BAC-BR-30141

Ms Jenny Atta PSM  
Secretary    
Department of Health

**Via e-mail:** jenny.atta@health.vic.gov.au

Dear Secretary

**STATEMENT OF EXPECTATIONS FOR THE HEALTH REGULATOR**

I am pleased to provide you with my revised expectations for the Health Regulator to guide the regulator’s business planning processes. These revised expectations are set in the context of the recent transfer of the regulatory functions of the Victorian Assisted Reproductive Treatment Authority (VARTA) to the Department of Health (the department). This statement replaces the previous statement of expectations that was issued on 22 December 2024.

In my portfolio, as Minister for Health I administer a range of Acts and regulations designed to promote wellbeing and to protect the health of the Victorian community. I am responsible, or jointly responsible, for administering the *Child Wellbeing and Safety Act 2005*, the *Food Act 1984*, *Health Services Act 1988*, the *Non-Emergency Patient Transport and First Aid Services Act 2003*, the *Public Health and Wellbeing Act 2008*, the *Drugs, Poisons and Controlled Substances Act 1981*, the *Radiation Act 2005*, the *Tobacco Act 1987*, the *Human Tissue Act 1982*, the *Safe Drinking Water Act 2003*, and the *Assisted Reproductive Treatment Act 2008*. This guidance should be read in the context of the objectives, obligations and functions outlined in these Acts. This guidance should also be read in the context of any other legislative and non-legislative obligations on the Health Regulator. I am committed to improving the health and wellbeing of all Victorians through striving for:

* + Safe **water** access
  + Safe **radiation handling practices** to protect the community and the environment
  + Safe, suitable and correctly labelled **food**
  + A reduction in **smoking** and **e-cigarette** use
  + A reduction in **legionella** growth in cooling towers and the number of cases of Legionnaire’s disease
  + Safe patient care through the application of **medicines and poisons** regulation
  + Safe use of **pesticides** for the community and the environment
  + **Safe patient care** for all patients of private hospitals, day procedure centres,  
    non-emergency patient transport providers and first aid service providers
  + **Child safety** in health services organisations, and effective processes to respond to and report all allegations of child abuse
  + Ethical handling of **human tissue** for transplantation, post-mortem examinations and schools of anatomy.
  + The welfare of persons born or to be born as a result of **assisted reproductive treatment** as well as the health and wellbeing of people undergoing, or seeking to undergo treatment procedures

Based on consultation with the department about the government’s priorities and emerging risks, I expect the Health Regulator to work towards delivering the priorities outlined in the Health Regulator Strategic Focus 2024-26. More specifically, my expectations for the Health Regulator are as follows:

**Build collaborative partnerships to enhance regulatory outcomes**

Work with, consult with and support its broad network of co-regulators, including other Victorian government departments, local councils, national and international regulatory bodies, and law enforcement agencies to deliver more efficient regulatory outcomes than could otherwise be achieved without effective partnerships. For example, the Health Regulator will develop consistent forums and platforms for engagement with duty holders and regulatory partners.

**Optimise health protection through strengthened, risk-based regulatory approaches and targeted compliance**

Review and amend the existing regulatory approach to optimise the health protection of the public, while minimising regulatory burden. Continue to develop methodologies that combine risk-based, proportionate regulation and targeted compliance. For example, the Health Regulator will develop and implement a clear risk-based audit framework that incorporates a targeted audit approach for auditing water agencies risk management plans. The Health Regulator will also deliver on its regulatory functions in accordance with its Compliance and Enforcement Policy.

**Implement regulatory reforms for improved outcomes**

For example, the Health Regulator will continue to work with the Department of Treasury and Finance and other Victorian departments to implement key regulatory reforms outlined in the Economic Growth Statement announced on 10 December 2024. The Health Regulator will also work closely with the Department of Justice and Community Safety who will establish the new tobacco licensing scheme, following the royal assent of the *Tobacco Amendment (Tobacco Retailer and Wholesaler Licensing Scheme) Bill 2024*. I also request that the Health Regulator considers the implementation of relevant Gorton Review recommendations as part of the review of the conditions of registration for Assisted Reproductive Treatment providers.

**Enhance access to centralised information and strengthen transparent communication with stakeholders and the public**

Improve access to centralised information for stakeholders and partners to provide ongoing, wide, and transparent communication, including with the Victorian public. Seek feedback from partners and stakeholders to provide information in ways that assist them in meeting their obligations. For example, the Health Regulator will develop a new Communication Strategy that will focus on establishing fit-for-purpose engagement plans.

**Review and plan data use to drive evidence based regulatory decisions and enhance performance**

Develop research, data and analysis capacity to continuously drive improvements, and prepare reports to satisfy the requirements of the Acts administered by the Health Regulator. Make better use of existing systems to improve the quality, timeliness, and effectiveness of regulatory activities. For example, the Health Regulator will implement a new licensing software system to reduce the processing time for applications and improve the quality of assessment for application and notification transactions required by the *Radiation Act 2005*.

In addition, I expect the Health Regulator to commit to and action:

* + Contributing to health, wellbeing, and safety outcomes for Aboriginal people and the advancement of Aboriginal self-determination.
  + Climate change adaptation and enhancing health system resilience through the improvement of environmental sustainability.

I request the Health Regulator to incorporate these expectations into its business plans and include milestones for when it will meet these expectations. Business plans should also include appropriate milestones to review the content of this letter and to advise me when it needs to be updated or renewed.

I further request the Health Regulator to undertake a light touch review of the expectations in this letter when required and to advise me of any refinements it would recommend.

I look forward to the Health Regulator working continuously towards achieving best practice in the administration and enforcement of health regulation.

Yours sincerely

**Hon Mary-Anne Thomas MP**

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