

Key Issues:Review Panel Profiles

- Mr Reid has undertaken many roles in the Australian health system, spanning four decades. He has been a bureaucrat, consultant and academic which gives him a breadth of experience and depth of knowledge of the Australian health care system.
- Ms Fiona Brew has a nursing background. She is a senior health executive with more than ten years' experience in managing public health services and aged care in various senior roles. She is a values-based leader and an expert in reforming culture in health services.
- Professor Watters was president of the RACS from 2015 to 2016. During this time, he established an expert group to combat bullying, harassment and discrimination in the health sector. This included looking at how RACS could lead the elimination of bullying and harassment from hospitals and health departments. He has a strong interest in workplace culture and professionalist issues across the health sector. Professor Watters is Professor of Surgery at Deakin University, working at Barwon Health and the University Hospital Geelong.

Cleared as complete and accurate:	12/03/2019	
Cleared by:	Director-General	Ext: 49400
Contact Officer name:	Vanessa Dal Molin	Ext: 49400
Lead Directorate:	Health	
Cleared for release	Yes	
Information Officer name:	Director-General	
TRIM Ref:	GBC19/93	

QUESTION TIME BRIEF

GBC19/20

Portfolio/s Mental Health

ISSUE: INDEPENDENT REVIEW INTO ACT HEALTH'S CULTURE

Talking points:

- Together with the Minister for Health and Wellbeing, I have been extremely clear around my expectation for a positive culture in the delivery of public health care in the ACT.
- The Government has a zero tolerance for bullying and harassment.
- Since March 2018, there has been significant work undertaken within our public health system to improve culture and governance, and to build an environment of genuine engagement.
- I have seen significant improvements in workplace culture since this time.
- Indeed an independent external review into Mental Health Services, commissioned in response to the March 2018 accreditation process, made some very complementary remarks about ACT Health staff. There was strong praise for many aspects of our mental health inpatient services and facilities.
- Building on these achievements, on 10 September 2018, the Minister for Health and Wellbeing announced her decision to put in place several processes to assist in further improving culture within ACT Health. This has included the establishment of an Independent Review of the Workplace Culture within ACT Public Health Services and the formation of a Clinical Leadership Forum.
- The Terms of Reference (released on 21 September 2018) for the Independent Review required the appointed Panel to deliver an interim report to the Minister for Health and Wellbeing by 31 January 2019, with a final report due on or before the end of March 2019.
- The Review Panel delivered its interim report by the due date, and this was subsequently publicly released by the Minister on 1 February 2019.

Cleared as complete and accurate: 08/02/2019
Cleared by: Director-General Ext: 50823
Information Officer name:
Contact Officer name: Vanessa Dal Molin Ext: 79532
Lead Directorate: Health

TRIM Ref: GBC19/20

QUESTION TIME BRIEF

- I welcome the Interim Report. The ACT Government has agreed to all recommendations in principle, noting that this is an interim report. We understand the importance of working with staff and stakeholders to put the final recommendations into practice in a way that drives the real change we need to see.
- Through the establishment of strong and transparent governance arrangements, we will ensure that implementation is efficient and effective, and that staff and stakeholders are appropriately engaged.
- I do not shy away from the fact that, at times, the Report makes difficult reading. It is disappointing to read that staff working in our public health system have experienced bullying, intimidation and harassment.
- The ACT Government invests significantly in the delivery of public health services to ensure safe, high quality healthcare for the ACT community and our surrounding region. In addition to taking care of our community, we are also working hard to ensure that our staff are looked after.
- With new Executive leadership teams being established across our three health services there is a strong commitment to developing a positive workplace culture. Signs of a shift in positivity are already being demonstrated, and it was pleasing to read in the Interim Report that there is cautious optimism by many within the service around the new leadership.
- The Interim Report also highlights the fact that the issue of culture within public health services is not unique to the ACT – it is a concern at a national level.
- The Review recommendations give us practical recommendations which provide us now with the opportunity to lead the nation in developing a positive workplace culture across our health systems.
- This Review has provided staff with the opportunity to be heard, to share their experiences, their stories and contribute in a positive way to real change.
- I would like to take this opportunity to thank Panel members, Mick Reid, Fiona Brew and David Watters for the extensive work they have undertaken throughout this process and I look forward to receiving the final report of the Review over the coming weeks.

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Information Officer name:		
Contact Officer name:	Vanessa Dal Molin	Ext: 79532
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QUESTION TIME BRIEF

Key Issues:

Review Panel Profiles

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 Lead Directorate: Health

TRIM Ref: GBC19/20

QUESTION TIME BRIEF

GBC19/143

Portfolio/s Mental Health

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Talking points:

- Together with the Minister for Health and Wellbeing, I have been extremely clear around my expectation for a positive culture in the delivery of public health care in the ACT.
- The Government has a zero tolerance for bullying and harassment.
- Since March 2018, there has been significant work undertaken within our public health system to improve culture and governance, and to build an environment of genuine engagement.
- I have seen significant improvements in workplace culture since this time.
- Building on these achievements, the decision was made to put in place several processes to assist in further improving culture within ACT Health. This included the establishment of an Independent Review of the workplace culture within ACT Public Health Services and the formation of a Clinical Leadership Forum.
- The Terms of Reference (released on 21 September 2018) for the Independent Review required the appointed Panel to deliver an interim report to me by 31 January 2019, with a final report due on or before the end of March 2019.
- The Review Panel delivered its interim report to me by the due date, and this was subsequently released publicly on 1 February 2019.
- The Final Report was released to staff and the public on 7 March 2019. And was tabled in this place on 19 March 2019.
- I welcome the Final Report. The ACT Government has agreed to all recommendations in principle. The formal Government response to the Final Report will be tabled in May 2019.

