
FORUM DISCUSSION PAPER

GIA Response Guide

July 2014

Recommendations

Participants of the GIA Biosecurity Forum 2014/II (the Forum) are asked to:

- (i) **AGREE** the *Guiding principles for GIA responses* in Attachment 1
- (ii) **ADOPT** the *GIA Response Guide* in Attachment 2 as fit-for-purpose

In the lead up to the Forum participants are requested to:

- (iii) **REVIEW** the *Guiding principles for GIA responses* and the *GIA Response Guide*, and provide any advance feedback to the Secretariat (secretariat@gia.org.nz) by Friday, 22 August 2014
- (iv) **CONSULT** with relevant members prior to presenting their views at the Forum

Feedback will be consolidated and discussed at the GIA Biosecurity Forum 2014/II on 4 September 2014.

Background

A Joint Working Group of MPI and industry representatives of potential/actual Deed Signatories was established to develop and test a guide to managing responses under GIA (the *GIA Response Guide*).

The GIA Response Guide JWG terms of reference can be viewed on the GIA website <http://www.gia.org.nz/Activities/Response-JWG>.

The GIA Response Guide JWG was established to ensure that:

- Industry are fully involved in the process as potential partners
- Both MPI and industry perspectives are taken into account
- The final *GIA Response Guide* meets the needs of all parties

The *Guiding principles for GIA responses* outlines a list of 'givens' and 'guiding principles' for working in responses under GIA. These principles relate to the role of the Response Strategic Leadership (RSL) Chair, members, and the Government's role in a response. These principles have also been incorporated into the *GIA Response Guide*.

The *GIA Response Guide* is intended as a reference document for strategic decision-makers in biosecurity responses. It clearly sets out the things that strategic decision-makers need to know in order to operate effectively in a GIA response and to meet their organisation's Deed commitments. It was based on clear drafting instructions provided by participants of the GIA Biosecurity Forum 2014/I.

Once approved by the GIA Biosecurity Forum 2014/II, the *Guiding principles for GIA responses* and the *GIA Response Guide* will be made available on the GIA website.

Implications for agreeing to adopt the GIA Response Guide

By agreeing to adopt the *GIA Response Guide*, Signatories and potential Signatories commit to:

- Using the *GIA Response Guide* as a point of reference during a response
- Using the *GIA Response Guide* as a point of reference when negotiating response related components of Operational Agreements
- Participating in any induction and training programmes designed to support interpretation and implementation
- Accepting any non-substantive changes made by the JWG and endorsed by the TDGG, and that reflect feedback from Forum participants

and note that:

- The *GIA Response Guide* will evolve to reflect improvements identified through Signatory experience in responses

Developing a two-page stand-alone quick guide

One of the agreed JWG outputs is a two-page stand-alone quick guide that response strategic decision-makers can use as a quick refresher in the lead up to participating in Response Strategic Leadership.

The JWG agreed that the priority was to get the content of the full *GIA Response Guide* right first, and that the two-pager (comprising a sub-set of this information) could easily follow.

The JWG proposes to develop this two-page quick guide out-of-session following the GIA Biosecurity Forum 2014/II, once participants have agreed to the *Guiding Principles* and committed to adopting the *GIA Response Guide*.

Additional comment from the TDGG

The Transitional Deed Governance Group (TDGG) has reviewed the *GIA Response Guide* and recommends adoption of the guide.

Involvement in a response is a fundamental right for benefitting Deed Signatories. The response guide provides clear direction for partners to work together. The guide introduces the National Biosecurity Response System and explains the roles, responsibilities and decision points that Signatories will be faced with.

The JWG listed several issues of concern in this paper. The TDGG will seek advice on solutions from participants at the GIA Biosecurity Forum 2014/II.

In particular, the TDGG will facilitate a discussion at the Forum about how and when Deed Signatories who are potentially affected by an investigation into a relevant biosecurity risk should be notified. It feels additional guidance in this area is needed. Delegates will explore expectations, drivers and considerations for how 'rapid notification' should occur to enable the appropriate involvement of industry organisations in the early stages of investigation and response.

The TDGG thanks the members of the JWG for their commitment to this piece of work.

Issues arising

Issues impacting the effective implementation of the *GIA Response Guide* have been collated and provided to the TDGG for its consideration of actions to address them.

They include:

- Adoption of the *GIA Response Guide*, including development of associated induction and training programmes
- Rapid notification – teasing out risks and triggers, and agreeing principles for rapid notification. Includes principles and criteria for determining directly affecting industry signatories – supports both rapid notification and determining eligible signatory decision-makers for Response Strategic Leadership
- Stalemate non-consensus in Response Strategic Leadership – agreeing consequences and options for making decisions where consensus cannot be reached
- Rapid Operational Agreement – developing a template, including guidelines for completing it in a response
- Criteria for and role of indirectly affected Signatories – that is, signatories that may not be directly affected by the unwanted organism, but that may be significantly impacted by response actions

Next steps

Following the GIA Biosecurity Forum 2014/II:

- The GIA Response Guide JWG will reflect any final feedback in the *Guiding principles for GIA responses and GIA Response Guide*, and will develop a two-page stand-alone quick guide; The TDGG will review the final versions of the *Guiding principles for GIA responses* and the *GIA Response Guide, and the two-page stand-alone quick guide*, and provide endorsement;
- The *Guiding principles for GIA responses and GIA Response Guide* will be released and published on the GIA website for adoption by GIA Signatories and potential Signatories.

Attachments

<u>Attachment 1</u>	Guiding principles for GIA responses
<u>Attachment 2</u>	Draft GIA Response Guide - A guide to managing responses under GIA

Guiding principles for GIA responses

1. The scope of the GIA Deed, as relevant to response, will not be reviewed until after GIA signatories have been actively involved in responses to test the Deed. There is an expectation that the Deed will continue to evolve based on experience gained by GIA partners.
2. GIA signatories will use MPI's National Biosecurity Response System (NBRS) to manage responses¹.
3. The NBRS will continue to evolve to fully reflect industry participation, and to capture improvements identified through response experience.
4. GIA signatories commit to working everything through established NBRS processes, including response management, use of response governance and project structures, reporting lines, and issue resolutions processes.
5. The biosecurity response system, in its widest sense, must be functional at every point in time. There can be no delay if it would negatively impact the response outcome or restrict options.

The government's role during a biosecurity response

6. MPI will act in the interest of the New Zealand public and will preserve options in this interest until a joint decision on specific actions is made.
7. MPI will operate in the spirit of partnership beyond the scope of the GIA Deed for biosecurity response.

Response Strategic Leadership (RSL)

8. A GIA signatory identified as directly affected by an unwanted organism² has the right to be represented on RSL.
9. Response strategic decisions start and stop with RSL, comprising nominated GIA signatory decision-makers, where decisions are within industry fiscal caps and MPI financial appropriations³.
10. The RSL will contain people with the skills needed to make the most effective decisions.
11. RSL membership numbers will not be capped.
12. Membership will generally start wider and narrow as appropriate.
13. All RSL members will have access to the same information to ensure the most informed decisions.
14. Continuity of RSL members is critical for a response, however, membership can evolve. For example, there may be escalation or de-escalation of members based on the biosecurity risks to be managed and/or to accommodate the delegated authority required for the strategic decisions to be made.
15. Members are responsible for providing information and feedback to and from the RSL to their organisation and its members.

¹ MPI are updating the NBRS to fully aligned with New Zealand's Coordinated Incident Management System (CIMS) to ensure consistency across all types of responses, including biosecurity, food, trade, and adverse events, and to support consistency across agencies.

² The Financial Arrangements Joint Working Group is drafting principles (17 July 2014) for determining industries benefiting from response action to manage biosecurity risk. This principle will be amended to be consistent with what is agreed through this process.

³ For large responses MPI will need Cabinet approval and additional funding to proceed with a response.

16. Cost-shares and fiscal caps for a biosecurity response will be pre-agreed and documented in an operational agreement. Where cost-shares and fiscal caps have not been pre-agreed, they will be negotiated in a separate process outside of the response⁴.

RSL Chair

17. Representing the interests of the New Zealand public, MPI will fill the role of the RSL Chair.
18. The Chair will determine attendance of observers and advisers (e.g. non-decision making representatives from other industries, regional councils) in consultation with directly affected GIA industry signatories represented on RSL.
19. The Chair will ensure RSL members are well informed prior to meetings.
20. The Chair will develop strategies to effectively manage strategic governance of large RSL groups.

Response manager and response management team

21. All response information feeds and recommendations will flow to RSL through the response manager.
22. In addition to governance roles, MPI may ask industries to provide resources to support a response. For example, industry advisors to the Response Management Team and work streams to ensure that industry perspectives are appropriately considered and reflected in recommendations to RSL.

