



Food Safety:

Maximising impact by understanding the food business context



February 2014

Project Reference Group

Research partners:

- Australian Centre of Excellence for Local Government (ACELG);
- Queensland University of Technology (QUT);
- Logan City Council (LCC);
- Redland City Council (RCC);
- Sunshine Coast Council (SCC);
- Ipswich City Council (ICC); and
- Environmental Health Australia (Queensland) Incorporated (EHA (QLD) INC).

Project contributors

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Preface

One of the most important objectives of the Australian Centre of Excellence for Local Government (ACELG) is to support informed debate on key policy issues. We recognise that many councils and other local government organisations are not always able to undertake sufficient background research to underpin and develop sound, evidence-based policy. **ACELG's research papers** seek to address this deficit. The research papers take a variety of forms, depending on their purpose.

This report, ***Food Safety: Maximising Impact by Understanding the Food Business Context*** considers the multiple roles councils, businesses and employees play in what is a core service industry in society – the preparation and service of food and meals. It provides valuable insights from business owners and food handlers that will assist council Environmental Health Officers in their day to day work.

Ensuring the health of individuals and communities is fundamental to the work of local government and councils, in addition to their integral role in the administration of food safety legislation nationwide. ACELG was keen to partner with the Queensland University of Technology, Environmental Health Australia and our partner councils to further understand how to improve food safety in the community, and develop a set of tools and guidelines for councils to use in promoting a proactive engagement with food safety.

ACELG and the project partners welcome feedback on this paper and encourage local governments across the country to consider using the attached ***Food Safety Strategy Template*** to develop and implement a food safety strategy for their community.

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Executive summary

In Australia there are 5.4 million cases of food-borne illness annually which costs the community \$1.2 billion per annum (Department of Health and Ageing 2006). As a co-regulator in food safety, local government has a significant interest in ensuring adherence to good food safety practices.

This research project involved focus groups or interviews with food business operators and young food handlers to explore their food safety understanding, attitudes, practices and the organisational culture in which they participated. By its nature qualitative research is not intended to provide definitive generalizable findings. Rather the advantage of a small sample size qualitative study is to provide depth rather than breadth. Thus the findings here provide insight into the complexities and nuances of food safety regulation in a manner which a large scale quantitative study could not.

Section 2 provides a detailed account of the research findings regarding food **business operator's understanding, attitudes and beliefs regarding food safety, as well as their experience of food safety regulation.** Food business operators who participated in this research indicated that they believed food safety is important. **However, there was divergence in what 'food safety' meant to participants. The term 'compliance' was found to be used in different ways – many businesses viewed obeying the instructions of an Environmental Health Officer (EHO) provided during an inspection as being compliant, whereas local governments generally view regulatory compliance as ongoing adherence or conformance to the Food Safety Standards (FSS).** The possible use of different terminology to gain a consistent **understanding of councils' expectations of food businesses is discussed** in section 4.

In section 3 **an overview of the young food handler's understanding,** attitudes and perceptions of food safety is provided. It was found that their age, relationship with employers, length of service and the dynamics of a workplace could, at times, **impede a young worker's confidence and capacity to address unsafe food practices.** The young food handlers involved in this study believed food safety was important and advised that ongoing contemporary training that reflects their learning needs, and includes opportunities to work through practical scenarios and on-the-job application of skills would be beneficial. The significant role of managers in setting workplace culture in relation to food safety was also noted.

The research reported here describes a complex array of factors that influence food safety practices. Local **government systems and processes and EHO's interpersonal skills** were noted to significantly influence how food business operators perceived the council and EHO, and in turn, food safety practices. For example, EHOs are seen to be highly knowledgeable when they are able to collaborate or develop solutions with business owners that will enable full compliance with the laws and are responsive to the context of the individual **business. Business owner's relationship with an EHO also influenced their effort in ensuring compliance and the likelihood they would engage with EHOs to help resolve issues.** When a good relationship existed with an EHO, business owners may be more willing to take a proactive approach to ensuring food safety in their business.

Several contradictory desires expressed by food business operators highlight the complexity of food safety regulation. For example, businesses wanted EHOs to be consistent, but to develop customised solutions for individual businesses. These types of issue, as well as the numerous other issues described and discussed in this report, are difficult for local government to address. However, it is necessary

to gain a deeper understanding of the food business context in order to be able to effectively influence food safety outcomes. That is the purpose of this research.

It is concluded that local government needs to adopt a holistic approach to food safety that considers all factors that influence food safety outcomes. A customisable food safety strategy template and accompanying guidelines have been developed to assist local governments implement such an approach.

1 Introduction

1.1 Background

In Australia there are 5.4 million cases of food-borne illness annually which costs the community \$1.2 billion per annum (Department of Health and Ageing 2006).

Local governments in all States are co-regulators of food safety and are responsible for inspecting most food businesses. However, serious non-compliances with food safety legislation continue to occur (Queensland Health 2011; SA Health 2011) despite local government undertaking educational activities and routine inspection programs. This indicates that these food safety interventions have limited success in changing the behaviour of some food business operators.

Sparrow (2000, p.20) notes '**For regulators, continuing in a traditional, enforcement-centred mode – given the constraints of shrinking budgets, declining public tolerance for the use of regulatory authority, and clogged judicial systems – is now simply infeasible.**' Food safety compliance inspection programs are also resource intensive and local governments face ongoing challenges associated with limited resources, competing priorities, frequent legislative change, increasing service expectations from other levels of government and the community, and changing community standards. Consequently, whilst regulation and enforcement will remain important in food safety, there is a need to develop other mechanisms to improve food safety practices which are founded on an increased understanding of the food industry.

This research project was designed to enable increased understanding of the local food industry. The insights gained from this research can be used to inform evidence-based practice to improve food safety outcomes. To support local governments with this, a food safety strategy template and accompanying guideline have been developed. The template is customisable and may help local governments deliver a more effective service through the implementation of a holistic food safety strategy. This approach is more likely to meet council, community and industry expectations in the future.

1.2 Research questions

How is food safety thought about by food business operators and their employees?

How could this 'insider' knowledge be better harnessed to improve food safety?

What would it take to improve food safety practices apart from regulation and compliance?

How might local government bring together 'bottom-up' understanding of food business operations with 'top-down' regulation into a practical template for food safety improvement?

1.3 Research approach

An action research methodology was selected as it focuses on addressing a specific problem by changing the status quo through examining potential solutions to identify which may work best (Merriam 2009; Patton 2002; Rubin & Rubin 2005). Action research also emphasises collaboration and empowerment (Liamputtong & Ezzy 2005; McNiff & Whitehead 2011).

In action research new insights are used to develop theories which inform actions (McNiff & Whitehead 2011). This research project produced new knowledge

regarding factors that influence food business operator's behaviour in relation to food safety and young food handler's understanding, attitudes and practices relating to food safety. This information informed the development of a customisable food safety strategy template.

1.3.1 Focus groups/interviews with young food handlers

Young food handlers often work during evenings and on weekends, i.e. times that local government Environmental Health Officers (EHOs) generally do not conduct inspections. It is also known that young people's knowledge of food safety may be limited (Byrd-Bredbenner et.al., 2007) and that limited training, stress and fatigue within the food services industry may add to food safety concerns.

Young food handlers are often employed on a casual basis and therefore are vulnerable in terms of their employment. Consequently it was essential to engage them independently of their employer.

Focus groups/interviews were conducted with young people who are or have recently been employed within the food industry. A pilot focus group was conducted with young food handlers studying at the Queensland University of Technology (QUT) Kelvin Grove Campus. The remainder of the focus groups and interviews were conducted with young food handlers from Logan City Council, Redland City Council and Sunshine Coast Council areas. The research team attempted to recruit young workers from these local government areas, but with limited success. Subsequently, an alternate recruitment process was used and an additional two focus groups were conducted.

When multiple participants were recruited a focus group was conducted. In cases where only one participant was recruited an interview was conducted. The focus groups and interviews were guided by a semi-structured enquiry schedule. The interview schedule is included as Appendix 1.

The purpose of these focus groups/interviews was to better understand young food handler's experience as workers in the food industry. The discussions explored their food safety knowledge, attitudes, practices and the culture in which they participated.

In total 21 young workers ranging in age from 15-26 (most were 15-21) were engaged in this study.

1.3.2 In-depth interviews

Developing a detailed understanding of the food business operator context and the factors that influence their behaviour was critical to the success of this research. Traditional forms of industry consultation (e.g. public meetings, focus groups) were unlikely to engage minority groups and business operators with a poor history of compliance. Consequently, business operators and managers were engaged through semi-structured in-depth interviews focused on understanding their current attitudes and beliefs regarding food safety. The interview guide is attached as Appendix 2.

The focus of this research was to better understand the context of food business operators who find it difficult to meet the legislated food safety standards and to identify strategies that could support behaviour change in such businesses. Therefore all participants were from businesses in which one or more food safety non-compliance (i.e. not including administrative or minor structural non-compliances) was noted during their last council inspection. Non-compliant businesses also pose a higher risk to councils and the community, and require more resources to regulate. Compliant food businesses were not included in this research as existing strategies have been effective in achieving their compliance.

Operators of compliant food businesses are also easier for councils to engage because of their positive relationship with the council.

Due to the confidentiality requirements contained in the Queensland *Food Act 2006*, details of food businesses that had at least one non-compliance during their last council inspection were obtained through the *Right to Information Act 2009* or the *Information Privacy Act 2009*.

Stratified purposive sampling was initially used to select participants who represented the diversity of non-compliant food businesses. The strata used were business type, location, level of non-compliance and likely cultural background (if clear in the Council data provided). If a business declined to participate a similar business in the area was approached.

Interviews were conducted with 29 food business owners/managers from the jurisdictions of the local government research partners, i.e. Logan City Council, Redland City Council, Sunshine Coast Council and Ipswich City Council.

1.4 Strategy template development

The research findings were used to identify the matters that may need to be considered by local governments when developing a holistic food safety strategy. This information has been documented in a customisable food safety strategy template and accompanying guideline for local governments.

2 Food business operators' understanding, attitudes and beliefs regarding food safety

The food business operators who participated in the interviews worked in a variety of business types including:

- Supermarkets;
- Convenience store;
- Coffee shops/cafés;
- Restaurants;
- Fast food/take-away businesses;
- Patisserie/bakeries;
- Juice/beverage business;
- Organics shop;
- Accommodation premises serving food;
- Catering; and
- Sporting club.

The size, business structure, years of experience and cultural background of the participants varied as shown in table 1.

Table 1: Business structure, years of experience and identified cultural background of business operator participants.

Business structure		Years in business		Identified cultural background	
7 x	Company owned	6 x	Less than 1 year	13 x	Australian
2 x	Franchise	3 x	1-2 years	2 x	Chinese
7 x	Privately owned	9 x	3-5 years	2 x	Indian
12 x	Family owned	6 x	6-10 years	2 x	Korean
1 x	Not-for-profit organisation	5 x	Over 10 years	2 x	Vietnamese
				8 x	Other (including other Asian, Pacific Island and European cultures)

The following section of the report details the research findings in relation to food **business operator's understanding, attitudes and beliefs** regarding food safety. The business context and **meanings of 'food safety' and 'compliance' are explored. This is followed by the findings relating to the food business operator's experience** of food safety regulation including inspections, and their relationship with the Council and EHOs. The importance of EHO skills and knowledge is also described. Improvements to improve food safety which were suggested by the food business operators are also outlined.

2.1 The Business Context

There is no doubting that the diversity of business contexts, particularly in terms of size, plays an enormous role in how food safety regulation is experienced. All food businesses reported the challenge of grappling with competing and often complex priorities related to employing staff, managing suppliers, meeting increasing cost burdens, remaining competitive, providing high quality products at affordable prices and working long hours. Thus some of the comments about the regulation of food safety were really as much about a broader picture of small business operation and the role of government in either supporting or hindering their operation. The following quote captures this broader sentiment.

"There is not enough support for small businesses. Instead of looking at problems they just try to get revenue out of us. All these regulations and taxes bombard us; there should be incentives to stay in business."

It's important to note that in none of the interviews did people suggest that corners should be cut on food safety. Indeed a number of the participants were very clear about the importance of maintaining attention on food safety as exemplified below:

"The administrative side can be arduous but you have to do it. There can't be any shortcomings because once you take a shortcut in one place the standard does go down. Once you start to level off or become a bit slack in some areas it's very hard to pull back the standard - it has to be there all the time."

Nevertheless, our results also have shown a substantial diversity in understanding of food safety and a consequent diversity in how food safety is then prioritised and managed. Our point here is that any notion of 'non-compliance' applied here should not be interpreted as any resistance to the idea of the importance of food safety. There was a strong uniformity that food safety was important to business. Indeed its direct relationship to their sustainability was described in very direct and personal terms.

"For a small business it would mean everything. The chef is the owner and he takes it as seriously as does the rest of the kitchen."

A participant working in a larger business also felt a strong level of personal responsibility in relation to food safety.

"Massive implications from head office – reports, action plans and personally held responsible."

For small food businesses, the burden of running the business was ever present and required long hours, which meant time was a premium resource which needed to be shared across multiple aspects of the business. For owner operators, long hours were given to daily operations, which meant that administrative/management functions of operation represented another layer of work on top of an already busy day. Moreover, time spent in the daily routine of being able to open the business and also close it down were also additional commitments of time on top of the hours of opening. Food safety practice potentially spans all of these dimensions of daily routines. The sheer sense of tiredness for small food business operators was a regular feature of their narratives as exemplified in the following quote.

"Because there is just three of us in our business and we work very long hours we finish late at night we find the cleaning and closing down process at times very difficult, we are very tired."

Some businesses also expressed concern about other issues such as personal security which may impact on their willingness to remain in the business to clean during the evening.

"I'm worried about being here on my own, am worried about my own safety and security here in the business."

Business context also related to the connection between the business and its local community. Understandably many spoke about the importance of retaining their customer base. This held extra significance in smaller communities for example:

"This is a small town – words gets around...You risk everything by cheating."

The broader economic context also meant that food business operators regularly felt a sense of having to continually do more with less. Downturns in demand were felt heavily both in terms of negative financial impact and additional pressure on time. The importance of food safety was regularly cited as intrinsically linked to financial success. For example:

"We know we could lose our business and we do not want that, we have worked very hard to set this up; we also don't want to have people getting sick. We want to have a good reputation and a successful business."

The challenge of food safety was not unlike other challenges for small food businesses in that it was time consuming, hence efficiency of processes and belief that what was being asked of them was genuinely important was very much a critical part of their assessment of food safety compliance which directly related to the context of the business.

Some small businesses, particularly operators from culturally and linguistically diverse (CALD) backgrounds, found it difficult to understand all the requirements of setting up a food business and consequently relied heavily on the advice of EHOs. By following the advice of the EHO they were able to get their licence and start operating. This system rewards 'obedience' with the EHO's instructions and may inadvertently be establishing a system where business operators rely on council EHOs to tell them what to do during each inspection rather than proactively managing food safety risks.