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Cleared by:	Director-General	Ext: 49400
Contact Officer name:	Vanessa Dal Molin	Ext: 49400
Lead Directorate:	Health	
Cleared for release	Yes	
Information Officer name:	Director-General	
TRIM Ref:	GRC19/143	

QUESTION TIME BRIEF

- We understand the importance of working with staff and stakeholders to put the final recommendations into practice in a way that drives the real change we need to see. The Final Report has also given the Government clear implementation and timeline guidance.
- Through the establishment of strong and transparent governance arrangements, we will ensure that implementation is efficient and effective, and that staff and stakeholders are appropriately engaged.
- The Government is moving quickly to begin implementation and I chaired the inaugural Culture Review Oversight Group meeting on 28 March 2019.
- The membership of the Group has been settled and includes representation from unions, tertiary institutions, ACT Health Directorate, Canberra Health Services, Calvary and relevant colleges.
- The inaugural meeting of the Culture Review Oversight Group also considered, amongst other things, our Terms of Reference and the Implementation Timeline for the the Independent Review's recommendations.
- I look forward to working closely with the members of the Group to ensure that our public health care system continues to deliver a high level of care to the community and is seen as an employer of choice for health professionals.
- We do not shy away from the fact that, at times, the Report makes difficult reading. It is disappointing to read that staff working in our public health system have experienced bullying, intimidation and harassment.
- The ACT Government invests significantly in the delivery of public health services to ensure safe, high quality healthcare for the ACT community and our surrounding region. In addition to taking care of our community, we are also working hard to ensure that our staff are looked after.
- With new Executive leadership teams being established across our three health services there is a strong commitment to developing a positive workplace culture. Signs of a shift in positivity are already being demonstrated, and it was pleasing to read in the Final Report that there is cautious optimism by many within the service around the new leadership.
- The Final Report also highlights the fact that the issue of culture within public health services is not unique to the ACT – it is a concern at a national level.

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Lead Directorate:	Health	
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Information Officer name:	Director-General	
TRIM Ref:	GBC19/143	

QUESTION TIME BRIEF

- The Review recommendations give us practical recommendations which provide us now with the opportunity to lead the nation in developing a positive workplace culture across our health systems.
- This Review has provided staff with the opportunity to be heard, to share their experiences, their stories and contribute in a positive way to real change.
- I want to thank the staff, individuals and organisations that contributed to the Review. That so many made a submission to the Review panel is a testament to the confidence that the Canberra community, including staff and patients, had in the Review team to deliver appropriate recommendations.
- I would also like to take this opportunity to again thank Panel members, Mick Reid, Fiona Brew and David Watters for the extensive work they have undertaken throughout this process.

Clinical Leadership Forum

- I understand that the Minister for Health and Wellbeing intends to finalise terms of reference for a Clinical Leadership Forum over the coming weeks.
- This is a high level forum that will report directly to the Minister.
- The Forum will include a range of stakeholders from across Canberra Hospital, Calvary Public Hospital and the broader ACT health services sector.
- The Forum will provide an important mechanism for clinical leaders to advise on health services planning and infrastructure, clinical culture and training and education.
- Work is well underway to appoint members to the Forum, with an Expression of Interest process advertised recently.

ACT Health Cultural Survey

- Culture is complex and dynamic, particularly in large health care organisations such as ACT Health. Over many years ACT Health has been closely monitoring its workplace culture and utilising a range of methods drawn from best practice to encourage respectful and supportive environments for staff and patients.

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Lead Directorate:	Health	
Cleared for release	Yes	
Information Officer name:	Director-General	
TRIM Ref:	GBC19/143	



QUESTION TIME BRIEF

- ACT Health's Quality Strategy 2018-2028 was officially launched in March 2018. The Strategy supports the delivery of person-centred, safe and effective care, through three key enablers – Culture, Leadership and Communication. The inclusion of culture as a key enabler will further strengthen the implementation of the Strategy.
- Given the ACT Government's decision to create two organisations from October 2018, as well as the need to address other key organisational challenges, culture development is a central area of focus. Key actions focusing on leadership, values and engagement are being planned and implemented.
- Building a cohesive senior leadership team is critical to improved workplace culture in both organisations. Since July 2018, the Director-General, Deputy Directors-General and Executives have participated in a number of high-level workshops to discuss culture improvement, refreshing organisational vision, values-based behaviours and leading staff through the organisational transition.
- The findings and recommendations of the independent review into the workplace culture within public health services will help inform the content of the next Staff Culture Surveys for both organisations.
- The timing for the next Staff Culture Survey will be considered as part of the implementation of recommendations of the Review into the Workplace Culture within ACT Public Health Services.

Background

Review Panel Profiles

- Mr Reid has undertaken many roles in the Australian health system, spanning four decades. He has been a bureaucrat, consultant and academic which gives him a breadth of experience and depth of knowledge of the Australian health care system.
- Ms Fiona Brew has a nursing background. She is a senior health executive with more than ten years' experience in managing public health services and aged care in various senior roles. She is a values-based leader and an expert in reforming culture in health services.

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Contact Officer name:	Vanessa Dal Molin	Ext: 49400
Lead Directorate:	Health	
Cleared for release	Yes	
Information Officer name:	Director-General	
TRIM Ref:	GRC10/112	

QUESTION TIME BRIEF

- Professor Watters was president of the RACS from 2015 to 2016. During this time, he established an expert group to combat bullying, harassment and discrimination in the health sector. This included looking at how RACS could lead the elimination of bullying and harassment from hospitals and health departments. He has a strong interest in workplace culture and professionalist issues across the health sector. Professor Watters is Professor of Surgery at Deakin University, working at Barwon Health and the University Hospital Geelong.
- The membership of the Group includes:
 - the Director-General of the ACT Health Directorate
 - The chief Executive officer of Canberra Health Services
 - The Regional Chief Executive of Calvary ACT
 - The Branch Secretary of the ANMF ACT
 - The President of the AMA ACT
 - The Regional Secretary of the CPSU
 - The President of ASMOF ACT
 - The President of the VMOA ACT
 - The Dean of the College of Health and Medicine at ANU
 - The Executive Dean of the Faculty of Health at the University of Canberra
 - The Minister for Mental Health as Deputy Chair
 - The Minister for Health and Wellbeing as Chair

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Contact Officer name:	Vanessa Dal Molin	Ext: 49400
Lead Directorate:	Health	
Cleared for release	Yes	
Information Officer name:	Director-General	
TRIM Ref:	GBC19/143	

ISSUE: FINAL REPORT ON INDEPENDENT REVIEW INTO THE WORKPLACE CULTURE WITHIN ACT PUBLIC HEALTH SERVICES

Talking points:

- Together with the Minister for Mental Health, I have been extremely clear around my expectation for a positive culture in the delivery of public health care in the ACT.
- The Government has a zero tolerance for bullying and harassment.
- Since March 2018, there has been significant work undertaken within our public health system to improve culture and governance, and to build an environment of genuine engagement.
- I have seen significant improvements in workplace culture since this time.
- Building on these achievements, I made the decision to put in place several processes to assist in further improving culture within ACT Health. This included the establishment of an Independent Review of the workplace culture within ACT Public Health Services and the formation of a Clinical Leadership Forum.
- The Terms of Reference (released on 21 September 2018) for the Independent Review required the appointed Panel to deliver an interim report to me by 31 January 2019, with a final report due on or before the end of March 2019.
- The Review Panel delivered its interim report to me by the due date, and this was subsequently released publicly on 1 February 2019.
- The Final Report was released to staff and the public on 7 March 2019. And was tabled on 19 March 2019.
- I welcome the Final Report. The ACT Government has agreed to all recommendations in principle. I will table the formal Government response to the Final Report this week.

