

Our reference: **ACTHDFOI23-24.39**

[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 ACT Health Directorate (ACTHD) on **Tuesday 12 March 2024**.

This application requested access to:

'Under the FOI Act I would like to be supplied with the following Ministerial briefs:

1. *MIN2023/00997*
2. *MIN2023/00930*
3. *MIN2023/00911*
4. *MIN2023/01015*
5. *GBC24/4*
6. *GBC23/791*
7. *GBC23/803'*

I am an Information Officer appointed by the Director-General of 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 **Friday 26 April 2024**.

I have identified seven documents holding the information within scope of your access application. These are outlined in the schedule of documents included at [Attachment A](#) to this decision letter.

Decisions

I have decided to:

- grant full access to four documents; and
- grant partial access to three documents.

My access decisions are detailed further in the following statement of reasons and the documents released to you are provided as [Attachment B](#) 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;
- The *Human Rights Act 2004*.

Full Access

I have decided to grant full access to the documents at references: 1-2 and 6-7.

Partial Access

I have decided to grant partial access to the documents at references: 3-5. These documents contain information that I consider, on balance, to be contrary to the public interest to disclose under the test set out in Section 17 of the FOI Act. These documents also include information that is taken to be contrary to the public interest to release under Schedule 1 of the FOI Act.

Public Interest Factors Favouring Disclosure

The following factors were considered relevant in favour of the disclosure of the documents:

- Schedule 2, 2.1 (a)(i) promote open discussion of public affairs and enhance the government's accountability; and
- Schedule 2, 2.1 (a)(ii) contribute to positive and informed debate on important issues or matters of public interest.

Public Interest Factors Favouring Non-Disclosure

The following factors were considered relevant in favour of the non-disclosure of the documents:

- Schedule 2, 2.2 (a)(ii) prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004;

Documents at references 3 and 4 are partially comprised of personal information such as mobile numbers of ACT-Government employees and the names of Non-ACT Government Employees in accordance with Schedule 2, 2.2 (a)(ii) prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004.

Documents at reference 5 are partially comprised of cabinet information under Schedule 1.6, and under Schedule 1.6 (1) Cabinet Information, it is taken to be contrary to the public interest to release. Schedule 1.6 (1)(d) the disclosure of which would reveal any deliberation of Cabinet (other than through the official publication of a Cabinet decision).

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
Allara House
15 Constitution Avenue
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 9831 or email HealthFOI@act.gov.au.

Yours sincerely



Catherine Ellis
Senior Director
Ministerial and Government Services


24 April 2024

FREEDOM OF INFORMATION SCHEDULE OF DOCUMENTS

Please be aware that under the *Freedom of Information Act 2016*, some of the information provided to you will be released to the public through the ACT Government's Open Access Scheme. The Open Access release status column of the table below indicates what documents are intended for release online through open access.

Personal information or business affairs information will not be made available under this policy. If you think the content of your request would contain such information, please inform the contact officer immediately.

Information about what is published on open access is available online at: <http://www.health.act.gov.au/public-information/consumers/freedom-information>

APPLICANT NAME	WHAT ARE THE PARAMETERS OF THE REQUEST	FILE NUMBER
	<p><i>'Under the FOI Act I would like to be supplied with the following Ministerial briefs:</i></p> <ol style="list-style-type: none"> 1. MIN2023/00997 2. MIN2023/00930 3. MIN2023/00911 4. MIN2023/01015 5. GBC24/4 6. GBC23/791 7. GBC23/803' 	ACTHDFOI23-24.39

Ref Number	Page Number	Description	Date	Status Decision	Factor	Open Access release status
1.	01 - 02	MIN2023/00997 - Potential misuse of ACT Health Directorate correspondence for Services Australia COVID-19 payments	04 December 2023			YES
2.	03 - 06	MIN2023/00930 - Update on Wellbeing and Recovery Fund	06 December 2023			YES
3.	07 - 09	MIN2023/00911 - ACT Preventive Health Action Plan 2023-2025 – release of consultation report	07 December 2023	Partial Release	Schedule 2.2 Privacy	YES

4.	10 - 12	MIN2023/01015 - Freedom of Information application from [REDACTED] regarding All Performance Reports by the Digital Solutions Division since (and including) September 2023	11 December 2023	Partial Release	Schedule 2.2 Privacy	YES
5.	13 - 14	GBC24/4 - 2024-25 Budget – business case submission extensions	08 January 2024	Partial Release	Schedule 1.6 Cabinet	YES
6.	17 - 20	GBC23/791 - 2023-24 ACT Health Directorate budget review capital reprofiling	03 January 2024			YES
7.	21 - 25	GBC23/803 - Incoming Minister Brief - Minister for Population Health	22 December 2023			YES
Total Number of Documents						
7						



