

## Biosecurity - Audit Frequency

POLICY NUMBER: IND-O-215	VERSION: 1.1
AUTHORISED BY: Director, Biosecurity and Food Safety Compliance	AUTHORISED DATE: 02/06/2017
ISSUED BY: Biosecurity & Food Safety	EFFECTIVE DATE: 01/07/2017
CATEGORY: Operations and Industry	REVIEW DATE: 01/07/2018

### 1. Purpose

The policy describes how the NSW Government will ensure:

- that compliance audits are used effectively, consistently and appropriately to ensure and improve compliance with the requirements of the *Biosecurity Act 2015* (the Act)
- that the frequency of compliance audits rewards compliance with the requirements of the Act
- there will be the appropriate recovery of costs associated with the conduct of biosecurity audits when the audit target is a biosecurity participant
- clarity for the staff of NSW Department of Primary Industries (DPI within the Department of Industry, Local Land Services (LLS) and persons appointed as biosecurity auditors as to when a compliance audit is required.

### 2. Scope

This policy applies to NSW DPI and LLS who are responsible for enforcing, executing and administering the Act and persons who are appointed as biosecurity auditors.

Section 224 of the Act provides for a compliance audit to be carried out for the following purposes:

- to assess compliance with, and capability of complying with, the requirements imposed by or under the Act
- to assess or identify any contravention or suspected contravention of the requirements imposed by or under the Act, and
- to identify measures for improved compliance with requirements imposed by or under the Act.

Section 225(1) of the Act provides for the Secretary to require a compliance audit to be carried out in relation to any person at any time.

Section 230(1) of the Act provides that a person who requires a compliance audit may charge the audit target a reasonable fee for the carrying out of a compliance audit but only if the audit target is a 'biosecurity participant' (as defined in section 7 of the Act).

**Note:** Accreditation audits are not included in the scope of this policy. The frequency of accreditation audits is determined by the receipt of an application for the grant or renewal of

biosecurity registration, biosecurity certifier, biosecurity auditor, a permit or an approval to exercise the functions of an accreditation authority.

### 3. Safety Requirements

The *Work Health and Safety Act 2011* places an obligation on the agency (NSW DPI and LLS) as a person conducting a business or undertaking and workers to provide a safe and healthy workplace. Safe Work Method Statements that support activities included in this policy must be used in identifying, assessing and controlling risks.

NSW DPI and LLS will work together to create a safe and supportive work environment when undertaking any activities for this policy.

### 4. Outcomes

#### 4.1. Biosecurity audits will improve biosecurity risk management in NSW

- a) Audit frequency will vary inversely with the level of compliance identified at an audit
- b) Biosecurity audits will improve compliance with the requirements of the Act
- c) Biosecurity audit frequencies are consistent across the biosecurity spectrum
- d) Biosecurity audit frequencies are readily available.

#### Activities

- The biosecurity audit frequency will decrease in response to compliance (4.1a)
- The biosecurity audit frequency will increase in response to non-compliance (4.1a)
- The accreditation authority will specify biosecurity audit reporting requirements (4.1b)(4.1c)
- The accreditation authority will make the audit frequency policy publically available (4.1d).

#### 4.2. Biosecurity audits will be conducted in a consistent, robust and systematic manner.

- a) NSW DPI has developed standard audit procedures
- b) The frequency of biosecurity audits will be specified in the conditions of accreditation, registration, certifier/auditor appointment or permit applications
- c) NSW DPI and LLS staff are trained, prepared, and have the capability to effectively conduct biosecurity audits.
- d) Activities to be audited will be classified based on their risk and audit frequency determined based on the audit result.