Response plan

23. Developed by the response management team during a response, the response plan is an evolving document that sets out the plan for implementing RSL decisions and guides all subsequent activities. The response plan reflects any pre-agreed strategies or contingency plans that have been documented in an operational agreement, and will include response review and exit triggers.

⁴ The Financial Arrangements Joint Working Group is drafting policy and principles (17 July 2014) and process (next 6-8 months) for setting cost-shares and fiscal cap under response. This principle will be amended to be consistent with what is agreed through this process.



Draft GIA Response Guide

A guide to managing biosecurity incursion responses under the
Government Industry Agreement for Biosecurity Readiness and Response

DRAFT - GIA Response Guide

A guide to managing biosecurity incursion responses under the Government Industry Agreement for Biosecurity Readiness and Response

Date: 15 July 2014

Version: As endorsed by the GIA Response Guide joint working group

FOREWORD

This response guide has been developed to meet the immediate needs of GIA signatories and potential signatories that are likely to hold strategic decision-making roles in biosecurity responses.

It is a reference document to introduce the National Biosecurity Response System (NBRS) and to highlight the critical milestones and strategic decisions involved in a biosecurity response. In an actual response, the NBRS will continue to directly guide all biosecurity response activities. Joint learning and input from the working relationship with GIA partners will help to identify where the NBRS can be improved for the benefits of all. This response guide will also be updated over time.

While the guide in its current form specifically targets a GIA audience, much of the content is equally applicable to strategic decision-making in responses outside the scope of GIA –including joint decision-making and cost-sharing response arrangements with other agencies. Over the next few years, MPI will be fully adopting CIMS to ensure consistent management of all emergency responses including food safety and trade issues, adverse events and business continuity. As part of this process MPI intends to develop a single set of guidance material that can be applied to all scenarios. This guide will represent an important input.

There are a number of aspects of the GIA operating model relevant to response decision-making that are still being worked through – by MPI, GIA industry signatories and potential signatories. Placeholder headings and footnotes identifying what work needs to be done, including timeframes and approaches, have been included where possible – *refer text in red*.

Transitional Deed Governance Group

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INTRODUCTION

Industry groups that sign the Deed to the Government Industry Agreement for Biosecurity Readiness and Response (GIA Deed) are eligible to partake in joint decision-making during responses. From July 2017, they will also start to share related costs.

New Zealand's National Biosecurity Response System (NBRS) is used to manage all biosecurity responses. The NBRS is robust, well tested and based on the NZ Coordinated Incident Management System (CIMS), which is used by emergency management agencies to manage multi-agency emergency responses. However, the NBRS is a complex system for those that are not regular users.

This guide introduces the NBRS, explains the processes to manage biosecurity responses and make decisions, and the roles and responsibilities of those involved. It contains information to help GIA signatories prepare for their involvement in a biosecurity response, and will form the basis of future induction and training to develop the knowledge, skills and competencies of response participants. It has been split into four sections.

Section I introduces the NBRS and the management of biosecurity responses in New Zealand.

Section II explains the investigation and response phases, identifies responsibility for actions and decisions, and lists decision-making tools.

Section III sets out agreed principles for biosecurity response management under the GIA Deed.

Section IV details the role and required skills and competencies of response decision-makers, and the types of decisions they will be expected to make.

This document is owned by signatories to the GIA Deed, which is administered under the authority of the Deed Governance Group.

For any enquiries about this guide please contact the GIA Secretariat.

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RELATED DOCUMENTS

1. The Biosecurity Act 1993 www.legislation.govt.nz/act/public/1993/0095/latest/DLM314623.html
2. The GIA Deed [www.gia.org.nz/Portals/79/Content/Documents/Key finals/Deed-Final-2013.pdf](http://www.gia.org.nz/Portals/79/Content/Documents/Key%20finals/Deed-Final-2013.pdf)
3. MPI Response Policy www.biosecurity.govt.nz/files/biosec/policy-laws/response-policy-risk-organisms.pdf (includes a high-level, decisions framework – refer to Appendix One)
4. MPI's National Biosecurity Response System brkb.biosecurity.govt.nz
5. Coordinated Incident Management System (CIMS) http://en.wikipedia.org/wiki/Coordinated_Incident_Management_System

SECTION I: MANAGEMENT OF BIOSECURITY RESPONSES IN NEW ZEALAND

Biosecurity responses are undertaken to manage unwanted pests and diseases that pose a threat to New Zealand's economy, environment, health, society and culture.

New Zealand's biosecurity response arrangements are managed by the Ministry for Primary Industries (MPI) using a model based on the Coordinated Incident Management System (CIMS), variations of which are used by governments and emergency management services around the world.

Historically, MPI has been solely responsible for resourcing biosecurity responses and, in consultation with affected parties, for making final response decisions. With the commencement of the GIA Deed on 20 May 2014, government and directly affected GIA industry signatories will make response decisions jointly.

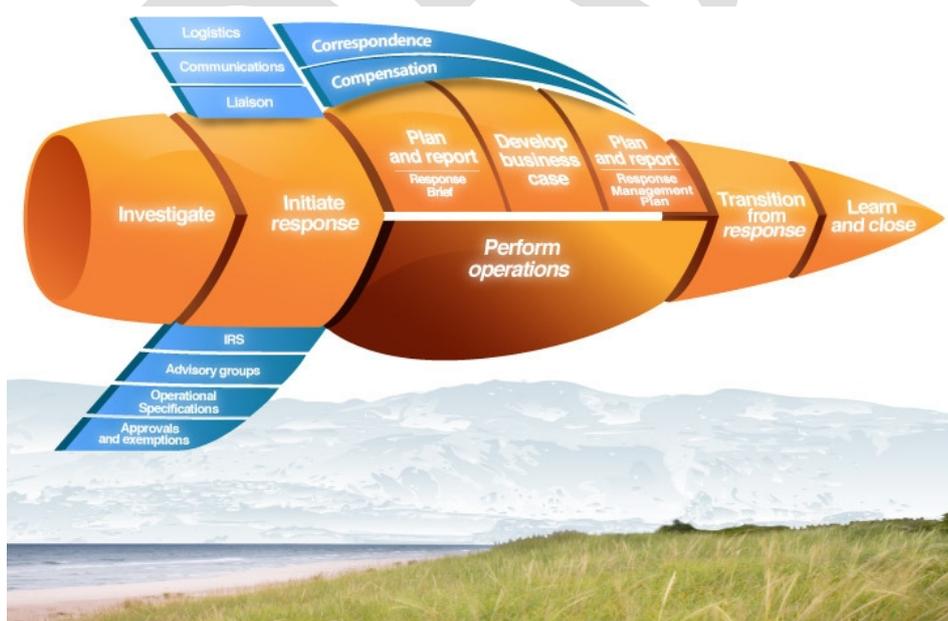
Note: At any one time, MPI is managing a significant portfolio of responses, including responses outside of the scope of GIA. These responses differ in scale, scope, complexity and timeframe.

National Biosecurity Response System (NBRBS)

The NBRBS sets out a consistent approach to manage responses through:

- legislation, including the Biosecurity Act, Hazardous Substances and New Organisms Act, Official Information Act, and Privacy Act
- policy, including MPI Policy for Responses to Risk Organisms
- resourcing networks, including the National Biosecurity Capability Network
- processes and procedures
- people capability requirements
- training.

The NBRBS is documented in the web-based MPI's [Biosecurity Response Knowledge Base \(BRKB\)](#), also known as the 'rocket ship'.



The Biosecurity Response Knowledge Base (BRKB) 'rocket ship'

The BRKB includes:

- an [overview of the response system](#)
- the [response project structure](#), including job cards and descriptions of what is expected of people filling these roles
- the [critical skills and competencies required of individuals filling response roles](#)
- [detailed procedures, procedures, and tools](#)
- [information on how to use and navigate through the BRKB system](#).

Response structure

The response system applies a hierarchical 'command and control' management structure that enables timely decision making and actions. For efficiency, responses are run as projects.

A response usually has three tiers that may be consolidated into fewer layers for smaller responses.

- Response Strategic Leadership (RSL) is responsible for governing the response direction and making all strategic decisions.
- Response Management is responsible for leading the response, making decisions on management and operational matters, and delegating tasks.
- Functional Management is responsible for managing the work streams delivering outputs and managing people and resources.

The scope and scale of the biosecurity risk will determine the size of the response team, however, the same decision making processes will be used. All responses are modular with work streams attached as necessary.



The [response structure](#) as documented in the *Biosecurity Response Knowledge Base*¹

¹ The Trade function is currently managed through the Planning and Intelligence workstream

SECTION II: INVESTIGATION AND RESPONSE PHASES

This section highlights the critical information for strategic decision-making under the GIA Deed and operational agreements. It should be read in conjunction with the [Appendix One](#), which contains a high level process diagram for investigation and response decision-making under the GIA Deed.

