



EAT SAFE IPSWICH INSPECTION FREQUENCY, ADMINISTRATIVE REVIEW AND REGRADE POLICY

Document No:
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1.1 Objectives: The objective of this policy is to outline the inspection frequency and provide guidelines for the Eat Safe Ipswich administrative review and reassessment procedures.

1.2 Regulatory Authority:

- *Food Act 2006*
- *Food Regulation*
- *Food Safety Standards 2000*
- Population Health and Environment Protection Licensing, Registration and Permitting Policy

1.3 Policy Statement: In accordance with the Eat Safe Ipswich inspection scheme, a licensable food business is entitled to:

1. Have their licensed food business inspected and provided with an Eat Safe Ipswich star rating at set frequency; or
2. Have their Eat Safe Ipswich rating administratively reviewed by an Environmental Health Coordinator or Senior Environmental Health Officer if they believe the authorised person has made an error in assigning a star rating; or
3. Have a reassessment after minor, major and/or critical non-compliances and/or good management practices have been rectified.

This policy ensures fairness for food business operators in Ipswich by providing a formal avenue for them to request a review of their Eat Safe Ipswich rating issued to their business. Food business operators who improve food hygiene practices also have the opportunity to be reassessed ahead of schedule through a reassessment.

1.4 Scope: This policy applies to food business licensed pursuant to the *Food Act 2006* with Ipswich City Council.

1.5 Policy Details:

1. Inspection Frequency

Licensed food businesses will be inspected at a frequency determined by the Eat Safe Ipswich star rating as detailed in the table below:

Star Rating	Inspection Frequency
0	As soon as practical

2	2 Months
3	6 Months
4	12 Months
5	18 Months

Additional inspections may be done if required to investigate complaints or to follow up on non-compliances identified or notices issued, i.e. reinspections.

2. Administrative review

An administrative review occurs via a desktop audit when a food business wants their Eat Safe Ipswich rating reviewed (i.e. when they disagree with the Eat Safe Ipswich rating their business was given).

The licensee (or authorised representative) is entitled to apply for an administrative review for the following reason(s):

- a. There is a difference of opinion with the level of non-compliance (i.e. whether it is a minor or major non-compliance) on a particular subject identified during the Eat Safe Ipswich inspection; or
- b. A detail has been incorrectly recorded by the officer in assessing the criteria in the inspection proforma that affects the star rating assigned to the business; or
- c. An administrative error has been made in rating the business.

Only the item(s) listed on the application form for an administrative review will be examined. No further claims by the food business can be made after the application has been submitted.

3. Reassessment

- a. A reassessment involves an administrative review of the previous inspection as well as a new inspection of the food business.
- b. A reassessment can occur after minor, major and/or critical non-compliances and good management practices have been rectified and the food business does not want to wait for the next routine Eat Safe Ipswich inspection for their rating to be reassessed. During this inspection the officer will reassess the entire business to determine eligibility for a new star rating.
- c. The licensee is entitled to apply for a reassessment only in the following circumstance(s):
 - i. When minor and/or major and/or critical non-compliances have been rectified and/or good management practices have been implemented; and
 - ii. For a 2 star business, a waiting period of 3 month has passed since the previous Eat Safe Ipswich inspection; or
 - iii. For a 3 star business, a waiting period of 6 months has passed since the previous Eat Safe Ipswich inspection; or
 - iv. For a 4 star business, a waiting period of 6 month has passed since the previous Eat Safe Ipswich inspection.

4. Response Times

- a. The timeframe within which an application for administrative review or reassessment must be submitted are listed in the table below.
- b. The timeframe in which Council will assess and respond to the applications are also shown in the table below.

	Timeframe for food business licenses	Council response time
Administrative Review	Within 5 business days from the date of the inspection.	Within 10 business days from receipt of the properly made application.
	Timeframe for food business licenses	Council response time
Reassessment	0 Stars A 3 month waiting period applies.	Within 20 business days from receipt of the properly made application.
	2 Stars A 3 month waiting period applies.	
	3 Stars A 6 month waiting period applies.	
	4 Stars A 6 month waiting period applies.	

- c. Despite the response times shown, the prioritisation of administrative review and reassessment applications will occur at discretion of Council:
 - i. Every licensable food business must be rated at least once by October 2018 before reassessment applications are processed by Council; and
 - ii. In the event of a substantial influx of either administrative review applications and/or reassessment applications, Council will process the applications on the basis of the date the applications are received.

