholder views</p> <p>The overwhelming view (80% of industry respondents to the consultation) was that a 'pass/improvement required' approach is simplest and clearest for consumers to understand, and the fairest for businesses. This included several of the large industry trade associations, such as the British Hospitality Association, the British Beer and Pub Association and the British Retail Consortium, as well as some of the major national retailers such as Sainsbury's and Asda. It should be noted that many individual members of the British Hospitality Association responded separately supporting the views of their representative trade body - this accounted for approximately 48% of the total industry responses. Food Solutions indicated that it had undertaken a survey of 40,000 small businesses and, based on the results of this, also supported the two-tier approach.</p> <p>Concerns were expressed about the multi-tiered approaches, particularly the six-tier system, on the basis of difficulties with consistency in scoring, potential confusion for consumers about the differences between each tier, and the potential for 'gold-plating' the legal requirements.</p> <p>Some parts of industry, however, favoured multi-tiered schemes, with around 6% of those responding to the consultation (including Marks and Spencer, Whitbread and the British Sandwich Association) all having a preference for a four-tier approach and around 4% (e.g. the National Association of Master Bakers, and Centre Parcs) preferring the six-tier approach.</p>

FSA proposal/other points raised	Summary of responses
	<p><i>Enforcement stakeholder views</i></p> <p>Views were polarised.</p> <p>The majority (72%) of enforcement stakeholders that responded to the consultation in England, Wales and Northern Ireland expressed a clear preference for a six-tier approach, with some support for the four-tier approach (34%) but a general rejection of the two-tier approach as it provided little information to consumers and no incentive for businesses. Within England, the views of enforcement stakeholders outside of London was rather different with around 47% supporting the four-tier approach.</p> <p>The six-tier approach was seen as providing consumers with the greatest choice whilst also acting as a driver for businesses to improve compliance standards. The fact that a large number of local authorities are already employing this approach was also highlighted frequently - these authorities considered all the options very carefully before embarking on their schemes (very often having conducted research amongst their local businesses and consumers) and had considered that this proved the best way forward.</p> <p>In addition, the Association of London Environmental Health Managers, the 'SotD National User Group' (local authorities that publish their scores on www.scoresonthedoors.org.uk) and Kirklees Council - all of which operate six-tier schemes - provided the results of surveys that they had conducted since March 2008 which indicated a preference amongst their local consumers and businesses for a six-tier (five-star) scheme. Wandsworth, Westminster and Norwich Councils as well as the Northern Ireland SotD User Group, provided evidence of the improvement in compliance standards that had been achieved since the introduction of six-tier schemes.</p> <p>Those in favour of the four-tier approach believed that it offered many of the benefits of six-tier schemes (differentiation for consumers and incentives for businesses) whilst being more robust and consistent and less prone to 'gold-plating'.</p> <p>The picture in Scotland was very different - the majority (83%) of respondents to the consultation favoured the 'pass/improvement required' approach, citing its simplicity and avoidance of 'gold-plating' as its advantages over the multi-tiered systems. A minority (14%) supported the four-tier approach, but there was no support at all for the six-tier approach.</p>