Cleared as complete and accurate:	07/05/2019	
Cleared by:	Executive Branch Manager	Ext: 49400
Contact Officer name:	Jodie Junk-Gibson	Ext: 49923
Lead Directorate:	Health	
Cleared for release	Yes	
Information Officer name:	Jodie Junk-Gibson	
TRIM Ref:	GBC19/224	

QUESTION TIME BRIEF

- We understand the importance of working with staff and stakeholders to put the final recommendations into practice in a way that drives the real change we need to see. The Final Report has also given the Government clear implementation and timeline guidance.
- Through the establishment of strong and transparent governance arrangements, we will ensure that implementation is efficient and effective, and that staff and stakeholders are appropriately engaged.
- The Government is moving quickly to begin implementation and I chaired the inaugural Culture Review Oversight Group meeting on 28 March 2019.
- The membership of the Group has been settled and includes representation from unions, tertiary institutions, ACT Health Directorate, Canberra Health Services, Calvary and relevant colleges.
- The inaugural meeting of the Culture Review Oversight Group also considered, amongst other things, our Terms of Reference and the Implementation Timeline for the the Independent Review's recommendations.
- I look forward to working closely with the members of the Group to ensure that our public health care system continues to deliver a high level of care to the community and is seen as an employer of choice for health professionals.
- I do not shy away from the fact that, at times, the Report makes difficult reading. It is disappointing to read that staff working in our public health system have experienced bullying, intimidation and harassment.
- The ACT Government invests significantly in the delivery of public health services to ensure safe, high quality healthcare for the ACT community and our surrounding region. In addition to taking care of our community, we are also working hard to ensure that our staff are looked after.
- With new Executive leadership teams being established across our three health services there is a strong commitment to developing a positive workplace culture. Signs of a shift in positivity are already being demonstrated, and it was pleasing to read in the Final Report that there is cautious optimism by many within the service around the new leadership.
- The Final Report also highlights the fact that the issue of culture within public health services is not unique to the ACT – it is a concern at a national level.

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QUESTION TIME BRIEF

- The Review recommendations give us practical recommendations which provide us now with the opportunity to lead the nation in developing a positive workplace culture across our health systems.
- This Review has provided staff with the opportunity to be heard, to share their experiences, their stories and contribute in a positive way to real change.
- I want to thank the staff, individuals and organisations that contributed to the Review. That so many made a submission to the Review panel is a testament to the confidence that the Canberra community (including staff and patients) had in the Review team to deliver appropriate recommendations.
- I would like to take this opportunity to again thank Panel members, Mick Reid, Fiona Brew and David Watters for the extensive work they have undertaken throughout this process.

Clinical Leadership Forum

- This is a high level forum that will report to me.
- The Forum will provide independent advice to contribute to the continuous improvement of the ACT's health system.
- The Forum will include a range of areas from across Canberra Health Services, Calvary Public Hospital and the broader ACT health services sector.
- The Forum will provide an important mechanism for clinical leaders to advise on health services planning and infrastructure, clinical culture and training and education.
- Work is well underway to appoint members to the Forum, with an Expression of Interest process recently closing.

ACT Health Cultural Survey

- Culture is complex and dynamic, particularly in large health care organisations such as ACT Health. Over many years ACT Health has been closely monitoring its workplace culture and utilising a range of methods drawn from best practice to encourage respectful and supportive environments for staff and patients.

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TRIM Ref:	GBC19/224	

QUESTION TIME BRIEF

- ACT Health's Quality Strategy 2018-2028 was officially launched in March 2018. The Strategy supports the delivery of person-centred, safe and effective care, through three key enablers – Culture, Leadership and Communication. The inclusion of culture as a key enabler will further strengthen the implementation of the Strategy.
- Given the ACT Government's decision to create two organisations from October 2018, as well as the need to address other key organisational challenges, culture development is a central area of focus. Key actions focusing on leadership, values and engagement are being planned and implemented.
- Building a cohesive senior leadership team is critical to improved workplace culture in both organisations. Since July 2018, the Director-General, Deputy Directors-General and Executives have participated in a number of high-level workshops to discuss culture improvement, refreshing organisational vision, values-based behaviours and leading staff through the organisational transition.
- The findings and recommendations of the independent review into the workplace culture within public health services will help inform the content of the next Staff Culture Surveys for both organisations.
- The timing for the next Staff Culture Survey will be considered as part of the implementation of recommendations of the Review into the Workplace Culture within ACT Public Health Services.

Background

Review Panel Profiles

- Mr Reid has undertaken many roles in the Australian health system, spanning four decades. He has been a bureaucrat, consultant and academic which gives him a breadth of experience and depth of knowledge of the Australian health care system.
- Ms Fiona Brew has a nursing background. She is a senior health executive with more than ten years' experience in managing public health services and aged care in various senior roles. She is a values-based leader and an expert in reforming culture in health services.

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QUESTION TIME BRIEF

- Professor Watters was president of the Royal Australian College of Surgeons (RACS) from 2015 to 2016. During this time, he established an expert group to combat bullying, harassment and discrimination in the health sector. This included looking at how RACS could lead the elimination of bullying and harassment from hospitals and health departments. He has a strong interest in workplace culture and professional issues across the health sector. Professor Watters is Professor of Surgery at Deakin University, working at Barwon Health and the University Hospital Geelong.
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 - The Dean of the College of Health and Medicine at ANU
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 - The Minister for Mental Health as Deputy Chair
 - And me as Chair

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TRIM Ref:	GBC19/224	

QUESTION TIME BRIEF

GBC19/142

Portfolio Health & Wellbeing

ISSUE: FINAL REPORT ON INDEPENDENT REVIEW INTO THE WORKPLACE CULTURE WITHIN ACT PUBLIC HEALTH SERVICES

Talking points:

- Together with the Minister for Mental Health, I have been extremely clear around my expectation for a positive culture in the delivery of public health care in the ACT.
- The Government has a zero tolerance for bullying and harassment.
- Since March 2018, there has been significant work undertaken within our public health system to improve culture and governance, and to build an environment of genuine engagement.
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Lead Directorate:	Health	
Cleared for release	Yes	
Information Officer name:	Vanessa Dal Molin	
TRIM Ref:	GBC19/142	

