

Dealt with by:

Our Ref:

Direct Dial: 01538 483

Your Ref:

Date: 14th March 2008

Shapla Tandoori Restaurant
St.Edward Street
Leek
Staffs
ST13 5DR

Dear

THE GENERAL FOOD REGULATIONS 2004
FOOD HYGIENE (ENGLAND) REGULATIONS 2006
REGULATION (EC) NO 852/2004 AND 853/2004 APPLIED BY REGULATION 17 (1)
FOOD SAFETY ACT, 1990 (AS AMENDED)
FOOD LABELLING REGULATIONS 1996
HEALTH AND SAFETY AT WORK ETC, ACT 1974
SHAPLA TANDOORI RESTAURANT, ST. EDWARD STREET, LEEK

Further to my Officers visit to your premises on 5th March 2008 this letter lists the points which you need to do in order to comply with the law. Underneath each requirement there is an explanation as to what you must do and the relevant law is referenced.

This letter also contains advice, options and useful tips to help you comply and manage food safety more effectively. Some of this advice is linked to the Food Safety Management Procedures.

Where appropriate, the Schedules are divided into the following sections: -

STATUTORY REQUIREMENTS - these represent matters which you are obliged to comply with by law. Any matters marked with an asterisk (*) should be addressed immediately.

RECOMMENDATIONS - these matters should receive your early attention to reduce the possibility of further contraventions of statutory requirements.

Please keep a copy of this letter, as it will be used as a basis for any future inspections at the premises

Should you wish to discuss any of the matters raised or require further information or advice at any time please do not hesitate to contact the officer named at the head of this letter.

Yours sincerely,

ENVIRONMENT MANAGER - COMMERCIAL

Enc.

SCHEDULE 1

REPORT OF VISIT

The aforementioned premises are subject to the provisions of the following legislation: -

REGULATION (EC) NO 852/2004 APPLIED BY REGULATION 17 (1)
FOOD HYGIENE (ENGLAND) REGULATIONS 2006
THE GENERAL FOOD REGULATIONS 2004
REGULATION (EC) NO 178/2002
FOOD LABELLING REGULATIONS 1996

The recent inspection revealed the following matters requiring attention: -

STATUTORY REQUIREMENTS

GENERAL

Following the inspection, I have given the premises a C category rating. This means that my next routine inspection will be in approximately 18 months time.

Please note, that subject to the Data Protection Act, details of inspections may be divulged to members of the public under the Freedom of Information Act 2000.

It is our intention to place on our website a copy of all inspection reports carried out from 1st January 2006.

Safer Food Award Scheme

'Safer Food Award' is a scheme which allows the public to view the latest hygiene rating following a programmed food hygiene inspection carried out by the Environmental Health Team. The score will be in the form of a star rating.

Your Business has Scored 3 Stars

The scheme ranges from 5 Stars (excellent) to No Stars (major improvements required /very poor).

The Star Rating is based on how well your business complies with food hygiene regulations and confidence in the management of the business. This is assessed at each food hygiene inspection, A documented protocol is available on our website www.staffs Moorlands.gov.uk along with the most recent inspection letter and star award.

General outline of Star Rating Scheme

Star Rating	Total Score of relevant Food Hygiene Scoring System criteria	General outline of compliance	Performance level
*****	0 to 5	Very high standards of compliance with food legislation. Demonstrating better practice in managing and achieving this.	Excellent
****	10 to 15	High standard of compliance with food safety legislation. Robust food safety management	Very Good
***	20 to 25	Good level of legal compliance. Only minor safety issues not addressed	Good
**	30 to 35	Mainly compliant with food safety legislation. An understanding of food safety and standards being maintained or being improved	Satisfactory
*	40 to 45	Some non-compliance with food safety legislation - more effort required	Poor
None	More than 45	A general failure to comply with legal requirements. Little or no appreciation of food safety	Very poor Major improvement required

FOOD SAFETY MANAGEMENT SYSTEM

1) I was pleased to see controls and some documentation in place at the time of the inspection to help make sure food produced at your premises is safe. However, as discussed, you have not carried out the kind of logical but simple analysis of the food safety hazards present that is required by current food legislation.

In order to comply, you need to show some clearer evidence that you have thought about your business procedures and identified significant food safety hazards and are properly controlling them. [From our discussion at the time of the visit it is suggested that you complete the guidance "Safer Food Better Business" – for Indian Pakistani, Bangladeshi and Sri Lankan cuisines.

Regulation (EC) 852/2004 Article 5 para 2 (a-e)

This was left with you during the visit.

STOREROOM

1) The wall covering was peeling. Renew or repair the wall covering and leave in a sound easy to clean condition.

