

**DEVELOPMENT OF FSA SPONSORED “SCORES ON THE DOORS” PILOT SCHEMES**

**Executive Summary**

1. This paper updates the Board on the FSA-sponsored scores on the doors pilot schemes, which are scheduled to be introduced shortly.
2. The Board is invited to:
  - **note** the emerging position;
  - **comment** on the direction of the pilot schemes.

**ENFORCEMENT DIVISION**

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## **DEVELOPMENT OF FSA-SPONSORED “SCORES ON THE DOORS” PILOT SCHEMES**

### **Issue**

1. To advise the Board on progress towards the launch of the pilots and on what will happen subsequently.

### **Strategic Plan**

2. Scores on the Doors would contribute to the Agency’s Strategic Plan key aims of continuing to reduce foodborne illness and enabling consumers to make informed choices.

### **Background**

3. “Scores on the doors” for this purpose is defined as a scheme where food hygiene information is made available at point of sale, supported by web-based information systems. The Agency has taken the lead on this issue by discussing with local authorities and other stakeholders how they envisaged scores on the doors being implemented and seeking to put pilots in place to evaluate their effectiveness. In planning their schemes authorities have taken into account focus group research for the Agency earlier this year on consumer and business reaction to various “mock-ups” of scores on the doors certificates (displaying stars; Pass/Fail; smiley faces etc) - a summary of the outcomes is attached at Annex A.
4. Groups in London, the Midlands and Scotland and individual authorities in other parts of the country (up to 60 authorities in total) will be trialling Agency sponsored schemes. Some of those pilots have already commenced, others will be starting between now and early 2007. The aim of the trials is to provide an evidence base to inform an Agency recommendation for one preferred scheme nation-wide. The pilots should also show whether such a scheme can work on a voluntary basis or whether it would be necessary to introduce legislation to require scores to be displayed on the premises. The pilots could run for up to two years although the Agency will be seeking a conclusion sooner if there is already clear evidence that a particular approach is out performing others.
5. In harmony with the Hampton review, the Agency decided to research the feasibility of developing a nation-wide initiative to help consumers to obtain useful information about food businesses. At the same time the Freedom of Information Act has led to local authorities receiving requests for inspection reports. Consequently there has been a general move towards greater transparency regarding the conditions at food businesses. The results of the

2005 UK survey of hygiene standards in food premises, considered at the July 2006 Board meeting, reinforced the case for enabling consumers to make informed choices based on inspection results. It also reinforced the importance of introducing further measures such as Scores on the Doors to help to drive up industry compliance.

6. "Scores on the doors" systems are already operated in parts of North America, Australia/New Zealand and other parts of Europe. There is research evidence, from one scheme in the USA for both an increase in compliance (measured by hygiene scores) and in consumer protection (a 20% reduction in foodborne illness-related visits to hospital). Examples of overseas schemes are set out in Annex B.
7. 30 local authorities in the UK have already launched "scores on the website" (either wholly in house or through a commercial software company) and in the case of at least one group of authorities (Herts & Beds) voluntary "scores on the doors".

### **Stakeholder Views**

8. Ongoing discussions with stakeholders culminated with a debate at the Enforcement Liaison Group meeting on 2 June. Enforcement partners and consumer organisations firmly support the introduction of scores on the doors. WHICH? are concerned that a preferred scheme is recommended as soon as possible. They would also prefer one central website for scores on the doors information. CIEH have called for such a scheme to be compulsory.
9. By contrast the British Retail Consortium (BRC) believes that scores on the doors would be extremely resource intensive and unlikely to be beneficial to consumers. BRC considers that scarce resources could be better targeted at rogue businesses, and such schemes would probably only have a minimal effect on improving public health. For scores on the doors to be viable, the British Hospitality Association (BHA) feels that issues need to be addressed on consistency of approach between local authorities; lack of resources; different types of pilot schemes likely to lead to consumer confusion; and the use of stars as a quality standard in many of the pilots, parallel to their use in the hotel industry. The BHA view is that a certificate incorporating a kitemark (e.g. FSA logo and local authority), indicating an inspection took place with the appropriate date and the business reached a satisfactory level of compliance, should be sufficient as a first step in hygiene information for consumers.

