Your first steps to running a catering business
Starting up – Your first steps to running a catering business

This booklet is for people setting up a restaurant, café or other catering business, whether you are taking over a business that already exists or starting a new one.

It is very important to get things right at the start, because this will make it much easier for you to run your business well in the future. This booklet tells you about the main things you need to consider.

Lots of the information in this booklet tells you about legal requirements. When something is good practice, rather than a legal requirement, the text will be highlighted in a box with this symbol: ✹

There are also some tips to help you. These are in boxes with this symbol: ✓

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Registering food premises

If you are planning to start a new catering business, you must register your premises with the environmental health service at your local authority at least 28 days before opening.

This applies to most types of food business, including catering businesses run from home, and mobile or temporary premises such as stalls and vans. Contact your local authority for information on how to register. If you use two or more premises, you will need to register all of them.

If food premises are used by several catering businesses (for example, a village hall or conference centre), the person who allows the premises to be used for this purpose is responsible for registering them.

You might also need to register as self-employed and/or register for VAT (see pages 27-29). These registration processes are completely separate from registering your food premises.

If you want to make changes to your premises, remember that you might need planning permission.

You will need to pay business rates on most premises. Contact your local authority for information.

Licences

You will need a licence if you want to do the following things:

- sell or supply alcohol
- sell hot food between 11pm and 5am
- provide entertainment, such as theatre, cinema or live music
- sell food from a stall or van on the street

Businesses should contact their local authority for information on all of these licences.
**Rules about premises**

When you choose the premises for your business, it is very important to make sure that they:

> comply with the necessary regulations
> are suitable for the purpose of your business
> allow you to prepare food safely

You must keep your premises clean and maintained in good repair and condition. Your premises must allow you to follow good food hygiene practices, including protection against contamination and, in particular, pest control.

When you are choosing new premises, or making changes to premises, it’s a good idea to ask your local authority for advice.

The following rules apply to your whole premises, not just the areas used for preparing food.

**Handwashing facilities and toilets**

You must have enough washbasins for staff to wash their hands, with hot and cold running water, and materials for cleaning hands and drying them hygienically.

Separate sinks must be provided, where necessary, for washing food and cleaning equipment – see pages 5-6.

There must also be enough toilets and these must not lead directly into food areas.

**Changing facilities**

You must provide adequate facilities for staff to change their clothes, where necessary.

**Other requirements**

Your premises must also have adequate ventilation, lighting and drainage.

**Food preparation areas**

The following rules apply to rooms where food is prepared.

**Floors and walls**

Floors and walls must be maintained in a ‘sound condition’. They must be easy to clean and (where necessary) to disinfect.

In practice, this means that floors and walls should be smooth, hard-wearing, washable and in a good state of repair.

**Ceilings**

Ceilings must be constructed and finished in a way that prevents dirt from building up and reduces condensation, mould and shedding of particles.

In practice, this means that ceilings should be in good condition, smooth and easy to clean, with no flaking paint or plaster.

**Windows**

Windows and any other openings must be constructed in a way that prevents dirt from building up and reduces condensation, mould and shedding of particles.

In practice, this means that ceilings should be in good condition, smooth and easy to clean, with no flaking paint or plaster.

**Doors**

Doors must be easy to clean and, where necessary, to disinfect.

**Surfaces**

Surfaces (including surfaces of equipment) in areas where food is handled, particularly those that are touched by food, must be maintained in a sound condition and be easy to clean and, where necessary, to disinfect.

**Facilities for cleaning equipment**

Your premises must have adequate facilities, where necessary, for cleaning, disinfecting and storing utensils and equipment. The facilities must have an adequate supply of hot and cold water.
For advice on how food hygiene regulations apply to you, contact the environmental health service at your local authority.

Remember mobile and/or temporary premises still need to be registered – see Registering food premises on page 3.

Health and safety

You must work in a way that protects the health and safety of your employees and other people who might be affected by what you do. If you have five or more employees, you must have a written health and safety policy, which describes your health and safety arrangements.

For more information, see ‘Health and Safety: a no-nonsense summary of Government rules and regulations’, produced by Business Link (see page 35 for how to order) or contact the Health and Safety Executive (see page 36).

