

Statement of Outcomes

Food Regulation Forum

Date:	Thursday 28 September 2023
Time:	10:00 – 12:00 pm, online
Members:	Mr Paul Braybrooks OAM, (Chair) Dr Lisa Szabo, NSW Food Authority Mr Greg Vakaci, NSW Food Authority Cr Phyllis Miller, Local Government NSW Cr Ruth Fagan, Local Government NSW Cr Helen Tickle, Local Government NSW Ms Erin Hogan, Environmental Health Australia Mrs Lisa Hughes, Environmental Health Australia Mrs Fiona Stalgis, Development and Environmental Professionals' Association Ms Yael Lang, Development and Environmental Professionals' Association

1. Welcome & introduction

A warm welcome to all members was provided by the Chair with the meeting opened at 10am. Also present: Andrew Davies, Eric Davis, Ruth Houston, and Josie Rizzo (NSW Food Authority).

2. Apologies

Mrs Lisa Hughes, Environmental Health Australia

3. Outcomes of last meeting

The last Food Regulation Forum meeting was held on 5 December 2022. No action items to note.

4. Latest updates

4.1. Food Regulation Forum 2023-26

Andrew Davies advised that is the final meeting for the current Food Regulation Forum (FRForum) members; invitations for a new nomination was sent recently.

Eric Davis advised that the Food Authority places a very high value on the FRP and support it strongly. Thanks was acknowledged to all member organisations on the FRForum. Two nominations for each vacant position are required and the appointment is a cabinet process.

5. 2022-23 Enforcement agencies' annual activity reports

Andrew Davies reported that the NSW *Food Act 2003* requires enforcement agencies to report on their food surveillance activities. This is required annually and the questions in the report have remained the same. Due to delays in receiving the data an annual summary report has not been finalised. Some preliminary data shows there are: 503 officers involved in food work

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(an increase of 25 from last year); 53,582 inspections conducted on retail premises (slight increase from last year); 47,412 high, medium and low retail food premises (lower than pre-COVID-19 but starting to recover); inspection outcomes in relation to scores is reasonably consistent with previous years; 6,752 warning letter, 1,242 improvement notices, 1045 penalty notices, 16 prohibition orders and 4 prosecutions during this period. Overall compliance rate is 97%. Data from enforcement agencies that have not met high risk measures are flagged; the Food Authority will liaise with councils, seek feedback and opportunity to assist.

6. FRP Documentation updates/re-appointments 2023

Eric Davis reported that enforcement agencies need to be re-appointed, and as part of that process, the FRP documentation has been reviewed. There has been consultation with enforcement agencies over a period. The format has now been modernised, refreshed, simplified, and condensed into three documents which should make it more useful and easier to navigate. The content, and the way the FRP operates, has not changed. These documents will be circulated to all enforcement agencies for comment.

7. Changes to the Food Standards Code – Food safety standard 3.2.2A

Andrew Davies reported that the new standard 3.2.2A commences 8 December 2023 and provides for three food safety management tools: food handler training, Food Safety Supervisor and substantiation of high-risk practices; the latter being applicable only for businesses that undertake certain activities.

Extensive training has been provided to enforcement agencies' officers to advise of these tools and to recommend taking an advisory approach as some new requirements may apply to new sectors such as childcare and school canteens. Extensive resources are also available on the Food Authority website. Further work is continuing to provide clarification.

8. Food Regulation Partnership activities

8.1. Regional Food Group Meetings

Ruth Houston reported that the training topic in Round 1 2023 held at the Regional Food Group (RFG) meetings was *Dishwasher education and compliance strategy*, as cleaning and sanitising including dishwashers has been highlighted as issues during foodborne illness investigations. It included a snap survey which closed 30 June 2023 where 271 responses were received from almost 50% of NSW councils. A report will be prepared to inform on further survey work.

Round 2 and Round 3 2023 RFG training was on Food safety management tools and was very well attended.

Proposed professional development training topics for 2024 RFG meetings include:

- *A Notices Workshop* to focus on how notices issued under the *Food Act 2003*, particularly improvement notices and penalty notices, to ensure officers serve them correctly.
- *An allergens workshop* to follow up on a previous survey, provide information about the Plain English Allergen Labelling (PEAL) requirements, and provide guidance to ensure consistent and accurate messaging to all enforcement agencies on this life-threatening issue.
- *Food handling practices in kebab shops* which will include a refresh of existing materials and roll out of an information piece on food safety compliance in kebab shops to ensure

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consistency across all local government areas. A monitoring program of kebab shops in the future will be considered.