### **The Pilots**

10. Three groups of local authorities will be participating in the Agency-adopted pilots:

- All the London local authorities (33);
- Six cities in the Midlands; and
- Five authorities in Scotland.

Details of the respective schemes can be found at Annex C.

11. In addition, 15 individual local authorities in other parts of England have requested the opportunity to participate in the Agency trials. They are being invited to adopt the London scheme and their results will also be in the final analysis.
12. Two authorities in **Wales** (Swansea and Vale of Glamorgan), and one in **Northern Ireland** (Belfast City), are expected to join the pilot.

### **FSA Support**

#### ***IT Support***

13. The Agency has been in discussions with certain local authorities which have already developed “in house” software for a “scores on website” system. This is with a view to offering the software free of charge for use by pilot authorities. The Agency would not be hosting a central website for the scores on the doors pilots. Therefore authorities would either administer their own websites or agree, for example, on one London website for all the London Boroughs.

#### ***Publicity***

14. Effective communication is key to the success of this project by raising the profile of Scores on the Doors with businesses and consumers alike. The Agency’s Communications Division is co-ordinating local and national communication activity with the various local authorities. Proactive national publicity is planned to coincide with the launch of the schemes.

#### ***Training of Local Authority Inspectors***

15. The successful introduction of Scores on the Doors requires high levels of consistency in scoring between food law enforcement officers to maintain the scheme’s credibility. The Agency has agreed to offer training on the application of its Code of Practice food hygiene inspection rating scheme to the pilot authorities. Specific training requirements have been received and the Agency is currently considering quotes from external providers. The costs can be met from the Agency’s “Maximising Industry Compliance” research budget. The effect of the training will be covered in the evaluation arrangements outlined in the next paragraph.

## **Evaluation**

16. The Agency is currently inviting tenders for ongoing evaluation of the impact of the pilots on hygiene standards; compliance with food hygiene legislation; consumer behaviour; value to consumers; incidence of food-borne disease (if possible); local authority burdens; consistency between different authorities; business costs; and the level of business co-operation (e.g. by voluntarily – in the absence of a legislative requirement – displaying the results at their premises). Evidence available from other scores on the doors/website schemes in the UK not sponsored by the Agency will also be taken into account. The evaluation process will begin as soon as possible, and continue until sufficient evidence to support recommendations has been acquired.

## **Legal Position**

17. Concern has been expressed by some local authorities about the legal basis for scores on the doors schemes. The Agency's legal advice is that publication of scores on websites is legal, even where a proprietor's name is published in the context of identifying premises only. Nevertheless local authorities may wish to take their own legal advice.
18. Scores on the doors is considered to be consistent with the Freedom of Information Act, and the Information Commissioner has ruled in favour of disclosure of inspection information where local authorities have been challenged for withholding it.

## **Other Risk Issues**

19. Some stakeholders who support the introduction of scores on the doors are concerned that, if a national scheme is not recommended quickly, the situation will become even more fragmented. The Agency's view remains that we cannot make a recommendation until we know what works best in the UK. It is recognised that, in the meantime, local authorities may become wedded to their own particular pilot and could therefore be disinclined to move to the preferred national scheme. But, in the absence of a legislative framework in this area, it is inevitable that there will not be a totally unified approach.
20. No decision will be made on whether legislation in this field would be necessary until after the trials have been evaluated.

## **Timescales**

21. At the time of writing the Midlands group of authorities, which are operating different schemes, all aim to have launched by the end of September 2006. The Scottish scheme is expected to start in early November, with the London pilot

following. Considerable co-ordination is, of course necessary for all the local authorities in these groups to be ready to launch at the same time.

22. Although the pilots could continue for up to two years the Agency expects useful evaluation results to be obtainable within the first year of a scheme's operation. An interim evaluation report will be produced in Autumn 2007 and considered by the Board before the end of that year. Delivery of the final report and any Agency recommendation for a national scheme will follow during 2008.

### **Board Action Required**

23. The Board is invited to:

- **note** the emerging position
- **comment** on the direction of the pilot schemes.

