

Appendix D:

In-depth background information

Key Food Act responsibilities

Council responsibilities	<p>Councils have primary responsibility for administering and enforcing the Act. This includes:</p> <ul style="list-style-type: none">• ensuring food premises within their municipality are registered (Part VI)• promoting the objectives of the Act, such as by educating owners and the public (Section 7A)• enforcing the requirements of the Act such as imposing conditions on registration (Section 39A), issuing orders (sections 19 and 19B) and infringement notices (Section 56A) and referring prosecutions (Section 45AC)• monitoring food premises including undertaking assessments (sections 19H and 19I), inspections (section 38B(c)) of food premises and food sampling (sections 22, 23 and 32)• reporting to DH (Section 7D).
DH responsibilities	<p>DH administers the Food Act. Section 7B states that its role is to facilitate the exercise of the powers and functions of the Secretary under the Act, promote the objects of the Act and its consistent administration and publish an annual report.</p>

DH and LGV statewide reporting

DH's annual report Figure D1 shows the information the Food Act requires DH to collect from councils and publish in an annual report on food safety.

Figure D1: Food Act reporting requirements

Activity	Statistics required to be reported
Fixed food premises	<p>Registration of food premises including the number of food premises:</p> <ul style="list-style-type: none">• newly registered• for which registration was renewed• registrations under each class of registration• for which registration was revoked or suspended.
Temporary and mobile food premises	<p>Registration of food premises operating from temporary food premises, mobile food premises or food vending machines.</p>
Food samples	<p>Analysis of food samples submitted by each council under Section 32 of the Food Act.</p>
Enforcement action	<p>Enforcement action taken by DH and each council, including:</p> <ul style="list-style-type: none">• the number and nature of infringement notices issued• the number of prosecutions and the nature of the alleged offences• the number of cases that resulted in either a conviction or a finding of guilt• the nature of any sentences or other orders imposed by the court.

Source: VAGO, based on the Food Act.

LGPRF

The LGPRF is a mandatory system of performance reporting for all Victorian councils managed by LGV. There are 58 service performance indicators across 15 common service areas, including food safety. The food safety indicators are:

- time taken to action food complaints – the average number of days it has taken for the council to action food complaints received from members of the public about the safety or handling of food for sale
- food safety assessments – the percentage of registered class 1 food premises and class 2 food premises that receive an annual food safety assessment
- cost of food safety service – the direct cost of the food safety service per food premises registered by the council, or of which the council has received notification, during the year
- critical and major noncompliance outcome notifications – the percentage of critical and major noncompliance outcome notifications followed up by the council.

From the 2023–24 reporting period, councils will also have to report on food safety samples – the percentage of required food samples obtained.

Public reporting of LGPRF performance

Councils publish the results of their performance against LGPRF food safety indicators in their annual reports. Results for all councils are available through LGV's website.
