

# Guide for food businesses

## Food safety supervisors and training

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## What the law says

Anyone selling or preparing food for sale in Victoria must ensure that it is safe to eat. Food businesses have important obligations.

Under the *Food Act 1984* (the Act), every food premises must be **registered** with, or have **notified**, their local council environmental health unit of its activities.

When you register or notify, your council will classify your business into one of four classes. This classification is based on the food safety risks of your *highest risk* food handling activity and the susceptibility to food poisoning of those being served. Class 1 is the highest risk level and class 4 the lowest.

The classification system imposes different requirements on food premises based on their food safety risk. As you would expect, premises carrying out only low risk food handling activities must follow simpler safety steps than those handling foods more likely to make people ill.

There are two basic requirement for all class 1 and most class 2 food businesses:

1. the development and use of a food safety program
2. the appointment of a food safety supervisor.

This information sheet provides specific information about the food safety supervisor requirement. To find out more about food safety programs, contact your local council or visit the Food Safety Unit food safety program templates page on our website at: <https://www2.health.vic.gov.au/public-health/food-safety/food-businesses>

## Requirements for food safety supervisors

The proprietor of a food premises is required, by a declaration under Section 19C of the Act, to ensure there is a food safety supervisor for their premises.

Where a food business uses a quality assurance food safety program that includes competency-based or accredited training for staff at the premises, a food safety supervisor is not required.

The food safety supervisor for a premises may be the proprietor of the premises.

### Failure to comply with the Act

A failure to comply with the requirements of the Act may lead to:

- refusal of the registration, renewal of registration, or transfer of registration of the food premises
- revocation or suspension of registration of the food premises.

### Provide name of supervisor on request

The proprietor of a food premises, which is required under Section 19GA(1) of the Act to have a food safety supervisor, must give the registering council written details of the name and qualifications of the current food safety supervisor for the premises within seven days of being asked in writing to do so.

### Staff skills and knowledge

Food business owners must ensure that staff have the skills and knowledge to handle food safely in their roles. To help ensure this, all class 1 and most class 2 food premises must have a food safety supervisor.

Given the lower food safety risks associated with class 3 and class 4 activities, these premises are not required by law to have a food safety supervisor.

Because local councils classify every food business on a case-by-case basis, different businesses with the same owner, or different premises belonging to the same franchise chain, may be classed differently depending upon the highest risk activity undertaken at each premises. While one business, franchise or chain may need a food safety supervisor, another may not.

When registering or notifying, local councils will advise each food business of its class and food safety supervisor requirements.

### Who is responsible for food safety in the food business?

Everyone who works in your food business is responsible for the delivery of safe food to the customer.

Business proprietors of a food premises must ensure food safety processes are put in place and that they work. If, by a declaration under Section 19C of the Act, the food premises is required to have a food safety program, the business proprietor must ensure that the food safety program is kept at the premises to which it relates and be readily accessible to a council environmental health officer or auditor on request.

Staff handling food need to have the skills and knowledge relevant to their food tasks. This means that different people in the business will need to know different things about food safety to do their job and keep food safe. For example, the cook will need skills and knowledge in food safety and food hygiene that are quite different from those needed by a waiter or a dishwasher.

## Food safety supervisor's role

The food safety supervisor is nominated by the food business proprietor and works under the proprietor's direction. Their role is to supervise food handling in the business and to make sure it is done safely. They need to understand how the food safety processes work as a whole, and what needs to be done to ensure food is handled safely at all times.

The food safety supervisor must:

- know how to recognise, prevent and alleviate hazards associated with food handling at your premises
- have a *Statement of Attainment* from a registered training organisation (RTO) that shows they have the required food safety competencies, and
- have the ability and authority to supervise other people handling food at your premises and ensure that it is done safely.

The following steps provide a guide to whether your business needs a food safety supervisor and, if so, how to ensure they meet your business' requirements.

Remember, your local council determines the class of your food business, which in turn determines whether your business must have a food safety supervisor.

## Step1: Does your business or event need a food safety supervisor?

All class 1 and most class 2 premises must have a food safety supervisor. There are some exceptions.

### Exceptions

**Class 2** food premises are not required to have a food safety supervisor where they:

- use a quality assurance (QA) food safety program prepared under a declared QA code, where the program includes competency based, or accredited training for its staff
- are a community group running food events of one to two days duration and where those handling the food are mostly volunteers.