The Biosecurity Response Knowledge Base (BRKB) describes five key phases. The investigation phase, and four response phases.

1. Investigation – MPI receives notification of a potential unwanted pest and disease, then assesses the potential risk, and undertakes any urgent management action.
2. Initiate response – if all GIA signatories agree that joint response action is warranted, a response project structure is established, and RSL sets response outcomes, objectives and resourcing levels.
3. Response planning, reporting and implementation (includes performing operations) – led and managed by the Response Manager following BRKB processes and procedures.
4. Transition from response – led and managed by the Response Manager following BRKB processes and procedures.
5. Learn and close – led and managed by the Response Manager following BRKB processes and procedures.

Response phase 1 – investigation

Refer to the [high level process diagram in Appendix One](#).

What happens in this phase?

This phase can only be triggered by a report received by the 0800 Pest and Disease Hotline. This is regardless of whether the report comes from the public, a veterinarian, diagnostics laboratory, grower, industry organisation, or MPI staff member. MPI investigates the report, manages any immediate risks, and makes a recommendation on whether a response should be initiated.

The length of the investigation phase depends on its complexity and the availability of diagnostic tools. The investigation phase is closed if no biosecurity risk is identified (refer to decision 1 in Appendix One) or the risk has been effectively managed through investigation activities (refer to decision 2 in Appendix One).

Who is responsible?

MPI is responsible for all activities, decisions and costs in this phase. It may consult and/or seek assistance from stakeholders and GIA signatories.

Note: Each year MPI receives up to five thousand calls to the 0800 number - of which approximately two thousand are notifications of possible unwanted organisms. Therefore, MPI has developed a series of tools to ensure consistent, robust and risk-based decision-making in the investigation phase.

GIA signatories are responsible for:

- reporting any suspected unwanted pests or diseases to the Pest and Disease Hotline
- advising and helping MPI investigators, if requested.

Urgent measures

In some investigations MPI investigators may undertake 'urgent measures' to identify and/or manage any immediate risks. These actions are situational dependent and tend to be relatively low cost (ie, less than \$5000). The risk and urgency will dictate these measures.

Some examples of urgent measures during an investigation include:

- trace back and treatment (MeBr) of risk goods eg, woodware, dunnage, inanimate (car)
- pesti-gas treatment of risk goods
- pulled auctions from Trademe e.g plant weeds
- precautionary withdrawal and/or recall of risk goods eg, fresh produce
- issue directions under the Biosecurity Act eg, direct someone to stop movement of goods off a property

These urgent measures will be reviewed and can be amended by signatories as soon as a joint decision to initiate a response is made (refer Decision 3 in Appendix One).

Associated communication activities

Investigation communications (refer to communications 1 in Appendix One)

MPI investigators may communicate with affected parties which may include GIA Signatory representatives at a number of times during an investigation to complete investigation activities and effectively manage immediate risks in a timely manner. Communications are likely to fall into one of more of the following categories.

Category	Possible circumstances
To get information	Where parties may hold information that could help determine the nature and level of biosecurity risk/issue and inform management options.
To seek support	Where parties may have resources such as subject matter experts, personnel, equipment, records or databases to help carry out the investigation or urgent measures.
To direct action	Where MPI investigators need someone to stop movement of risk goods as part of urgent measures during an investigation.
To inform	Where MPI investigators need to inform owners or occupiers of investigation progress or outcomes.
To manage communication risks	Where investigation activity may attract public attention and queries, or a primary industry may need early notification to enable it to manage its own risks.

Rapid notification (refer to communications 2 in Appendix One)

MPI must rapidly notify potentially affected GIA signatories if a suspected unwanted organism is detected in New Zealand (refer Deed clause 3.2.2).

While there are exceptions, rapid notification will generally occur at the end of the investigation phase, when MPI has confirmed that a potential biosecurity risk actually exists. This will often coincide with initial discussions and decisions with directly affected GIA industry signatories as to whether some form of response action is required ie, a response should be initiated (refer Step 4 in Appendix One).

Circumstances where rapid notification may occur earlier include where:

- specific reporting arrangements have been negotiated under an operational agreement
- MPI has identified a potential biosecurity risk, but further investigation is required, which may take some time

The purpose of this rapid notification is to provide an initial situation report on the issue, including:

- geographic information
- brief detail of the investigation
- potential risks
- urgent measures to manage these risks
- recommendations on next steps.

There will be quantitative and qualitative differences in the information contained in the rapid notification, depending on its complexity.

It is possible that a GIA industry signatory may become aware of an investigation through channels other than MPI's rapid notification. For example, a grower or farmer may send information about a potential risk to its industry body at the same time or before they notify MPI. In such a situation, any questions or concerns from the industry body should be addressed with MPI and note that formal communications will occur as described above.

Supporting tools

The following tools support decision-making in the investigation phase. Refer to Appendix Two for more information.

- Risk assessment tools.
- MPI process for rapid notification.
- Criteria for determining directly affected GIA signatories.
- GIA signatories and stakeholder contacts lists.

Response phase 2 - initiate response

Refer to the [high level process diagram in Appendix One](#).

What happens in this phase?

This phase sets the foundation for future response action. It is triggered by MPI advising potentially affected GIA industry signatories that a suspected unwanted organism has been detected and risks have been identified that cannot be managed during investigation. Note: In some cases MPI may alert GIA industry signatories to the investigation in advance of these formal discussions on whether or not a response should be initiated (refer section on rapid notification).

MPI will provide GIA industry signatories with background information, a situation report, and a recommendation on whether a response should be initiated.

If MPI and GIA industry signatories agree that a response should not be initiated, the incident will be stood down. In some cases MPI may agree to remain in investigation until agreed triggers are met for standing down the investigation or for reviewing the decision to initiate a response.

If MPI and GIA industry signatories consider that some form of response action is appropriate, MPI appoints a response manager (and may stand up a response team) and convenes an RSL team comprised to make all strategic response decisions. Both parties may also agree on the need for interim measures that should be put in place immediately, to mitigate risks and preserve response options, prior to the first RSL meeting. In its first meeting, RSL confirms the decision to initiate a response, and agrees outcomes, objectives and resourcing (ie, people and funds). RSL then directs the response manager to develop and implement a response plan. Note: In some circumstances finalising response outcomes, objectives and resourcing may happen over the initial few RSL meetings as opposed to being fully worked through in the first.

Note: Initiating a response means establishing a structure and process by which response outcomes and objectives can be assessed and decisions made. It also commits GIA industry signatories to any interim measures agreed to prior to the first RSL meeting (refer Step 5a in Appendix One). From July 2017, costs associated with these interim measures will be shared. A decision to initiate a response does not commit signatories to any additional course of action as this will be agreed in the first RSL meeting. RSL can also decide that no further action is necessary and the response can be stood down.

Who is responsible?

Directly affected GIA signatories are jointly responsible for:

- ensuring that their response representatives understand their roles, are prepared, and have the mandate to make any necessary decisions
- deciding if a response should be initiated (refer to decisions 3 and 4 in Appendix One)
- agreeing to (and cost-sharing) interim measures that should be put in place prior to the first RSL meeting
- providing a decision-making member to the RSL
- strategic direction, outcomes, objectives and resourcing levels (refer to decision 5 in Appendix One)

MPI is responsible for:

- communicating to directly affected GIA industry signatories its initial assessment of biosecurity risk represented by suspect unwanted organism
- appointing a response manager
- standing up a response team to manage the risk, preserve options and collect information to support RSL decision-making
- convening the first RSL meeting
- fulfilling the role of RSL chair – in some cases the MPI person performing the role of chair will also be MPI's decision-maker. In other cases, these functions will be separated.
- representing the interests of the New Zealand public, industries that are outside GIA, and other agencies.

GIA industry signatories are responsible for:

- ensuring that its contact person and decision-maker can be contacted at short notice (these people are to be identified at the time of joining GIA)

RSL membership

There will be one decision-maker per GIA signatory on RSL.

Because RSL needs people who can make the most informed decisions, membership may extend to individuals who have an advisory role with no decision-making responsibilities.

The RSL Chair makes the final decision on wider RSL membership, in consultation with directly affected GIA signatories.

Disagreement over initiating a response

If MPI and directly affected GIA signatories cannot reach consensus on whether a response should be initiated (refer to decision3 in Appendix One), a RSL will be convened as soon as possible and may opt for one of the following outcomes.

- Jointly agree to initiate a response.
- Jointly agree to stand down the response.
- GIA industry signatories decide that response action is not a priority. In this situation, MPI may decide to respond and will make all decisions and cover all costs or recovery an appropriate share from non-signatory beneficiaries.
- MPI may decide that response action is not a priority. In this situation, a GIA industry signatory may decide to undertake and fund any management action.

MPI will continue to take any action it deems necessary to preserve options until RSL is convened and final joint decisions made on future response direction.

