

## **Proposed Animal Welfare Star Ratings Appeal**

### **Introduction**

To ensure fairness to businesses this procedure explains how businesses can dispute the star rating given to their business after their local authority inspection. This procedure is relevant where the business feels the star rating does not reflect the animal welfare standards and risk level of the business at the time of the inspection. This process is not to be used if a business has made improvements and wishes to be re-assessed – in this case the business should apply for a re-inspection.

### **The Procedure**

1. In the first instance the business is encouraged to discuss their star rating informally with the “inspecting officer”. This will allow for a full explanation of how the rating was decided. Any discussions do not form part of the formal process and do not change the timeframe for lodging an appeal. An appeal can be withdrawn after the informal discussion. A star rating cannot be changed after an informal discussion but the business can apply for a re-inspection at their cost after implementing any recommendations that could result in a higher star rating (due to the nature of the star rating it may not be possible for a star rating to be improved upon).
2. A formal appeal will need to be submitted to the Licensing Authority in writing (can be email) within 21 days of the receipt of the licence (this includes weekends and bank holidays). Appeals can be emailed to [licensing@selby.gov.uk](mailto:licensing@selby.gov.uk)
3. The local authority then has 21 days (including weekends and bank holidays) from the date they receive the appeal to determine the appeal. The local authority will inform the business of their decision upon the determination of the appeal but no later than 21 days after the Environmental Health and Licensing department have received the paperwork.
4. The appeal will be determined by the Housing & Environmental Health Service Manager or by someone acting on their behalf or by the equivalent in another authority. Any officer involved in the production of the rating or the inspection on which the rating is based on will not consider the appeal.
5. The outcome of the appeal will be determined after considering the inspection reports and all associated paperwork along with the past record of the business alongside the star rating criteria. In some cases a further visit may be required. The cost of the visit will be borne by the applicant unless it results in a higher rating being awarded. (An appeal can be withdrawn at this stage should the business not want to pay for an inspection). The requirement for a visit will depend on the nature of the dispute and whether or not a decision can be made on the basis of the inspection report and appeal form.
6. If the business disagrees with the outcome of the appeal the decision can be challenged by way of judicial review. It is advised that the business seeks its own legal advice ahead of any judicial review proceedings. The business also has recourse to the local authority complaints procedure (taking the matter to the Local Government Ombudsman where appropriate) if they consider that the service has not been properly delivered.

7. If your issue is in relation to the Star Rating scheme itself rather than the inspecting officers interpretation of it you will need to contact [DEFRA](#) or [PIF](#); who are the organisations responsible for the drafting of the scheme.