If you are a community group and plan to run food activities over **more** than two consecutive days at any one time, you must speak to your local council to find out your food safety supervisor requirements.

**Class 3** and **class 4** food premises do not need a food safety supervisor. However, they must ensure that all staff have the skills and knowledge to handle food safely in their work roles. DoFoodSafely is an online learning program that can help build the food safety knowledge of staff in your business. Visit:

<[www.dofoodsafely.health.vic.gov.au](http://www.dofoodsafely.health.vic.gov.au)>.

## Step 2: Choosing the right food safety supervisor for your business

It is important to choose your food safety supervisor carefully. It may be the proprietor, an employee or a person external to the business, providing they are able to meet the requirements prescribed in the Act.

You should also ensure that your food safety supervisor has what they need to perform their role in your business.

This means that:

- they must understand what their role and responsibilities are
- the responsibilities are mentioned in their job description
- they have relevant and appropriate training

- they are allocated time in their day to undertake food safety supervisor tasks
- they are able to supervise other staff, and staff know who the food safety supervisor is
- they must know what to do, and where and who to go to, if something goes wrong with food safety in your business.

The food safety supervisor does not have to be on the premises at all times. However, they must know how food is being handled when they are not on the premises. This also applies to businesses that operate across a number of shifts, or when a person from outside the business is the food safety supervisor.

Businesses operating from more than one site can have one person as their food safety supervisor across a number of premises. The local council must be satisfied with these arrangements. If the premises are in different municipalities, each local council must be satisfied with the arrangements.

### Step 3: Which food sector does your business fall into?

The food sector your business falls into will guide which training courses (or course units) your food safety supervisor needs to complete. This is because training requirements need to match your business type to ensure that the training is relevant to your business.

Refer to Table 1 and then contact your local council health unit to confirm which food sector your business falls into, and which training your food safety supervisor must complete.

### Step 4: How does your food safety supervisor obtain a *Statement of Attainment* for their food safety skills and knowledge?

Your food safety supervisor must obtain a *Statement of Attainment* which documents their food safety skills and knowledge. There are two ways to obtain a *Statement of Attainment*:

1. attending a training course that may be classroom or workplace based, computer based or a combination of these approaches
2. having previously completed training and/or work experience recognised against the required competency standard by a RTO.

Some competencies are transferable from one sector to another. For example, a competency acquired in the hospitality sector is transferable to retail sector and vice versa.

Training courses and recognition of prior learning (RPL) are organised through an RTO.

*Competent* is the term used by the training system to describe a person who can demonstrate a set of '*skills and knowledge*'. Skills and knowledge content is organised in 'units of competency' so that skills and knowledge can be easily identified and recognised. To be recognised as competent, a person must demonstrate successful completion of the relevant unit/s and receive a *Statement of Attainment* issued by a RTO.

People with appropriate experience, with or without formal qualifications, can have their skills and knowledge recognised against a unit of competency through an RPL process.

An RTO will assess the evidence provided. The RTO may recognise skills and knowledge that have been acquired through experience or other training, and advise that the person is competent. Alternatively, the RTO may advise that further training is required for the person to achieve the unit of competency.

People who have completed a tertiary qualification in food science and microbiological fields that are recognised in Australia may be regarded as having suitable qualifications to be a food safety supervisor.

The local council health unit is responsible for registering the food business and can determine whether these qualifications are suitable. Your food safety supervisor can also ask an RTO to undertake an RPL process on their previous training and experience against the unit/s of competency for your food sector.

## How much training?

Under the Act, food safety supervisors must have skills and knowledge relevant to type of food businesses they are supervising.

The **minimum** competency standards are listed in Table 1. These competency units were selected for various food sectors on the advice of the Industry Skills Councils (formerly the Industry Training Advisory Boards). They are national units of competency recognised by RTOs Australia-wide and can contribute to achieving a whole qualification.

Many courses offer training that exceeds the competencies needed to be a food safety supervisor.

In Victoria, there is no legal requirement for a food safety supervisor to undertake training beyond the minimum competencies listed in Table 1. However, there may be industry or organisation-based standards which require competencies in addition to those required under the Act.

For example, some food manufacturers carrying out complex processes, and large retailers or health care providers, may require their food safety supervisors have additional skills and knowledge.