SENSITIVE: LEGAL

To: Rachel Stephen-Smith MLA, Minister for Health

CC: Rebecca Cross, Director-General

Subject: Potential misuse of ACT Health Directorate correspondence for Services Australia COVID-19 payments

Background/Issues

- On 20 May 2022, Services Australia sought advice on the legitimacy of certain documentation provided in a COVID-19 Disaster Payment claim from an ACT resident. The claimant indicated they were a close contact of a positive case in August 2021.
- Services Australia provided copies of the claimant's supporting documentation, which included text messages and emails appearing to be from the ACT Health Directorate (ACTHD). However, upon reviewing the documentation, it was determined that the documents were not produced or authorised by ACTHD.
- On 14 November 2023, Services Australia advised ACTHD that it is pursuing the matter against the claimant in the ACT Magistrates Court. The matter was to be heard in Court on 30 November 2023, and depending on the plea is likely to continue into 2024.
- ACTHD has been asked to provide a witness statement, and an ACTHD representative is likely to be called to appear in Court in early 2024.
- The matter may raise local media attention.

Media Points

- ACTHD is aware of a matter being presented to the ACT Magistrates Court related to a COVID-19 Disaster Payment claim from an ACT Resident.
- ACTHD has provided information to Services Australia in accordance with legal obligations.
- To date, ACTHD has not provided any personal information relating to the claimant to Services Australia or disclosed information contained within the claimant's record on the ACTHD COVID-19 database.
- Related media inquiries should be referred to Services Australia for response.

Contact Officer: Vanessa Dal Molin, Executive Branch Manager, Planning,
Preparedness and Surveillance
Contact Number: x49401
Date: 4 December 2023

Noted/Please Discuss

.....
Rachel Stephen-Smith MLA
Minister for Health

ACT Health Directorate

To: Minister for Health

Tracking No.: MIN2023/00930

CC: Rebecca Cross, Director-General, ACT Health Directorate
Liz Lopa, Deputy Director-General, Corporate, Communications and Delivery
Dave Pepper, Chief Executive Officer, Canberra Health Services
Dr Elaine Pretorius, General Manager, North Canberra Hospital
Fiona Barbaro, Executive Group Manager, Corporate and Governance

From: Jodie Junk-Gibson, Executive Branch Manager, People Strategy and Culture

Subject: Update on Wellbeing and Recovery Fund

Critical Date: Not applicable

Critical Reason: Not applicable

Recommendations

That you:

1. Note the range of wellbeing initiatives provided at Attachment A which outlines what has commenced, or where planning is underway to commence, across the ACT Health Directorate, and Canberra Health Service, including North Canberra Hospital;

Noted / Please Discuss

2. Note that there has been ongoing review and discussion through the Systemwide People Governance Forum where initiatives and experiences have been shared regarding the launch and implementation of wellbeing related initiatives; and

Noted / Please Discuss

3. Note that there was agreement to cease the Systemwide People Governance Forum in the final meeting and that future engagement about Wellbeing and Recovery Fund initiatives will progress through normal channels.

Noted/ Please Discuss

Rachel Stephen-Smith MLA/...../.....

Minister's Office Feedback

Background

1. On 4 October 2022, you announced a Wellbeing and Recovery Fund designed to support wellbeing, a healthy workplace, recruitment and retention, and recovery of ACT public health services workforces. The Wellbeing and Recovery Initiatives are provided at Attachment A.
2. Governance was established to oversee and disburse funds across the ACT health system to the ACT Health Directorate (ACTHD), Canberra Health Services (CHS) and North Canberra Hospital (NCH) (previously Calvary Public Hospital Bruce). Since the establishment of the governance processes, the Wellbeing and Recovery Fund has been updated to reflect the transition from Calvary Public Hospital Bruce to NCH.
3. The intent of the four-year Wellbeing and Recovery Program is to focus on:
 - a. recovery in year 1 (financial year (FY) 2022-2023);
 - b. flexible wellbeing approaches that incorporate individual team proposals for initiatives that support wellbeing, a healthy workplace and recruitment and retention across ACT public health services, and implementation of co-designed organisation, and Territory-wide activities that support wellbeing, recruitment, retention, and recovery of ACT public health services; and
 - c. co-design to support systemwide initiatives.
4. Underpinning the Wellbeing and Recovery program is recognition that wellbeing needs and initiatives will vary across organisations and business areas.

