

# Health Star Rating Advisory Committee

## Dispute Resolution Process for the Health Star Rating System

This process will address dispute notices related to the Health Star Rating (HSR) system in an equitable, objective and unbiased manner.

1. The Dispute Resolution Notice form (Appendix A) is to be submitted to the Front-of-Pack Labelling (FoPL) Secretariat. Complete submissions must be provided either via email to [frontofpack@health.gov.au](mailto:frontofpack@health.gov.au) or letter to Front-of-Pack Labelling Secretariat, MDP 707, GPO Box 9848, Canberra ACT 2601. Incomplete submissions will be returned to the disputer.
2. The FoPL Secretariat is to determine whether disputer has directly approached manufacturer/company of concern.
  - If no: recommend that the disputer approaches the relevant manufacturer/company directly.
  - No further action by FoPL Secretariat or HSR Advisory Committee (HSRAC).
  - If yes: FoPL Secretariat to screen Dispute Resolution Notice form to determine complete with:
    - contact details;
    - full details of dispute – i.e. product / issue; and
    - details of response(s) received in previous communication with relevant manufacturer/company regarding this issue.
3. The Dispute Resolution Notice form is passed to HSRAC Chair (within 10 business days) for initial consideration and to determine if:
  - a. further details are required
  - b. technical advice/information required
  - c. the dispute should be addressed by:
    - i. direct correspondence between the HSRAC Chair and relevant manufacturer/company; or
    - ii. tabling the issue for consideration at a meeting (teleconference or face-to-face) of the HSRAC; or
    - iii. consideration by the HSRAC out-of-session.
4. For options 3(a) and 3(b) above – The FoPL Secretariat will prepare response in consultation with the HSRAC Chair to disputer seeking further details and/or technical advice/information. The final response will be tabled at the next meeting of the HSRAC for information.
5. For option 3(c)(i) above – The FoPL Secretariat will prepare a response in consultation with the HSRAC Chair to notify disputer of agreed response/course of action. The final response will be tabled at the next meeting of the HSRAC for information.
6. For option 3(c)(ii) above – The HSRAC Chair will determine if the matter should be considered via teleconference or at the next scheduled face-to-face meeting. The FoPL Secretariat will prepare a factual agenda paper summarising the matter for consideration. The FoPL Secretariat will draft correspondence based on outcomes of the discussion for the consideration and signature of the HSRAC Chair. The final response will be tabled at the next meeting of the HSRAC for information.

7. For option 3(c)(iii) above – The FoPL Secretariat will prepare an agenda paper for consideration by the HSRAC via the out-of-session process. The FoPL Secretariat will draft correspondence based on outcomes of the process. The draft correspondence will be circulated to the HSRAC for comment before being provided to the HSRAC Chair for consideration and signature of the Chair. The final response will be tabled at the next meeting of the HSRAC for information.

#### Review Process

This process will address a request to review a response to Dispute Resolution Notices in an equitable, objective and unbiased manner.

All review requests will be considered by the HSRAC in the first instance.

Where additional evidence to support the review request is presented; or the disputer is seeking a review of the original decision of the HSRAC; the review request will be referred to an appropriate independent arbiter (as appointed by the HSRAC).

- a) In the event that the disputer (who could also be the company/manufacturer against which the dispute has been made) is not satisfied with the response from the HSRAC, they may lodge a Review Request form (Appendix B) for further consideration.
- b) In the first instance, the Review Request Form must be provided in writing to the FoPL Secretariat via email ([frontofpack@health.gov.au](mailto:frontofpack@health.gov.au)) or letter (Front-of-Pack Labelling Secretariat, MDP 707, GPO Box 9848, Canberra ACT 2601). Incomplete submissions will be returned to the submitter.
- c) The FoPL Secretariat will undertake an initial assessment of the Review Request Form to determine if any additional information is required to support thorough consideration of the matter.
- d) The FoPL Secretariat will write to the disputer to acknowledge receipt of the submission, and to request any further information, if necessary, within 10 days of receipt of the submission.
- e) The FoPL Secretariat will then refer the complete review request to the HSRAC for further consideration.
- f) The HSRAC will either:
  - a. Agree that no further evidence to support the review request has been presented and respond accordingly; or
  - b. Agree on an independent arbiter with relevant expertise to assess the new evidence and/or the request to seek a review of the original decision of the HSRAC.