Another aspect of complexity and potential burden in meeting food safety requirements which relates to the business context are the potential challenges related to building repairs/renovations since these sorts of problems can be very expensive and other parties can hold significant positions of influence and control, hence they also require significant planning and negotiation to accomplish. Consider for example the scenario outlined below.

"Sometimes it's hard to comply with Council laws, they want our kitchen set up in a certain way but it's difficult to arrange. We have a grill that is next to the fridge for sandwiches, but a cold cabinet is next to the sandwich maker where our salad and cheese items are stored. The food safety officer wants us to remove this cold cabinet because of the heat generated from the sandwich maker. It is not practical for our kitchen to change the set-up. The grill is not on all the time and the cheese is usually always used in one day anyway."

For those food businesses leasing their premises, they must negotiate with landlords regarding building repairs and renovations which means responding to food safety concerns is not necessarily straightforward. There was also the challenge of meeting the regulatory requirements in both building codes and food

safety, which both work to different logics, hence some participants expressed concerns about the possibility of contradictions. Certainly for new food businesses, the opportunity to co-ordinate advice about building codes and food safety requirements so that the design of new premises could meet multiple regulatory requirements as a whole package rather than as discrete areas of concern was an obvious area of council practice that might be developed in some areas as a means to both ease the regulatory burden, and to ensure best practice is designed into new premises.

2.2 Food safety training

Due to the number of competing priorities within food businesses there was the potential for business operators to devalue food safety training. However, the business operators who participated in this study believed food safety training supported the business to comply with food safety requirements and therefore was important. However, the cost associated with training staff was significant.

"The turnover of staff is a big problem for training. You train them and they leave. As a result they probably never get enough training to know what they should know but that's not unusual for this industry."

Some business operators were surprised that they had to train staff in issues that they considered 'common sense'.

"I taught them what to do. Sometimes they don't realise everything for example hygiene they might sneeze and suck their fingers, I was very surprised that I had to tell them things like that. I realised that I would have to teach them how to prepare food but not about hygiene."

One of the larger food businesses showed commitment and innovation when training staff by adapting an online program to help staff with limited capacity to read and write in English.

"Recently we hired five people from the [International English School] who were here on visas with very limited English. They were some of the best workers we ever had. The language barrier was the hard thing in training those staff; it took us a while to figure out what they did and did not understand. Because so much of the training is online they simply couldn't read it. We had to work around that – that was one of our biggest challenges. We developed a program that's now been adopted company wide –training for staff in languages other than English. We modified the program so that you can get the question spoken to you rather than reading them."

Overall, food business operators indicated they preferred training that:

- is relevant and practical,
- includes theory and practice tailored to a business focus,
- is accessible, affordable and understandable (offered in languages other than English), and
- involves mixed modes of delivery.

A need for refresher training was also noted.

2.3 Meanings of food safety

Despite food safety being a highly regulated sphere of public health, meanings of food safety were highly inconsistent. Since food safety encompasses a multitude of issues, it was apparent from interviews that for many food businesses it was difficult for them to integrate this multitude of food safety issues within an overarching framework. It was also evident that food safety was not thought of independently to food quality and customer service. Thus there were a variety of angles on food safety expressed when we asked participants about what food safety meant to them. Below is a selection of these diverse responses.

"Hot food hot – cold food cold. We ensure that our customers get what they order every time."

"It means keeping things clean, we are always cleaning but this is hard to do when we are really busy."

"The number one priority is taking care of personal hygiene."

"You just do it. I don't put a lot of thought into it."

"It's of key importance because we are using lots of raw products and lots of eggs. We don't use chicken or we don't use seafood. All of the meats used on the premises are cooked."

"Food has to be fresh and rotated; even if it's fresh I personally smell the food. If there is any sign of ageing throw it away."

"If anything is out of date we won't use it."

"Covering up food and using fresh vegetables."

These particularities of food safety often seemed to follow not just the potential priority areas of different kinds of food businesses, but also followed recent experiences of inspections from EHOs. Thus if the inspection focus seemed to be regularly on cleanliness, then food safety was described in those terms; if the focus seemed to be on temperature control, then this seemed to underscore the perception of what food safety meant. Equally some participants were very clear that they only knew what food safety meant in their particular area of food practice, for example:

"Everything you need to know to keep the fresh food, where to keep your supplies, everything to run a bakery. I would not know what it meant for another business, for example a sushi shop. It would be all different."

Broader overarching meanings of food safety were often more apparent in larger businesses and in franchise businesses, where a more systematic overarching framework for food safety was more established. The responses below reflect this more 'managed' stance both in content and language.

"It means providing good healthy food, proper storage, serving the food properly, avoiding ill health, using fresh product. We use a similar recipe to the franchise company but sometimes we modify it."

"It's all about the business regardless of what section you work in, it's our business regardless of what section you are working... Staff are the eyes and ears of the store –they need to be on top of everything. It's about storage, delivery, handling, shelf life, rotation, monitoring..."

[It's about] "... making sure no one gets food poisoning –we just go through a routine, once you get it, everything follows."

For another group of participants, food safety was described more in terms of 'following the rules' of regulation rather than a focus on food itself. Thus those who answered in this way emphasized compliance.

"At the end of the day we don't have a job if we don't have food safety. We have to fit by the guidelines that are brought out to us. That means everything to us; we are striving to be 100% compliant with everything we do."

"I run the shop the way they say it to me – I make sure the temperature control [is] 60 degrees"

"Following the regulations of Council and ensuring good quality service to customers."

This diversity of responses about the meaning of food safety reflects the diversity of food business contexts, but also suggests that the compliance regime in food safety has not generated a deeper more consistent understanding among many food businesses. It was clear in many of the responses that where a deeper integrated understanding of food safety was not present then people drew on their own 'common sense' appraisals of food safety in relation to their local context. Not surprisingly, when we asked participants about how they achieved food safety, their answers tended to follow on from how they had described what food safety meant to them. Thus if food safety 'meant' temperature control, then doing food safety would mean just that, monitoring food temperatures. Equally if food safety meant cleanliness, then doing food safety meant cleaning. Thus the same kind of diversity was apparent in doing food safety as thinking about it.

"It's common sense, it comes easy to me. If you have a good product that's cooked properly and in a clean place it's not difficult."

"Every night before I leave I make sure things are tidy, everything is put in the fridge and things are clean."

"We have the temperature checklist that we have to complete at certain times of the day, ten years ago you never had to do this."

"We keep our pest control up-to date, we have our grease trap cleaned every six weeks, we have the oil filters cleaned and changed every five weeks. The kitchen and the canopy and everything are cleaned regularly. I know I'm doing the right things."

Equally, for those who were more focused on demonstrating compliance, doing food safety usually meant following a specific food safety audit procedure:

"We have our critical control points – HACCP¹ Regulations. We have to check our control points numerous times a day. Temperatures are checked every couple of hours... We have alarms in all our equipment which indicate if temperature changes."

"We have a log record called a [title of document] – get the staff to check the toilets, the gardens etc roughly every 20 minutes one of

¹ HACCP stands for Hazard Analysis and Critical Control Points. HACCP is a methodical and proactive food safety system that is internationally respected. HACCP is used to identify food safety hazards and methods for controlling such hazards so that the food produced is safe. It is common for multi-national and national companies and franchises to implement HACCP systems.

us will have a walk-through and check that everything is done – three an hour is what we aim for.”

“We have regular audits - 760 questions - it’s very in-depth. Head Office check that actual routines are in place. As part of the audit they will check the records for the past 14 days to make sure temperatures have been recorded. If you miss one day, that is an issue...”

2.4 Culture, language and food safety

Having already identified that there is generalised diversity of understandings of food safety, we also identified that for the many small food businesses operated by CALD owners, that there are additional cultural dimensions to the spread of understandings of food safety. Whilst there is significant acknowledgement of the link between culture and food in terms of nutrition, there is a dearth of understanding of how culture influences food safety practices. In this study it was common for CALD food business operators to report a struggle with meeting food safety regulations. This was in part a product of a perception that Australian food safety standards were very high and therefore difficult to meet, but also involved different cultures of practice in regard to food handling, storage and cooking. In addition, for those who had limited abilities in English language, the capacity to communicate food safety regulations through the provision of adequate training and support are real barriers for this group. Hence, together these factors make for a group with their own particular needs in regards to food safety.

Part of the challenge for some of the CALD participants in terms of food safety was that the regulation of food safety was a new phenomenon for them. There was a common view within this group that standards were very high in Australia.

“Much stricter here than in China... More things that we have to do to keep businesses running like licences.”

The quote below reflects this view but also hypothesizes that perhaps people are perhaps less likely to be sick elsewhere in the world.

“There is a very high standard here for hygiene compared to other countries. In Vietnam, people don’t get sick from food over there like they do here.”

Moreover food safety was often seen as ‘common sense’ and for those who had prepared food all their lives, food practices were deeply ingrained.

“I just try to prepare food traditionally: I cook the way that I was taught in my country. A lot of what I had to do or learn has been because of what Council has told me to do.”

“I’ve done extensive cooking, our background being Greek we love food with being brought up at home to cook. Our shop is clean with the staff that we employ I’d rather have them cleaning up rather than cooking.”

Sometimes CALD food businesses found that EHOs were not familiar with their food and therefore sometimes gave uninformed advice. One CALD participant explained that the EHO did not understand how a traditional food should be prepared.

“I had to demonstrate the issues to them to ensure the Council officers understood the issues. Once they did and they knew what I was talking about and together we were able to develop a solution.”

For those who were still in the process of developing their English proficiency, the written based nature of the available on-line training in food safety remained a major barrier. Several of the CALD participants had to resort to creative ways of managing this barrier. Thus a number noted that they had had to organise another member of their family who was more proficient at English to do the on-line training, so that the business could meet the requirement to have someone with food safety supervisor training. Sometimes this person was not intensively involved in the business, but since they had the capacity to pass the test, they were given this responsibility. As the quotes below show for these food businesses, the language barrier is a real problem and their options to deal with this are limited.

"When I enrolled to do the [food safety] training I told them my English was not good. I can speak okay but have trouble reading and writing in English. They said that I would be okay. I went to [name of training organisation] for course and ended up failing the test because I could not answer any of the questions. So now I have had to send my sister to do the course."

"My daughter is doing the food safety training online – I haven't done the program because I don't understand a lot of English so I sent her instead. You have to do it, if someone doesn't have a licence you can get into trouble from Council. I don't understand this, she doesn't work in the business with me, but they said that someone had to have a licence so I had no choice but to send her instead."

Clearly this kind of 'solution' to the challenges of language is problematic at multiple levels. As noted in section 2.2 one of the larger food businesses solved the challenge of communicating with non-English speaking background staff via the provision of a modified training program in which spoken English was found to be a satisfactory mode of training. Clearly this is a comprehensive solution which is much more likely to result in the food handlers understanding important food safety information.

Finally, many of the CALD food businesses face not only the challenges that all small food businesses can face, but also must contend with unfamiliar social, cultural and political circumstances. Moreover for some, their success in their business must not only realise a living for their own family living in Australia, but they must also continue to support their family living elsewhere in the world:

"I don't know what I would do; this is the only thing we know how to do. We also support family in home country and I also support my children. I have four children. Without this business it would not only mean a risk to my immediate family but to my family back home".

It's clear from these insights that CALD food businesses face particular challenges which require a specialised focus. It's important to acknowledge that such businesses are not only important for the families who run them, but they also often provide a food supply appropriate to the needs of their communities and yet also provide important strategic opportunity for linkage between their culture and the wider community. Thus food safety needs to be understood here in a wider social context.

2.5 Meanings of compliance

Given the highly regulated nature of food safety, it was not surprising to find a strong discourse of compliance amongst the participants in this study. As noted earlier in the discussion of meanings of food safety, for many the focus was not so much on food safety but on compliance with the Council regulations. Whilst this is not surprising in such a regulated space, it can then create more of a bureaucratic dialogue rather than a health promoting one. Within this sort of administrative logic then, food businesses become focused on **keeping the Council 'happy' which in effect means keeping the visiting EHOs 'happy'**. The concern here is that a reductionist practice can emerge in which the prime goal of food safety and public health becomes less tangible than the adherence to codified regulation. Perhaps this partly explains why within this study (which has drawn from a pool of food businesses deemed non-compliant in some respect by local government) that **rather than finding a strong 'non-compliant' discourse, in many respects the discourse of those deemed 'non-compliant' often is ironically highly disposed to meeting the expectations of the regulator.** Compliance in this sense reflects a desire to follow instructions. Consider for example the following two quotes.

"The more you do helps you keep up a good record. Council come back for a visit and they have a smile on their face, they don't have to repeat the same thing over and over and have to start stepping on your toes. The way I see it is if you do it they shut up and leave you alone."

"We have not ever got into trouble yet. I still have trouble sometimes, it's hard but we still have to get there. Mostly I think we are okay. If Council comes and tell us to change something or do something we do so I know that we are doing the right things they tell us to do."

There's a real challenge for EHOs here in getting the balance right between regulation and promoting proactive (rather than reactive) engagement with food safety. The compliance agenda emphasises 'doing what the Council wants' as shown in the quote below.

"It's all in the practice itself you can always deliver your goods with a smile but the process of delivering food safely has to be there in theory and in practice. You need to understand what Council wants and be able to apply the theory to the idea. We have processes in place everything just happens smoothly."

The central importance of the human dimension of compliance is very clear from this sort of commentary, but also it reflects two different ways of thinking about compliance. In a legalistic sense 'compliance' refers to on-going adherence to the requirements set in the legislation. For EHOs, these regulations provide the foundation for measuring compliance. For many of the participants in this study compliance appeared to more likely refer to compliance with the direction of the EHO. Thus despite the fact that many of the participants in this study had **significant histories of being 'non-compliant', from the perspective of these businesses they saw themselves as very compliant to the directions of the Council.** Thus a history of several notifications and or significant advice about changes in practice or modifications to physical infrastructure were for some food businesses evidence that they continued to be compliant with the directions given to them. It was clear that for some of these businesses compliance with a person rather than an abstract set of food safety regulations was their key measure of food safety achievement.

It was also interesting to note that several businesses believed it was more important to monitor compliance in other businesses. For example, some large businesses thought more issues occurred in smaller businesses and vice versa.

"They should be more focussed on some of the bigger places – they have more issues than me."

"Big businesses are all over food safety [rather] than smaller businesses".

2.6 Relationship with Council

When asked about their relationship with the Council some business owners spoke about the Council, but many spoke about their experience with EHOs. This is not surprising given the significance and frequency of interactions with EHOs.

Generally smaller food businesses perceived the Council as a regulatory body responsible for enforcing laws. The majority of business owners from CALD backgrounds perceived the Council as an authority figure, which reduced the likelihood that they would seek information to develop a deeper understanding of an issue. Instead, as previously noted, they would comply with the requisitions the EHO set.

"If I have wrong anything Council will tell me that I can't do this."

"They will help me check. They will say this I can use this, I can't use it. Up to them to tell me what I can and can't do."

If a business owner had a high level of awareness of the business sector or had operated in the tourism sector they saw the Council as having an important contribution for small business development.

In larger organisations the company policy and procedures were seen as the highest priority for compliance and therefore the role of the Council was seen as less significant.