Fire safety

You must carry out a fire risk assessment at your premises and take fire safety precautions to help protect you, your staff and customers. The type of precautions you must have will depend on a number of things, such as the size of your premises. For advice, contact your local fire authority.

For more information, see ‘Fire safety: An employer’s guide’. You can view this online at: www.archive.officialdocuments.co.uk/document/fire/index.htm or order it from HSE Books for £9.95 (see page 35 for details).

Mobile/temporary premises

If you run a food business from mobile or temporary premises, you still need to comply with the same hygiene rules as other food businesses, but because space is limited, the legal requirements for premises are slightly different and allow greater flexibility.

For more information, see ‘Food hygiene – a guide for businesses’, produced by the FSA (see page 34 for how to order). Mobile and/or temporary premises include marquees, stalls and vans.

Facilities for washing food

You must have adequate facilities, where necessary, for washing food. Every sink (or other facilities) for washing food must have an adequate supply of hot and/or cold water. The water must be drinking quality. These facilities must be kept clean and, where necessary, disinfected.

Equipment

All items, fittings and equipment that food touch must be:

- kept in good order, repair and condition in a way that enables them to be kept clean and, where necessary, to be disinfected
- effectively cleaned and, where necessary, disinfected frequently enough to avoid any risk of contamination

Waste

You must remove food waste and other rubbish from rooms containing food as quickly as possible, to avoid it building up.

You must have adequate facilities for storing and disposing of food waste and other rubbish.

These are just some of the rules that apply to your business. See ‘Food hygiene – a guide for businesses’, also published by the Food Standards Agency (FSA) – see page 34 for details of how to order.

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If you are planning to adapt premises, it is a good idea to get fire safety advice before you start the work.
Food safety management is all about what you do to manage how food is produced in your business, to make sure it is safe to eat.

**Food safety management procedures**

You must put in place ‘food safety management procedures’ and keep up-to-date records relating to your procedures. If you change the type of food you produce, or change how you work, you must review these procedures.

There are packs produced by the FSA that can help you put these procedures in place – see page 33 for more information. You could also ask the environmental health service at your local authority for advice.

**Staff**

- Reliable and responsible staff are important for any business. If possible, it is a good idea to recruit staff with some catering experience and/or training.

You must make sure that any member of staff who handles food is supervised and instructed and/or trained in food hygiene in a way that is appropriate for the work they do.

- When you hire a member of staff, you should make sure they understand the main food hygiene issues before they start work. See the Good food hygiene section on pages 12-21.

The person (or people) responsible for developing and maintaining your business’s food safety management procedures must have received adequate training to enable them to do this. You and your staff do not have to attend a formal course, though these are useful. You could use a pack produced by the FSA to train yourself and your staff. See page 33 for details.
Transport

When you transport food – perhaps from your premises to another venue, or from the cash-and-carry to your premises – you must prevent it from becoming contaminated, for example with dirt or bacteria.

It is especially important to make sure that:

- food is transported in packaging or containers that protect it from contamination
- chilled and frozen foods are kept at the right temperature (some businesses use cool bags and boxes, or refrigerated vans)
- raw and ready-to-eat foods are kept apart

Vehicles used to transport food must be kept clean and in good repair.

Suppliers

Your choice of supplier is important because a supplier’s reliability, and the safety and quality of the food they supply, could affect your business. It is especially important that the products you buy have been stored, processed and handled safely.

When food is delivered, check that:

- chilled and frozen food is cold enough
- packaging is not damaged
- it is what you ordered

If you do not think that the food a supplier delivers has been handled safely, reject the delivery, if possible, and contact your supplier immediately.

It is important to write down the details of all your suppliers. Keep all the invoices and receipts for any food products you buy either from a supplier, shop or cash-and-carry. These should include details of what products you have bought, who you bought them from, the quantity and date.
Good food hygiene is essential to ensure that the food you serve is safe to eat. It makes good business sense because good hygiene helps prevent food poisoning and protects your reputation with customers.

When you are setting up a catering business, it is a good opportunity to introduce ways of working that will help you ensure good hygiene right from the start.

