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# FOOD HYGIENE IS GETTING EASIER TO SPOT IN NORTHERN IRELAND

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## THE FOOD HYGIENE RATING SCHEME

The Food Hygiene Rating Act (Northern Ireland) 2016 and associated regulations came into force in October 2016. The Act establishes a mandatory food hygiene rating scheme for Northern Ireland that replaces the scheme that was previously operated by district councils and the Food Standards Agency. This scheme is designed to help people choose where to eat out or shop for food by providing information about the hygiene standards in restaurants, pubs, cafés, takeaways, hotels etc, as well as supermarkets and other food shops. When a new food business opens it will receive a food hygiene rating, except in a small number of circumstances where exemptions apply.

## RATINGS

The hygiene standards found at the time of inspection are rated on a scale. At the bottom of the scale is '0' – this means urgent improvement is necessary. At the top of the scale is '5' – this means the hygiene standards are very good. The rating given shows how well you and your business are complying with food hygiene law. To get the top rating of '5', businesses must demonstrate a high standard of compliance in all three elements of the inspection.

## INSPECTIONS

When carrying out a food hygiene inspection a district council food safety officer will consider the following elements, which will then determine the business' food hygiene rating:



**hygiene** – how the food is prepared, cooked, re-heated, cooled and stored



the **condition of the structure** of the buildings – including the cleanliness, layout, lighting, ventilation and other facilities



how **food safety** within the business is managed and how the business records what it does to make sure food is safe

When a new business registers with the district council, they will receive a food hygiene inspection.

Following inspections, food safety officers will provide you with your business' rating and, if you didn't get the top rating, the improvements you need to make. This will be detailed in an inspection report letter. Following notification of your food hygiene rating, and once the period allowed for appeal has ended (21 days after you receive the notification), your rating, as well as additional information on the 'ratings breakdown' for your business, will be published on the Food Standards Agency website at: [food.gov.uk/ratings](https://www.food.gov.uk/ratings)

## DISPLAY

Following notification of your rating you are legally required to display the sticker provided by your district council. You will need to do this 21 days from the date you receive notification (this is how long you have to make an appeal). By law, you must display your sticker at or near each entrance to your premises that is available for use by customers. Stickers must be displayed in a location where they can be readily seen and easily read by customers before they enter the establishment when it is open for business.

## TELLING THE CUSTOMER

Under the Act you and your relevant employees e.g. front of house staff, must also tell customers, if asked, the rating the business has received. This applies in a face to face situation as well as over the phone.

## REMOVAL OF STICKER

You must remove your food hygiene rating sticker from display, and destroy it, once it is no longer valid. The sticker will no longer be valid 21 days following notification of a new rating, where the rating has changed, or when there has been a change in ownership of the business.

## APPEAL

You can appeal against a rating if you believe it does not accurately reflect the hygiene conditions at the time of the officer's inspection. This appeal must be made, in writing to the district council within 21 days from the date that you receive the notification of rating. Details on how to appeal can be found in the inspection report letter. The appeal will be considered by an officer from the district council, who was not involved in the original assessment of the food hygiene rating being appealed. The district council must

decide the appeal and notify you of the outcome within 21 days of receiving the appeal. If you do make an appeal you will need to display the relevant sticker after the appeal has been decided.

## RE-RATING INSPECTIONS

You can ask the district council for a visit to be carried out before the date of the next food hygiene inspection so improvements can be checked and a new rating given if appropriate.

Your request must be made in writing and you must provide evidence on the improvements that have been made to the hygiene standards. You must continue to display your current rating sticker as required, at the time when making the request for a re-rating, until you have been notified of the outcome of the re-rating visit.

The re-rating revisit will take place within three months of the request being made, and you will not be informed in advance of the specific date and time of the visit. Although it is anticipated that most re-rating revisits will lead to an improved rating, it is possible for a lower rating to be given if standards have otherwise fallen. There will be a charge for the re-rating visit which must accompany the request, further details of the costs will be provided by the district council.

## BUSINESSES HAVE A RIGHT OF REPLY

The Right of Reply allows a food business to comment on the rating it receives. For example, a business may wish to publish information in relation to what they consider to be particular circumstances at the time of the inspection that affected the rating. These comments must be made in writing to the district council, who will then forward to the FSA, who will publish the comments on its website, along with the rating. Further information regarding Right of Reply can be found in the inspection report letter.

## FAILURE TO DISPLAY YOUR RATING STICKER

It is an offence not to display your sticker. If you fail to display your sticker, display an incorrect sticker or mislead customers in relation to the food hygiene rating, the district council can take enforcement action. This may be through the use of fixed penalty notices. A fixed penalty notice will offer the opportunity for a person to pay a penalty of £200 within a period of 28 days, from the day that the penalty notice is given, or a reduced penalty of £150 if payment is made within 14 days. The Food Hygiene Rating Act (Northern Ireland) 2016 also allows for prosecution where necessary through a Magistrates Court.

## WHAT YOU NEED TO DO:



**Display the sticker** that applies to your statutory rating



You and your relevant staff **must advise customers** of the rating when asked



If you have not received a 5 rating consider any action you may want to take to **improve food hygiene** in your business

## FURTHER ADVICE

For further advice on the Food Hygiene Act (Northern Ireland) 2016 or any other queries relating to food law you should contact your district council.

