

Ms Briony Ballard
Southwark Coroners Court,
1 Tennis Street,
Southwark,
SE1 1YD

Date 17th October 2019

Dear Ms Ballard,

Re: Prevent future death report for Owen James Carey
(date of death 22/04/17) (Case Ref:01206-2017)

We are responding to your letter dated 8th October 2019, regarding the above case. Please find our responses to section 5 of the original letter.

Yours sincerely

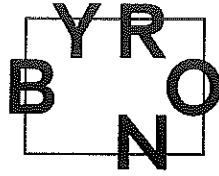
A handwritten signature in black ink that reads "Simon Wilkinson".

Simon Wilkinson
Chief Executive Officer

BYRON
82 Dean Street
London, W1D 3SP

Byron.co
byron@byron.co

Registered No 07228130
VAT No 178 2206 04



The Matters of concern – responses as follows;

1) The adequacy and effectiveness of allergen training at Byron O2:

The training at the time of the incident involved on-line training by the employee and their acknowledgement that such training had taken place and on the job training as highlighted. One aspect of the on job training which the legal representation failed to stress was that the minimum amount of on job training consisted of 7 days shadowing an existing team member and only then after 7 days if the employee had reached satisfactory levels would they be signed off and allowed to serve customers on their own. If their competency levels were inadequate further training would follow. The sign off process had to be done by the General Manager. This process is above and beyond the industry norm at that time.

It was noted that no records were then kept of the on-job training so this has been rectified immediately and each employee will now have records kept. Additionally, we are investing in a market leading training system called "Flow" which is being launched in the business from November where every employee will have their own personal training modules and records.

2) The effectiveness of current placement and appearance of allergen notices on restaurant on restaurant menus to trigger an allergen discussion between a customer and serving staff:

Both the prominence and size of the allergen notice on the latest Byron Menu launched on October 2nd have increased. There is a reference to allergens on both sides and the message takes up one third of a page

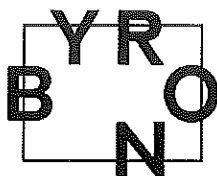
Since 2018 over and above our legal allergen requirements which we have always adhered to, we have also added the extra safeguards into our business to increase allergy awareness;

- An allergy champion is present in every restaurant - this is a member of staff who has undergone a special allergen management training module
- Each customer is asked if they have an allergy at the table before a food order is taken
- Before a member of staff can enter an order into the till system an additional message prompt the size of the till screen asks them if they asked the guest about allergies and if not to go back to the table to do so
- The allergy is recorded on the till receipt that is sent to the kitchen as the order is taken. This member of staff will also verbally alert the kitchen team about the allergy
- An additional flyer is placed on every table to remind customers to inform the staff of an allergy
- The Byron allergy guide now includes more detailed sections for those avoiding certain allergens (avoiding dairy, avoiding gluten, vegan/plant-based diet)
- New training videos are available for staff: all new starters must watch the video and, ALL employees will have watched it by Nov 1st. The videos were cascaded out for managers to share with the teams, and formal allergy training is done periodically.

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- Allergy refreshers are now part of menu training and records kept via training portal
- Byron is now working with Ten Kites to introduce a filtering system for the food menu on the website. Restaurants will soon be receiving tablets to be able to replicate this on site.

3) The lack of key allergen information on the face of restaurant menus and therefore their potential to be falsely reassuring:

The legislation requires that a restaurant has a legal requirement to provide allergen information to customers for each dish they serve, this can be orally or written down in an allergy guide listing every dish they serve and whether they contain the 14 allergens. This guide or matrix is given to the guest when requested so that they can order safely, but the responsibility lies jointly between the guest and the server. We are very keen to work with the legislative authorities to make this process as robust as possible to see if there are ways that we can improve how the industry signposts allergen information to customers without losing that key interaction and discussion between the guest and staff to ensure their allergies are shared also with the kitchen. We have reached out to both the family of Owen Carey and the FSA to initiate a meeting and commence a consultative process between them and industry colleagues, which I want to lead, but have had no response yet. We have also ensured that menus moving forward are as descriptive as possible without eliminating the need for the guest to consult the allergy guide. At the time being a specialist burger / one product restaurant, it was industry standard that a plain burger meant a burger with no toppings such as onion, mayo, tomato and lettuce rather than that the meat/contents themselves were plain. As articulated above to try and reassure guests as much as possible we now have more detailed descriptions on all our menu items.

4) The lack of a national register recording severe food anaphylactic reactions:

I concur with the coroner.

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