QUESTION TIME BRIEF

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- The Review recommendations give us practical recommendations which provide us now with the opportunity to lead the nation in developing a positive workplace culture across our health systems.
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- Given the ACT Government's decision to create two organisations from October 2018, as well as the need to address other key organisational challenges, culture development is a central area of focus. Key actions focusing on leadership, values and engagement are being planned and implemented.
- Building a cohesive senior leadership team is critical to improved workplace culture in both organisations. Since July 2018, the Director-General, Deputy Directors-General and Executives have participated in a number of high-level workshops to discuss culture improvement, refreshing organisational vision, values-based behaviours and leading staff through the organisational transition.
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QUESTION TIME BRIEF

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 - The chief Executive officer of Canberra Health Services
 - The Regional Chief Executive of Calvary ACT
 - The Branch Secretary of the ANMF ACT
 - The President of the AMA ACT
 - The Regional Secretary of the CPSU
 - The President of ASMOF ACT
 - The President of the VMOA ACT
 - The Dean of the College of Health and Medicine at ANU
 - The Executive Dean of the Faculty of Health at the University of Canberra
 - The Minister for Mental Health as Deputy Chair
 - And me as Chair

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Lead Directorate:	Health	
Cleared for release	Yes	
Information Officer name:	Vanessa Dal Molin	
TRIM Ref:	GBC19/142	

QUESTION TIME BRIEF

GBC19/92

Portfolio/s Health & Wellbeing

ISSUE: FINAL REPORT ON INDEPENDENT REVIEW INTO THE WORKPLACE CULTURE WITHIN ACT PUBLIC HEALTH SERVICES

Talking points:

- Together with the Minister for Mental Health, I have been extremely clear around my expectation for a positive culture in the delivery of public health care in the ACT.
- The Government has a zero tolerance for bullying and harassment.
- Since March 2018, there has been significant work undertaken within our public health system to improve culture and governance, and to build an environment of genuine engagement.
- I have seen significant improvements in workplace culture since this time.
- Building on these achievements, I made the decision to put in place several processes to assist in further improving culture within ACT Health. This included the establishment of an Independent Review of the workplace culture within ACT Public Health Services and the formation of a Clinical Leadership Forum.
- The Terms of Reference (released on 21 September 2018) for the Independent Review required the appointed Panel to deliver an interim report to me by 31 January 2019, with a final report due on or before the end of March 2019.
- The Review Panel delivered its interim report to me by the due date, and this was subsequently released publicly on 1 February 2019.
- The Final Report has now been received and was released to staff and the public on 7 March 2019.
- I welcome the Final Report. The ACT Government has agreed to all recommendations in principle. We understand the importance of working with staff and stakeholders to put the final recommendations into practice in a way that drives the real change we need to see. The Final Report has also given the Government clear implementation and timeline guidance.

Cleared as complete and accurate:	08/03/2019	
Cleared by:	Director-General	Ext: 49400
Contact Officer name:	Vanessa Dal Molin	Ext: 49400
Lead Directorate:	Health	
Cleared for release	Yes	
Information Officer name:	Vanessa Dal Molin	
TRIM Ref:	GBC19/92	

QUESTION TIME BRIEF

- Through the establishment of strong and transparent governance arrangements, we will ensure that implementation is efficient and effective, and that staff and stakeholders are appropriately engaged.
- I do not shy away from the fact that, at times, the Report makes difficult reading. It is disappointing to read that staff working in our public health system have experienced bullying, intimidation and harassment.
- The ACT Government invests significantly in the delivery of public health services to ensure safe, high quality healthcare for the ACT community and our surrounding region. In addition to taking care of our community, we are also working hard to ensure that our staff are looked after.
- With new Executive leadership teams being established across our three health services there is a strong commitment to developing a positive workplace culture. Signs of a shift in positivity are already being demonstrated, and it was pleasing to read in the Final Report that there is cautious optimism by many within the service around the new leadership.
- The Final Report also highlights the fact that the issue of culture within public health services is not unique to the ACT – it is a concern at a national level.
- The Review recommendations give us practical recommendations which provide us now with the opportunity to lead the nation in developing a positive workplace culture across our health systems.
- This Review has provided staff with the opportunity to be heard, to share their experiences, their stories and contribute in a positive way to real change.
- I want to thank the staff, individuals and organisations that contributed to the Review. That so many made a submission to the Review panel is a testament to the confidence that the Canberra community (including staff and patients) had in the Review team to deliver appropriate recommendations.
- I would like to take this opportunity to thank Panel members, Mick Reid, Fiona Brew and David Watters for the extensive work they have undertaken throughout this process.

Cleared as complete and accurate:	08/03/2019	
Cleared by:	Director-General	Ext: 49400
Contact Officer name:	Vanessa Dal Molin	Ext: 49400
Lead Directorate:	Health	
Cleared for release	Yes	
Information Officer name:	Vanessa Dal Molin	
TRIM Ref:	GBC19/92	

Clinical Leadership Forum

- I also intend to finalise terms of reference for a Clinical Leadership Forum over the coming weeks.
- This is a high level forum that will report directly to me.
- The Forum will include a range of stakeholders from across Canberra Hospital, Calvary Public Hospital and the broader ACT health services sector.
- The Forum will provide an important mechanism for clinical leaders to advise on health services planning and infrastructure, clinical culture and training and education.
- Work is well underway to appoint members to the Forum, with an Expression of Interest process soon to be publicly released.

ACT Health Cultural Survey

- Culture is complex and dynamic, particularly in large health care organisations such as ACT Health. Over many years ACT Health has been closely monitoring its workplace culture and utilising a range of methods drawn from best practice to encourage respectful and supportive environments for staff and patients.
- ACT Health's Quality Strategy 2018-2028 was officially launched in March 2018. The Strategy supports the delivery of person-centred, safe and effective care, through three key enablers – Culture, Leadership and Communication. The inclusion of culture as a key enabler will further strengthen the implementation of the Strategy.
- Given the ACT Government's decision to create two organisations from October 2018, as well as the need to address other key organisational challenges, culture development is a central area of focus. Key actions focusing on leadership, values and engagement are being planned and implemented.
- Building a cohesive senior leadership team is critical to improved workplace culture in both organisations. Since July 2018, the Director-General, Deputy Directors-General and Executives have participated in a number of high-level workshops to discuss culture improvement, refreshing organisational

Cleared as complete and accurate:	08/03/2019	
Cleared by:	Director-General	Ext: 49400
Contact Officer name:	Vanessa Dal Molin	Ext: 49400
Lead Directorate:	Health	
Cleared for release	Yes	
Information Officer name:	Vanessa Dal Molin	
TRIM Ref:	GBC19/92	

QUESTION TIME BRIEF

vision, values-based behaviours and leading staff through the organisational transition.

