

Value of FHRs Consumer Research: Chapter 4 Consumer attitudes towards possible areas of change to the approach to regulating food hygiene and safety

The reconvened workshops were focused on exploring consumer views on wider potential changes to regulatory approaches for food hygiene and safety. The workshops were reconvened with break-out groups organised based on participant-reported levels of awareness of the FHRs. Participants discussed six scenarios that set out possible areas of change to the approach to regulating food hygiene and safety in future. They were asked to consider the impact of these potential changes, including any benefits or concerns. Their views of each scenario are set out below.

4.1 The potential use of an independent audit for assurance

The following scenario was presented to participants:

A restaurant is due to receive their next visit from a government food hygiene inspector. The restaurant has had a good track record of complying with food hygiene standards over many years.

Instead of visiting the restaurant, the inspector is reviewing the findings from an independent audit carried out by a third party, as well as the business' internal audits.

This allows the inspector to assess the risks and assess their hygiene standards and award an FHRs score potentially without visiting in person.

Participants felt that this potential change would have a limited impact on businesses, as they were still being inspected even if not by a government inspector. Participants recognised that this type of approach also had some benefits for the FSA and LAs as it would free up resources to focus on businesses that were higher risk or had a worse track record of compliance. In some cases, participants were open to the idea of food hygiene inspectors making use of third-party independent audits and the businesses' internal audits when assessing hygiene standards and awarding the FHRs rating. However, they felt the FSA should continue to provide oversight and ensure those carrying out the visits were qualified to do so.

“You want to know their opinions are the same as those people from the FSA. If you felt confident that someone could operate in the same way as a previous inspector, I don't see a difference.”

(England)

There was a sense that participants were sceptical about the reasons for taking this type of approach. They were concerned that the current approach to inspections would change, including

responsibility for food hygiene inspections, and expressed concern about the impact this may have on food hygiene standards.

“It’s a bit weird sending in third parties. Why aren’t they keeping it all under one roof, having all these companies doing their work and reporting back?”

(Wales)

“The FSA would lose some control if it’s a third party on behalf of a local authority. That’s another step away from the FSA themselves.”

(England)

“It would reduce the workload for the FSA, but in doing so it would reduce the integrity of the standards they are trying to enforce.”

(Northern Ireland)

Their more specific concerns focused on who the third-party organisation might be, and whether those doing the audit would have the right skills and training to ensure food hygiene and safety standards were being met. They cited examples of using agency or third-party organisations in other sectors (e.g. social care, medical services and other government agencies) where they felt there were negative consequences in terms of the quality of the staff and their work. Participants were worried that staff working for third-party organisations would not have the motivation to do the role to the same standards as the FSA.

“Why would the FSA take somebody else’s word for it? I don’t think that’s right. If they are the ones giving the standard, they should be the ones who see that it is.”

(Northern Ireland)

Participants had different views on the cost of this type of approach. Some felt it could help reduce costs, but more felt that it could be an unnecessary set of additional costs to the FSA. Some of these opinions were influenced by their personal experiences of using contractors and third-party organisations in their own professions.

4.2 Changes to the method of inspection

The following scenario was presented to participants:

A local takeaway has so far had their food hygiene assessed and resultant FHS score awarded via face-to-face inspections. As part of the FSA modernising the way they work and keeping up with technology developments, the business will now be evaluated through remote assessments.

These remote assessments can take a variety of forms, for example, a phone call, a video call, or exchange of information online. If the inspector has any concerns, they can still arrange an on-site visit.

Participants were strongly against remote inspections as an alternative to physical inspections, particularly when thinking about preparing fresh food. They felt that it was not possible to offer a comprehensive, accurate assessment of food hygiene without visiting a business.

Participants discussed how this could provide businesses with the opportunity to ‘cheat’ the system by hiding things. They were particularly concerned about the limitations of a video screen, and the ability for business owners to hide the true reality of their premises. Participants did not understand how this would enable standards to be maintained over the long term, even in compliant businesses.

“I’m not happy with this at all. Someone with a video can tilt the camera and not do a full scan of the work area.”

(Wales)

“That's a definite red flag for me, a non-starter. Out of the question, totally.”

