Food Act 2006 – Auditor newsletter

Newsletter #3 – February 2014

This newsletter contains information for auditors approved under the Food Act 2006 (the Act), particularly in relation to new or topical issues.

Auditor functions

General

Functions for auditors approved under the Act are specified in section 127 of the Act, as follows:

- to advise local government about the accreditation of food safety programs;
- to conduct audits of accredited food safety programs under chapter 6;
- to prepare, under section 161, reports of audits conducted by the auditor;
- to give Queensland Health information requested about audits conducted by the auditor;
- any other function about accreditation or auditing of food safety programs prescribed under a regulation. However, to date, no functions are prescribed under a regulation.

Information relating to the auditor roles and responsibilities is discussed further in section 2.4 of Management of food safety programs - Food Act 2006.

Enforcement

Auditors approved under the Act do not have any enforcement powers and cannot require a food business to make any changes to their food safety program or the food business, whether it is in relation to their processes, documentation or structural fit-out. Only local governments have the authority under the Act to direct a food business to make any changes to their operations.

In relation to addressing non-compliances identified during an audit, the food business licensee is responsible for resolving the non-compliances. While an auditor must discuss each non-compliance with the licensee during an audit and record the licensee’s action or proposed action to remedy the non-compliance, the auditor must not provide the licensee with directions on resolving the non-compliance.

In relation to frequency of compliance audits, an auditor must include in an audit report whether, in the auditor’s opinion, the audit frequency should be changed and if so, the reasons that the auditor considers the frequency should be changed.

However, while the local government may consider this advice, they are not obliged to follow the recommendation of the auditor when making their decision.

Hospital and Health Service food service facilities

State hospitals now operate as part of Queensland Hospital and Health Services (HHSs). HHS food service facilities do not operate under the Act, but under a system of equivalence. This includes the requirement to develop and implement a food safety program.

HHSs are now requesting approved auditors to undertake audits of their accredited food safety programs. While HHSs are not operating under the Act, approved auditors engaged by HHSs are expected to comply with the same requirements under the Act and their conditions of approval.


Auditors are reminded that compliance with the Code of Conduct for approved auditors (Code of Conduct) is a condition of approval for all auditors. An auditor who fails to comply with the provisions of the Code of Conduct may have their approval suspended or cancelled.

Audit verification framework


The framework was developed in line with the Guideline and details the various components of the audit verification system under the Act. The audit verification system consists of check audits, witness audits, criminal history checks and other means considered appropriate by the Department of Health to monitor and review the performance of auditors.

All approved auditors should be aware that they may be contacted by the Department of Health at any time and advised that one of the above verification activities will be undertaken on the auditor.

Categorising non-compliances

As a condition of approval, auditors are required to comply with the document Management of food safety programs – Food Act 2006.

The categorisation of non-compliances is discussed in section 4.2 and examples are provided for minor, major and critical non-compliances.
Fees
On 1 October 2013, fees associated with auditor approval applications increased in line with the Consumer Price Index (CPI). The new fee structure includes an application fee of $107.00 and approval fee of $230.50 per year. All forms referencing fees have been updated to reflect these changes.

Recency of practice
Information on an auditor’s recency of auditing practice is now requested on applications for renewal of approval as an auditor under the Act. Specifically, a summary of audit functions undertaken within the last 12 months as well as a copy of an audit report submitted to a local government in the previous 12 months, must be provided.

Evidence of recent and consistent auditing practice helps to demonstrate that the auditor has maintained the level of skills and knowledge necessary to conduct food safety audits in accordance with the requirements of the Act.

Auditor workshop
Food Safety Standards and Regulation are considering conducting an auditor workshop, which is tentatively booked for 24 March 2014.

Any auditors that would like to attend this workshop, please register your interest by contacting FSSR via email foodsafety@health.qld.gov.au.

If there are any matters that you would like specifically addressed in the workshop, please also advise when expressing your interest.

Resources
All documents referenced in this newsletter and more food safety auditing resources, are located at www.health.qld.gov.au/foodsafety. The Department of Health food safety resources are currently being updated, so please go to the food safety website for the most up-to-date versions.

Contact us -
Food Safety Standards and Regulation

<table>
<thead>
<tr>
<th>Address:</th>
<th>PO Box 2368</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FORTITUDE VALLEY BC  QLD  4006</td>
</tr>
<tr>
<td>Phone:</td>
<td>(07) 3328 9310</td>
</tr>
<tr>
<td>Fax:</td>
<td>(07) 3328 9354</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:foodsafety@health.qld.gov.au">foodsafety@health.qld.gov.au</a></td>
</tr>
<tr>
<td>Website:</td>
<td><a href="http://www.health.qld.gov.au/foodsafety">www.health.qld.gov.au/foodsafety</a></td>
</tr>
</tbody>
</table>