

Appendices

Appendix 1: National regulations relevant to nutrition, food and beverages and dietary requirements

Regulation 77 - Health, hygiene and safe food practices

1. The approved provider of an education and care service must ensure that nominated supervisors and staff members of, and volunteers at, the service implement

- (a) adequate health and hygiene practices; and
- (b) safe practices for handling, preparing and storing food to minimise risks to children being educated and cared for by the service.

Penalty: \$2200.

2. A nominated supervisor of an education and care service must implement, and ensure that all staff members of, and volunteers at, the service implement—

- (a) adequate health and hygiene practices; and
- (b) safe practices for handling, preparing and storing food to minimise risks to children being educated and cared for by the service.

Penalty: \$2200.

3. A family day care educator must implement--

- (a) adequate health and hygiene practices; and
- (b) safe practices for handling, preparing and storing food to minimise risks to children being educated and cared for by the educator as part of a family day care service.

Penalty: \$2200.

Note : A compliance direction may be issued for failure to comply with subregulation (1).

Regulation 78 – Food & Beverages

1. The approved provider of an education and care service must ensure that children being educated and cared for by the service—

- a. have access to safe drinking water at all times; and
- b. are offered food and beverages appropriate to the needs of each child on a regular basis throughout the day.

Penalty: \$2200

2. A nominated supervisor of an education and care service must ensure that children being educated and cared for by the service –

- a. have access to safe drinking water at all times; and
- b. are offered food and beverages on a regular basis throughout the day.

Penalty: \$2200

3. A family day care educator must ensure that children being educated and cared for by the educator as part of a family day care service—

- a. have access to safe drinking water at all times; and
- b. are offered food and beverages on a regular basis throughout the day.

Penalty: \$2200

Regulation 79 – Service Providing Food

1. The approved provider of an education and care service that provides food or a beverage to children being educated and cared for by the service must ensure that—
 - a.the food or beverage provided is nutritious and adequate in quantity; and
 - b.the food or beverage provided is chosen having regard to the dietary requirements of individual children taking into account—
 - i.each child’s growth and development needs; and
 - ii.any specific cultural, religious or health requirements.

Penalty: \$2200

- 2.A nominated supervisor of an education and care service that provides food or a beverage to children being educated and cared for by the service must ensure that—
 - a.the food or beverage provided is nutritious and adequate in quantity; and
 - b. the food or beverage provided is chosen having regard to the dietary requirements of individual children taking into account—
 - i.each child’s growth and development needs; and
 - ii.any specific cultural, religious or health requirements.

Penalty: \$2200

- 3.A family day care educator who provides food or a beverage to children being educated and cared for by the educator as part of a family day care service must ensure that—
 - a.the food or beverage provided is nutritious and adequate in quantity; and
 - b. the food or beverage provided is chosen having regard to the dietary requirements of individual children taking into account—
 - i.each child’s growth and development needs; and
 - ii.any specific cultural, religious or health requirements.

Penalty: \$2200

4. To avoid doubt, this regulation does not apply to food or a beverage provided by a parent or family member for consumption by the child.

Regulation 80 – Weekly Menu

1. (other than water) to children being educated and cared for by the service must ensure that a weekly menu—
 - a.is displayed at a place at the education and care service premises accessible to parents of children being educated and cared for by the service; and
 - b.accurately describes the food and beverages to be provided by the service each day.

Penalty: \$1100

- 2.A nominated supervisor of an education and care service that provides food and beverages (other than water) to children being educated and cared for by the service must ensure that a weekly menu—
 - a.is displayed at a place at the education and care service premises accessible to parents of children being educated and cared for by the service; and
 - b.accurately describes the food and beverages to be provided by the service each day.

Penalty: \$1100

3.A family day care educator who provides food and beverages (other than water) to children being educated and cared for by the educator as part of a family day care service must ensure that a weekly menu—

a.is displayed at a place at the family day care residence or approved family day care venue accessible to parents of children being educated and cared for by the service; and

b.accurately describes the food and beverages to be provided by the family day care educator each day.

Penalty: \$1100.

4. To avoid doubt, this regulation does not apply to food and beverages provided by a parent or family member for consumption by the child.