

Our reference: **FOI20-57**



Dear 

DECISION ON YOUR ACCESS APPLICATION

I refer to your application under section 30 of the *Freedom of Information Act 2016* (FOI Act), received by ACT Health Directorate (ACTHD) on **Monday 9 November 2020** and rescoped on **Tuesday 17 November 2020**.

This application requested access to:

"I seek any documents held or created by ACT Health/Canberra Health Service as part of the 2019-20 State of the Service in relation to bullying and harassment incidents reported in ACT Health/Canberra Health Service and the outcome of those incidents."

I am an Information Officer appointed by the Director-General of ACT Health Directorate (ACTHD) under section 18 of the FOI Act to deal with access applications made under Part 5 of the Act. ACTHD was required to provide a decision on your access application by **Tuesday 15 December 2020**.

I have identified a document holding the information within scope of your access application.

Decisions

I have decided to grant full access to the relevant document. The document released to you is provided at Attachment A to this letter.

In reaching my access decision, I have taken the following into account:

- The FOI Act;
- The contents of the documents that fall within the scope of your request; and
- The *Human Rights Act 2004*.

Charges

Processing charges are not applicable to this request.

Disclosure Log

Under section 28 of the FOI Act, ACTHD maintains an online record of access applications called a disclosure log. The scope of your access application, my decision and documents released 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 Your personal contact details will not be published.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

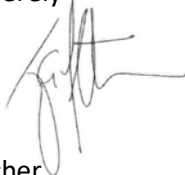
Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

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



John Fletcher
Executive Group Manager
Corporate & Governance

15 December 2020

Information provided in the Agency Survey response for the State of the Service Report 2019-20:

1. Does your directorate/agency have a formal reporting system in place for the management of bullying and harassment?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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2. For the 2019-20 financial year, please list the total number of bullying and harassment contacts:	
Contacts received by your Agency's RED Contact Officers	Nil
Contacts Received by HR (not by RED Contact Officer);	10
Contacts received through other mechanisms	Nil

Note: Data from RiskMan will be provided by the Workplace Safety and Industrial Relations team, CMTEDD.

3. What is the number of bullying or harassment matters where a preliminary assessment under Section H1 of ACTPS Enterprise Agreements was commenced during the financial year?	6
4. What is the number of bullying or harassment matters progressed to a formal misconduct process under Section H of ACTPS Enterprise Agreements during the financial year?	1
5. What is the number of bullying or harassment related misconduct processes completed during the financial year in which the delegate made a substantiated finding of misconduct?	1
6. What is the number of bullying or harassment related misconduct processes completed during the financial year where the delegate made a substantiated finding specifically of bullying or harassment?	1
7. What is the number of bullying or harassment related misconduct processes (not including preliminary assessments) which were in progress at the end of the financial year (as at 30 June 2020)?	0