"With the majors it's a bit different to your independent stores because we are governed by what our business requires as well it would be much more brand damaging to us to have something pop in our face."

"Working for a large company they tend to have their own procedures and information. They know what is required and go beyond. ... This company is right over it - we have to check temperatures four times a day, we have to break the cycle of bacteria, food needs to be discarded after a certain point in time."

"All of the information that the company wants us to see is on our intranet. They want us to ensure compliance so they don't want us to go to an outside source just in case it is not correct."

Internal corporate requirements were seen to exceed the minimum standards set by the food safety legislation and therefore the legislation was seen as less significant to large corporately owned businesses and franchises.

"We have processes we have to follow so know that it will not be an issue. The rules and regulations that [company name] set out are above and beyond Council regulations."

When business operators were asked if there was anything they would like the Council to do to support food safety it was interesting to observe the diversity of perspectives on this. Those who already felt well supported and had a positive

relationship with the EHO drew on a more collaborative understanding of working **with their EHOs rather than simply doing 'what they were told'**. However, the business operators who perceive their relationship in the latter category, the idea that support was even part of the **Council's/EHO's** role had not been fully considered. Consider the contrast between the two following positions:

"Council has been great. They send information; they provide seminars that we can send staff to. We have a good relationship with them. If any time I have a problem I can email her which is good, she gets straight back to me."

"I haven't really thought about them helping me, that their role would be to support me in setting up my business. But it's good to know that I could ring them to get support if I needed."

Generally businesses were more likely to contact the Council if they had a complaint and would seek advice from other sources.

"I would ask other food businesses but I wouldn't go to the local council."

"I would probably talk to other people first, the people I know who run food businesses. If I couldn't find the answer I guess I would call Council".

However, businesses showed appreciation when the Council had helped them. For example:

"It was good that they provided training for all the business in this strip to access the food safety supervisor training together."

Conversely, a few businesses provided specific examples of situations when their perception of the Council was damaged. One of these cases resulted from a lack of communication between two Council teams that were both involved in a particular incident.

"It was made clear to us that communication was lacking within Council."

Businesses also noted that they wanted to focus on their business rather than compliance issues. Therefore making it easy for businesses to comply and clearly communicating why requirements are relevant to businesses is important.

"I just want to run my business without the hassle of having to jump through hoops set by Council that are not really relevant to my business."

For many food businesses, their experience of local government was experienced and described in terms of a whole package. Thus whilst the focus here is about food safety, it was interesting that suggestions for more support from the Council were much more wide ranging as demonstrated in the quotes below.

"It's important that Council is there to be able to help business. It's in their best interests to support business for financial reasons as well for tax money. If they help the people they are helped as well. They get to hang onto their jobs and help us have our jobs, that the relationship I am talking about. It helps everybody – community especially."

"Council could get businesses like-minded businesses together to do workshops, They should be doing something to get the industry

booming - it's too expensive to holiday here it's too expensive to eat here we try to keep our prices at a certain level I think so many people have our price themselves out of the market and long term I worry about the area."

"There are so many places that are closing around it looks bad it's bad to Council it's bad to the industry it's bad for tourism. We are looking at doing our next business plan and I can't find anything that will support me in doing that. I have linked with the Chamber of Commerce to have a mentoring program but that should also be part of Council. There is mentoring done through the Sunshine Coast University but is not readily available, this should be done more regularly. I would take any support that I could get."

Several businesses noted that they would like the local council to support their business by preventing excessive competition. This suggestion indicates that business operators generally are not aware of the fact that local governments usually cannot restrict competition². For example, section 38 of the Queensland *Local Government Act 2009* and section 15 of the *Local Government Regulation 2012* state that local governments must not make local laws that contain provisions which create a barrier to entering a market or competition within a market (unless they are excluded from the review of anti-competitive provisions³). **So, whilst a local government's planning scheme will restrict where commercial businesses can operate and some local laws will restrict where food vehicles can operate (e.g. local laws may prohibit operating in areas where it would be unsafe), local governments generally cannot deliberately prevent or restrict competition in specific markets such as the food industry. Consequently, local governments usually cannot prevent additional businesses from opening or market stalls with few overheads operating nearby and competing with established food businesses.**

2.7 Relationship with EHOs

The relationship between the business owner/manager and the EHO was found to have broad and significant impacts. As previously noted, the issues EHOs focused **on during recent inspections correlated with the business owner/manager's understanding or focus in terms of food safety.** The relationship with the EHO also **influenced business owners' perception of the Council, their effort in ensuring compliance, and the likelihood they would engage with EHOs to resolve issues.** Interestingly, if a good relationship existed with the EHO business owners may be more willing to take a proactive rather than a reactive approach to ensuring food safety in their business.

Perceptions of EHOs were varied. They ranged **from perceiving EHOs as 'mean' all the way through to them being extremely helpful and diligent.**

² One of the key principles of the National Competition Policy (NCP) is that government agencies will not make laws that restrict competition unless the benefits of the restriction to community as a whole outweigh the costs and the objectives of the legislation can only be achieved by restricting competition (Department of Local Government, Community Recovery and Resilience, 2013). For more information about the NCP visit <http://ncp.ncc.gov.au/>.

³ The 'National Competition Policy Guidelines for conducting reviews on anti-competitive provisions in local laws' exclude the following types of local laws from the review of anti-competitive provisions.

1. Local laws regulating the behaviour of individuals
2. Local laws dealing solely with internal administrative procedures of a local government
3. Local laws intended as legitimate measures to combat the spread of pests and disease
4. Local laws to ensure accepted public health and safety standards are met
5. Repealing local laws (Department of Local Government, Community Recovery and Resilience, 2013).

"They are always friendly, happy. They are not harsh. They are honest. They don't beat about the bush, they tell you how it is. They don't look down on you."

"They are normal people. They are quite happy to help us. One of our main priorities is to have a good relationship with Council."

"We have had some really nice officers come out and give us ideas about free training that we can provide to staff for their food safety supervisors course. One officer told us about the free online training which was helpful."

"When you have a good relationship with health inspectors they tell you what is wrong and help you try and fix it."

"It all depends on the safety officer from Council. There are nice ones and there are not nice ones and you get both ways. If you get a nice one you treat them nice. We did have one that was very bossy and mean but she has not been around for a while. The last guy was very nice. Everything that he said we would have to do we would try and do it. If there were things that were hard to do he gave us very good advice. Things that were common sense he took into account. If there was something noticeable he would just give us some ideas on what to do to fix it. He was very helpful. He helped us fix things up quicker. It was less time-consuming for us and for him and when he came back and saw that we had fixed it he was very happy."

As is evident from the last quote, if an EHO is 'nice' and helpful the business owner is more likely to ensure compliance. Not surprisingly food businesses preferred the officers they perceived as supportive and understanding.

Several businesses noted that the EHO wanted the same outcomes as they did.

"The EHOs that I have had are okay, they are after the same things as we are. We want a clean environment. We want everything to move smoothly."

"If everything is on track and right it makes it easier for the Council to do their job and your job. That's why we stay on top of things. At the end of the day we know the Council are doing their job to keep people safe and we do our job to keep people safe it's good to have good relationship with both that's what we try to do here."

When a good relationship exists, business owners feel that they can engage the EHO in meaningful discussions to seek mutually beneficial solutions to more complex issues.

"I have had a good relationship with the EHO. I have been writing to her recently, seeking advice. I ask her advice on how to do things. ... She has always been there to help us and support us. It's been fantastic. It has to be a partnership, without that things can go wrong. We want to do things right without people getting sick. Environmental Health Officers partner with you. We are open to discussing if something is wrong. We are open and we can fix it so it's better next time."

If the EHO was seen to understand the business context and work with the business they were more likely to be respected and appreciated.

"During our last inspection we had to get our cold room and freezer replaced so that would've been the most dealing with Council since I've been here. The equipment cost \$20-30,000. It was an issue that we and Council knew about. We knew that it had been deteriorating over time and we knew that it had to be done so we just had to identify time when we could get them replaced. Council were great about it. We were giving them updates every week. They would then come in and check. It was a really good relationship."

Conversely, a perceived lack of understanding of the business context has negative impacts.

"I think they understand what they study but they don't understand what the people who work in the business are trying to do, they don't understand what that is like. I think some officers understand why people work so hard and they try and do the right thing. But other officers they just do the study and they don't understand how people work so hard to keep the business good. It's very tough, sometime I cry about it."

Some businesses believed that EHOs could be negative, 'picky' or were trying to find fault. This may cause stress and decrease the likelihood the business will be open about issues and seek help.

"Some of the logistical things like moving the range 30 cm, cleaning the vents that might have a bit of dust on them but not create an issue for food or beverage can seem picky."

"They can be picky and they may not really understand the business very well."

"The last time the guy came it was okay. He was nice but it felt like he was trying to find something wrong."

"I think the main thing is for Council to not come in with such a negative attitude. It's important that they come in with an attitude of wanting to help the business instead of just wanting to bury the business. That's the main thing. They're coming in to do their job but when they coming in thinking that they're the best thing since sliced bread, it doesn't help you in any way. It makes the owner or store manager very uncomfortable when they should be suggesting ways to help solve problems. If you have a concern or worry about something in your store and the Council person is not helpful you are not likely to ask for help in fact you're more likely to try and hide an issue."

"People get scared from Council, even more scared than seeing the Police in these shops. When the Police come you know that you will be okay but when Council come into your shop you know that everything will be wrong, nothing will be right, trust me!"

Taking time to explain information appeared to reduce the likelihood the business would perceive the regulations or the EHO conducting the inspection as onerous.

"I think the regulations are okay, they give you time to be heard. They have tried to explain and spend time with us."

There was a clear preference to have the same EHO inspect their business each time because a relationship could be established and the EHO would have existing knowledge about the business.

"For the last few inspections we have had the same person which has been really good, she remembers things and checks up on things that may have occurred during the last visit."

"We generally have the same officer come in for all our checks we know each other. It's all about the relationship, rather than a different face it was really good. This ensured that there weren't any inconsistencies between what people were saying you we had to do. That inconsistency can be a problem in every industry."

Perceived inconsistencies were the most common concern expressed by business owners. Due to the perceived inconsistency between EHOs, a common perception regardless of whether EHOs were liked or not was that they had personal preferences and opinions. Many food businesses reported that different EHOs focused on different things and for some this could be very frustrating. Therefore it was considered more efficient and effective for them if they could meet the expectations of a single officer, rather than find that having met the expectations of one officer they then had to meet a new set of expectations.

"If you have the same officer each time we could build up a relationship. That would be really helpful. Consistency in approach is really important so that we know that we are complying with what we have to, not just based on a personal preference of one person or another."

"We do everything the Council wants us to do with one officer and the next time another officer wants something different - it's all about their personal preference."

"I have stood up to food safety officers when they have told us we would not pass in certain areas. They couldn't say I wasn't breaking any policies or laws, it was purely about personal opinion."

"The time when it can become difficult is when you are dealing with the personal opinion of the EHOs. That annoys me. We are happy to be compliant with the laws, but not to have to bend to different officers opinions. There are some grey areas there that relate to the personal opinion of the safety officer."

"We had another incident where we got conflicting advice about the use of the three sinks and what each one had to be used for. Again they told us different things."

"In the past we didn't see the same officer each time. We have been given different advice about some things which can be very confusing. One type person told us that we had to use a certain anti-bacterial product. It was soapy and had a very strong smell and I was worried that it would affect the food. I didn't like using it. I asked another food safety officer and she told me different thing. I was very confused."

It is noted in the last quote that the second EHO may have adapted their advice based on the business owner's indication that they didn't want to use a particular product. However, the end result was that the business operator was confused and therefore unsure what to do which impacted on their ability to comply.

There were also concerns raised regarding inconsistencies in **how 'strict'** different EHOs are and the perception that different standards were imposed on different, often competing, businesses.

"They send different people all the time, some people are tougher than others you get that a lot, but we make sure everything is clean whenever they come."

The issues regarding perceived inconsistencies are extremely challenging and complex for local governments and are explored in more detail in the discussion. However, it is noted that most of the situations revealed in the quotes above could be improved through additional communication.

2.8 Skills and knowledge of EHOs

Business owners generally perceived EHOs as skilled and knowledgeable professionals. There seemed to be a general respect and recognition of EHOs' technical and regulatory knowledge. As previously noted, business owners perceive an EHO to be more knowledgeable if they also have a good understanding of the food industry and an appreciation of the issues and challenges faced by business operators. An EHO may be regarded as less skilled and knowledgeable if they are not able to provide customised advice regarding how legislation can be applied in a specific business.

Communication skills were noted to be the most critical skill of EHOs. For example, many of the perceived inconsistencies noted in the previous section may be the result of a lack of effective communication rather than actual inconsistencies. EHOs are seen to be highly knowledgeable when they are able to collaboratively develop solutions with business operators that ensure the business will be fully compliant and is responsive to the unique features of the individual business. Being able to explain concepts and ideas in ways that are easily **understood by the business operator also positively influences the operator's** respect for an EHO. Conversely, EHOs who engage less with business operators **are perceived to be compliance 'checkers' and are less likely to be viewed** favourably.

There is an expectation that EHOs will inform business owners of what they must do, however there is also a recognition that if EHOs can communicate to business operators why they need to do something and the implications of doing so in the context of food safety, then they are more likely to adopt this behaviour in this business e.g. the difference between cleaning and sanitising.

"I notice difference between younger and older Council officers too. The older people have more experience and tell you why you have to do things. The younger ones just walk around and tell you, even things that you think are stupid and you know that they know nothing about it. Young people need to understand that they have to tell people what they need to be doing and why. When you are young maybe you are just thinking about this one is right and this one is wrong and not know why what they are telling you may not work for this kind of product."

Effective communication can be extremely powerful in changing business owner's understanding and perceived importance of issues. For example:

"... I remembered things mostly about bacteria and then the Council lady explained to me again how quickly bacteria can grow and that it can make people very sick. That scared me a bit, but I did not really understand before she told me what a big problem it can be."

2.9 Impact of the food safety legislation

The content and focus of the current food safety legislation was noted to be influencing the perception of food business operators. Up until 2005 the food safety legislation was extremely prescriptive which reduced the risk of inconsistent interpretation or implementation, but it was not flexible and imposed numerous requirements which had financial implications on businesses without necessarily improving food safety. The current food safety legislation focuses on outcomes, creating flexibility for food businesses to identify how they will achieve the requirement of providing safe and suitable food.

Businesses that existed prior to 2005 (which includes numerous business owners interviewed) were established under the prescriptive legislation which had extremely detailed structural requirements for food businesses. Businesses established since the implementation of the current legislation have had the option of achieving the structural (e.g. that the premises is easy to clean) and operational (e.g. preventing contamination of the food) outcomes required through non-traditional means. Therefore, some well informed business operators who have opened since 2005 have not had to invest in the same infrastructure that older businesses had to. This has impacted on some business operators' relationship with Council, specifically the EHOs who administer the legislation.

"I think we have a good relationship up until the ... next door opened – do not understand their inconsistent approach."

