

a unique  
child

# What's going on in your kitchen?

**A**s an early years provider you are already facing squeezed margins and increasing competition, so litigation over mistakes made as part of food preparation is the last thing you need added to your business mix.

It's a simple fact that the greater the number of special diets you produce, the greater the risk there is of an error being made. But poor management of food allergies is a business threat that's yet to be acknowledged by hundreds of early years providers. These settings are essentially leaving their businesses wide open to accusations of neglect, and potential prosecutions. The risks stem from poorly defined policies and procedures around how food allergies are managed within the setting. Food allergies affect approximately five per cent of children under five, and can be fatal. Children have died in nursery from the mismanagement of their food (a high-profile case occurred back in 2003 - see [ow.ly/sINwi](http://ow.ly/sINwi)); anaphylactic reactions occur quickly and can be triggered by the minutest of contacts with allergens. As a

Mismanaged food allergies are a ticking time bomb for early years settings and the children they care for, warns Grub4Life's **Nigel Denby...**

result, special diets for allergies require very careful management.

It should be stressed that we are not talking about food intolerances, cultural or religious diets or simple food preferences. However, all too often nurseries group these categories together as 'special diets'.

## Who's responsible?

Until recently it has been individuals who have been in the dock accused of wilful neglect in care settings, but, says Felicity Gerry from Halsbury Law Exchange, "It's only a matter of

time before we see the first cases of early years providers being charged with corporate manslaughter. Nutrition is tipped to be one of the critical elements which will feature in this type of case." Professor Gary Slapper, Head of Law at the Open University agrees, adding, "The law on corporate manslaughter is especially important nowadays".

This is not about individuals deliberately neglecting children; it's about organisations not equipping or training their staff to provide adequate care. Systems, procedures



and policies or the lack of them will form the essential evidence in cases of corporate liability.

### How at risk is your setting?

Commercially it's important that your setting caters for children who need special diets for religious and cultural reasons. You will also, doubtless, have children who have food intolerances and many children with food preferences. You can cater for all of these children. But, it's commercial suicide for your staff if they confuse children with a 'preference' with children who suffer from a true food allergy.

So, here lies the first dilemma: how can your setting be accommodating to all dietary needs while minimising the risk to your business? Preparing menus and recipes without pork, or catering for children who don't like tomatoes is a very different process to catering for children who are allergic to cow's milk protein.

The first thing to assess is how many special diets your nursery caters for. As stated, the greater the number of special diets you produce, the greater the risk of an error being made and a tragedy occurring – it's that simple. A nursery preparing dozens of special diets every day is a disaster waiting to happen.

Think about your own practice. Do you group all your special diets together? If you do that's the first thing to change! Find out how many special diets are for children with true food allergies. That will allow you to identify exactly which allergies you are currently dealing with. Then you can adapt menus and recipes, screen ingredients for hidden allergens and identify the staff requiring the most immediate training.

Once you have looked at the immediate risk, you need to consider a longer-term strategy. Can your setting demonstrate that you:

- have a clear screening for food allergy at enrolment, and request written food allergy diagnosis from a health professional;
- have a food allergy policy;
- have trained all of your staff in the importance of managing food allergy;
- have trained cooks in managing food ingredients for allergy-safe diets;
- have used the food allergy policy and training to adapt your menus to accommodate food allergies;
- have used it to construct standard recipes with allergy adaptations?

The list goes on, and while it may appear overwhelming, help is at hand. The vast majority of the elements that go into good food and nutrition provision for food allergies rely upon good housekeeping, common sense and, where necessary, support from specialists.

### Nutrition and food allergies

Children with food allergies have exactly the same nutritional requirements as children who don't. If you remove a whole food from the diet, you must replace the nutrients the food provides. You need to know every possible source of allergen – some are very obvious, but others are not.

Allergen-safe meals need to look as similar as possible to the non-allergen-safe meal. It's considered best practice that children with allergies should not be separated or singled out in any way from other children.

Managing food allergies effectively is largely about confidence.

- You and your staff need to be confident in your understanding of allergies.
- You need to be confident to challenge parents

### find out more

If you have been working on food projects in your nursery, or if you would like to hear about how Grub4Life can support you in managing food allergies more effectively, email [feedback@grub4life.com](mailto:feedback@grub4life.com)

who confuse allergy with food preference.

- You need to have the confidence to ask for appropriate evidence of food allergy diagnosis for your records, and to speak to health professionals where necessary.
- Your cooks need to be confident in adapting recipes, and in preparing nutritionally complete meals for children with allergies.
- Your care staff need to be confident about procedures and policies for serving children with allergies.

However, being confident in your food allergy provision is no longer good enough – without a thorough and measurable process behind that provision, a setting effectively has no standard at all. Nurseries that get it right have the opportunity to demonstrate their expertise in early years nutrition to their clients and external agencies. You can market this as an excellent USP in your advertising and to your insurers, demonstrating that you are a lower-risk insurance prospect.

Managing childhood food allergies appropriately requires expertise; it is as important as child education, child safety and child protection. There will always be some settings that remain complacent and feel that they don't need to acquire this expertise. It's only a matter of time before one of them is held to account for neglecting their duty of care.

### RESOURCE TROLLEY

#### MEDPAC

Organising the storage of your children's medications is vital. Medpacs allow you to store emergency and prescribed medications safely. Each Medpac comes complete with a photo ID card and a treatment card, on which you can write essential information on how to administer medications, saving time in an emergency. Call 0845 0739430 or visit [medpac.co.uk](http://medpac.co.uk)



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**NIGEL DENBY, GRUB4LIFE**