



Food Safety
AUTHORITY OF IRELAND

12

GUIDANCE NOTE

**The Inspection of Food Safety
Training and Competence
(Revision 1)**

Guidance Note No. 12

The Inspection of Food Safety Training and Competence (Revision 1)

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I. INTRODUCTION AND LEGAL FRAMEWORK

The proprietor or registered owner of a food business has a legal obligation to ensure that all food handlers are supervised and instructed and/or trained in food hygiene matters commensurate with their work activity.

Chapter XII, Annex II of Regulation (EC) No. 853/2004 states that:

Food business operators are to ensure:

- 1. that food handlers are supervised and instructed and/or trained in food hygiene matters commensurate with their work activity;*
- 2. that those responsible for the development and maintenance of the procedure referred to in Article 5(1) of this Regulation or for the operation of relevant guides have received adequate training in the application of the HACCP principles and*
- 3. compliance with any requirements of national law concerning training programmes for persons working in certain food sectors.*

The Food Safety Authority of Ireland Act, 1998 defines a food inspection as follows:

“food inspection” means the systems of inspection carried out in order to ascertain whether:
(d) the skills, training and competence of people handling or otherwise dealing with food in premises... complies with food legislation aimed at preventing risks to public health.

(FSAI Act, 1998 (No. 29 of 1998) Section 2(1))

Compliance with the legislation listed in Section 9 of this Guidance Note is assessed through inspections conducted by authorised officers who work under service contract to the FSAI. This Guidance Note will outline how the training and competence of staff can be verified during inspections.

The following section of the FSAI Act also underpins this Guidance Note:

- 1. The principal function of the Authority shall be to take all reasonable steps to ensure that:*
 - (a) food produced in the State (whether or not distributed or marketed in the State), and*
 - (b) food distributed or marketed in the State, meets the highest standards of food safety and hygiene reasonably attainable.*
- 2. It shall, in particular, take all reasonable steps to ensure that such food complies:*
 - (a) with any relevant food legislation in respect of food safety and hygiene standards, or*
 - (b) in the absence of any such legislation, with the provisions of generally recognised standards or codes of good practice aimed at ensuring the achievement of high standards of food hygiene and food safety.*
- 3. At the request of the Food Safety Promotion Board, the Authority shall co-operate with it in the performance of its functions.*

(FSAI Act, 1998 (No. 29 of 1998) Section 11)

The FSAI believes that guidance notes have a major role to play in helping both the regulators and the food industry to achieve a higher degree of compliance with legislation and with good practice generally.

2. PURPOSE

The purpose of this Guidance Note is to establish a consistent approach to:

- (i) the inspection of the training and competence of staff working in a food environment
- (ii) the provision of advice to food businesses in relation to staff training.

3. SCOPE

This Guidance Note applies to the food safety inspection services of the Health Service Executive (HSE), Local Authorities, Sea Fisheries Protection Authority and Department of Agriculture, Fisheries and Food in the context of the enforcement of the legislation listed in Section 9 of this Guidance Note.

4. DEFINITIONS

The following definitions are used for the purpose of this document.

4.1 Competence

The ability to perform to the standards required by the FSAI in the work environment. Recommended standards are outlined in the FSAI's Guides to Food Safety Training Levels - 1 & 2 and 3 and are summarised in the Appendix to this Guidance Note.

4.2 Competence Standards

Skills that staff working in a food environment should be able to demonstrate appropriate to their stage of employment as outlined in the FSAI's Guide to Food Safety Training Level 1 - Induction Skills and Level 2 - Additional Skills and Level 3 - Food Safety Skills for Management as summarised in the Appendix to this Guidance Note.

4.3 Authorised Officer

A person appointed as an authorised officer under Section 49 of the FSAI Act, e.g. environmental health officer, sea fisheries officer, veterinary inspector, dairy produce inspector.

4.4 Management

For the purpose of this Guidance Note, the term 'management' refers to staff who are responsible for the supervision and/or influencing the behaviour of any number of staff in the food operation. The number of staff supervised may vary from one upwards and the area of the food operation can range from one task/area to having ultimate responsibility for the entire food operation. This includes all generic terms such as proprietor, manager, supervisor, chargehand etc.

4.5 Supervisor

An employer or employee who is responsible for the supervision of any number of employees.

