

Food Hygiene Rating Scheme safeguards for businesses

How we ensure that the Food Hygiene Rating Scheme (FHRS) is fair to businesses and how you can make an appeal, use your 'right to reply' and request a re-rating inspection.

There are three safeguards in place to ensure that the scheme is fair to businesses. As a business:

- you can make an appeal
- you have a 'right to reply'
- you can request a re-rating inspection from your local authority when improvements have been made

Appeals

Before making an appeal, you should [contact the local authority food safety officer](#) to understand why the rating was given. This will help you to understand how your rating was worked out and to see if you still want to appeal it. You will be given the contact details for this officer when you are notified about your rating.

If you still think that the rating is unfair or wrong, you can appeal in writing to your local authority. Details on how to do this are included in the notification of rating letter sent to you.

England and Northern Ireland

If you're in England or Northern Ireland, you can appeal by completing a form or you can send a letter or an email. ??????

Wales

If your business is based in Wales, you must use a standard form to appeal your rating.

You should send your completed form, letter or email to your local authority's lead officer for food. You will be given the contact details for this officer when you are notified about your rating.

England

WORD

[View Make an appeal about a Food Hygiene Rating - form \(England\) as Word\(Open in a new window\)](#) (73.62 KB)

Wales

WORD

[View Make an appeal about a Food Hygiene Rating - form \(Wales\) as Word\(Open in a new window\)](#) (95.27 KB)

Northern Ireland

WORD

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How long you have to appeal

You must make your appeal in writing within 21 days of being notified about your food hygiene rating. This period includes weekends and public holidays.

If you do not appeal within this time, your local authority will publish your food hygiene rating online at food.gov.uk/ratings website.

If you make an appeal, the website will show that your food hygiene rating is 'awaiting publication'.

Review and result of your appeal

Your case will be reviewed by either:

- the lead officer for food or their designated deputy
- the lead officer or their designated deputy in another authority that is also operating the FHRS

The officer that gave the rating will not consider your appeal.

In some circumstances, a further visit to your premises may be required.

You will be notified of the result of the appeal within 21 days from the date that the appeal was received by your local authority.

Once you have been notified of the result of your appeal, your rating will be published at food.gov.uk/ratings.

If you don't agree with the outcome of the appeal

If you think that your local authority has not followed processes properly, you can use the council's complaints procedure. This includes taking the matter to the Local Government Ombudsman in England and Wales and to the Public Services Ombudsman in Northern Ireland. You should be able to find details of how to complain on your local authority's website.

If you don't agree with the outcome of the appeal, you can challenge the local authority's decision by judicial review.

Even if you decide to do this, your rating will still be published at food.gov.uk/ratings.

Right to reply

The right to reply allows you to tell customers how your business has improved its hygiene standards or if there were unusual circumstances at the time of inspection. This response will be published online at rating.food.gov.uk, alongside the rating, by the local authority.

You should send your comments in writing to the food safety officer that inspected your premises. You will be given the contact details for the officer when you are notified about your rating.

You can do this by completing a standard form or you can send a letter or an email.

England

WORD

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Wales

WORD

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Northern Ireland

WORD

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How long you have to submit your comments

There is no deadline for this so you can submit your 'right to reply' at any time up until your next inspection when you will get a new food hygiene rating.

Publication of your comments

Your local authority may need to edit comments, for example to remove any offensive, defamatory, clearly inaccurate or irrelevant remarks. Other than that, what you say in your 'right to reply' will then be published online together with your hygiene rating at food.gov.uk/ratings. Your comment will remain on the website until you are given a new rating.

Re-rating inspections

You will automatically be given a new food hygiene rating each time your premises are inspected by your local authority. The frequency of these planned inspections depends on the risk to people's health. The greater the risk, the more often you will be inspected.

If your business did not receive a rating of '5 – very good', you can request a re-rating inspection to get a new rating before the next planned inspection.

You can request a re-rating inspection only if you have accepted the rating and once you have made all the necessary hygiene improvements that the local authority food safety officer recommended at your last planned inspection.

Cost of a re-rating inspection

England

Some local authorities in England charge a fee to recover costs of a re-rating inspection. You will be notified of this in the letter informing you of your rating or when you make your request.

Wales and Northern Ireland

In Wales and Northern Ireland all local authorities charge a fee for the re-rating inspection under their statutory schemes.

