



FOOD SAFETY POLICY

Best Practice – Quality Area

Purpose

This policy will provide guidelines for:

- effective food safety practices at Maribyrnong Kindergarten Inc. that comply with legislative requirements and meet best practice standards
- minimising the risk to children of scalds and burns from hot drinks.

This policy should be read in conjunction with *Nutrition, Oral Health and Active Play Policy*.

POLICY STATEMENT

1. VALUES

Maribyrnong Kindergarten Inc. is committed to:

- ensuring the safety of all children and adults attending the service
- taking all reasonable precautions to reduce potential hazards and harm to children attending the service
- ensuring adequate health and hygiene procedures are implemented at the service, including safe practices for handling, preparing, storing and serving food
- promoting safe practices in relation to the handling of hot drinks at the service
- educating all service users in the prevention of scalds and burns that can result from handling hot drinks
- respecting and accommodating the cultural, religious, and dietary needs of children and families, and embedding inclusive food practices wherever safe and feasible.
- complying with all relevant legislation and standards, including the [Food Act 1984](#) and [the Australia New Zealand Food Standards Code](#).

2. SCOPE

This policy applies to all individuals involved in handling, preparing, storing and serving food for consumption at Maribyrnong Kindergarten Inc., and to the Approved Provider, Nominated Supervisor, Certified Supervisor, educators, staff, students on placement, volunteers, parents/guardians, children and others attending the programs and activities of the service.

3. BACKGROUND AND LEGISLATION

Background

Food safety is very important in early childhood service environments. Young children are often more susceptible to the effects of foodborne illness than other members of the community. Foodborne illness (including gastrointestinal illness) can be caused by bacteria, parasites, viruses, chemicals or foreign objects that are present in food. Food provided by a children's service:

- must be fit for human consumption

- must not be adulterated or contaminated
- must not have deteriorated or perished.

Safe food practices can also assist in reducing the risk of a severe allergic reaction (e.g. anaphylaxis) by preventing cross-contamination of any food given to children with diagnosed food allergies (refer to *Anaphylaxis Policy* and *Asthma Policy*).

Organisations that provide food to children have a duty of care (refer to *Definitions*) to protect children from all hazards and harm. Employers are also required, under the *Occupational Health and Safety Act 2004*, to provide a healthy and safe working environment for employees and contractors, and to ensure that other individuals, including children, parents/guardians, visitors and the general public, are not endangered when attending the workplace. In addition, employees, visitors and contractors are responsible for complying with appropriate workplace standards and procedures that have been implemented to protect their own health and safety, and that of others.

The *Food Act 1984* aims to reduce the incidence of foodborne illness by ensuring that food manufactured, transported, sold, prepared and stored is safe, unadulterated, fit for human consumption and will not cause food poisoning. Under the Act, local councils in Victoria are required to classify every food premises in their municipality according to its food safety risk.

Early childhood services should confirm their food safety risk classification and related requirements with the local council in the area in which they operate.

Class 1 food premises describe those that predominantly handle potentially hazardous food that is served to vulnerable people. Early childhood services that provide long day care are included in the Class 1 category. Class 4 food premises describe those whose food handling activities pose low risk to public health. Sessional kindergartens are included in the Class 4 category.

Standard 3.3.1, in Chapter 3 of the *Australia New Zealand Food Standards Code* (the Code), is one of the national food safety standards that outlines the responsibilities of food businesses to ensure that the food they produce is safe. This particular standard applies to Australian food businesses that provide meals for vulnerable persons (those who are at greater risk of being affected by foodborne illness), such as the very young, the elderly and individuals who are immunocompromised due to disease or treatment for other illnesses. Standard 3.3.1 requires such businesses to have a documented food safety program (refer to *Definitions*).

Child care services that provide hot/cold meals and snacks are classified as Class 1 (high risk). Class 1 services must:

- ensure food that is sold or prepared for sale is safe to eat (this includes food provided to children as part of the program and included in the fees paid to the service by the family)
- register annually with the council
- be inspected by the council when first registered or when registration is transferred to a new proprietor
- have a food safety program that is tailored specifically to their activities as a food premises
- keep a copy of the food safety program on site
- appoint a food safety supervisor with the necessary skills and accredited training
- undergo two mandatory compliance checks each year:
 1. a council assessment of the premises and compliance with the documented food safety program
 2. an audit of the food safety program by a Department of Health-approved auditor to determine adequacy and compliance.