5. INSPECTION OF FOOD SAFETY TRAINING AND COMPETENCE

Operational hygiene deficiencies in a food operation may be attributed to a number of factors, however, for the purpose of this Guidance Note, the deficiencies considered are:

- inadequate supervision and instruction and/or
- inadequate training.

During an inspection it is important that the implementation of training is assessed i.e. that the behaviours and hygiene practices of staff that pose a risk to food safety are assessed. In addition to assessing its implementation, information on when the training was carried out can be verified by checking training records and certificates if available. These are evidence of a planned approach to training, however, they do not verify the successful implementation of training by those working in the food business.

5.1 Frequency of Inspection

Staff competence is demonstrated by the practices in a food operation and is therefore inspected indirectly during each visit. It is recommended that it be given specific attention:

- as part of a programmed inspection
- where food safety practices indicate an obvious lack of training and/or instruction and supervision
- in response to complaints as part of a foodborne illness/food poisoning outbreak investigation.

5.2 Responsibility for Staff Competence

The proprietor or registered owner of a food business is responsible for continuously encouraging and improving the competence of staff with regard to food safety. During inspections authorised officers verify this by inspecting staff competence.

5.3 Standards of Competence to be Expected

The FSAI has consulted with industry representatives, authorised officers and training providers to agree the minimum competences to be demonstrated by staff, appropriate to their stage of employment (Appendix I). These competence standards define the characteristics of effective workplace performance and are not a replacement for training programmes or in-company standards.

5.4 Verifying Staff Competence During Inspections

During an inspection an authorised officer checks that employers are assessing staff competence. The proprietor or registered owner of a food business is responsible for the ongoing assessment of their staff's competence in accordance with the risks associated with the food operation.

Before the inspection

When reviewing the file on a business before an inspection, note any outstanding compliance matters which relate to poor staff practices. The timing of the visit should be planned to facilitate observation of staff practices. While most inspections will normally be carried out unannounced, for some operations it may be necessary to liaise with the business to ensure that appropriate personnel are available for the areas you wish to inspect.

During the inspection

Competence can be verified as follows:

- i. The work area should first be scanned to identify food safety hazards. Expected competences (Appendix I) can then be prioritised depending on the work activity.
- ii. General questions may be asked to establish the staff members' stage of employment and/or to put them at their ease. More specific questions about food safety procedures may then be used to assess the employee's food safety knowledge.

Where communication barriers exist, e.g. non Irish-nationals working in the food business, establish with the food business operator how they communicate food safety messages with their employees.

- iii. Observe to ensure practices minimise risk to food safety and refer to Appendix I for competence standards appropriate to their stage of employment. An unsatisfactory outcome should be followed up with supervision and retraining by the employer until the employee can demonstrate the skills appropriate to their stage of employment.

5.5 Instruction and Supervision

Where staff are instructed and supervised, management should ensure responsible, informed supervision of the food operation at all times. Where the supervisor/manager is present on the premises but engaged in other duties, the employee must be aware that:

- (a) the supervisor/manager is available for consultation/advice
- (b) they can seek the supervisor's/manager's assistance and guidance where necessary.

Those responsible for staff supervision must have the authority and ability (see Appendix I for Level 3 Food Safety Skills) to make decisions in relation to food safety and its management, at all times. Management should ensure there are sufficient competent members of staff to cover all business hours.

5.6 Supervision in Small Businesses/One-Person Operations

Where the function of manager/supervisor and/or employee is carried out by the same person, they should be able to demonstrate competence commensurate with their work activity.

6. INFRINGEMENTS

The legislation listed in Section 9 of this Guidance Note requires staff training, instruction and/or supervision commensurate with their work activity. Where an authorised officer establishes that these requirements have not been met, these infringements should be communicated to the food business operator to enable the food business operator to take the appropriate corrective action.

Further guidance on determination of action by enforcement officers in the HSE is available in Guidance Note No. 1 Guidance Note for Health Boards on the Inspection of a Food Business (Revision 1).

7. PROVISION OF ADVICE TO FOOD BUSINESSES

Where food businesses seek advice from authorised officers on how to meet staff training requirements, it is important to be helpful, yet impartial when giving this advice. While the food business operator has a legal responsibility to ensure “*that food handlers are supervised and instructed and/or trained in food hygiene matters commensurate with their work activity*” an authorised officer should not state or imply that attendance at any particular course is mandatory.

