

Training Aide Memoire for aggregator onboarding

1 November 2022

This document has been developed for those involved in onboarding food businesses to platforms facilitating the sale of restaurant food online.

It provides information on how to identify the registration status of a food business, understand the food hygiene rating and how to rectify common issues.

The themes were gathered collectively through FSA engagement with aggregators and Local Authorities. These themes include:

- 1) Food business registration
- 2) When to edit a business registration
- 3) Raising the standards

The information is applicable to England, Wales and Northern Ireland and will be reviewed as required.

Contents

Food Business Registration.....	3
Is the business being onboarded registered with the Local Authority?	3
Verifying the business	3
FHRS explained/registration next steps.....	3
Awaiting inspection.....	3
Approved to trade on your platform	3
When to edit a registration.....	5
Change of Business Model	5
Virtual brands.....	5
Taking over an existing food business.....	5
Closing a business.....	5
Raising the standards	6
Appeal.....	7
Re-Inspection/Re-visit (England and Northern Ireland).....	7
Re-inspection/Re-visit (Wales).....	8
Right to reply	9
Training checklist.....	10

Food Business Registration

Is the business being onboarded registered with the Local Authority?

- All food businesses must be registered with their Local Authority (LA).
- They should do this at least 28 days before they start trading.
- This is free and cannot be refused.
- It is a legal requirement of them as food business operators (FBOs).

Verifying the business

- Following your individual aggregator processes, verify the business against listed criteria such as utility bills or postcode.
- Sources of registration checking can be found [Food Hygiene Ratings \(food.gov.uk\)](#)
- If the FBO registered using the Register a Food Business (RAFB) digital service, they will have received an email confirming the registration.
- FBO to advise their Local Authority of any errors in registration, such as postcode or spelling mistake.
- You cannot contact a Local Authority on behalf of an FBO.

FHRS explained/registration next steps

- To help FBOs prepare for their first inspection, guidance on setting up a food business and food safety is available on our website:
- [Starting a food business \(food.gov.uk\)](#)
- [Managing food safety procedures \(food.gov.uk\)](#)

Awaiting inspection

- FBOs will be issued an 'Awaiting Inspection' status by the Local Authority when; they register a new establishment, move to new premises, a new FBO takes over an existing business already listed on your site and they have submitted a new registration.
- Awaiting Inspection is used to ensure fairness to businesses and aid consumer understanding, allowing Local Authorities to target their resources to the highest risk premises.

Approved to trade on your platform

- Alongside any advice and guidance that your platform may provide FBOs with while trading, other useful FSA links can be found:

- [Advice to businesses selling food online \(PDF\)](#)
- [Starting a food business from home \(food.gov.uk\)](#)
- [Allergen guidance for food businesses \(food.gov.uk\)](#)

When to edit a registration

Below are some examples of when an FBO needs to edit their business registration, further information can be found on [Changing your business model or closing your business \(food.gov\)](#)

Change of Business Model

FBOs must inform their Local Authority of any changes to their operating model, such as selling food from a mobile unit, or diversifying the business due to the importance of understanding the additional food safety risks this may introduce.

Virtual brands

Where an FBO operates multiple brands online, there should be a single registration.

The additional brand names operated should be completed on the registration form or the FBO may contact the Local Authority so the additional brand names can be included in the business name field on the FHRS website. This will enable aggregator staff to readily locate their rating when searching on the FHRS website. This can be achieved by using the term 'also trading as' or 'also t/a' for example, Mr Pizza also trading as New York Hotdogs and Ocean Fish and Chips.

FBOs can contact the Local Authority to find how they prefer to do this [Contact a local food safety team | Food Standards Agency](#)

Taking over an existing food business

If a business previously trading on your platform acquires a new FBO, the new FBO will need to register the business in their own name, advising the Local Authority that there has been a change. The previous food hygiene rating is not valid and the business is no longer registered.

Closing a business

If an FBO tells you they have ceased trading then it is good practice that they also tell their Local Authority of planned business closure.

Raising the standards

For food businesses who are disappointed in their food hygiene rating and may have fallen below your platform minimum, or want to improve in general, there are a number of ways which they can do so.

These pages will give insight into the options available to FBOs. Firstly, you need to ask the FBO of their planned intentions and make them aware that this **IS NOT an opportunity to create a new registration.**

All Local Authorities must have safeguards in place for FBOs to follow. There are three options an FBO can choose:



Appeal

If an FBO wishes to dispute the food hygiene rating given by the inspecting officer on behalf of the Local Authority, the FBO may appeal this.

Re-Inspection

Where an FBO has accepted a food hygiene rating of below '5 – Very Good' they can request a re-inspection/re-visit for re-rating on the basis that non-compliance(s) identified at the time of the initial intervention have been rectified.

