

Note of Steering Group meeting held via MS TEAMS on Monday 22 May 2023

Present

Darryl Thompson – Chair	Rebecca Kirk – Food Standards Agency (FSA)
Hugh Mantle – National Federation of Fish Friers/British Takeaway Campaign	Karen McCloskey – FSA (Head of Delivery Standards Unit)
Fiona West – Nationwide Caterers Association	Jesse Williams – FSA (Head of FHRS Team)
Richard Webster – UK Hospitality	Azeem Sabri – FSA (FHRS Team)
Shefalee Loth – Which?	Michael Harding – FSA (FHRS Team)
Louise Hosking, Chartered Institute of Environmental Health	Sophie Moore – FSA (FHRS Team)
Ciaran Donaghy - Chartered Institute of Environmental Health	Julie Benson – FSA (hygiene delivery model)
Peter Brett - City of London – representing local authorities in England	Chris Coker – FSA (hygiene delivery model)
Colin Kelly - Antrim and Newtownabbey Borough Council	Jonathan Downey – FSA Wales
Rebecca Pomeroy - Wrexham Council - representing local authorities in Wales	Louise Connelly - FSA NI

Agenda Item 1 – Welcome and introductions

1. The Chair welcomed everyone to the meeting and, as there were some new members, all present introduced themselves and outlined their involvement in the Food Hygiene Rating Scheme (FHRS).
2. The Chair welcomed Rebecca Pomeroy as the new representative for local authorities in Wales, Peter Brett who is the new representative for local authorities in England, Louise Hosking (new Executive Director at CIEH) and Ciaran Donaghy, who are representing CIEH, Richard Webster who is representing UK Hospitality and Fiona West who is representing the Nationwide Caterers Association.

3. The Chair formally thanked previous members, Gillian Dicken for her contribution as the representation for local authorities in Wales and Kate Thompson for her contribution as CIEH representative.
4. Apologies were noted from Jenny Morris (Nationwide Caterers Association), Ellie Greenwood (Local Government Association), Jackie Fitzsimons (Department for Business and Trade) and Steve Livens (British Beer and Pub Association).
5. It was noted that this was the first meeting since January 2022. It had been intended to hold an earlier meeting to seek members' input on mandatory display in England, but this work had been delayed due to the impact of the changes in government last year. The aim of the meeting was to provide updates on key work areas and seek views from Steering Group members.

Agenda Item 2 – Note of January 2022 meeting and Matters Arising

6. The note of the last meeting was agreed without amendment and will be published on the FSA's Smarter Communications platform together with the papers from today's meeting.

Action 1 - Steering Group Secretariat to publish the note of the January 2022 meeting and papers from today's meeting.

7. The Chair gave a brief overview of the matters arising (FHRS SG May 22-01) from the last meeting. Prior to the meeting, the Chair had provided the FSA with examples of head offices that had not been notified of the ratings of individual outlets. It was noted by some members that there may be challenges in local authorities being able to do this consistently due to limited resources and incorrect details being provided by establishments.

Action 2 - Chair to continue to send to FSA examples of Head Offices not being notified of ratings of individual outlets, to be broken down by region, on an ongoing basis.

8. The proposal for NI online display of food hygiene ratings was discussed. The following points were noted:
 - Steering group members discussed the problems with differing approaches to databases and id numbers (some being property based and some being based on businesses). This could create problems if online display becomes law to display up to date information on websites
 - Richard Webster highlighted that partnership agreement pubs will be affected as operators change on a regular basis, but the premises is the same. Constantly having to update ID numbers then keeping the website up to date could be difficult and this should be an automatic process
 - It was highlighted by the FSA that although the recent NI consultation has closed and the responses have been published any further feedback is welcome as regulations have not yet been finalised.

Agenda Item 3 - General update paper for England including Steering Group work programme and priorities (FHRS SG May 22-02)

9. Jesse Williams presented a paper providing a general update for England including steering group work programme and priorities.
10. The planned data collection recommended by the 2019 independent review of safeguards was put on hold due to the COVID-19 pandemic and the local authority recovery plan. The collection and analysis of data, including data on requested re-inspections and audits of correspondence between LAs and businesses, is underway for 2023/24.
11. FSA has already announced that mandatory display in England has been paused due to political uncertainty and the White Paper on Health Disparities being postponed. However, it was intended the case for mandation would be put to Ministers early in the next term of government.
12. The impact of the FSA's ongoing review of the hygiene delivery model (part of the FSA's Achieving Business Compliance programme) on FHRS is a priority and has been considered from the start. As the proposals develop, the impact on FHRS will become clearer. This is the subject of Item 4.
13. In response to Richard Webster, Jesse clarified that in terms of the evaluation of the flexibility for remote assessment for re-ratings in England allowed during the LA recovery plan, the report was being prepared for publication. The main theme of the report was to consider the tools and techniques for remote assessment and the findings will inform wider policy development on remote assessment.

