

## National Management Group

This job card outlines the roles and responsibilities of the National Management Group (NMG) during all phases of a response to an Emergency Plant Pest (EPP) under the Emergency Plant Pest Response Deed (EPPRD). Specific detail on the roles and responsibilities of NMG Representatives is also provided.

This document is provided as a guide and does not contain every action that may be required in responding to an Incident<sup>1</sup>. Information is not presented in any particular order. Capitalised words and terms (excluding names) are a reference to the defined words/terms within the EPPRD.

### Document revision history

Version	Date issued	Amendment details	
		Section(s)	Details
1.0	22 May 2015	All	Developed by Job Cards Working Group. Approved by the Job Cards Working Group 22 April 2015. Endorsed by Parties May 2015.
2.0	29 Nov 2016	All	Details relating to Transition to Management Phase and phased responses incorporated. Minor editorial changes for clarity and consistency with PLANTPLAN. Endorsed by Parties November 2016
2.1	30 Nov 2018	All	Clarification of requirement for all NMG members and other participants to complete a Confidentiality Deed Poll. Reference to requirement for NMG members to be trained including completion of introductory training courses (BOLT) before participation in NMG. Reference to NMG members maintaining records of time spent engaged in Cost Shared Incidents for the purpose of determining wider costs. Reference to NMG considering the terms of reference for the Financial Audit. Clarification of distinction between Transition to Management and the Transition to Management Phase and the role of the NMG at this stage of the response. Minor editorial changes for clarity and consistency with PLANTPLAN. Endorsed by Parties November 2018.

## Introduction

The NMG is responsible for making key decisions on national biosecurity policy and resourcing in a response to an Incident under the EPPRD.

<sup>1</sup> Where the term 'Incident' is used throughout this document, it refers to the occurrence of a confirmed or reasonably held suspicion of an EPP or of an unclassified Plant Pest which is reasonably believed to be an EPP (not including a Plant Pest investigation where the provisional finding or diagnosis is that the Plant Pest is established).

The NMG consists of representatives from all Affected Parties for a particular Incident, who are authorised to bind that Party under the EPPRD, and Plant Health Australia (PHA) as a non-voting member. The NMG is formed when an EPP is detected or suspected to be present and is responsible for approving (or not approving) a Response Plan, including the budget, and the application of Cost Sharing between Affected Parties where it is agreed that eradication is technically feasible and cost beneficial. The Commonwealth provides the Chair and secretariat support to the NMG. The NMG is advised on technical matters by the Consultative Committee on Emergency Plant Pests (CCEPP). In determining the policy and financial issues associated with a response, the NMG can seek further advice from its members, the CCEPP and/or PHA on matters of EPPRD policy.

The NMG generally meets by teleconference, which can be on short notice in the event of an Incident, and reaches its decision by Consensus<sup>2</sup>, except on matters of Cost Sharing which must be Unanimous.

## Roles and responsibilities of NMG as a committee

The NMG is primarily responsible for decisions with regards to responses to Incidents. Under the EPPRD (schedule 8, part 1.2), the NMG has specific responsibilities, including to:

- (a) receive advice from the CCEPP on technical issues relating to an EPP or a Response Plan;
- (b) receive regular reports from the CCEPP, including budgeted, committed and actual expenditure on a Response Plan;
- (c) have responsibility for the key decisions relating to a Response Plan, including:
  - (i) the approval of a Response Plan, which includes an indicative budget;
  - (ii) the review of a Response Plan where the NMG believes the cost may exceed the Agreed Limit;
  - (iii) having regard to the advice of the CCEPP and pursuant to clause 9.1.1 (b), the determination of the relevant and reasonable investigation and diagnostic costs of the Incident Definition Phase;
  - (iv) the setting of an upper limit on expenditure from time to time, at a level less than the Agreed Limit, below which Response Plan expenditure may be committed by the Lead Agency(s) without reference to the NMG;
  - (v) the determination of whether a Party or other person has acted appropriately in the matter of reporting of an EPP;
  - (vi) a determination that an EPP has been eradicated (acting on advice from the CCEPP);
  - (vii) a determination (on advice from the CCEPP) that eradication of an EPP by means of a Response Plan is not feasible;
  - (viii) the consideration of efficiency audit reports and the Financial Audit report; and
  - (ix) a determination (on advice from the CCEPP) that an emergency response should enter a Transition to Management Phase and approval of amendments to the Response Plan to incorporate the Transition to Management Phase;

