

# Reporting of information by local governments under the Food Act 2006



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### **For more information contact:**

Food Safety Standards and Regulation, Department of Health, Queensland Health, PO Box 2368, Fortitude Valley BC QLD 4006,  
email [foodsafety@health.qld.gov.au](mailto:foodsafety@health.qld.gov.au), phone (07) 3328 9310.

An electronic version of this document is available at [www.qld.gov.au/foodpantry](http://www.qld.gov.au/foodpantry)

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# Introduction

Local government and the Department of Health are accountable to the community for ensuring that acceptable food safety standards are being achieved by food businesses. One of the main ways of demonstrating that these standards are being met is by monitoring compliance with the *Food Act 2006* (the Food Act).

To monitor compliance with the Food Act across the State, information is required from each local government in relation to their administration and enforcement of the Food Act, as provided for under section 28. To ensure comparability of the information obtained from each participant in this process, it is essential that we use a standard set of words and language to allow valid analysis and reliable reporting to be undertaken.

Monitoring compliance with the Food Act across the State not only allows the Department of Health to determine whether compliance with the Food Act is being achieved but also assists in determining whether the overall safety objectives of the Food Act are being achieved.

The information obtained will be used to ensure strategies and resources developed will improve food safety in licensed food businesses, increase compliance with the Food Act and Food Safety Standards, provide regulators with evidence to assist evaluation of food safety measures and demonstrate accountability to the community.

As a partner in the administration of the Food Act, Section 29 of the Food Act provides for the Department of Health to give local governments, in return, collated reports on the administration and enforcement of the Food Act within a reasonable timeframe.

## 1 Parameters for determining information to be reported

Local government reporting undertaken under section 28 of the Food Act is not intended to replicate data already collected via systems such as OzFoodNet. It is intended that local government reporting will complement current systems and provide data for other statewide investigations and that the information obtained will assist in meeting Queensland's national responsibilities under the Food Regulation Standing Committee (FRSC) and Implementation Sub Committee on Food Regulation (ISFR).

Data collected will consist of both standing parameters and annual parameters. Standing parameters will include information that will be collected each reporting period and will include such things as:

- the number of licensed food businesses
- the number of inspections conducted
- number of prescribed infringement notices issued
- number of food business licences cancelled

- other information as required for reporting subject to requests from the Minister for Health, Director-General or Commonwealth agencies such as the Productivity Commission.

Annual parameters refer to particular data collected to demonstrate the effectiveness of certain provisions of the Food Act, such as those relating to food safety supervisors or food safety programs. Areas for reporting will be determined based on issues raised by local government, by a review of issues raised with the Department of Health, matters affecting national food safety policy decisions or work being undertaken by national bodies.

To ensure data is collected in a consistent way across the State, a dictionary of terms has been developed to provide a common set of concepts and elements to define the basis of activities carried out under the Food Act. The dictionary is included as Appendix 1.

## 2 How information is to be provided by local government

In accordance with section 28 of the Food Act, local government are to return the completed reports containing the required information in the approved format within the stated timeframe.

The Queensland Audit Office Report 17: 2018-19 *Managing consumer food safety in Queensland* concluded that Queensland Health's annual reporting of food safety activities is not timely. To assist the Department of Health to provide the collated report in a timely manner, it is essential that local governments meet the timeframe specified in the request.

The Department of Health will endeavour to utilise an electronic template format whenever possible to simplify collection and collation of data.

## 3 How the Department of Health will collate, present and utilise information

Any information requested or released under the reporting framework will meet the confidentiality requirements of section 272 of the Food Act. Any public disclosure of information obtained will relate to non-identifying aspects of Queensland food regulation such as, for example, the number and type of licensed food businesses in Queensland.

The information provided will be used by the Department of Health:

- in the development of reports on the administration of the Food Act and the status of food safety in Queensland; and
- to respond to requests and enquires from the Minister for Health, Director-General or appropriate Commonwealth agencies.

Data will be presented by comparison statewide and by local government population density.

As identified in the Queensland Audit Office report, it is essential that Queensland implements a coordinated framework of legislation, regulations, policies and procedures that support agile, risk-based food safety management. Once the framework is supported by complete reporting of food businesses, food safety incidents and regulatory activity, it will be possible to analyse trends and provide insights to manage food safety risks proactively rather than reactively. As recommendations from the audit report are introduced and established, reporting will mature with the increase of risk-based management.