Regulation (EC) No 852/2004 Annex II Chapter II Para. 1(b)

RECOMMENDATIONS

1) Please note that probe thermometers should be checked regularly for accuracy. As a helpful reference in doing your own checks; pure water and ice mixture should measure between -1°C to $+1^{\circ}\text{C}$, and pure boiling water should measure between 99°C and 101°C . If your thermometer appears not to be working correctly it should be replaced or sent for service. For further advice refer to the manufacturers instructions. It is good practice to keep a record of such checks.

SCHEDULE 2

HEALTH AND SAFETY AT WORK ETC. ACT 1974

REPORT OF VISIT

The aforementioned premises are subject to the provisions of the following legislation: -

Health and Safety at Work Etc., Act 1974
Management of Health and Safety at Work Regulations 1999

The recent inspection revealed the following matters requiring attention: -

STATUTORY REQUIREMENTS

LADIES TOILETS

- 1) Repair the lock to the cubicle door in the ladies toilet.

STAIRCASE LEADING TO REAR YARD

- 1) A secure and substantial handrail must be provided on at least one side of the staircase.

Workplace (Health, Safety and Welfare) Regulations 1992, Regulation 12(5)

DUMB WAITER

- 1) You are required to have the dumb waiter examined by a competent person on an annual basis. The thorough examination is an addition to any routine maintenance inspections which are carried out under a service agreement. Following the examination a report should be submitted by the competent person to you to take appropriate action. A copy of this report must be available for inspection for the next inspecting officer. (*The Lifting Operations & Lifting Equipment Regulations 1998*).

HEALTH & SAFETY POLICY

There was an apparent lack of awareness of the Company's safety policy. Employees must be made aware of and understand the general policy with respect to health and safety. Everyone should be able to see from the policy statement exactly who is responsible for different things, such as advice, reporting an accident, first aid etc. I enclose some information about a health and safety policy.

Health and Safety at Work etc Act 1974 section 2(3)

RISK ASSESSMENT

All employers and self-employed persons are required to assess the risks to workers and any others that may be affected by their undertaking. Employers with five or more employees must also record the significant findings of that assessment. Enclosed is guidance leaflet "Five steps to risk assessment" INDG163 which includes a basic form on which you can record details of such an assessment.

Management of Health and Safety at Work Regulations 1999, Regulation 3(1)

All employers and self-employed persons are required to assess the risks to workers and any others that may be affected by their undertaking.

To carry out a risk assessment you will need to:

- Identify the **hazards**
- Decide who might be harmed and how
- Evaluate the **risk** and decide whether any further action is required
- Record the findings
- Review and revise the assessment as necessary

A **hazard** means anything that can cause harm.

Risk is the chance that someone will be harmed by the hazard

Enclosed is the guidance leaflet "Five steps to risk assessment" INDG163 which includes a basic form on which you can record details of out such an assessment.

Management of Health and Safety at Work Regulations 1999, Regulation 3(1)

ACCIDENT BOOK

A means of keeping records of all first-aid cases treated should be kept in a suitable place, preferably with the first-aid facilities.

To comply with data protection legislation the accident book that you keep must not allow individuals recording an accident to access details of previous records.

An accident book (BI 510) (ISBN 0 7176 2603 2) may be obtained from many bookshops or direct from HSE Books

- P.O. Box 1999, Sudbury, Suffolk, CO10 6FS
- telephone 01787 881165
- fax 01787 313995 or
- via the internet at: www.hsebooks.co.uk

Health and Safety (First-Aid) Regulations 1981, Regulation 3(2)

RIDDOR

In addition to ensuring that all accidents are recorded, please note that serious accidents must also be promptly reported to the enforcing authority via the Incident Contact Centre. The following types are reportable:-

- a) fatalities,
- b) major injuries, such as broken bones etc.
- c) injuries preventing a member of staff from doing their usual job for more than 3 days
- d) injuries to members of the public resulting in removal to hospital
- e) dangerous occurrences, such as a fork truck overturning.

A brief notification of the problem (apart from the “over 3 day injuries” class) must be made immediately eg by telephone.

Full details of the incident must be sent within 10 days in the format set by form F2508. These forms are available in pads from HSE Books or The Stationery Office or you can use the one in the centre of the enclosed booklet. Good photocopies of a blank form may be used.

Notifications should be made to the Incident Contact Centre (telephone 0845 300 9923; email riddor@natbrit.com; internet www.riddor.gov.uk; on the F2508 form by post to the Incident Contact Centre, Caerphilly Business Park, Caerphilly, CF83 3GG; or by fax on 0845 300 9924).

Please refer to the enclosed booklet on RIDDOR for examples and definitions. [The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995]

SMOKEFREE ENGLAND

England went smokefree on 1st July 2007. The legislation applies to all businesses, private clubs and licensed premises.

For further details please go to www.smokefreeengland.co.uk or alternatively, contact Mr. C. D. Hampton on 01538 483532.