Auditor workshop

The Department of Health would like to thank all those who were able to attend the auditor workshop and hope that it was of benefit. The handouts from the presentation have been forwarded to all approved auditors, if you did not receive them, please contact Food Safety Standards and Regulation to ensure your email address is up to date.

As a follow on to the workshop, please find below further information relating to the enforcement powers of auditors.

Enforcement powers of an auditor

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 to the food business, whether it is in relation to their processes, documentation or structural fit-out. Only local government 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 is required to discuss each non-compliance with the licensee during the audit and record the licensee’s action or proposed action to remedy the non-compliance, the auditor cannot provide the food business with directions on resolving the non-compliance. The auditor can offer suggestions in their opinion of what the local government may consider an appropriate way to address the non-compliance, but the food business does not have to take this advice. If the food business doesn’t think the non-compliance requires any action and does not intend or want to take any action, then the auditor should note this on the audit report.

A timeframe for remedying each non-compliance should be specified by the food business. Again, the auditor cannot confirm or agree to this timeframe, but can discuss whether it may be considered reasonable taking into account the risk posed by the non-compliance and the scale of work required to remedy the non-compliance. Auditors are not required and should not be returning or requesting evidence that non-compliances have been rectified, this is the local governments’ responsibility as the regulator.

The local government may assess an audit report to determine whether further action is required. This may include conducting a non-conformance audit, directing the food business to amend the food safety program, changing the audit frequency or using other enforcement options under the Act. A local government is not obliged to follow the recommendation or opinion of an auditor, but may consider this in making their decision. The local government may request further information regarding an audit to assist them in determining an appropriate course of action.

In relation to the frequency of compliance audits, auditors 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.
Resources

All documents relating to an auditors role and function under the Act along with other useful resources including fact sheets and templates are located at www.health.qld.gov.au/foodsafty.

Contact us -

Please do not hesitate to contact Food Safety Standards and Regulation with any concerns or enquires via one of the communication channels listed below.

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