Right to Reply

Right to Reply enables the FBO to give an explanation of actions that have been taken to rectify non-compliance(s) since the intervention at which the rating was given and/or mitigation for the circumstances at the time of the intervention. [Appeal your food hygiene rating](#) on food.gov.uk.

Appeal

1. The FBO will be notified of their rating without undue delay and within 14 days of the intervention. Details on how to appeal should be included in this notification.
2. If the FBO disputes the rating, they can raise the matter with the inspecting officer, an informal discussion is encouraged but this is not part of the appeal process. The deadline for lodging an appeal remains 21 days from date of notification. "Rating will be published if the dispute resolved informally"
3. FBO disputes rating and appeals in writing within 21 days of date of notification. "Rating shown as Awaiting publication"
4. Appeal considered and decision will be communicated to the FBO within 21 days of appeal date. "Rating published"

Re-Inspection/Re-visit (England and Northern Ireland)

1. The re-inspection/re-visit mechanism applies in cases where FBOs with ratings of '0' to '4' have made the necessary improvements to address non-compliances identified during the Local Authority's planned intervention.
2. The FBO must have first accepted the rating, taken action to rectify non-compliances identified and may then make a request, in writing, to the Local Authority to be re-assessed with a view to receiving a higher rating.
3. The FBO can make a request for a re-inspection/re-visit at any time after the planned intervention as long as the actions necessary to rectify the non-compliances have been carried out.
4. Where a Local Authority does not charge for a re-inspection/re-visit, this must not take place within the 'standstill period' (the first three months after the rating).

The re-inspection/re-visit must take place within three months of the end of the 'standstill' period, or within three months of the request where this is made after the 'standstill' period.

5. Where the Local Authority charges a fee for the re-inspection/re-visit, the 'standstill' period is not applicable. The re-inspection/re-visit should be carried out within three months of receipt of the request or, where payment is required in advance, upon receipt of payment (whichever is later).
6. At the time of the re-inspection/re-visit, the Local Authority officer will not only check that the required improvements have been made but should also assess the level of compliance overall. This means that the food hygiene rating could go up, down or remain the same if deemed appropriate by the Local Authority officer.

Re-inspection/Re-visit (Wales)

1. The FBO may request that the Local Authority carries out a further inspection and assessment of the food hygiene standards of the establishment for the purpose of considering whether to change its food hygiene rating.
2. A re-rating applies in cases where FBOs with ratings of '0' to '4' have made the necessary improvements to address non-compliances identified during the Local Authority's planned intervention
3. Before an inspection for re-rating purposes can be undertaken, the FBO must make the request in writing on the prescribed form and pay the reasonable costs of the re-rating, as determined by the Local Authority.
4. In addition to this, while any appeal against the current food hygiene rating is being determined, the current food hygiene rating sticker must be displayed at the establishment and the FBO must agree to give access to the Local Authority in order to carry out the inspection.
5. Providing that the Local Authority considers it reasonable to further inspect and assess the establishment in view of the improvements said to have been made by the FBO, the Local Authority must complete the inspection no later than three months after the request was received.
6. If the Local Authority decides that there should be no change to the current food hygiene rating, it must notify the FBO within 14 days of the date the inspection was completed.

7. If the Local Authority decides to change the food hygiene rating, within 14 days of the date the inspection was completed it must send the FBO a written notification of its new food hygiene rating, the reasons for the rating and a new food hygiene rating sticker.

Right to reply

What is Right to Reply?

The purpose is to provide FBOs with an opportunity to explain to potential customers any actions that have been taken to improve hygiene standards after a food hygiene rating has been given. It also allows the FBO to say if there were particular circumstances at the time of the inspection that might have affected the rating.

How should it be submitted?

FBOs should submit their 'right to reply' comments in writing to the Local Authority electronically or by post.

When and where are they published?

Once received by the Local Authority, 'right to reply' submissions should be processed and published as soon as possible and without undue delay.

The comments should be published at food.gov.uk/ratings together with the rating. The 'right to reply' will remain on the website until a new food hygiene rating is given.

What next after a 'Right to reply'?

FBOs can utilise the 'right to reply' in conjunction with the re-inspection/re-visit safeguard. The right to reply can be published while waiting to be re-inspected/re-visited by Local Authorities, informing consumers of their actions to address non-compliance(s) and/or reasons for the circumstances at the time of the rating.

Training checklist



Business registration

- Is the business being onboarded registered with the Local Authority?
- Verifying the business
- FHRS explained/registration next steps
- Awaiting inspection
- Approved to trade on our platform



When to edit a business registration

- Change of Business Model
- Virtual Brands
- Taking over an existing food business
- Closing a business



Raising the standards

- Appeal
- Re-inspection / Re-visit
- Right to Reply