The current food safety legislation attempts to reduce the regulation of lower risk activities and provide flexibility for food to be sold in a variety of settings (e.g. shops, market stalls, etc.). By nature market stalls cannot have the same structural requirements as businesses in buildings. Consequently, the costs of establishing and operating a market stall are less than those of a fixed business. This creates a sense of 'unfair' competition.

"There is ... market here. They close off the car park and have stalls here. During the day there are about 20 stalls outside selling takeaway food. They have no water running. They have no food licence. From my point of view that's not okay. Council says it's okay because there are only trading for one day, but it's one day a week all through the year. I can't see why it's okay. People come in and ask me for buckets of water and want to use my toilet facilities. Every toilet flush costs me money. It's not very fair. The Council has come here on a Sunday and watched them and they allowed them to sell. When they are packing up, sometimes if they have used fat or oil to deep-fry food, they would just pour in the garden. They are supposed to take it away and dispose of it correctly, but I know they don't always do this. We not helping each other out here, that's what I can't understand. It frustrates all the shop people in this strip. Business competition is good but a fair competition is needed."

Whilst local governments and individual EHOs may be empathetic to business operators in this sort of situation, they cannot refuse applications for markets and market stalls without adequate and legal grounds, nor can they impose requirements on market stall operators that exceed those specified in the legislation. Local governments can however raise this type of issue with the Health Department for consideration during the next review of the Food Act.

2.10 Inspections

The impact of inspections conducted by EHOs was explored. The perceived value of inspections varied. Larger corporately owned stores and franchises noted the Council EHOs are qualified and have expertise, but their head office remained the primary source of information and advice and inspections by head office were considered more important. Smaller businesses were more likely to use the results of EHO inspections to understand what action they needed to take to be compliant. However, smaller business operators, particularly those from CALD backgrounds, noted that inspections can cause anxiety and worry. As previously discussed, operators from CALD backgrounds often relied on the food business as their sole source of income to support their immediate and extended family and the fear of losing that income would understandably be stressful.

"Council come and visit every six months ... it is stressful you always think something is not good enough. Normally we get through pretty easily, they look at everything. They have a look around they tell us to clean this and clean that and we just do it we have to comply and keep ourselves up to our own standard and make sure everything is clean."

"It's okay, we are probably due for an inspection soon, and it's always stressful. We just have to do what they tell us to do."

"Sometimes I cry when he comes here I sit outside and cry, it's very stressful and I was very worried."

A good experience during inspections can minimise the level of anxiety that can be felt by business owners during an inspection.

As previously noted the focus of EHOs during inspections has a strong correlation with what food business operators believe food safety is or what is important for food safety. A strong focus on one or two issues during an inspection may **effectively 'blinker' the business operator to focus only on those issues, at the risk** of ignoring others. For example a single focus on cleanliness of a business may lead a business owner to believe that achieving compliance is only dependent on keeping a premises clean. If an EHO was able to clearly explain to the business operator the many inter-related aspects of food safety in the business, it appears the business operator is more likely to view food safety on a continuum of inter-related procedures.

The focus of inspections described by food business operators varied.

"They always focus on our critical control points which is about temperatures and storage. Temps on any products can drop or change temperature for example when something is coming off a truck or out of the cold room or ready to be put in a warmer."

"It's been on the cleanliness of the environment and whether or not you comply with their regulations."

"Just walked through and looked things over – looked at the walls and ceilings – nothing to do with the cakes I was preparing at the time."

"I think they're realistic, they check that the temperatures in areas are all okay. Storage of food is correct and that food is covered and always stored correctly in fridges."

"From my point of view we have safe food. They'll come and check on meat in the deli or on our pest control compliance. They check

everything else. They make sure our people are trained. Will check to see that everything is has a system and make sure the system works."

"I've never had a discussion with Council about how food is made, stored or produced. They have never looked at our food logs. They focus on our equipment and the general upkeep of the premises. I've never had a conversation with anyone around food generally. Whether or not this is because we've never had an issue or a complaint I'm not sure, all conversations of had with them have been in regards to equipment, extra dishwashers, sinks or signage it's never been about the food."

Insufficient communication may also lead to negative perceptions of an EHO. For example:

"There is trivial stuff – like one time they were looking in the office and not in the kitchen. They were looking at the cabling for the computers, not the things that we thought they should have been looking at".

Whilst to most people this may seem like an odd thing for an EHO to be looking at, it is actually a good area for EHOs to inspect. In many businesses, particularly fast food businesses, the office is an alcove or open room immediately adjacent to the kitchen, but is subject to less rigorous cleaning regimes. Computer cabling is seldom interfered with and is warm. Consequently pests find this type of area very appealing to nest in and around. Due to the proximity to the kitchen, it is quite likely that if pests are present in the office they will be entering the kitchen at night and may be a source of contamination. Therefore, the situation this business operator described shows that the EHO was thorough and had a good understanding of pests and business operations. Unfortunately they failed to communicate relevant information to the business operator. This resulted in a negative impression of the EHO and a lost opportunity for the business operator to learn something and to have them monitor the area regularly for signs of pests.

It is also clear that enhanced communication would enable business operators to improve their understanding of why issues are important.

"Some of the rules and regulations might be bit odd but obviously they are qualified and have done the training, you would expect that they know what to do."

"They do not tell us why they are looking at some things and not others. They just come in and don't really explain what they are looking at things for."

Some compliance inspections were also at risk of being seen as bureaucratic rather than meaningful.

"Some questions they ask us are irrelevant to our business. One woman wanted to know how we washed potatoes. I found this very difficult to answer as we don't use them in our business."

In response to areas of food safety compliance seen as trivial, bureaucratic or unrealistic, some food businesses responded in what they saw as a realistic way rather than a 'compliant' way.

"The Council lady told me that I had to write down temperatures of food but we don't worry, we just know that it's okay. I check the temperatures, not usually with a probe, just rely on the cooking of

the oven and make sure the display cabinet is at the right temperature."

"Council came in for an inspection and wanted to know why I didn't have posters and checklists on the wall. Cause it's only me, that's a waste of my time doing all that."

"They don't really look at the big picture – they sometimes seem to always find something wrong. It's a good idea to keep an eye on food safety but they should know what common sense is. If you come in and see that some something is wrong maybe a little mess that is created from people who are working hard and who don't have time to clean up - they need to understand that. There will always be some small things wrong. We have fly screens we have security doors we have air conditioning but we can't keep flies out and keep the place clean all the time. They should make sure that you have all the correct things in place to make sure things stay OK and if there are flies or something minor they should understand that you can't keep everything under control all the time. It's just not possible."

From comments like this it is clear that for these food businesses, the practices of EHOs seemed at times not to demonstrate understanding of a broader context of running a business in challenging circumstances. It is clear that EHOs need to **consider the individual business' context during each inspection.**

It was interesting to note during the interviews most business operators knew approximately when an EHO was next due to return for an inspection.

"Twice a year they come, they were here in March, they will come back in three month's time and after that I will get a new licence."

Several businesses noted that the councils were diligent in reinspecting to ensure important issues had been corrected.

"When I started there was lot that needed to be fixed. Council identifies that and then gives you a date for when it has to be done and come back and check."

"Controls are more strict - there's better follow-up on behalf of the government."

Some businesses indicated that they would like prior notice of inspections and others that they felt more frequent inspections would be beneficial.

"Tell us when they are coming or give us some notice, I don't think they really understand what it's like when you have such a small staff group. The priority is on getting customers in and food out; other things can sometimes slip because of this."

"[I] think quarterly inspections would be better, generally if you've had one last week you know that you're not going to get another one for six months."

"I think more random checks would be a good thing that every business, just to keep everyone on the game. Usually they will just walk in and tell us that they here for a health inspection we don't get any prior warning. If no one's complained it will be a general health inspection if someone has complained they will sit down with us and show pictures and notes and thoroughly discuss it."

2.11 Incentives

Brisbane City Council and Logan City Council have implemented the Eat Safe food business rating scheme which awards a business up to five stars based on compliance with the food safety legislation and proactive measures a business takes to ensure food safety (e.g. food safety training for all food handlers in a business). A business that has a rating of three or more stars can voluntarily display their rating to consumers. The participants interviewed in Logan City Council had mixed reactions to the scheme.

"They did an instructional workshop with business owners before they started Eat Safe Logan. That was helpful they provided forms for all the necessary papers for it. We have it done and written down it was a check and balance for what you had to do. It was very useful."

"I have three stars before that I had 2 and now I have three. The inspector told me he was not coming back now as I have three stars. To get three stars I had to clean and keep inside nice and tidy. My food has to be on the spot with temperature. He was happy. I told him that I worked very hard on this."

"We have our sign on the door and I've seen quite a few around but I don't think people take a lot of notice. We are 4 stars. The higher you get in the rating scheme the more paperwork you have to submit, but I think the smaller businesses the paperwork would be a disincentive - they don't have a lot of time to do things they might just think more paperwork why bother especially if they're not confident that it makes any difference to the customer."

"It's fine - the last time the guy came it was okay. He was nice but it felt like he was trying to find something wrong. He wanted me to go for a 5 star rating - that means submitting all this paperwork - and documenting all these procedures and submitting it to Council. I just don't see the point. I'm happy with 3 stars. There is no incentive for my business".

Some operators believed greater community knowledge was required for the scheme to be successful.

"I don't think the public know enough about it to realise what it means and what you have to do to get the rating."

Business operators in other areas had also heard of the scheme.

"I know in Brisbane they have a food safety campaign. I think it's a brilliant idea, a lot more of it should be done [location]. To be able to open a business with no qualifications and serve something as dangerous as food fascinates me without qualifications."

During the interviews it was also noted that financial bonuses created significant incentives for managers in large organisations to ensure food safety requirements were adhered to.

"It affects us as managers because our pay goes on our budget as well our bonuses. It affects us so if we don't comply it affects managers directly."

Interestingly, this can create both a financial incentive for managers to ensure compliance, as well as a system in which there is an incentive not to report any non-compliance that the manager should have addressed. This may result in poor

communication with the head office of some organisations, preventing them from helping address issues. This is quite different to smaller independently owned businesses which, to some extent, can maximise profits by reducing expenditure on compliance.

2.12 Business operators' suggestions

Given the weight most food business operators placed on the EHO it is not surprising that when asked for suggestions about how to improve food safety outcomes many operators focused on EHOs understanding the business context and working with businesses.

"We learn from them, but they know a lot but have never worked in a bakery before so they sometimes don't really understand why things are so hard. For one week I would like it if a Council officer could come and work in the bakery!"

"They should work with the owner also they can understand how hard people work to keep things they do. If at school they could learn to open their heart too, they would understand what it's like to work in a place like this and how hard it is. If you only study in the office it doesn't mean you know everything."

"I think the main thing is for Council to not come in with such a negative attitude. It's important that they come in with an attitude of wanting to help the business instead of just wanting to bury the business."

In addition to improving EHOs' understanding of the business context and working with businesses, other common suggestions focused on improving communication and consistency. The suggestions provided by the business operators include:

- providing practical support and a more personal approach;
- doing more to promote their food safety role and how to manage issues;
- providing more information and support including information about changing laws/requirements;
- providing information in languages other than english;
- providing information via a smart phone app and emails;
- increasing training opportunities for food handlers and business owners;
- providing more advanced/in-depth training that goes beyond the content of the online courses;
- working with schools with established hospitality training courses to improve the knowledge of students so they have basic food safety knowledge before starting work;
- giving advance warning of inspections;
- conducting more frequent inspections, e.g. quarterly; and
- ensuring businesses have a food safety program in place.

However, it is noted that several businesses also expressed the importance of the Council keeping licence fees and other costs as low as possible.

Several businesses also suggested ways the Council could support other aspects of their business including providing forums for business support and mentoring opportunities.

"When I lived overseas we would have training programs with others for similar business types, sometimes it works sometimes it doesn't. Some other business are very competitive and don't want

to share their secrets. But it would be good to be able to meet with others and share ideas for example in a takeaway what's the best way to get grease off the wall? If that's all you want know why should you have to sit through day training and that questions may not even be really covered."

Another operator believed councils should take a broader view that supporting business is good for the economy and the region and therefore should advocate on behalf of the industry to boost support for the hospitality sector.

2.13 Suggestions for improvement

The interviews conducted with food business operators uncovered a complex array of issues that influence their food safety practices. As can be seen from the list below, many of the suggestions are as much about the social, economic and organisational context surrounding food safety as much as food safety itself. The following suggestions for improvement emerged from the interviews:

- Improved understanding of the business context among local government staff.
- Improved understanding of the unique challenges CALD business operators face and the important role some businesses play in meeting the food needs of CALD communities and linking specific cultures with the wider community.
- Skilled communication by EHOs to help business operators understand why requirements are genuinely important to food safety and to develop collaborative solutions to food safety issues.
- Improving consistency between EHOs and addressing perceived inconsistencies.
- Ensuring council processes and systems encourage proactive management of food safety issues in businesses rather than inadvertently rewarding **reactive obedience of EHOs' instructions**.
- Improved coordination/collaboration between EHOs and other professionals (e.g. building surveyors) to ensure the design of new premises meet multiple regulatory requirements. This will ease the regulatory burden associated with establishing new food businesses.
- Food safety training that is:
 - relevant and practical,
 - includes theory and practice tailored to a business focus,
 - is accessible, affordable and understandable (offered in languages other than English),
 - involves mixed modes of delivery, and
 - includes refresher training.

3 Young food handlers' understanding, attitudes and beliefs regarding food safety

The young food handlers that participated in the focus groups and interviews had worked various types of food businesses including:

- Coffee shops/cafés;
- Restaurants;
- Fast food/take-away businesses;
- Bakeries;
- Delicatessens;
- Fruit shop;
- Ice cream shop; and
- Supermarkets.

The size and organisational structure of the businesses the participants had worked in varied. Participants had worked in large franchises, corporately owned businesses, privately owned businesses including family owned businesses and a premises operated by a not-for-profit organisation.

The following section of the report details young **people's feedback and** perceptions of training received for their food handling roles, the level of knowledge gained as a result and ways that this knowledge could be applied more effectively through training. The report then describes some of barriers young people may face in adhering to sound food safety practices and their experiences in speaking out about food safety issues in the workplace. Finally, the report **details young people's ideas on what could support good food safety practices in** the workplace and their perceptions on food safety as a priority.

3.1 Provision of food safety training

Training is defined as **'the development of skills, knowledge, attitudes, competencies, etc. through instruction or practice'** (Knight & Nestor, 2001). The term **'training'** is used broadly in this discussion and may include formal training through an educational or training organisation, formal training in a workplace, on-the-job instruction, etc.

All but one of the young people had received some level of semi-formal or formal training in their employment. Mixed modes of training provision were identified ranging from being provided written information, online training, formal staff presentations, watching instructional DVDs and on-the-job training. Some participants had completed a Certificate I or II in hospitality through their school or another training organisation.

From the feedback provided by the young people it was evident that the level, quality and timing of information and the frequency of training received varied significantly from business to business. From this study it appears that larger establishments or franchises tend to offer more formalised training and smaller privately owned businesses are more likely to offer on-the-job training with very little opportunity for ongoing training.