The independent arbiter will consider whether the additional information is material to the dispute, and whether the request to seek a review of the original decision of the HSRAC is valid.
- g) The FoPL Secretariat will draft correspondence based on outcomes of the consideration of the review request by the independent arbiter/ HSRAC for signature by the HSRAC Chair. The final response will be tabled at the next meeting of the HSRAC for information.

### Data Collection and Reporting

The FoPL Secretariat will collect data on Disputes/Review Requests handled by the HSRAC, which will assist with the review and reporting process. Data to be collected may include:

- Nature of Dispute/Review Request and product involved.
- Decision taken by the Advisory Committee in respect to Dispute/Review Request.
- How Dispute/Review Request was resolved.

A register of consideration of disputes/review requests and related final responses will be tabled at each HSRAC meeting. A de-identified overview of submissions received and related responses will be tabled at meetings of the Food Regulation Standing Committee.

A de-identified summary of the register (Appendix C) will be published on the [HSR website](#).

### Cost

There will be no costs associated with lodging a Dispute Resolution Notice form or Review Request form for consideration by the HSRAC.

### Privacy

A general description of the consideration of disputes received will be published on the [HSR website](#). The disputer will not be named in any reports on the outcomes of consideration by the HSRAC.

Anonymous dispute/review requests will not be referred to the HSRAC for further consideration.

**APPENDIX A: DISPUTE RESOLUTION NOTICE FORM**

Complete submissions must be provided either via email to [frontofpack@health.gov.au](mailto:frontofpack@health.gov.au) or letter to Front-of-Pack Labelling Secretariat, MDP 707, GPO Box 9848, Canberra ACT 2601.

*Anonymous disputes will not be referred to the Health Star Rating Advisory Committee (HSRAC) for further consideration. A de-identified summary of disputes will be published on the [Health Star Rating website](#). The disputer will not be named in any public reports on the outcomes of consideration by the HSRAC.*

If you require any assistance with completing this form, please contact the Front-of-Pack Labelling Secretariat via email to [frontofpack@health.gov.au](mailto:frontofpack@health.gov.au) or on 1800 099 658 (free call).

<b>Dispute Details</b>	
Name of Company to whom the dispute refers.	
Name of Product (to which the dispute refers) if applicable.	
Have you contacted the company/manufacturer to whom the dispute refers? Please provide details.	Yes / No  Please note the HSRAC will not consider a submission if there has not been an attempt to resolve the matter between parties.
State the basis of your dispute, providing as much detail as necessary to facilitate thorough consideration by the HSRAC.  Provide attachments with additional information if appropriate.	
Please provide details of any communication you have had with the company in question in relation to this dispute.  Provide attachments with additional information if appropriate.	

<b>Disputer details</b>			
<b>First Name</b>		<b>Surname</b>	
<b>Company/organisation</b>			
<b>Mailing address</b>			
<b>Suburb</b>		<b>State</b>	
<b>Postcode</b>		<b>Telephone</b>	
<b>Email Address</b>			

## APPENDIX B: REVIEW REQUEST FORM

To lodge a review request in relation to a Dispute Resolution Notice previously handled by the Health Star Rating Advisory Committee (HSRAC), a complete Review Request Form must be provided to the Front-of-Pack Labelling (FoPL) Secretariat either via email to [frontofpack@health.gov.au](mailto:frontofpack@health.gov.au) or letter to Front-of-Pack Labelling Secretariat, MDP 707, GPO Box 9848, Canberra ACT 2601.

*Nb: HSRAC will not accept a Review Request unless new supporting evidence is provided.*

*Anonymous submissions will not be referred to the Advisory Committee for further consideration. A de-identified summary of disputes will be published on the [Health Star Rating website](#). The disputer will not be named in any public reports on the outcomes of consideration by the HSRAC.*

If you require any assistance with completing this form, please contact the Front-of-Pack Labelling Secretariat via email to [frontofpack@health.gov.au](mailto:frontofpack@health.gov.au) or on 1800 099 658 (free call).

Review Request Details	
Reference number (relating to original Dispute Notice)	
Please state the grounds of your review request, providing necessary additional evidence to facilitate thorough consideration by the HSRAC.  Please provide attachments with additional information if appropriate.	

Contact details			
First Name		Surname	
Company/organisation			
Mailing address			
Suburb		State	
Postcode		Telephone	
Email Address			

