

Our reference: **FOI20-43**

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

DECISION ON YOUR ACCESS APPLICATION

I refer to your application under section 30 of the *Freedom of Information Act 2016* (FOI Act), received by Canberra Health Services (CHS) on **Monday 27 July 2020** which we then confirmed the split of your request into two applications and rescoped on **Friday 7 August 2020**.

This application requested access to:

'I request to be provided please:

The ACT Health Injury Management Unit written policy for leave applications and leave processing or by whatever name is used, for fulltime or part time staff specialist doctors on worker's compensation, and also the ACT Health People and Culture policy on the same content.

The information contains confidential personal information and medical information and as such should not be listed on the disclosure log, which is requested.

If any information identified is considered as "Health records" or "Health Information", please consider this request to also cover this situation.'

I am an Information Officer appointed by the Chief Executive Officer of Canberra Health Services (CHS) under section 18 of the FOI Act to deal with access applications made under Part 5 of the Act. CHS was required to provide a decision on your access application by **Friday 4 September 2020**.

Decisions

A search has been conducted of records held by the Directorate and no documents relevant to the scope of your request are held. As you would appreciate, the circumstances of individuals accessing Workers' Compensation due to injury, can differ significantly. Therefore, consideration is provided on a case by case basis. All decisions are made consistent with the *Safety, Rehabilitation and Compensation Act 1988 – Section 116 Employees on Compensation leave*.

Therefore, it is my decision that no documents are held in accordance with section 35(1)(b).

Charges

Processing charges are not applicable to this request.

Disclosure Log

Under section 28 of the FOI Act, CHS maintains an online record of access applications called a disclosure log. The scope of your access application and my decision to you will be published in the disclosure log not less than three days but not more than 10 days after the date of this decision. Your personal contact details will not be published.

<https://www.health.act.gov.au/about-our-health-system/freedom-information/disclosure-log>.

Ombudsman review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the FOI Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in ACT Health's disclosure log, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601
Via email: ACTFOI@ombudsman.gov.au
Website: ombudsman.act.gov.au

ACT Civil and Administrative Tribunal (ACAT) review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Further assistance

Should you have any queries in relation to your request, please do not hesitate to contact the FOI Coordinator on (02) 5124 9829 or email HealthFOI@act.gov.au.

Yours sincerely



Dave Peffer
Deputy Chief Executive Officer
Canberra Health Services

17 August 2020