FSA proposal/other points raised	Summary of responses
<p>Symbols/descriptors</p> <ul style="list-style-type: none"> • Four-tier option - the tiers should be denoted as stars. The scale ranges from full compliance or 'good' at the top, through a broadly compliant or 'satisfactory' tier, an improvement required or 'basic' tier to a 'fail'. • Two-tier option - the scheme is designed around the definition of a 'pass' and this represents 'satisfactory compliance' with the Regulations on food hygiene, with any non-compliances being minor in nature only, not recurring and not critical to food safety. Any business that does not meet the 'pass' standard falls into the 'improvement required' category. 	<p>Symbols</p> <p>Views on the use of stars were mixed.</p> <p>Consumers were largely ambivalent on this issue and particular preferences were not identified.</p> <p>The majority of all industry respondents to the consultation (62%), opposed the use of stars on the basis of the potential for consumer confusion with other star rating schemes, primarily the hotel rating scheme which awards stars on the basis of different amenities being available rather than compliance with legal requirements.</p> <p>Enforcement stakeholders in England, Wales and Northern Ireland, were supportive of the use of stars, with 59% of all respondents to the consultation expressing a preference for this symbol on the basis that consumers are familiar with other star rating schemes. In Scotland, 69% of all enforcement stakeholders responding opposed the use of stars as did Visit Scotland.</p> <p>Other suggested symbols included traffic lights (as used for the SotD scheme operated by Torridge District Council), smiley faces (as used by Leicester City Council) and A-E grades (as used by Hull City Council).</p> <p>Descriptors</p> <p>The importance of the descriptors was noted by the different stakeholder groups and irrespective of the scheme chosen, it is clear that further work will be required on these.</p> <p>As regards the two-tier option, respondents in Scotland were content with the definition of a 'pass' but some responses highlighted that the 'improvement required' definition needed further work. Outside of Scotland, however, the definition of a 'pass' was questioned and concern was expressed that the need to interpret what 'minor non-compliances' are may lead to inconsistent grading of premises.</p> <p>As regards the four-tier option, a number of improvements and alternative suggestions were made. The terms 'basic' and 'fail' were particularly disliked. In the case of 'fail' it was suggested that this will mislead consumers as they would expect a business that receives this grading to be closed.</p>

FSA proposal/other points raised	Summary of responses
<p>Deriving the score</p> <p>The initial score should be given only following a full inspection.</p> <ul style="list-style-type: none"> • Four-tier scheme - the score should be derived using the 'food hygiene intervention-rating scheme' in the Food Law Code of Practice and there should be an assessment of the 'confidence in management and control procedures' such that the likelihood of the level of compliance found being maintained in the future is considered. • Two-tier option - the assessment is made against all aspects of the Food Hygiene Regulations including hygiene practices, the structure of the establishment, equipment and implementation of food safety management systems - i.e. current compliance level 	<p>There was a general consensus (90%) across the UK and across all stakeholder groups that the initial score should only be given following a full inspection as this would allow sufficient information to be gathered to make an assessment and would avoid inconsistency.</p> <p>Around 74% of respondents supported the idea that the assessment should be about compliance with the Food Hygiene Regulations only at the time of the inspection. Views on whether 'confidence in management' should be a factor in the assessment were mixed amongst enforcement stakeholders. Just over half of those that expressed a view (52%) supported use of 'confidence in management' so that the likelihood that the level of compliance observed being maintained should be taken into account. Many respondents highlighted the fact that the food hygiene intervention-rating system in Annex 5 of the <i>Food Law Code of Practice</i> includes this element.</p> <p>Proponents of the 'pass/improvement required' approach were opposed to such an assessment as it takes account of track record and so may unfairly disadvantage a new business.</p>
<p>• Where will consumers find out what the scores are for the businesses from which they purchase their food?</p>	
<ul style="list-style-type: none"> • The most recent scores for all businesses covered by the scheme should be made available via a web-based platform. • Certificates and/or stickers specifying a business's score should be provided so that the information may be displayed at the premises in a prominent place that is easily visible to consumers. • Display at the premises would be voluntary. 	<p>As regards where to display the scores, respondents generally agreed that scores for all businesses covered by the scheme should be displayed at the premises and on a website.</p> <p>Consumer and enforcement stakeholders believed that display at the premises should be mandatory rather than voluntary. The key reason for this was to enable the scheme to have maximum impact with consumers and to provide encouragement for businesses to comply with the law. Food industry respondents did not agree.</p> <p>As regards what score should be displayed, the majority view was that the last inspection result only should be given to ensure fairness to businesses. Other respondents, however, favoured providing an inspection history so that consumers may see if standards have changed over time.</p>

