

Value of FHRs Local Authority research:

Chapter 5 Views on voluntary and mandatory display

Businesses in Wales and Northern Ireland are legally required to display their FHRs ratings in a prominent place. Fixed penalty notices are used for enforcement, if businesses do not comply with this. In England, there is no legal requirement to display an FHRs rating, although businesses are encouraged to do so.

In Wales, mandatory display was strongly supported and seen as fundamental to the effectiveness of the FHRs. LA representatives in Wales thought mandatory display highlighted the importance of their work and had helped raise food hygiene standards. They also felt that mandatory display was a benefit for consumers, as it increased transparency. They also referenced the usefulness of fixed penalty notices as a way to sanction those who do not meet the mandatory display requirements.

“It's transparency as well, basically there's no hiding place for a food business... it's giving the members of the public that categorical explanation of this is the result of the last food hygiene inspection. It's up to you then, it's taking an element of the guesswork away from the members of the public and giving that informed decision.” (LA representative from Wales)

“I don't see any drawbacks in it being mandatory at all. I think all the strength of it is in it being a mandatory scheme. We all operated a voluntary scheme... but really, unless you've got the teeth of mandatory and a legal requirement to display, then it's always only going to be partly successful.”
(LA representative from Wales)

The two Northern Ireland LA representatives also strongly supported mandatory display. They explained that a voluntary scheme was not fair because businesses would not display their rating if it was not in their interest to do so. For the FHRs to be effective, they felt it therefore had to be mandatory. One of the LA representatives from Northern Ireland suggested that since the introduction of mandatory display (October 2016), they have not encountered a lot of opposition, and that businesses will contact them if the business has lost its sticker.

“It has to be mandatory to be any good. We did the voluntary thing and that was good, it was a good precursor to the mandatory thing. Because it's not fair if somebody else displays it and not all the premises. It would only work if everybody's doing it right.”
(LA representative from Northern Ireland)

“There was no real opposition to it. There's been no real kickback from it. Everybody's quite compliant. People would ring and ask for replacement stickers and I suppose like the lower bit of the premises, you might have the odd premises where they don't want to put it up but then, you just send a letter. They know that they'll be fined and then they'll put it up.”
(LA representative from Northern Ireland)

In England, there was strong support for introducing mandatory display for FHRs ratings. LA representatives felt that voluntary display undermined the value of the FHRs by reducing the incentives for businesses to comply. If a business gets a low rating, they can opt to not display their sticker, and LAs assumed that most consumers were not checking ratings online.

“I think the non-mandatory display doesn't help. What's the incentive if you've not got to put your sticker in the window if you get a rubbish score?”

(LA representative from England)

“They're only interested in displaying the 5 stickers if they get them. Anything else, nobody bothers with.”

(LA representative from England)

LA representatives in England felt that mandatory display would further encourage compliance with food hygiene standards. They argued that this would make the scheme more effective for consumers, as it would inform their decision-making processes when choosing what businesses to interact with.

“I do think there'll be benefits, many more benefits. And I can't believe how long that has been going on. I mean, they've proved it with statistics in Wales and that it does make a bigger impact. The public still don't know to go on a website to look at the rating.” (LA representative from England)

Reflecting on the possibility of future changes to the voluntary display of FHRs ratings in England, LA representatives from England expressed concerns about the potential impact this might have, particularly in relation to resourcing. They discussed current resourcing pressures and emphasised how this could make mandatory display harder to deliver. This was both in terms of increased demand for re-assessments, and the need to enforce display. Some felt that while mandatory display would help with the long-term effectiveness of the FHRs, it may be difficult to introduce in the short-term.

“If you think about where we're at now [mandatory display] would require more resource because there's going to be an increased need for revisits. Just an increased resource to ensure that it's done properly and consistently.”

(LA representative from England)

“I sound like I'm being really negative and I'm not because I am for it, but I don't think it's the right time. I just don't think at the moment we could possibly put that in within the next year, I think it'd have to be after that.”

(LA representative from England)

Some LA representatives from England were concerned more generally about how mandatory display would be enforced. They had doubts about having the resources to enable staff to check that previously inspected businesses were displaying correct ratings. There were also some concerns about mandatory display leading to increased aggression toward inspectors or others responsible for ensuring that a low-rated business was displaying the correct sticker. These LA representatives wanted to know more about the practicalities of ensuring mandatory display could be administered safely, based on the experiences of LAs in Wales and Northern Ireland.