



AGRICULTURE VICTORIA RESPONSE TO MINISTERIAL STATEMENT OF EXPECTATIONS 2019-21

On 3 August 2019 the Minister for Agriculture issued a Statement of Expectations (SOE) to Agriculture Victoria. This SOE outlines the Minister's priorities for Agriculture Victoria's regulatory functions in biosecurity, animal welfare, domestic animal matters and food safety for the period 1 July 2019 to 30 June 2021. This response sets out how Agriculture Victoria will meet the Minister's expectations.

Statement of intentions for meeting continuous improvement targets

The initiatives and actions outlined below describe how Agriculture Victoria will foster better practice in agriculture regulation and achieve improvements in regulatory efficiency and effectiveness in response to the SOE.

This statement of intention will be supported by more detailed internal planning and monitoring processes that will inform an evaluation of Agriculture Victoria's success in meeting these commitments at the completion of the SOE period.

In support of its focus on continuous improvement in agriculture regulation, Agriculture Victoria will seek to consider and implement reforms to its regulatory approaches and activities through the Strengthen Victoria's Biosecurity System (SVBS) program.

Risk-based strategies

Agriculture Victoria will review its risk-based regulatory approach and practices regarding the monitoring and enforcement of regulation. Specifically, Agriculture Victoria will:

- develop a three-year forward planning cycle for compliance, supported by an annual review, to ensure compliance planning adopts a risk-based approach. This will be demonstrated through three-year compliance program strategies, with annually reviewed compliance plans (30 June 2020, Ongoing)
- ensure Agriculture Victoria's three-year compliance program strategies are consistent with DJPR's regulatory approach (30 June 2020, Ongoing)
- ensure Agriculture Victoria's regulatory approaches and practices, evidenced in compliance strategies, plans and procedures, reflect and are aligned with the whole-of-government regulatory wave reform initiative, such as adopting the regulatory stewardship model (30 June 2020, Ongoing)
- undertake an analysis of evidence from the regulatory environment regarding the challenges facing agricultural industries and communities to inform high-priority areas for compliance management relative to the risk of detriment to industry and

community. These priority areas will be defined in compliance plans (30 June 2020, Ongoing)

- review all compliance-related Standard Operating Procedures (SOPs) and Manual of Operational Practices (MOPs) to ensure regulatory responses align to compliance strategies and plans and are proportionate to the circumstances (30 June 2020, Ongoing)
- develop a vision for Victoria's biosecurity system through the SVBS project and in consultation with and informed by stakeholders (30 June 2021, Ongoing)

These actions will enable Agriculture Victoria to focus its regulatory activity and resources to where the risks to community and industry are greatest.

Role clarity

Agriculture Victoria will actively help industry and community know who to go to for advice and assistance, and who to engage with to fulfil obligations. Specifically, Agriculture Victoria will:

- clearly communicate its regulatory roles and responsibilities in delivering these frameworks to industry and community through written correspondence, publications, website content, media releases and stakeholder engagement activities (Ongoing)
- continue to direct stakeholders to other regulators or relevant entities where this is required or appropriate (Ongoing)
- make information regarding the scope of its regulatory roles and responsibilities readily accessible via the Agriculture Victoria website (30 June 2020, Ongoing).

Agriculture Victoria will ensure regulatory staff have a sound knowledge of the applicable authorising legislation and any parallel or complementary regulatory frameworks.

Specifically, Agriculture Victoria will:

- ensure that all regulatory staff know and understand their authorising legislation, authorisations and regulatory frameworks, as well as any parallel or complimentary regulatory frameworks, through ongoing training and refresher training. This training will also enhance regulatory skills regarding investigative processes and understanding of legislation and evidentiary procedure (30 June 2021, Ongoing)
- develop a training framework which outlines the minimum training standards required to ensure regulatory staff have the skills and knowledge to undertake risk-based and proportionate compliance activities (30 September 2020).

Agriculture Victoria will work with relevant regulatory bodies to clarify roles, responsibilities and authorisations under legislation. Specifically, Agriculture Victoria will:

- establish Memoranda of Understanding and/or other appropriate agreements with relevant regulatory entities where appropriate to ensure mutual understanding of roles, responsibilities and authorisation under legislation (30 June 2021, Ongoing)
- continue to implement and review existing Memoranda of Understanding and/or other appropriate agreements with relevant regulatory entities (Ongoing).

These actions will lead to a collaborative approach to the administration of legislation, improve communication between regulators and reduce duplication of effort. These actions will also enable Agriculture Victoria to support industry and community to know who to go to for the appropriate regulatory advice and assistance.

Timeliness

To promote timeliness, Agriculture Victoria will provide clear instruction to its stakeholders about any administrative and licencing process or procedures they need to comply with, including expected completion timeframes. Specifically, Agriculture Victoria will:

- provide clear information to regulated parties and broader stakeholders regarding regulatory processes and timeframes via the Agriculture Victoria website, written, verbal communications (Ongoing)
- adhere to its stated processing times for licensing, certification and other administrative processes (Ongoing)
- actively monitor, track and report its performance against its stated processing timelines relating to licensing, certification and other administrative processes (30 June 2020, Ongoing)
- annually review and evaluate its licensing, certification and other administrative processes with a view to identify ongoing improvements (30 June 2020, Ongoing).