Interim measures

Once signatories have agreed that a response should be initiated they will also discuss and agree any immediate activities ('interim' measures) that should be put in place immediately to preserve options until the first RSL is convened and response outcomes, objectives and resourcing agreed. Note: Interim measures

may include agreement to the continuation or amendment of any urgent measures put in place during the investigation phase. Costs associated with agreed interim measures will be shared.

Note: In general, the time between the decision to initiate a response (Decision 3) and the first RSL meeting will range between two to 48 hours – depending on the level of risk and urgency for response decision-making.

Cost sharing

MPI will cover all costs associated with investigation activities, including urgent measures, to the point where a decision has been reached to initiate a joint response (refer Decisions 3 and 4 in Appendix One).

Costs associated with all agreed activities (including interim measures) will be cost-shared from this point².

In the first RSL meeting, members will confirm the decision to initiate a response (refer to decision 4 in Appendix One). The next decision (refer to decision 5 in Appendix One) includes confirmation or amendment of any interim measures that were jointly agreed by Signatories prior to the RSL being convened.

Associated communication activities

Rapid notification (refer to communication 2 in Appendix One)

Refer description of rapid notification on p7.

RSL communications (refer to communication 3 in Appendix One)

At the end of each RSL meeting, members will agree key messages that can be communicated about its discussions and decisions. This ensures consistency of communications. RSL members should restrict any public comment to high level, strategic matters it discussed and agreed.

Response management and operational communications are managed within the Response Management Team, and via nominated spokespeople (refer to communication 4 in Appendix One).

Supporting tools

The following tools support strategic decision-making in the initiate response phase. Refer to Appendix Two for more information.

- RSL terms of reference (TOR) – includes confidentiality deed and conflict of interest declaration form
- Operational agreement (pre-negotiated)
- Rapid operational agreement template and guidelines (where no pre-negotiated operational agreement exists)
- RSL standing meeting agendas
- Rapid assessment report (RAR)
- Response brief

² True from 1 July 2017, when cost-sharing is applied.

Response phases 3-5 - response planning, reporting and implementation, transition from response, and learn and close

Refer to the [high level process diagram in Appendix One](#).

These three phases of response are described in detail in the BRKB. However, the role of RSL to provide governance and oversight remains largely the same. Therefore, for the purposes of this guide these phases are considered together.

What happens in these phases?

During phase 3 – planning, reporting and implementation, the response manager leads development and implementation (including performing operations) of a response plan to achieve the agreed response outcomes and objectives within agreed timeframes and budget. The response plan is an evolving document that guides all activities, and includes triggers to review and exit the response. It reflects any relevant and pre-agreed strategies and contingency plans, and contains all necessary details to make it relevant for the specific response. Depending on the nature and complexity of the response, a more detailed response business case may be required to support strategic decision-making. In these cases, the response plan will also cover activities and resources required for delivery of the response business case.

Where a response review or exit trigger is reached and it is clear that the response will not meet desired outcomes, RSL may decide to stand down the response and/or to transition to alternative management arrangements. In this case RSL may require the response management team to prepare a plan to assist with any transitions.

During phase 4 – transition from response, the RSL is responsible for ensuring an effective transition from the response to the agreed future state. What this means in practice will vary on a case-by-case basis. Implementation of the transition plan may happen as part of the existing response, or in many cases once the response has closed – under a revised management structure.

In the fifth phase – learn and close – a response debrief is held to discuss and document lessons learned and recommendations made for improving the system.

Who is responsible?

RSL is responsible for:

- Sets response outcomes and agrees the budget
- providing strategic guidance and making strategic decisions
- ensuring the response is appropriately resourced
- approving the response plan and other strategic documents, including amendments
- supporting the response manager
- approving the declaration, extension or ending of the response
- appointing a response 'spokesperson' – generally this will be the response manager, but in some circumstances may be a member of RSL
- monitoring progress towards outcomes
- removing roadblocks
- maintaining two-way feedback with the organisations that individual members represent
- depending on the scale of the response, liaising with other levels of governance outside of the response.

The response manager is responsible for:

- informing, advising, and making recommendations to RSL
- leading and managing the Response Management Team
- management and operational decisions
- leading development and implementation of a response plan to address agreed outcomes, objectives and resourcing (during phase 3)
- leading development of a response business case and/or transition plan, if required, including any working papers (during phase 3), implementation of any transition plan (during phase 4), and development of response assessment and close out reports (during phase 5)
- performing the role of response 'spokesperson', unless specified otherwise by RSL

Associated communication activities

RSL Communications (refer to communication 3 in Appendix One)– as described in the initiate response phase

Response communications and liaison (refer to communication 4 in Appendix One)

RSL approves communication and liaison strategies, including key messages. The Response Management Team is responsible for operational planning and delivery of these functions.

Supporting tools

The following tools support strategic decision-making in the three phases 3-5. Refer to Appendix Two for more information.

- Response brief (phase 3).
- Response plan (phase 3).
- Response options working papers (phase 3).
- Response business case (phase 3).
- Transition plan (phases 3 and 4).
- Response assessment report (phase 5).
- Response close out report (phase 5).

SECTION III: GUIDING PRINCIPLES FOR GIA RESPONSES

1. The scope of the GIA Deed, as relevant to response, will not be reviewed until after GIA signatories have been actively involved in responses to test the Deed. There is an expectation that the Deed will continue to evolve based on experience gained by GIA partners.
2. GIA signatories will use MPI's National Biosecurity Response System (NBRS) to manage responses³.
3. The NBRS will continue to evolve to fully reflect industry participation, and to capture improvements identified through response experience.
4. GIA signatories commit to working everything through established NBRS processes, including response management, use of response governance and project structures, reporting lines, and issue resolutions processes.
5. The biosecurity response system, in its widest sense, must be functional at every point in time. There can be no delay if it would negatively impact the response outcome or restrict options.

The government's role during a biosecurity response

6. MPI will act in the interest of the New Zealand public and will preserve options in this interest until a joint decision on specific actions is made.
7. MPI will operate in the spirit of partnership beyond the scope of the GIA Deed for biosecurity response.

Response Strategic Leadership (RSL)

8. A GIA signatory identified as directly affected by an unwanted organism⁴ has the right to be represented on RSL.
9. Response strategic decisions start and stop with RSL, comprising nominated GIA signatory decision-makers, where decisions are within industry fiscal caps and MPI financial appropriations⁵.
10. The RSL will contain people with the skills needed to make the most effective decisions.
11. RSL membership numbers will not be capped.
12. Membership will generally start wider and narrow as appropriate.
13. All RSL members will have access to the same information to ensure the most informed decisions.
14. Continuity of RSL members is critical for a response, however, membership can evolve. For example, there may be escalation or de-escalation of members based on the biosecurity risks to be managed and/or to accommodate the delegated authority required for the strategic decisions to be made.
15. Members are responsible for providing information and feedback to and from the RSL to their organisation and its members.
16. Cost-shares and fiscal caps for a biosecurity response will be pre-agreed and documented in an operational agreement. Where cost-shares and fiscal caps have not been pre-agreed, they will be negotiated in a separate process outside of the response⁶.

³ MPI are updating the NBRS to fully aligned with New Zealand's Coordinated Incident Management System (CIMS) to ensure consistency across all types of responses, including biosecurity, food, trade, and adverse events, and to support consistency across agencies.

⁴ The Financial Arrangements Joint Working Group is drafting principles (17 July 2014) for determining industries benefiting from response action to manage biosecurity risk. This principle will be amended to be consistent with what is agreed through this process.

⁵ For large responses MPI will need Cabinet approval and additional funding to proceed with a response.

⁶ The Financial Arrangements Joint Working Group is drafting policy and principles (17 July 2014) and process (next 6-8 months) for setting cost-shares and fiscal cap under response. This principle will be amended to be consistent with what is agreed through this process.

RSL Chair

17. Representing the interests of the New Zealand public, MPI will fill the role of the RSL Chair.
18. The Chair will determine attendance of observers and advisers (e.g. non-decision making representatives from other industries, regional councils) in consultation with directly affected GIA industry signatories represented on RSL.
19. The Chair will ensure RSL members are well informed prior to meetings.
20. The Chair will develop strategies to effectively manage strategic governance of large RSL groups.

Response manager and response management team

21. All response information feeds and recommendations will flow to RSL through the response manager.
22. In addition to governance roles, MPI may ask industries to provide resources to support a response. For example, industry advisors to the Response Management Team and work streams to ensure that industry perspectives are appropriately considered and reflected in recommendations to RSL.

Response plan

23. Developed by the response management team during a response, the response plan is an evolving document that sets out the plan for implementing RSL decisions and guides all subsequent activities. The response plan reflects any pre-agreed strategies or contingency plans that have been documented in an operational agreement, and will include response review and exit triggers.

