

Overview & Scrutiny Committee

Monday 16 July 2012
7.00 pm
160 Tooley Street, London SE1 2QH

Supplemental Agenda

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Food Hygiene Rating Scheme (FHRS) and school kitchen inspections

Background

1. On 23 May 2012 Southwark News printed an article claiming that, "Southwark Schools have the worst food hygiene records of four south London boroughs". The article also claimed that, "inspections of some school kitchens are overdue by more than 2,000 days...according to the council's own records".
2. An article the following week suggested that confusion had been caused by the introduction of a new scoring system under the Foods Standards Agency (FSA).

Comments of Strategic Director of Environment & Leisure

3. Since January 2006, the food team has successfully published the results of food hygiene inspection scores online using the "scores on the doors" scheme. The scheme was a pioneering initiative led by Southwark. Its main objective was to provide consumers with useful information on the hygiene performance of local food businesses so that they could make an informed choice about where they purchase their food. This would reward those businesses performing well and act as an incentive for those with poor hygiene performance to make improvements thereby, raising the general standards of food hygiene performance overall.
4. Under the scheme, all food businesses including school kitchens receiving a programmed food hygiene inspection would be given a star rating based on a numeric risk score for three main criteria considered during the inspection. These are:
 - standard of compliance with hygiene rules,
 - standard of compliance with structural requirements
 - confidence in the management system
5. The numeric risk scores for each aspect of the programmed inspection, together with associated guidance, are set out in the Food Law Code of Practice issued by the Food Standards Agency (FSA), the national regulator.
6. The star rating scheme under "scores on the doors" allowed for the classification of food businesses across six tiers of performance ranging from zero stars to five stars, zero being the worst.
7. While the scheme was in operation, the government introduced the national indicator of "broadly compliant" for food hygiene performance (NI184). As the scheme provided no descriptors for the star rating awarded, the FSA advised that it was necessary to identify within the star ratings, the level which equates to broadly compliant. The agency also recommended that local authorities publishing food hygiene ratings amend their star rating to clearly identify the level at which a business was broadly compliant with food hygiene requirements. This was considered to be equivalent to two stars. Southwark amended its records to implement the recommendation but this was not adopted by all local authorities operating the scheme. All Southwark schools rated two stars for hygiene under that scheme were therefore broadly compliant with food hygiene requirements.

8. With the desire to have a consistent and reliable national scheme, in late 2011 the FSA launched the Food Hygiene Rating Scheme (FHRS) following a series of earlier consultation and pilot programmes. The Agency later acquired the privately operated 'scores on the doors' website with a view to terminating the facility once all local authorities using the website, had implemented the new FHRS.
9. As part of a Pan-London initiative, in January 2012 the FSA provided grant funding to London Local Authorities to prepare for the adoption and implementation of the scheme. The Agency (FSA) desires that the scheme is implemented in London before the commencement of the Olympic Games.
10. Southwark food team received grant funding for £14k to make the necessary preparation for the implementation of the scheme. On 16 May 2012, Southwark food team published its food hygiene ratings to the new FHRS site for the first time.

Press Article

11. In preparation for the implementation of the FHRS, it was unavoidable that the vast majority of food businesses would receive their star rating based on data from earlier but most recent inspections. However, as programmed inspections progress, food businesses would be provided with more up to date hygiene rating which replaces any they received earlier. It was also necessary to identify a cut off date when no more inspection data would be published to the old 'scores on the doors' website. Additionally, the new FHRS introduced a slightly different method of calculating the hygiene rating of the business from the risk score.
12. As a result of the difference in approach to calculating the hygiene ratings, some businesses received a different star rating when the new FHRS was implemented.
13. The new scheme was publicised on Southwark website with web links to the correct online data. However, historic star rating data was still accessible via the scores on the doors website. The Southwark News reporter used the historic data, resulting in the publication of an unfavourable and inaccurate press article.
14. The press article compared the historic data for Southwark's schools with those of neighbouring borough Lambeth and concluded that Southwark had the worse school kitchens. The article commented on the number of Southwark schools given two stars in comparison to Lambeth and incorrectly concluded these schools were dirty and implied poor hygiene standards.
15. However Southwark had implemented the recommendations of the FSA to identify broadly compliant businesses within the star rating scheme, although the star rating was low, performance in food hygiene requirements was broadly compliant. In addition, it is not clear that Lambeth had implemented the recommendation to identify a star rating that equated to 'broadly compliant', therefore the two sets of data could not be accurately compared in the manner undertaken by the journalist.

16. Since the publication of the article, measures have been taken to prevent further possible confusion. All our schools have been generally compliant with food law requirements and work has been done and still in progress with schools that were displaying low hygiene rating. Currently around 80% of schools in Southwark have a hygiene rating of four or five.
17. There was only one school with a hygiene rating of one based on the last programmed inspection. However all the improvements identified at this school have since been made and a recent re-inspection rated the school at four.
18. However, all schools that require further inspections will be completed by 13 July 2012. We will continue to have close involvement with our schools and undertake inspection visits within the frequency determined by the risk rating score.

Responsibility for the Food Hygiene Rating Scheme

19. The hygiene rating scheme is owned and led by the Food Standards Agency (FSA). In Southwark, the food safety team is responsible for its implementation and administration within the standards established by the FSA.
20. Hygiene ratings are linked to programmed food hygiene inspections undertaken by food safety officers in accordance with the Food Law Code of Practice for England. Food safety officers work with the schools to make required improvements identified during the inspections and which impact on the hygiene ratings of the school kitchens. Where considered necessary based on risks, revisits are made to the premises to ensure the required improvements are implemented.
21. The responsibility for ensuring compliance with food law requirements in schools rests with the person or organisation contracted to deliver the catering at the school. It should be noted however that where the catering is provided by a contractor, which is the case for a number of schools, food hygiene matters relating to the structure of the school kitchen remain the responsibility of the school/the council. Defects, disrepair or layout of the kitchen owing to the age of the fabric/building will affect the overall hygiene rating and invariably accounts for low hygiene ratings in school kitchens.
22. Hygiene rating does not consider the nutritional value of meals prepared in schools/ catering establishments.

Comments of Strategic Director of Children's Services

23. When responsibility for public health transfers to local authorities in 2013 the functions pertaining to school kitchen hygiene will remain the same as they are now. Public health colleagues currently work closely with Environmental Health Officers, and would become involved if EHOs identified a health risk or health-related problems as a result of monitoring or enforcement action. Similarly if public health identified a disease outbreak, they would involve EHOs in the investigation and management of the source.

24. As advised above, all our schools have been generally compliant with food law requirements. There has therefore been no impact on the Free Healthy school meals programme.

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