Participants indicated that in most cases a manager, team leader or boss would provide some initial training or on-the-job instruction. However, in small

businesses any additional training or on-the-job support that was required would mainly be provided by other peers/staff.

"Managers do not have time to train all the time, so new girls, they're thrown in the deep end and told to ask the other girls. That's hard when you still have your job to do as well."

"You would learn as you go from other girls that work there, not from the boss."

Several participants indicated that they weren't trained before working in the food premises and didn't know what to do when they first started.

The concern with this practice is the likelihood that young people who are not guaranteed to have extensive and accurate food safety knowledge will train other young food handlers, thereby passing on incorrect information. One participant indicated that for a while she had been doing something wrong by following the advice of another young worker. It was only when a manager informed her that she realised what she was doing was not correct.

One young worker indicated that they had received more relevant and useful food safety information whilst studying home economics at school than what they had received on the job.

"I reckon at school, in home ec., gave me more of that information like things that I can't do and things that you would have to do. Managing hot things like pans and kettles, knives, I reckon they gave me more stuff, the theory stuff, than at work."

3.2 Level of Knowledge

Whilst specific concerns have been identified above, the young workers involved in this study generally believed the quality and quantity of information provided was mostly adequate to enable the development of a base level of knowledge, i.e. the basic knowledge needed for their employment. However, the majority of young people engaged through this study found it somewhat challenging to recall specifically what was covered in the training. After some prompting they were able to identify some of the following:

- Hygiene;
- Cleanliness;
- Some varied information on cross contamination;
- Signage (including labels);
- Storage and use by dates;
- Temperatures;
- Personal hygiene (e.g. wearing hats);
- Workplace safety (e.g. knife skills) which participants noted also prevented foreign objects and other contamination entering the food.

The participants who had completed a certificate qualification in hospitality generally had greater depth and breadth of knowledge. In addition to the above list they also noted they had training in:

- Hand washing;
- Use of color-coded chopping boards;
- Product rotation;
- Dating foods (to enable product rotation and disposal of food no longer suitable for use);

- Layout of kitchens;
- Cultural factors;
- Temperature danger zones including cooking temperatures and storage temperatures and monitoring the temperature of incoming products.

There were some variances evident in the level of accuracy of information received by the young people in their training that could suggest that training received was incomplete.

"Cross contamination didn't really coming up in training apart from not mixing meat or using different tongs for different food but not in terms of cleaning, we would use the same Chux for cleaning the salad boards and then juices from meat."

One participant discussed the '5 second rule' and stated that they believed food was still fine if dropped on the ground unless it was in the toilet. She advised that **she would serve dropped food to customers if they didn't see. This indicates a lack of knowledge of food poisoning bacteria and good food hygiene practices.**

Except for the young people who had completed a certificate in hospitality, only a small number were assessed upon completion of the training they had received. In the main, assessment of knowledge gained from the training was limited to larger establishments (i.e. those with more than 10 staff) only. However, it was also indicated that assessment may not be taken very seriously.

"We were all taken in a back room in lecture style at the end of a shift. The training was delivered by managers who wanted us to look good so they also provided the answers and told us to write it down in our own words."

One young worker indicated that for her the training was very confusing as some of the concepts presented via DVD were known by the instructors to be out-dated and incorrect. Consequently the instructors explained the up-to-date information, resulting in two sets of information about some topics being presented. This is particularly concerning for young people who may have learning difficulties.

"We were told that a lot of the info was out of date and what the correct information was. For some people this could be okay. But for me I get very confused and at the end I was unsure what information was right and what was wrong."

Some participants who had completed hospitality training were able to recall the use of a Petrie dish experiment to show micro-organisms on the hands of the young people whilst training them about hand washing. This training was thought to be effective because the people thought it was gross and therefore believed it encouraged people to wash their hands more often. They noted that it showed them how much they needed to wash their hands to remove bacteria.

3.3 Application of Knowledge

All of the young workers indicated that they preferred on the job practical learning **as it allows "opportunities to apply knowledge in practical settings"**. When training was accompanied by sound explanations as to why certain practices were considered important, the young workers indicated that they would be more likely to apply the knowledge on the job.

"The reason why something is so important needs to be taught, being told what to do doesn't work – I need to understand the reasons why."

Some of the young people suggested that formal training should be accompanied by scenarios where workers could “ask questions to cope with potentially unknown situations”. This was considered important in being able to retain knowledge necessary to perform their tasks. It was also suggested that if the training was more “hands on” it was less likely to be perceived as boring and irrelevant.

“On the job training is more effective than sitting in a classroom reading booklets. Books don’t address normal situations only things that may not ever happen. Practical application is good.”

Opportunities for follow up training appeared to be limited and in the main confined to larger establishments or when new products were introduced to a food range.

“It would be good if training was ongoing or had follow-up... I would be able to retain it a lot more. I’m sure there is stuff I don’t remember. If it was more of a long-term program it would be more effective.”

3.4 Young people’s attempts to address issues of relating to non-compliance with food safety standards

Most of the young workers had varying experiences where they knew that food safety was compromised either to a minor or a significant degree. Common unsafe practices included things like failing to wash hands, mishandling food, incorrect storage or some level of failure to observe basic cleaning practices.

“Another worker was cleaning lettuce and didn’t do it right, it was all mouldy, I told the boss but he told me to take it out. The customer sent it back because there was a worm in the lettuce.”

The majority of young workers indicated that they had made attempts to try and remedy a situation where they noticed something was not quite right either by alerting someone to an issue or trying to do something about it themselves.

“I’ve seen a few things that did not look right, for example the canopy of the cooker was filthy. Oil was dripping out the side of it right near where the food was being prepared. I had tried cleaning it a couple of times but have got told off because it is more important to be cleaning the plates and keeping front of house clean.”

However some participants indicated they hadn’t raised an issue when the boss was involved because they didn’t want to get into trouble or lose their job. This fear of job loss was of greater and lesser importance to different young people. Some young people held a strong value of standing up for their views regardless of the consequences, whilst others felt obliged to acquiesce to the dominant managerial norm of their employer.

The level to which some of these issues were addressed depended on the manager or the boss and in some instances young staff were told to ignore a situation altogether. One young worker shared an incident highlighting a more severe situation.

“The fish sometimes ...where it came from...it was not really our fault but sometimes it was off and came in with that ammonia bleach smell...it smelt like a cleaning product... every now and then you would get it...it makes people really sick. I could smell it, it was

really bad...I told the boss but he told me it was fine. People would always complain."

Other participants outlined situations when managers wanted the young person to sell out of date chicken or food that had been dropped on the ground.

One participant who worked in a family business had learnt at school that a practice occurring in her family's business was not correct. He/she was unsure how to handle this situation in a manner that was not disrespectful to the parents.

3.5 Barriers to food safety

3.5.1 Age and status

A young person's age and length of time they have worked in a food business would tend to dictate how comfortable they felt in raising food safety issues in the workplace. Most participants indicated that at times this was an issue.

"Depending on who it is it can be intimidating to address especially if it's an older worker or manager, not many kids would feel confident enough to say something for the first couple of months -I know it does happen a fair bit because saying something might make people upset or getting into trouble or someone else in trouble."

Hierarchy and power dynamics can be one of the biggest barriers to young workers confidence in having issues addressed positively.

"The manager was into not wasting resources or throwing away food. He would use leftovers and make us tell the customer that this is how old the food was - the food would be discounted as well. I found it hard to manage the expectation to sell the food. The manager was a lot older than me as well, I found it really hard and was not able to say that I don't think what you are doing is right. There can be a big problem with the power, I didn't feel as if I had the power to say something about it."

"It often comes down to age or if they own the business I would not say anything, if they are younger then I would feel more comfortable. Sometimes if you say something they might not take any notice so at times it's like what's the point of saying something because it will probably mean that you have to fix it up anyway. Sometimes it's easier to not say anything."

3.5.2 Time and pressure

Time and the pressure to adhere to strict time requirements, particularly in fast food businesses, were raised as another common barrier.

"We are always in a rush - have to get the food out in 15 minutes. It's always a rush to get it out and at times you might not focus so much on the quality."

"Undercooking food because we got really busy at times, it was cooked but not enough but we would always have to take it out and get the blame for it."

3.5.3 Attitude of the Manager

The attitude and behaviour of senior staff or managers was perceived by the young workers engaged in this study to be critical in shaping and supporting a young person's approach to food safety whilst at work. Several participants noted

that the manager was the 'role model' for food safety standards. Where the expectation of a manager is perceived as relaxed then a worker's attitude may also be quite relaxed.

"If they are more laid back they will be more lenient with some things. You learn how far you can go and how far you can't with different managers. The attitude of the managers towards food safety is really important."

The young workers also suggested that there were other times when they knew the standard would vary.

"Managers can determine this – the amount of strife you get in can vary – depending on managers different approaches you may be able to get away with things a lot more in some places rather than others or with other bosses."

"Some nights we would be pumped to clean, put on music and get into it. Other nights we could not be bothered and would just sit around and eat and not bother. Depends on who is on the next morning, what is going on the next day, how we all feel at end of shift and the manager if she doesn't care, then cleaning won't happen properly. This happens a lot. People sometimes can't be bothered and will just do the minimum."

However, if it is perceived that the attitude of the manager is seen as unsafe or risky then this posed a conflict in values for many of the young workers engaged with through this study. Young workers can often feel "afraid to say something when you see something going wrong".

"With the slack boss, people ended up just leaving their job because he was just so slack and didn't care. All the new staff didn't know what to do and so had the same attitude as him. Everything went downhill. I ended up leaving."

One food handler noted a manager they had worked with had been viewed as 'mean' but the participant recognised that this was the manager's way of ensuring food safety was in place. The participant also noted that the manager had separated work and socialisation and as a result the staff listened to her. The separation of work and socialisation may be more difficult if the manager is closer in age to the other staff.

3.5.4 Valuing customers

The degree to which a business valued its customer base can also facilitate or negate a commitment to good standards being enforced.

"At the fish and chip shop, we would never tell the customers if something not right with their food, always told to keep it a secret."

"If something was burnt or undercooked they would either remake it or let the customer have the choice about if they wanted the food or not. We would always tell the customer, the managers were really good."

The value the young person placed on customers also seems to influence their actions. In one focus group participants noted that a personal dislike for a customer may be a 'barrier to food safety'. One participant told the group of an incident where they had urinated in a customer's drink following an argument. Other participants knew people who had intentionally put other bodily fluids in the

food of customers they didn't like, but the rest of participants advised they wouldn't do such a thing even if they disliked a person.

3.5.5 Young people feeling compromised

The young workers shared common experiences of trying to address instances where they knew food safety was an issue. When these attempts were ignored they indicated they felt personally compromised.

"Serving food that is not up to standard and having to do it – makes me feel really bad."

"I would tell him if something was not right and he would just tell me to serve it. It always offended me...because it looked like we did it. I hated that."

The perception of being judged or at fault by customers would appear to be a motivating factor for the young workers to try and ensure that standards were maintained.

"I hate feeling judged by customers if food quality is compromised I feel like it is my fault."

3.5.6 Other

Other issues that were identified by the participants as barriers to food safety included boredom, indifference and tiredness. Indifference may relate to working just to have money and not actually caring about the work conducted or if staff **didn't do something because it 'wasn't their job'**. **Tiredness** at the end of a big shift may reduce the likelihood of some young workers undertaking food safety related work, but others noted that they would always make sure food safety standards were maintained.

3.6 Enabling good food safety practices

3.6.1 Positive team environment

Working in a positive team environment with supportive managers was raised by the young workers as important to maintaining good food safety practices.

"Relaxed environment but if something was not right we were pretty on top of it and it would get sorted right away. The managers were good. It was never like you got into big trouble if something was not okay - it was a good team environment."

Where the expectation was high, the young workers indicated that they would try and work to this standard.

"Cleaning and everything had to be done before we left – managers or team leaders were always on shift and they would do the rounds and make sure things were okay. If something was noticed that was not okay the person who was meant to do it would have to go and do it again."

3.6.2 Collaborative Approach

During a focus group, the young people suggested that a business' response to food safety issues needs to be more collaborative with staff.

"Management should spend more time in the shop and know what's happening and trying to help staff so that staff know what to do and managers know what issues are for workers."

In one focus group the young people suggested that this would enable a greater appreciation of the issues from the position of employer/manager and employee and perhaps improve a business's capacity to maintain good standards.

3.6.3 Young people view food safety as a priority

All of the young workers engaged through this study agreed that food safety is and should be a priority for the businesses they work in. Several participants also noted food safety is a personal responsibility. One participant who had recently had food poisoning reinforced how important food safety is.

The key factors for believing food safety is a priority included understanding the serious health risks and implications when standards are not followed and the economic impact on business if a bad reputation were to develop. However, only one young person indicated that it could mean they would lose their job if they did not follow instruction as they were told.

The experience of feeling compromised, judged or at times 'grossed out' by things they have experienced in the workplace appear to be motivating factors to ensuring that at least their own practices are not putting people at additional risk.

One young worker indicated that at times food safety takes on different priorities for different people, particularly managers.

"If something is identified they will address it if it affects them directly, either their income or their well-being but if it does not affect them that much they generally don't worry too much."

Another comment was made relating to the difficulty some small businesses experience in complying with regulations.

"Small businesses need a reason for it to be a priority. It's easier for big chains but in small business it's difficult to regulate and implement all the rules that should be a priority, it takes individuals to see it as a high priority."

3.7 Suggestions for improvement

It was found that supporting young workers to understand, adopt and continually apply sound food safety practices requires the following:

- Practical hands on training delivered in ways that reflect the learning needs of young people;
- Opportunities to work through practical scenarios and on the job learning to apply skills in real time;
- Opportunities for follow-up training to ensure knowledge is maintained;
- If young workers are trained by other staff that other staff are confident and competent in doing so;
- Managers and employers that model and support good food safety practices and establish a good standard of food safety that is compliant as well as achievable for young workers to attain;
- An appreciation by managers/employers that young workers believe food safety is a priority; and
- An appreciation by managers and employers of the dynamics or hierarchical issues that come into play that may inhibit their capacity to identify, speak out about or remedy unsafe practices.

4 Discussion

4.1 The term 'compliance'

In many ways the issues discussed in this report concerning food safety regulation reflect a broader tension in health care concerning the idea of compliance. The use of the term 'compliance', whilst still common in biomedicine, nevertheless has been subjected to considerable critique over the past 25 years (e.g. see Conrad 1985; Trostle 1988). This is not the place to review this critique in detail, however it is important to acknowledge that within the doctor-patient relationship literature there has been substantial concern for the non-compliant 'patient'. **Equally, there has been a determined critique of the subservient positioning of the 'patient'** within this relationship. Trostle has argued that compliance is an ideology which is important to biomedicine since

it assumes that physicians legitimately control patient behaviour.

Yet thinking about patient behaviour in terms of 'compliance'

constrains communication by substituting a simple epithet for a complex act or series of acts over time. We know that a non-compliant patient has not followed a clinical prescription, but we do not know what the patient has done instead. (1988, p.1305)

Within this more critical literature on compliance it is now well understood that there are many reasons for non-compliance. Within the research on compliance with pharmaceutical use it is now well understood that not only is there a very high rate of non-compliance, **but that the majority of 'non-compliers' do so based** on their assessment of the costs and benefits of compliance (Donovan & Blake 1992). This assessment is not constrained to the specifics of the advice given but also takes into account competing social realities including time and financial constraints (Trostle 1988, p.1305).