Issues

5. It was agreed that a short to medium system-wide governance forum would be established with representation from ACTHD, CHS and NCH. The purpose of the forum being to oversee and guide funding, identify needs and priorities for initiatives across the ACT health system and to share and learn from ideas.
6. The Systemwide People Governance Forum was established at the cessation of the Culture Review Implementation Steering Group and was assessed as an appropriate short-term transitional forum to initially launch and oversee the Wellbeing and Recovery Fund process.

7. Funds are held by ACTHD in the Local Hospital Network with an agreed straightforward process to ensure timely distribution of funds to services. It was also agreed that each service will manage its own implementation process across business areas, and that each organisation would be responsible for the internal assessment and allocation of funds and for the implementation of initiatives.
8. There have been two key initiatives that have been progressed across the ACT health system. These include the:
 - a. nursing and midwifery recruitment campaign in FY 2022-2023; and
 - b. Wellbeing Leadership program that will include accidental counsellor, psychological first-aid, trauma informed care, debriefing essentials (including hot and cold debriefing), future-proofing team burnout, and coaching conversations.
9. There will be quarterly updates provided to you on the Wellbeing and Recovery Initiatives, with the next update scheduled for March 2024.

Financial Implications

10. The funds disbursed across the ACT health system to date are \$4.25 million.

Consultation

Internal

11. Consultation on the design and implementation of the ACTHD Wellbeing and Recovery activities has included:
 - a. meetings and surveys within business units;
 - b. governance committees; and
 - c. the Work Health and Safety Committee.

Cross Directorate

12. Regular consultation and updates have been provided at the Systemwide People Governance Forum through engagement with:
 - a. Director-General, ACTHD (Chair);
 - b. Executive Group Manager, People and Culture, CHS;
 - c. Executive Branch Manager, People and Culture, NCH; and
 - d. Executive Branch Manager, People Strategy and Culture, ACTHD.
13. In the Systemwide People Governance Forum meeting held on 15 November 2023, it was agreed that there was no future requirement for the forum and that it would cease. It was agreed that all future engagement and consultation about the Wellbeing and Recovery Fund and the initiatives would occur through normal channels.

External

14. Not applicable.

Work Health and Safety

15. There is opportunity to positively impact work health and safety, and address psychological health risks, across the ACT health system.

Benefits/Sensitivities

16. The Wellbeing and Recovery Fund promotes wellbeing and health outcomes in the ACT health system workforce and supports recruitment and retention objectives. The evaluation measures for the specific initiatives are detailed in Attachment A.

Communications, media and engagement implications

17. Each organisation has been developing communications and related messaging nuanced to their specific workforce, outlining the initiatives being implemented.

Signatory: Jodie Junk-Gibson, Executive Branch Phone: 5124 9923
Manager, People Strategy and Culture

Attachment

Attachment	Title
Attachment A	Wellbeing and Recovery Initiatives



ACT Health Directorate

To: Minister for Health Tracking No.: Click here to enter text.

From: Maria Travers, A/g Executive Group Manager, Population Health Division

Subject: ACT Preventive Health Action Plan 2023-2025 – release of consultation report

Critical Date: 08/12/2023

Critical Reason: Your Office has requested that the consultation report be provided by the end of this week to align with the release of the ACT Preventive Health Action Plan 2023-2025.

Recommendations

That you agree to the public release of the ACT Preventive Health Action Plan 2023-2025 consultation report.

Agreed / Not Agreed / Please Discuss

Rachel Stephen-Smith MLA/...../.....

Minister’s Office Feedback

Background

1. The draft ACT Preventive Health Action Plan 2023-2025 (Action Plan) was released for public feedback in mid-2023. Consultation took place via an online YourSay conversations survey, a YourSay digital sticky notes board, nine community and stakeholder workshops, written submissions and a sense-making workshop.
2. Over 400 people provided comment on the action plan during the consultation period from 8 May to 11 August 2023.

3. Local consultancy firm Communication Link was procured to deliver eight community stakeholder workshops and a final sense-making workshop with key stakeholders. The ACT Health Directorate (ACTHD) also facilitated a workshop at the Australian National University with academic researchers.
4. Feedback from all sources was collated and analysed by ACTHD to develop the final consultation report.

Issues

5. Your agreement is sought to release the ACT Preventive Health Action Plan 2023-2025 consultation report at Attachment A.
6. The Action Plan will be released on 9 December 2023 and your Office previously requested that these documents be publicly released at the same time.
7. Many of the themes and issues identified in the consultation report lie outside the remit of the health portfolio and will require a coordinated approach across government. ACTHD will formally provide the consultation report to relevant directorates, reassuring that we will make best endeavours to work together on cross portfolio implications and within budget constraints.