7.1 Choice of Trainer

The adequacy of any training or instruction and supervision is best measured by the outcome i.e. the hygiene practices of staff. However, if the proprietor or manager specifically requests advice as to who should train his/her staff, the following may be of assistance.

7.2 Training Options

There are a number of ways that food businesses can meet their legal obligation regarding training of employees. These options include:

- designing, developing and delivering their own in-house training programme.
This requires companies to have the necessary in-house food safety and training expertise. It is important to acknowledge that in-house training, or instruction and supervision, may adequately meet food safety training requirements even when programmes are not certified
- recruiting the services of a training provider to either design or deliver training specifically for their businesses needs
- attending training courses which are offered by training providers and training companies
- availing of various e-learning programmes – **please note: these must be used in conjunction with management support and follow-up**
- using off-the shelf packages for in-house trainers – **please note: these packages will require individuals have the necessary training to deliver the training appropriately.**

Training may be delivered by an in-house or external trainer who:

- has a clear understanding of the food handler competence standards required (Appendix I)
- has the necessary knowledge and experience to explain adequately why these standards are required
- can design and deliver a planned program of training/instruction which focuses on the target groups’ training need(s) and on achieving competences particular to the workplace.

7.3 FSAI Guides to Food Safety Training

To assist food businesses meet their legal obligation the FSAI in consultation with industry representatives, authorised officers and training providers, has produced Guides to Food Safety Training. These guides define the minimum competences to be demonstrated by staff, appropriate to their stage of employment. There are two guides in the series:

- **Level 1 (Induction Skills) and Level 2 (Additional Skills)**

Level 1 outlines the basic food safety skills that all staff should demonstrate within the first month of employment while Level 2 outlines additional food safety skills that staff should be able to demonstrate within 3-12 months of commencing employment in your food business

- **Level 3 (Food Safety Skills for Management)**

Level 3 outlines food safety skills that managers and supervisors in food operations should demonstrate.

Further general food safety training information is available in the Food Safety Training Leaflet published by the FSAI.

These guides and leaflets are available on the FSAI website (www.fsai.ie) or through the FSAI Advice Line on 1890 336677.

Details of food safety publications and training materials available in different languages are available through the FSAI foreign languages database

http://www.fsai.ie/industry/training/industry_training.asp#nonirish

8. RELATED DOCUMENTS

The following lists of guidance documents and legislation are relevant to this Guidance Note:

Guidance Documents

Food Safety Authority of Ireland

- Guidance Note No.1 for Health Boards on the Inspection of a Food Business (Revision 1) 2004.

National Standards Authority of Ireland

- I.S. 340: 2007 Hygiene in the catering sector
- I.S. 341: 2007 Hygiene in food retailing and wholesaling.

9. RELEVANT LEGISLATION

The legislation referenced in this section is intended to act as a guide to legislation relevant to this Guidance Note and does not purport to be comprehensive list of food safety related legislation with which food business operators have to comply. The FSAI has published 'A Compendium of Food Law in Ireland, 2003', the purpose of which is to act as a reference and guide to the various Acts, Regulations and Orders made at national level as well as those Directives and Regulations made at EU level. Given that food legislation is continuously adapted and amended, the FSAI updates the legislation section of its website on a regular basis: www.fsai.ie/legislation.

All Enforcement Agencies

- Food Safety Authority of Ireland Act, 1998 (S.I No. 29 of 1998)
- Regulation (EC) No. 852/2004 of the European Parliament and of the Council of 29 April 2004 on the hygiene of foodstuffs
- Regulation (EC) No. 853/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific hygiene rules for food of animal origin
- Regulation (EC) No. 854/2004 of the European Parliament and of the Council of 29 April 2004 laying down specific rules for the organisation of official controls on products of animal origin intended for human consumption
- Regulation (EC) No. 2073/2005 of 15 November 2005 on microbiological criteria for foodstuffs
- Regulation (EC) No. 178/2002 of the European Parliament and of the Council of 28 January 2002 laying down the general principles and requirements of food law, establishing the European Food Safety Authority and laying down procedures in matters of food safety
- Regulation (EC) No. 882/2004 of the European Parliament and of the Council of 29 April 2004 on official controls performed to ensure the verification of compliance with feed and food law, animal health and animal welfare rules
- Regulation (EC) No. 2074/2005 of 5 December 2005 laying down implementing measures for certain products under regulation (EC) No. 853/2004 of the European Parliament and of the Council and for the organisation of official controls under Regulation (EC) No. 854/2004 of the European Parliament and Regulation (EC) No. 882/2004 of the European Parliament and

of the Council, derogating from Regulation (EC) No. 852/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004