5. Reassessment increments

The following reassessment increments apply to all reassessments:

- a. 0-2 star food business can only increase to a 3 star rating within the same licence period that they received the 0 or 2 star rating or within 12 months of the previous inspection (and after the relevant waiting period); or
- b. 3-4 star food businesses can increase to a 5 star rating at any time (after the relevant waiting period);
- c. The following table outlines the waiting periods that apply to the administrative review and reassessment applications:

Star rating	Waiting period before reassessment application	Year of increment	Maximum star rating
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0	3 months from previous Eat Safe Ipswich inspection	Within the same licence period	3
2	3 months from previous Eat Safe Ipswich inspection	Within the same licence period	3
3	6 months from previous Eat Safe Ipswich inspection	Within the same licence period and after the 6 month waiting period has applied	5 (providing they have not received a 0 or 2 star rating within the past 12 months)
4	6 months from previous Eat Safe Ipswich inspection	Within the same licence period and after the 6 month waiting period has applied	5
5	6 months from previous Eat Safe Ipswich inspection	Within the same licence period	5

- d. A food business that has received a 0-2 star rating cannot advance beyond a 3 star rating within a 12 month period from receiving a 0 or 2 star rating, i.e. a food business that has advanced from a 0 or 2 star rating to a 3 star rating cannot then apply to have a reassessment and advance to a 5 star rating within a 12 month period from the initial 0 or 2 star rating assessment.

6. Reassessment due to non-compliance

In addition to the ability for food business to apply to Council for a reassessment, Council reserves the right to reduce a food business's star rating due to observe non-compliance at any time.

1.6 Definitions:

Administrative non-compliances means administrative non-compliances are considered minor in nature, relate to 'general requirement' criteria and relate to an administrative requirement (e.g. display of licence, notification of food safety supervisor to Council).

Administrative Review means when a food business licensee disagrees with the Eat Safe Ipswich rating issued, an application to Council to have the rating 'Administratively Reviewed' (i.e. via desktop audit) can be made. An administrative review is conducted by an Environmental Health Coordinator or the Senior Environmental Health Officer.

Critical non-compliances means non-compliances that are associated with matters that pose the highest risk to producing safe food. Failure to comply with critical non-compliances may result in serious enforcement action such as the immediate suspension

of a food licence. For example, storing potentially hazardous food outside of temperature control or not protecting food from contamination are critical non-compliances.

Easily rectified minor non-compliances means non-compliances that are identified on the Eat Safe Ipswich audit proforma as those non-compliances which are minor in nature (refer to minor non-compliance definition) and can be rectified easily and promptly. For example, a split refrigerator seal is minor in nature (if it is not adversely affecting the temperature of the food in the refrigerator) and can be replaced within 24-48 hours. This is considered an 'easily rectified minor non-compliance'.

Eat Safe Ipswich refers to the food business rating scheme that was approved as a part of the Health and Amenity plan in Health And Community Safety Committee No. 2017(03) (15 August 2017).

EHO means Environmental Health Officer (also referred to as 'inspecting', 'assessing' or 'authorised' officer).

Good management practices (GMPs) means a list of management documents that identify and control food safety hazards in the food business. These administrative documents are seen by Council as effective tools in proactively managing food safety risks associated with any food operation.

Licence period means a period as it pertains the Ipswich City Council for a licensable food business under the *Food Act 2006* is 1 July to 30 June of the following year.

Licensable food business means a business licensed under section 48 of the *Food Act 2006*.

Licensee means the holder of the licence for a food business

Major non-compliance means a non-compliance that is identified on the on the Eat Safe Ipswich proforma as those non-compliances that are more serious and pose a high risk to food safety. Major non-compliances are likely to result in some form of enforcement action. A major non-compliance is more serious than a minor non-compliance and less serious than a critical non-compliance.

Minor non-compliance means a non-compliance that is identified on the Eat Safe Ipswich audit proforma as those non-compliances that are low risk or relate to a small number of defects. Minor non-compliances are less likely to present a hazard to consumers. For example, a minor non-compliance may be a small or minor maintenance issue, such as a cracked or chipped tile or chipped crockery.

Reassessment means an assessment that occurs after minor, major and/or critical non-compliances have been rectified and the food business does not want to wait for the next routine inspection for the Eat Safe Ipswich rating to be reassessed. This is a paid inspection in which an officer reassesses the entire business to determine eligibility for a new Eat Safe Ipswich rating.

1.7 Policy Author: Chief Operating Officer - Health, Security and Regulatory Services
Department

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