You should contact your local authority for information on how to make payment.

Before making a request for a re-rating inspection

Look carefully at the comments that the food safety officer made about the hygiene standards found at your last inspection in the report or letter you were given. Make sure that you have taken appropriate action to address any issues raised. You can discuss anything you are unsure about with your food safety officer or ask for further help on how to make improvements.

Important

During the re-rating inspection the officer will be looking at standards generally – not just at the specific areas you have been working to improve – so your hygiene rating could well go up, down or remain the same.

Number of requests for a re-visit between planned inspections

England

If your local authority does not charge for the re-rating inspection service, you can only have one re-rating inspection between the local authority's planned inspections of your premises. If your local authority does charge for the re-rating inspection service, there is no limit to the number of re-rating inspections you may request. However, to avoid paying for multiple re-rating inspections you should address issues before you submit a request.

Wales and Northern Ireland

The number of requests made for re-rating inspections is not limited but certain conditions must be met before the local authority agrees to it:

- if you have appealed against your rating, this must be resolved before your local authority will agree to a re-rating inspection
- you must be displaying your current food hygiene rating sticker at your premises in a prominent position
- you must agree that the inspector will be given access to carry out an inspection of your premises for the purpose of re-rating

How to request a re-rating inspection

You should put your request in writing to the food safety officer who inspected your premises. You will be given the contact details for this officer when you are notified about your rating.

You can do this by completing a standard form or you can send a letter or an email.

England

WORD

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Wales

WORD

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Northern Ireland

WORD

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Where a charge is made for re-rating inspections, your request should be accompanied by the payment.

You must explain what actions you have taken on the issues raised at your last inspection and you should include supporting evidence, for example, receipts or photographs to show that work has been completed. This is important as the local authority could refuse your request if you do not provide sufficient evidence that you resolved the issues raised.

England

If the request is refused, you will be told why. You will be given advice on any action you need to take or evidence you need to provide before your request can be agreed. If you do not agree with the local authority's decision to refuse your request, you can raise the matter with the lead officer for food. If you cannot resolve matters with the lead officer for food, you can use the complaints procedure for your local authority.

Wales and Northern Ireland

When deciding whether to undertake a re-rating inspection, the local authority may consider how the business is complying with the Food Hygiene Rating law. This would include whether the business is displaying a valid rating sticker.

If the request is refused, you will be told why. You will be given advice on what you need to do or evidence you need to provide before your request can be agreed. If you do not agree with the local authority's decision to refuse your request, you can raise the matter with the relevant local authority officer. If you disagree with the decision to decline a request for a re-rating inspection, you can use the local authority's complaints procedure, or ultimately seek judicial review.

How long you have to make your request

There is no deadline for making the request. You can do it at any time after you've made the necessary improvements that were identified at your inspection. You cannot, however, dictate when the re-rating inspection will take place.

How soon the local authority will visit

England

Where the local authority does not charge for the re-rating inspection, it will not usually take place in the first three months following the inspection at which you were given your food hygiene rating. However, your local authority may choose to carry out the requested re-rating inspection sooner than this if you were required only to:

- make structural improvements or repairs
- upgrade equipment

If you make your request during those first three months, you can expect a re-rating inspection within six months of the inspection, but you will not be told a specific date and time.

If you make your request later than three months after your inspection or if your local authority charges for re-rating inspections, you can expect a re-rating inspection within three months but again you will not be told a specific date and time.

If you are still waiting for a re-rating inspection after these times, you can ask the lead officer for food to investigate. If you cannot resolve matters in this way, you can use the complaints procedure for your local authority which will be available on its website.

Wales and Northern Ireland

The re-rating inspection will be made within three months of the date you submit a written request.

You will not be told the specific date or time that the re-rating inspection will be carried out.

The re-rating inspection and its result

At the re-rating inspection, the food safety officer will assess the standards of hygiene at your premises. You will be told in writing what your new food hygiene rating is. It will be either at the time of inspection or within 14 days (this includes weekends and bank holidays). Your rating could stay the same as before, it could go up, or it could down.

As with the original hygiene rating, you can appeal this if you think it is wrong or unfair or you can submit a 'right to reply' for publication online at [food.gov.uk/ratings](https://www.food.gov.uk/ratings).