



## Guidance notes

### Requesting a revisit for a food hygiene re-rating

As a food business operator you have a right to request a revisit for the purposes of re-rating in the following circumstances:

1. Following an inspection where you have been given a food hygiene rating (other than the top rating i.e. a 5), and
2. Action has been taken to rectify the issues identified at the time of that inspection.

For inspections made after 1<sup>st</sup> April 2020, a fee will be chargeable for requested revisits to re-assess food hygiene ratings. The current charge for a revisit when requested by the food business operator is **£225**. This fee will be reviewed annually.

To assist you, here are some Q and A's that should answer any queries that you may have:

#### **Is there a time limit within which a request for a revisit must be made?**

No. You can make a request for a revisit at any time after the inspection but you should do this after the actions necessary to rectify the non-compliances have been carried out. You cannot, however, dictate when the revisit will take place.

#### **When will the revisit take place?**

Once the application and payment has been received (and accepted) the revisit should take place within 3 months. Officers will endeavour to visit as soon as possible.

Where issues were identified under the 'Confidence in Management' category, officers may in some cases visit towards the end of this 3 month period. This is because the measures and controls associated with 'Confidence in Management' must be fully implemented and demonstrated over a sustained period of time.

#### **What happens if the revisit is not carried out within the 3 month window?**

You can raise the issue with the Lead Officer for Food. If the matter cannot be resolved, you have the option of using the Council's complaints procedure.

#### **How many revisit requests can I make?**

This is no limit on the number of requests you can make. Your request should be made when you believe that the actions needed to improve legal compliance have been taken.



It may be appropriate for the relevant food safety officer to discuss progress with you by phone before a revisit is arranged. This will help to establish what remedial action you have taken and ensure that the revisit is appropriately timed. It will also confirm that the actions needed to improve the level of compliance have been addressed.

### **Can the food hygiene rating be changed if the Council revisits my premises without me making a request for a revisit?**

In certain cases, officers will revisit premises to ensure legal compliance with more serious hygiene issues. This is likely if you were awarded a score of 15 or more in any single category that makes up your overall rating.

This compliance visit is not an opportunity for the rating to be reassessed. It is more appropriate and consistent for the business to be re-rated at a separate re-inspection or where a revisit has been requested.

### **How do I apply for a revisit?**

The request can be made by completing a form on the Council's website on <https://www.west-norfolk.gov.uk/foodhygieneratingscheme> or in writing (including by email).

It should outline the case for a revisit and indicate the actions that you have taken to improve the level of compliance since the inspection. Where appropriate, it should include supporting evidence and refer to the issues highlighted in the report left at the time of the inspection and / or the follow-up warning letter / Schedule of Works.

### **Does the Council have to accept all requests for revisits?**

No. If your case (as the food business operator) is not substantiated, or insufficient evidence is provided, the Council can refuse to carry out a revisit. In this instance, the Council must explain why the request is being refused and should re-emphasise the priority actions that must be taken in order to improve the level of legal compliance. It should also indicate what evidence will be needed for agreement to a revisit to be made.

If you disagree with this decision to refuse a request for a revisit, you can raise the issue with the Lead Officer for Food. If the matter cannot be resolved, you have the option of using the Council's complaints procedure.



**Can a new food hygiene rating be given on the basis of documentary evidence alone?**

No. A revisit must be made as a new food hygiene rating should not be given on the basis of documentary evidence only.

**Where a revisit is to be undertaken, will this be unannounced?**

Yes. It will be unannounced unless it is necessary to ensure that certain staff are present, or where an unannounced visit would compromise food safety.

**Are powers of entry and authorisation required for requested revisits?**

By virtue of making a request, you are inviting the Council's officers onto your premises. Clearly, where entry onto premises is with your consent formal powers of entry and authorisation are not being exercised.

It should be made clear, however, that the officer is still authorised under the Food Safety and Hygiene (England) Regulations 2013. As such, they retain powers of entry and have the powers to take enforcement action where appropriate.

**If hygiene standards have not improved or the officer is of the opinion that they have deteriorated at the time of the revisit, can a lower food hygiene rating be given?**

Yes. At the time of the revisit, the officer should not only check that the required improvements have been made but also assess the overall level of compliance. This means that the food hygiene rating could go up, down or remain the same if deemed appropriate by that officer.

**How soon will I be notified of the outcome of my revisit?**

You will be told in writing either at the time of the revisit or within 14 days what your new food hygiene rating is. As with the original rating, you can appeal this if you think it is wrong or unfair or you can submit a 'right to reply.'

**After my re-rating revisit has taken place will this affect the timing of my next routine inspection?**

No. The revisit will not affect the date of your next planned inspection which will be triggered from the date of the original rating inspection.