- Regulation (EC) No. 2075/2005 of 5 December 2005 laying down specific rules on official controls for Trichinella in meat
- Regulation (EC) No. 2076/2005 of 5 December 2005 laying down transitional arrangements for the implementation of Regulations (EC) No. 853/2004, (EC) No. 854/2004 and (EC) No. 882/2004 of the European Parliament and of the Council and amending Regulations (EC) No. 853/2004 and (EC) No. 854/2004.

Health Service Executive

- S.I. No. 369 of 2006 European Communities (Hygiene of Foodstuffs) Regulations, 2006
- Food Hygiene Regulations, 1950 -1989 (S.I. No. 205 of 1950), (S.I. No. 322 of 1971), (S.I. No. 62 of 1989) with the exception of Part IV and Regulations 26B, 26C, 26D
- S.I. No. 910 of 2005 European Communities (Food and Feed Hygiene) Regulations, 2005.

Department of Agriculture, Fisheries and Food

- S.I. No. 910 of 2005 European Communities (Food and Feed Hygiene) Regulations, 2005.

Sea Fisheries Protection Authority

- S.I. No. 335 of 2006 European Communities (Hygiene of Fishery Products and Fish Feed) Regulations, 2006.

Local Authorities

- S.I. No. 910 of 2005 European Communities (Food And Feed Hygiene) Regulations, 2005
- Abattoirs Act, 1988 (No. 8 of 1988).

APPENDIX I.

FOOD HANDLER COMPETENCE STANDARDS

These standards are drawn from FSAI Guides to Food Safety Training – Levels 1 & 2 and 3 and can be referred to when verifying staff competence during inspections. An unsatisfactory outcome should be followed up with supervision and retraining by the employer until the employee can demonstrate the skills appropriate to their stage of employment.

Further information on how the employee can demonstrate competence in the in the food safety skills detailed below are provided in the relevant training guide.

Level 1 - Induction Skills Stage I

A competent employee should be able to demonstrate the following **on commencing employment.**

1. Wear and maintain uniform/protective clothing hygienically.
2. Maintain a high standard of hand-washing.
3. Maintain a high standard of personal hygiene.
4. Demonstrate correct hygienic practice if suffering from ailments/illnesses that may affect food safety.
5. Avoid unhygienic practices in a food operation.
6. Demonstrate safe food handling practices.
7. Maintain staff facilities in a hygienic condition.
8. Obey food safety signs.
9. Keep work areas clean.

Level I - Induction Skills Stage II

A competent employee should be able to demonstrate the following **within the first month of employment**.

1. Demonstrate their legal responsibility in ensuring safe food for the consumer.
2. Recognise how food can be put at risk by chemical, physical and biological hazards.
3. Demonstrate an understanding of cross contamination and the hygiene practice necessary to prevent it.
4. Explain the difference between high and low-risk activities.
5. Avoid unnecessary handling of food, food utensils and surfaces.
6. **Where applicable to the job:** Record the temperature of food as required.
7. Keep appropriate food safety records.
8. Keep pests out of the food operation and operate a satisfactory waste disposal system.
9. Take action when aware of unhygienic practices which may put the safety of food at risk.
10. Co-operate with authorised officers.
11. **Where applicable to the job:** Check deliveries appropriately.

Food Handler Competence Standards – Level 2

Level 2 - Additional Skills

A competent employee should be able to demonstrate the following:

- within 3-6 months of induction if working in a high-risk area or
- within 6-12 months of induction if working in a low-risk area.

Further information on how the employee can demonstrate competence in the in the food safety skills detailed below are provided in the relevant training guide.

