



Food Safety in

Queensland

Food safety supervisors

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Contents

Disclaimer	3
Status of the guidelines ..	3
Introduction ..	3
What is a food safety supervisor and what is their role? ..	3
Food safety supervisor competency standards...	4
How do I determine which food sector a food business falls into? ...	5
Role of Local Government	5
The role of RTOs ..	5
Finding a RTO	6
Recognition of prior learning.	6
How can I verify if a food safety supervisor is appropriately qualified?..	7
Automatic accreditation as a food safety supervisor	7
Can Local Government charge a fee for processing food safety supervisor notifications? ...	8
What enforcement actions are available to Local Government?..	8
What is considered reasonably available?	8
What is a documented mechanism?..	8
Is a separate food safety supervisor required for each premises? ...	8

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Status of the guidelines

This guideline has been developed by Queensland Health under the *Food Act 2006* for the purpose of providing guidance on the administration of the Act. The guidance provided in this document is not legally binding and it is important to note that this guideline is not subordinate legislation.

Section 262 of the *Food Act 2006* allows for guidelines to be developed on:

- ▶ food safety in non-profit or other food businesses
- ▶ the assessment of applications for a licence
- ▶ monitoring and enforcement of the Act
- ▶ the expertise and experience required for a person to be an authorised person
- ▶ the appointment of authorised persons
- ▶ the skills and knowledge required for a person to be a food safety supervisor
- ▶ the exchange of information and reports between Local Governments and the Chief Executive about the administration of this Act
- ▶ the conduct and frequency of audits
- ▶ fees charged by Local Governments under this Act.

The guideline has been prepared to assist with the interpretation of the *Food Act 2006*. It is intended primarily for use by government agencies to assist in clarification and enforcement.

This guide will be reviewed and amended as necessary. Readers are invited to provide feedback to Queensland Health's Environmental Health Unit if they have suggestions that would improve the guideline or believe additional explanation should be included.

Introduction

The *Food Act 2006* (the Act) requires every licensable food business in Queensland to have a food safety supervisor. Every licensed food business must provide to the Local Government that issued the licence, information regarding the food safety supervisor for that business. To assist in the implementation of these provisions, licensed food businesses have until 1 July 2008 to notify their Local Government of their food safety supervisor.

This guideline provides guidance to Local Government and the food industry on the requirements, roles and competencies of food safety supervisors.

What is a food safety supervisor and what is their role?

A food safety supervisor is a person who has advanced food safety skills and knowledge and has the ability to oversee the food safety operations of the food business.

The role of the food safety supervisor is to ensure food hygiene and safety standards are achieved and maintained within the food business. By having at least one (1) person within a food business competent with matters relating to food hygiene and safety, it will help ensure that food produced for human consumption is safe and suitable.

A food safety supervisor is a person who meets all of the following criteria:

- ▶ has obtained the required competencies (See Table 1);
- ▶ has the ability to supervise and give directions about matters relating to food safety in the food premises;
- ▶ has the authority to supervise food handlers; and
- ▶ has skills and knowledge relating to food safety, and the identification and prevention of food safety hazards relevant to the food business.

The food safety supervisor is expected to be involved in the day-to-day operations of the food business and they must be reasonably available to food handlers and the relevant Local Government.

Anyone can be a food safety supervisor including the business owner, manager or an employee, provided they meet the criteria detailed above.

The requirement for a food business to have a food safety supervisor is in addition to and does not change a food businesses requirement under Food Safety Standard 3.2 2 to ensure all staff undertaking or supervising food handling have skills and knowledge relating to food safety and food hygiene matters appropriate to their work activities.

Food safety supervisor competency standards

The competency standards for a food safety supervisor are listed below in Table 1 and are dependent on the industry sector the food safety supervisor is working within. Examples of the types of food businesses that fall into the food sectors are shown in Table 2. The competencies apply regardless of whether the business is required to have (or voluntarily has) a food safety program.

These competency standards are in alignment with the current national food safety training agenda, are approved by the National Quality Council (Department of Education, Science and Training) and are delivered by Registered Training Organisations (RTOs).

Table 1 - Competency standards for food safety supervisors

Food sector	National competency code	Competency title
Food processing	FDFCORFSY2A	Implement food safety program & procedures
Retail & hospitality	THHGHS01B and THHBCC11B	Follow workplace hygiene procedures Implement food safety procedures
	OR WRRLP6C*	Apply retail food safety practices
Health & community services	HLTFS207B and HLTFS309B and HLTFS310B	Follow basic food safety practice Oversee the day-to-day implementation of food safety in the workplace Apply & monitor food safety requirements
Transport & distribution	THHGHS01B and THHBCC11B	Follow workplace hygiene procedures Implement food safety procedures

NOTE: Course codes and titles are set by the National Quality Council (Dept of Education, Science & Training) and may change from time to time. If you are unable to find a registered training organisation who offers the above mentioned competencies, contact Queensland Health for the latest list of approved competency codes.

Details of the units of competencies can be located at www.ntis.gov.au.