Proposed Professional Development Workshops for 2025 RFG meetings include:

- *Dishwasher Education and Compliance Strategy (Phase 2)* to include a formal dishwasher survey by volunteer councils incorporating a routine or targeted food inspection, a full review of all cleaning and sanitising practices & products, a survey of dishwashers using thermal disinfectant indicators (TDIs) and the completion of an electronic questionnaire.

8.2. State Liaison Group meetings

Josie Rizzo reported on some of the key issues discussed at the four State Liaison Group (SLG) meetings held online over the last year, where a representative and observer from each of the 16 RFGs attend. At each SLG meeting a briefing was provided on the FRP activities which includes updates on the FRForum, Retail Information sessions (RISs), RFG networking and training opportunities, Authorised Officer (AO) training, FRP Workshop 2023, as well updates on National Projects with FSANZ ie Food Safety Standards 3.2.2A and the allergen project used to inform food safety culture in retail food businesses. Information was also provided on results of projects such as the 'Dishwasher snap survey'.

Several guests also provided details on important topics at the SLG meetings eg Amanda Kane from the Environmental Protection Agency spoke on the 'Mandatory organics source separation' initiative and sought feedback from officers on their proposal, an update on KJ labelling, an educative piece on problems with swill feeding and the risk of Foot and Mouth Disease in the retail sector, and consultation on validating information regarding the amount of time officers spend on food work versus other work which will assist in policy planning. In relation to the latter matter, Eric Davies advised that the dollar value estimate of the inspectorate that the partnership provides to the NSW community is around \$50M.

Representatives from each RFG also provided an update on any significant issues over the past period. Outcome notes are circulated and FRForum members are welcome to attend.

8.3. Managers Forum

Andrew Davies advised that annual Managers Forum (MF) was implemented 3 years ago as a result of feedback from officers in the FRP survey. The purpose of the MF is to reach decision makers at councils in order to keep them abreast of key matters, seek further engagement and ideas, and provide a more strategic view of our goals. The next MF will be held on 5 October 2023. Proposed discussion points include: latest updates on FRP activities, FRP documentation review, Food Regulation 2015 re-make, 2022-23 annual activity report outcomes, and collaborative food surveillance projects outcomes. In addition, there will be consultation on workforce shortage.

8.4. Retail and Food Service Information sessions

Andrew Davies reported that the Retail and Food Service Information sessions (RiS) are generally held three times per year across the state, and the locations are as a result of an expression of interest circulated each year. Four very successful RISs were held in 2023, with attendance by retailers depending on the location and the promotion efforts. There were 106 registrations in Tweed on 16 February, 66 in Wagga Wagga on 20 June, and 130 in Campbelltown on 7 September.

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A separate RIS was held in Sydney on 25 May 2023 for multi outlet organisations such as McDonalds, KFC etc. The previous RIS for this audience was held in 2017. It provided opportunity to engage with key representatives on issues such as the new standard 3.2.2A, allergens etc. The next RIS is being planned for Port Macquarie in February.

8.5. Authorised Officer Online Training

Ruth Houston reported that the online authorised officers (AO) course rolled out December 2022 with 35 participants, with a face-to-face workshop on 14 September, and will be completed by November 2023. Some participants have dropped out due to change in jobs etc and to date over 10 have successfully completed the program.

Response has been overwhelmingly positive, and the demand is very high. Online applications for the second cohort will be circulated shortly and will also be available on the FRP Portal.

The program is being tweaked and will include a mandatory onboarding webinar prior to commencement of the course so that expectations are clear, inclusion time for of assessment tasks during the workshop, and the development of a training manual.

It was noted that this program is an outstanding achievement of the partnership in fostering professionalisation of environmental health officers (EHO). There was some discussion regarding promotion of the course, and measuring the increase in AOs capabilities, skills and knowledge. It was acknowledged that there is a workforce shortage, and this may assist those councils struggling to meet their obligations.