Financial Implications

8. Nil response.

Consultation

Internal

9. The project team worked closely with the ACTHD Communications and Engagement team throughout the consultation. The engagement team provided input into the consultation approach and reviewed and approved the consultation report.

Cross Directorate

10. The consultation report has not yet been disseminated to other directorates. Engagement in the consultation process occurred through multiple mechanisms including the Cross-Directorate Working Group and sense making workshop.

External

11. Nil response.

Work Health and Safety


12. Nil response.

Benefits/Sensitivities

- 13. Releasing the consultation report is recommended as it will allow provide transparency about the consultation process and make the feedback available to stakeholders and the public.
- 14. The health sector acknowledges that it has a key role in the prevention of chronic disease, and that broader social determinants of health are significant drivers of poor health and health inequities. These determinants, such as access to education and transport, socioeconomic status, and social supports, require action beyond the health sector.

.Communications, media and engagement implications

- 15. The report will be published on the ACT Health website and the YourSay page. The report will also be shared directly with stakeholders who participated in the consultation.
- 16. Plans for releasing the action plan are outlined in the Cabinet Communications Plan at [Attachment B](#).
- 17. ACTHD Media and Communications is liaising with your Office in relation to a potential action plan launch in early December 2023.

Signatory Name: Maria Travers, A/g Executive Group Manager, Population Health Division Phone: 

Action Officer: Chris Kelly, Population Health Division Phone: MS Teams

Attachments

Attachment	Title
Attachment A	ACT Preventive Health Action Plan 2023-2025 Consultation Report
Attachment B	Healthy Canberra ACT Preventive Health Action Plan 2023-2025 – Communications Plan

ACT Health Directorate

To: Minister for Health Tracking No.: MIN2023/01015 (ACTHDFOI23-24.22)

CC: Rebecca Cross, Director-General

From: Holger Kaufmann, Chief Information Officer

Subject: Freedom of Information application from [REDACTED] regarding All Performance Reports by the Digital Solutions Division since (and including) September 2023.

Critical Date: 11/12/2023

Critical Reason: FOI will be delivered to applicant on this day.

Recommendation

That you note the ACT Health Directorate response to [REDACTED] at Attachment A.

Noted / Please Discuss

Rachel Stephen-Smith MLA/...../.....

Minister's Office Feedback

Background

1. On Tuesday 14 November 2023, [REDACTED] submitted an access application under the *Freedom of Information Act 2016* (the Act) to ACT Health Directorate (ACTHD) requesting:

'All Performance Reports by the Digital Solutions Division since (and including) September 2023.'

Issues

2. After conducting a search for all relevant documents, ACTHD identified two documents containing the information that meets the scope of the request.
3. The decision letter and the accompanying documents released to [REDACTED] are at Attachment A.

Financial Implications

4. Processing fees are not applicable to this request.

Consultation

Internal

5. N/A

Cross Directorate

6. N/A

External

7. N/A

Work Health and Safety

8. N/A

Benefits/Sensitivities

9. N/A

Communications, media and engagement implications

10. Media talking points have not been prepared due to the nature of this request and can be prepared by ACTHD media team should any media issues arise.
11. The response to [REDACTED] FOI access applications will be uploaded to the ACTHD Disclosure Log in accordance with the Act.

OFFICIAL

Signatory Name: Holger Kaufmann Phone: 5124 9000
Chief Information Officer

Action Officer: Chris Orubuloye Phone: 5124 7447
Executive Officer
Office of the Chief Information
Officer

Attachment

Attachment	Title
Attachment A	ACTHD Response

ACT Health Directorate**To:** Minister for Health

Tracking No.: GBC24/4

From: Rebecca Cross, Director-General**Subject:** 2024-25 Budget – business case submission extensions**Critical Date:** 19/01/2024**Critical Reason:** To manage consultation across complex policy matters and meet Budget timeframes.**Recommendation**That you sign the letter to the Chief Minister at Attachment A.**Signed / Not Signed / Please Discuss**

Rachel Stephen-Smith MLA/...../.....

Minister's Office Feedback

Background

1. On 24 November 2023, Treasury Memo (2023/26 - 2024-25 Budget – Full Business Case Development) was circulated requesting that Ministerially endorsed business cases for the 2024-25 Budget be submitted to Treasury by Friday 23 February 2024.