The four main things to remember for good hygiene are the 4 Cs:

- Cleaning
- Cooking
- Chilling
- Cross-contamination

You can use the 4 Cs to help you prevent the most common food safety problems. The following sections explain how you can use each one.

**Cleaning**

Effective cleaning gets rid of bacteria on hands, equipment, and surfaces. So it helps to stop bacteria from spreading onto food. You should do the following things:

- Make sure that all your staff wash and dry their hands thoroughly before handling food.
- Clean food areas and equipment between different tasks, especially after handling raw food.
- Clean as you go. If you spill some food, clear it up straight away and then clean the surface thoroughly.
- Use cleaning products that are suitable for the job, and follow the manufacturer’s instructions.
- Do not let food waste build up.
Proper cooking is essential to kill any bacteria, so these types of meat should not be served pink or rare and should be piping hot all the way through. Whole cuts (such as steaks) or joints of beef or lamb can be served pink/rare at the customer’s request.

Keeping food hot
When you are keeping cooked food hot, you must keep it at 63°C or above. This is a legal requirement.
When you are serving or displaying food, it can be below 63°C for a maximum of two hours. But you can only do this once. Then you must throw the food away, or cool it as quickly as possible and keep it chilled until it is used.
In Scotland, businesses must also keep hot food at 63°C or above, but the regulations do not give a specific length of time that food can be kept below this temperature to be served or displayed (though this should be as short as possible).

Chilling
Chilling food properly helps to stop harmful bacteria from growing. Some foods need to be kept chilled to keep them safe, for example food with a ‘use by’ date, cooked dishes and other ready-to-eat food such as prepared salads and desserts.
Cross-contamination

Cross-contamination is when bacteria are spread between food, surfaces or equipment. It is most likely to happen when raw food touches (or drips onto) ready-to-eat food, equipment or surfaces. So, if raw meat drips onto a cake in the fridge, bacteria will spread from the meat to the cake. If you cut raw chicken on a chopping board, bacteria will spread from the chicken to the board and knife. If you then use the same board and knife (without washing them thoroughly) to chop a cucumber, the bacteria will spread from the board and knife to the cucumber.

Hands can also spread bacteria. If you touch raw food and do not wash your hands thoroughly you can spread bacteria to the other things you touch.

Cross-contamination is one of the most common causes of food poisoning. Do the following things to avoid it.

- Keep raw meat/poultry and ready-to-eat foods separate at all times.
- Wash your hands thoroughly after touching raw meat/poultry.
- Clean work surfaces, chopping boards and equipment thoroughly before you start preparing food and after you have used them with raw meat/poultry.
- Ideally, use different chopping boards and knives for raw meat/poultry and ready-to-eat food.
- Keep raw meat/poultry below ready-to-eat food in the fridge. If possible, use a separate fridge for raw meat/poultry.
- Make sure that staff know how to avoid cross-contamination.

Keeping food cold

Cold food must be kept at 8°C or below. This is a legal requirement in England, Wales and Northern Ireland.

In practice, it is recommended to set your fridge at 5°C to make sure that food is kept cold enough. Check regularly that your fridge and any display units are cold enough.

When you are serving or displaying cold foods, they can be kept above 8°C for up to four hours. You should only do this once. If any food is left after this time, you should throw it away or keep it chilled at 8°C or below. Remember to keep food at a safe temperature until it is used.

In Scotland, the regulations do not set a specific temperature for cold food, but foods that need to be chilled should be kept in the fridge or other chilling equipment. The Scottish regulations do not give a specific length of time that food can be kept out of the fridge to be served or displayed (but this should be as short as possible).
Staff should:
- keep hair tied back and/or wear a suitable head covering, e.g. hat or hairnet, when working with food
- not wear watches or jewellery when preparing food (except a wedding band)
- not smoke, spit, eat or chew gum when preparing food
- avoid touching their face and hair, sneezing or coughing when preparing food

Illness
If you or one of your staff has diarrhoea and/or vomiting, they must not handle food and must not enter a food handling area. Make sure that your staff tell you (or a manager/supervisor) if they have this type of symptoms. If you are not sure whether someone should be working with food, ask for advice from a doctor or the environmental health service at your local authority straight away.
It is very important to store food properly to keep it safe. Make sure you do the following things.

