



Queensland Health

# Code of conduct for approved auditors

*Food Act 2006*



**Queensland**  
Government

## Code of conduct for approved auditors - Food Act 2006

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### For more information contact:

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An electronic version of this document is available at

<https://www.publications.qld.gov.au/dataset/food-safety-auditing/resource/d37fed93-1f44-456b-b23a-533dac48c0e2>

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# Introduction

This code of conduct describes the principles to be followed by auditors approved under the *Food Act 2006* (the Act) to ensure food safety program assessment and auditing services are delivered with integrity, professionalism, accountability and diligence.

If you are concerned about a possible breach of the code of conduct, contact Food Safety Standards and Regulation, Queensland Health on 07 3328 9310 or at [foodsafety@health.qld.gov.au](mailto:foodsafety@health.qld.gov.au). Your concerns will be dealt with in strict confidence. Queensland Health is committed to protecting any person who raises concerns about a breach of the code of conduct from retaliation or reprisal.

## 1 – Application of the code of conduct

This code of conduct applies to all auditors approved under the Act. It is a condition of approval that an auditor must comply with the code of conduct.

Auditors must:

- read and understand the code of conduct prior to submitting their application for approval as an auditor to Queensland Health
- sign the declaration on the application for approval as an auditor stating they have read, understand and agree to comply with the code of conduct.

An auditor has an obligation at all times to comply with the legislative requirements of the Act, the guideline, *Management of food safety programs Food Act 2006* and the principles of this code of conduct.

An auditor who fails to comply with the provisions of the code of conduct may have their approval suspended or cancelled.

## 2 – Respect for people

An auditor must, when performing their duties:

- treat all persons with respect, courtesy, honesty, fairness, and equity
- treat all audit participants consistently by following relevant criteria and processes when making decisions concerning audit findings
- respect the dignity, rights and views of others, including persons with different values, beliefs, cultures and religions
- maintain a professional relationship at all times, maintaining an open and honest approach with all parties involved in the audit.
- maintain an appropriate level of communication when conducting audits or dealing with audit outcomes
- avoid inappropriate behaviour when conducting audits including behaviour perceived to be intimidating, hostile or offensive and not responding in kind to intimidating or threatening behaviour displayed to them during an audit.

Auditors shall not let their personal beliefs influence the outcome of the audits they perform. Auditors shall not use abusive, obscene or threatening language or behaviour towards any person associated with the food business. Physical and/or verbal violence against any person during the audit process is considered a breach of the code of conduct.

## 2.1 – Equal employment opportunity (EEO)

An auditor must:

- act in accordance with the *Anti-Discrimination Act 1991*
- if they are a public official (state or local government employee), act in accordance with the *Public Sector Ethics Act 1994*.

## 2.2 – Discrimination and harassment

An auditor must:

- not discriminate against, harass, bully or mistreat any person at any time when performing their duties.

Auditors shall not unlawfully discriminate against any employee of a food business, or other person associated with a food business, or member of the general public while conducting audits. Issues covered by “unlawfully discriminate” include, but are not limited to discrimination based on sex, colour, race, religious or other personal belief, or other issues listed in the *Anti-Discrimination Act 1991*. This does not include recommendations made by an auditor to an employee of a food business concerning the employee’s duties should they be afflicted with a condition or illness capable of affecting food safety.

Auditors shall not sexually harass any employee of a food business, or other person associated with a food business, or member of the general public while conducting audits. Sexual harassment means any behaviour that would be deemed by a reasonable person to be of a sexual nature. Auditors should understand that sexual harassment is defined by the recipient of the behaviour.

Auditors shall not behave in a manner considered by employees of a food business, other persons associated with the food business, or any member of the general public, as being offensive, abusive, obscene, threatening or belittling or demonstrate any other type of behaviour considered to be a breach of the code of conduct. Auditors should note this requirement applies to both verbal and physical behaviour.

## 2.3 – Victimization or reprisal

An auditor must:

- not engage in threatening or retaliatory behaviour or any other act that would be harmful or damaging to any person, premises or equipment in the course of their duties.

Auditors shall not threaten, or act to the detriment of any person.

## 3 – Professional integrity

An auditor shall conduct audits with diligence, professionalism and integrity to ensure the professionalism of all auditors is not compromised. An auditor must:

- manage time and resources efficiently with regard to duties performed and ensure pre-arranged appointments with clients are duly followed
- not conduct activities in relation to private business interests during auditing services or utilise any government resources for such purposes
- not falsify any documentation relating to written advice, audits or results about a food safety program.

### 3.1 – Procedural fairness (natural justice)

An auditor must:

- observe the principles of procedural fairness when making decisions
- give the person concerned the opportunity to state their case and have it considered before a decision is made
- act in good faith throughout the process
- provide justification for their decisions.

