COPP 6.3 Prisoner Food and Nutrition

Commissioner’s Operating Policy and Procedure (COPP)

**Corrective Services**

Prison

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| **Principles**  As referenced in the[Guiding Principles for Corrections in Australia, 2018](http://justus/intranet/department/standards/Pages/ops-standards.aspx):  4.2.1 Prisoners have continual access to clean drinking water.  4.2.2 Prisoners are provided with well presented, sufficient nutritious food that is adequate for adult good health and wellbeing at regular intervals.  4.2.3 Food meets prisoners’ cultural, religious and dietary needs, and complies with legislation, security, food handling and storage requirements/standards. |

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# Scope

This Commissioner’s Operating Policy and Procedure (COPP) applies to all prisons administered by or on behalf of the Department of Justice (the Department).

# Policy

The Department is committed to ensuring every prisoner is provided with access to clean drinking water and nutritional food adequate for health and well-being.

Prisoners shall be provided with nutritionally balanced and varied meals that conform to the [Australian Dietary Guidelines](https://www.eatforhealth.gov.au/guidelines/australian-dietary-guidelines-1-5) and the [Australian Guide to Healthy Eating.](https://www.eatforhealth.gov.au/guidelines/australian-guide-healthy-eating)

Prisoners will be provided special dietary food to meet established cultural, religious or other special needs where practicable, in accordance with the Department’s [Special Meals Guidelines.](http://justus/intranet/prison-operations/PrisonIndustries/special-meals-guidelines.pdf)

Lifestyle choices such as vegetarian and vegan diets will be assessed on an individual basis by relevant staff at the prison and monitored on a regular basis.

Health Services will provide a medical certificate specifying the type and duration of special diet required for a prisoner’s medical condition in accordance with [Health Services Policy and Procedure - PM17 Special Diet, Dietary Supplements and Morbid Obesity Management.](http://justus/communities/health-services/Pages/Policy-and-Procedure.aspx)

# Food Safety, Prison Menu and Assessments

## Food safety

### The Superintendent shall ensure prison kitchens (and where applicable, the kitchens in self-care units and at work camps) are operated in accordance with the [“Food Stars” Food Safety Program](http://justus/intranet/prison-operations/Pages/pi-catering.aspx) and comply with the following [Food Standards Australia New Zealand (FSANZ)](https://www.foodstandards.gov.au/Pages/default.aspx):

1. 3.2.1 Food Safety Programs
2. 3.2.2 Food Safety Practises and General Requirements
3. 3.2.3 Food Premises and Equipment.

### All staff and prisoners who supervise or handle food within the prison and workcamps are required to complete One Star – Food Safety and Hygiene training. This includes all prisoners who are responsible for re-heating meals in the units.

### The Chef Supervisor and Life Skills Instructor (if applicable) shall manage the food preparation in self-care units which will include:

1. Ensuring prisoners are trained to prepare food in accordance with the [“Food Stars” Food Safety Program](http://csinet/F/food_safty_programs.aspx?uid=6923-1003-3904-0422) and follow the [Australian Dietary Guidelines](https://www.eatforhealth.gov.au/guidelines/australian-dietary-guidelines-1-5).
2. Providing food (including meat, meat related products, vegetables and fruit) in quantities based on standard portion sizes. Advice about the amount of food required for health and wellbeing can be found at [Eat For Health](https://www.eatforhealth.gov.au/).
3. Conducting monthly inspections of kitchens in self-care units and work camps (if applicable) using the [Self-Care/Work Camp Kitchens inspection Checklist](https://justus/intranet/prison-operations/Pages/copp-forms.aspx), and report compliance to the relevant line manager against:
   * 3.2.2 Food Safety Practices and General Requirements
   * 3.2.3 Food Premises and Equipment.

### Private prison management of food preparation as per section 3.1.3 shall be conducted by the relevant Residential Operation Manager, Unit Manager and or Safety Services Manager. These positions will be required to have food handling training.

### The Superintendent shall allow annual food safety audits of the prison’s kitchen to ensure it complies with the requirements of the relevant Food Safety Standards.

### Internal audits shall be conducted annually by the Department’s Catering Coordinator Prison Industries (Catering Coordinator) and an external independent auditor. A copy of the audit report provided by the external independent auditor shall be provided to the Catering Coordinator and Superintendent.

### The Superintendent may escalate the audit report to the relevant Deputy Commissioner for their consideration and recommended action if deemed necessary.