Agriculture Victoria will continue to transition administrative processes to digital and web-based formats by:

- continuing to review and transition administrative processes to digital and online formats, wherever possible and appropriate, in order to enable stakeholders to comply with administrative and licensing processes and procedures in a timely manner (30 June 2021, Ongoing)
- reviewing information systems and pursuing technological solutions in order to improve administrative processes, including centralisation of compliance related processes and data management across business systems (30 June 2021, Ongoing)

- continue to assist those who have limited digital literacy or capacity to enable compliance with processing timelines and requirements regarding licensing, certification and other administrative processes (Ongoing).

These actions will promote further efficiency and effectiveness by providing clear instructions to stakeholders in regard to their administrative, certification and licencing requirements and enabling regular review and evaluation of the effectiveness of digital and online regulatory services.

Compliance-related assistance and advice

Agriculture Victoria will continue to publish reliable and current information about regulatory requirements. Agriculture Victoria will provide advice to regulated entities and individuals about compliance obligations which will be consistent and accurate and have clear explanation regarding the objectives and the impacts of non-compliance.

Specifically, Agriculture Victoria will:

- review the Agriculture Victoria website to ensure accurate, reliable, current and consistent information and advice is available to support improved understanding of compliance obligations (30 June 2020, Ongoing)
- communicate regulatory objectives, requirements, priorities and processes to relevant industry and community through forums, website content and stakeholder engagement activities (Ongoing)
- provide information and advice regarding compliance obligations to regulated entities and individuals on the Agriculture Victoria website, including regulatory objectives and the potential impact of enforcement action on those who fail to meet their obligations (30 June 2020, Ongoing)
- provide clear written communication and rationale to regulated entities or individuals when enforcement action is undertaken. This communication will include advice as to why the action was taken, the legislative provisions that authorise enforcement, the harm or risk addressed by the enforcement action and the associated public benefit the regulation aims to protect (Ongoing)
- communicate key compliance priorities, through annual Biosecurity Roundtable forums, industry meetings, community group meetings and other fora, to assist stakeholders to be aware of compliance obligations and activities (Ongoing).

These actions will lead to an increase in public knowledge and enable stakeholders to be more aware of and understand their regulatory obligations and Agriculture Victoria's regulatory priorities and activities.

Clear and consistent regulatory activities

Agriculture Victoria will demonstrate a clear rationale for its decisions and its actions will be guided by a uniformly applied set of principles. Agriculture Victoria will apply the principles of fairness, due diligence and impartiality to ensure a consistent stakeholder regulatory experience. Specifically, Agriculture Victoria will:

- ensure that regulatory activities and actions are fair, impartial and demonstrate due diligence and appropriate quality assurance. This will be evidenced through the monitoring and review of the implementation of compliance plans (Ongoing).
- implement the regulatory principles outlined in the compliance management policy, which commit to the principles of being helpful, impartial, predictable, respectful, proportionate, transparent and reasonable. These principles will be reinforced through training and updated policies and procedures and will also be evidenced through the monitoring and review of compliance plans (30 June 2020, Ongoing)
- develop compliance program strategies and plans in accordance with a risk-based, proportionate and graduated approach to compliance that guide risk-based compliance decision making (30 June 2020, Ongoing).

These actions will ensure that regulated entities and/or individuals are treated fairly and provided with a consistent and impartial regulatory experience.

Stakeholder consultation and engagement

Agriculture Victoria will engage constructively and thoughtfully with key stakeholders including peak bodies, industry and community, to build further support for improved compliance and assist in designing better compliance approaches. Specifically, Agriculture Victoria will:

- continue to engage constructively and thoughtfully with internal and external stakeholders regarding best practice compliance approaches and activities through workshops and education tools, such as the Agriculture Victoria Learning and Management System (30 June 2020, Ongoing)
- continue to work with other department regulators to identify best practice stakeholder engagement processes and activities for strengthening relationships with the regulated entities and build this into its regular review of compliance strategies and compliance plans (Ongoing).

These actions will strengthen Agriculture Victoria's engagement abilities and relationships with the regulated entities and industry.

Accountability and transparency

Agriculture Victoria will continue to use and refine its information systems and evidence databases to review the results of its regulatory activities. Specifically, Agriculture Victoria will:

- continue to utilise information systems and the collection and use of evidence to review and support the implementation of regulatory activities and build this into the annual review of its compliance plans (Ongoing)
- continue to measure the efficiency and impact of compliance efforts, through the use of the Biosecurity Evidence Framework¹, and inform the regular reviews of its compliance strategies and plans (30 June 2020, Ongoing)
- continue to publish results of compliance efforts where possible and appropriate and issue media releases regarding successful prosecution cases on the Agriculture Victoria website (Ongoing)
- review and update its complaints management policies and procedures regarding management of complaints concerning the activities undertaken by Agriculture Victoria Authorised Officers (30 June 2020, Ongoing).

These actions will lead to greater confidence by regulated entities and individuals regarding the evidence-based regulatory approach and activities of Agriculture Victoria.

Reporting

Agriculture Victoria is committed to regular, systematic and objective reporting. Specifically, Agriculture Victoria will:

- publish the SOE and this response on the Agriculture Victoria website
- report the outputs of its regulatory functions in DJPR's Annual Report (30 September 2020, Ongoing).

Agriculture Victoria is committed to striving for better outcomes for Victorian agricultural industries and communities through continuous improvement in the design and delivery of its regulatory functions.

¹ Biosecurity Evidence Framework provides a consistent approach to measuring, evaluating and reporting Agriculture Victoria's performance against desired outcomes.