(Northern Ireland)

Participants were also concerned about other issues related to food hygiene that a virtual inspection would not be able to assess. They highlighted issues such as smell and touch, and worried about inspectors not being able to use all their senses to assess the business.

“There's just so many levels to it that can't be seen in 2D or a phone call. There's checking food in the fridge, there's pulling fridges out, checking cookers, everything, that foods prepared, bacteria levels. You just can't do that remotely.”

(Northern Ireland)

“Looking at a piece of meat, it could look okay but it could smell rancid.”

(England)

Some participants recognised the potential of remote inspections to provide significant cost and time savings. However, this was not seen as sufficient justification for not visiting businesses, including those that are compliant.

“It's cost effective. But for hygiene, it would be failing a lot of restaurants and they'd just deteriorate.”

(England)

4.3 Removing some lower risk businesses

The following scenario was presented to participants:

A corner shop that sells pre-packed sandwiches has been part of previous food hygiene standards regulations. Over the years, the business received regular inspections.

The government food hygiene inspector notifies the business that because they only sell pre-packed foods, they will no longer be part of the inspection scheme and will not receive any further inspections.

Although participants had previously discussed the possibility of very low risk businesses being removed from the FHRS, they were concerned about removing corner shops. Participants were worried about the potential risks of no longer requiring inspections for lower risk businesses, i.e. those that only sell pre-packed foods. They felt the lack of scrutiny in these businesses could be interpreted as 'permission' from the FSA for standards to fall. They were unable to identify how this benefited consumers or protected them from food hygiene risks.

“I don't see any benefit for the customer.”

(Northern Ireland)

Participants argued that while these corner shops may not prepare food like a restaurant or takeaway, they do have fridges with sandwiches and other convenience foods that need to be stored at the right temperature. They were concerned that without appropriate oversight from inspectors, businesses may drop standards by not storing food as per the recommended guidance.

“Milk is pre-packaged in plastic bottles. You need to make sure it's refrigerated, or it'll go off. Freezer food is pre-packaged, but they need to be kept in certain temperatures. Maybe not to the same strong degree of regulation because it's not fresh, but you still to make sure it's handled properly.”

(Wales)

“Reducing frequency is one thing but removing them altogether is a step too far.”

(England)

Another concern participants raised was use-by dates. Many described examples of purchasing out of date food from corner shops. Some felt this happened more commonly in smaller shops that did not have the resources and processes in place to implement internal checks and systems similar to those used by larger retailers. Participants also emphasised the risk that businesses may not prioritise cleanliness and tidiness if they were no longer subject to inspections.

“I don’t like that idea. There could be broken packages on the shelf, food coming out, seeds that someone’s allergic to when they pick up that package. I think they still should be inspected.”

(Wales)

Some participants across all three nations were open to this potential change, although this was not a common view. These participants felt that corner shops were lower risk when compared to takeaways, cafes, and restaurants, for example. They saw no longer inspecting them as an opportunity to focus more time and resources on higher risk businesses.

4.4 Reducing inspection for inherently high risk businesses with a consistently good track record of compliance

The following scenario was presented to participants:

Since its opening 10 years ago, a café that sells cooked breakfasts and sandwiches has been consistently compliant with high food hygiene standards and has therefore been awarded an FHS score of 5.

A food hygiene inspector has been visiting them every two years to reassess these standards.

As part of the modernisation process, the FSA is considering visiting the business every four years and conducting remote assessments two years after each on-site inspection.

Participants were supportive of the general principle of recognising businesses that have maintained high standards. They thought it was good to encourage businesses with an incentive to maintain consistent high levels of compliance and saw reduced inspections as a way of achieving this. There was also more openness to the idea of using remote inspections in this context, allowing the frequency of physical inspections to be reduced, but not completely replaced. There was no clear pattern by nation in these views.

“If they’ve operated for 10 years with no issues, and have a score of 5, I don’t see why that would be a problem.”

(England)

“If you’ve had a few years 5 stars, I know not everything is always predictable, but I think they could probably have a couple of years and the audits in between.”

