1. **Statement**

Authorised officers appointed under public health legislation are accountable to the Director-General or delegate, who is in turn accountable to the Minister for Health, for monitoring and enforcing compliance with the legislation.

2. **Scope**

This standard applies to all Authorised Officers appointed under public health legislation, namely (Authorised Persons, Inspectors and Emergency Officers (General). It does not apply to those exclusively appointed as a Contact Tracing Officer or Emergency Officer (Medical). Compliance with the current version of the standard will be a condition of authorised officer appointments under public health legislation.

3. **Requirements**

3.1 This standard clarifies practice requirements for Authorised Officers appointed under public health legislation to provide services in accordance with their statutory appointment.

3.2 The Authorised Officer must:

   3.2.1 provide services with due care, professional skill and diligence in accordance with the *Public Health Investigation and Enforcement Practice Handbook*, relevant approved departmental public health policies, procedures and guidelines

   3.2.2 exercise their statutory powers and perform statutory functions in accordance with the applicable legislation and the *Code of Conduct for the Queensland Public Service*, natural justice or procedural fairness principles, and not exceed the powers granted under their Instrument of Appointment

   3.2.3 maintain currency of Authorised Officer core skills and knowledge through undertaking appropriate training as required or provided by the Department of Health and/or their employing Hospital and Health Service

   3.2.4 use approved departmental information management systems to record and report all investigation and enforcement actions e.g. Management of Applications, Permits and Licensing Events (MAPLE)

   3.2.5 not disclose confidential information or personal information unless the disclosure is required or permitted by law

   3.2.6 promptly declare any interests and variation to interests relevant to their appointment on the approved form* to their line manager, and comply with all steps as their manager or the Department of Health reasonably requires in managing the declared interests.

   3.2.7 on ceasing to be an Authorised Officer, return their Authorised Officer Identity Card to the Chief Executive or delegate within the legislatively stipulated period (i.e. 7 or 21 days as applicable).

* Refer to Section 4.2
4. Authorised officer declaration of interests or variations to interests

4.1 Authorised Officers including persons seeking to be appointed as Authorised Officers are required to carefully consider and provide a written declaration of any relevant interests held by them, their partner and/or dependents about which they have knowledge, which may have a bearing, or be perceived to have a bearing on their ability to properly and impartially discharge the duties of an authorised officer, including completing an approved declaration of interest (or variation of interests) form.

4.2 The approved form for declaring interests is the Public Service Commission (PSC), Declaration of Interests Form (or Vary a Declaration of Interests Form) (other than a chief executive, senior executive or equivalent level employee) (available at https://www.forgov.qld.gov.au/public-service-employees-declarations-interest) or an approved Hospital and Health Service declaration of interest (or variation of interest) form which is of an equivalent standard to the PSC form.

5. Managing interests or variations to interests declared by Authorised Officers

5.1 Directors/Managers of Authorised Officers including persons seeking to be appointed as Authorised Officers are required to:

- Undertake a declaration of interest conversation with the authorised officer/applicant and indicate on the Application for Appointment form if the applicant has declared any interests of relevance to their appointment.
- If relevant interests have been declared, discuss and agree a suitable written management plan with the applicant.

5.2 If on the Application for Appointment form the Authorised Officer/applicant has declared any interests relevant to their current or proposed authorised officer appointment, the appointment Delegate will contact the Director/Manager for information regarding management plans for the declared interests.

5.3 The appointment Delegate and Director/Manager are to collaboratively discuss and agree strategies to manage the declared interests relevant to the authorised officer’s appointment/duties.

5.4 There is no requirement for completed declaration of interest forms to be submitted to the appointment Delegate with the Appointment Application Form. Completed declaration of interest records are to be filed securely within the local business unit and transferred to the officer's securely filed personal employee record once they cease to hold office.

5.5 Where variations to declared interests relevant to an authorised officer appointment are disclosed, Managers/Directors are to notify the appointment Delegate in writing and these will be managed in accordance with steps 5.3 to 5.4 applies.

6. Monitoring compliance with the standard

6.1 Authorised Officer compliance with the requirements of the standard will be proactively monitored by their Director/Manager on an ongoing basis via standard performance reporting processes (e.g. six monthly/annual PAD, PPP processes).

6.2 All alleged non-compliances with the requirements of this standard will be assessed on a case by case basis. Consequences of non-compliance may include a requirement to undertake further training or supervision. More serious instances of non-compliance may include subsequent amendments (e.g.
placement of conditions) to the officer’s Instrument of Appointment. Natural justice principles will apply to all assessments related to non-compliance with the requirements of the standard.

7. **Legislation**

Key public health legislation under which Authorised Officers are appointed include:

- *Food Act 2006* (Qld)
- *Health Act 1937* (Qld)
- *Public Health Act 2005* (Qld)
- *Pest Management Act 2001* (Qld)
- *Radiation Safety Act 1999* (Qld)
- *Tobacco and Other Smoking Products Act 1998* (Qld)

8. **Supporting documents**

- Administering portfolio legislation policy – Prevention Division
- Authorised officer application for appointment form
- *Public Health Investigation and Enforcement Practice Handbook*
- Portfolio legislation compliance planning – Prevention Division guideline
- Portfolio legislation obligations identification and risk management – Prevention Division guideline
- Portfolio legislation reporting – Prevention Division guideline
- Public Health Enforcement Decision Guideline
- Public Health Practice Manual

9. **Definitions**

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<tr>
<th>Term</th>
<th>Definition</th>
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<tr>
<td>Authorised Officer</td>
<td>An Authorised Officer means an Authorised Person, Inspector or Emergency Officer (General) appointed under public health legislation.</td>
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**Version Control**

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