## SCORES ON THE DOORS FOCUS GROUPS: EMERGING CONCLUSIONS

### Consumers

- Display should make clear that it was “an official government scheme” (e.g. with a prominent FSA logo)
- Star rating system was preferred – may be five stars rather than three as this was the standard used by other schemes (hotels etc) – it was recognised however that there was potential for confusion which the certificate displayed would need to dispel
- Gold, Silver, Bronze was the second most favoured rating system
- This was followed by the use of words (e.g. “Excellent”) or the combination of word and numbers/scores (e.g. “95-Good”)
- The least liked was “smiley” faces which were regarded as trivialising the issue
- Interest in any scheme was limited. Food hygiene was not a particular concern when making decisions about eating out. Higher priorities were price, menu, perceived food quality and type of cuisine. People were content to trust their own judgement of food hygiene based on appearance of the interior, popularity of the venue etc
- Focus groups tended to work on the basis that “if a place is open it must be safe” – this led to a view that a simple Pass/Fail system for food hygiene should operate (on the grounds that a place is either clean or it isn’t)
- There was no consumer recognition of a Food Hygiene Award scheme where one currently operated

### Businesses

- The views of Business Focus Groups on the symbols did not differ materially from consumers but businesses did appear interested in participating in Food Hygiene Awards schemes and thereby gain recognition for good food hygiene

### Conclusion

The researchers consider that the use of a rating scale could be more important to motivate businesses but consumers may be satisfied with a simpler certificate that merely shows that a food business has passed an inspection.

## EXAMPLES OF EXISTING SCORES ON THE DOORS SCHEMES

There are a number of scores on the doors schemes around the world. The examples below include a selection from the USA, where most states have a scheme, and others from Canada, Denmark, Singapore, and New Zealand. Information on evaluation of the schemes has been included where possible.

### USA: LOS ANGELES

This scheme, in operation since 1997, requires the display of a hygiene grade card, featuring a large letter A to C or the score, in restaurant windows. The starting-point for each inspection is a hundred points and points are deducted for violations discovered with A being awarded for 90 to 100 points; B awarded for 80 to 89; and C awarded for 70 to 79. For premises having scores lower than 70 no grade is awarded and only the score is shown. Details are posted on the Department of Health's website: <http://lapublichealth.org/rating/>

**The University of Maryland has evaluated the scheme.<sup>1</sup> Before the scheme was launched 25% of restaurants were regarded as in the Best Performing category ("A"s). This rose to over 50% in 1998 (and to 88% in 2006). Revenue for the Best Performing premises increased by nearly 6% in 1998.**

### USA: NEW YORK

The Food Service Establishment Inspection Scoring System is designed to provide food service operators with a clear understanding of where a problem exists and what they must do to prevent illness or disease.

A base point value is assigned to each violation. A Public Health Hazard is the most severe type of violation and typically has a base point value of 7; other Critical Violations have a value of 5; and General Violations have a value of 2. A total of 28 or more points in public health hazards, critical or general violations requires a follow-up inspection by the Department of Health and Mental Hygiene (DOHMH) to determine if the violations have been corrected.

Depending on the severity of the violation, additional violation points may be added, so that the final point total reflects the extent and severity of the violation. The more extensive or severe the violation, the greater the overall point value it has.

Details are posted on the New York City DOHMH website: <http://www.nyc.gov/html/doh/html/rii/index.shtml>

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<sup>1</sup> Ginger Zhe Jin and Phillip Leslie. The effect of information on product quality: evidence from restaurant hygiene grade cards. *Quarterly Journal of Economics*, 118(2), May 2003

## **USA: TENNESSEE**

Tennessee uses a 44-item inspection sheet with a maximum of 100 points. Thirteen of the items are considered critical. Non-compliance with critical items must be corrected within ten days. Serious or repeated violations may result in revocation of the establishment's permit. Current food permits and the most recent inspection report must be displayed in a prominent location for the public to view.

Reports are also placed on the Department of Health's website at: <http://tn.state.gogov.com/tennessee/>

## **USA: VESSEL SANITATION PROGRAM (VSP)**

VSP was launched by the US Department of Health and Human Services, Centers for Disease Control and Prevention in the early Seventies after several disease outbreaks on cruise ships. It was established to protect both passengers and crew by minimising the risk of gastrointestinal illnesses on cruise ships.

VSP staff inspects twice yearly all cruise ships with a foreign itinerary that calls at a US port and carries 13 or more passengers. The inspections are conducted to ensure that vessels are maintained to adequate levels of sanitation and to provide guidance to staff if required.