Issues

2. [Redacted]

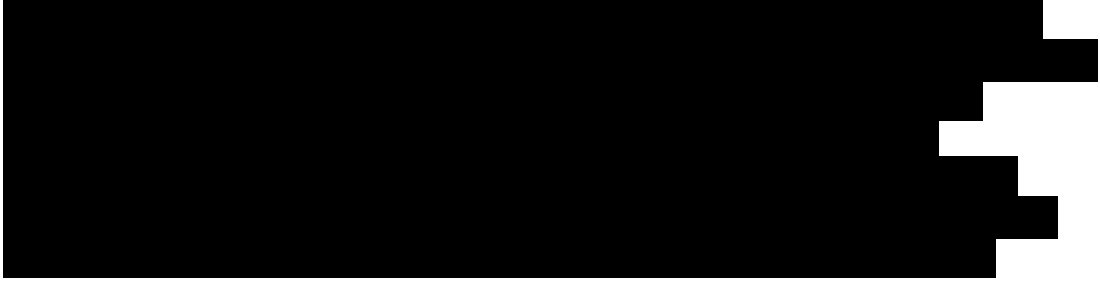
3. [Redacted]

4. [Redacted]

5. [Redacted]

6. ACTHD has been engaging with Treasury officials and will undertake to provide draft copies of business cases to ACT Treasury during their development.

7.



8.



9.



Consultation

Internal

10. All Divisions were given the opportunity to nominate potentially late business cases.

Cross Directorate

11. Treasury has been consulted on how these extensions should be requested and has indicated that it will require a letter to the Treasurer.

External

12. Nil.

Work Health and Safety

13. Not applicable.

Benefits/Sensitivities

14. Not applicable.

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Communications, media and engagement implications

15. This matter is unlikely to generate media attention.

Signatory Name: Rebecca Cross Phone: x55335
 Director-General

Action Officer: Muku Ganeshalingam Phone: x46825
 Executive Branch Manager, Chief
 Finance Officer

Attachments

Attachment	Title
Attachment A	Letter to the Treasurer – 2024-25 Budget business case extension

ACT Health Directorate**SENSITIVE: CABINET**

To: Minister for Health Tracking No.: GBC23/791

CC: Liz Lopa, Deputy Director-General, Corporate, Communications and Delivery
Fiona Barbaro, Executive Group Manager, Corporate and Governance
Catherine Loft, A/g Executive Group Manager, Infrastructure, Communications and Engagement
Holger Kaufmann, Chief Information Officer
Dr Kerryn Coleman, Chief Health Officer

From: Rebecca Cross, Director-General

Subject: 2023-24 ACT Health Directorate budget review capital reprofiling

Critical Date: 11/01/2024

Critical Reason: Last day to enter Ministerial endorsed capital reprofile adjustments in the budget management system.

Recommendation

That you agree to the capital reprofiling of \$29.2 million from 2023-24 to the outyears.

Agree / Not Agreed / Please Discuss

Rachel Stephen-Smith MLA/...../.....

Minister's Office Feedback

Background

1. Budget memo 2023/28 capital works program (CWP) reprofiling – budget review has been released for all directorates to review their capital program delivery expectations in 2023-24 and 2024-25 and identify opportunities to reprofile budgets to ensure program funding is closely aligned with project delivery.
2. The size of the ACT Government 2023-24 CWP is at \$1.6 billion, with an expected delivery of up to \$1.3 billion, representing an underspend of \$300 million. For the 2024-25 financial year, the CWP is in excess of \$1.8 billion, with underspends to be in excess of \$500 million, excluding new capital business cases.
3. Agencies are required to input the outcome of minister endorsed capital reprofiling in the government budget management system by 11 January 2024, for Treasury to review the 2023-24 territory wide capital works program.

Issues

4. Since the commencement of the 2023-24 financial year, the ACT Health Directorate (ACTHD) has been closely monitoring capital project delivery to ensure projects adopt a realistic delivery expectation and utilise all budget reprofiling opportunities given the increase in capital funding received.
5. As of November 2023, after including all known budget adjustments to date, such as the transfer out of the North Canberra Hospital projects, transfer in of the expanding health centre project, 2022-23 rollovers and accrual adjustments, the ACTHD capital expenditure is \$12.1 million, or 12 per cent of the 2023-24 revised budget of \$97.8 million.
6. The majority of the expenditure has been driven by existing initiatives such as the Digital Health Record, Canberra Hospital Master Plan and Community Based Residential eating disorder treatment centre with projects well progressed as per their respective milestone schedules.
7. ACTHD Strategic Finance, in consultation with ACTHD divisions, has identified \$29.2 million from 10 capital projects to be reprofiled from 2023-24 into the out years in the mid-year budget review process. The following factors were considered in determining the budget reprofiling outcomes:
 - a. ACT Government capital works program capacity issues, including the ability for Major Projects Canberra to deliver health infrastructure works based on historical trends;
 - b. Current and historical agency-level and total program-level delivery performance;
 - c. A tendency for prolonged tendering and development application processes for new 2023-24 capital infrastructure initiatives;
 - d. delays in project staffing recruitment; and
 - e. aligning the funding profile to known contract milestones.