DRAFT

SECTION IV: THE ROLE OF THE STRATEGIC DECISION-MAKER

This section details the role of strategic response decision-makers, the types of decisions they will be expected to make, and the skills and competencies they will need.

While this section focuses on the RSL, it equally applies to those involved in the first joint decision to initiate a response (refer Decision 3 in Appendix One). In most cases this same person will represent their sector as a decision-maker on RSL.

Refer to Appendix Three for the RSL terms of reference.

What skills and experience do RSL decision-makers need?

Good judgement is the most important skill that RSL members bring to the table. They need a combination of strategic abilities and people skills to exercise this judgement in a complex and highly pressured environment.

Skills and experience also matter – typically RSL members on large-scale responses are senior representatives. Just as the scale and scope of responses vary, so does the complexity of decisions required. It is recommended that RSL members participate in smaller responses before using that experience in a more complicated scenario.

Response Strategic Leadership members should be skilled practitioners at the following competencies⁷:

- Dealing with paradox
- Dealing with ambiguity
- Decision quality
- Negotiating
- Strategic agility
- Political savvy
- Priority setting
- Integrity and trust

What types of decisions is RSL expected to make?

RSL members are expected to make decisions that:

- set a response's strategic direction, outcomes, objectives, and resourcing
- approve critical documentation, such as the response brief or response options paper
- empower the response manager to lead the response effectively
- monitor and respond to strategic risks that may impact on objectives.

⁷ MPI will be reviewing competencies of response role-holders as part of its process to align with CIMS. Once complete, this section will be updated to reflect.

How will these decisions be made?

Around the RSL table, decision making is made by consensus.

The decision making process must be inclusive for all RSL members.

In making decisions on a response, and its outcomes and objectives, RSL needs to consider the following questions.

1. Is this something Signatories jointly care about?
2. Is the technical evidence about feasibility to eradicate robust?
3. Do the benefits of taking a course of action outweigh the costs?

Once response outcomes and objectives have been set, all subsequent decisions must align back to these.

What level of authority do RSL decision-makers need?

Representatives on RSL need to operate within their mandate.

Occasionally decisions may need to be made that extend beyond an individual's mandate, and they will need to elevate the decision within their organisation and have the processes in place to enable this to happen. However, this should be the exception, rather than the rule. If the need to defer decisions becomes a frequent occurrence, RSL representation should be escalated to a higher level.

Note: There will still be a role for industry Boards when fiscal caps are insufficient and for Cabinet when MPI needs additional funding.

Role of the response manager and relationship to the RSL

The response manager has a pivotal role with dual responsibility to both RSL and response staff through three key areas.

1. To identify, prioritise, articulate and manage the implementation of response objectives, or tactics, that realise response outcomes, or strategy.
2. To ensure appropriate intelligence is collected, evaluated, and is provided to RSL to enable strategic decision making.
3. To create, sustain, and effectively lead the Response Management Team by:
 - managing and supporting work stream leads
 - leading activities with courage and composure
 - accepting accountability for actions and decisions
 - challenging RSL to make strategic decisions required for the response to proceed.

The response manager is the sole linkage and point of accountability between RSL and the response management team.

How to prepare for participating in a response

The following checklist covers the tasks to be undertaken in advance of attending your first RSL meeting.

Critical Administration

- Read and understand the RSL terms of reference.
- Possess the appropriate skills, experiences and competencies to be an effective member of the RSL.
- Sign a confidentiality agreement.
- Declared, or are ready to declare, any potential conflicts of interest.

Situational awareness

- Received and considered the rapid assessment report, or had a verbal situational briefing from either MPI or senior members of your industry organisation.
- Received and considered the response brief, if one exists.
- Received and considered the RSL meeting agenda and any associated documents, are aware of the sorts of decisions that you will need to make, and are prepared to actively engage in associated discussions.
- Discussed in confidence the issue with senior members of your organisation, and are aware of their perspectives as relevant to response decision-making

Authority and financial delegation

- Have the mandate and authority to make decisions on behalf of the GIA signatory that you represent.
- Have the appropriate financial delegations to make decisions with potential cost implications, within industry fiscal caps and Government approved funding.
- From July 2017:* Familiarity with any relevant pre-negotiated operational agreements, including fiscal cap, and cost-share commitments)
- From July 2017:* Are aware of default arrangements where no relevant operational agreement exists, including fiscal cap, cost-share commitments.

Frequently asked questions

1. Who is eligible to sit in on a Response Strategic Leadership (RSL) meeting?

The appropriate people must be around the table to enable decisions to be made that support biosecurity outcomes. This always includes:

- a. the Chair – provides leadership to the group, ensures discussion remains focused on strategic matters, ensures that all members are treated fairly, and encourages and enables all members to contribute
- b. Decision-makers – one decision-maker per GIA signatory directly affected by the biosecurity risk
- c. Response manager – The response manager identifies, prioritises, articulates and manages the implementation of the response objectives that lead to the response outcomes being realised. The response manager reports to the RSL and attend the meetings but is not a decision-maker.
- d. Secretarial support – provides for minute taking and dissemination of relevant information for the Response Strategic Leadership.

and may also include:

- e. Advisors – to provide information and advice to RSL to support informed decision-making. Any advisors will only be present at the meeting for the specific agenda item(s) for which their presence is required. An advisor is not a decision-maker.
- f. Observers – the role of an observer is to sit and observe, but may contribute to discussion at discretion of the Chair. An observer is not a decision-maker.

2. How will RSL get consistent, informed, timely and accurate technical advice?

RSL's role is to focus on strategic decisions and avoid being involved in management, technical and/or operational detail. However, where necessary the response manager may bring in members of the response team to provide specialist advice to RSL. The response manager may also establish an independent technical advisory group to ensure recommendations are based on the best possible technical advice.

3. What is the trigger for cost-sharing within a response?

From July 2017: Cost sharing commences when the relevant Signatories agree that a response should be commenced (refer Deed clause 6.3.2). This correlates with Decisions 3 and 4 in Appendix One.

4. How will GIA signatories know what their financial commitments are?

At its first meeting, RSL will agree any interim measures and MPI will present cost estimates for these. RSL will agree response outcomes for the immediate and/or long term and the response manager will work with the response team to develop management options including assessment of technical feasibility, costs and benefits.

RSL will agree a preferred response option based on a review of this assessment and conduct a regular review of actual against expected spending.

5. What happens if consensus cannot be reached⁸?

Non-consensus must be the exception. GIA signatories have an obligation to work together to resolve issues to a satisfactory conclusion.

Timely decision-making is critical and a delayed decision is effectively a decision taken as response options can rapidly decrease over time.

If there are disagreements, parties should make decisions where they can agree, identify sticking points for getting consensus, and agree timeframes and an approach for resolving.

To explain the relevant terms, joint decision-making involves all parties in the decision, consensus decision-making is where no party disagrees with the decision, and unanimous decision-making is where all parties agree.