#### Activities

- Biosecurity audits will be conducted subject to standard procedures and checklists (4.2a)
- NSW DPI will provide relevant audit information to all potential audit targets (4.2b)
- Accreditation authority will provide copies of audit reports to audit targets including the specified audit frequency (4.2b)
- NSW DPI will conduct auditor training and specify minimum qualifications and experience for biosecurity auditors (4.2c)
- Biosecurity audits will be conducted by biosecurity auditors appointed by the accreditation authority (4.2c)

- All biosecurity activities to be audited will be classified by their biosecurity risk to the economy, environment or communities of NSW (4.2d)
- The level of non-conformances will be classified as Critical, Major, and Minor.
- Each non-conformance will be weighted to ensure consistency when determining audit outcome and the future audit frequency (4.2d).
- Critical non-conformances will result in an immediate audit failure (4.2d)
- Audits frequency will revert back to the normal audit program when compliance has been achieved (4.2d).

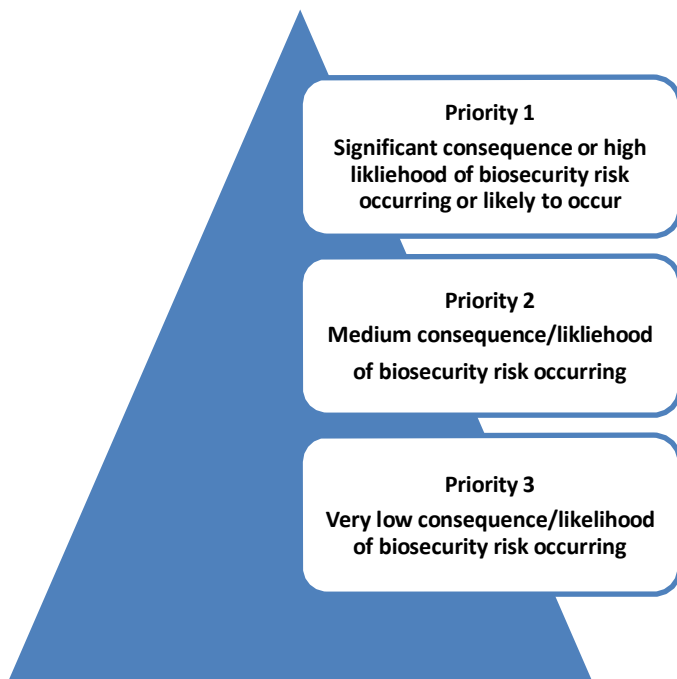
**4.3. The conduct of biosecurity audits is consistent with the principle that biosecurity is a shared responsibility.**

- a) Regular biosecurity audits will improve compliance which will reduce the cost of biosecurity responses and compliance costs for both government and biosecurity participants
- b) Biosecurity audits provide for the appropriate application of compliance resources such as where the risk is greatest.

**Activities**

- Biosecurity audits will provide for the recovery of costs from biosecurity participants (4.3a)
- The frequency of biosecurity audits will increase in response to non-compliance and decrease in response to compliance with the requirements of the Act identified at audit (4.3b)
- Biosecurity auditors must consider the type of biosecurity matter, the type of activity involved and the level of biosecurity risk involved with the activity and the class of biosecurity registration or accreditation involved (4.3b).

**Figure 1. Priority classification hierarchy**



Entities or activities that are a Priority 1 will be audited at the highest frequency. Conversely entities that are classified as a Priority 2 or 3, will be audited at a reduced frequency respectively.

A priority risk level is assigned to each registered / accredited entity which then determines the audit frequency for that entity.

Biosecurity auditors must ensure that they report all non-compliances identified at audit to NSW DPI.