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<sup>2</sup> Refer to EPPRD clause 1.1 for definition of Consensus

- (d) refer relevant issues arising out of a Response Plan to members of PHA for consideration;
- (e) report as necessary to Ministers who are signatories to the EPPRD in regard to a Response Plan; and
- (f) where NMG rejects the advice of the CCEPP on matters under sub-paragraphs (i) to (ix) of (c) above, report its reasons in writing to Ministers who are signatories to the EPPRD.

## Specific tasks through PLANTPLAN phases

Specific responsibilities of the NMG during phases of a response to an EPP are described below. Note that the actions described in these phases are not a definitive list and the course of an EPP response may require fewer or additional actions to be performed.

### Investigation and alert phase

The NMG will meet as required to:

- Consider recommendations from the CCEPP regarding:
  - Whether the Incident relates to an EPP,
  - Whether eradication of the EPP is feasible. This is informed through CCEPP recommendations on the technical feasibility and cost effectiveness of eradication for an EPP (note that at any point during an Incident, the NMG can request that a formal cost-benefit analysis be completed by a recognised provider of economic analysis services, such as the Australian Bureau of Agricultural and Resource Economics and Sciences (ABARES)).
- Determine whether appropriate reporting of the EPP has occurred in accordance with clause 4 of the EPPRD.
- Determine whether an eradication response under the EPPRD should commence.
- Consider and approve or reject the Response Plan proposed by the CCEPP (within 30 days of its receipt).
  - The Response Plan will detail the resources required for eradication to be achieved, including the indicative budget for response activities (the indicative budget is an approximation by the CCEPP, of the cost of the Response Plan, including a breakdown of the Shared Costs and normal commitments).
  - The Response Plan proposed by the CCEPP may include a phased approach to response activities and therefore the NMG may be required to approve (or reject) a Response Plan that in the first instance includes an indicative budget for the first phase of the response only. Once further information has been gathered to fully determine the extent (and therefore cost) of activities that will be required throughout the response a Response Plan will be proposed to the NMG by the CCEPP that includes an indicative budget for subsequent phases of the response.
- Approve the national Cost Sharing arrangements for the Shared Costs component of the indicative budget.
- Approve the upper limit on expenditure (The upper limit is the limit determined by reference to the indicative budget and is the amount Affected Parties are willing to commit to Cost Share for the response. This amount can be equal to the Cost Shared component of the indicative budget

amount or another specified amount, so long as it does not exceed the Agreed Limit<sup>3</sup> for the response. The Lead Agency and the CCEPP may commit expenditure without reference to the NMG whilst the budgeted and actual expenditure reported to NMG is less than the upper limit and within the conditions set by the approved Response Plan. The NMG are required to specify an upper limit on expenditure under part 2.1 of schedule 10 of the EPPRD).

- Approve the Trigger Point for review of the Agreed Limit (The Trigger Point is a predetermined amount which, if reached, will prompt a review of the Response Plan and budget by the NMG. The amount must be proposed by CCEPP and approved by NMG under clause 9.5.6 and 9.5.7 to ensure that the Agreed Limit for a response is not exceeded. The Trigger Point must not be more than 90% of the Agreed Limit).
- Advise the CCEPP of its determinations - this must include relevant reasons for not supporting commencement of an eradication response, and/or a proposed Response Plan. If the NMG rejects the advice of the CCEPP (see Roles and responsibilities above), it must report the reasons in writing to Ministers who are signatories to the EPPRD.