*WRRLP6C - Apply retail food safety practices was replaced by SIRRFSA0001A - Apply retail food safety practices, on 17 September 2007. There is a 2 year implementation period for RTOs.

Table 2 - Examples of the types of food businesses that fall into defined food sectors

Food processing	Retail & hospitality	Health & community services	Transport & distribution
Flour mills	Supermarkets & Convenience stores	Hospitals	Warehouses
Canneries	Grocers	Childcare centres	Bulk food distribution centres
Packers	Delicatessens	Nursing homes	Water carriers
Bakers	Restaurants	Hostels	
Breweries	Hotels	Meals on wheels	
Catering for airlines	Take-away & cafes	Catering for hospitals, nursing homes etc.	
Ice manufacturing	Catering for private functions		
Wine production	Regular markets & stalls		
Pre-prepared meals	Retail bakeries		

How do I determine which food sector a food business falls into?

When determining which food sector a food business falls into, consideration should be given to the predominant activity of the food business.

Businesses that generally fall into the food processing sector are those businesses considered to be a manufacturer as defined in the Act. It should be noted that in relation to food, manufacture does not include preparing food at a particular food business for retail sale at that food business, including for immediate consumption. This includes food prepared at a restaurant kitchen for consumption by a patron in the restaurant or a bakery shop handling and selling food at that bakery shop. These food businesses would fall under the retail & hospitality sector for the purposes of acquiring the required competencies.

The health & community services sector includes food businesses preparing or selling food for vulnerable populations including nursing homes, hospitals and child care centres.

The transport & distribution sector includes those food businesses that are not preparing food, but handling food by way of storing food in warehouses or transporting food. This sector includes distribution centres and potable water carriers.

Role of Local Government

The role of Local Government is to regulate licensed food businesses' compliance with the food safety supervisor requirements of the Act.

Section 88 of the Act requires a licensee to notify the Local Government who issues the licence, of the name and contact details of the food safety supervisor for the food business within 30 days of the licence being issued.

A person who is a licensee immediately before the commencement of the food safety supervisor provisions, (i.e. a food business licensed prior to 22 February 2008) must have a food safety supervisor for the food business by 1 July 2008.

Licensees must notify the Local Government of any change of food safety supervisor including changes to their contact details, within 14 days of the change.

Once notification is received, the relevant Local Government must be satisfied that the food safety supervisor meets the criteria of the Act. That is, is the nominated food safety supervisor appropriately qualified, do they have appropriate skills and knowledge and the authority to supervise food safety. It should be noted that there is no provision under the Act for Local Government to approve or refuse food safety supervisor notifications.

In addition, Local Government will process notifications of changes to the food safety supervisor or their contact details at licensable food businesses.

The role of RTOs

The role of RTOs is to determine the level of competency for an individual to be nominated as a food safety supervisor in accordance with the Act. The RTO will grant a Statement of Attainment to any individual who successfully meets the

criteria for the competencies identified in Table 1. A Statement of Attainment may be obtained in a number of ways. These include:

- ▶ Successful completion of food sector competency training relevant to the supervisor’s industry workplace;
- ▶ Recognition of prior learning (including recognition of overseas qualification); or
- ▶ Credit transfer.

A RTO may be a:

- ▶ TAFE;
- ▶ Industry association or agency;
- ▶ Private company;
- ▶ School; or
- ▶ Local or State Government agency.

A RTO may deliver competency training as a single competency training unit or within a “package” delivery framework. Delivering training within a package delivery framework gives registered training organisations flexibility to deliver training according to the needs and requirements of individuals and businesses.

Duration and costs for delivery of the specified competencies can vary depending on the provider. However, at the time of printing, Queensland Health determined that minimum competencies for a single food sector can range between 2 hours to 2 days delivery time and can cost between \$75 and \$500 per person.

Finding a RTO

For information about RTOs that are eligible to provide food safety supervisor training across Queensland, visit the National Training Information Service website: www.ntis.gov.au. Simply search using the competencies identified in Table 1 limiting your search to RTOs in Queensland.

Alternatively a search of the internet using a search engine and entering any of the descriptions below returns a detailed list of registered training organisations.

- ▶ Food safety supervisor online training
- ▶ Food safety supervisor training Queensland
- ▶ Any of the individual competency codes (eg THHGHS01B)
- ▶ Any of the individual competency codes with your area/town location (eg THHGHS01B Brisbane)

Food businesses are encouraged to seek the training most suited to their food business and individual requirements, ensuring that the training provider is a RTO and will provide a Statement of Attainment on successful completion of the required competencies.

The competencies are offered via a number of delivery methods including on campus, part time or on-line.

Recognition of prior learning

All RTOs are required to provide a framework to determine if a person has any skills or competencies currently held that may contribute towards a qualification.

Recognition of prior learning is recognising skills and competencies of an individual regardless of how, when or where the learning occurred. Recognition of prior learning may include:

- ▶ Formal or informal training and education;
- ▶ Work experience;
- ▶ General life experience, and/or;
- ▶ Any combination of the above.