From 1 July 2010, Class 1 services can choose to have audits of their tailored food safety program conducted by an auditor approved by the Department of Health. This audit can be conducted by an independent private auditor or by a council auditor (if the relevant council offers audit services). The auditor is responsible for providing the statutory audit certificate to council and services must retain full audit reports for four years after they have been prepared. For more information about Class 1 food premises, services should contact their local council and refer to: [Food safety audits](#)

Sessional kindergartens supplying low risk snacks such as cut fruit, milk, bread and cereals are classified as Class 4 (low risk). Class 4 services are **not** required to have:

- a food safety program
- a food safety supervisor
- an annual council inspection.

However, Class 4 services must ensure that staff members have the skills and knowledge needed to safely handle food in their work roles. Council may also, at its discretion, inspect a premises under the *Food Act 1984* (e.g. to investigate complaints or conduct a spot check). Individual councils may also require services to complete a food safety audit or plan, especially when the service is operating a special event such as a sausage sizzle. For more information about Class 4 food premises, services should contact their local council and refer to: <https://www2.health.vic.gov.au/public-health/food-safety/food-businesses/food-business-classification/food-business-classification-predetermined>

Legislation and standards

Relevant legislation and standards include but are not limited to:

- *Australia New Zealand Food Standards Code*
- *Child Wellbeing and Safety Act 2005*
- *Education and Care Services National Law Act 2010*: Section 167
- *Education and Care Services National Regulations 2011*: Regulation 77
- *Food Act 1984* (Vic)
- *National Quality Standard*, Quality Area 2: Children’s Health and Safety
- *Occupational Health and Safety Act 2004*
- *Public Health and Wellbeing Act 2008*

4. DEFINITIONS

The terms defined in this section relate specifically to this policy. For commonly used terms e.g. Approved Provider, Nominated Supervisor, Regulatory Authority etc. refer to the *General Definitions* section of this manual.

Department of Health: The State Government department responsible for the health and wellbeing of Victorians, and with oversight of the administration of the *Food Act 1984*.

Duty of care: A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury.

Food allergies: Some foods and food ingredients, or their components, can cause severe allergic reactions including anaphylaxis (refer to *Anaphylaxis Policy*). Less common symptoms of food allergy include infantile colic, reflux of stomach contents, eczema, chronic diarrhoea and failure to thrive in infants. Food allergies are often caused by peanuts, tree nuts, milk, eggs, sesame seeds, fish and shellfish, soy and wheat. For more information on food allergies, visit: www.allergyfacts.org.au

Food safety: (In relation to this policy) ensuring food provided by the service is fit for human consumption.

Food safety program: A written plan that details what an individual business does to ensure that the food it sells or handles is safe for human consumption. A food safety program is an important tool for businesses that handle, process or sell potentially hazardous foods, as it helps to maintain safe food handling practices and protect public health. It should identify potential hazards in all aspects of food handling, describe how such hazards can be controlled/monitored, and define appropriate corrective action to be taken when a hazard is found to be under-managed. A food safety program must also include the requirements for appropriate record keeping. Class 4 services are not required to have a food safety program (refer to *Background*).

Food safety supervisor: A person who:

- can recognise, prevent and alleviate food handling hazards at a premises
- has a Statement of Attainment from a Registered Training Organisation (RTO) that confirms competency in the required food safety standards
- has the ability and authority to supervise other individuals who handle food at the premises to ensure safe food handling at all times.

Class 4 food premises do not need a food safety supervisor (refer to *Background*). However, they must ensure that staff members have the skills and knowledge needed to safely handle food in their work roles.

Food Standards Australia New Zealand (FSANZ): A bi-national Government agency with the responsibility to develop and administer the *Australia New Zealand Food Standards Code* (the Code), which details standards and requirements in areas such as food additives, food safety, labelling and genetically modified (GM) foods. Enforcement and interpretation of the Code is the responsibility of State/Territory departments and food agencies within Australia and New Zealand.