## Operational phase

- The NMG will meet as necessary to consider policy and financial issues associated with the implementation of a Response Plan and to ensure its effective management.
- If expenditure on an EPP response reaches 90% of the Agreed Limit, the NMG will meet to review funding arrangements and the continuation of the EPP response.
- The NMG may appoint an Efficiency Advocate to assess the efficiency and effectiveness of a Response Plan at any point during its implementation (note the NMG may agree to an Efficiency Audit at the early stage of a response, when it first approves a Response Plan).
  - The NMG will consider the findings reported by the Efficiency Advocate and advise the CCEPP and combatant jurisdiction(s) whether the recommendations have been accepted to be implemented.
- The NMG will consider reports provided by the CCEPP during the progress of a response, such as Financial Audit reports, annual reports, and other progress reports, and provide advice on decisions relating to responses.
- The NMG may report as necessary to Ministers who are signatories to the EPPRD in regard to a Response Plan. Where the NMG rejects the advice of the CCEPP it must report its reasons in writing to Ministers who are signatories to the EPPRD.
- If trigger points for review (as previously agreed by the NMG and outlined in the Response Plan) are met, the NMG will consider recommendations from the CCEPP regarding:
  - potential amendments to the Response Plan; or
  - that it is no longer feasible to eradicate the EPP.
- An emergency response under an agreed Response Plan will be finalised when the NMG declares (on advice from the CCEPP) that:

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<sup>3</sup> Note that the Agreed Limit is a predetermined amount which may be eligible for Cost Sharing under an NMG approved Response Plan. The amount is determined using the mechanism set out at clauses 9.5.1, 9.5.2 and 9.5.3 of the EPPRD. The Agreed Limit for a response cannot be exceeded unless otherwise agreed in writing by all of the Affected Parties.

- the EPP has been eradicated and proof of freedom has been demonstrated (where the Response Plan is successful); or
- eradication of the EPP is no longer feasible (not technically feasible and/or cost-beneficial) and either that the Response Plan will be terminated (as a Transition to Management Phase is not considered appropriate) or that the emergency response should enter a Transition to Management Phase in which case the Response Plan will be modified.
- To make the determination that the emergency response should enter a Transition to Management Phase, the NMG must consider and agree (on advice from the CCEPP) that a Transition to Management Phase is appropriate (as a gap has been identified) and that Transition to Management activities are achievable within a defined and reasonable timeframe (not exceeding 12 months). For Transition to Management (and the maximum 12 month timeframe) to commence the NMG must consider and approve amendments to the Response Plan that incorporate Transition to Management activities.
- In approving the revised Response Plan incorporating Transition to Management activities, the NMG must approve the indicative budget, the upper limit on expenditure and (if required) a revised Trigger Point for review of the Agreed Limit (as proposed by the CCEPP). As Transition to Management will be part of an existing Response Plan there will be no changes to the national Cost Sharing arrangements.

### Stand down phase

Once the NMG agrees that the Incident is over (closed), the stand down phase will commence.

- The NMG is to provide the outcomes of the Efficiency Advocate's report to all Parties.
- The NMG is to receive and assess the final Financial Audit report<sup>4</sup>. Note that the NMG may consider the Terms of Reference for the Financial Audit prior to its commencement and advise of any specific requirements to be addressed.
- NMG Representatives may be engaged in Incident debriefing. Further information on debriefing can be found in the *EPPRD debriefing* guidelines and *PLANTPLAN*.

### Relief and recovery phase

There are no defined relief and recovery actions or responsibilities outlined in PLANTPLAN and activities are not subject to Cost Sharing under the EPPRD. These occur outside of an EPP Response Plan and are the responsibility of jurisdictions, industry and local communities – not the NMG.

### Transition to Management Phase

The responsibilities of the NMG during the Transition to Management Phase will be similar to those in the operational phase with a few notable differences as identified below.

- If trigger points for review (as agreed by the NMG and outlined in the Response Plan) are met, the NMG will consider recommendations from the CCEPP regarding whether the Transition to Management Phase is still appropriate and depending on the outcome:

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<sup>4</sup> An external audit of the Response Plan ledger account is required following completion of the Response Plan where the total Cost Shared amount is equal to or exceeds \$500,000 (as at 2011/2012 to be indexed annually using the Consumer Price Index at 30 June each year and applying from 1 July each year – EPPRD part 2 of schedule 11).

- possible amendments to the Response Plan; or
- that the Transition to Management Phase should end.
- When all the activities of the Response Plan are completed the NMG will determine (on advice from the CCEPP) that Transition to Management has been completed and the Transition to Management Phase will end.

