

## NSW Vulnerable Persons Food Safety Scheme Consultative Committee

The primary objective of the VPCC is to contribute to the Authority's goal of ensuring that food provided to vulnerable persons is safe and suitable for these people, by advising on policy and practices introduced into vulnerable persons food safety scheme and developed through a consultative process. The VPCC has the function of consulting with the Authority and providing advice on food safety schemes relating to the vulnerable persons industry.

Other government agencies may seek to use the broad expertise and experience of the Committee members to obtain advice on matters beyond the scope of the provisions of the Vulnerable Persons Food Safety Scheme Consultative Committee.

### Summary of meeting outcomes

## NSW Vulnerable Persons Food Safety Scheme Consultative Committee

**27 February 2025**

---

The NSW Vulnerable Persons Food Safety Scheme Consultative Committee met via video conference on Thursday, February 27, 2025. The issues considered at the meeting are detailed below.

### Attendees:

**NSW Vulnerable Persons Food Safety Scheme Consultative Committee:** Lisa Cranham (Institute of Hospitality in Healthcare), Alex Drysdale (The Frank Whiddon Masonic Homes of NSW), Melanie Frost (HealthShare NSW), Kirsty Hope (Health Protection NSW, NSW Health), Craig Kirkpatrick (Uniting NSW ACT), Kate Lewis (Food Safety Culture), Sharla Seckold (Western NSW Local Health District, NSW Health), Sheryl Smith (NSW Meals on Wheels), Fifi Spechler (HealthShare NSW), Ashley Thomson (Cranbrook Care), Gillian Van Someren-Hurley (Safe Food Australia), Michelle Warton (HACCP Australia), Justin Wilson (Estia Health).

**NSW DPIRD – Biosecurity & Food Safety:** David Cusack, (Manager, Food Standards & Programs), Andrew Davies – Chair (Acting - Director, Food Safety & CEO NSW Food Authority), Eric Davis (Manager, Food Policy & Partnerships), Jaime Garcia (Secretariat), Mark Mackie (Manager, Regulatory Operations Unit), Melisa Norris (Senior Policy & Programs Officer), Craig Shadbolt (Principal Food Safety Scientist).

**Apologies:** Anne King (Aged and Community Care Providers Association), Lisa Szabo (Director, Food Safety & CEO NSW Food Authority), Greg Vakaci (Director, Compliance).

### Conflict of interest declaration

Members confirmed that they had no conflicts of interest.

### Industry updates

Members provided updates on the following key and emerging issues in their respective industry sectors:

- The Committee was informed that a licensed aged care facility recently changed its caterer. Typically, this change would trigger an automatic audit of the licensing permission. The facility in question is approved for third-party auditing; however, in this instance, an audit was not required. The committee was informed that when there is a change in licensing permission, a licensing audit is usually generated. The Regulatory Operations Unit Manager has the authority to grant an exemption if an audit has been conducted within the last six months. Further clarification into why this exemption was not applied will be investigated by the Regulatory Operations Unit Manager, and the committee will be updated on the outcome at the next meeting.

## **1) Matters raised relating to the Vulnerable Persons Food Safety Scheme**

### **Food Safety Compliance Report**

DPI Compliance and Integrity Systems Unit provided an update on the vulnerable persons (VP) industry compliance activities for the July to December 2024 period. 99% of licensed Vulnerable Persons businesses recorded an acceptable audit and/or inspection result, a 4% rise compared to the same period in 2023. A total of 627 audits and inspections were conducted during this period, with a combined total of 15 regulatory interventions (improvement notices, prohibition orders, or warning letters).

This sector recorded a high compliance rate which highlighted the mature systems in place and demonstrated that food safety systems and operating standards remained very high. The Regulatory Operations team may need to adjust its planned activities and frequency of compliance monitoring depending on emerging risks and strategic priorities. Complaints, inspections, and investigations relating to vulnerable persons businesses will continue to be managed on an as needs basis.

