

14 February 2022

190-22

Call for submissions – Proposal P1053

Food Safety Management Tools

Name of Organisation – Eastern Health Authority (EHA)

[REDACTED]

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Authorisation of submission: Reviewed and authorised by Chief Executive Office of Eastern Health Authority. A copy of the submission will be provided as a report to EHA Board of Management for their information at the 27 April 2022 Meeting. A copy will also be provided to EHA's Constituent Councils.

Comments

EHA received notification for the call of submissions on 3 March 2022 for proposal P1053. EHA undertook a review of the new draft standard and a draft variation to Standard 1.1.17 and the three proposed food safety management tools:

- food safety supervisor (FSS),
- food handler training (FHT) and
- evidence (E).

Following the review, EHA is in support of the proposed new draft standard and a draft variation to Standard 1.1.17 and the three proposed food safety management tools.

EHA recognises that there will be a significant administrative impact to prepare for the changes, communicate the legislative update to the food businesses and provide them with the required assistance and guidance.

However, despite the short term administrative burden, EHA recognises that there are long term benefits with a continual development of a positive food safety culture through improved food safety knowledge, food safety practices, and illness reduction.

The submission below outlines the impacts on industry, Local Government, costs and benefits and areas for consideration to ensure the draft standard and proposed food safety tools consistently implemented between local councils and individual officers at a state and national level.

Impacts on Consumers, Industry, Local Government and State Government including Costs and Benefits

Benefits:

- Motivates business to improve standards of food safety.
- Positive food safety culture.
- Improved food handler food safety knowledge and practices.
- May result in the reduction in food enforcement.
- The availability of food safety training is limited in South Australia (SA). An improvement in food handlers' skills and knowledge is fundamental to improvements in food safety.
- May result in a decrease in food-borne illness, however this would require post-implementation evaluation using OzFoodNet data.
- The Environmental Health Officer may be perceived more positively as a source of advice.
- Proposed 'Risk Category' system is straight forward and compliments the SA Australian Risk Assessment System.

Costs:

- Food businesses refusing to participate and comply with the new standards. Increased enforcement and administration resources.
- Increased time to undertake routine inspections and additional follow-up inspections impacting on food safety schedule and other public health responsibilities.
- The current fee-for-inspection arrangements under the *Food Act 2001* do not fund local government sufficiently to resource the increased administrative impacts.
- Inconsistency between local councils (and individual officers) has the potential to create an 'uneven playing field' between businesses.
- Additional financial cost to upgrade the electronic records management system 'Health Manager'
- Additional annual reporting impacting on administrative resources

Work Needed to Underpin, Implement the Standard and Food Safety Tools

1. Consistency

- Development of national enforcement guidance tools to be incorporated into local councils enforcement policies. This will enable local councils to consistently apply their enforcement policy to the new draft Standard.
- A mechanism to monitor consistency is desirable.
- Upgrade the SA Australian Risk Assessment Guide to include the three new categories. This will enable new food businesses to be consistently 'priority risk rated' and 'risk categorised' across local councils with SA.

2. Resourcing

- Financial cost to upgrade the electronic records management system 'Health Manager'.
- The current fee-for-inspection arrangements under the *Food Act 2001* do not fund local government sufficiently to resource the increased administrative impacts to implement the draft Standard and proposed Food Safety Tools. This is an opportune time for the licensing or registration structure to be reconsidered in SA.
- Translated resources will be necessary for proprietors and / or food handlers who communicate in languages other than English.

3. Administration

- Significant administration impact:
 - Manually update approximately 1,350 existing food businesses to apply the appropriate 'risk category'
 - Increased time to undertake routine inspections, impacting on our food inspection schedule and other public health responsibilities
 - Anticipated that there will be additional follow-up inspections and/ or communication to follow-up on outstanding training certificates, nominated FSS and records or evidence.

4. Legislation

- Legislative change could improve a business' approach and awareness of food safety.
 - Licensing or registration – interstate food business licenses/registrations are removed or cancelled. This is a very effective enforcement tool to gain compliance.

In SA The current notification requirements under the *Food Act 2001* are ineffective. A high proportion of food businesses do not notify as they are unaware of their legislative requirements. A licensing or registration system in SA would allow for a consistent national approach and effective enforcement.

- The introduction of a mandatory Food Star Rating System in SA would disclose information to consumers about a business' food safety performance allowing the consumer choice and discretion. Subsequently, this would motivate businesses to improve their standards of practise in food safety. This would be supported by the adoption of the draft standard and proposed food safety tools.

5. General Comments

Whilst the proposed risk categories have been simplified and complement the existing SA Food Business Risk Rating System, the requirements and types of food management tools are too broad and further consideration is required:

- **Food Safety Supervisor (FSS)**– Minimum criteria for the nomination of a suitable FSS. Basic criteria will ensure that the nominated person is suitable for the position. It also allows for EHO's to consistently assess these criteria and ensure there is a consistent national expectation suggestions include: age, experience, levels of training, hours of work, number of locations responsible for/overseeing rather than being required to be 'reasonable available' as outlined in the draft standard.
- **Food Handler Training (FHT) and FSS for Category 1 food businesses** – The draft standard does not consider high level training for food handlers that process and produce extended shelf life ready to eat/heat foods. This type of process is becoming more prominent in retail and restaurant settings with EHO's identifying poor and unsuitable processing practices and limited knowledge. A higher level of training for this area should be required.
- **FHT** - Mechanisms to monitor and confirm that the nominated FSS has attended the online training.

Summary

In summary, EHA is in support of the draft standard and the proposed food safety management tools.

While acknowledging the administrative burden, it provides greater opportunities for local legislative change to gain national consistency and suggested changes to ensure the proposed standard and tools are robust and effective.