Credit transfer is recognising a previously completed course or unit either in Australia or overseas to see if it is equivalent to a food safety supervisor unit of competency. A credit transfer guideline has been developed to assist registered training organisations when assessing applications for recognition of prior learning. The guideline considers other nationally accredited courses to determine if the course is equivalent to the competencies specified for a food safety supervisor in Queensland. It is the role of registered training organisations, not Local Governments, to apply the credit matrix guideline.

Duration and costs for assessment of skills recognition can vary depending on the provider and the complexity of the level of assessment. However, a broad review of RTOs suggests that a recognition of prior learning assessment process is similar in time and resources to the cost of conducting the training.

Queensland Health has worked with relevant State agencies to streamline the recognition of prior learning process. Resource guides on assessment of these applications can be found at the Resource Generator website located at www.resourcegenerator.gov.au which provides support resources for national training packages.

How can I verify if a food safety supervisor is appropriately qualified?

While Local Government does not approve or refuse food safety supervisor nominations, they may wish to verify that a food safety supervisor is appropriately qualified. A copy of the Statement of Attainment issued by the RTO must be provided to the Local Government as part of the notification requirements of section 88 of the Act.

When a RTO issues a Statement of Attainment or a Certificate of Completion of a course the certificate must display the following information:

- ▶ Nationally Recognised Training logo;
- ▶ Name, details and registration particulars of the RTO;
- ▶ Details of the person being accredited;
- ▶ Date training was conducted.



Local Governments can check the validity of the Statement of Attainment by cross referencing with the list of RTO providers which is available through the NTIS website at www.ntis.gov.au by searching for RTOs by the competency codes shown in Table 1.

If in doubt, Local Governments are encouraged to contact the RTO direct or refer enquiries to the State Training Authority (www.trainandemploy.qld.gov.au) to ensure the registered training organisation is accredited.

Automatic accreditation as a food safety supervisor

If a person has completed an appropriate food industry trade qualification or a Bachelor degree or higher qualification from a recognised institution that includes food safety & hygiene subjects, then the person may be eligible for automatic accreditation to be a food safety supervisor.

Qualifications which are suitable for automatic accreditation as a food safety supervisor include:

- ▶ Qualified chefs who can demonstrate they have completed the relevant unit of competency for the food sector they are working in.
- ▶ Bachelor or higher level degrees in:
 - ▶ Food Technology or equivalent;
 - ▶ Food Microbiology or equivalent;
 - ▶ Nutrition & Dietetics or equivalent;
 - ▶ Australian Institute of Environmental Health (AIEH) accredited Environmental Health tertiary degree or equivalent.

Automatic accreditation does not require the applicant to obtain a Statement of Attainment via recognition of prior learning assessment from a registered training organisation. The submission of a copy of the qualification to the relevant Local Government will suffice. In the instance of a qualified chef, a copy of the Statement of Results for the relevant units of competency must also be provided.

Can Local Government charge a fee for processing food safety supervisor notifications?

Under the Act, Local Government may prescribe a fee for providing a service or taking action under the Act. The Act does not prescribe a limit on fees and it is the responsibility of each Local Government to set fees.

What enforcement actions are available to Local Government?

All provisions relating to food safety supervisors are prosecutable offences that carry penalties for non-compliance of up to \$3750.

What is considered reasonably available?

The following guidance on 'reasonably available' is provided to Local Government as a support mechanism to guide authorised persons in exercising professional judgment whilst allowing an element of flexibility. It is not a legally binding definition.

It is considered that an authorised person shall apply the legal definition of reasonable, being "reasonable in the circumstance", in conjunction with the guidance below in ascertaining whether a food safety supervisor is reasonably available.

A food safety supervisor is to be located on the premises whenever food handling is being undertaken.

However, in the event the food safety supervisor is absent, there must be a documented mechanism for the food safety supervisor to ensure directions about matters relating to food safety are available to persons who handle food.

The food safety supervisor must be able to be contacted by the Local Government or food handlers when food handling activities are being undertaken.

It is considered that Local Government will use discretion as to what is 'reasonable in the circumstance' which includes considering what is reasonable to the particular business.

A food safety supervisor is not required to be reasonably available when the business is operating but no food handling is being undertaken. For example, a sporting club kitchen closes at 9pm but the club remains open until 11pm for entertainment activities. A food safety supervisor would not be required for the period after 9pm even though the business is open.

What is a documented mechanism?

A documented mechanism is a written set of procedures that enables matters relating to food safety and handling to be efficiently dealt with within a food business. The procedures must be appropriate to the food business. It does not require a food business to develop and implement an accredited food safety program, except where it is required under Section 99 of the Act.

Local Government does not have to assess or approve documents as part of the notification.

Is a separate food safety supervisor required for each premises?

The Act does not specify that a separate person be nominated as a food safety supervisor for each premises. However, if one person is to be nominated as food safety supervisor for more than 1 premises, then that person must meet the requirements and responsibilities of a food safety supervisor for each of those premises.