### **Clarification of the use of Parsley**

Alex Drysdale from the Frank Whiddon Masonic Homes of NSW presented a paper on the use of curly parsley in VP facilities, highlighting its identification as a high-risk food during audits conducted by third-party auditors. These auditors are referencing the South Australian Food Safety Guidelines For Food Service to Vulnerable Persons [SA Food Safety Guidelines for Food Service to VP](#) in their evaluations. The guidelines make a recommendation not to serve curly parsley (Do not use seed sprouts or fresh produce that will be eaten raw and cannot be effectively washed, e.g. curly leaf lettuce and fresh curly leaf parsley).

The committee was informed that the NSW Guidelines for Food Service to Vulnerable Persons are intended to serve as a framework to assist the vulnerable persons sector in assessing food service risks. The Department of Primary Industries and Regional Development (DPIRD) believes, each facility should manage its own risks. Currently, some facilities do serve high-risk foods to residents after conducting careful and thorough risk assessments.

Ultimately, it is up to each facility to determine the risk associated with the food products they serve. In some cases, it is possible to serve curly parsley. If a business can demonstrate that the food can be effectively cleaned, it may be safely used.

Measures such as:

- Sourcing from reputable suppliers

- Sourcing from hydroponic or other growing systems that reduce the amount of dirt on the leaves
- Washing and sanitising the parsley in-house
- A process of three steps can be used
  - Rinse in potable water to remove visible dirt
  - Soak in a 50 ppm chlorine solution for 5 minutes (or another process supported by reputable literature)
  - Rinse in potable water
- Spin to dry the leaves
- Keep the sanitised parsley refrigerated, protected from recontamination and limit the shelf life to < 5 days, and preferably for a shorter time, ideally 1-2 days. This is simple best practice, to keep shelf life short and only prepare what is needed.

### **Managing requests for higher risk foods**

Alex Drysdale presented a paper on managing requests for higher-risk foods. He explained that in a residential aged care environment, conflicts can occasionally arise between consumers' requests for certain food items and the options that can be safely served. This situation often creates tensions regarding directives from the Aged Care Quality and Safety Commission (ACQSC) and the New South Wales Food Authority (NSWFA).

The Frank Whiddon Masonic Homes of NSW does work internally to find alternatives when appropriate or if the risk is deemed manageable. In such cases, the consumer will be asked to sign an indemnity risk form, acknowledging that they have been informed of the risks and that they or their next of kin understand the implications of their decisions. Mr Drysdale also advised that even if a consumer can make an informed choice and completes an indemnity risk form, this does not necessarily absolve the organisation of liability. On the other hand, denying the consumer access to familiar food items can frustrate them and negatively impact their dignity and overall care experience.

If a request is denied, the resident may feel unsupported in their choices, potentially leading to complaints directed at the ACQSC. It was also noted that individuals can bypass internal controls by obtaining high-risk food items offsite through family and friends.

There is a consensus that more clarification is needed regarding the VP food safety guidelines, particularly in terms of their application and timing. A fact sheet should be created to explain that the NSW Food Safety Policy Guidelines for the VP sector are intended as guidelines to help the industry mitigate risks, identify hazards, and control hazards for all food products. Members were reminded that no legislation prohibits the serving of specific foods to residents.

Additionally, members were informed that risk assessments and guidelines for this sector are currently under review. The questions and comments raised during this meeting will be forwarded to the team responsible for reviewing these documents. NSW DPIRD will collaborate further with Committee Members on this issue.

### **3) Other matters raised**

#### **Publication and protection of VPCC Members' personal information**

Members were advised that government agencies have a requirement to protect the privacy

and personal information of the NSW Vulnerable Persons Food Safety Scheme Consultative Committee members. The Food Authority is also required to be transparent about the legislated requirements for consulting with industries regulated under its legislated Food Safety Schemes.

All personal information will only be collected and used with informed consent. Members will be asked via email following this meeting to provide this consent in writing.

*The date for the next meeting of the NSW Vulnerable Persons Food Safety Scheme Consultative Committee is 6 August 2025.*