- The findings and recommendations of the independent review into the workplace culture within public health services will help inform the content of the next Staff Culture Surveys for both organisations.
- The timing for the next Staff Culture Survey will be considered as part of the implementation of recommendations of the Review into the Workplace Culture within ACT Public Health Services.

Background

Review Panel Profiles

- Mr Reid has undertaken many roles in the Australian health system, spanning four decades. He has been a bureaucrat, consultant and academic which gives him a breadth of experience and depth of knowledge of the Australian health care system.
- Ms Fiona Brew has a nursing background. She is a senior health executive with more than ten years' experience in managing public health services and aged care in various senior roles. She is a values-based leader and an expert in reforming culture in health services.
- Professor Watters was president of the RACS from 2015 to 2016. During this time, he established an expert group to combat bullying, harassment and discrimination in the health sector. This included looking at how RACS could lead the elimination of bullying and harassment from hospitals and health departments. He has a strong interest in workplace culture and professional issues across the health sector. Professor Watters is Professor of Surgery at Deakin University, working at Barwon Health and the University Hospital Geelong.

Cleared as complete and accurate:	08/03/2019	
Cleared by:	Director-General	Ext: 49400
Contact Officer name:	Vanessa Dal Molin	Ext: 49400
Lead Directorate:	Health	
Cleared for release	Yes	
Information Officer name:	Vanessa Dal Molin	
TRIM Ref:	GBC19/92	

QUESTION TIME BRIEF

GBC19/23

Portfolio/s Health & Wellbeing

ISSUE: INTERIM REPORT ON INDEPENDENT REVIEW INTO THE WORKPLACE CULTURE WITHIN ACT PUBLIC HEALTH SERVICES

Talking points:

- Together with the Minister for Mental Health, I have been extremely clear around my expectation for a positive culture in the delivery of public health care in the ACT.
- The Government has a zero tolerance for bullying and harassment.
- Since March 2018, there has been significant work undertaken within our public health system to improve culture and governance, and to build an environment of genuine engagement.
- I have seen significant improvements in workplace culture since this time.
- Building on these achievements, I made the decision to put in place several processes to assist in further improving culture within ACT Health. This included the establishment of an Independent Review of the workplace culture within ACT Public Health Services and the formation of a Clinical Leadership Forum.
- The Terms of Reference (released on 21 September 2018) for the Independent Review required the appointed Panel to deliver an interim report to me by 31 January 2019, with a final report due on or before the end of March 2019.
- The Review Panel delivered its interim report to me by the due date, and this was subsequently released publicly on 1 February 2019.
- I welcome the Interim Report. The ACT Government has agreed to all recommendations in principle, noting that this is an interim report. We understand the importance of working with staff and stakeholders to put the final recommendations into practice in a way that drives the real change we need to see.
- Through the establishment of strong and transparent governance arrangements, we will ensure that implementation is efficient and effective, and that staff and stakeholders are appropriately engaged.

Cleared as complete and accurate: 08/02/2019
Cleared by: Director-General Ext: 50823
Information Officer name:
Contact Officer name: Vanessa Dal Molin Ext: 79532
Lead Directorate: Health

TRIM Ref: GBC19/23

QUESTION TIME BRIEF

- I do not shy away from the fact that, at times, the Report makes difficult reading. It is disappointing to read that staff working in our public health system have experienced bullying, intimidation and harassment.
- The ACT Government invests significantly in the delivery of public health services to ensure safe, high quality healthcare for the ACT community and our surrounding region. In addition to taking care of our community, we are also working hard to ensure that our staff are looked after.
- With new Executive leadership teams being established across our three health services there is a strong commitment to developing a positive workplace culture. Signs of a shift in positivity are already being demonstrated, and it was pleasing to read in the Interim Report that there is cautious optimism by many within the service around the new leadership.
- The Interim Report also highlights the fact that the issue of culture within public health services is not unique to the ACT – it is a concern at a national level.
- The Review recommendations give us practical recommendations which provide us now with the opportunity to lead the nation in developing a positive workplace culture across our health systems.
- This Review has provided staff with the opportunity to be heard, to share their experiences, their stories and contribute in a positive way to real change.
- I would like to take this opportunity to thank Panel members, Mick Reid, Fiona Brew and David Watters for the extensive work they have undertaken throughout this process and I look forward to receiving the final report of the Review over the coming weeks.

Clinical Leadership Forum

- I also intend to finalise terms of reference for a Clinical Leadership Forum over the coming weeks.
- This is a high level forum that will report directly to me.
- The Forum will include a range of stakeholders from across Canberra Hospital, Calvary Public Hospital and the broader ACT health services sector.

Cleared as complete and accurate: 08/02/2019
 Cleared by: Director-General Ext: 50823
 Information Officer name:
 Contact Officer name: Vanessa Dal Molin Ext: 79532
 Lead Directorate: Health

QUESTION TIME BRIEF

- The Forum will provide an important mechanism for clinical leaders to advise on health services planning and infrastructure, clinical culture and training and education.
- Work is well underway to appoint members to the Forum, with an Expression of Interest process soon to be publicly released.

ACT Health Cultural Survey

- Culture is complex and dynamic, particularly in large health care organisations such as ACT Health. Over many years ACT Health has been closely monitoring its workplace culture and utilising a range of methods drawn from best practice to encourage respectful and supportive environments for staff and patients.
- ACT Health's Quality Strategy 2018-2028 was officially launched in March 2018. The Strategy supports the delivery of person-centred, safe and effective care, through three key enablers – Culture, Leadership and Communication. The inclusion of culture as a key enabler will further strengthen the implementation of the Strategy.
- Given the ACT Government's decision to create two organisations from October 2018, as well as the need to address other key organisational challenges, culture development is a central area of focus. Key actions focusing on leadership, values and engagement are being planned and implemented.
- Building a cohesive senior leadership team is critical to improved workplace culture in both organisations. Since July 2018, the Director-General, Deputy Directors-General and Executive Directors have participated in a number of high-level workshops to discuss culture improvement, refreshing organisational vision, values-based behaviours and leading staff through the organisational transition.
- The findings and recommendations of the independent review into the workplace culture within public health services will help inform the content of the next Staff Culture Surveys for both organisations.
- The timing for the next Staff Culture Survey will be considered as part of the implementation of recommendations of the Review into the Workplace Culture within ACT Public Health Services.

