

SCOTTISH OUT OF SCHOOL CARE NETWORK (SOSCN)

Environment Health/ Food Hygiene Legislation Information Fact sheet

Background Information

This fact sheet has been produced as a result of a meeting between SOSCN and the Scottish Food Enforcement Liaison Committee (SFELC) to discuss inconsistencies (reported to SOSCN) in the way Food Hygiene legislation is implemented within out of school care services across Scotland.

The fact sheet is aimed at all out of school care services providing snacks with the objective of demystifying the legislation, raising issues as a result of disputed inspection requirements, and providing resources for further information and advice.

This fact sheet has been written with input from the SFELC.

LEGISLATION

Any service/business providing food comes within the scope of European Food Hygiene legislation, regardless of the amount of food/drink provided- the previous exemptions no longer apply. It is for this reason that an out of school care only providing a drink and small snack are required to be inspected by Environmental Health.

However, the law is not entirely prescriptive and allows for flexibility depending on the level of food preparation. What is required for one setting may not be required in another: it depends on individual circumstance but food providers must demonstrate knowledge of, and procedures for, food hygiene relevant to the level of preparation within their service/business.

NON-PRESCRIPTIVE LEGISLATION

The Regulations allows for flexibility; the food provider can develop their own procedures appropriate to the level of food preparation. The food provider's procedures may even differ from those suggested by Environmental Health, so long as they meet the legislation. The Regulations set the minimum standard that must be achieved and in many areas do not specify prescriptive, mandatory facilities that need to be provided. When applying the flexibility allowed, the minimum standards expected in relation to food hygiene must be met.

For example, the legislation does not state that a food provider must have a specific number of sinks: separate sinks for cleaning and preparing food are the norm but may not be necessary. Food can be washed and prepared in the one sink (one completed action) and this sink then cleaned. Later this same sink can be used to wash dirty plates etc (one completed action) and then cleaned. The following day the sink can be used to wash/prepare food, and so on. In this case, the risk of contamination is controlled by a separation in time, not a physical one, and this is a long-established and recognised practice. Of course, the two activities should not be mixed. In essence: complete one action, clean, wait and then use for a different purpose.

SCOTTISH OUT OF SCHOOL CARE NETWORK (SOSCN)

Environment Health/ Food Hygiene Legislation Information Fact sheet

COOKSAFE

Cooksafe is most suitable for catering premises producing a variety of foods, both cold and hot; but can be adapted for more basic food preparation. Cooksafe or any suitable alternative should be adapted to suit the level of food preparation undertaken, as it needs to reflect the food activities you carry out. There is no legal requirement to use a specific food safety management system or undergo specific Cooksafe training. Alternative food safety management systems are available to use for example Safer Food Better Business is used in England and is also applicable in Scotland.

CHILDREN ASSISTING IN THE PREPARATION OF FOOD

Where this is a separate educational activity not an aspect of the food business element, it does not come under the Food Hygiene legislation, although good food hygiene should be used. Further advice on this is available on the FSA web site at <http://www.food.gov.uk/healthiereating/nutrition/schools/schoolfood>

RAISING ISSUES

If you are concerned about the steps you are being asked to take to meet the requirements of the Regulations ask for a second opinion. Environmental Health reports will contain the contact details of a senior officer who you can contact to discuss any concerns you have.

FURTHER INFORMATION & PUBLICATIONS

The following 3 publications which provide further detailed information about the legislation and what to expect from Environmental Health inspections can be downloaded from the Food Standards Agency website (www.food.gov.uk/aboutus/publications/#branch3). Hardcopies can also be ordered by phoning **0845 606 0667** or emailing foodstandards@ecgroup.co.uk

Starting Up – Your First Steps to Running a Catering Business (Listed under Food Industry Publications)

Food Hygiene- A Guide for Businesses (Listed under Safety & Hygiene Publications)

Food Law Inspections and Your Business (Listed under Safety & Hygiene Publications)



Scottish Out of School Care Network (SOSCN)

Level 2, 100 Wellington Street, Glasgow G2 6DH

Tel: 0141 564 1284

Web: www.soscn.org

SOSCN is a charity registered in Scotland (Charity No: SC020520)