8. ACTHD capital works expenditure is heavily skewed towards the second half of the financial year, and the forecasted expenditure is reliant on:
 - a. the Southside hydrotherapy pool and the Watson Health Precinct to obtain development approval and secure a head contractor by early 2024 to commence construction;
 - b. the Northside detailed design and North Canberra Hospital transition projects to onboard consultancies and procure ICT equipment in a timely manner; and
 - c. no unforeseen timing risks on the delivery of the Canberra Hospital masterplan, the eating disorder treatment centre and upgrading the critical communication (distributed antenna system) projects.
9. The reprofiling of \$29.2 million excludes Major Project Canberra's resources received free of charge as these are non-cash accounting adjustments and does not impact ACTHD delivery expectations. ACTHD will work with Treasury to reprofile specific project's resources received free of charge as part of this exercise.
10. The full list of capital projects and variance commentary is at Attachment A.

Financial Implications

11. Post capital reprofiling, the ACTHD 2023-24 revised capital budget is \$68.6 million and \$107.2 million for the 2024-25 financial year. ACTHD has submitted capital business cases in the mid-year budget review and if approved, will increase the CWP to be delivered in the next six months.
12. ACTHD will continue to work collaboratively with all stakeholders to ensure forecasted project expenditure is closely aligned to project plans and milestone schedules and take a more conservative approach for new 2024-25 business cases which are expected to have longer anticipated lead times.
13. Should there be further expenditure softening or unforeseen project delays, Strategic Finance will look to access further reprofiling opportunities.

Consultation

Internal

14. Consultation has occurred and agreement has been received from:
 - a. Catherine Loft, A/g Executive Group Manager, Infrastructure Communications and Engagement;
 - b. Dr Kerry Coleman, Chief Health Officer; and
 - c. Holger Kaufmann, Chief Information Officer.

External

15. Consultation has occurred and budget reprofiling figures have been provided to Treasury.

Work Health and Safety

16. Not applicable.

Benefits/Sensitivities

17. Not applicable.

Communications, media and engagement implications

18. Not applicable.

Signatory Name: Rebecca Cross, Director-General Phone: (02) 6205 5335

Action Officer: Shaun Zhang, Senior Director, Strategic Finance Phone: (02) 5124 9653

Attachments

Attachment	Title
Attachment A	Capital Strategic reprofiling template

Key Issues

Minister for Population Health		
Number	Title	Executive Lead
1.	Active public health risks	Dr Kerryn Coleman
2.	Vaping and e-cigarettes	Maria Travers
3.	PAC response to ACT Childhood Healthy Eating and Active Living Programs	Maria Travers
4.	ACT Scope of Practice Trials for Pharmacists	Victor Martin
5.	Alcohol Tobacco and Other Drug	Maria Travers
6.	Sexually Transmissible Infections and Blood Borne Viruses, including Syphilis	Dr Kerryn Coleman
7.	Healthy Canberra Grants	Dr Jade Redfern
8.	Population Health Legislative Responsibilities	Victor Martin

1. Public Health Active Risks

High-Risk Weather Season

Population Health Division is responsible for the planning, preparedness and response required to manage the health consequences and broader health system impacts for the upcoming High-Risk Weather Season (HRWS). The risks include bushfires, heatwaves, poor air quality, high-levels of grass pollen, (including the increased risk of epidemic thunderstorm asthma (ETSA) events, mosquito-borne illnesses (eg JEV), and potential for other infectious diseases). An updated strategic communications plan and strengthened engagement across government and with the community is an essential component of this work.

PFAS contamination at Pialligo and Jervis Bay Territory

CMTEDD is leading a cross-Government response to PFAS contamination, with PFAS levels above national standards detected at several ACT sites and in Jervis Bay Territory. Population Health Division provides public health advice in relation to the human health impacts, as well as providing technical interpretation of testing results as required. The most recent identification of PFAS contamination occurred in November 2023 in bores located at the Fairbairn Golf Course. Any potential risk to human health is very low, however, to ensure the health and safety of Canberrans

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and the environment, the Environmental Protection Agency (EPA) has recommended that a risk assessment be undertaken to consider health and environmental risks.