Cleared as complete and accurate: 08/02/2019
Cleared by: Director-General Ext: 50823
Information Officer name:
Contact Officer name: Vanessa Dal Molin Ext: 79532
Lead Directorate: Health

TRIM Ref: GBC19/23

QUESTION TIME BRIEF

Background

Review Panel Profiles

- Mr Reid has undertaken many roles in the Australian health system, spanning four decades. He has been a bureaucrat, consultant and academic which gives him a breadth of experience and depth of knowledge of the Australian health care system.
- Ms Fiona Brew has a nursing background. She is a senior health executive with more than ten years' experience in managing public health services and aged care in various senior roles. She is a values-based leader and an expert in reforming culture in health services.
- Professor Watters was president of the RACS from 2015 to 2016. During this time, he established an expert group to combat bullying, harassment and discrimination in the health sector. This included looking at how RACS could lead the elimination of bullying and harassment from hospitals and health departments. He has a strong interest in workplace culture and professional issues across the health sector. Professor Watters is Professor of Surgery at Deakin University, working at Barwon Health and the University Hospital Geelong.

Cleared as complete and accurate: 08/02/2019
Cleared by: Director-General Ext: 50823
Information Officer name:
Contact Officer name: Vanessa Dal Molin Ext: 79532
Lead Directorate: Health

TRIM Ref: GBC19/23

QUESTION TIME BRIEF

GBC18/821

Portfolio/s Health & Wellbeing

ISSUE: INDEPENDENT REVIEW INTO ACT HEALTH'S CULTURE

Talking points:

- Together with the Minister for Mental Health, I have been extremely clear around my expectation for a positive culture in the delivery of public health care in the ACT.
- The Government has a zero tolerance for bullying and harassment.
- Since March 2018, there has been significant work undertaken within our public health system to improve culture and governance, and to build an environment of genuine engagement.
- I have seen significant improvements in workplace culture since this time. These improvements were confirmed by the Australian Council on Healthcare Standards, through their accreditation report handed down in August 2018.
- Building on these achievements, I made the decision to put in place several processes to assist in further improving culture within ACT Health. This included the establishment of an Independent Review of the workplace culture within ACT Public Health Services and the formation of a Clinical Leadership Forum.
- Both of these initiatives complement a broader package of initiatives that are being implemented by the Executive within ACT Health and Canberra Health Services, aimed at further improving workplace culture.
- The Independent Review is about the entire ACT Health workforce, and not just about the doctors.
- All staff across the workforce have a right to feel safe, supported and heard during this Review process, regardless of their position.
- The Terms of Reference for the Independent Review were released on 21 September 2018, together with the details of the Review Panel members appointed to conduct the Review.

Cleared as complete and accurate: 26/11/2018
Cleared by: Director-General Ext: 50823
Information Officer name:
Contact Officer name: Vanessa Dal Molin Ext: 79532
Lead Directorate: Health

TRIM Ref: GBC18/821

QUESTION TIME BRIEF

- The Review Panel is made up of three highly experienced individuals – Mr Mick Reid (Chair), Ms Fiona Brew and Professor David Watters who have been working hard since their appointment in September.
- The Review panel has a mandate to undertake extensive engagement and consultation and to seek input from relevant experts where this is required.
- The Panel has been asked to determine how best to undertake this engagement, whilst ensuring the upmost protection and privacy is afforded to all individuals.
- To this end, the Review Panel issued a call for submissions on 15 October 2018. Anyone is able to make a submission to the Review. The call for submissions will be open until 30 November 2018.
- I understand that the Review Panel has also been meeting with staff members across the health system.
- I have stated from the very outset that we will ensure that the processes established to conduct the Review are safe so that people are encouraged and confident to come forward. The Panel has also publicly stated that the protection of people's confidentiality and privacy is of the utmost importance to the Review.
- A Secretariat for the Review has also been established. The Secretariat is independent of ACT Health, and no permanent Health staff members will be involved with the Secretariat for the Review.
- The Review has been asked to produce an interim report by 17 December 2018, with a final report provided to me by the end of March 2019.
- I will subsequently table and publicly release these reports at the earliest opportunity.

Clinical Leadership Forum

- I also intend to finalise terms of reference for a Clinical Leadership Forum over the coming weeks.
- This is a high level forum that will report directly to me.
- The Forum will include a range of stakeholders from across Canberra Hospital, Calvary Public Hospital and the broader ACT health services sector.

Cleared as complete and accurate: 26/11/2018
 Cleared by: Director-General Ext: 50823
 Information Officer name:
 Contact Officer name: Vanessa Dal Molin Ext: 79532
 Lead Directorate: Health



QUESTION TIME BRIEF

- The Forum will provide an important mechanism for clinical leaders to advise on health services planning and infrastructure, clinical culture and training and education.
- Work is well underway to appoint members to the Forum, with an Expression of Interest process soon to be publicly released.

Background

- On 10 September 2018 you issued a statement on ACT Health culture. As part of this statement you announced the establishment of an Independent Review into the Workplace Culture within ACT Public Health Services.
- The AMA, ASMOF and the ACT Visiting Medical Officers Association have called for the establishment of a Board of Inquiry.

Review Panel Profiles

- Mr Reid has undertaken many roles in the Australian health system, spanning four decades. He has been a bureaucrat, consultant and academic which gives him a breadth of experience and depth of knowledge of the Australian health care system.
- Ms Fiona Brew has a nursing background. She is a senior health executive with more than 10 years experience in managing public health services and aged care in various senior roles. She is a values based leader and an expert in reforming culture in health services.
- Professor Watters was president of the RACS from 2015 to 2016. During this time he established an expert group to combat bullying, harassment and discrimination in the health sector. This included looking at how RACS could lead the elimination of bullying and harassment from hospitals and health departments. He has a strong interest in workplace culture and professionalist issues across the health sector. Professor Watters is Professor of Surgery at Deakin University, working at Barwon Health and the University Hospital Geelong.

