

To: Lead Food Officers

14 November 2022

FSS/ENF/22/016

Dear Colleague

FOOD HYGIENE INFORMATION SCHEME (FHIS) – CORRECT USE OF THE ‘SENSITIVE’ AND ‘PRIVATE’ STATUS

The purpose of this letter is to:

1. remind local authorities that it is extremely important to apply the correct status to an establishment when uploading it to the food hygiene information scheme portal. The status is used by the system to decide what details are to be published for the establishment and which are not to be made public;
2. recommend that local authorities review records on their management information system to ensure the correct status for sensitive and private establishments is published.

The Food Standards Agency has received some complaints recently from businesses who address had been published on the FHRS/FHIS website. In each case it was established that they should have been marked with the ‘sensitive’ status so that this information did not appear on the website. Food Standards Scotland want to avoid this situation and also ensure that businesses operating from their home address are marked as ‘private’ so that these details are not published on the FHIS website.

We are reviewing the FHIS guidance to ensure this is up to date and to support queries received. In the meantime, the table below provides a description for each FHIS status and the information that is published by the FHIS system.

It is very important that local authorities apply the correct status. The unauthorised disclosure of name and address details for certain establishments may present risks for individuals and may lead to the local authority and FSS being in breach of legislation.

Statuses used by the FHIS system

Status	Type of business	What is published
Pass	Supplies food direct to consumers, is given a rating and there are no sensitivities in relation to publishing full address information. Examples include, supermarkets, restaurants cafes, pubs (including wet pubs), hospitals, schools etc.	<ul style="list-style-type: none"> • Business name and full address • Business category • Date of inspection • Food hygiene status OR 'awaiting inspection' OR 'awaiting publication'
Pass and private	Supplies food direct to consumers, is given a rating but there are sensitivities in relation to publishing full information as they operate or are registered at private addresses. Examples include, home caterers and mobile traders.	<ul style="list-style-type: none"> • Business name and partial address – LA Name and first part of postcode only • Business category • Date of inspection • Food hygiene status OR 'awaiting inspection' OR 'awaiting publication'
Improvement Required	Supplies food direct to consumers, is given a rating and there are no sensitivities in relation to publishing full address information. Examples include, supermarkets, restaurants cafes, pubs (including wet pubs), hospitals, schools etc.	<ul style="list-style-type: none"> • Business name and full address • Business category • Date of inspection • Food hygiene status OR 'awaiting inspection' OR 'awaiting publication'
Improvement Required and private	Supplies food direct to consumers, is given a rating but there are sensitivities in relation to publishing full information as they operate or are registered at private addresses. Examples include, home caterers and mobile traders.	<ul style="list-style-type: none"> • Business name and partial address – LA Name and first part of postcode only • Business category • Date of inspection • Food hygiene status OR 'awaiting inspection' OR 'awaiting publication'

Status	Type of business	What is published
Exempt	Supplies food direct to consumers but is not rated on the basis that it is 'low risk' and consumers would not generally recognise it as being a food business, and there are no sensitivities in relation to publishing full address information. Examples include visitor centres selling biscuits, newsagents and chemist shops selling only pre-packed confectionery and/or health foods.	<ul style="list-style-type: none"> • Business name and full address • Business category • 'Exempt' in the place of a food hygiene status
Exempt and private	Supplies food direct to consumers but is not rated on the basis that it is 'low risk' and consumers would not generally recognise it as being a food business, and there are sensitivities in relation to publishing full address information.	<ul style="list-style-type: none"> • Business name and partial address – LA Name and first part of postcode only • Business category • 'Exempt' in the place of a food hygiene status
Out of Scope	Businesses that are not part of the scheme. Examples: manufacturers, childminders and other establishments where caring services are provided in the home environment.	<ul style="list-style-type: none"> • No record is published.
Sensitive	Supplies food direct to consumers and is given a rating but there are sensitivities about publishing any address information or there are security issues. Example: certain military establishments.	<ul style="list-style-type: none"> • No record is published.
Awaiting Inspection	Businesses which have not yet been inspected.	<ul style="list-style-type: none"> • Business name and full address. • Business category. • 'Awaiting inspection' description.

Status	Type of business	What is published
Awaiting Inspection and Private	Businesses which have not yet been inspected but have sensitivities in relation to publishing full information as they operate or are registered at private addresses. Examples include: home caterers and mobile trader.	<ul style="list-style-type: none"> • Business name and partial address – LA Name and first part of postcode only. • Business category. • 'Awaiting inspection' description.

Yours sincerely

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