

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 the 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 outcomes

NSW Vulnerable Persons Food Safety Scheme Consultative Committee

6 August 2025

The NSW Vulnerable Persons Food Safety Scheme Consultative Committee met via video conference on Wednesday, 6 August 2025. The issues considered at the meeting are detailed below.

Attendees:

NSW Vulnerable Persons Food Safety Scheme Consultative Committee: 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), Gillian Van Someren-Hurley (Safe Food Australia), Michelle Warton (HACCP Australia), Justin Wilshaw (Estia Health).

NSW DPIRD – Biosecurity & Food Safety: 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), Greg Vakaci (Director, Compliance).

Apologies: Lisa Cranham (Institute of Hospitality in Healthcare), David Cusack, (Manager, Food Standards & Programs), Anne King (Aged and Community Care Providers Association).

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:

- Members discussed the challenges faced by aged care providers when taking over a facility, particularly in relation to unexpected outcomes arising from audits conducted by

the Food Authority. When there is a change in licensing, audits may reveal issues that the new providers were not aware of, potentially leading to the facility failing the audit.

It was suggested that operators consider using third-party auditors for initial assessments prior to submitting their license application. The Food Authority is not resourced to undertake additional audits prior to the licensing audit for new providers taking over a facility. It was recommended that facilities reach out to a third-party auditor to help identify and resolve any issues beforehand.

Moreover, organisations might schedule their audits for 30 days after taking over a new facility. This timeframe would allow them to thoroughly review staff practices and other relevant aspects before the official NSW Food Authority audit.

- Members discussed and addressed the issue of residents in aged care facilities preparing their own food, particularly the challenges surrounding food safety when residents have access to cooking facilities where this is safe and feasible.

The Food Authority recommended that resident-prepared food be excluded from the facility's Food Safety Programme, and reiterated that the Food Safety Programme should focus on identifying and managing the risks associated with the food provided by the facility, while explicitly excluding any risks related to food brought in by residents, their families, friends, or food prepared by the residents themselves. Age care providers must clearly and precisely define the scope of the Food Safety Programme to specify what is included and what is excluded while noting that the Programme should not limit residents' access to food.

Members were reminded of the importance of compliance and risk management within the Food Safety Programme, noting that some form of supervision could enhance these efforts.

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

Food Safety Compliance Report

DPIRD Compliance and Integrity Systems Unit provided an update on the vulnerable persons (VP) industry compliance activities for the 2024-25 financial year. 99% of licensed Vulnerable Persons businesses recorded an acceptable audit and/or inspection result, a 4% rise on the target compliance rate. A total of 1,235 audits and inspections were conducted during this period, with a combined total of 29 regulatory interventions (improvement notices, prohibition orders, or warning letters).

The vulnerable persons sector achieved a 99% compliance rate for FY 2024-25, reflecting the sector's strong food safety systems and high operating standards. This consistently high level of compliance indicates the maturity of systems in place. As a result, BFS Compliance may need to reconsider the scope and frequency of its planned activities, taking into account emerging risks and strategic priorities. Complaints, inspections, and investigations involving vulnerable persons businesses will continue to be addressed as needed.

Compliance Operation

The Department recently completed a comprehensive verification program targeting licensed facilities that produce food for vulnerable populations. This initiative aligned with one of our enduring Regulatory Priorities for the 2024/25 financial year. The operation focused on

assessing the risk mitigation measures facilities have in place to ensure the safe preparation of high-risk foods. The verification project found a 92% compliance rate in specific areas of the operation. The findings revealed that some facilities were not adequately managing the risks associated with high-risk packaged foods and were not maintaining appropriate hygiene standards. In instances of non-compliance, improvement notices were issued, clearly outlining the identified issues and providing guidance on the steps needed to achieve compliance. The findings from this project will support the enhancement of auditor competencies and help to refine the focus areas for future audits.

Recognition of Grazing Platters in Dementia Memory Support Homes

Alex Drysdale from the Frank Whiddon Masonic Homes of NSW presented a paper on the Recognition of Grazing Platters in Dementia Memory Support Homes. This was highlighted as a widely adopted best practice across dementia-specialist care settings but acknowledged the potential for conflict with standard food safety principles, specifically the use of finger food grazing platters. These platters are intentionally implemented to ensure accessible nutrition and hydration for residents living with dementia. However, there are genuine and identifiable risks associated with their use, including poor personal hand hygiene practices by patients and consequent potential for cross-contamination. Supervision, adherence to strict time controls and controlled access can be implemented to help mitigate these risks.

Members agreed that use of finger food grazing platters for dementia patients, has benefits such as improved visual recognition of food, supporting nutritional needs of residents, supporting spontaneous and independent eating, and positively impacting their attitudes towards food and their overall well-being in alignment with best practice. Accordingly, use of finger food grazing platters should be supported.

Buffet service of food in aged care homes

Gillian Van Someren-Hurley from Safe Food Australia presented a paper on buffet service of food in aged care homes. She was seeking clarification on the expectations around this type of service in a residential aged care environment. Members were informed that each facility should have site-specific control measures as part of its Food Safety Program. This includes any associated risk assessments undertaken to manage food safety risks, particularly for buffet food service. For example:

1. Food should be covered to prevent contamination.
2. Hot food must be served from a bain-marie or chafing dish, using protective barriers or lids.
3. Supervision should be provided to ensure that residents do not touch the displayed food and any cross-contamination issues must be addressed immediately.
5. Separate tongs or serving utensils should be provided for each dish or food item.
6. Ready-to-eat food must be displayed separately.
7. Dietary information should be available for staff managing the service to address food allergies, intolerances, and other dietary requirements.
8. Food should be kept under temperature control or served within the 2-hour/4-hour storage rule.

These measures are essential to maintain food safety and protect the well-being of residents.

At the time of each food safety audit, the buffet service would be observed directly, and the auditor would assess whether the activity is being conducted in line with the documented Food Safety Program and the appropriate risk controls.

3) Other matters raised

Third Party Audits (TPA) Audit reports

Michelle Warton, a NSW Food Authority TPA from HACCP Australia, put forward a paper proposing that the date on which the next scheduled audit is due should be added to each audit report. The Compliance Unit informed members that 99% of all facilities audited in this sector received an A rating. As a result of this high compliance rate, each facility will only undergo one audit per year. The compliance team is currently making changes to the letters sent out as part of the TPA program.

These letters will be sent out in January each year and will indicate that each facility is required to have a food safety audit conducted sometime during that year. This gives each facility a 12-month period to arrange for its audit to be conducted. Any facility that has not completed its food safety audit by the following September will receive a follow-up reminder that there are three months remaining to complete the audit. This approach aims to assist large providers with multiple sites, allowing them to better plan their audit schedules for the year. It takes into account costs and the logistics for TPA's moving across the state for different sites, enabling them to organise audit runs and ensure that all their facilities are audited within the calendar year. The goal is to encourage a more flexible approach, moving away from strict adherence to scheduled audit dates.

A fact sheet has been developed and will be distributed to help providers understand the requirements for these new TPA arrangements.

The date for the next meeting of the NSW Vulnerable Persons Food Safety Scheme Consultative Committee is to be advised.