Hazardous food: Food containing dangerous biological, chemical or physical agents, or food in a condition that has the potential to cause adverse health effects in humans.

High-risk foods: Bacteria that have the potential to cause food-poisoning can grow and multiply on some foods more easily than others. High-risk foods include meat, seafood, poultry, eggs, dairy products, small goods, cooked rice/pasta and prepared salads (such as coleslaw, pasta salads, rice salads and fruit salads). Food that is contained in packages, cans or jars can become high-risk once opened, and should be handled and stored appropriately.

Hot drink: Any container holding a liquid that has been heated or boiled, and that remains above room temperature (25°C) for any period of time.

Scalds: Burns by hot fluids, steam and other hot vapours.

5. SOURCES AND RELATED POLICIES

Sources

- *Australia New Zealand Food Standards Code:*
<http://www.foodstandards.gov.au/code/Pages/default.aspx>
- *Department of Health – Food Safety.* Contact the Department of Health if your inquiry relates to general food compliance issues (and you don't know where to start) or you are looking for publications on food safety or information on legislation.
Telephone: 1300 364 352 (free call within Australia)
Email: foodsafety@health.vic.gov.au
Website: www.health.vic.gov.au/foodsafety
- Keeping food safe: <https://www2.health.vic.gov.au/public-health/food-safety/food-businesses/food-how-to-keep-it-safe>
- Food safety library: <https://www2.health.vic.gov.au/public-health/food-safety/publications-guides-resources>
- *DoFoodSafely* – a free online food safety program: <http://dofoodsafely.health.vic.gov.au/>
- *The Royal Children's Hospital Melbourne – Kids Health Info:* <https://www.rch.org.au/kidsinfo/>
Kids Health Info is part of the Family Services Department of The Royal Children's Hospital Melbourne, which also includes the Safety Centre, the Family Resource Centre and the Volunteer Service. Royal Children's Hospital Safety Centre, 50 Flemington Road, Parkville.
Telephone advisory line: (03) 9345 5085 or email: safetycentre@rch.org.au
- *Kidsafe Victoria:* For a fact sheet on scalds and burns, visit their website:
https://www.kidsafevic.com.au/wp-content/uploads/2019/09/117689_Kidsafe_Burns_Scalds_1-2_LoRes.pdf
Telephone (03) 9251 7725 or email: info@kidsafevic.com.au.

Service policies

- *Administration of First Aid Policy*
- *Anaphylaxis Policy*
- *Asthma Policy*
- *Dealing with Medical Conditions Policy*
- *Diabetes Policy*
- *Excursions and Service Events Policy*
- *Hygiene Policy*

- *Incident, Injury, Trauma and Illness Policy*
- *Interactions with Children Policy*
- *Nutrition and Active Play Policy*
- *Occupational Health and Safety Policy*
- *Staffing Policy*
- *Supervision of Children Policy*

PROCEDURES

The Approved Provider and Persons with Management and Control is responsible for:

- ensuring that the Nominated Supervisor, staff and volunteers at the service implement adequate health and hygiene practices, and safe practices for handling, preparing and storing food, to minimise risks to children being educated and cared for by the service (Regulation 77(1))
- contacting the local council in the service's area of operation to determine the service's food safety risk classification and requirements under the *Food Act 1984*
- complying with all requirements of the service's food safety risk classification under the *Food Act 1984*, as outlined by local council, including implementing a food safety program and employing a food safety supervisor if required (refer to *Background* and *Sources*: Department of Health – Food Safety)
- providing parents/guardians with a copy of this policy, and with up-to-date information on the safe provision of food for their children (refer to *Sources*: Department of Health – Food Safety: Food safety at home and in the community)
- ensuring that the Nominated Supervisor and all staff are provided with a copy of this policy and are kept up-to-date with current legislation, standards, policies, information and resources relating to food safety
- ensuring that staff undergo training in safe food handling, as required
- monitoring staff compliance with food safety practices (refer to *Sources*: Department of Health – Food Safety: Keeping food safe)
- encouraging volunteers to complete training in safe food handling techniques (refer to *Sources*: DoFoodSafely)
- ensuring that good hygiene practices are maintained at the service (refer to *Sources*: Department of Health – Food Safety: Keeping food safe and *Hygiene Policy*)
- displaying hygiene guidelines/posters and food safety guidelines/posters in the food areas of the service for the reference of staff and families involved in the preparation and distribution of food to children (refer to *Sources*: Department of Health – Food Safety: Keeping food safe and *Hygiene Policy*)
- ensuring that this policy is referred to when undertaking risk assessments for excursions and other service events
- ensuring measures are in place to prevent cross-contamination of any food given to children with diagnosed food allergies (refer to *Anaphylaxis Policy* and *Asthma Policy*)
- identifying potential hazards that may reasonably be expected to occur at each stage of the food-handling and preparation cycle, and developing procedures to minimise these hazards. Stages of the cycle include ordering, delivery, storage, thawing, preparation, cooking, cooling, handling post-cooking, reheating and serving
- ensuring that all facilities and equipment for food preparation and storage are clean, and in good repair and working order
- providing a calibrated thermometer in good working order, suitable for monitoring the temperature of the fridge/freezer in food preparation areas. Glass thermometers containing mercury are not recommended in or near food preparation areas
- contacting the local council to determine requirements prior to selling food at a fête, food stall or other service event. Such requirements may include completing a Food Act notification form and/or a statement of trade form
- removing pests and vermin from the premises
- informing DET, DHS and parents/guardians if an outbreak of gastroenteritis or possible food poisoning occurs at the service

- informing families of the availability of cold storage facilities at the service to ensure parents/guardians make suitable food choices when supplying food for their own child, or for children to share
- ensuring staff, parents/guardians and others attending the service are aware of the acceptable and responsible practices for the consumption of hot drinks (refer to Attachment 1 – Responsible consumption of hot drinks at the service).

The Nominated Supervisor and Persons in Day to Day Charge is responsible for:

- ensuring that staff and volunteers at the service implement adequate health and hygiene practices, and safe practices for handling, preparing and storing food, to minimise risks to children being educated and cared for by the service (Regulation 77(2))
- ensuring parents/guardians provide details of their child’s specific nutritional requirements (including allergies) on the enrolment form, and discussing these prior to the child commencing at the service and whenever these requirements change
- keeping up-to-date with current legislation, standards, policy, information and resources relating to food safety
- ensuring staff undergo training in safe food handling and good hygiene practices, as required
- encouraging volunteers to complete training in safe food handling techniques (refer to *Sources: DoFoodSafely*)
- ensuring this policy is referred to when undertaking risk assessments for excursions and other service events
- ensuring students, volunteers, and casual and relief staff at the service are informed of this policy.

All

Educators and other staff are responsible for:

- keeping up-to-date with current legislation, standards, policy, information and resources relating to food safety
- being aware of safe food practices and good hygiene practices (refer to *Sources: Department of Health – Food Safety: Keeping food safe and Hygiene Policy*), and undergoing training if required
- referring to this policy when undertaking risk assessments for excursions and other service events
- informing students, volunteers, and casual and relief staff at the service about this policy
- ensuring that children’s lunch boxes are kept indoors, away from heat sources (including direct sunlight) and refrigerated if necessary
- discussing food safety with children to increase awareness and assist in developing safe practices
- discouraging children from sharing drink bottles or cups at the service
- ensuring that children do not share lunches to minimise risks in relation to children with food allergies
- providing adequate supervision of children while they are eating (refer to *Supervision of Children Policy*)
- teaching children to wash and dry their hands (refer to *Hygiene Policy*):
 - before touching or eating food
 - after touching chicken or raw meat
 - after using the toilet
 - after blowing their nose, coughing or sneezing
 - after playing with an animal/pet
- integrate child-friendly food safety education, including stories, role-play, and hygiene games. Children may be given age-appropriate responsibilities such as ‘snack helper’ to foster awareness.
- encouraging parents/guardians to discuss a child’s nutritional requirements, food allergies or food sensitivities, and informing the Nominated Supervisor where necessary
- seeking input from parents/guardians on cultural values or religious expectations regarding food handling, provision and consumption
- informing the Nominated Supervisor or Approved Provider of any outbreaks of gastroenteritis or possible food poisoning at the service

