FOOD STANDARDS AGENCY
SCOTLAND
Buidheann Inbhe-Bìdhe an Alba

To: Heads of Environmental Health Services, Scotland and Lead Officers (Food)

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Ref: ENF/S/07/008

1 February 2007

Dear Colleagues,

Davidson Review: Food Hygiene Training

As you may be aware, the recent report of Lord Davidson's review, commissioned by the Chancellor to examine the implementation of EU legislation in the UK, makes a recommendation in relation to the enforcement of the training requirements in Chapter XII of Annex II to Regulation (EC) No. 852/2004. This recommendation was based both on evidence received from food businesses and information gathered from Food Authority websites during the review. The report can be accessed via the Davidson Review website[1].

In the light of the report, the main purpose of this letter is to remind colleagues of the legal position on food hygiene training i.e. that compliance with the training requirements for food handlers and managers need not necessarily include attending formal and/or accredited training, whether external or in-house. The necessary skills may also be obtained in other ways such as through on-the-job training, self study or relevant prior experience.
This position is reflected in Agency guidance and in an updated document recently issued by LACORS which is available on their website and receives a mention in the report[2].

As you are aware, the legislation effectively requires those within a food business to have the necessary knowledge to ensure that they do not compromise the safety of food whilst carrying out their duties, whether through the direct handling of food or the management of the business and its food safety management procedures.

[1] http://www.cabinetoffice.gov.uk/REGULATION/reviewing_regulation/davidson_review/index.asp

[2] LACORS Guidance Document on Training/Instruction/Supervision of Food Handlers and Training of Food Business Operators, issued in September 2006

INVESTOR IN PEOPLE

6th floor, St Magnus House, 25 Guild Street, Aberdeen, AB11 6NJ
Tel: 01224 285189 Fax: 01224 285110
E-mail:peter.midgley@foodstandards.gsi.gov.uk

POSITIVE ABOUT DISABLED PEOPLE

Compliance cannot, of course, be demonstrated simply by having attended a formal training course or the production of a certificate; managers and staff must actively put their knowledge of food hygiene into practice in the workplace, regardless of how this has been gained. Enforcers therefore need to make judgements on compliance which are likely to be based on evidence obtained from questioning managers and staff, observing work practices and from any relevant documentation. A food business should always be afforded the opportunity to demonstrate its compliance, whether or not formal training is part of its strategy in this regard.

The Agency would not in any way discourage formal and/or accredited training and recognises both the contribution it can make to a business's compliance with the legislation and to investment in its staff. As the report itself recognises, where training deficiencies are identified, formal training might reasonably feature in an enforcer's recommendations on action which a business might take to contribute to its compliance.

Finally, the report indicates that the evidence which was gathered from Authorities' websites during the review raised some concerns regarding the accuracy of the advice provided on food hygiene training or the potential for Authorities' recommendations to be misinterpreted as legal requirements. As such, the Agency would suggest that Authorities providing information via their websites, which mention formal training, may wish to review this material to avoid any such misunderstandings.

Yours sincerely,

Peter Midgley
Head of Food Law Enforcement
Local Authority Food Law Enforcement Branch
Food Standards Agency Scotland