FSA proposal/other points raised	Summary of responses
<ul style="list-style-type: none"> Should businesses be allowed to request the local authority to undertake a re-inspection or to re-visit them (before their regular inspection is due) in order to be re-scored? 	<p>In the UK overall, it was agreed that there should be a mechanism for re-scoring with over three-quarters of respondents in agreement (77%), including 100% of consumer and industry respondents that expressed a view. Reasons for this included: giving businesses recognition when compliance was achieved; ensuring fairness and consistency; providing business and consumer confidence in the scheme; and providing an incentive for improvement. The views of enforcement stakeholders across the UK were mixed. In Scotland 90% of those that expressed a view and 100% in Northern Ireland, supported a mechanism for re-scoring but in England (67%) and in Wales (91%) enforcement stakeholders were largely opposed to the idea. It was felt that a re-scoring mechanism could encourage businesses to make temporary rather than sustained improvements and would be costly for local authorities.</p> <p>The majority of respondents (over 90%) believed that there should be a time limit following the request from the business within which the re-scoring must take place. Views varied on what the time limit should be.</p> <p>In general, (62%) respondents thought that re-scoring should only be permitted following a re-inspection or a re-visit, including the majority (83%) of enforcement respondents across the UK, in the belief that inspection was the most reliable way to assess compliance. Conversely 86% of industry respondents thought that documentary evidence from businesses would be sufficient for the purposes of re-scoring in certain circumstances.</p> <p>There was a clear majority of respondents across the UK in favour of a common framework to define the circumstances in which re-inspections, re-visits and documentary evidence are acceptable, with only 11% of respondents believing it should be left to local judgement.</p> <p>The majority of industry and enforcement respondents were opposed to charging businesses for any re-inspections or re-visits undertaken at their request for the purposes of re-scoring them under the SotD scheme. Overall two-thirds of respondents opposed charging businesses. Reasons included that it could create a conflict of interest for local authorities, and place an extra administrative burden on local authorities; also that charging would be unfair to businesses and there would be less incentive for them to be compliant at the time of inspection. Reasons for supporting charging included that it was necessary to allow local authorities to recover costs and to ensure that local authorities are not providing a free audit service.</p>
<ul style="list-style-type: none"> A mechanism for re-scoring should be a key feature of the UK-wide scheme, which should be: <ul style="list-style-type: none"> flexible to allow re-scoring following a re-visit where appropriate and following re-inspection where necessary; sustainable in terms of local authority resource, with the potential for charging businesses to offset costs, although this was regarded as unfavourable as it could present a burden and disincentive to businesses. 	

FSA proposal/other points raised	Summary of responses
<ul style="list-style-type: none"> • Should businesses be able to appeal against the score given? • A mechanism should be included for businesses to appeal the scores that they have been given. • Such appeals should be made through the relevant local authority's formal complaints procedure. • Where complaints are not resolved through this mechanism, they may be referred to the Local Government Ombudsman. 	<p>Over 99% of respondents were in agreement that an appeals mechanism should be available for the scheme to have credibility and to be fair to businesses.</p> <p>The few respondents that opposed the inclusion of an appeals mechanism were concerned that having an appeal mechanism would create an additional administrative burden for local authorities and could affect relationships between food businesses and inspecting officers.</p> <p>Around 95% of respondents agreed that appeals should be made through the relevant local authority's formal complaints procedure. This was believed to be a practical approach, relying on existing formats and expertise within local authorities. Alternative suggestions made by other respondents included different local authority mechanisms (e.g. a panel of elected members), an independent body or tribunal, inter-authority procedure, or Agency involvement.</p> <p>With regard to when to publish the score, the majority (two-thirds) of respondents that expressed a view on this issue believed that businesses should be notified of the score and given a period of time to query or challenge it before it is published. Preferences varied for a time limit for this from seven days to three months. The reasons were to ensure fairness to businesses, and to reduce the risk of legal challenges. Support included that of consumers and industry across the UK. As regards enforcement stakeholders, the views were split - 53% supported a period for challenge and 47% opposed it (notably, 100% of Northern Ireland's enforcement stakeholders who responded on this issue were opposed to this). Those opposed to allowing a period for challenge were concerned that it could create an extra administration burden for local authorities, and would result in delays in making information available to consumers. A popular alternative proposal was that businesses could be notified and given the right to reply with possible publication of businesses' comments alongside the score.</p> <p>There were also suggestions that scores should not be published until the outcome of an appeal was determined.</p>