Partly as a response to this sort of critique, biomedical practitioners now question whether compliance is the most appropriate lens to analyse their relationship with their clients. For example, Fraser (2010) considers the meanings of concordance, compliance and adherence in eye health. Concordance is sometimes used as a means of emphasizing more of shared understanding based on an equal partnership, whilst adherence refers to a notion of persistence over time in following advice. Concordance stands out as conceptually different to adherence and compliance since its focus is on setting the goals of therapy rather than simply enforcing a treatment regime (Fraser 2010, p.95).

Given the legal mandate of food safety regulation, there's no disputing that compliance accurately reflects the relationship between the regulator and the regulated in an absolute sense. Yet even in a field of codified regulation, there is negotiation. **In that sense, whilst there is a 'black and white' compliance regime** underpinning this field of public health, it is in many other respects not so **different from others areas of health. EHOs are thus not only 'policing' the** enforcement of these codes, but also interpreting and negotiating this regulation with varying degrees of acknowledgement of a wider context. Thus there remains **a strong element of partnership or 'concordance' even within a highly regulated** space like food safety. Yet there has been little attention paid to this aspect of food safety.

At present local governments seek persistent adherence to the food safety laws by businesses. A significant proportion of businesses in this study believed they were compliant because they were obeying the instructions of the EHO after each **inspection. If a business believes they are being compliant and 'compliance' is** what the Council wants, they logically believe they are doing the right thing. Consequently developing a shared understanding of **councils' expectations** of food

businesses is critical to achieving that goal. An additional aspect of compliance here is that food businesses are diverse organisational units themselves ranging from large segmented organisations to small owner-operator family businesses. Within this diversity the positioning of employees and their roles within food safety need to be considered as a particular aspect of compliance. Our focus on young people employed as food handlers shows how they are positioned in various ways in terms of how they comply with food safety regulation but also the cultures of food handling practice within their work contexts. Thus it is not surprising to acknowledge that they often operate in a sphere of needing to comply with their organisational expectations as well as food safety requirements which in an ideal world would be interlinked, but as we found are not always the same leaving young people to have to acquiesce, negotiate or advocate to management about food safety. We found a wide range among young people regarding their confidence in such a space.

Whilst it may be concerning to EHOs that some food businesses don't continually adhere to the food safety standards, the fact that businesses in this study have indicated a willingness to comply and a belief that food safety is important are positive outcomes that should be appreciated and harnessed. To be able to use these factors positively to change behaviour businesses will need a clearer **understanding of councils' expectations as discussed above**, and will also need to understand food safety in a more holistic way.

4.2 Understanding of food safety

The discussions about 'food safety' in the interviews showed that only a small proportion of the businesses in this study had a holistic or advanced understanding of what food safety entails and the highest risk issues in the context of their business. Only one business noted the significance of raw egg products (which have been the cause of numerous food-borne illness outbreaks) and only one articulated that **sick staff shouldn't work (which is important to minimise the risk of spreading bacterial and some viral infections via food)**, although others noted 'personal hygiene' was important and may consider being sick equivalent to being unhygienic. One business showed more advanced knowledge by noting that allergens are a significant issue and impact on whether a food is safe for an individual consumer. Of key significance is the observation that the focus of their discussions with EHOs influences the business operators' understanding and actions in relation to food safety. This means that EHOs have **the ability to influence a business' way of thinking about food safety and what they focus on to achieve food safety in their business**. However, to achieve this will require all EHOs to adopt a more holistic approach to their conversations with businesses about food safety. There also needs to be better flow of information from federal and state government agencies to local government EHOs and then on to food businesses regarding the causes of food-borne illness outbreaks so that industry maintains contemporary knowledge and focuses on modern food safety risks. This flow of information is shown in figure 1.



Figure 1: The flow of information regarding the causes of food-borne illness.

4.3 Traditional approaches to food safety

Traditionally Queensland local government food safety programs have been based on health promotion strategies, strategies that fit within the enforcement pyramid or a combination of the two. Recently some local governments have also adopted market based incentives (e.g. food business rating schemes), a risk-based approach to compliance **and/or a 'craftsmanship' approach to regulation based on the work of Sparrow (2000)**. It is important to understand each of these approaches so that it is clear how the results of this research can be incorporated into existing systems.

4.3.1 The Health Belief Model (HBM)

Models such as the Health Belief Model (HBM) have been used to guide some health promotion strategies. Such theories of behaviour change are often used in relation to both individual and community level health promotion. The HBM is shown in figure 2. The HBM was developed by research psychologists in the United States Public Health Service to help understand and predict health behaviour (Clemow 2008). **This model indicates that by modifying factors such as a person's knowledge and implementing cues to action such as food safety campaigns, the perceived threat of food-borne illness will be altered and that will affect the likelihood of behavioural change.** It also acknowledges other barriers to change will influence the likelihood of action.

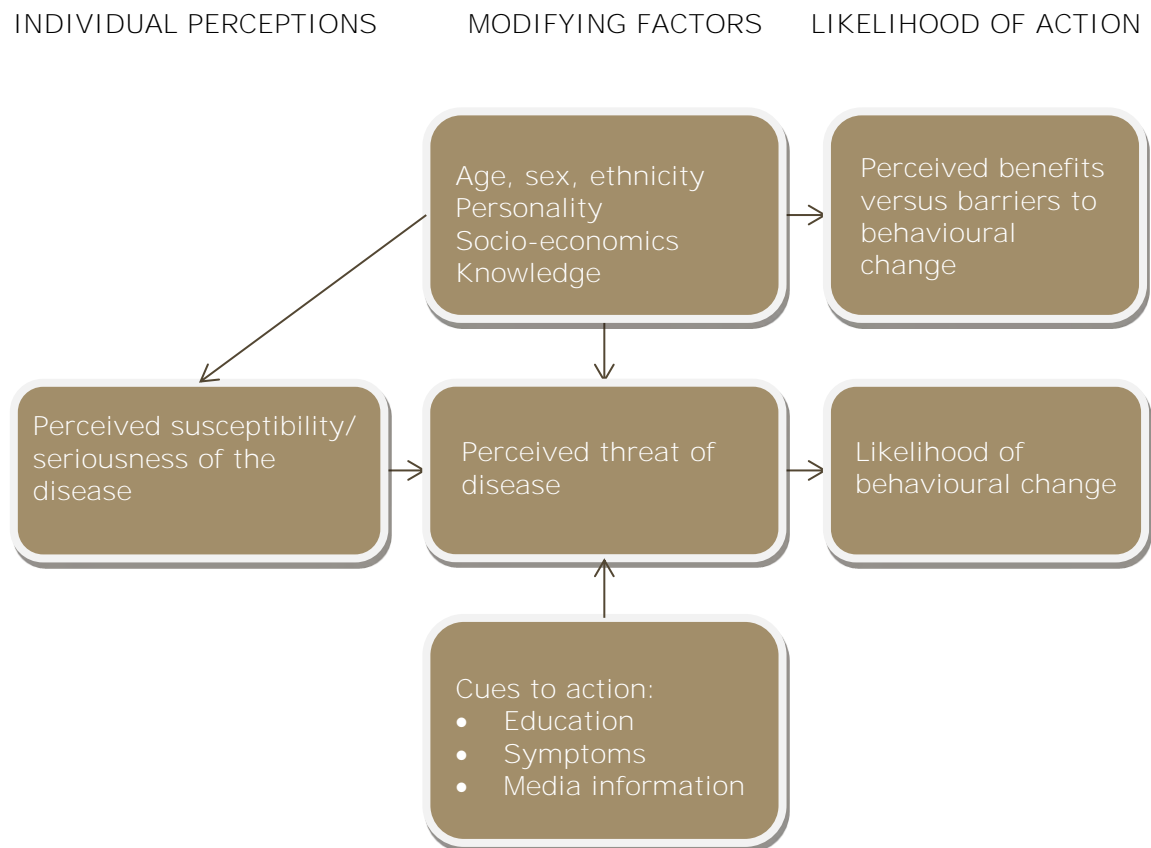


Figure 2: The Health Belief Model.

(Source: Clemow, 2008)

Some of the findings of this research suggest that behaviour change strategies could be better linked to the food safety regulatory framework. For example, communication by an EHO was found to have an impact on the actions of the **business operator. The EHO's communication is a 'cue to action' in the HBM.** Moreover the various perceptions of food safety at work among those who work in the food industry clearly influences their motivation and capacity to respond to food safety regulation. Much of the conceptualisation of health promotion (and behaviour change within that) assumes a non-regulated relationship between the **'health promoter' and the target population.** There has been surprisingly little attention given to health promotion concepts within a highly regulated sphere such as food safety. This is an area deserving of more theoretical and applied attention.

4.3.2 Enforcement and compliance pyramids

Several local governments have developed compliance strategies based on the enforcement pyramid. An example of an enforcement pyramid is shown in figure 3. The amount of space in each level is intended to represent the proportionate allocation of enforcement activities, i.e. most time is spent on persuasion.

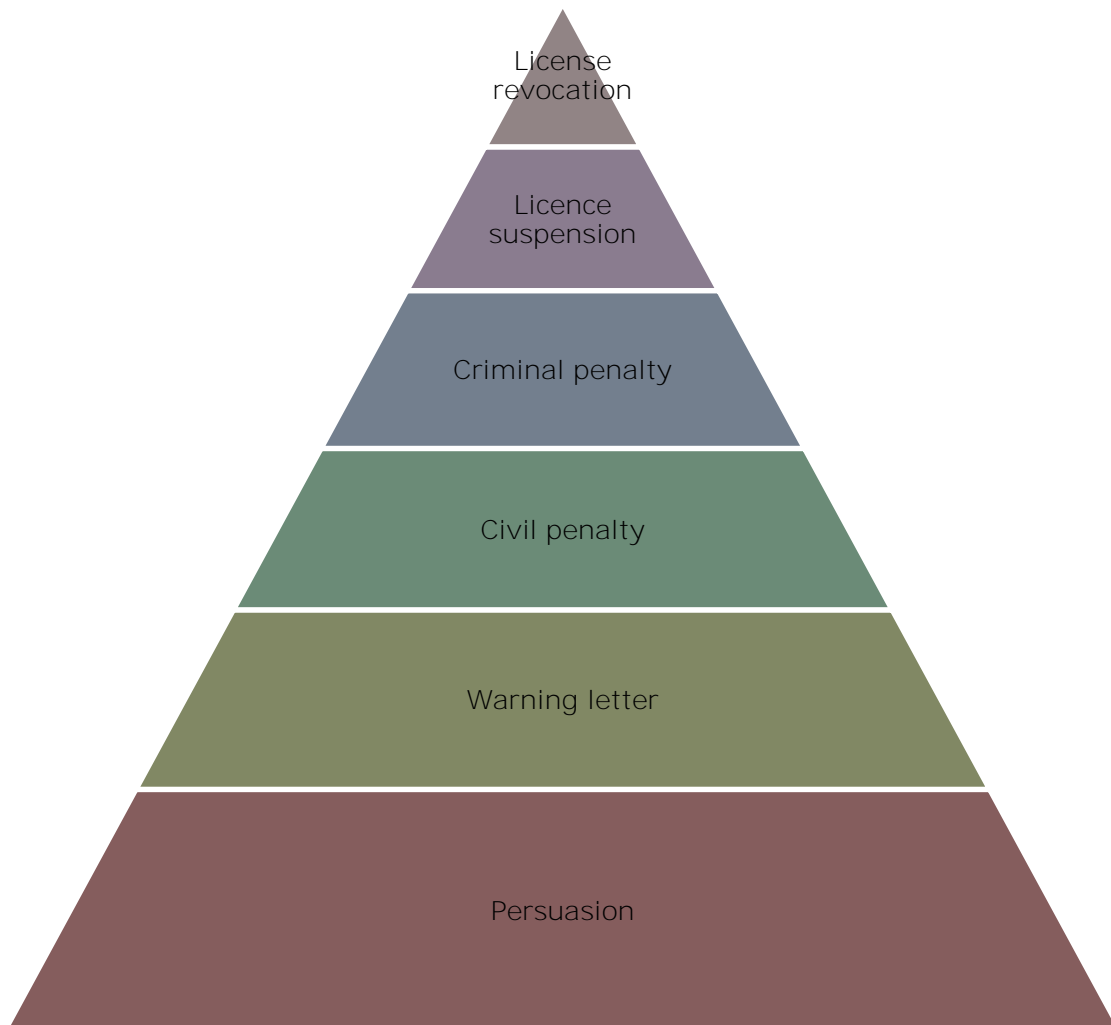


Figure 3: Example of an enforcement pyramid

(Source: Ayres & Braithwaite 1992, p.46)

Some agencies have customised this type of model to develop a compliance pyramid where the compliance activities are shown in relation to the underlying behaviour of the regulated person/business and the underpinning philosophy of the action⁴. For example, an organisation will support a business that wants to comply by making it easy to comply; **will deter businesses that don't want to comply by increasing detection opportunities (e.g. more frequent inspections); and use the 'full force of the law' on businesses that have decided they will not comply with the law.** The use of market mechanisms such as food business rating schemes creates an incentive to comply and therefore fits within compliance pyramids.

Again, this type of model has benefits in that it encourages organisations to think broadly about how they will achieve compliance. But again, **it doesn't necessarily help identify the complexities that have been discovered through this research.** For example, if a business operator believes they are doing the right thing by **adopting the reactive practice of obeying EHOs' instructions following each inspection then escalating levels of enforcement won't achieve the desired outcome of improved food safety.** Instead it is likely the business operator will be confused because they are being punished for doing what they believed was the right thing to do. In this type of situation developing a shared understanding of **the Council's expectations is more likely to improve food safety outcomes.**

4.3.3 Risk-based compliance

In some States government reforms have focused on risk-based compliance as a means of reducing the regulatory burden on industry while maintaining the legal mechanisms that protect the community from significant risks.

A risk-based compliance approach ensures that limited resources are used to target the issues that create the biggest risks to the community.

The benefits of adopting a risk-based compliance approach include:

- Improved compliance outcomes by customising actions to effectively deal with the most significant risks.
- Efficiency gains by targeting programs to concentrate on issues that will have the greatest outcomes.
- Reduced business compliance costs by only imposing requirements that are needed.
- Greater business support for compliance measures by ensuring the compliance approach taken is widely understood by business. (The Better Regulation Office 2008).

Risk-based compliance is achieved by working through the series of steps shown in figure 4.

⁴ For example the Australian Taxation Office (ATO): http://www.ato.gov.au/General/How-we-check-compliance/Our-approach-to-compliance/#Compliance_model.



Figure 4: The risk assessment steps involved in developing a risk-based compliance approach.