(Wales)

“I think an onsite inspection would be needed for that even if it is every 2 years. You just don’t know. Standards do slip and they can slip quickly.”

(Northern Ireland)

However, within some groups, participants queried the specifics of how often inspections and remote inspections should happen. Some argued that both types of inspection should happen on a more frequent basis than suggested. This was linked to their overall views on the frequency of inspections, with many wanting them to happen more often.

“Yes, but it’s also about how many remote ones. It might not show the reality. I think every 6 months is good for the remote ones.”

(England)

“So, 18 months and 18 months, maybe? But not 2 and 2. They’ve got raw meat turning into cooked meat.”

(Wales)

“I think on this one because they’ve had a score of 5 for 10 years, I’d be happy if they did these visits yearly. A yearly in person inspection then a yearly remote inspection. I think a lot can go wrong in 2 years.”

(England)

Participants across all three nations could also see the benefits of freeing up inspection resources for lower rated businesses. As such, they could see the value for the FSA and LAs and for businesses. However, participants did not feel there were benefits for consumers from this approach.

Across most groups, participants mentioned that they felt a change in management should see a business removed from this approach. They felt that this should mean they are subjected to a new in-person inspection. Some participants even felt that significant levels of staff turnover below management level should prompt an in-person visit.

Participants also felt that the effectiveness of the current food hygiene rating scheme related to the need for businesses to always be prepared for an unannounced inspection, and therefore they keep standards high. Some worried that by altering this approach, it could encourage businesses to not take this as seriously and allow standards to drop.

“Some businesses keep up to standard because they know an inspector is due. It’s their reputation to work for. Every four years may be too long. I feel that that date of knowing an inspector is coming, it’s what’s keeping them up to 5, they could easily slip.”

(Wales)

4.5 Using other FSA approved assurance schemes

The following scenario was presented to participants:

A farm shop is part of Red Tractor – an FSA approved assurance scheme.

Because they are part of this scheme, they receive fewer inspections from a government food hygiene inspector due to them receiving regular audits from Red Tractor.

Participants across all three nations did not think using an FSA approved assurance scheme for inspections would make a difference to how businesses manage food hygiene and safety requirements, and consequently, the risks this may pose to consumers. They were reassured that the business would still be inspected regularly, even if by a different organisation, and noted the need for awareness campaigns with information about this process to reassure the public that standards are kept to FSA requirements. Participants were supportive about this hypothetical change in principle, if the alternative assurance schemes were operating to the same standards and were overseen and approved by the FSA. They also emphasised the importance of ensuring those carrying out the audits had training equivalent to the current inspectors.

“If it’s approved by the FSA and there’s regular audits, maybe the FSA should be focusing on other stores where it’s more important for regular visits.”

(England)

“I think it’s fine because if Red Tractor is independent from these places and approved by the food hygiene people, it seems good for me.”

(Wales)

Participants assumed reduced costs for inspections and freeing up resources were the main benefits. In some cases, participants noted that if assurance schemes focused on specific types of businesses, inspectors from the third-party auditors could bring their own knowledge and experience into the audit process. This was seen as a potential benefit, leading to improved standards.

“The fact they’re more specialised in that field, there are certain things they will look out for more.”

(England)

“If they were regulated by a company who knows their stuff, it might be more reassuring. The FSA looks more generally, so it might be beneficial.”

(Northern Ireland)

The main challenge participants identified, was ensuring the approach was consistent with food hygiene and safety regulations more generally, often discussing this in relation to the FHRS. Others queried whether these businesses would really be assessed using the same criteria as those who continued to be inspected through government schemes. They wanted any rating stickers associated with the assurance scheme to include details around the FSA’s role.

Some participants were concerned that using assurance schemes could lead to a lack of clarity about accountability when things go wrong, between different stakeholders such as Red Tractor, the FSA, and local councils.

Participants also discussed awareness of these alternative assurance schemes. While many were aware of Red Tractor, others were not and had questions about what it involved. During the discussions, participants emphasised the importance of highlighting these organisations to consumers, so that they were aware of them and what they do, and why they were taking the lead instead of the FSA.