Auditors shall follow the principles of procedural fairness (natural justice) when making decisions. The principals of procedural fairness require an auditor to:

- provide an opportunity for both sides of an issue to be heard and considered before a decision is made
- not allow any personal interest associated with an audit or a person associated with a food business to influence an audit outcome
- act in good faith when conducting audits
- provide sound reasons to support decisions made while conducting audits.

## 3.2 – Conflicts of interest

Auditors must at all times, avoid conflicts of interest.

An auditor must:

- give Queensland Health notice of any direct or indirect financial or other interest the food safety auditor has in a food business that could conflict with the proper performance of the auditor's functions (it should be noted that remuneration provided to an auditor for auditing a food business does not constitute a conflict of interest.)
- not provide written advice or audit a food safety program that they have developed, assisted in developing, reviewed or amended for the food business (it should be noted that approved auditors employed by local government can accredit and audit a program without it being considered a conflict of interest as this is comparable to issuing a licence and inspecting the premises for compliance.)
- not provide written advice or audit a food safety program, if they are the owner, licensee or employee who works in the food business
- not provide advice or arrange food safety training or participate as a food safety trainer in sessions where specific solutions to food safety risks associated with the food business's accredited food safety program are discussed or provided (it should be noted that discussing non-compliances identified during a food safety program audit does not constitute a conflict of interest. It should be further noted that a conflict of interest is not considered to occur where such information is limited to generic information freely available in the public domain, and the food business's specific solutions are not provided or discussed.)
- report any situation to Queensland Health where another auditor may have a conflict of interest.

## 3.3 – Acceptance of benefits or preferential treatment

An auditor must:

- not, under any circumstances accept gifts, money or any other benefit with any matter connected with the duties of an approved auditor
- immediately report to the local government any misconduct by the food business of which an auditor may become aware of during the course of undertaking required duties
- report any situation to Queensland Health where it is considered a benefit is being requested or accepted by another auditor in return for preferential treatment.

Any auditor found to accept gifts, where the intent in offering the gift may reasonably be perceived to be an attempt to influence an audit outcome, and/or a response to a non-compliance finding, will be subject to immediate investigation by Queensland Health.

A benefit can include a gift, inducement, commission, entertainment, gratuity or free service, but does not include refreshments such as tea and coffee or basic meals such as sandwiches provided to an auditor while conducting an audit of a food business.

### 3.4 – Confidentiality and public comment

An auditor must:

- respect the confidentiality of information about a food business that does not relate to their food safety program or other food safety matters.

Auditors are required to maintain confidentiality in relation to the nature of processes and practices (and any complaints associated with either) of food produced at businesses they have been requested to audit. Commercially sensitive information and official information provided to an auditor shall not be used by an auditor to gain advantage for themselves, another person or organisation.

Auditors are also required to maintain confidentiality when dealing with any allegations of discrimination, workplace harassment or sexual harassment, whether the allegation concerns themselves, another auditor, or any other person associated with a food business where they may be required to conduct an audit.

An auditor shall not make public statements or be interviewed by the media on matters concerning audits, clients, Queensland Health or other government bodies associated with Queensland Health's regular activity, unless provided with express written permission by Queensland Health. If provided with such permission, any statement made by an auditor will only discuss facts and shall at no time include the auditor's opinion on the Act, regulation or policies being implemented in Queensland.

### 3.5 – Workplace health and safety

An auditor must:

- comply with the *Work Health and Safety Act 2011*, particularly section 28, which requires that while at work a worker must—
  - (a) take reasonable care for his or her own health and safety; and
  - (b) take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons; and
  - (c) comply, so far as the worker is reasonably able, with any reasonable instruction that is given by the person conducting the business or undertaking to allow the person to comply with this Act; and
  - (d) co-operate with any reasonable policy or procedure of the person conducting the business or undertaking relating to health or safety at the workplace that has been notified to workers.

Auditors shall also respect the health, safety and welfare of all persons associated with a food business while conducting audits at that business, as well as ensure their own health, safety and welfare is not unlawfully put at risk while conducting audits.



Auditors shall conform to a standard of dress suitable for the work to be undertaken. Auditors shall comply with industry specific or client specific dress requirements while conducting audits at a food business, including compliance with any bio-security protocols.

### 3.6 – Alcohol and drugs

An auditor must:

- ensure that the use of alcohol or other substances, including illicit, restricted or controlled drugs does not affect work performance or endanger the health and safety of themselves or others
- not consume alcohol or other substances capable of altering their ability to competently and professionally conduct audits
- not use legal drugs obtained on prescription or direct purchase, in any way other than in direct compliance with the prescribing doctor's or manufacturer's direction.