(Source: The Better Regulation Office 2008, p.4)

Adopting a risk-based compliance approach will enable local governments to adopt a holistic approach to food safety and prioritise issues, which is essential to improving food safety outcomes. The findings of this research can be used to help identify the most suitable actions for achieving compliance. However, it is **important that local governments adopting this approach view 'compliance measures' as a broad term and don't limit measures to enforcement mechanisms** because, as noted in the previous section, enforcement tools may not address the underpinning issue that is causing the non-compliance and therefore may not be effective in improving food safety outcomes.

This research has shown there are many complex reasons why a business may not comply with the food safety laws. In order to be able to choose the most suitable options to achieve compliance a deep understanding of the reasons for non-compliance is needed. Therefore, if a local government adopts a risk-based compliance approach, it is recommended that a research step is incorporated into the process shown in figure 4 before methods to achieve compliance are identified **and selected. Further research to improve a local government's understanding of why businesses are not complying may be needed if the review process reveals that the plan is not effective.**

4.3.4 Regulatory craftsmanship

Due to the intrinsic nature of regulation EHOs and other regulators have to exercise judgement and discretion in relation to compliance activities. The concept of regulatory craftsmanship has been adopted as a means of encouraging

regulators to focus on using all tools available to them to achieve desired outcomes rather than focusing on the use of specific tools. Sparrow notes that **'genuine regulatory craftsmanship** quiets the functional, tool-centred arguments, replacing the tool orientation with a task orientation and bringing forward a more sophisticated understanding of when and how certain tools work best and in what **combinations'** (2000, p.185). This approach often requires the adjustment of key performance indicators (KPIs) to be successful. For example, if the number of Penalty Infringement Notices (PINs) (otherwise known as fines) issued is reported as a KPI, then regulators are more likely to focus on issuing PINs rather than focusing on the outcome.

The findings of this research support the concept of regulatory craftsmanship. For **example, EHOs' communication was noted to influence food business operators'** actions. Therefore an EHO practicing regulatory craftsmanship will develop a sophisticated understanding of how their communication influences business operators and how to adapt their communication to achieve the desired outcome of improved food safety practices.

4.3.5 Combinations of tools

These approaches are complementary and coexist in many local governments. For example, food safety training may be used to improve knowledge in an attempt to alter behaviour and as a means of supporting/persuading food handlers to adopt desired practices. EHOs may use regulatory craftsmanship in this context to decide when to educate operators and when to enforce laws using legislative tools.

Regardless of how these and other approaches are used, it is important that local governments recognise the strengths and limitations of each of these approaches and develop a holistic strategy that addresses the plethora of issues that impact on food safety outcomes. Such a strategy needs to consider internal council processes, the relationship between the Council and food **businesses, EHO's** technical and interpersonal skills, industry skills and knowledge and a range of other matters discussed in the following sections. To support local governments develop a holistic food safety compliance strategy, a customisable template and associated guidelines have been developed as part of this research project.

4.4 Regulatory capture

One of the challenges for local governments is gain a deep understanding of the food business context and to work with businesses to achieve improved food **safety outcomes, but not to be 'captured' by the industry.** **'Regulatory capture'** occurs when a regulatory agency becomes subservient to the industry that they regulate (Millstone & Lang 2008). Regulatory capture results in the industry being able to influence **the regulator's decisions rather than the agency continually** acting in the public interest. **Sparrow (2000) refers to the concept as 'agency capture' and notes that resource shortages,** the inability to retain highly qualified staff and various other factors increase the risk of regulatory capture.

The findings of this research indicate collaborative relationships with the food industry are needed to improve food safety outcomes. However, the establishment of relationships for the purpose of working together to resolve problems has been identified as a contributing factor in regulatory capture (Sparrow 2000, p.35).

Maintaining the balance of understanding and supporting food businesses to improve food safety practices whilst not becoming too sympathetic to businesses is a difficult challenge. The Coroner in the famous Garibaldi food poisoning case stated:

"I must say that I have some difficulty with the concept of a regulatory authority describing the occupier of premises to be inspected as a 'customer'. I realise that the expression has a certain currency in management jargon at the moment, but it implies a relationship of service which is inappropriate. It is not the function of an EHO to please those whom he or she is required to inspect, although I do not suggest that unnecessary rudeness and officiousness should be resorted to. **However, there will be times when the 'customer' will be displeased by an EHO's actions, and, in my view, the public has a right to expect that an EHO will not be daunted by that.**" (enHealth 2012, p.56)

The Coroner stated that the regulator should display 'firmness, objectivity and professionalism', particularly in cases where the public's health is at stake (enHealth, *Risky Business*, p.56).

When developing a food safety strategy, local governments need to consider regulatory capture and incorporate processes to minimise this risk.

4.5 Discussion regarding key research findings

4.5.1 Relationship with Council

By engaging numerous strategies to strengthen the relationship between the Council and business operators, the likelihood a business operator will contact the Council for advice and support may be increased. Reducing reliance on other food handlers and operators for advice will reduce the risk of incorrect information and poor practices being passed on.

4.5.2 Council's systems and processes

Local governments need to be aware of the impact of their systems and processes. For example, providing information about how to set up a food business online in English is efficient and enables ready access to information. However, it also has its limitations. This method of providing information is helpful for people with relevant technical, literacy and language skills. Even providing hard copy documents relies on literacy and language skills. Providing information in readily accessible ways that supports the diversity of the food industry is important. Some improvements may be simple, for example ensuring the information on the Internet is provided in a format that enables people to easily use translation systems and ensuring council staff know how to show people how to use such systems. Knowing how to use programs that read documents aloud may also help people with lower literacy levels. Of course providing personal explanations of information is also critical.

Reviewing this type of process is important because in this study we observed that if a food business operator struggled to understand what they had to do to open a food business they would ask an EHO for help and then obey the advice given to them. They then received their licence and could open the food business. So, in effect, the business operator hasn't had to understand or take responsibility for food safety issues in the business to be rewarded with the Council's seal of approval in the form of a licence, they have just had to obey the directions of the EHO. In this study it appeared several business operators continued this behaviour of making the EHO 'happy', i.e. the operator waited for the EHO to tell them what to do during each inspection and then the operator obeyed these instructions. These business operators relied on the EHO to tell them what to do and in doing so adopt a reactive approach to food safety. This behaviour of obeying the EHO may be reinforced following each inspection cycle when the operator rectifies the identified issues and the EHO expresses a level of satisfaction or approval. Based on the response of the EHO, the operator believes they have done the right thing. This reactive pattern of behaviour may perplex and frustrate EHOs, but the very foundation of the relationship (i.e. reactively

obeying the EHO) may have been inadvertently created and rewarded by the local government processes and the actions of the EHO.

4.5.3 Consistency

The issue of perceived inconsistencies is interesting. As noted in section 2, improved communication may address some of these perceptions, but there are others that local governments may not be able to resolve. One of the greatest **challenges is the use of the term 'consistency'**. Many of the examples businesses provided when explaining inconsistencies actually indicated that business wanted **uniformity**. Consistency is defined as 'constant adherence to the same principles, course, etc.' (Delbridge et.al. 2002, p.414). Uniformity is defined as 'the state or character of being uniform; sameness of form or character throughout; absence of variation or diversity' (Delbridge et.al. 2002, p.2048). What is most interesting about this discussion is that businesses indicated that they wanted their competitors to be treated the same as they were, but they also wanted EHOs to work with them to develop customised solutions to issues. These types of contradictory desires are not uncommon. Sparrow (2000, p.17) notes that regulators often face contradictory demands such as **'focus your efforts – but be consistent'**. Other contradictory desires were also noted in this study including **business operators' desire for local government to support them but to regulate others**, particularly their competition. Great skill is needed to be able to respectfully challenge this type of contradiction without unintentionally offending the business operator. But it may be necessary in order to overcome perceptions of inconsistency.

4.5.4 EHOs' skills and knowledge

As local government EHOs are key ambassadors of their councils and their interpersonal skills are critical to achieving successful food safety outcomes, it is essential that local governments invest in ongoing professional development for EHOs to develop and maintain advanced technical knowledge and **'soft' skills such as communication**.

The maintenance of technical skills is particularly important in identifying food safety risks in each business and also when applying the legislation to individual business contexts. Significant concern was expressed about the suitability, practicality and flexibility of the legislation by business operators, but when the conversations were analysed it is noted that the concerns expressed relate to the interpretation and application of the legislation. The legislation is outcomes-focused and generally is flexible so that it can be applied in all food business contexts. However, EHOs need to maintain their technical skills knowledge so they can work with businesses to develop practical solutions that conform to the requirements of the legislation.

EHO communication was a key focus in the discussions with the business operators and whilst at times it was noted that communication was a barrier to compliance, it is also the solution to some issues. The ways in which EHO communication can influence food safety outcomes based on this study are shown in figure 5.

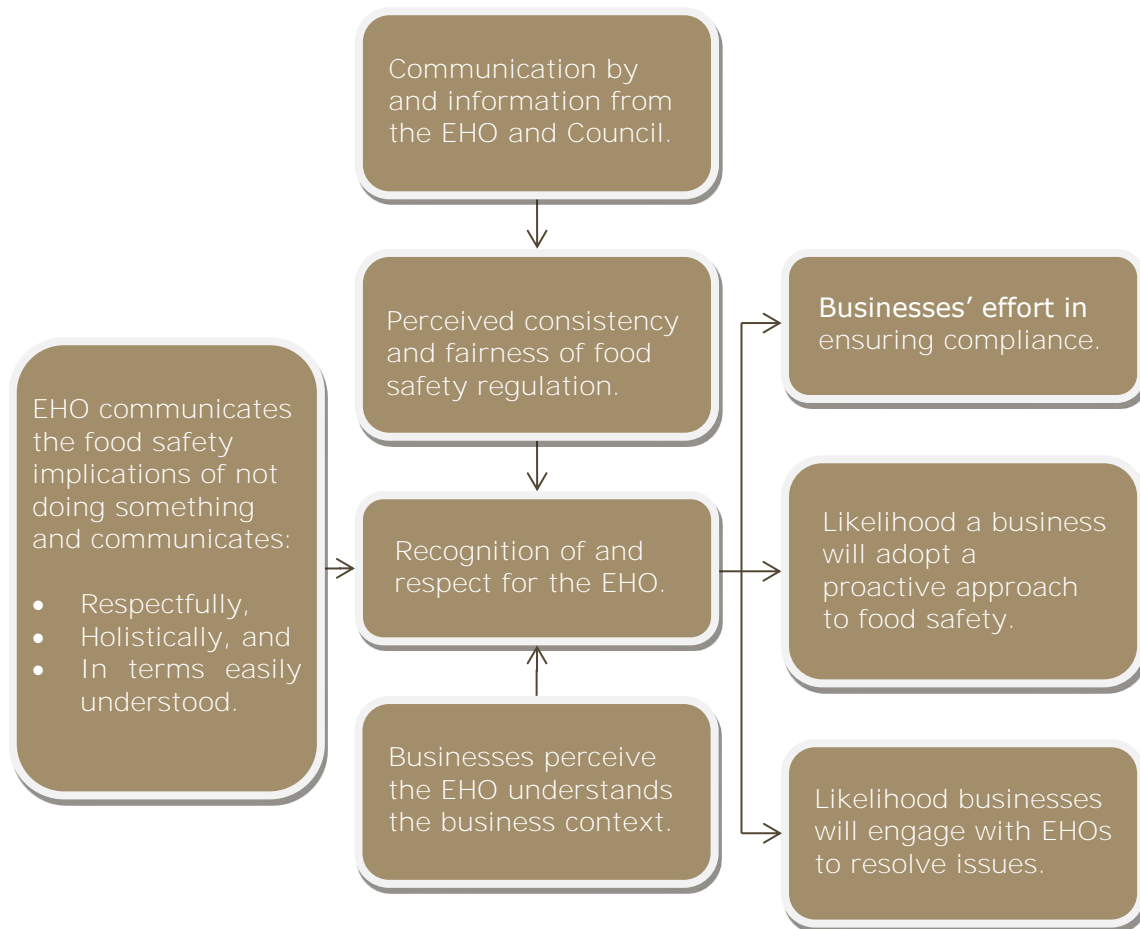


Figure 5: Ways in which EHO communication influences food safety outcomes.

If an EHO explains why a certain action should/shouldn't be taken in the context of food safety outcomes and talks about food safety holistically and in terms the business understands, the business is more likely to think about food safety **holistically as well as recognise the EHO's expertise and respect them**. Other factors that influence a business' respect for an EHO include the EHO's ability to communicate in a way that demonstrates respect to the business operator and show an understanding of the business context including the competing priorities and the numerous challenges they continually face. The issue of perceived inconsistencies is currently a barrier that is adversely impacting on the likelihood a business will believe an EHO has advanced skills and knowledge and their level of respect for the EHO. Improved communication by councils and the EHO may address perceptions of inconsistency by allowing an open and honest dialogue about the situation and highlighting any actual inconsistencies that councils should address. The businesses in this study indicated that their respect for an EHO and recognition of their expertise influenced their effort in ensuring compliance, the likelihood they would adopt a proactive approach to food safety and the likelihood they would engage EHOs to help them resolve issues. Obviously numerous other factors including the business' financial ability, time, the operating environment and competing priorities also impact on these outcomes. However, it is important to recognise the significant impact EHOs' communication also plays in terms of food safety outcomes.

As noted above, when an EHO can explain why an issue is important in terms of food safety they are viewed as knowledgeable, but they may be regarded as less skilled and knowledgeable if they are not able to provide customised advice

regarding how legislation can be applied in a specific business. This poses a difficult challenge for local government EHOs who must then be able to apply their expertise across a complex and diverse food industry. Moreover, EHOs need to develop ways of providing advice and identifying options without taking on responsibilities and liabilities that should remain with the business.

Several businesses in this study believed EHOs applied personal opinions to businesses. In these cases it appeared the business operator did not understand why something was important and how it related to food safety. Communication appeared to play some role in the perception of the business that personal opinion rather than professional judgement was at play. Sparrow (2000, p.26) notes that by the very nature of their work, regulators exercise judgement and discretion. EHOs have to interpret and apply outcomes-based legislation to a variety of food business contexts. But the reality is that in some cases businesses will not agree with or like the requirements imposed by the EHO and therefore the EHO has to have advanced communication skills in order to be able to gain the business **operator's understanding that professional judgement based on their** interpretation of the legislation is being applied.

EHOs' interpersonal skills can also influence the anxiety and stress felt by food business operators during inspections, particularly operators from CALD backgrounds. Some EHOs may be shocked to think that in doing their job, by simply being present in a food business, they cause such stress and anxiety that some operators are reduced to tears. This is not the fault of any individual EHO, but highlights the pressure business operators are under and their reliance on the finances from the business. EHOs hold significant power over the livelihood of these people. Importantly, a positive experience can reduce the stress and anxiety during that and subsequent inspections. A positive experience does not necessarily involve only positive feedback, but focuses on being constructive, helpful and working with the business. If local governments fail to consider this issue it will be difficult to develop a collaborative relationship and move forward on food safety issues. In practical terms a person who is stressed is also less likely to be able to deeply concentrate on the information an EHO is communicating, particularly if English is their second or a subsequent language.