6. What is the process for agreeing a rapid operational agreement where none exists⁹?

7. What induction, training and support will new RSL members receive¹⁰?

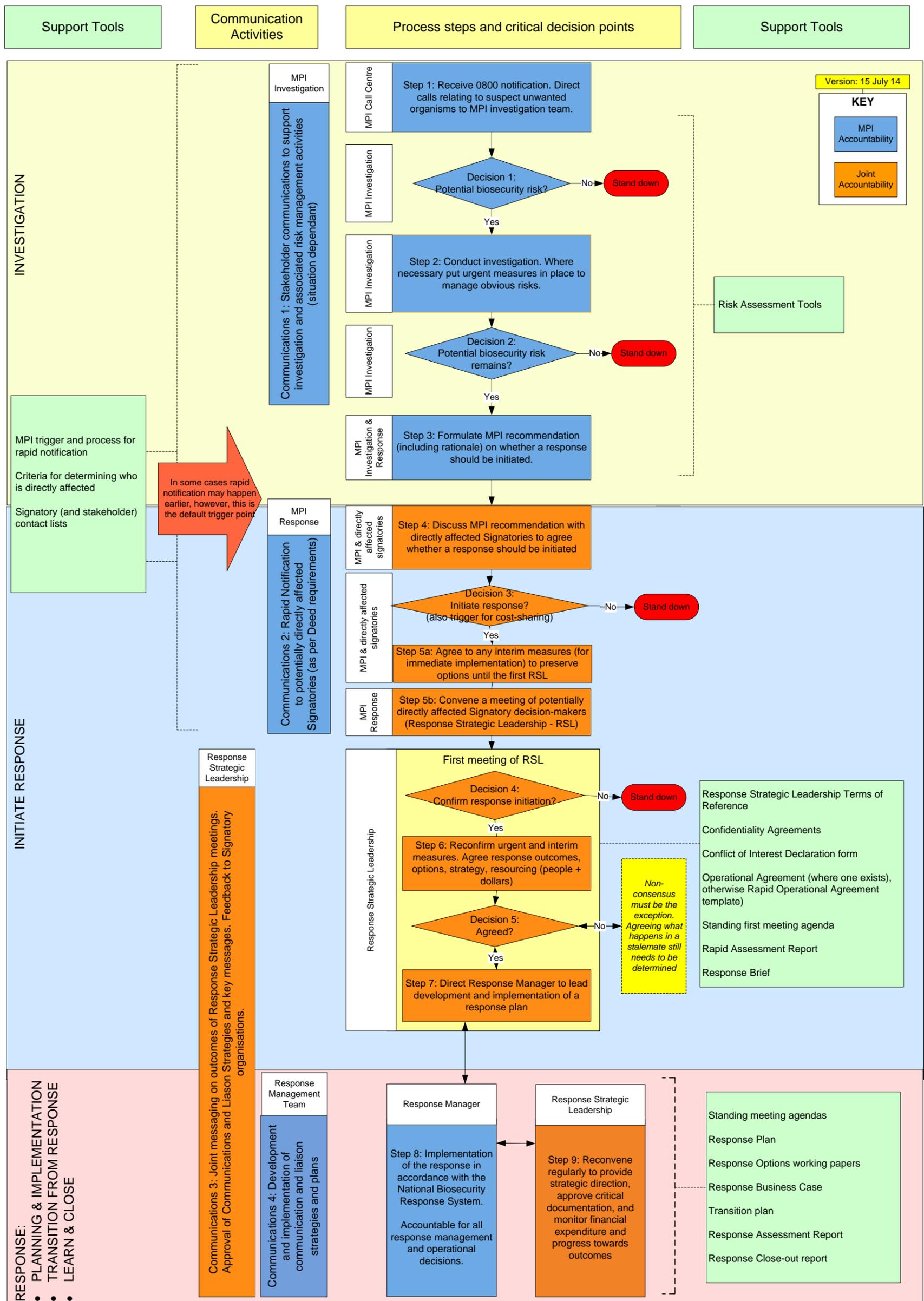
MPI will send potential new RSL members a copy of the RSL terms of reference, and confirm that they have signed confidentiality and conflict of interest forms. It will also follow up with a phone call to make sure all information has been received and they understand what will be required of them. Potential new RSL members will have an opportunity to ask questions and discuss any associated issues or concerns.

⁸ GIA signatories need to agree the consequences of non-consensus, including how decisions will be made when consensus cannot be reached.

⁹ A rapid operational agreement template (likely to be a subset of the standard contract), and the process for negotiating in a timely fashion during a response needs to be developed and agreed.

¹⁰ MPI will be developing induction and training modules for response participants (including RSL) as part of its process to align with CIMS.

APPENDIX ONE: Process for investigation and response decision-making under the GIA Deed



APPENDIX TWO: Critical investigation and response decision support tools

Response phase 1 – investigation

Tool	Purpose	Where to find	Comment
Risk assessment tools	To ensure consistent and robust assessment of biosecurity risk in the Investigation phase	Biosecurity Response Knowledge Base (BKRB)	Access can be arranged to those outside MPI on request.
MPI process for rapid notification	To ensure a consistent process for timely and informative notification by MPI to GIA industry signatories affected by the detection of a possible unwanted organism.		<i>This Guide accurately describes a high-level approach to rapid notification that is consistent with the GIA Deed and that is agreeable to Signatories and potential Signatories. However, further work is required to more fully tease out risks and triggers, and to agree guiding principles for managing the process.</i>
Principles and policy for determining directly affected GIA signatories	To ensure a consistent and robust approach for determining potentially directly affected GIA industry signatories - to support rapid notification and RSL decision-makers.		<i>To be developed. The GIA Financial Arrangements JWG is developing policy and principles for determining industries benefiting from response action to manage biosecurity risk (due 17 July). This will help inform assessment of 'affected' industries, and should also link in with any existing processes applied by MPI and/or described in the BRKB.</i>
GIA signatory contacts lists	To ensure MPI has quick and ready access to emergency contact details for individuals that need to be informed of a possible unwanted organism that could directly affect their interests.	GIA Secretariat website (GIA Signatories)	The GIA Secretariat holds register of GIA signatories that includes contact details for people who will fill critical response roles.

Response phase 2 – initiate response

Tool	Purpose	Where to find	Comment
Rapid assessment report	To provide an initial situation report, assessment of risk, options analysis and recommendations from an investigation where further action may be required to manage a biosecurity issue. Supports decision-making by directly affected GIA signatories as to whether a response should be initiated.	The rapid assessment report template can be found on the BRKB.	The rapid assessment report is often developed under urgency. This working document is purely to capture the critical information required in order to support early decision-making on whether or not to initiate a response. It is not intended for wider circulation/distribution, and will not have gone through rigorous editorial (e.g. grammatical) review.
Response Strategic Leadership (RSL) terms of reference (Draft)	To define the roles, responsibilities and expectations of RSL members.	Response Guide Appendix Three	<i>This version is in the process of being amended to more directly align with CIMS. In the meantime, it is considered fit-for-purpose for GIA biosecurity responses.</i>
Response brief	To summarise the risk to be managed and to recommend the outcomes, approach and resources to be approved by RSL.	The response brief template can be found on the BRKB.	A response brief will be developed for every new response to clearly document proposed response outcomes, objectives, strategy and resourcing, including RSL approvals. However, it may not always have been drafted in time for the first RSL meeting. For example, where an urgent RSL meeting is held in quick succession following rapid notification. In these circumstances, at a minimum a RAR will be presented, and urgent decisions

			made on the basis of the information captured there.
Confidentiality deed	To ensure the RSL are aware of their commitments to maintain confidentiality during a response and have committed to uphold these.	GIA Secretariat website RSL TOR (refer Response Guide Appendix Three)	This confidentiality deed has been developed to meet the needs of all GIA related activities – an individual working on GIA related activities only needs to sign one confidentiality deed in order to be covered for all scenarios where they may need to receive confidential information. <i>Note: The Secretariat is preparing confidentiality deed guidelines to support interpretation and application of confidentiality matters in a GIA context.</i>
Conflict of interest declaration form (including guidelines)	To ensure that any potential conflicts of interest faced by RSL members are explicitly discussed, and agreement reached on how these can be best managed	GIA Secretariat website Also RSL TOR (refer Appendix Three of the GIA Response Guide)	The conflict of interest guidelines cover the nature of conflicts that may need to be declared. The RSL Chair can provide further guidance on the ‘significance’ triggers. However, the general rule is where a particular decision or set of decisions may impact (positively or negatively) on personal gain.
Operational agreement (pre-negotiated)	To describe arrangements to achieve outcomes related to: <ul style="list-style-type: none"> • specific unwanted organisms • groups of unwanted organisms • activities that improve biosecurity readiness and/or response. <p>The operational agreement ensures that the RSL is aware of any pre-agreed financial commitments (cost-share, fiscal cap, in-kind contributions) relevant to the response that could influence strategic decisions, as well as any pre-agreed response strategies or contingency plans.</p>	Copies of the signed operational agreements will be held by each party to the agreement. The GIA Secretariat will maintain a register of signed operational agreements, which will include high level summary information for quick reference.	Operational agreements are documents confidential to parties to the agreement. However, the register maintained by the GIA Secretariat will contain sufficient information to enable easy identification of operational agreements that may be relevant to a potential new response.
Rapid operational agreement template and guidelines for populating	To support rapid development of an operational agreement where none already exists. To set out the default arrangements that will apply until more formal arrangements have been negotiated.		<i>To be developed. A rapid operational agreement template (likely to be a subset of the standard contract), and the process for negotiating in a timely fashion during a response needs to be developed and agreed.</i>
Response governance strategic leadership first meeting agenda template	To ensure all critical discussions take place and strategic decisions are made.	Refer Response Guide Appendix Four	

Response phase 3 – planning, reporting and implementation

Tool	Purpose	Where to find	Comment
Response plan	To set out the approach, tactics and resourcing to deliver agreed response outcomes and objectives .	The response plan template can be found on the BRKB.	The response plan is an evolving document that guides all activities, and includes triggers to review and exit the response. It reflects any relevant and pre-agreed strategies and contingency plans, and contains all necessary details to make it relevant for the specific response. The response manager is responsible for the development and implementation of the response plan, and RSL approves it.
Response business case	To provide RSL with sufficient rigour around decisions that	The response business case template can be	RSL will provide guidance on when a response business

	have significant financial impact (ie, may require specific Cabinet appropriation). The business case provides the merits, risks, constraints, assumptions and costs of each potential response option and provides advice on the most appropriate option.	found on the BRKB.	case is required. Note: There are a range of different working papers access on the BRKB developed to support development of the business case, including the response options working papers, options impact assessment, options resource requirements, and options cost-benefit analyses.
Transition from response plan	To document approach, tactics and resourcing required for any transition from response to alternative management arrangements.		This is the document that will guide all activities during the transition from response (phase 4).

