

Value of FHRs Local Authority research:

Chapter 3 Managing re-assessment at the request of businesses

LA representatives discussed their experiences of re-assessment, including how this is managed and what it means for the FHRs. In general, LA representatives thought there were some challenges associated with re-assessments and revisits, although the extent of this varied. One of the challenges that they highlighted was the role of online aggregators (like Deliveroo, Just Eat and Uber Eats) as a driver for re-assessments. LA representatives also explained that the introduction of fees for re-assessments has led to an increased demand for quicker re-assessment visits from businesses, because they were now paying for this to happen. In addition, LA representatives discussed how some businesses avoid charges and being given low ratings by re-registering as a new business.

LA representatives from Northern Ireland felt that the re-assessment scheme worked well and was not a huge burden to their current workload. One explained they receive about 20-25 requests for re-assessment a year. From their experiences they felt that most businesses only requested re-assessments if they really wanted to get an improved rating for the right reasons, and the changes that needed to be done had been completed.

In England, LAs charged a range of fees (from c.£100 to £250), with some who said they charged a flat rate while others considered factors such as the distance and time it takes for an inspector to conduct a revisit. In Wales all LAs charged a fee of £180, which was set and agreed by all LAs in Wales. In Northern Ireland, both LAs charged a fee of £150 – this is the standard fee set in legislation for Northern Ireland.

Some LAs – particularly in England – discussed how some businesses were looking for re-assessments to be completed at a quicker pace than in the past. This was exacerbated by the role of the online aggregators which is discussed further below. LAs described dealing with increased pressure from businesses to speed up re-assessments or to see ratings improved when little had changed in the business. This was seen as a negative consequence of introducing charges for re-assessments.

In many urban areas, re-assessments were a significant aspect of LAs' workload in both England and Wales. In rural areas re-assessments seemed to be more unusual, linked to the limited reach of the online aggregators (as discussed further below).

Some LAs felt that takeaways formed a significant proportion of businesses who were seeking re-assessment. However, there was no overall consensus among LA representatives about the types of businesses that request re-assessments most often. This is likely to be linked to the profile of businesses in different places. LA representatives mentioned a range of businesses, from takeaways to residential care homes and supermarkets as examples of recent re-assessments. Some representatives felt the desire to beat or match their competitors was a key factor for requesting a reinspection, but that this cut across business types.

Many LAs described most of their re-assessments as coming from those with low FHRs ratings of 2 or under, but there was again no consistent pattern. Other LAs said that a significant number of re-assessment requests came from businesses who had achieved ratings of 3 or 4 but who

wanted to achieve a 5. There were some concerns that this creates an unnecessary burden, especially as a 3 and above constitutes a satisfactory or better rating under the current scheme.

“It's hard to say and I've not got the data in front of me, but the majority will be the 0, 1s and 2s. But equally, we do get a fair chunk of re-rating requests from those with a 3 or a 4.” (LA representative from Wales)

“It's the ones that are pretty good but just want to aim for that five that I find the majority of the ones we get. The ones that get the poor, they're just not bothered, the ones that get the poor rating.”

(LA representative from England)

Online aggregators, such as Deliveroo, Just Eat and Uber Eats, were thought to play a significant and increasing role in driving re-assessment requests. LA representatives from England described higher scores becoming much more important for some business who had been less concerned previously. It was now essential for their business model that they met the minimum standard required by these platforms. In turn, this meant that more food businesses offering takeaways and delivery were applying for re-assessments. These businesses also wanted the re-assessment process to be completed quickly because they were losing revenue by not being listed on the aggregator platform.

LAs worried that the re-assessments linked to the online aggregators were often motivated only by wanting to get back on the platforms, rather than being motivated by a genuine concern about improving food hygiene. As such, LA representatives expected that after achieving the minimum standard, these businesses were unlikely to maintain it.

“What is interesting is how some of the online platforms like Just Eat are now driving the ratings, rather than the environmental health team driving the ratings. Most of our service pressures come from the request for re-visits from take-aways, and things like that.”

(LA representative from England)

“We seem to be at the mercy of online food ordering platforms, such as Just Eat and Uber Eats because if a business scores poorly, they get knocked off their systems, which means they're jumping up and down then for a revisit, which obviously puts a lot a lot more pressure on the local authority.”

(LA representative from England)

LA representatives in Wales also noted the impact of online aggregators, with one participant suggesting that this has increased the value of FHRs for some businesses. Overall, LA representatives in Wales did not consider the burden of re-assessment to be as much of an issue as it was for many LAs in England. This reflects LA representatives in Wales' general views that the current system works well and that they have sufficient resources in place to manage it effectively.

“With going on Just Eat platforms and that sort of thing, I think they really value [the rating].” (LA representative from Wales)

The impact of re-registration of businesses was an issue highlighted by LA representatives from all three nations. LAs described an increasingly common practice where businesses would receive a poor rating but would then re-register the business under a new name, triggering an inspection without the business having to pay the re-inspection fee. It also means that businesses can operate under an 'awaiting inspection' status, despite having recently achieved a poor rating. LA representatives felt that this undermines the FHRs and contributes towards their current workloads.

“Essentially, it's a way round. It's a very cheap way of having a re-inspection. To re-register a limited company, you're talking £14.99 on Companies House, whereas a reinspection is £180. The amount of new business churn you get as a result of that is difficult, and it tends to be the poorly performing businesses that tend to churn.” (LA representative from Wales)

“That's one of our main battles, they're constantly changing. If they do get a poor rating, they'll just change the company name, then you're chasing your tail with finding out who's actually the guiding mind of the business. That's what we are dealing with on a daily basis, working out who is responsible for the business, which makes it really difficult.”
(LA representative from England)

“So they don't have to pay for a revisit. There has to be some way to get around that. That'd be the only downfall.”
(LA representative from Northern Ireland)

LA representatives from England and Wales argued that introducing a form of licensing scheme for those selling food – similar to those within cosmetics and alcohol businesses – could be a way to address this issue. They felt this would reinforce the value of their inspections and strengthen the current FHRS.

“I think that's where the FSA need to help local authorities, is to have some sort of a like credit check of individuals, certainly for those with late-night refreshment licenses.”
(LA representative from England)

“If there was a licensing scheme, then you're ironing out all the problems before they start to operate, as in giving them guidance, preventing any poor practices before they start to operate.”
(LA representative from England)