## Roles and responsibilities of NMG Representatives

Specific responsibilities of NMG Representatives are described below. Note that these actions are not a definitive list and the course of an EPP response may require fewer or additional actions to be performed.

It is the responsibility of every NMG Representative to:

- Be appropriately authorised to bind the Party they represent to decisions (supported by governance systems in place) including the commitment of funds for a Response Plan in a timely manner.
- If a delegation of authority is required, provide the delegate to the Chair prior to meetings of the NMG.
- Complete a Confidentiality Deed Poll and return to PHA before participating in any NMG activities<sup>5</sup>.
- Treat information discussed at the meeting in a confidential manner.
- Be available to meet at short notice in an emergency situation (24 hours).
- Prepare for meetings through reading agenda papers and other relevant information provided.
- Review and endorse the minutes, action items, communiqués and other relevant documents in the required time frame.
- Respond to action items and email requests from the NMG Secretariat by the date stated.
- Ensure they are appropriately trained to meet requirements of the EPPRD<sup>6</sup>. This includes the completion of introductory Biosecurity Online Training (BOLT) courses before participation in NMG activities.

Maintain adequate records of time spent engaged in activities relating to Cost Shared responses (normal commitments and any Cost Shared expenditure) to enable reporting of wider costs at the end of an Incident.

Additional key responsibilities of NMG Representatives and other individuals attending NMG meetings are summarised in the table below.

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<sup>5</sup> All NMG members, observers, technical experts and other participants must sign a Confidentiality Deed Poll ([planthealthaustralia.com.au/wp-content/uploads/2012/12/Confidentiality-Deed-poll.pdf](http://planthealthaustralia.com.au/wp-content/uploads/2012/12/Confidentiality-Deed-poll.pdf)) prior to participation in any activities relating to the EPPRD. Government representatives may be bound by privacy provisions under their respective public service/government employment Acts; however in accordance with clause 11.6.2 must sign an appropriate form of Confidentiality Deed Poll (which may be in the form of the current available Deed Poll contained in schedule 9 and available through the above link).

<sup>6</sup> EPPRD clause 15, clause 11.4.2 and 11.6.2.

Representative/ other	Role/Responsibility
Chair	<p>Present the position of the Commonwealth to the other NMG members.</p> <p>Make decisions on behalf of the Commonwealth.</p> <p>Effectively chair NMG meetings.</p>
Government	<p>Present the position of the Party they represent to the other NMG members.</p> <p>Make decisions on behalf of the Party they represent.</p> <p>Ensure they are appropriately trained and authorised to bind the Party they represent to decisions including the commitment of funds for a Response Plan.</p>
Affected Industry Party(s)	<p>Present the position of the Party they represent to the other NMG members.</p> <p>Make decisions on behalf of the Party they represent.</p> <p>Ensure they are appropriately trained and authorised to bind the Party they represent to decisions including the commitment of funds for a Response Plan.</p>
PHA	<p>Present the view of PHA.</p> <p>Provide advice on the EPPRD in session where possible and in writing where necessary.</p> <p>PHA is a non-voting member of NMG.</p>
Secretariat	<p>Finalise NMG resolutions in session where possible or out of session where required.</p> <p>Prepare and circulate draft minutes to all NMG members promptly following the NMG meeting.</p> <p>Prepare and circulate draft action items to all NMG members promptly following the NMG meeting.</p> <p>Circulate final minutes to all NMG members promptly following the receipt of all responses from members on the draft minutes and final endorsement of the Chair.</p> <p>Coordinate the presentation and circulation to members of any communications material in conjunction with the National Biosecurity Communications Network.</p>
Advisors	<p>May accompany Members if their specific expertise and advice is required.</p> <p>Not involved in decision making or voting.</p> <p>Not required to endorse the resolutions, minutes, action items and communiques of the NMG meetings.</p>

## Further information

Further information on the roles and responsibilities of the NMG as a committee and its representatives can be found through the Biosecurity Online Training (BOLT)

[planthealthaustralia.com.au/resources/training/biosecurity-online-training/](http://planthealthaustralia.com.au/resources/training/biosecurity-online-training/).