

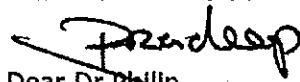


Minister for Health

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Dr Pradeep Phillip
Secretary
Department of Health
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Dear Dr Phillip

STATEMENT OF EXPECTATIONS FOR DEPARTMENT OF HEALTH REGULATORS

I am pleased to provide you with this Statement of Expectations (SOE) for the Department of Health in its capacity as a business regulator through the regulation of:

- Cooling towers and warm water systems
- Drugs and poisons
- Food safety
- Pest control operators
- Private hospitals and non-emergency patient transport
- Public swimming pools and spa baths
- Safe drinking water
- Tobacco policy
- Radiation safety
- Supported residential services.

This SOE sets out my expectations of the Department's contribution to the Government's program to reduce red tape affecting businesses, not-for-profit organisations, government service providers and households by promoting greater efficiency and effectiveness in the administration and enforcement of regulation.

As Minister for Health I am responsible for administering the following legislative instruments that both promote and protect public health and wellbeing and affect businesses, regulated individuals and the broader Victorian community:

- *Public Health and Wellbeing Act 2008*
- *Food Act 1984*
- *Drugs, Poisons and Controlled Substances Act 1981*
- *Supported Residential Services (Private Proprietors) Act 2010*
- *Health Records Act 2001*



- *Health Services Act 1988*
- *Non-Emergency Patient Transport Act 2003*
- *Assisted Reproductive Treatment Act 2008*
- *Radiation Act 2005*
- *Safe Drinking Water Act 2003*
- *Tobacco Act 1987*
- *Therapeutic Goods (Victoria) Act 2010.*

This SOE should be read within the context of, and is subject to, the objectives, obligations and functions outlined in these Acts. It is not intended to compromise the administration of this legislation.

This SOE applies to all persons employed by the Department with responsibilities for regulating the above mentioned regulation units, including those who exercise powers and carry out functions under enabling legislation, related government policies and the exercise of Ministerial powers and functions under an instrument of authorisation or delegation.

This SOE outlines key governance and performance objectives and targets aimed at improving the administration and enforcement of regulation and thus reducing its cost impact on business and the community.

This SOE applies for the period 2014-15 and 2015-16.

Expectations for the administration and enforcement of regulation

Firstly, I expect that the Department will continue to strive to improve and protect the health of Victorians via the available regulatory mechanisms.

I also expect that the Department will continue to examine the ways in which it regulates businesses to look for opportunities to make improvements that would reduce cost impacts on business while still protecting public health. In particular, I expect the Department to:

1. Apply the appropriate level of regulatory intervention necessary to fulfil your legislative obligations and perform your statutory roles, and encourage you to continue to look for opportunities to reduce regulatory burden where they exist
2. Ensure that the implementation and enforcement of regulation is in accordance with good regulatory practice and that non-regulatory tools are used where appropriate to achieve Government policy objectives
3. Ensure that risk-based approaches will guide the delivery of regulatory outcomes, reducing compliance costs and applying the least burdensome intervention reasonably necessary to achieve the outcomes sought
4. Continue to improve your systems and their coordination to streamline processes for regulated individuals and businesses and reduce the costs associated with compliance
5. Continue to ensure that enforcement and other regulatory actions are fair, consistent and appropriate, based on the circumstances in each case
6. Manage risks, incidents and emergencies, in a way that is proportionate and effective. Roles should be clear. Processes and training should be in place to support sound decision making, especially in situations where grave risks to the community may entail the making of timely decisions based on limited information
7. Maintain a leading role in national fora to promote good regulatory practice and foster consistency of outcomes

8. Continue to build active relationships with stakeholders including working to develop co-regulation and management principles.

I also expect that the Department will develop performance measures for its regulatory activities and that it will publicly report on its performance from time to time.

In developing actions to achieve these improvements and targets, the Department is expected to consult with business, regulated individuals and the broader community in a manner proportionate to the issues and the numbers and types of stakeholders.

Reporting

I expect that you will report on your progress to achieve these improvements and that this should be undertaken in the context of existing Departmental or regulator annual reporting. This reporting should also describe the improvement activities being undertaken or planned.

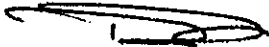
Departmental Response

I also expect that you respond in writing on behalf of the Department to this SOE during June 2014 outlining how the Department intends to meet my expectations describing specific improvements and performance targets.

I expect that both your response and this letter are published on the Department's website.

I look forward to seeing the Department continuously working towards achieving best practice in the administration and enforcement of regulation.

Yours sincerely



**Hon David Davis MP
Minister for Health**

30/6/2014