Ralstonia pickettii

The ACT Government is working with the Therapeutic Goods Administration and other states and territories to investigate and respond to detections of *Ralstonia pickettii* associated with the use of a contaminated therapeutic product. *Ralstonia pickettii* is a common bacteria found in the environment, and rarely causes human infection. As of 3pm 11 December 2023, there have been 55 cases linked to this outbreak nationally since 01 August 2023. This includes four confirmed cases in ACT residents that have been genetically linked to the cases in other jurisdictions, and five probable cases in ACT residents. Contaminated products have been identified and recalled by the TGA. The TGA has also issued quarantine notices for several products asking healthcare facilities to pause the use of these products while investigations are underway.

2. Vaping

E-cigarette use

Nationally there has been a rise in teen smoking rates for the first time in 25 years, likely linked to increasing use of e-cigarettes, as young people who vape are around three times more likely to start smoking cigarettes and smoke regularly than those who don't vape. The 2022 ACT General Health Survey found that vaping is increasing across all age groups and younger age groups have the highest proportion of people who vape in the ACT.

National reforms

The Australian Government has announced changes to the regulation and enforcement of e-cigarettes in a phased approach:

- From 1 January 2024 - prohibiting the importation of disposable single use vapes.
- From 1 March 2024 - restrictions requiring an importer to obtain import permits for authorised therapeutic vapes.
- During 2024, product standards for therapeutic vapes strengthened, including to limit flavours, reduce permissible nicotine concentrations and require pharmaceutical packaging.
- A bill introduced in 2024 to prevent domestic manufacture, advertisement, supply and commercial possession of non-therapeutic and disposable single use vapes.

ACT activities

The ACT Government fully supports the national reforms and has agreed to develop a bill to ensure the *Tobacco and Other Smoking Products Act 1927* aligns with the Commonwealth changes. Other current activities: Communications campaign on the harms of vaping and to raise community awareness that smokefree laws also apply to e-cigarettes; an online teacher professional learning course co-designed with year 7 and 8 teachers, and a year 5 and 6 education package focussed on vaping risks and harms; upgrade to existing no smoking signage to include e-cigarettes. Additional activities necessary to support national reforms will be discussed.

3. PAC response to ACT Childhood Healthy Eating and Active Living Programs (the audit)

In early 2022 an audit was undertaken into ACT Childhood Healthy Eating and Active Living Programs. A government response was tabled in March 2023. ACTHD has subsequently received the Parliamentary Advisory Council (PAC) recommendations in relation to this audit. Some of the five PAC recommendations include re-issuing initial recommendations that were not agreed by Government in the first audit, or relate to existing Government work already being undertaken. It is expected that the cabinet package will be progressed to you in the first week of January 2024 with the response due to go to Cabinet in February 2024.

4. ACT Scope of Practice Trials for Pharmacists

The ACT has joined the NSW Government trial to enable pharmacists to supply antibiotics to treat urinary tract infections (UTI) and the oral contraceptive pill (OCP). The findings from this trial will inform the role of pharmacists and pharmacies in our healthcare system. NSW Health is supporting the trial with funding to support a \$20 payment per consultation to community pharmacies. The ACT has adopted a user pays models with a fee set by each pharmacy. NSW Health has recently announced the third phase of its trial to commence the treatment of minor skin conditions within the trial pharmacies. The ACT trial initially included five ACT community pharmacies, with business model diversity and geographic spread across the ACT and will continue for 12 months. ACT participation in the trial will grow to a total of 15 community pharmacies for the third phase to commence early in 2024.

5. Alcohol, Tobacco and Other Drug (AOD)

The overarching aim of work in this area is to address and minimise harms from alcohol, tobacco, illicit drugs and non-medical use of pharmaceuticals through policy, programs and funding of non-government services. The whole-of-sector ACT Drug Strategy Action Plan 2022-2026 delivers locally on the National Drug Strategy 2017-2026 and includes 34 actions. Discussions about the future for non mainstream harm reduction services including pill testing and a medically supervised injecting service are a priority. Other issues to be discussed within the next few months include construction of new facilities as part of the Watson Precinct, and the ACT arrangements necessary to sustain the Opioid Maintenance Treatment program following changes to funding by the Australian Government.