The information will be used to ensure strategies and resources developed will improve food safety in licensed food businesses, increase compliance with the Food Act and Food Safety Standards and demonstrate accountability to the community.

The Department of Health will publish the collated reports within a reasonable timeframe. The reports will detail activities undertaken by local government during the reporting period and show trend analysis of parameters demonstrating the impact of strategies implemented.

The summary dashboard of information each reporting period will provide a brief overview of food safety management in licensed food businesses across Queensland.

## Appendix 1 Dictionary

Term	Definition
Action date	The date on which an enforcement action was imposed on the food business.
Audit date	The date on which an audit was conducted on a food premises by an approved auditor.
Audit result	The level of compliance awarded by the approved auditor.
Auditor ID	The unique identifier assigned by and used by the Department of Health to identify an approved auditor.
Auditor	The person(s) approved as an auditor under the Food Act who conducted the audit of the food safety program for the food business.
Business name	The legal name of a business under which the business conducts its operations.
Complaint	Any report of poor food quality or adverse reaction(s) to food from the public.
Complaint category	<p>A code that defines the category of complaints about a food business under the jurisdiction of a given local government:</p> <ul style="list-style-type: none"> <li>• foreign matter – food complaint received from the community concerning food which has been alleged to have been adulterated with a foreign object.</li> <li>• microbiological – alleged food poisoning or food spoilage complaint received from the community.</li> <li>• chemical adulteration – food complaint received from the community concerning food which has been adulterated by chemicals.</li> <li>• food premises related – food complaint received from the community concerning a food premises such as: <ul style="list-style-type: none"> <li>– storage conditions</li> <li>– food handling/personal hygiene</li> <li>– cleanliness</li> <li>– structure</li> </ul> </li> </ul>
Complaint received date	The date at which a complaint about a food business under the jurisdiction of a given local government, is received.
Court name	The name of the court where a matter is heard e.g. Brisbane Magistrates Court.

Term	Definition
Current licence status	<p>Identification of the current status of registration for a given food premises:</p> <ul style="list-style-type: none"> <li>• initial licence</li> <li>• renewed licence</li> <li>• provisional licence</li> <li>• refused renewal of licence</li> <li>• licence cancelled or suspended</li> <li>• unlicensed food premises</li> <li>• closed by proprietor/licence surrendered.</li> </ul>
Enforcement	A mandatory action imposed by a local government on a food business for noncompliance with the Food Act.
Food recall	A notification sent to a food business informing them of a food recall initiative.
Food recall date	The date which the food recall notice was issued.
Inspection	Inspection of a food premises to determine compliance with the Food Act and Food Standards Code.
Inspection date	The date on which an inspection of a food business is conducted.
Inspection result	The result of the testing carried out on the food premises to determine compliance with the Food Act and the Food Standards Code.
Inspection type	<p>Definition of the type of inspection conducted on a food business establishment:</p> <ul style="list-style-type: none"> <li>• routine inspection</li> <li>• non-Compliance follow-up inspection</li> <li>• food complaint inspection – foreign matter</li> <li>• food complaint inspection – microbiological</li> <li>• food complaint inspection – chemical adulteration</li> <li>• food complaint inspection – food premises related</li> <li>• application for licence – assessing suitability of premises</li> <li>• final inspection to determine that design approval of a premises has been complied with.</li> </ul>
Licence date	The date at which a given food business is first issued a licence.
Licence status	The licence status assigned to a food business by a local government.
Licence status ended	The date a licence status was ended, terminated, or lapsed



Term	Definition
Plea	A defendant's answer to a complaint, i.e. guilty or not guilty
Premises	A business/establishment/stand where food is offered for sale and/or consumption
Trading name	The name which a premises operates under in the public domain (e.g. 'Franchise Name' even though the particular franchise may be owned by a group of investors with a business called 'The Example Group')
Prosecution	A court appearance/trial for an offence under the Food Act
Penalty	The penalty or sentence imposed for an offence under the Food Act
Verdict	The outcome of a prosecution
Verdict date	The date on which the verdict was given in court
Water supply	The type of water supply that is used at a food premises i.e. food premises is served by public water supply; or food premises is served by a private water supply