### The Superintendent shall ensure prison kitchens (and where applicable, the kitchens in self-care units and at work camps) are registered in accordance with the [*Food Act 2008*.](https://www.legislation.wa.gov.au/legislation/statutes.nsf/main_mrtitle_3595_homepage.htmll)

## Prison menu

### Superintendents shall ensure prisoners, including those in self-care units and work camps (if applicable), receive meals that are:

1. Part of a seasonal menu. Seasonal menus for public prisons shall be approved by the Department’s Catering Coordinator. The seasonal menu will include:

* Standardised recipes
* A menu which changes every 4 weeks at a minimum
* At least one hot meal each day
* Two fish meals each week.

1. Provided at times consistent with community standards (eg breakfast lunch and dinner)
2. Appropriate for local environmental considerations (such as a hot climate) and availability of food supplies.

### 

## Menu assessments

### The Catering Coordinator shall arrange for annual dietitian assessments of public prison menus against the [Australian Dietary Guidelines](https://www.eatforhealth.gov.au/guidelines/australian-dietary-guidelines-1-5) and the [Australian Guide to Healthy Eating](https://www.eatforhealth.gov.au/guidelines/australian-guide-healthy-eating). Assessment reports will be provided to:

1. Catering Coordinator
2. Assistant Director Prison Industries
3. Superintendent.

### The Catering Manager of a private prison shall arrange for annual assessments of private prison menu’s by an approved dietician.

# Dietary and other requirements

## Specific dietary needs

### Where it is requested to meet established cultural, religious or other special needs, the Superintendent may authorise the provision of such foods (refer to [COPP 4.2 – Aboriginal Prisoners](http://justus/intranet/prison-operations/Pages/prison-copps.aspx) and [COPP 9.1 – Cultural, Religious and Spiritual Services](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)).

### All requests for special meals shall be recorded in the prisoner’s offender notes on TOMS.

### Prisoners who have specific dietary requirements are required to complete the [Special Meal Request](https://justus/intranet/prison-operations/Pages/copp-forms.aspx).

### These requests shall be provided to the Chef Supervisor as soon as practicable to ensure the prisoner’s needs are catered for in a timely manner.

### Unit staff shall monitor prisoners on special diets. Any deviations observed should be recorded in the prisoner’s offender notes on TOMS. Where continued deviations are recorded a request may be made to the Superintendent to remove the prisoner from the special diet.

## Allergies

### If Health Services identify that a prisoner has a food related allergy, kitchen staff must be informed immediately. Kitchen staff are to ensure food issued to the prisoner is allergy free.

## Medical diets, low fat diets and supplements

### Medical diets (e.g. diabetes) and low fat diets will be assessed and approved by Health Services in accordance with [Health Services Policy and Procedure - PM17 Special Diet, Dietary Supplements and Morbid Obesity Management.](http://justus/communities/health-services/Pages/Policy-and-Procedure.aspx)

### Health Services will be required to provide a medical certificate for type and duration of the special diet to the prisoner’s Unit Manager and the Chef Supervisor.

### If a prisoner requests special milk and this has not been supported by a medical certificate from Health Services they shall be given the option to purchase alternative milk through the canteen.

### Food supplements (including vitamins) shall only be provided by Health Services when clinically indicated as part of an evidence-based medical management of prisoners and can be funded.

### Prisoners may purchase food supplements (including vitamins) through canteen spends. if available.

# Food Sampling and Complaints

## Food sampling

### The Chef Supervisor or kitchen staff will taste test the lunch and dinner meals provided to prisoners each day for quality control purposes.

### A sample of each hot lunch and dinner meal is to be stored in the kitchen freezer (in case of any complaints) for a minimum of 7 days.

### After 7 days, provided no complaint has been made, the sample meals can be utilised in the catering contingency meals.

## Complaints

### In the event that a prisoner makes a food complaint, the Chef Supervisor or kitchen staff are to be advised and the food is to be returned to the kitchen immediately for inspection and to enable remedial action to be taken.

### The Chef Supervisor or kitchen staff shall advise their line manager and are to take steps to resolve the matter and prevent any similar occurrences in future.

### Where there is an indication that salmonella is present, the frozen sample meal should be sent away for further testing. For further information contact the Catering Coordinator.

### If it is identified that there is a possible health risk, the Chef Supervisor, Superintendent or Officer in Charge are to assess the situation, notify and discuss this with the Catering Coordinator, and act accordingly.

# Emergency Provisions

### Prisons shall have a contingency plan in place for the provision of adequate food and potable water for prisoners in the event of a critical incident interrupting the supply of food and water and/or food preparation.

### This plan is required to be contained in the prison’s Business Continuity Action Plan and Emergency Management Plan in accordance with the [Emergency Management Framework](https://justus/intranet/human-resources/safety-health/OSH/em-framework.pdf).

### Contingency plans for emergency catering shall be developed in consultation with the Catering Coordinator and updated annually ensuring meal plans adequately cater for the needs of all prisoners.