Response phase 4 – transition from response

Tool	Purpose	Where to find	Comment
Transition Plan	To guide the transition from response to alternative management arrangements.		This document is developed and agreed during phase 3 (response planning, implementation and reporting)

Response phase 5 – learn and close

Tool	Purpose	Where to find	Comment
Response assessment report	To identify lessons learned from the response and suggest improvements to the NBRIS.	The response assessment report template can be found on the BRKB.	The response manager is responsible for the response assessment report and RSL approves it.
Response close-out report	To capture what the response has achieved against agreed outcomes, objectives and resourcing.	The response close-out report template can be found on the BRKB.	The response manager is responsible for the close-out report and RSL approves it.

APPENDIX THREE: RESPONSE STRATEGIC LEADERSHIP TERMS OF REFERENCE

Response Strategic Leadership Terms of Reference

1. *CONTEXT*

The Response Strategic Leadership has the ultimate responsibility for the response, but delegates authority and operational control to the response manager.

2. *RESPONSE STRATEGIC LEADERSHIP RESPONSIBILITIES*

The Response Strategic Leadership is accountable for the strategic direction of the response, setting strategic response objectives and outcomes, as well as ensuring these remain appropriate.

All members of the Response Strategic Leadership will have access to the same information to ensure the best and most informed decisions.

Response strategic decisions start and stop with Response Strategic Leadership, comprising nominated Signatory decision-makers, where decisions are within industry fiscal caps and MPI financial appropriations¹¹.

Specific responsibilities include:

- a. Sets response outcomes and agrees the budget
- b. Providing strategic advice and direction and high level support to the response
- c. Making strategic, rather than operational and technical decisions
- d. Approving the response plan and other strategic documents, including amendments
- e. Monitoring progress towards outcomes
- f. Removing roadblocks as necessary
- g. Supporting the response manager
- h. Approving the declaration, extension, or ending of the response
- i. Providing a 'spokesperson', if not performed by the response manager
- j. Depending on the scale of the response, liaising with other levels of governance outside of the response
- k. Endorse any cabinet approved special funding arrangements.
- l. Maintaining two way feedback with the organisations that individuals members represent
- m. To act in good faith in the interests of all stakeholders including Māori as treaty partners and are not limited to the Crown, industries and members of the public.

Under GIA

Cost-shares and fiscal caps for a response to an unwanted organism will be pre-agreed and documented in an operational agreement. Where cost-shares and fiscal caps have not been pre-agreed then they will be negotiated in a separate process outside of the response¹².

¹¹ For large responses MPI will need Cabinet approval and additional funding to proceed with a response.

¹² The Financial Arrangements joint working group is drafting principles (17 July 2014) and process (next 6-8 months) for setting cost-shares and fiscal cap under response.

3. MEMBERSHIP

The Response Strategic Leadership shall be structured to always include:

- a. Chair - provides leadership to the group, ensures discussion is focused towards strategic matters, that all members are treated fairly, and that all members are encouraged and enabled to contribute. Confirms the Response Strategic Leadership membership for the particular response; and determines the attendance of other participants. The Chair has no over-riding decision rights. Acting in the best interests of the New Zealand public, the Ministry for Primary Industries will initially fulfil the role of the Chair of the Response Strategic Leadership.
- b. Decision Maker(s) – the individual(s) who has the authority and delegations to make decisions on behalf of the organisation that they represent
- c. Response manager – The response manager identifies, prioritises, articulates and manages the implementation of the response objectives that lead to the response outcomes being realised. The response manager reports to the Response Strategic Leadership and attend the meetings but is not a decision-maker.
- d. Secretarial support – provides for minute taking and dissemination of relevant information for the Response Strategic Leadership.

Response Strategic Leadership may also include:

- e. Advisors – to provide information and advice to RSL to support informed decision-making. Any advisors will only be present at the meeting for the specific agenda item(s) for which their presence is required. An advisor is not a decision-maker.
- f. Observers – the role of an observer is to sit and observe, but may contribute to discussion at discretion of the Chair. An observer is not a decision-maker.

Membership of the Response Strategic Leadership will not be capped to a specific number of members. A quorum shall be at least half the total membership, one of whom must be the Chair

4. AUTHORITY

The Response Strategic Leadership members will have the delegated authority to make strategic decisions and commitments that can be met by their respective organisations.

5. *CODE OF ETHICS*

The Response Strategic Leadership is committed to the adoption of ethical conduct in all areas of its responsibilities and authority.

Response Strategic Leadership Members will:

- a. Act honestly, with integrity and in good faith at all times in the best interests of the response as a whole.
- b. Declare all conflicts of interests (personal and organisational) at the beginning of the response and on an on-going basis that could potentially compromise the delivery of response objectives and outcomes. Please refer to Appendix 1 for the conflict of interest form.
- c. Exercise diligence and care in fulfilling the role of being a member of the Response Strategic Leadership.
- d. Attend Response Strategic Leadership meetings and devote sufficient time to preparation for meetings to allow for full and appropriate participation in the decision making process.
- e. Not disclose to any other person confidential information other than as agreed by the Response Strategic Leadership or as required under law. Please refer to Appendix 2 for the confidentiality form
- f. Abide by Response Strategic Leadership decisions once made.
- g. Not to make, comment, issue, authorise, offer or endorse any public criticism or statement having or designed to have an effect prejudicial to the best interests of the Response Strategic Leadership.
- h. Make every reasonable effort to ensure that the response does not raise community, supplier or stakeholder expectations that cannot be fulfilled.
- i. Carry out its meetings in such a manner as to ensure fair and full participation of all Response Strategic Leadership members.

APPENDIX 1: RESPONSE STRATEGIC LEADERSHIP – CONFLICT OF INTEREST FORM

SECTION 1: CONFLICT OF INTEREST DECLARATION			
<input type="checkbox"/> (✓) I declare that, to the best of my knowledge, there is no actual, perceived or potential current conflict of interest that will or may arise as a result of my involvement in GIA activities.			
<p>or</p> <input type="checkbox"/> (✓) I declare that I do have an actual, perceived or potential current conflict of interest.			
<p>The following conflict(s) exist:</p>			
<input type="checkbox"/> (✓) Should I become aware of an actual, perceived or potential conflict during the period in which I am involved in GIA activities, I will make a further declaration and inform my organisation and relevant Deed partners.			
SIGNED:			
Name	Organisation	Signature	Date

IF A CONFLICT OF INTEREST IS DECLARED SECTION 2 MUST BE COMPLETED BY YOUR ORGANISATION			
SECTION 2: ASSESSMENT AND MANAGEMENT OF ANY CONFLICT OF INTERESTS DECLARED			
<p><i>Consider whether the declared conflict is remote, significant, manageable or unmanageable.</i></p> <p><i>Refer to the GIA Handbook – Conflicts of Interest - for guidance</i></p>			
<p>The following steps have been agreed to avoid/mitigate the conflict(s):</p>			
APPROVED ON BEHALF OF [INSERT ORGANISATION] BY:			
Name	Position	Signature	Date

The completed form should be retained by the signatory's organisation and a summary provided in a Conflict of Interest Return to the GIA Secretariat.

A copy of this completed form must be provided to the GIA Secretariat on request.



Confidentiality Deed

CONFIDENTIALITY DEED for Representatives of an Organisation that has signed the GIA Deed

Background

The Government Industry Agreement Deed (**GIA Deed**) for biosecurity readiness and response, dated 20 May 2014, between the Ministry for Primary Industries (**MPI**) and industry organisations listed in schedule 1 of the GIA Deed establishes the basis for government and primary industries jointly sharing decisions and costs to prepare for and effectively respond to biosecurity risks.

In order to implement the GIA Deed, the Signatories wish to disclose Confidential Information to me acting in my role of [title of representative] of [name of organisation], on behalf of the [name of sector], for the purpose of working in partnership under the GIA Deed and the Biosecurity Act 1993.

Definitions

In this Deed:

Confidential Information means all information provided by Signatories to me on or after the date of this Deed directly from my participation in GIA; including any meeting minutes, email updates and situation reports, and includes such information whether it is oral, visual or written, tangible or intangible, in the form of patent applications, inventions, know-how, data, drawings, samples, charges, tables, reports, briefings, budgets, instructions, manufacturing processes, marketing plans, business plans, product samples, material samples, manuals, diagrams, algorithms, software or pictures and whether or not the information is owned by a third party:

Purpose means working in partnership under the GIA Deed with all Signatories and in accordance with the obligations under the GIA Deed and in the Biosecurity Act 1993:

Signatories means MPI and the industry organisations listed in schedule 1 of the GIA Deed.