- removing hazardous food (refer to *Definitions*), including food that has fallen on the floor, and providing alternative food items
- documenting and implementing a food safety program (refer to *Definitions*), if required
- maintaining good personal and kitchen hygiene (refer to *Sources*: Department of Health – Food Safety: Keeping food safe and *Hygiene Policy*)
- covering all wounds/cuts on hands or arms with wound strips or bandages
- wearing disposable gloves when handling food
- complying with the guidelines in relation to the consumption of hot drinks at the service (refer to Attachment 1 – Responsible consumption of hot drinks at the service)
- informing parents/guardians and visitors to the service about the guidelines in relation to the consumption of hot drinks at the service (refer to Attachment 1 – Responsible consumption of hot drinks at the service).

Parents/guardians are responsible for:

- washing hands prior to participating in food preparation and cooking activities
- ensuring that food preparation surfaces, utensils, lunchboxes and reusable drink bottles are clean
- washing all fruits and vegetables thoroughly
- wearing disposable gloves when handling food
- packing a cold item, such as a frozen water bottle, with perishable foods in a child's lunchbox, or using an insulated lunchbox or cooler
- complying with the requirements of this policy
- providing details of specific nutritional requirements (including allergies) on their child's enrolment form, and discussing these with the Nominated Supervisor prior to the child commencing at the service and whenever these requirements change.

Volunteers and students, while at the service, are responsible for following this policy and its procedures.

EVALUATION

In order to assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- monitor and investigate any issues related to food safety, such as reports of gastroenteritis or food poisoning
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notify parents/guardians at least 14 days before making any changes to this policy or its procedures.

ATTACHMENTS

- Attachment 1: Responsible consumption of hot drinks at the service

AUTHORISATION

This policy was adopted by the Approved Provider of Maribyrnong Kindergarten Inc. on 14th August 2025

Review date: August 2028

ATTACHMENT 1

Responsible consumption of hot drinks at the service

Services should adapt this attachment and its procedures to suit their specific circumstances.

Scalds and burns from hot liquids are a common cause of hospital admission in 0 to 4 year olds. A child's skin is thinner and more sensitive than an adult's and will therefore experience a more severe burn (refer to *Sources*: Kidsafe fact sheet). Children's natural curiosity, impulsiveness, mode of reaction and lack of experience in assessing danger are contributing factors to the vulnerability of children at this age.

Common scenarios that can lead to a child being scalded include when a child pulls a cup of tea, coffee or hot water from a table or bench, or when a child runs into a person holding a hot drink resulting in the hot drink spilling over the child's body.

The consumption of lukewarm drinks or the use of lidded cups/mugs in areas accessed by children should be considered with caution, as this is not necessarily a safe practice and might give the impression that it is acceptable to consume hot drinks around children.

GENERAL GUIDELINES

The Approved Provider, Nominated Supervisor and all staff are responsible for:

- ensuring that hot drinks are only prepared and consumed in areas inaccessible to children, such as the kitchen, staffroom and office
- ensuring that hot drinks or soups are not consumed in children's rooms, outdoor areas or any other area where children are in attendance or participating in the program, and that care is taken if hot liquids need to be taken through the children's room to be consumed elsewhere
- informing parents/guardians on duty, visitors to the service, students, volunteers and any other person participating in the program of the service's hot drink procedures and the reasons for such procedures
- ensuring that children enrolled and participating in the program do not have access to areas of the building that are likely to be hazardous, including the kitchen, staffroom and office
- ensuring that parents/guardians attending the service actively supervise children in their care who are not enrolled in the program, including siblings
- ensuring that at least one educator with current approved first aid qualifications is in attendance and immediately available at all times that children are being educated and cared for by the service
- educating service users about the prevention of burns and scalds by providing relevant information (refer to *Sources*: Burns and scalds – children and Kidsafe fact sheet), including appropriate first aid for scalds
- implementing safety procedures in relation to hot drinks at service events occurring outside operational hours, including:
 - offering alternative drinks for adults e.g. juice, water or iced coffee
 - safely locating urns, kettles and power cords out of reach of children
 - preparing and consuming hot drinks in an area inaccessible to children
 - ensuring a person with current approved first aid qualifications is in attendance for social events held outside operational hours.