8.6. FRP Workshop 2023 & FRP Champion Awards

Josie Rizzo reported that the FRP Workshops are held biennially with the first one held in 2013 and the previous one in 2019. Due to COVID-19 the FRP Workshop planned for 2021 was postponed to 2022, then cancelled, and finally held on 27 and 28 April 2023.

A working group consisting of LGU and six EHO members from both metro and regional councils was established and their efforts are acknowledged: Anita Smojver (City of Sydney Council), Erin Hogan (Canterbury-Bankstown Council), Jessie Heyo (Georges River Council), Lisa Hughes (Penrith City Council), Sarie Wheatland (Newcastle City Council) and Sharomi Dayanand (Wagga Wagga City Council).

The program was very comprehensive, and the theme was 'Building resilience and working together'. There were seven external guest speakers presenting on topics such as personal resilience, national standards, and a barrister and trainer delivering a mock court case. There were 9 speakers from councils and six speakers from Biosecurity and Food Safety.

A record 202 delegates registered which included 164 EHOs from 59 councils. There were 162 registered for Thursday 27 April and 128 for the Friday half day. There were optional field trips on Friday afternoon. A range of registration options was available, promotional correspondence was circulated regularly highlighting key topics and the cost was heavily subsidised by the Food Authority.

The feedback received was overwhelmingly; the Workshop provided important up-to-date information, networking opportunities and value for money. The FRForum agreed to Continue the biennial FRP Workshops, and the next is due for 2025.

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The presentation of the FRP Food Surveillance Champion Awards also took place and winners were determined by a sub-group of the FRForum. The award recipients were: Group City – Georges River Council and Inner West Council, Group Country – Environmental Development and Allied Professionals (EDAP), and Individual Country – Vanessa Johns from Griffith City Council. There was some discussion about whether to amend the FRP Champion Awards to groups only.

There was some discussion about whether or not to host the next FRP Workshop with EHA. It was acknowledged that there are pros and cons for either way, and further consideration is warranted.

9. Collaborative food surveillance projects

9.1. Dishwasher education and compliance program

Ruth Houston reported that, as mentioned in agenda item 8.1 the training topic at the Round 1 RFGs in 2023 was *Dishwasher education and compliance strategy* and included a snap survey where 271 responses were received from almost 50% of NSW councils. The survey involved using a thermal disinfection indication (TDI) sticker in a dishwashing cycle to check the temperature reached, to inform what additional work may be required.

Preliminary data showed that in only four cases the temperature reach 82°C or above which is adequate to sanitise, and 182 had temperature gauges on the dishwasher. The most common type of dishwasher was the commercial stand alone with pull down hood and only three had domestic dishwashers. Information was also sought regarding dishwasher brands and further discussions with suppliers is underway. Overall officers gave an average score of 3.87 out of 5 for cleaning and sanitising.

Further consideration will be given to examining the data and consolidating what further investigation is needed.

9.2. Workforce shortage consultation

Andrew Davies reported that delegates at the FRP Workshop 2023 were given the opportunity to contribute in discussion on how to improve the workforce shortage. Three strategies or themes arose. The first was that there should be a focus on how to attract, encourage and promote new entrants to the profession, specifically via school or university students. The second was in relation how to keep EHOs in the profession, and that is basically regarding pay and conditions.

There was some discussion regarding councils taking on cadets, acknowledge of shortage of town planners, and opportunities regarding budget and funding for new EHOs.

It was acknowledged that the EHO workforce shortage is not just in relation to food safety activities but across the breadth of responsibilities, and so requires a joint cooperative plan, perhaps with the Office of Local Government and other bodies. It was also raised that Local Government NSW is considering requesting the Minister for Employment to put this on the skills shortage list.

There was some discussion regarding leveraging skilled professionals as food regulatory leaders specifically trained to problem solve, also having a degree as an entry point, and exploring funding opportunities such as that for Aboriginal EH trainees' program.

Further work is need in this area.

10. Organisation updates

Erin Hogan reported that Environmental Health Australia (EHA) have a proactive communications officer raising general awareness through social media, videos, school competitions, new resources and information packs for schools, as well a new resources for university students. The EHA NSW State conference was held in Wagga Wagga in September 2023 and received great feedback.

11. General business

Nil

12. Close of meeting

Paul Braybrooks thanked all for their attendance and contribution.

The meeting closed at 11:30am.