**Table 1: Food sectors and minimum competency standards**

Food sector	Minimum competency standard
<p><b>Food processing</b></p> <p>Businesses such as food product manufacturers, including flour mills, canneries, packers, bakers, breweries and wineries</p>	FDFFS2001A 'Implement the food safety program and procedures'
<p><b>Retail</b></p> <p>Businesses such as supermarkets, convenience stores, grocers and delicatessens</p> <p>Take away and chain food businesses can be considered either retail or hospitality food businesses</p>	<p>SIRRFSA001 'Handle food safety in a retail environment'</p> <p><b>OR</b></p> <p>Use both units from the 'Hospitality' section below</p>
<p><b>Hospitality</b></p> <p>Businesses such as restaurants, cafes and hotels</p> <p>Take away and chain food businesses can be considered either retail or hospitality food businesses</p>	<p>SITXFSA001 'Use hygienic practices for food safety' (Release 1) 2016</p> <p>SITXFSA002 'Participate in safe food handling practices' (Release 1) 2016</p> <p><b>OR</b></p> <p>Use unit from the 'Retail' section above</p>
<p><b>Health</b></p> <p>Businesses such as hospitals</p>	<p>HLTFSE001 'Follow basic food safety practices' (Release 1)</p> <p>HLTFSE005 'Apply and monitor food safety requirements' (Release 1)</p> <p>HLTFSE007 'Oversee the day-to-day implementation of food safety in the workplace' (Release 1) 201</p>
<p><b>Community Services</b></p> <p>Businesses such as childcare centres, nursing homes, hostels, and Meals-on-Wheels services</p>	Use all three units from the 'Health' section above.

Food sector	Minimum competency standard
<b>Transport and distribution</b> Businesses such as warehouses	Use the training from a food sector that best describes the warehouse's purpose.  For example, choose 'Hospitality' if your warehouse supplies businesses such as restaurants, cafes and hotels.

## Competency codes

Please note that course titles can change and it is recommended that you search for the relevant courses by course code. The course codes can also change but a search on an out-of-date code, via the Commonwealth Government's website <<https://www.myskills.gov.au/>>, provides information, and is searchable, on previous/superseded codes and course titles.

A food safety supervisor's *Statement of Attainment*, may not show the same competency unit codes as those shown in Table 1.

For example, sometimes the last letter is A, B, or C. This is because the training packages change from time to time and the last letter identifies the version of the unit of competency that has been completed. In this case, the training is considered equivalent if the code is the same but the last letter different.

If the codes on your food safety supervisor's *Statement of Attainment* differ in any way to those on the list for your food sector, you should check with your local council environmental health officer about what you need to do.

For the retail and hospitality food sectors, the units listed are considered equivalent to each other. This means that a *Statement of Attainment* for the nationally recognised units of competence acquired in the hospitality sector are transferable to the retail sector and visa-versa. Your food safety supervisor can be trained in either of these sectors if your business falls into these categories.

## Step 5: Finding the training course for your food safety supervisor

To find the right course for your food safety supervisor you need to:

- make sure you know which units your food safety supervisor needs to complete (check Table 1 and contact your local council health department to confirm before they commence training)
- contact your local RTO to see if they offer the required training
- ensure the training providers course will pick up the current codes.

Many RTOs offer food safety training at different times to suit your business. Some offer training in languages other than English.

Search for training courses online at: [www.training.gov.au](http://www.training.gov.au)

## Contact us

Department of Health and Human Services' Food Safety Unit hotline:

Phone: 1300 364 352

Email: [foodsafety@dhhs.vic.gov.au](mailto:foodsafety@dhhs.vic.gov.au)

Search the Food Safety Unit website at <https://www2.health.vic.gov.au/public-health/food-safety> for more information, including:

- food handlers skills and knowledge
- hygienic food preparation and handling in food businesses
- personal hygiene for people working with food

## Complaints in relation to training

Complaints in relation to Victorian training providers to be lodged with the Victorian Registration and Qualifications Authority (VRQA). The VRQA is the statutory authority responsible for the providers of education and training meet the quality standards. Go to their website: <http://www.vrqa.vic.gov.au/complaints/Pages/default.aspx>

## Business information portal

Access a range of online tools and information on the Business Victoria website to help you start up and run your food business. Begin with *Step-by-step: how to register a business handling food and drink*, an interactive guide, and register for a free Business Victoria account. For more details go to: [www.business.vic.gov.au/](http://www.business.vic.gov.au/)

To receive this publication in an accessible format phone 1300 364 352, using the National Relay Service 13 36 77 if required, or email [foodsafety@dhhs.vic.gov.au](mailto:foodsafety@dhhs.vic.gov.au)

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