

Summary of Outcomes

Food Regulation Forum

Date: Wednesday 29 May 2024

Time: 12:00-2:00pm

Members present: Cr Claire Pontin (Chair)
Dr Lisa Szabo, CEO NSW Food Authority
Mr Greg Vakaci, NSW Food Authority
Cr Dr Elizabeth Adamczyk, Local Government NSW
Cr Jay Suuval, Local Government NSW
Ms Erin Hogan, Environmental Health Australia
Ms Sally-Anne Donahue, Development and Environmental Professionals' Association
Ms Fiona Stalgis, Development and Environmental Professionals' Association

Guests present: Mr Andrew Davies, NSW Food Authority
Mr Eric Davis, NSW Food Authority
Ms Josie Rizzo, NSW Food Authority

Apologies: Mr Hugh Waters, Environmental Health Australia
Mr Peter Fitzgerald, Local Government Professionals Australia
Cr Phyllis Miller, Local Government NSW
Ms Genevieve Taylor, Local Government Professionals Australia

1. Welcome, introductions, apologies

The Chair welcomed all to the first meeting of the new membership of the Food Regulation Forum (Forum). All present introduced themselves. Apologies noted.

2. Information items

2.1 Food Regulation Partnership Forum Charter

Andrew Davies outlined the key elements in the 'Food Regulation Forum Charter and Procedural Guidelines', including the terms of reference, role, and function of the Forum. Members are appointed by the NSW Minister for Agriculture, and its composition is as per s.115A of the NSW *Food act 2003*.

The NSW Food Authority (Food Authority) existing strategic priorities were also discussed which include working with enforcement agencies to achieve consistency in interpretation and enforcement of food safety legislation, and to reduce foodborne illness.

The Forum agreed to adopt the charter and in agreed in principle with the strategic priorities identified.

2.2 NSW Retail Food Surveillance Overview

Andrew Davies gave an overview of how food safety is managed in NSW. The Food Regulation Partnership (FRP) began in 2008 where local council enforcement agencies are responsible for food

surveillance in the retail food sector and the Food Authority is responsible for non-retail; this and the FRP framework is articulated in the FRP documents.

Enforcement agencies report annually on their food surveillance activities of the retail food sector to the Food Authority. In the period 1 July 2022 to 30 June 2023, over 40,000 inspections of high and medium risk fixed food premises, and 14,000 inspections of temporary and mobile food premises were undertaken. 90% of high and medium risk fixed food premises were inspected which indicates a return to pre-COVID-19 inspection rate. Overall compliance with food safety requirements has improved from 90% to a steady 97% since the FRP began in 2008.

The data reported by enforcement agencies confirms that a graduated enforcement approach is being implemented with less of the stronger enforcement tools, such as penalty notices and improvement notices being issued than warnings. Food businesses issued with penalty notices or prosecuted for food safety breaches are displayed on the 'Name and Shame' register of offences for a maximum of 12 months and 24 months respectively.

The Forum noted the information provided.

2.3 Food Regulation Partnership – engagement activities

Andrew Davies reported that the Local Government Unit (LGU) was established at the commencement of the FRP, to support enforcement agencies and its authorised officers (AOs) in undertaking their food regulatory responsibilities. One of the pillars of support is engagement activities:

Three rounds of Regional Food Group (RFG) meetings are held face-to-face across 16 regions each year. These consist of a professional training session on a topical issue facilitated by LGU, and a meeting to discuss issues, share experiences, and network with other AOs in that region. This is the business-essential interface with AOs.

Each RFG nominate a representative and observer to sit on the State Liaison Group (SLG) meetings which are held online three times per year at the end of each round of RFG. Discussion includes State-wide issues, emerging risks and trends, and report-back from each RFG.

An annual Managers Forum commenced in 2021, and is held online and provides opportunity for consultation with enforcement agencies' decision-makers. Matters of strategic importance to the FRP are discussed.

