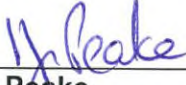




HHSD/20/64297

Secretary: Instrument of Appointment for Class 2 Controller for health emergencies	
Action required by: 7 February 2020 due to current emergency management needs	
Recommendation/s	
1. Sign the attached Instrument of Appointment to appoint additional departmental officers as Class 2 Controllers for health emergencies under the <i>Emergency Management Act 2013</i> .	<input checked="" type="checkbox"/> Signed / <input type="checkbox"/> Not signed
Comments	
<p></p> <p>Kym Peake Secretary Date: 9 / 2 / 2020</p>	

Key issues

1. The Department of Health and Human Services is the control agency for health (Class 2) emergencies. As a control agency, the department is responsible for leading all agencies across the emergency management sector responding to the emergency.
2. On 20 November 2019 you signed an Instrument of Appointment for Class 2 Controllers of health emergencies, appointing the Chief Health Officer and Director Emergency Management branch (ref HHSF/19/87338).
3. The Victorian Bushfires 2019-2020 and current novel coronavirus events have required an increased and sustained need for a departmental emergency management response, including activation of Class 2 Controller arrangements for the novel coronavirus outbreak.
4. To manage current and ongoing demand, the appointment of two additional officers able to perform the duty of Class 2 Controller is now being sought (**Attachment 1**). The Instrument of Appointment has been revised to include:
 - Dr Angela Bone (Deputy Chief Health Officer, Environment); and
 - Mr Jason Helps (Deputy Director, Emergency Operations and Capability, Emergency Management branch).
5. A further proposed change to the existing instrument is the inclusion of the names of the officers for the purpose of the instrument. This denotes that officers are appointed as Class 2 Controller because of their skills, experience and/or training, rather than because of their substantive position.
6. Once signed, this revised Instrument of Appointment will be effective for one (1) year and supersede the instrument previously signed on 20 November 2019.

Additional information

7. The Instrument of Appointment for Class 2 Controllers (**Attachment 1**) was drafted with the assistance of the department's Legal Services branch.
8. The instrument will be reviewed and updated should any of the officers listed in the instrument vacate their substantive role.

Prepared by: **REDACTED** Senior Project Officer, Emergency Management Branch
Endorsed by: Andrea Spiteri, Director Emergency Management Branch, **REDACTED**/...../2020
Approved by: Melissa Skilbeck, Deputy Secretary, Regulation, Health Protection and Emergency Management, **REDACTED**/...../2020

EMERGENCY MANAGEMENT ACT 2013

INSTRUMENT OF APPOINTMENT

1 Background

- A. Section 39(1) of the Act provides that the officer in charge of an agency having overall control of response activities in relation to a Class 2 emergency may, with the consent of the officer in charge of another agency and in accordance with the State Emergency Response Plan, transfer control of any response activity in relation to that emergency to any officer of that other agency.
- B. Section 39(2)(a) of the Act provides that acting in accordance with the State Emergency Response Plan, the officer in charge of an agency having overall control of response activities in relation to a Class 2 emergency or an officer in charge of another agency to which control of any response activity is transferred under subsection (1) may—
- (a) appoint one or more controllers in relation to—
 - (i) planning for each anticipated Class 2 emergency in any area of the State; and
 - (ii) each Class 2 emergency in any area of the State that is occurring or has occurred.
- C. Under the State Emergency Response Plan, the Department is a nominated control agency for response to Class 2 emergencies in Victoria and also carries out response activities through the State Health Emergency Response Plan.
- D. The Secretary is the officer in charge of the agency for the purpose of section 39(2)(a) of the Act.
- E. This instrument sets out the appointment of controllers by the Secretary under section 39(2)(a) of the Act.

2. Interpretation

Act means the *Emergency Management Act 2013 (Vic)*.

Class 2 emergency has the meaning given to that term under the Act.

Department means the Department of Health and Human Services in the State of Victoria.

Secretary means the Secretary to the Department.

State means the state of Victoria.

State Emergency Response Plan has the meaning given to that term under the Act.

State Health Emergency Response Plan is a subplan of the State Emergency Response Plan and describes the arrangements for the management of health emergencies in Victoria.

3. Appointment

I, **Kym Peake**, Secretary to the Department of Health and Human Services as the officer in charge of the agency in accordance with section 39(2)(a) of the Act:

- (a) **APPOINT** the officers of the Department named in column 1 of the attached schedule to hold the corresponding position specified in column 2 of the attached schedule; and
- (b) **REVOKE** the previous instrument of appointment under the Act dated 20 November 2019

4 Commencement

This instrument commences on the date it is signed.

5. Period of Appointment

The officers in column 1 of the Schedule are appointed for a period of one (1) year from the commencement date of this instrument.

Signed at **Melbourne** in the **State of Victoria**

The ^{1st} day of *February* 2020

Kym Peake

Kym Peake
Secretary
Department of Health and Human Services

SCHEDULE

SOURCE OF AUTHORITY / POWER:	EMERGENCY MANAGEMENT ACT 2013 (VIC)
HOLDER OF POWER / FUNCTION:	SECRETARY
AUTHORITY TYPE	APPOINTMENT

COLUMN 1	COLUMN 2
APPOINTED OFFICERS	POSITION
<ul style="list-style-type: none"> 1. Dr Brett Sutton, Chief Health Officer 1. Dr Angela Bone, Deputy Chief Health Officer (Environment) 2. Andrea Spiteri, Director, Emergency Management Branch 3. Jason Helps, Deputy Director, Emergency Operations and Capability, Emergency Management Branch 	<p>Controller in relation to—</p> <ul style="list-style-type: none"> (i) planning for each anticipated Class 2 emergency in any area of the State; and (ii) each Class 2 emergency in any area of the State that is occurring or has occurred.