Inspections are scored on a points system of 100, with scores of 86, and higher, classified as satisfactory and below being deemed unsatisfactory and requiring re-inspection within 30-45 days.

Scores are published on the VSP web site and a compiled list is also distributed to more than 3,000 travel-related services world-wide. These are available on the Centers for Disease Control and Prevention (CDC) website at: <http://wwwn.cdc.gov/vsp/InspectionQueryTool/Forms/InspectionSearch.aspx>

**Since the program started the number of disease outbreaks on ships has declined dramatically even against a background of increased ships and passengers.<sup>2</sup>**

## **CANADA: TORONTO**

DINESAFE was introduced in 2001 when businesses had to post certificates detailing the results of food safety inspections in an obvious place. There are three categories:- Pass, conditional Pass (revisited in 48 hours) and Closed. These are also placed on the Dinesafe website at: <http://app.toronto.ca/food2/index.jsp>

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<sup>2</sup> Quoted on the CDC website at: <http://www.cdc.gov/nceh/vsp/desc/aboutvsp.htm>

**There was an increase in compliance with regulatory requirements from 78% in 2001 to 88% by 2003. There was also a reduction in infractions known to be associated with food borne illness and a greater compliance in food premises with certified food handlers compared with those without.** <sup>3</sup>

## **DENMARK**

After each inspection, the supervising officer reports on the outcome and a new “smiley” is awarded. The accompanying report is made publicly available on the national smiley website, which also displays the four most recent inspection reports for each establishment. Businesses must display to customers the most recent smiley report.

Scores are in the form of a series of faces:-

*Very happy smiley face* - The Inspector had no remarks;

*Happy smiley face* – Certain rules must be obeyed;

*Neutral face* - An injunction or prohibitory order has been given to the enterprise;

*Frowning face* - The enterprise has received an administrative fine, been reported to the police or approval has been withdrawn.

If the result of an inspection is unsatisfactory the premises can be re-inspected after it has improved but this must be paid for.

The results are also published on the Ministry of Family and Consumer Affairs website at: <http://smiley.fvst.dk/Smiley.aspx?view=Simpel>

**Surveys carried out in 2003 showed that 94% of consumers supported the scheme and 79% said they would be influenced by the results when choosing eating places. 77% of businesses supported the scheme and of these 83% believed that the inspector’s judgement was fair when making assessments. Overall, the Danish food authority asserts that compliance levels have improved and that the scheme has been an outstanding success.** <sup>4</sup>

## **SINGAPORE**

A Grading system for Eating Establishments and Foodstalls was introduced in June 1997. Its aims were to provide a more structured appraisal system and to encourage licensees to improve and maintain good personal and food hygiene at their stalls. It

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<sup>3</sup> Sylvanus Thompson, Ron de Burger and Olayemi Kadri. The Toronto food inspection and disclosure system. *British Food Journal*, 107 (3), 2005

<sup>4</sup> Jenny Morris. Publication of Hygiene Inspection Information. Report available via the internet at: [http://www.cieh.org/knowledge/food\\_safety\\_and\\_nutrition/food\\_safety\\_and\\_standards/food\\_safety\\_initiatives.htm](http://www.cieh.org/knowledge/food_safety_and_nutrition/food_safety_and_standards/food_safety_initiatives.htm)

is claimed that this system enables the public to make a more informed choice when patronising these stalls.

Establishments are graded using an A – D system where A is excellent and scored at 85% and above, B is Good (70% - 84%), C is Average (50% - 69%) and below 50% is Poor, and a certificate is issued to the vendor.

### **NEW ZEALAND: FRANKLIN DISTRICT COUNCIL**

The council developed the Food Hygiene Bylaw in 2004 in response to the non-compliance by certain food premises with the Food Hygiene Regulations 1974.

Establishments are graded using a A – E system; where A is fewer than 5 faults with no critical or repeat faults, B is fewer than 10 faults, with no critical or repeat faults, D is more than 10 faults with no critical and/or one or more repeat faults, E has one or more critical faults. There is no C in this system as there is no average standard or passing grades. Food Premises will either be graded as high quality (A & B) or below standard (D & E ).