“It’s about education and awareness of these separate bodies. If they’re planning on using them more frequently than the inspections they carry out themselves then they need to promote that and spin it into a real positive and celebrate the standards that they uphold. We’ve all heard of the green rating that the FSA operate already. We just need reassurance that they would be working to the same standard as the FSA.”

(Wales)

4.6 Supermarkets and other large or multi-site businesses assessed as a whole business, rather than as individual stores

The following scenario was presented to participants:

A large supermarket chain will be regulated at a business level for its food hygiene standards across all their stores in different locations. Food hygiene inspectors may still visit a range of different sites, but they will not visit every store.

Instead, inspectors will rely on these visits and the supermarket's internal audits to assess compliance across their stores. This could also impact how their FHRs score is awarded.

Participants across all three nations were divided about whether it was acceptable for large businesses to be regulated in this way. Participants felt there could be benefits, particularly if there was a need to free up food hygiene inspectors and focus resources on higher risk businesses. In some cases, participants opposed this idea, noting that this approach could allow poorly performing stores to get away with poor hygiene standards. Others questioned whether all supermarkets, each with different stores, could be treated the same, due to having different management staff, varying in size, or having different products on sale.

Those who were more supportive of this potential change, noted that these larger businesses have their own internal teams responsible for health and safety practices. They also emphasised the business need to ensure standards are upheld as an incentive to avoid any negative impact on the business' reputation and customer base. Consequently, they felt the businesses could be trusted to maintain appropriate standards without a government inspector visiting all premises, emphasising the similarities between these businesses. They thought larger businesses would welcome this kind of approach given how much work they already do to maintain standards. They also expected it would reduce costs for the FSA and LAs, enabling them to focus on other higher risk businesses.

“It is the most practical approach in terms of their allocation of resources. Visiting each store in person is not really reasonable to expect them to do. This is the best compromise.”

(Wales)

“It enables inspectors to come to higher risk places that probably don't have the resources to put into internal audits or training. I don't think it's a good use of an inspector's time to wander around a supermarket.”

(England)

Those participants who expressed concerns about this approach discussed the potential impact on consumers. They thought this would provide opportunities for those with lower standards to get away with it, if they were not a store that was subject to a visit.

“You could look at it as an opportunity to abuse that system. If you know your particular branch isn't going to be subject to an inspection, then you could perhaps get away with one or two things that you wouldn't if you knew the inspector was coming down to check your store in particular.”

(Wales)

Some participants were also unclear what this would mean for the ratings for individual stores. They worried this could be misleading for consumers if only an overall rating was given.

“But one thing, a group score wouldn't work. If you had 20 Tesco's within an area for example, and 5 are bad and 15 are good, the 15 will bring the 5 up. I wouldn't want to be in a shop with a hygiene of 1, but a score of 4 because of the ones down the road.”

(Northern Ireland)

Views of this approach were strongly linked to how much participants trusted supermarkets. Those who were more sceptical explained this could provide supermarkets with an opportunity to manipulate their ratings. Others were concerned about how reliable and trustworthy internal audits can be, particularly in comparison to external inspections.

“Supermarket A will look at their own records, make their own assessments, and the FSA will go in and look at a single branch and go this and this is wrong, let the rest of your

branches know, but really somebody should be checking each store to make sure they're all up to a certain standard."

(England)

Participants also highlighted difficulties in assessing stores across a large chain without visiting all of them. Despite noting that the stores would be part of the same large business, they emphasised the importance of staff implementing guidance and working to the same standards across all stores.

"Each store is going to be different. You can have two in close proximity with each other, one is really good, one is not so good, and they come to the better one. If all food places got to have food hygiene, they should visit different sites of the same supermarkets. That they might not visit every store, that's quite alarming."

(Wales)

A few participants also mentioned how smaller businesses from the same industry might feel unfairly treated, if their larger competitors do not face independent inspections in the same way.

There were different ideas for how this type of approach might work in practice. Some suggested an inspection of a relatively small number of stores and taking an average that applied across the business. Others thought it would be more appropriate to take the lowest rating from those stores visited as an incentive for businesses to increase their standards. They also wanted the FSA and LAs to continue to have a role, with some mentioning unannounced inspections to stores that were assessed via audit.