Agenda Item 4 – The Food Hygiene Delivery Model review

14. Julie Benson introduced herself and Chris Coker and they both provided a presentation on the proposed developments for a modernised Food Hygiene Delivery Model (FHDM).
15. It was noted that the project started in September 2021 and is part of the FSA's ABC programme. The aim is to provide a three-nation approach to modernising the model for all food business establishments that are within scope of the current model. The FSA is running an initial [consultation](#) which is due to close on 30th June 2023. Members were encouraged to respond.
16. The changes to the model consist of the following four proposed policy developments:
 - **Modernised food hygiene intervention rating scheme, including a decision matrix.** Many of the elements used in the proposed intervention rating scheme still align with the current model but the proposal looks to introduce an additional compliance element of allergens (cross-contamination). This is proposed to provide clarity on the aspects of allergens to be considered within the intervention rating scheme (although this element is proposed to be out of scope of FHRS)

The proposal also changes the numerical values associated with the intervention rating scheme elements and the method of calculating the next official control frequency (using a decision matrix); amends the frequencies of next official control (with the most intensive frequencies being 2/4 months for the highest inherent risk, most non-compliant establishments and up to 60 months for the lowest inherent risk, most compliant establishments); and proposes the inclusion of an additional confidence in management (CIM) score (equivalent to a score of '15' in the current model) with slight amendments to the scoring descriptions used to determine the CIM score (including reference to food safety culture). The decision matrix approach aligns with the recently consulted upon Food Standards model and follows a graduate risk-based approach

Chris Coker highlighted the possible impacts on FHRs including allergens (cross-contamination) being outside of FHRs scope; inclusion of an additional scoring option in CIM (equivalent to a 15) may impact upon FHRs ratings of 1 and 2; potential impacts linked to changes to official control frequencies (e.g. timescales between FHRs ratings, use of FHRs Safeguards and consumer/business confidence); amendments will be required to the FHRs IT portal, local authority Management Information Systems (MIS) and open data user systems; updates will be required to the FHRs Brand Standard (England) and the Statutory Scheme Guidance (Wales & Northern Ireland); and local authority familiarisation and training will be required to ensure consistency

- **Updated risk based approached to timescales of initial and due official controls.** For initial official controls of new food businesses, it is proposed that there will be a triage period of 28 days from receipt of new food business registration plus a timescale between 1-3 months for the official control to be undertaken depending upon the anticipated level of inherent risk the business poses

For due official controls, it is proposed that the official control should take place within 1-3 months of the due date for the official control depending upon the overall risk profile identified at the previous intervention. For both initial and due official controls, there would be flexibilities for local authorities to postpone official controls.

The impacts on FHRs could include, that for new businesses, a longer delay between registering their business and receiving an initial official control could occur. For businesses with an FHRs rating, this could be in place longer if they are lower risk/have higher levels of compliance

- **Methods and techniques of official control, including remote official controls.** The proposal looks to extend the methods and techniques of official controls that can be used to amend an intervention risk rating. This proposal would also enable methods and techniques of official control to be undertaken remotely, in appropriate circumstances

The potential impacts on FHRs include a possible reduction in consistency and confidence in the scheme if different methods and techniques of official control, including remote use, are used to award an FHRs rating. The flexibilities in the use of methods and techniques would not be fully realised in Wales & Northern Ireland without changes to FHRs legislation

- **Officers undertaking official controls.** It is proposed that local authority officers that do not hold a 'suitable qualification' for food hygiene, can if competent, be authorised to undertake a greater number of activities, such as undertaking official controls at 'low' and 'very low' inherent risk establishments; gathering, processing, and sharing intelligence; sampling; etc. This could enable local authorities to deploy a wider cohort of officers, but this may reduce consumer/business confidence in FHRs if officers are not holding a 'suitable qualification' and awarding FHRs ratings.
17. The proposals will be reviewed based on feedback from the consultation and stakeholder engagement events and will be further refined following a pilot in early 2024 and further formal consultation to take place in late 2024. It is expected that the modernised model would be implemented during 2025/26.
18. Following the presentation, the Chair addressed the steering group for any comments. The following points were noted:
- The use of 'cross-contact' rather than 'cross-contamination' was questioned as it could lead to confusion. The FHDM team did seek advice on this previously but have had similar comments before so are willing to revisit this.
 - It was highlighted that using remote assessment could lead to some difficulties for businesses when providing document and records as some do not have scanners etc. to easily copy records.
 - Steering group members noted that they would like to see guidance for the assessment of food safety culture as this could be a subjective assessment and would mean consistency could be a challenge.
 - The changes to intervention frequencies as part of proposal 1 were questioned as this could potentially impact on the charge for a re-rating in Wales. If the intervention frequency changes it may remove the need for re-rating and payment for this. The FHDM team are aware of this issue as it has been highlighted before and will be considered.
 - Steering group members raised concerns around re-ratings and how they will be determined for FHRs, this is because it could lead to complications. Julie noted that there will be a pilot in January 2024 where the FHDM team will be able to pilot the scoring system, this will allow them to know if it works and highlight any unintended consequences or impacts on FHRs.
 - Questions were raised around the use of the proposed official controls and scoring and the impact this could have on FHRs. Julie referred steering group members to the consultation.
 - Questions were asked around the triage process and what information would be used to carry out triage for new businesses. Julie confirmed that information collected at registration would help LAs with this process.
 - In terms of modelling, Julie noted that the FHDM team have done hypothetical modelling, but the team do not know how this will work in practice with allergens and will do further modelling once they know what practical impacts are with the aim to share this information as part of formal consultation.

19. Julie asked that if there was any other feedback or questions for this to be emailed to the [FHDM inbox](#) as it could be considered in relation to guidance.
20. It was agreed that a copy of the presentation will be provided to steering group members.

Action 3 – Steering Group Secretariat to provide a copy of the presentation to steering group members.

Agenda Item 5 – Any Other Business

21. It was agreed that the date of the next meeting would be reviewed by the Chair and FSA and would be announced in due course.

**FHRS Steering Group Secretariat
May 2023**