Retail Information Sessions (RISs) are co-hosted with councils, generally three times per year across NSW. These provide valuable practical food safety information to food businesses and opportunity to discuss issues directly with food businesses.

The biennial FRP Workshop commenced in 2013 and provides opportunity for AOs to engage, learn, network, and enhance their food safety surveillance capacity at a state-wide 2-day event. Next is planned for 2025.

LGU also participate in other stakeholder events such as conferences to engage with other professionals and strengthen communications with stakeholders.

The Forum noted the various type of stakeholder engagement activities facilitated by the Food authority's LGU.

2.3 Enforcement agency support programs

Andrew Davies outlined the range of support programs which includes professional development training for AOs at RFGs, as well as providing food safety information at RISs, both mentioned above.

The Authorised Officer Food Surveillance (Local Government) training course, previously held face-to-face over several days, went online in December 2022. It includes 12 online training modules (22 topics) with activities, quizzes and videos. Participants also attend a one-day face-to-face workshop. 30-50 AOs enrol annually in the program.

Students undertaking environmental health course at Western Sydney University are eligible for one of three student prizes offered annually. The FRP Workshops are subsidised by the Food Authority, and some AOs are sponsored to attend the event.

The Forum noted the support programs for enforcement agencies run by the Food authority's LGU.

3. Discussion items

3.1 Resource leveraging of the Food Regulation Partnership

Eric Davis advised that to better understand the value of what councils do and the value of the FRP in the food safety sector, data was sourced from 24 volunteer councils. The estimated total value of food safety inspectorate by enforcement agencies' environmental health officers (EHOs) is around \$44.8M, and the estimated total value of LGU support is around \$1.6M. The proportion of EHO effort to food inspections versus other EHO functions averages 32%; from 15% in small remote councils to 43% in large city councils.

The Forum noted the estimates for the inspectorate, LGU support and EHO effort.

3.1 Scores on Doors

Andrew Davies provided background and overview of the 'Scores on Doors' program implemented in 2011 by voluntary councils and its volunteer food businesses. The aim is to reduce foodborne illness in NSW through public display of food safety inspection results. The scores are based on demerit points received for non-compliance during the inspection and range from 1-3 points (5 stars), 4-8 points (4 stars), 9-15 points (3 stars) and more than 15 points is no stars. Free resources are available and as at 30 June 2023, 62 councils participated in the program, capturing 61% of all eligible retail food businesses in NSW. Post COVID, the Food Authority has refreshed the Scores on Doors materials and looking to increase participation.

The Forum noted the background and present position on the Scores on Doors program.

There was discussion regarding barriers to adoption from councils, and opportunities to overcome the barriers. Perceived barriers included: certificate is a snapshot in time, program is not mandatory, additional administration required by EHOs, lack of public awareness, main participation is by food businesses that receive 5 stars, concept is more appropriate for city areas, ensuring only current certificates are displayed.

It was agreed that the Food Authority explore the barriers and opportunities discussed, and consider research into whether the current model is still appropriate and fit for purpose, including review of other jurisdictions' programs, and seeking out what and how consumers want information.

4. Standing items

4.1 Organisation updates

Erin Hogan of Environmental Health Australia advised that since AS4674 is widely used, and Standards Australia indicated they plan to withdraw it, they are taking the lead in its review. There was sufficient support for its review, a Working Group was established, and there will be a 9 week consultation period.

5. General business

5.1 Any other business

Fiona Stalgis reported that members of Development and Environmental Professionals' Association are having difficulties recruiting EHOs due to the skills shortage. The Food Authority advised that as a regulator, it supports activities and programs to enhance capacity for increasing EHOs.

Erin Hogan of Environmental Health Australia advised that they have been advocating for the profession and is engaged in activities such as Local Government Jobs Summit. It was agreed that a multi-agency approach is required.

5.2 Next meeting

The next Food Regulation Forum will be Tuesday 26 November 2024.

6. Close of meeting

Meeting closed at 1:33pm.