4.5.5 Inspections

The focus of EHOs during inspections has a strong correlation with what food business operators believe food safety is or what is important for food safety. By the regulatory nature of inspections some EHOs may focus their final discussions on non-compliances, i.e. breaches of the food safety laws, because these are the issues the business must address. This practice has the potential to divert the **business operator's focus to the areas of non-compliance** raised by the EHO, at the risk of ignoring other higher risk issues which were compliant at the time of the inspection. By inadvertently diverting the attention of the business from higher risk issues that the business had managed correctly to lower risk non-compliances, the actual risk posed by the business may increase. Therefore, how food business inspections are conducted may need to be reviewed.

A review of inspection proformas may be warranted to ensure that higher risk activities (i.e. the causes of food-borne illness outbreaks such as contaminated raw vegetables) are separated out so as to remind EHOs to pay particular attention to these issues during inspections. The addition of a section to inspection proformas where the EHO identifies the highest risk issues for each food business may also encourage the EHO to have a more holistic discussion about food safety in the context of each business, talking about high priority practices that the business needs to maintain as well as the non-compliances the business needs to **address. EHOs also need to ensure that they are not 'blinkered' by an inspection**

proforma to the extent that they ask questions that are not relevant to a business, **thereby reducing the operator's respect for them.**

4.5.6 Collaboration

Collaborating with the specific parts of the food industry may also be beneficial in improving food safety outcomes. For example, as previously noted, financial bonuses create significant incentives for managers to ensure compliance with food safety laws. Therefore, it may be valuable to engage larger businesses to exploit the use of financial bonuses to improve food safety outcomes, which would benefit the business, the Council and the broader community. However, it would be important to ensure all non-compliances were being reported within the company to avoid situations where non-compliances were hidden and therefore not addressed. Engaging relevant industry associations may also be beneficial in addressing common issues within a particular type of food business.

4.5.7 Advocacy for local businesses

Advocating on behalf of the food industry appears to be another way that local governments can be seen to be supporting local food businesses. Many local governments already do this, for example they report potential flaws and adverse impacts of the food safety legislation to the Health Department. Increasing and/or promoting the advocacy work the Council does may be valuable in supporting local businesses and **improve businesses' impression of the Council.**

However, local governments need to ensure that the primary focus of their advocacy work focuses on what is best for the community and processes should be established to avoid regulatory capture.

4.5.8 Understanding the food industry

In order to develop a holistic food safety strategy it is essential that local governments develop a deep understanding of food businesses and food handlers, and the factors that influence their actions in relation to food safety. This requires local government staff to put aside their preconceptions and invest in or review existing unbiased research. Government agencies and other organisations (e.g. the Chamber of Commerce, universities) may have existing research that will assist local governments.

Developing a deeper understanding of food businesses will allow local governments to select the most appropriate strategies to effect change. For example, during this study it was noted that if particular actions were not habitual to a person then their view of their level of compliance was affected. For example, if extensive cleaning was not a norm then it took a conscious effort to clean. The person was then aware of how much effort they had put into cleaning and because of that extensive effort, they believed they must have achieved a high level of compliance. This resulted in several businesses which the Councils believed had significant non-compliances, describing themselves as compliant or as being compliant all the time. Understanding this type of thought process may help EHOs communicate more effectively with such people. For example, if the EHO focuses **on what hasn't been cleaned without recognising what has been cleaned, the person may feel their effort has not been acknowledged and may become discouraged.**

The discussion in the section about inspections is another example of how an understanding of the food industry can allow local governments to make small changes to processes to improve outcomes. By altering inspection proformas to encourage EHOs to focus on higher risk issues they are more likely to discuss higher risk issues with the operator, which in turn is likely to result in the operator focusing on higher risk issues.

Developing a deeper understanding of food handlers is also important. For example, a number of young food handlers involved in this research noted times where they had tried to address an issue with a manager/boss unsuccessfully. This experience of feeling compromised, at fault or being made to do something that they are not comfortable with could further erode their confidence in speaking out against practices in future workplaces for fear of reprisal or of being ignored completely. Understanding this type of issue can enable councils to identify less obvious strategies for improving food safety. For example, working with other organisations to help young food handlers develop strategies to deal with difficult situations at work may help them successfully address food safety issues in the future. Empowering food handlers who are regularly in the food business to successfully resolve food safety issues would help improve food safety outcomes.

Although research to gain a deeper understanding of the food industry requires an investment (i.e. time and resources for research completed by local government staff or a financial investment to engage external researchers), the research findings can help identify inexpensive changes to processes (like the above examples) that could have a significant impact on food safety outcomes.

4.5.9 Business support

The food business operators who participated in this study also expressed a desire to have broader support for their business from the Council. Receiving such support is likely to strengthen the relationship between the Council and the business operator. Many local governments already have programs to support local businesses and better promotion of such programs may be all that is needed. Ensuring EHOs know about all local government business support programs will enable them to promote the programs to business.

4.5.10 Training

Several businesses indicated that they would like local governments to provide food safety training. There are many benefits that would result from this including more control over the quality, accuracy and consistency of the training. However, the Council would also need to be conscious of commercial training providers and ensuring that prices for training reflected an accurate cost to council to provide such services. Given the comments made by business operators about councils keeping costs down it is unclear if businesses would actually be willing to pay a commercial fee to use council training. As training organisations tend to provide either introductory food safety training or highly advanced training (e.g. auditing **HACCP systems**) **there may be an opportunity for councils to provide 'mid-range'** training aimed at food business operators/managers. Such training could include more advanced, but not too advanced, information and discuss the role of operators/managers in setting the business culture in relation to food safety.

It may also be constructive for local governments to review existing training programs to ensure the training is practical, uses scenarios to allow participants to apply what they have learnt, etc. as described by both the young food handlers and food business operators. Consideration should also be given to including content that will help food handlers, particularly young people, develop the skills and confidence needed to address food safety issues they become aware of. Consider, for example, a young food handler who revealed he/she had become **aware of an issue in his/her family's business through a class at school but was** unsure how to address it in a culturally respectful manner. It is unlikely that this is an isolated situation as many youth work in family owned food businesses and would be exposed to food safety lessons at school. As previously noted, many family owned businesses are the sole means of income used to support a family and in some cases it is also used to support the extended family in their home country. Adverse impacts on the business could therefore have significant effects for all family members. So a young person in this type of position would have the

unenviable dilemma of raising the issue and potentially offending their parents or not addressing the issue, but knowing that may put the business and therefore **the family's income at risk. This is a heavy burden for a young person to carry.** Therefore, it is considered advantageous to incorporate strategies that support food handlers address food safety issues they become aware of into food safety training programs.

4.6 Food safety strategy template

It is important to note that regulation and enforcement will remain a critical part of the food safety compliance regime. However, it is also important for local governments to balance proactive and reactive strategies. Therefore, ancillary techniques and strategies may be adopted to improve overall food safety outcomes.

A strategy sets out the actions an organisation intends to take to achieve a particular goal, such as improved food safety practices. The development of a strategy allows the organisation to review and improve their existing operations, identify and implement new strategies, prioritise actions and strategically allocate resources to maximise efficiency and effectiveness. Implementing a holistic food safety strategy will help local governments continually improve their performance in this area. To support local governments develop a holistic food safety strategy a customisable template and associated guideline have been developed as part of this research project.

The template and guideline have been developed having regard to existing local government programs and the findings of this research project. The strategy template is structured into three sections:

- **The Council's approach to food safety including their compliance policy;**
- **Food safety services which includes Council's internal systems and programs, services that support food businesses, and services that support the community; and**
- Program evaluation which details how the programs that make up the strategy will be evaluated.

The template and guideline can be downloaded from www.acelg.org.au/foodsafety.

5 Conclusion

This study has uncovered a complex array of interrelated issues that affect the likelihood food handlers and food businesses will adhere to food safety standards. This research has revealed new insights regarding the knowledge, attitudes and food safety practices of young food handlers, as well as numerous insights into the attitudes and beliefs of food business operators. The regulation of food safety focuses our attention on the flow of information and requirements toward food businesses, however this report reverses this orientation to attempt to better understand how food businesses experience food safety. We suggest that there is substantial scope to harness this **'bottom-up' understanding of food safety**. We are not suggesting that regulation is not of critical importance; however it has the potential to narrow attention toward compliance and lose potential leverage on other tools for promoting excellence in food safety practice. It is very clear that EHOs are much more than regulators in terms of the relationships they form with food businesses. They are also enablers, supporters and educators all of which require empathy and understanding of diverse organisational, social, cultural and economic circumstances.

Our findings enable a deeper understanding of how EHOs and local governments influence food safety outcomes. However, it is emphasised that this depth was achieved by engaging a small sample size. Therefore, like all qualitative research, it was not intended to provide definitive generalizable findings.

The key findings of the research include:

- The food business operators and young food handlers who participated in this study believed food safety is important and indicated a willingness to comply with food safety laws. These beliefs can be positively harnessed by local governments.
- A key theme of the findings is the need to better conceptualise a synthesized food safety practice which brings together regulation and health promotion. In particular, compliance needs to be positioned as one tool among many for attaining the outcome of high standards of food safety.
- The term 'compliance' has multiple meanings. It was found that many food business operators believe they are compliant if they obey the instructions of an EHO after an inspection. But local governments typically view **'compliance' as ongoing adherence or conformance to the food safety standards**. In order to advance food safety standards it is essential that a **shared understanding of councils' expectations of food businesses is developed**. Adopting different terminology such as 'adherence' may assist local governments to communicate their expectations.
- Local government processes and systems that are used during the establishment of a food business may unintentionally reward businesses that reactively obey EHO instructions. Consequently, local government processes and systems should be reviewed to ensure they encourage food business operators to adopt the desired behaviour from the beginning.
- The focus of EHOs discussions during inspections influences business **operators' understanding and actions in relation to food safety**. This means EHOs have the ability to significantly influence food safety outcomes. Consequently, EHOs need to discuss food safety in a holistic way with food businesses and focus on higher risk issues.

- EHOs are seen to be highly knowledgeable when they are able to collaborate or develop solutions with business owners that will enable full compliance with the laws and are responsive to the context of the individual business. Consequently it is essential that EHOs are supported to **develop and maintain advanced technical knowledge and 'soft' skills, such as communication.**
- Improved communication by councils and EHOs will help address perceived inconsistencies in the application of food safety laws, perceptions that **some of the Council's requirements are unnecessary and improve food business operators' perception of councils.**

To assist local governments implement a holistic strategy to improve food safety, and adapt the findings of this research to their local context, a food safety strategy template and associated guideline have been developed and are available via the ACELG website.

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Appendix 1: Focus group/interview questions for young food handlers.

The following questions guided the focus group/interview discussions. Additional questions with a similar focus were asked in response to the information shared by the participants.

Background

1. What type of business do/did you work in? (e.g. large/small, take-away/supermarket/café/etc.)
2. What tasks do/did you do?
3. What is/was the nature of your employment? (i.e. casual, permanent part-time, permanent full-time)

Sense of knowledge

4. What food safety training have you had?
5. What type of information was included in the training?
6. What did you think of the food safety training?

Attitudes and experiences

7. Where there any instances that you observed when food safety was compromised? How was that situation dealt with?
 - a. Follow-up questions regarding whether they felt pressure to function in a certain way.

Culture regarding food safety

8. How would you describe the culture of the business where you work/worked in relation to food safety?
9. Do you think food safety is a priority?
 - a. Follow-up questions regarding significance of food safety for management, co-workers, themselves.
10. What do you think are the main barriers to ensuring food is always prepared safely?

Appendix 2: Interview questions for food business operators/managers.

The following questions guided the interviews. Additional questions with a similar focus were asked in response to the feedback provided and to elicit further relevant information.

Understanding the business owners context

1. What type of business (i.e. cafe, restaurant, fast food outlet, bakery etc.) do you operate?
2. What is the business structure in terms of staffing (number, terms of tenure for staff, age range) hours of operation, peak hours etc.?
3. What is your cultural background and primary language?
 - a. Do you have access to information about running a food business and food safety in _____ (primary language)?
4. Can you describe a typical day in this business?
5. How long have you had this business? How long have you been working in the food industry?
 - a. If 5+ years in the food industry:
 - i. Have you noticed any significant changes in the food industry?
 - ii. Have food safety practices changed?
 - iii. Do you think the way food safety is regulated has changed?
6. Where did you learn about food safety (formal or informal learning/training, media, etc.)? What type of information was included in the training?
7. What food safety training do you provide to staff?

Perceptions of food safety

8. **What does 'food safety' mean to you?**
9. As a business owner/manager, what do you consider to be the top priorities for ensuring food safety in your business?
10. What do you consider to be less of a priority for food safety?
11. Do you think food safety is a serious issue for businesses like yours? Do you think it is likely that a food-borne illness/food poisoning outbreak could happen in a business like yours? Why?
12. What are your priorities as a business owner/manager (e.g. profit, safety, having enough non-work time with family, etc.)?
13. Where does food safety fit with your other priorities in owning or managing a business?
14. **What are the consequences or risks to yourself or to your business if you don't comply with all of the food safety laws?**

Food safety

15. Thinking about food safety laws and regulations, what is relatively easy to comply with (e.g. cleaning, appropriate work environment, etc.) and why?
16. What is more challenging to comply with and why?
17. Do you think it is important to comply with all of the food safety laws? Why?
18. What types of things get in the way of compliance (e.g. cost, time, staff, etc.)?

19. How would you describe your relationship as a food business operator with Council?
20. Please describe what took place during your last Council inspection.
 - a. Do you think they focused on the food safety issues that really matter or were less important issued focused on?
21. Do you perceive yourself as complying with food safety regulations (e.g. all the time, mostly, complying with the important requirements, sometimes, not often)?

Food safety and the economic context

22. What would be the financial cost of compliance to your business?
23. What other challenges do you face financially in operating a food business?

Strategies to support good food safety practices

24. In the past, who or what has helped you to understand and implement the correct food safety procedures in your business (e.g. training, information given during Council inspections, newsletters and other information sent out by Council, information from a professional association, information on the Internet, etc.)?
25. When you think about all the food safety information Council has given you including letters, newsletters, pamphlets, posters, stickers, information sessions, training sessions, advice during inspections, etc., what do remember most (i.e. what has stayed with you)? Why?
26. Have you heard about Eat Safe Logan? Has the Eat Safe Logan scheme had any influence on your business? (Note: Logan City Council is the only Council participating in the research that has a food safety star rating scheme for public display, therefore this question will only be asked of businesses in Logan City).
27. What would make it easier for you to understand and implement all food safety requirements in your business?
28. Is there anything that Council could do differently to support you and your business in relation to food safety?

Other

29. Do you have anything else you would like to share?
30. Do you have any questions?

About ACELG

ACELG is a unique consortium of universities and professional bodies that have a strong commitment to the advancement of local government. The consortium is led by the University of Technology Sydney's Centre for Local Government, and includes the University of Canberra, the Australia and New Zealand School of Government, Local Government Managers Australia and the Institute of Public Works Engineering Australia. In addition, the Centre works with program partners to provide support in specialist areas and extend the Centre's national reach. These include Charles Darwin University and Edith Cowan University.



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