Cleared as complete and accurate:	26/11/2018	
Cleared by:	Director-General	Ext: 50823
Information Officer name:		
Contact Officer name:	Vanessa Dal Molin	Ext: 79532
Lead Directorate:	Health	

TRIM Ref: GBC18/821

QUESTION TIME BRIEF

GBC18/580

Portfolio/s Health & Wellbeing

ISSUE: INDEPENDENT REVIEW INTO ACT HEALTH'S CULTURE

Talking points:

- Together with the Minister for Mental Health, I have been extremely clear around my expectation for a positive culture in the delivery of public health care in the ACT.
- The Government has a zero tolerance for bullying and harassment.
- Since March 2018, there has been significant work undertaken within our public health system to improve culture and governance, and to build an environment of genuine engagement.
- I have seen significant improvements in workplace culture since this time. These improvements were confirmed by the Australian Council on Healthcare Standards, through their accreditation report handed down in August 2018.
- Building on these achievements, I have made the decision to put in place several processes to assist in further improving culture within ACT Health. This has included the establishment of an Independent Review of the workplace culture within ACT Public Health Services and the formation of a Clinical Leadership Forum.
- Both of these initiatives complement a broader package of initiatives that are being implemented by the Executive within ACT Health, aimed at further improving the workplace culture within ACT Health and Canberra Health Services.
- I am aware of the calls by Australian Salaried Medical Officers (ASMOF) and Australian Medical Association (AMA) to establish a formal Board of Inquiry. These views were carefully considered by me prior to announcing the Review, , and I do not believe that a Board of Inquiry is the right mechanism to be used.

Cleared as complete and accurate: 22/10/2018
Cleared by: Director-General Ext: 50823
Information Officer name:
Contact Officer name: Vanessa Dal Molin Ext: 79532
Lead Directorate: Health

TRIM Ref: GBC18/580

- The Independent Review will be about the entire ACT Health workforce, and not just about the doctors.
- All staff across the workforce have a right to feel safe, supported and heard during this Review process, regardless of their position.
- The Terms of Reference for the Independent Review were released on 21 September 2018, together with the details of the Review Panel members appointed to conduct the Review.
- The Review Panel is made up of three highly experienced individuals – Mr Mick Reid (Chair), Ms Fiona Brew and Professor David Watters.
 - Mr Reid has undertaken many roles in the Australian health system, spanning four decades. He has been a bureaucrat, consultant and academic which gives him a breadth of experience and depth of knowledge of the Australian health care system.
 - Ms Fiona Brew has a nursing background. She is a senior health executive with more than 10 years experience in managing public health services and aged care in various senior roles. She is a values based leader and an expert in reforming culture in health services.
 - Professor Watters was president of the RACS from 2015 to 2016. During this time he established an expert group to combat bullying, harassment and discrimination in the health sector. This included looking at how RACS could lead the elimination of bullying and harassment from hospitals and health departments. He has a strong interest in workplace culture and professional issues across the health sector. Professor Watters is Professor of Surgery at Deakin University, working at Barwon Health and the University Hospital Geelong.
- The Review panel has a mandate to undertake extensive engagement and consultation and to seek input from relevant experts where this is required.
- The Panel has been asked to determine how best to undertake this engagement, whilst ensuring the upmost protection and privacy is afforded to all individuals.
- To this end, the Review Panel issued a call for submissions on 15 October 2018. Anyone is able to make a submission to the Review. The call for submissions will be open until 30 November 2018.

Cleared as complete and accurate: 22/10/2018
Cleared by: Director-General Ext: 50823
Information Officer name:
Contact Officer name: Vanessa Dal Molin Ext: 79532
Lead Directorate: Health

QUESTION TIME BRIEF

- I have stated from the very outset that we will ensure that the processes established to conduct the Review are safe so that people are encouraged and confident to come forward. The Panel has also publicly stated that the protection of people's confidentiality and privacy is of the utmost importance to the Review.
- A Secretariat for the Review has also been established. The Secretariat is independent of ACT Health, and no permanent Health staff members will be involved with the Secretariat for the Review.
- The Review has been asked to produce an interim report by 17 December 2018, with a final report provided to me by the end of March 2019.
- I will subsequently table and publicly release these reports at the earliest opportunity.

[If pushed around the need for a Board of Inquiry]

- In my view, holding an expensive Board of Inquiry has the potential to be incredibly divisive for the workforce. It could be an extended and protracted process, distracting our health professionals from the very important work they do to deliver quality and safe healthcare to our community.
- A Board of Inquiry would see witnesses being cross examined by the independent legal teams of staff. This could have a significant personal impact on staff who need to be focused on providing care to patients.
- I do not believe that an Inquiry will be beneficial for our health system at this critical point in time. The significant funds that would be required to support a Board of Inquiry would be better spent on providing critical health services to our community.
- The Independent Review will be one of learning and healing, and looking at how we can address any systemic issues in a meaningful way. This should not be a witchhunt or a mechanism for publicly scrutinising a small portion of the workforce within the Directorate, as the AMA and ASMOF suggest.
- Can I also say that I have received representations from a variety of important professional associations and prominent individuals from within our healthcare system who have told me that they are highly opposed to a Board of Inquiry approach.

Cleared as complete and accurate: 22/10/2018
 Cleared by: Director-General Ext: 50823
 Information Officer name:
 Contact Officer name: Vanessa Dal Molin Ext: 79532
 Lead Directorate: Health



QUESTION TIME BRIEF

- I have received strong support for the independent review process I have announced.

Clinical Leadership Forum

- I also intend to finalise terms of reference for a Clinical Leadership Forum over the coming weeks.
- This is a high level forum that will report directly to me.
- The Forum will include a range of stakeholders from across Canberra Hospital, Calvary Public Hospital and the broader ACT health services sector.
- The Forum will provide an important mechanism for clinical leaders to advise on health services planning and infrastructure, clinical culture and training and education.
- I expect that the Forum will be in place before the end of this year.

Key Issues:

- On 10 September 2018 you issued a statement on ACT Health culture. As part of this statement you announced the establishment of an Independent Review into the Workplace Culture within ACT Public Health Services.
- The AMA, ASMOF and the ACT Visiting Medical Officers Association have called for the establishment of a Board of Inquiry.