Premises are issued with a certificate that must be displayed in a public area and the grading is also placed on the council website at: [http://www.franklindistrict.co.nz/graphics/pages/All\\_food\\_grades\\_at\\_30.05.06.pdf](http://www.franklindistrict.co.nz/graphics/pages/All_food_grades_at_30.05.06.pdf)

## THE PILOTS

*London*

1. It is intended that a common pilot, based on compliance with food law, will cover all London authorities and all food businesses (with some exclusions for those managed from home) from a single start date. One overall premises score would be derived from Code of Practice Annex 5 inspection rating scheme as in the following table.

Performance Level	Compliance Guidance *	General	Star Rating	Score – total of: Confidence in Management + Compliance: Hygiene & Safety + Compliance: Premises Structure
Excellent	Very high standards of compliance with food safety legislation. Demonstrating best practice in managing and achieving this.		☆☆☆☆ 5 Star	0 to 5
Very Good	High standard of compliance with food safety legislation. Robust food safety management.		☆☆☆O 4 Star	10 to 15
Good	Good level of legal compliance. Only minor safety issues not addressed.		☆☆OO 3 Star	20 to 25
Satisfactory	Mainly compliant with food safety legislation. An understanding of food safety and standards being maintained or being improved.		☆☆OOO 2 Star	30
Poor	Some non compliance with food safety legislation – more effort required.		☆OOOO 1 Star	35 to 45
Very Poor	A general failure to comply with legal requirements. Little or no appreciation of food safety.		OOOOO No Star	50 or more

- The scores will be based on the last primary inspection. Re-inspection on demand is not envisaged but proprietors would be able to use the normal local authority complaints procedure and have a “right of reply” to which consumers would have access. A certificate for display on the premises would be issued – although voluntary it is envisaged that high scores, at least, would be happy to co-operate – and there would be a London-wide website.

## Midlands

- For comparison purposes a group of six authorities (Derby, Leicester, Hull, Nottingham, Stoke and Coventry) are proposing a variety of scoring systems and targeting different food business sectors/localities.
- In some cases re-inspection is being considered (and charging if that could be regarded as a “discretionary service” under the Local Government Act 2003). Most schemes are being implemented from the next primary inspection of a business but, in at least one case, historic data is being used. All schemes are to be based on the FSA food law Code of Practice. In most cases stars are being used to present scores (although the number of categories vary). Smiley faces and letters with a percentage score are also being considered. A published leaflet on one already launched scheme (Leicester) is reproduced below as an example of how scores on the doors is being introduced in this area. Further details about the Leicester scheme can be found at [www.leicester.gov.uk/food](http://www.leicester.gov.uk/food)

**What is the SmileSafe Rating?**

Your business is rated according to the standards of food hygiene practices, the standard of structure and confidence in your management. A report will be produced and sent to you following this inspection. The report will show your SmileSafe rating and include a brief summary of the standards found by the inspecting environmental health officer (see the example report opposite).

You are strongly encouraged to display the report in a prominent place in your business (such as the window or door). The report will also be published on the Leicester City Council website: [www.leicester.gov.uk/food](http://www.leicester.gov.uk/food).

**How Your SmileSafe Rating is Calculated**


The ratings are calculated from the Leicester City Council Food Hygiene Inspection Rating Form which will be issued to you by the inspecting environmental health officer. This rating is taken from a national scheme set by the Food Standards Agency which all local authorities must use to determine how often your premises are inspected.

The ratings are calculated from sections 4, 5 and 6 on the form. The scores to the right of the smileys are the scores given in these three sections. Your overall SmileSafe rating is the poorest of the three other ratings.

Section	Score	Smiley
<b>Food Hygiene Practices</b>		
• Food handling	5 & 0	😊
• Temperature Control	15	😐
• Personal Hygiene of Staff	20 & 25	😞
<b>Structure</b>		
• Cleanliness	5 & 0	😊
• Maintenance and repair	15	😐
• Facilities	20 & 25	😞
<b>Confidence in Management</b>		
• Food safety procedures	5 & 0	😊
• Track record of business	20	😐
• Food hygiene training	30	😞
<b>SmileSafe Rating</b>		😊 😐 😞 😞

**Putting Consumers in the Picture**

The reason that Leicester City Council is making Food Safety Reports and SmileSafe ratings publicly available is to ensure that your customers are informed about the food safety standards that we find at your premises. This means that high achieving businesses receive the recognition that they deserve and underachieving businesses have an incentive to improve food safety.