1. **Effective Date of Deed and Term.** This Deed, effective as of the date I sign it, continues indefinitely.
2. **Existence of Deed.** The existence of this confidentiality Deed is not Confidential Information.
3. **No disclosure obligation.** This Deed does not create any obligation for Signatories to provide any information to me or for the Signatories to enter into any further contract with each other.
4. **Confidentiality.** Except as otherwise agreed in writing by Signatories, I will:
 - (a) not disclose the Confidential Information to anyone other than an Authorised Recipient;
 - (b) not use the Confidential Information except for the Purpose;
 - (c) subject to clause 9, store and keep all:

- (i) electronic copies of the Confidential Information in locations to which authorised access is limited to system administrators; and
- (ii) other copies of the Confidential Information in appropriately secure custody;
- (d) without limiting the above obligations, exercise the same standard of care in the treatment and protection of the Confidential Information as I exercise or ought reasonably exercise for my organisation's own confidential information of a similar nature and sensitivity; and
- (e) on discovery of any breach of this Deed, promptly notify all Signatories of the breach and co-operate with Signatories in every reasonable way to help regain possession of the Confidential Information and prevent its further unauthorised use or disclosure.

5. **Exclusions.** My obligations under this Deed do not apply to the extent that the Confidential Information:

- (a) is not intended to be confidential, as evidenced by the written or verbal agreement of the Signatories; or
- (b) is required to be disclosed by law, court order, regulatory authority, Ministerial request, or Parliamentary Rules and Conventions having jurisdiction over me, provided I have:
 - (i) given the Signatories as much written notice as possible and discussed and considered Signatories' views in relation to the intended disclosure, prior to making the disclosure;
 - (ii) given the Signatories full particulars of the request or requirement for disclosure, to the extent the I am permitted to do so and to the extent that the timeframes applicable to the request or requirement for disclosure allow; and
 - (iii) if the proposed disclosure is as a result of the Official Information Act, discussed with any Signatories to whom the request might have been transferred, the decision not to transfer the request to the Signatories in accordance with that Act; or
- (c) is already public knowledge (otherwise than as a result of a breach of this confidentiality Deed); or
- (d) has been independently developed or has been independently supplied to me or is independently known by the me, and is not information only received by me from Signatories for the Purpose.

6. **Proprietary Interest.** Under this Deed I acquire no rights in Signatories' Confidential Information, except the limited rights necessary to carry out the Purpose.

7. **Warranty.** The Signatories warrant that they have the right to disclose the Confidential Information under this Deed. No other warranties are made in relation to the Confidential Information.

8. **Official Information.** Regardless of any other provision of this Deed, I acknowledge that the Confidential Information may be official information under the Official Information Act 1982 and, in accordance with that Act, such information may be released to the public.

9. **Record keeping.** I may keep one copy of the Signatories' Confidential Information for legal, regulatory and record keeping purposes.

10. **Destruction of documents.** Subject to clause 9, at the Signatories' request I will promptly and securely destroy all copies (including electronic) of the Confidential Information in my possession.

11. **No Precedent.** This Deed is a stand-alone and one-off Deed for the Purpose that creates no precedent for future Deeds.

12. **Miscellaneous.**

- (a) I acknowledge that any breach of this Deed may result in harm, loss or damage for which monetary compensation may not be an adequate remedy and that Signatories are entitled to specific performance and injunctive relief in addition to all other remedies at law or in equity.
- (b) This Deed may not be amended except in writing signed by me.
- (c) This Deed does not create any agency or joint venture relationship.
- (d) This Deed may not be assigned.
- (e) No failure, delay or indulgence on the part of a party in exercising any right under this Deed will constitute a waiver of such right. All waivers must be in writing and signed by the party giving it.
- (f) If any provision of this Deed is held by a court of competent jurisdiction to be illegal, invalid or unenforceable, the remaining provisions shall remain in full force and effect.
- (g) This Deed and its formation will be governed by the laws of New Zealand and the parties submit to the non-exclusive jurisdiction of the New Zealand courts.
- (h) For the purposes of the Contracts (Privity) Act 1982, this Deed is for the benefit of and is intended to be enforceable by the Signatories.

13. **Execution.** This is executed as a Deed by:

Signature

Full Name:

Title/Position:

Industry Organisation:

Date:

In the presence of:

Witness signature

Witness name (printed)

Location

APPENDIX FOUR: RSL FIRST MEETING STANDING AGENDA

Response Strategic Leadership [*Name of Response, Year*]

[*Meeting Date*]

Attendees	Chair	[<i>Name, organisation</i>]
	Decision-makers	[<i>Name, organisation</i>]
	Response Manager	[<i>Name, organisation</i>]
	Advisers	[<i>Name, organisation</i>]
	Observers	[<i>Name, organisation</i>]
	Secretarial support	[<i>Name, organisation</i>]
Apologies	[<i>Name, organisation</i>]	
Venue		
Items Under Discussion	<ol style="list-style-type: none"> 1) Administrative issues [Chair] <ol style="list-style-type: none"> a) Confirm all members have read and understood TOR b) Confirmation all members have signed confidentiality agreement c) Declaration of potential conflicts of interest d) Identify any critical people not represented (invited) 2) Situation report (documented in RAR and/or Response Brief) [Response Manager] <i>(to consider operations, planning & intelligence, communications, liaison, trade/market access)</i> 3) Approve Response Outcomes [Chair] <ol style="list-style-type: none"> a) Agree response outcomes, objectives and escalation triggers b) Identify risk, issues and mitigation measures c) Review and confirmation of interim measures 4) Discuss and agree response resourcing [Chair] 5) Public Information Management [Chair] <ol style="list-style-type: none"> a) Set communications direction b) Agree response spokesperson 6) Summary of actions & decisions [Chair] 7) RSL communiqué [Chair] <ol style="list-style-type: none"> a) Agree key messages for use by RSL members regarding discussions had and decisions made 8) Next meeting [Chair] 	
Meeting Papers		

APPENDIX FIVE: ABBREVIATIONS AND DEFINITIONS

BRKB	Biosecurity Response Knowledge Base – a web-based collection of information , policies, tools, processes, procedures, and training resources about New Zealand’s biosecurity system. Owned and managed by MPI.
CIMS	Co-ordinated Incident Management System – a framework tool to manage emergency situations used by a range of Zealand government agencies and corporate organisations, including MPI.
Cost sharing	Division of costs associated with specific biosecurity readiness and response activity. Refer to page 20 of the <i>GIA Deed</i> for the full definition.
GIA	Government Industry Agreement for Biosecurity Readiness and Response. Refer to page 20 of the <i>GIA Deed</i> for further detail.
Initiate response	The second of five phases defined in the Biosecurity Response Knowledge Base (BRKB). In this phase, if all eligible decision makers agree that joint response action is warranted, a response project structure is established to make decisions on outcomes, objectives and resourcing.
Interim measures	Actions that are jointly agreed to by GIA signatories and put in place immediately following a decision to initiate a response, and before response outcomes and objectives have been agreed by RSL. Includes any urgent measures that Signatories agree should continue beyond the investigation phase.
Investigation	The first of five phases defined in the Biosecurity Response Knowledge Base (BRKB). In this phase, MPI receives notification of a potential pest or disease, then assesses potential risks and undertakes any urgent actions.
MPI	Ministry for Primary Industries – the government agency responsible for whole of system leadership of New Zealand’s biosecurity system.
NBCN	The National Biosecurity Capability Network is an MPI initiative managed by AsureQuality New Zealand. The NBCN provides MPI with timely access to operational capability.
NBRS	National Biosecurity Response System – a decision-making tool to manage all biosecurity responses in New Zealand. Based on the CIMS model, the NBRS comprises legislation, policy, resourcing networks, processes and procedures, people capability requirements, and training. The system is documented in the web-based Biosecurity Response Knowledge Base (BRKB).
Response	Activity undertaken after a certain type of event and for a specific purpose. Refer to page 21 of the <i>GIA Deed</i> for the full definition.
RSL	Response Strategic Leadership – response governance - a high-level, decision-making group assembled to mitigate potential biosecurity risk to New Zealand’s human health and/or environmental, economic and social-cultural values.

TOR	Terms of reference – a document describing the purpose, structure, scope and operating principles of a group working together on a shared goal.
Urgent measures	Immediate actions put in place during the investigation phase to manage any immediate risks and/or to preserve options until joint decisions are made on whether to initiate a response.
Unwanted organism	Any organism a chief technical officer believes capable of causing unwanted harm to any natural and physical resources or human health. This includes any new organism the Environmental Protection Authority has declined approval to import, or any organism specified in the Second Schedule of the <i>Hazardous Substances and New Organisms Act 1996</i> . Refer to the <i>Biosecurity Act 1993</i> for the full definition.