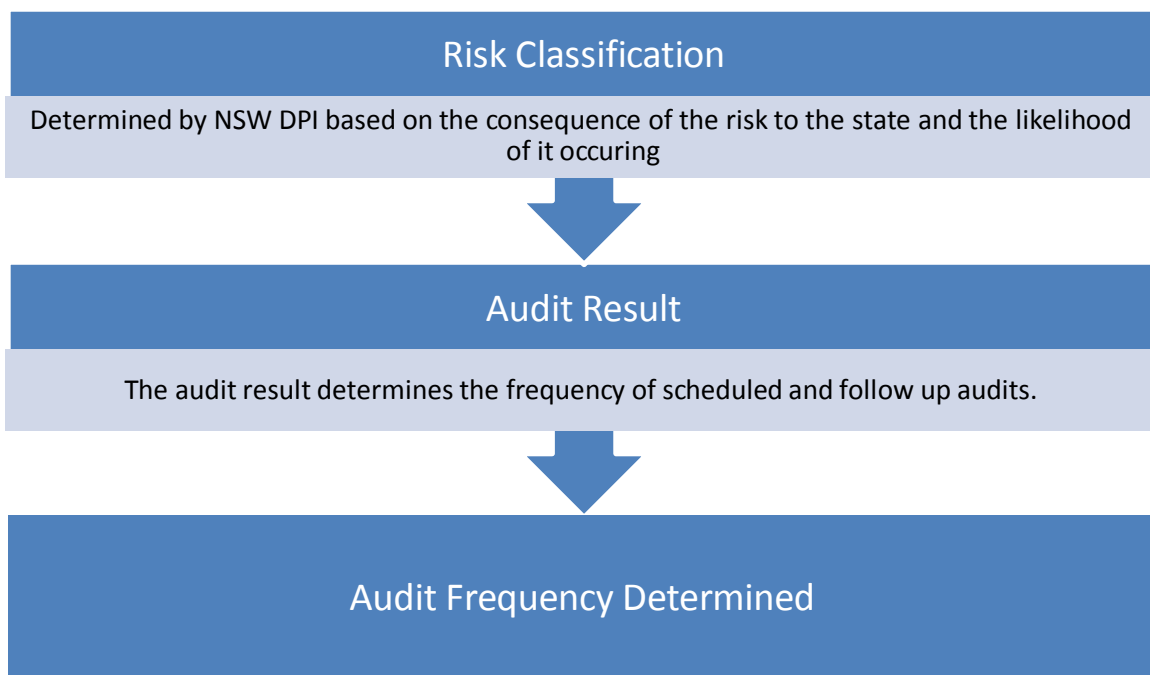
## **Figure2: Determination of audit frequency**

### Fixed Audit Frequency

Biosecurity activities may be audited at a fixed audit frequency. This frequency will be determined by the program requirements. If an unacceptable audit result is obtained, a follow up audit within 30 days will be completed. An increased audit frequency will apply until an acceptable result of compliance is achieved.

### Risk Based Audit Frequency

Audits will be conducted in response to the entity priority classification. The priority classifications are given to entity based on the level of risk or consequence of non-compliance with Priority 1 the highest risk down to Priority 3 having the lowest risk.



## 5. Related procedures

Procedure - Biosecurity Audit

Procedure - Biosecurity Auditor Appointment

Procedure - Biosecurity collection, use and disclosure of information

## 6. Definitions and acronyms

DPI NSW Department of Primary Industries

## 7. Legislation

*Biosecurity Act 2015*

Biosecurity Regulation 2017

*Privacy and Personal Information Protection Act 1998*

## 8. Other related documents

Policy - Biosecurity collection, use and disclosure of information

Policy -Records Management (IND-I-177)

Policy - Information Security (IND-I-197)

Policy - Classified Information (IND-I-196)

Policy -Government Information (Public Access) (IND-I-178)

## 9. Revision History

Version	Date issued	Notes	By
1.0	01/07/2017	New policy developed in response to the <i>Biosecurity Act 2015</i> .	Compliance Systems Coordinator

Version	Date issued	Notes	By
1.1	19/06/2017	Amendments to include requirements subject to Section 387 of the Act, the collection, use and disclosure of information. Amendment to authorisation date	Senior Policy Officer Policy Legislation Performance & Consultation

**10. Contact**

Systems Compliance

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