

Objectives

To determine whether the Department of Digital Government and Service NL effectively manages the Food Premises Inspection and Licensing Program; and whether the program has effective monitoring and oversight by the Departments of Digital Government and Service NL and Health and Community Services.

 **Audit Period:** April 2019 through December 2021.

Why this Audit is Important

Each year one in eight Canadians is affected by a foodborne illness which can result in hospitalization or death. It is essential that the province's Food Premises Inspection and Licensing Program is effectively managed to ensure food premises are complying with legislation in order to reduce instances of foodborne illness and protect public health and wellness.

Conclusions

We concluded that the Department of Health and Community Services did not maintain proper oversight of the Food Premises Inspection and Licensing Program. We also concluded that the Department of Digital Government and Service NL did not effectively manage some aspects of program operations, possibly increasing the overall risk to public health.

Health and Community Services' policies and guidelines were found to be outdated. There were no established oversight processes beyond the requirements for Digital Government and Service NL to submit annual reports, which were not received during our scope period. There were no established processes to ensure policies and guidelines are followed by Digital Government and Service NL. The Memorandum of Understanding between the two departments has not been updated since 1999, although it is required to be updated annually.

The departments did not meet regularly; this lack of communication may have made it difficult for both parties to fulfill their roles which could have resulted in the program not being implemented in a way that aligns with health standards, ultimately increasing the risk to public health.

Digital Government and Service NL did not carry out the minimum required number of inspections annually. The department incorrectly calculated inspection statistics which may have indicated better than actual performance. Remote parts of the province were susceptible to extended periods without inspections. Data inaccuracies were found in the records management system.

Physical documentation was not always maintained. There were effectiveness and efficiency issues with the department's records management system. File audits were not conducted and file audit protocol contained gaps. We were unable to determine whether public complaints were handled in accordance with policy. There was no established process for the submission of public complaints. Newfoundland and Labrador makes less detailed information regarding food premises inspection results available to the public, in comparison to some other provinces.

Summary of Recommendations

- Health and Community Services should establish processes to ensure the effective oversight of the Food Premises Inspection and Licensing Program.
- Health and Community Services and Digital Government and Service NL should evaluate the memorandum of understanding annually as required.
- Digital Government and Service NL should establish processes to ensure effective monitoring of the Food Premises Inspection and Licensing Program.
- Digital Government and Service NL should provide Health and Community Services with the required reports in a timely manner as required by the memorandum of understanding.
- Digital Government and Service NL should ensure the licensing and inspection of the food premises, including those in remote locations, is carried out in accordance with legislation, policies, guidelines, and the Memorandum of Understanding.



What We Found

Program Oversight (Health and Community Services)

- The department's policies and guidelines were found to be outdated.
- There were no established oversight processes beyond the requirements to submit annual reports, which were not received during our scope period.
- There were no established processes to ensure policies and guidelines are followed by Digital Government and Service NL.
- The Memorandum of Understanding between the two departments has not been updated since 1999, although it is required to be updated annually.

Program Management (Digital Government and Service NL)

- The majority of food premises tested operated under licences, however, we identified some premises that were operating without a valid licence for a period of time.
- Digital Government and Service NL did not carry out the minimum required number of inspections annually.
- Digital Government and Service NL incorrectly calculated inspection statistics which may have indicated better than actual performance and provided them to Health and Community Services.
- Remote parts of the province were susceptible to extended periods without inspections.
- Critical hazards and non-critical deficiencies identified during inspections were handled appropriately for our sample.
- Data inaccuracies were found and physical documentation was not always maintained.

Program Monitoring (Digital Government and Service NL)

- There were effectiveness and efficiency issues with the department's records management system.
- File audits were not being conducted and file audit protocol contained gaps.
- We were unable to determine whether public complaints were handled in accordance with policy, given there was no established process for the submission of public complaints.
- In comparison to some other provinces, Newfoundland and Labrador makes less detailed information regarding food premises inspection results available to the public.
- Digital Government and Service NL did not provide Health and Community Services with annual reports as required.



After reading this report, you may want to ask the following questions of government:

1. What actions is the Department of Health and Community Services taking to ensure public health and wellness is protected from foodborne illness?
2. When will the Department of Health and Community Services update its policies, procedures, and agreements with respect to inspection programs?
3. How will the Department of Health and Community Services ensure that the Department of Digital Government and Service NL implements the Food Premises Inspection and Licensing Program as intended?
4. Is the Department of Digital Government and Service NL considering enhancing transparency by providing more detailed information to the public on the results of food premises inspections?
5. How will the Department of Digital Government and Service NL improve inspection completion rates?