- Keep foods in the fridge if they need to be chilled – see Chilling on page 15.
- Store raw meat/poultry separately from ready-to-eat food – see Cross-contamination on page 17.
- Never use food after the ‘use by’ date, because it might not be safe to eat.
- If you save cooked food to be eaten later, cool it quickly, and keep it in the fridge – it is a good idea to date food, using stickers, or another method of labelling, to keep track of when food should be used or thrown away.
- Check food with a short shelf-life every day to make sure it is still within its ‘use by’ date.
- Follow any storage instructions on food packaging.
- Store dried foods (such as grains and pulses) off the floor, ideally in sealable containers, to allow proper cleaning and protect them from pests.

**Stock rotation**

Remember the rule first in, first out to make sure that older food is used first. This will help to prevent waste.

When you put food in the fridge or storeroom, make sure the foods with a closer ‘use by’ or ‘best before’ date are at the front of the shelf, so they are used first.

Enforcement officers will inspect your premises to make sure you are following food hygiene rules. They might come on a routine inspection, or visit because of a complaint. Usually, they will not tell you in advance that they are coming.

How often your business is routinely inspected will depend on the type of business and its previous record. Some premises might be inspected at least every six months, others much less often.

Enforcement officers will offer help and advice on food safety, and can take action if they find that your standards of food hygiene are not good enough. In serious cases, action might include closing the premises or prosecution.

‘Food law inspections and your business’, produced by the FSA, explains the inspection process. See page 34 for how to order.
Rules about menus

Displaying prices
When you sell food or drink for people to eat or drink on the premises, you must make the prices clear, for example on a price list or menu. You must include VAT in the prices when appropriate (see Charging VAT below).

If you add a service charge (a percentage or amount), or if there is a minimum charge, you must display this with as much prominence as the other prices.

Charging VAT
Whether or not you need to include VAT in your prices, and what rate of VAT, depends on a number of different things. In general, businesses selling food or drink that is ready to eat or drink should charge VAT at the standard rate.

But businesses that have a turnover (not just profit) below the ‘registration threshold’ do not need to be VAT registered, and therefore do not need to charge VAT. See VAT registration on page 28.

For businesses that are VAT registered, these are some of the main rules. If you sell food or drink to be consumed on your premises, or if you supply hot takeaway food, you must charge VAT at the standard rate on these products.

Normally, you do not need to charge VAT on cold takeaway food and drink, but there are some products where standard-rate VAT always applies, such as crisps, sweets and bottled water.

Sometimes caterers that supply food to a school or hospital do not have to charge VAT.

For more information about when you need to charge VAT, contact HM Revenue & Customs (HMRC) on 0845 010 9000 or visit www.hmrc.gov.uk. HMRC is the new department responsible for the business of the former Inland Revenue and HM Customs and Excise.
Rules about menus

Describing food
You must describe food and drink accurately on menus, blackboards and adverts. Any illustrations must accurately represent the food you are selling. Descriptions and illustrations must not be misleading. Descriptions like ‘fresh’, ‘home-made’ and ‘suitable for vegetarians’ can easily be used misleadingly.

Visit the Food Standards Agency website www.food.gov.uk, or contact your local authority, for advice on how to make sure your descriptions do not mislead.

Products described as ‘sausages’ or ‘burgers’ on menus must contain a minimum amount of meat, by law. Contact your local authority for more information.

Rules about menus

Labelling food
Usually, catering businesses do not have to label food. But if the food contains ingredients that are irradiated, or derived from genetically modified (GM) soya or maize, you must say this either on a label attached to the food, on a menu, or on a notice that is easily visible to the customer.

The same rules apply to food that you pre-pack to sell direct to the customer (for example, sandwiches made and packed in advance in a sandwich bar).

There are more extensive labelling rules for businesses that supply pre-packed food to catering or retail businesses, or sell products for customers to cook. Contact your local authority for more information.