ACTHD is currently commissioning alcohol, tobacco and other drug (ATOD) treatment, support and harm reduction services, with total annual funding of \$17.6 million (GST exclusive). This has involved extensive collaboration and consultation with sector partners. The approach to market will involve three Grant Opportunities opening 30 January 2024, and documentation will be provided to you shortly for noting following Director General approval. New contracts are intended to commence 1 August 2024 for a minimum 7 year period.

6. Sexually Transmissible Infections (STI) and Blood-Borne Viruses (BBV)

The overarching aim of work in this area is to reduce the transmission of and morbidity and mortality caused by sexually transmissible infections (STI) and blood-borne viruses (BBV) in the ACT. This is delineated from other sexual and reproductive health activities including women's and reproductive health services, though recognises the spectrum and linkages that exist. The five current National STI and BBV Strategies ended in 2022, with new national STI and BBV strategies for 2023-2030 anticipated in mid-2024. Following endorsement, the [Hepatitis B, Hepatitis C, HIV and](#)

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[Sexually Transmissible Infections: ACT Statement of Priorities 2016-2020](#) (the Statement of Priorities) will require updating.

The STI/BBV Services - 2023 Grant Opportunity, providing \$2.885 million (GST exclusive) in funding annually over seven years, opened on 7 November and closes on 19 December 2023. The outcomes of this process will be provided to you for noting in February/March 2024. New contracts plan for commencement from 1 August 2024 for a minimum period of 7 years. The ACT receives funding from the Commonwealth through a Federal Funding Agreement (FFA) towards the cost of HIV treatment for patients ineligible for Medicare. Commonwealth drafted a variation to this FFA increasing the total funding available to states and territories, which was endorsed by Cabinet out of session 11-13 December 2023. A signed variation must be returned to the Commonwealth in 2023 to enable payment in January 2024.

7. Healthy Canberra Grants

The Healthy Canberra Grants (HCG) program distributes up to \$2.4 million annually to community-based organisations to support programs that prevent chronic disease and improve health outcomes across the population. The funding opportunities are aligned with the priority areas of the *Healthy Canberra: ACT Preventive Health Plan 2020-2025*:

- supporting children and families;
- enabling active living;
- increasing healthy eating;
- reducing risky behaviours, including smoking, risky alcohol consumption and the transmission of sexually transmissible infections and bloodborne viruses;
- promoting healthy ageing.

On 8 December 2023, the 2023-24 to 2025-26 HCG: Focus on Vaping Cessation and Alcohol-Related Harm was opened for applications. Up to \$2 million is available for programs to be delivered for up to three years duration. Applications close on 14 February 2024, with announcement of successful applicants expected in late April. HCG is administered by ACTHD. The Minister for Population Health is notified of outcomes and signs the successful applicant letters. Delegation of contracts remains with the Director-General, ACTHD.

8. Population Health Legislative Responsibilities

Population Health Division (PHD) fulfils a range of statutory responsibilities and delegations under various public health legislation, including the:

- *Public Health Act 1997*
- *Blood Donation (Transmittable Diseases Act) 1985*
- *Drugs of Dependence Act 1989*
- *Epidemiological Studies (Confidentiality) Act 1992*
- *Food Act 2001*
- *Gene Technology Act 2003*
- *Gene Technology (GM Crop Moratorium) Act 2004*,
- *Health Act 1993*
- *Human Cloning and Embryo Research Act 2004*
- *Medicines, Poisons and Therapeutic Goods Act 2008*
- *Radiation Protection Act 2006*

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- *Smoke-free Public Places Act 2003*
- *Tobacco Act 1927*
- *Transplantation and Anatomy Act 1978.*

Of specific note the *Public Health Act 1997* provides statutory responsibility to the CHO to prevent and manage risks to the health of the ACT population. These include:

- Notifiable conditions, by prescribing 72 notifiable conditions and imposing obligations on certain individuals to report notifiable conditions to the Chief Health Officer,
- Health risk facilities, through which health care facilities and businesses performing skin penetration procedures are regulated, and
- Environmental hazards including drinking water, recreational water, cooling towers, environmental toxins and contaminants.

Regulatory functions

PHD administers over 7,500 licences and registrations for health and non-health related activities. Regulated activities include: community pharmacies (84 licenses), food businesses (3,666), health care facilities (34, including those operated by Canberra Health Services(CHS)), infection prevention activities (625), public swimming pools and spas (57) and registered radiation sources (846, including 104 CHS operated sources) and 1,648 radiation source user licences).

Medical practitioners require CHO approval to prescribe controlled medicines for each patient (such as strong opioid pain killers and psychostimulants) (over 15,000 CHO approvals each year).