# Standing Orders

## General requirements

### Each prison may issue a written Standing Order aligned with this COPP, including procedures for (but not limited to):

### Food safety training

### Designated food preparation and cooking areas

### When and where food can be consumed

### Provision of meals during unscheduled lockdowns

### Religious/Cultural food availability

### Food delivery/service

### Food storage

### Self-care units

### Prisoners on at – risk regimes/crisis care units

### Overnight food packs

### Kitchen worker meals.

# Annexures

## 8.1 Forms and checklists

* Self-Care/Workcamp Kitchen Inspection Checklist
* Special Meal Request

## 8.2 Related COPPs

* [COPP 4.2 – Aboriginal Prisoners](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)
* [COPP 9.1 – Cultural, Religious and Spiritual Services](http://justus/intranet/prison-operations/Pages/prison-copps.aspx)

## 8.3 Other Documents

* [“Food Stars” Food Safety Program](http://justus/intranet/prison-operations/PrisonIndustries/three-star-introduction.pdf)
* [Australian Dietary Guidelines](https://www.eatforhealth.gov.au/guidelines/australian-dietary-guidelines-1-5)
* [Australian Guide to Healthy Eating](https://www.eatforhealth.gov.au/guidelines/australian-guide-healthy-eating)
* [Food Safety Standards, Australia and New Zealand](http://www.foodstandards.gov.au/industry/safetystandards/pages/default.aspx)
* [Health Services Policy and Procedure (PM17 Special Diet, Dietary Supplements and Morbid Obesity Management)](http://justus/communities/health-services/Pages/Policy-and-Procedure.aspx)
* [Special Meals Guidelines](http://justus/intranet/prison-operations/PrisonIndustries/special-meals-guidelines.pdf)
* [Standard Guidelines for Corrections in Australia (2018)](http://justus/intranet/department/standards/Pages/ops-standards.aspx)

# Definitions and Acronyms

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| Term | Definition |
| Catering Coordinator | The Senior Project Officer responsible for oversight of prison and detention centre kitchens |
| Catering Manager | Private prison staff member responsible for oversight of private prison kitchens |
| Chef Supervisor | The Vocational Support Officer Kitchen Supervisors |
| Commissioner’s Operating Policy and Procedures (COPP) | COPPs are policy documents that provide instructions to staff as to how the relevant legislative requirements are implemented. |
| Fish | Where a reference to fish is made throughout this COPP, it excludes crustaceans, oysters, clams, mussels, squid and octopus. |
| Guiding Principles for Corrections in Australia, 2018 | The guidelines and the accompanying principles constitute outcomes or goals to be achieved, rather than a set of absolute standards or laws to be enforced. They represent a statement of intent that each Australian State and Territory can use to develop their own range of relevant legislative policy and performance standards to reflect best practice and community demands. |
| Officer in Charge (OIC) | As defined in s.3 (1) [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html)and refers to either the designated Superintendent or the officer in charge of a prison at a particular time.  Also includes any contract worker authorised by the Commissioner in accordance with s.15I (1) (a) [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html)to perform the functions of a superintendent in a privately operated prison. |
| Superintendent | The Superintendent as defined in s. 36 [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html)and includes any reference to the position responsible for the management of a private prison under Part IIIA [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html). Does not extend to the Officer in Charge of a prison. |

## Related legislation

* *Food Act 2008*
* [*Prisons Act 1981*](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_751_homepage.html)

# Assurance

It is expected that:

* Prisons will undertake local compliance in accordance with the [Compliance Manual](http://justus/intranet/department/standards/Pages/monitoring.aspx).
* The relevant Deputy Commissioner will undertake management oversight as required.
* Operational Compliance Branch will undertake checks in accordance with the [Monitoring and Compliance Framework](http://justus/intranet/department/standards/Pages/monitoring.aspx).
* Independent oversight will be undertaken as required.

# Document version history

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| --- | --- | --- | --- | --- |
| Version no | Primary author(s) | Description of version | Date completed | Effective date |
| 0.1 | Operational Policy | Initial draft | 4 November 2019 | N/A |
| 0.2 | Operational Policy | Updated following consultation | 13 January 2020 | N/A |
| 0.3 | Operational Policy | Tabled for approval with the Project Steering Committee | 28 January 2020 | N/A |
| 0.4 | Operational Policy | Approved by the Project Steering Committee | 5 February 2020 | N/A |
| 0.5 | Operational Policy | Updated following consultation | 18 March 2021 | N/A |
| 1.0 | Operational Policy | Approved by the Director Operational Projects, Policy, Compliance and Contracts | 30 March 2021 | 28 June 2021 |
| 2.0 | Operational Policy | Scheduled Review Approved by the A/Director Operational Policy, Compliance and Contracts | 31 March 2023 | 4 April 2023 |