1. Demonstrate the food safety skills required at Induction Level Stage I and II.
2. Outline the requirements necessary for bacterial growth.
3. Use time-temperature controls to prevent and control bacterial growth.
4. Describe foodborne illness and the factors which contribute to the incidences of it.
5. Implement the HACCP procedures in place.
6. Apply pest control in the work place.
7. Outline their legal food safety responsibilities.

Where applicable to the job:

8. Use hygienic procedures in receiving deliveries.
9. Ensure food safety during storage of food.
10. Ensure food safety during preparation of food.
11. Ensure food safety during cooking and cooling of food.
12. Ensure food safety during transportation.
13. Apply correct and appropriate cleaning procedures in maintaining a clean food operation.
14. Take all reasonable care to prevent cross contamination of products by food allergens.
15. Follow the procedure for dealing with recalled food products.
16. Deal with a food safety complaint effectively.
17. Co-operate with food safety auditors.
18. Use hygienic procedures when displaying/holding or serving food.
19. Deal with returns in a hygienic manner.
20. Use hygienic procedures in storing raw/in-process/processed food items.
21. Use hygienic procedures in storing ancillary items.
22. Apply the required heat treatment.
23. Label food correctly.
24. Take, label and store samples for laboratory analysis.
25. Test raw, in-process and/or processed food items to ensure food safety.

Food Handler Competence Standards – Level 3

Level 3 - Food Safety Skills for Management

A competent employee should be able to demonstrate Level 1 and level 2 Food Safety Skills before progressing to level 3.

Further information on how the employee can demonstrate competence in the in the food safety skills detailed below are provided in the relevant training guide.

Skills Required Prior to Management Training

1. Demonstrate the food safety skills required at Level 2 - Additional Skills Level.

Microbiology

2. Explain the importance of the growth requirements, benefits and dangers of microorganisms in the food operation.
3. Explain the purpose of food preservation.

Personal Hygiene

4. Demonstrate commitment to good food hygiene practice.
5. Promote a high standard of personal hygiene throughout the food operation.
6. Explain the implications of foodborne illness in the food operation.
7. Ensure food workers suffering from foodborne illness do not work in contact with open food.
8. Manage and maintain a procedure for the control of contractors and visitors.

Structural Hygiene

9. Identify or report structural deficiencies in the food operation.
10. Manage and maintain an effective pest control system.
11. Manage and maintain a satisfactory waste disposal system.

Food Safety Operations

- 12. Manage and maintain an effective cleaning programme.
- 13. **Where applicable to their job:** ensure food safety during product purchasing.
- 14. Ensure food safety during delivery receipt.
- 15. Ensure food safety during storage.
- 16. Ensure food safety during product preparation.
- 17. Ensure food safety during cooking/processing/cooling/holding/service of food.
- 18. Encourage good hygiene practice during the transportation of food.
- 19. **Where applicable to their job:** ensure products are labelled correctly.

Food Safety Operations

- 12. Manage and maintain an effective cleaning programme.
- 13. Where applicable to their job: ensure food safety during product purchasing.
- 14. Ensure food safety during delivery receipt.
- 15. Ensure food safety during storage.
- 16. Ensure food safety during product preparation.
- 17. Ensure food safety during cooking/processing/cooling/holding/service of food.
- 18. Encourage good hygiene practice during the transportation of food.
- 19. Where applicable to their job: ensure products are labelled correctly.

Food Safety Management

20. Manage and maintain the traceability system within their area of the food operation.
21. Recognise the significance of product threats/tampering for the consumer.
22. Manage/review food safety complaints effectively.
23. Implement company procedure for the withdrawal/recall of non-conforming food.
24. Take all reasonable steps to ensure the customer is aware of the presence of food allergens.
25. Review and follow up on results from laboratories.
26. Demonstrate an awareness of the legislative requirements relating to their business.
27. Implement and review the food safety management system (based on HACCP principles).
28. **Where applicable to their job:** conduct internal audits.
29. Provide assistance to internal and external auditors.
30. Provide assistance to enforcement officers.
31. Follow up non-conformances with corrective action.
32. Manage and maintain food safety documentation and records.

Staff Training and Management

33. Ensure the food safety training needs of staff are met.
34. Review the implementation of food safety skills by staff.
35. Monitor and maintain required standards of behaviour and performance with regard to food safety.
36. Establish and maintain effective working relationships with members of staff to ensure food safety.
37. Encourage the evaluation of food safety related activities.



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