FSA proposal/other points raised	Summary of responses
<ul style="list-style-type: none"> • LA support package 	
<ul style="list-style-type: none"> • The Agency will develop a support package to help local authorities implement the scheme. This support package will include guidance, training, IT assistance and a web-based platform to display scores. 	<p>Approximately three-quarters of the local authorities that responded to the consultation across the UK commented, and it is clear from these that the strength of the support package will be critical to their decision about adopting the UK-wide scheme. The main points raised were that:</p> <ul style="list-style-type: none"> • the scheme should be cost-neutral for the local authority; • there should be a national IT framework; • the Agency should provide appropriate scheme publicity and promotional materials; • the Agency should develop guidance and provide training on practical application of the scheme including benchmarking and consistency checking. <p>It was clear that for a majority of the authorities already operating schemes, there is a reluctance to move from their current schemes. For those authorities that would consider migration to the Agency scheme, financial support, publicity and communications support to inform and explain changes to elected members, to businesses and to consumers would be essential.</p>
<ul style="list-style-type: none"> • To ensure consumer and business awareness and understanding, a branding and marketing package, and a national promotional campaign will be developed for the UK-wide scheme. 	<p>A general theme of the consultation responses was that whatever option is chosen as a UK-wide scheme, consumer and business awareness and understanding are critical to its success. It was recognised that the way in which the scheme is branded and marketed, and the way in which it is promoted at national and local level will be key to meeting these challenges. It was highlighted that promotional activities will need to be sustained over a period of time and not just concentrated to the time of the launch of the scheme.</p>
<ul style="list-style-type: none"> • A SotD Stakeholder Group will be created to oversee development of the UK-wide scheme and to provide a forum for discussion and troubleshooting should any issues arise in implementation of the scheme. 	<p>There was general support from all stakeholders for a Stakeholder Group to be set up.</p>

FSA proposal/other points raised	Summary of responses
<ul style="list-style-type: none"> <li data-bbox="136 209 819 240">• Impact assessment <li data-bbox="136 248 819 440">• A draft impact assessment (IA) for establishing and operating a UK-wide SotD scheme was included with the consultation documents to assess the likely costs and benefits of a scheme for consumers, businesses, local authorities and the Agency. Comments were invited on this impact assessment. 	<p data-bbox="819 248 2101 312">In total, 73 respondents commented on the estimates made in the draft IA. Their comments related to the following areas:</p> <p data-bbox="819 312 2101 408">Complaints handling - It was suggested that there may be a difference in the number of complaints received in relation to a two-tier scheme and to multi-tier schemes based on the complexity of the scoring mechanisms.</p> <p data-bbox="819 408 2101 472">Reductions in Fol requests - Stakeholders were in agreement that there were no cost savings due to reduced Fol requests with any SotD scheme.</p> <p data-bbox="819 472 2101 632">Benefits - Local authorities across the UK questioned the estimated reductions in the number of inspections with a SotD scheme as there is no evidence to suggest that alternative interventions can be delivered with less staff and at less cost than inspections. It was also suggested that the additional costs that will result if a mechanism for re-inspections/re-visits for re-scoring is included must be reflected in the IA.</p> <p data-bbox="819 632 2101 671">Uptake and migration to the UK scheme - This was generally believed to be overly optimistic.</p> <p data-bbox="819 671 2101 831">Costs to local authorities - The responses suggested that there would be different costs to introduce different schemes. Other costs that needed to be considered further were for: 'migrating' authorities for example to cover existing website subscriptions; local authority officer costs which were considered to be higher than the estimates in the IA; and costs for re-inspections/re-visits for re-scoring (which were considered to be less for a two-tier option than for a multi-tiered option).</p> <p data-bbox="819 831 2101 895">Agency costs - It was highlighted that FSA funding for a UK-wide scheme should be on-going and not restricted to a period of three years.</p> <p data-bbox="819 895 2101 1023">Business costs - It was suggested that there would be differing costs of scheme familiarisation depending on the number of tiers with a two-tier scheme being easier to understand. Concern was also raised with regard to the added cost to business of gaining upper tiers in a multi-tiered scheme by having to undertake work to improve standards/structure etc.</p> <p data-bbox="819 1023 2101 1062">IT costs - These appear to be of significant concern to all local authorities.</p> <p data-bbox="819 1062 2101 1126">Public health benefits - There was general agreement that a SotD scheme will deliver public health gains.</p>