Alcohol
You must have a licence to sell alcoholic drinks. There are also rules about the quantities of beer, wine and spirits you can serve. Contact your local authority for information on both of these issues.
Types of business

Before you start trading, you need to decide what type of business you are setting up. The main types of business are:

- ‘sole trader’, which means you will be self-employed
- partnership, with another person or more than one person
- limited company

For more information about these different types of business, visit the Business Link website: www.businesslink.gov.uk or see the Business Link publication, ‘The No-Nonsense Guide to Government rules and regulations for setting up your business’ (see page 35 for ordering details).

Being self-employed

If you are self-employed, you must register with HM Revenue & Customs within three months of becoming self-employed. As a self-employed person, you are responsible for paying your own tax and National Insurance contributions. You will need to fill in a tax return each year.

Contact your local tax office to find out more about what you need to do concerning tax, or call the HMRC helpline for newly self-employed people on 08459 15 45 15.
**Paperwork and finances**

**VAT registration**

VAT stands for ‘Value Added Tax’. Businesses that are ‘VAT registered’ charge VAT on the goods and services they provide. If your business has a turnover (not just profit) above the ‘registration threshold’, it must be VAT registered.

In April 2005, the registration threshold was set at £60,000 a year, but this is likely to change.

Some businesses choose to register for VAT, even though their turnover is below the registration threshold. If your business is VAT registered, you will be able to reclaim the VAT you pay to suppliers. And you will also need to charge VAT on certain things. See Charging VAT on page 23.

To find out more about VAT registration contact HM Revenue & Customs (HMRC) on 0845 010 9000 or visit www.hmrc.gov.uk.

**Record keeping**

You must keep records of all your business income and expenses. This will help you to prepare your accounts and fill in your tax return. Having a record of all the money coming in and going out can also help you to run your business efficiently.

You must keep all records for at least five years from the latest date for sending back your tax return. If you would like advice about record keeping, contact HM Revenue & Customs or an accountant.

Don’t forget that you should keep all the invoices and receipts for foods that you buy.

**Paperwork and finances**

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- Update your records regularly. This helps to avoid paperwork piling up and it will make it much easier to prepare your annual accounts.
- Keep receipts for all your business expenses. They are proof of how you spent the money.
- Always keep business money and personal money separate.

**Paying employees**

If you are employing other people, you will need to work out and pay, your employees’ tax and National Insurance contributions. These come out of the wages you pay them. Contact HM Revenue & Customs (HMRC) for more information.

Remember, you need to keep a record of everything you pay your employees, including wages, payments and benefits.

You also need to make sure that you keep to employment law on issues such as employee rights, working hours, minimum wages and equal opportunities. For more information, visit the Business Link website: www.businesslink.gov.uk

Help and advice is also available from the HMRC. Contact the new employers’ helpline on 0845 607 0143 or visit www.hmrc.gov.uk/newemployers

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Since January 2006, a number of new food hygiene regulations have applied in the UK. The most important regulations that apply specifically to food businesses are:

» Regulation (EC) No. 852/2004 on the hygiene of foodstuffs
» The Food Hygiene (England) Regulations 2006 (and equivalent regulations in Scotland, Wales and Northern Ireland)

These replace the Food Safety (General Food Hygiene) Regulations 1995 and the Food Safety (Temperature Control) Regulations 1995. They set out the basic hygiene requirements for all aspects of your business, from your premises and facilities to the personal hygiene of your staff.

Almost all of the requirements in the new regulations are the same as the regulations they replace. The main change is that you must put in place ‘food safety management procedures’ and keep up-to-date records of these.

For more information on these regulations, see ‘Food hygiene – a guide for businesses’, a booklet published by the Food Standards Agency (see page 34 for how to order), or contact the environmental health service at your local authority.
Food safety management packs

If you run a small catering business, there are packs available to help you put in place food safety management procedures. These packs have been produced by the FSA in England, Scotland and Northern Ireland, and by local authorities in Wales.

- **England** – ‘Safer food, better business’, an innovative and practical approach to food safety management, has been developed by the FSA in partnership with small catering businesses and more than 50 local authorities. If you would like to order a copy of ‘Safer food, better business’ contact FSA publications using the contact details on page 34. You can view it online at www.food.gov.uk

- **Wales** – Several local authorities have previously developed guidance packs for caterers and FSA Wales has encouraged the sharing of these packs throughout Welsh local authorities. Businesses should contact their local authority for more information.

