Causeway Coast & Glens Borough Council

Frequently asked questions about the

Food Hygiene Rating Scheme

1. **I sublet an area inside a large retail shop where I run a café. Where do I display my rating?**

   In a scenario where a separate café is located within a department store the rating for the cafe must be displayed at or near each customer entrance to the café. The rating sticker must be positioned in a location at or near each customer entrance where it can be readily seen and easily read.

2. **I am overdue for inspection, but have carried out improvements since my last inspection and am confident that my rating after my next inspection will be better than what I currently have. Do I have do display my current rating?**

   Under the statutory scheme you are required to display a valid rating. The rating that has been given to the business will remain valid until a new rating is received following an inspection, re-rating inspection or appeal (21 days from receiving a rating). Therefore in this scenario you must display your current valid rating until you have been notified of a new rating.

3. **I display my rating on my website, even though customers cannot order food via the website. Do I commit an offence if my rating changes and I don't update this on my website?**

   If customers cannot order food via an online ordering facility the food business is under no legal obligation to display a valid rating on its website and therefore in this scenario an offence under the statutory FHRS would not be committed. However where marketing or advertising by a business misleads the public about their rating or misrepresents the business in any way, this may constitute an offence under trading standards legislation.

4. **I have taken over an existing food business and its food hygiene rating is displayed. Can I continue to display this rating?**

   No. When you open a new business or take over an existing business you must register with the relevant district council. They will arrange for an inspection to be carried out which will result in a rating for the new business. If a rating which belongs to a former/different business is displayed at the premises this must be taken down as it is not a valid rating for the current business as the food business operator has changed.

5. **I currently have a food hygiene rating of 5 and I am moving to larger premises, can I transfer this rating to my new premises?**

   No, the initial '5' rating was determined by a number of elements that relate to and are affected by structure of that premises. As the business has moved premises the structure will be different and therefore the original rating will no longer be relevant. Food businesses are required to inform the relevant district council of any changes to their operation this includes change of address. In this scenario the district council will arrange for an inspection which will result in a new rating.

6. **I don't have any windows or doors at the entrance to my food business. How can I display my sticker?**

   Wall display stickers will be provided by the district council. These stickers are sticky on the reverse side and can be placed on a number of surfaces at the entrance to the food business such as a pillar, stand, menu board or other similar surfaces. The rating sticker must be positioned in a location at or near each customer entrance where it can be readily seen and easily read.

7. **I own the catering franchise for the provision of bar food in a golf club. The bar is run by the club itself. Both food and drink are served in the same area but by different food business operators. How will customers know which of the ratings displayed at the entrance belongs to my business?**

   Any food business with a food hygiene rating must display a valid sticker at all customer entrances where it can be readily seen and easily read by customers when the business is open for business. In this scenario it would be acceptable to have both businesses' ratings displayed at the entrance simultaneously provided it is clearly indicated which rating belongs to which business.

8. **What happens if I don't display my food hygiene rating sticker?**

   The district council may serve a fixed penalty notice (£200) for non-display or instigate legal proceedings whereupon conviction you will be liable for a fine of up to £1000.

9. **I've lost my food hygiene rating sticker. What do I do?**

   If you have lost your food hygiene rating sticker you should contact the Environmental Health Department of your district council as soon as possible and request a replacement.

10. I need more than one sticker as I have 3 customer entrances. What do I do?

If you require more than one sticker you should contact the Environmental Health Department of your district council and request further stickers.

11. I've received the same rating as the last time. Can I just leave the sticker in place that I put on the window previously?

If your rating remains the same and you are displaying a sticker reflecting this rating then it is valid and is not required to be changed. However, you are encouraged to display the most recent rating sticker if it is a window sticker so that the inspection date and other information on the back of the sticker can be seen by customers.

12. I didn't receive a new rating sticker with my last food hygiene report. What do I do?

Your district council is required to notify you of your new rating within 14 days of carrying out a food hygiene inspection. If you were not provided with a new sticker at the time of the inspection or when you were notified of your new rating you should contact the Environmental Health Department of your district council as soon as possible to request a rating sticker.

13. I have a mobile food business (fast food van, market stall etc). Where do I display my sticker as the counter area is open and there is nothing to attach it to?

A sticker showing the establishment's valid rating must be displayed in a location where it is capable of being readily seen and easily read by customers when the establishment is open for business. It would be acceptable for the sticker to be displayed in a picture frame on the work counter area or on a menu board or other elsewhere on the vehicle that can be readily seen and easily read.

14. I have a lot of advertising material on my window and don't have much room to display the sticker. Is it ok if I just make sure the rating itself is visible or do I have to make sure the entire sticker is visible.

The entire sticker must be visible so that it is readily seen and easily read by customers before entering the premises, therefore the sticker must be fully displayed and not impeded by other materials.

15. I'm not happy with the rating I've received. What can I do?

You should first contact the inspecting officer to discuss informally the rating which gives an opportunity to help explain further how the rating was determined. This discussion is not part of a formal appeal.

If you are still unhappy with the rating received and think that rating did not reflect the food hygiene standards at the establishment at the time of inspection on which the rating is based, you can submit an appeal. An appeal must be made in writing to the district council which produced the rating within 21days from receiving notification of a rating. No officer involved in the inspection or production of the rating can determine the appeal. The district council must determine an appeal within 21days of receiving it.

Another option open to food business if they are not happy with their rating is to request a re-rating inspection. A food business can apply for a for a re-rating inspection at any time, such a request must be made in writing and be accompanied with a fee (£150) and with an explanation of steps taken to improve compliance with food hygiene regulations following your last inspection. A re-rating inspection must be carried out by the district council within three months of receiving a valid request.

The 'right to reply' provision give food business the opportunity to comment on the establishment's rating and enables them to give an explanation of actions taken since they received their food hygiene rating, or to say if there were particular circumstances at the time of the inspection that might have affected the rating. Comments must be made in writing to the relevant district council and will be published on at food.gov.uk/ratings. Comments which contain offensive, defamatory, clearly inaccurate or irrelevant remarks may be edited or not published. In such cases the Operator must be informed by way of a written explanation of the reason for doing so and be invited to revise their text.

16. What is the difference between an appeal and a re-rating request?

An appeal can only be made on the grounds that a food businesses operator believes that the rating did not reflect the food hygiene standards at the establishment at the time of inspection on which the inspection is based.

A request for re-rating can be applied for at any time, such a request must be made in writing and be accompanied with a fee (£150) and with an explanation of steps taken to improve compliance with food hygiene regulations following your last inspection. A re-rating inspection must be carried out by the district council within three months of receiving a valid request.

17. **I've received a fixed penalty notice for not displaying my sticker. Can I appeal this?**

    There is no right of appeal against the issue of a fixed penalty notice, however, you have the right to ask to have the matter dealt with in a court of law.

18. **There are six different clubs using the same community facilities at various times during the week and each has its own Food Hygiene Rating. How do they display their stickers at the entrance in such a way as not to confuse consumers?**

    Any food business with a food hygiene rating must display a valid sticker at all customer entrances where it can be readily seen and easily read by customers when the business is open for business. In this scenario it would be acceptable to have each businesses rating displayed at the entrance provided it is clearly indicated which rating belongs to which business.