**What to do if you do not Agree with the SmileSafe Rating**









If you do not agree with the rating that the inspecting officer has issued, you should discuss the rating with the officer. If you still do not agree that your rating is accurate, please telephone the food safety team manager, David Barclay Rhodes, on 0116 2526425.

**Requesting a Visit to have your SmileSafe Rating Reassessed**

If you have been given a rating that you would like to improve upon, you may request a visit to have your business reassessed. The tear-off form on the back of this leaflet should be completed and returned within 28 days of your inspection. The form has a space for you to indicate the improvements that you have made that you believe would improve your SmileSafe rating.

After receiving this form together with a payment of £104, an environmental health officer from Leicester City Council will visit your premises at some time between 28 and 56 days after your initial inspection.

If the form and sufficient payment is not received within 28 days, you will not be eligible for a visit to have your SmileSafe rating reassessed. The next time your rating will be assessed will be at the next inspection indicated in the Leicester City Council Food Hygiene Inspection Rating Form that was issued by the inspecting environmental health officer.

Food Safety Report	
<b>Name of business:</b> Food Business	<b>Address:</b> 10 Smiley Drive Leicester LE1 1AA
<b>Food business operator:</b> Food Business Ltd	
SmileSafe Rating	
<b>Inspection Date:</b> 30 May 2006	
<b>Food Hygiene Practices</b> <ul style="list-style-type: none"> <li>• Food handling</li> <li>• Temperature control</li> <li>• Personal hygiene of staff</li> </ul>	<b>SmileSafe Rating:</b> 
<b>Structure</b> <ul style="list-style-type: none"> <li>• Cleanliness</li> <li>• Maintenance and repair</li> <li>• Facilities</li> </ul>	
<b>Confidence in Management</b> <ul style="list-style-type: none"> <li>• Food safety procedures</li> <li>• Track record of business</li> <li>• Food hygiene training</li> </ul>	
<p>The SmileSafe rating is the lowest of the food hygiene practices, structure and confidence in management smiley ratings.</p>	
 High standards of food hygiene  Satisfactory standards, some issues raised	 Unsatisfactory standards, some major problems  Highly unsatisfactory standards, enforcement action likely
Summary of Inspection Findings	
<p>Food hygiene practices are excellent, with good temperature control systems and equipment and excellent staff cleanliness.</p> <p>Structure is excellent, cleaning is good and all necessary facilities are in place.</p> <p>The business has written food safety procedures, but more work is necessary in some areas.</p> <p>All staff are trained to an appropriate level.</p>	
<b>Inspector:</b> David Barclay Rhodes	<b>Signature:</b>
Leicester City Council, Food Safety Team, New Walk Centre (A4), Wellford Place, Leicester, LE1 6ZG	Tel: 0116 2527001 www.leicester.gov.uk/food E-mail: food@leicester.gov.uk
	

## Scotland

5. In Scotland a stakeholder working group was convened during 2005 to consider the publication of hygiene information. The group included representatives of consumer, enforcement and industry interests and recommended that a pilot scheme be established in line with the proposals contained in its report. The Agency in Scotland is preparing to implement this pilot in late October or early November 2006 with ongoing advice from a stakeholder Steering Group. Five local authorities across a representative area of Scotland (Renfrewshire, Edinburgh, Fife, Perth & Kinross and Aberdeen) have volunteered to participate in the pilot.
6. The pilot covers retail and catering sectors but excludes premises from which food is supplied exclusively to other businesses/organisations (e.g. manufacturing, wholesale or distribution). All businesses within scope would be covered from day one – relying on historical inspection data at inception.
7. Grading categories would be:-
  - i. Pass;
  - ii. Improvement required.

8. It is proposed to provide for re-inspection within seven days of a business notifying that matters had been remedied.
9. All relevant food premises in the pilot area will be entitled to a certificate of some kind including those that have not yet been inspected for the first time. In such cases the information on the certificate will simply advise consumers of that fact.
10. The Pass category in the pilot scheme provides basic information about compliance with hygiene legislation but is designed to integrate with the Eat Safe award scheme that operates in Scotland and Northern Ireland. The Eat Safe award standard is higher than compliance.
11. The operational details of the scheme are currently being finalised in consultation with the Steering Group and the participating authorities.