- **Scotland** – FSA Scotland has drawn on expertise from the food industry including small businesses, local authorities and the Scottish Food Advisory Committee to develop a system called ‘CookSafe’. This is also available in Chinese, Urdu and Punjabi. Businesses that would like a copy should contact their local authority. You can view it online at www.food.gov.uk

- **Northern Ireland** – FSA Northern Ireland has produced guidance for the catering sector called ‘Safe Catering’, working with caterers and local authorities. This guidance, which has been developed and refined over a number of years, is widely accepted by the catering sector in Northern Ireland. Businesses should contact their local authority for information.

Catering businesses do not have to use any particular pack or model, but they must make sure they have food safety management procedures that are suitable for their business. Some businesses will already have a suitable system, which they can continue to use.
Food Standards Agency publications

Food hygiene – a guide for businesses
– general guide to food hygiene regulations

Food law inspections and your business
– explains the inspection process

Eggs: what caterers need to know
– gives advice for caterers on using eggs safely

All of these publications are free of charge. To order copies, contact Food Standards Agency Publications:

tel 0845 606 0667
minicom 0845 606 0678
fax 020 8867 3225
email foodstandards@ecgroup.uk.com

Publications from Government departments

Business Link

The No-Nonsense Guide to Government rules and regulations for setting up your business

Health and Safety: A no-nonsense summary of Government rules and regulations

To order, email publications@dti.gsi.gov.uk, visit www.dti.gov.uk/publications, call 0845 015 0010, textphone 0845 015 0030, or fax 0845 015 0020.

HM Revenue & Customs

Working for yourself – The Guide

To order, visit www.hmrc.gov.uk, call 0845 9000 404, or fax 0845 9000 604.

Health and Safety Executive

The Health and Safety Executive produces a number of factsheets that are relevant to catering businesses. See this link for a list: www.hse.gov.uk/pubns/caterdex.htm

You can also order publications from www.hsebooks.co.uk or by calling 01787 881165.
Useful contacts

Business Link (England)
www.businesslink.gov.uk  0845 600 9006

Business Eye (Wales)
www.businesseye.org.uk  08457 96 97 98

Business Gateway (Scotland)
www.bgateway.com  0845 609 6611

Invest Northern Ireland
www.investni.com

Small Business Advice Service (England)
www.smallbusinessadvice.org.uk

Scottish Enterprise
www.scottish-enterprise.com  0845 607 8787

Workspace (Northern Ireland)
www.workspace.org.uk  028 7962 8113

HM Revenue & Customs
www.hmrc.gov.uk
New employers' helpline  0845 607 0143
Helpline for newly self-employed people  08459 15 45 15
National Minimum Wage helpline  0845 600 0678
VAT registration  0845 010 9000

Health and Safety Executive
www.hse.gov.uk  0845 345 0055

Equal Opportunities Commission
www.eoc.org.uk  0845 601 5901

Companies House
www.companies-house.gov.uk  0870 333 3636

HCIMA (Hotel & Catering International Management Association)
www.hcima.org.uk  020 8661 4900

British Hospitality Association
www.bha-online.org.uk  0845 880 7744

British Beer and Pub Association
www.beerandpub.com  020 7627 9191

British Institute of Innkeeping
www.bii.org  01276 684449

Checklist

- Have you registered your premises?
- Do the design and construction of your premises meet legal requirements?
- Have you put food safety management procedures in place and are you keeping up-to-date records of these?
- Do you and your staff understand the principles of good food hygiene?
- Have you considered health and safety and fire safety arrangements?
- Have you registered as self-employed?
- Do you need to register for VAT?
- Are you keeping records of all your business income and expenses?
- Are you keeping records of your employees’ pay and do you know how to pay their tax and National Insurance contributions?
- Do you describe food and drink accurately?
- Do you need to apply for a licence to sell alcohol, for entertainment, for selling hot food or drink late at night, or for selling food on the street?