Cleared as complete and accurate: 22/10/2018
 Cleared by: Director-General Ext: 50823
 Information Officer name:
 Contact Officer name: Vanessa Dal Molin Ext: 79532
 Lead Directorate: Health

ISSUE: INDEPENDENT REVIEW INTO ACT HEALTH'S CULTURE**Talking points:**

- Together with the Minister for Mental Health, I have been extremely clear around my expectation for a positive culture in the delivery of public health care in the ACT.
- The Government has a zero tolerance for bullying and harassment.
- Since March 2018, there has been significant work undertaken within our public health system to improve culture and governance, and to build an environment of genuine engagement.
- I have seen significant improvements in workplace culture since March 2018. These improvements were confirmed by the Australian Council on Healthcare Standards, through their accreditation report handed down in August 2018.
- Building on these achievements, I have made the decision to put in place several processes to assist in further improving culture within ACT Health. This has included the establishment of an Independent Review of the workplace culture within ACT Public Health Services and the formation of a Clinical Leadership Forum.
- Both of these initiatives complement a broader package of initiatives that are being implemented by the Executive within ACT Health, aimed at further improving the workplace culture within ACT Health.
- I am aware of the calls by Australian Salaried Medical Officers (ASMOF) and Australian Medical Association (AMA) to establish a formal Board of Inquiry. I have carefully considered the views that have been put forward, and I do not believe that a Board of Inquiry is the right mechanism to be used in this instance.

Cleared as complete and accurate: 17/09/2018
Cleared by: Director-General Ext: 50823
Information Officer name:
Contact Officer name: Vanessa Dal Molin Ext: 79532
Lead Directorate: Health

TRIM Ref: GBC18/554

QUESTION TIME BRIEF

- The Independent Review will be about the entire ACT Health workforce, and not just about the doctors.
- All staff across the workforce have a right to feel safe, supported and heard during this Review process, regardless of their position.
- I expect to finalise the terms of reference for the Independent Review in the coming days.
- The Review panel will be asked to undertake extensive engagement and consultation and to seek input from relevant experts where this is required. They will be asked how best to undertake this engagement, including whether they wish to hold public or private hearings (or both) whilst ensuring the upmost protection and privacy is afforded to all individuals.
- However, I will say at the very outset that we will ensure that the processes established to conduct the Review are safe so that people are encouraged and confident to come forward.
- The Review will be undertaken in a way that protects the privacy of individuals. Statements and written submissions will be treated with the upmost confidentiality. This is the right thing to do to ensure that staff feel safe to come forward.
- The Review will be required to produce an interim report by 17 December 2018, with a final report provided to me by the end of March 2018.
- I will subsequently table and publicly release these reports at the earliest opportunity.
- In my view, holding an expensive Board of Inquiry has the potential to be incredibly divisive for the ACT Health workforce. It could be an extended and protracted process, distracting our health professionals from the very important work they do to deliver quality and safety healthcare to our community.
- A Board of Inquiry would see witnesses being cross examined by the independent legal teams of staff. This could have a significant personal impact on staff who need to be focused on providing care to patients.

Cleared as complete and accurate: 17/09/2018
Cleared by: Director-General Ext: 50823
Information Officer name:
Contact Officer name: Vanessa Dal Molin Ext: 79532
Lead Directorate: Health
TRIM Ref: GBC18/554

- I do not believe that an Inquiry will be beneficial for our health system at this critical point in time. The significant funds that would be required to support a Board of Inquiry would be better spent on providing critical health services to our community.
- The Independent Review that I have announced will be one of learning and healing, and looking at how we can address any systemic issues in a meaningful way. This should not be a witchhunt or a mechanism for publicly scrutinising a small portion of the workforce within the Directorate, as the AMA and ASMOF suggest.
- Can I also say that I have received representations from a variety of important professional associations and prominent individuals from within our healthcare system who have told me that they are highly opposed to a Board of Inquiry approach.
- I have received strong support for the independent review process I have announced.
- I am committed to moving forward with an Independent Review and working towards further improving the culture within ACT public health services.

Clinical Leadership Forum

- I also intend to finalise terms of reference for a Clinical Leadership Forum over the coming weeks.
- This is a high level forum that will report directly to me.
- The Forum will include a range of stakeholders from across the Canberra Hospital, Calvary Public Hospital and the broader ACT health services sector.
- The Forum will provide an important mechanism for clinical leaders to advise on health services planning and infrastructure, clinical culture and training and education.

Key Issues:

- On 10 September 2018 I issued a statement on ACT Health culture. As part of this statement I announced the establishment of an Independent Review into the Workplace Culture within ACT Public Health Services.
- The AMA, ASMOF and the ACT Visiting Medical Officers Association have called for the establishment of a Board of Inquiry.

Cleared as complete and accurate: 17/09/2018
 Cleared by: Director-General Ext: 50823
 Information Officer name:
 Contact Officer name: Vanessa Dal Molin Ext: 79532
 Lead Directorate: Health



MINISTERIAL BRIEF

Health Directorate

SENSITIVE: CABINET

To: Minister for Health and Wellbeing

Tracking No.: GBC19/111

From: Michael De'Ath, Director-General

Subject: Final Report on the Independent Review into Workplace Culture within ACT Public Health Services

Critical Date: 11 March 2019

Critical Reason: The Assembly Business Paper is due for lodgement with the Cabinet Office by this date as it is scheduled for consideration by Cabinet on 18 March 2019.

- DG .../.../...

Purpose

To seek your agreement to the Assembly Business Paper at Attachment 1 scheduled for Cabinet consideration on 18 March 2019.

Recommendations

That you:

1. Note the information contained in this brief; and

Noted / Please Discuss

2. Agree to sign the Assembly Business Paper at Attachment 1 for lodgement with Cabinet Office by 11 March 2019.

Agreed / Not Agreed / Please Discuss

Meegan Fitzharris MLA/...../.....

Minister's Office Feedback

SENSITIVE: CABINET

SENSITIVE: CABINET

Background

1. On 10 September 2018, the Minister for Health and Wellbeing announced the establishment of an Independent Review into the Workplace Culture within ACT Public Health Services.
2. On 21 September 2018, the Government released the terms of reference for the Review and announced the appointment of an Independent Panel, chaired by Mr Mick Reid.
3. In accordance with the Terms of Reference for the Review, an interim report was provided to you on 31 January 2019. The Interim Report - Independent Review into the Workplace Culture within ACT Public Health Services was tabled in the Legislative Assembly by the Manager of Government Business on 12 February 2019.
4. The Final Report on the review (Attachment 1B) was publicly released on 7 March 2019.

Issues

5. Summary of the changes made between Interim and Final Reports is provided at Attachment 2.
6. You have indicated that you wish to make a Ministerial Statement and table the Final Report in the Legislative Assembly on 19 March 2019.
7. The Ministerial Statement is in the process of being finalised, and will be provided to your office in the week of 11 March 2019. The Assembly Business Paper and Ministerial Statement are due for Cabinet consideration on 18 March 2019.

Financial Implications

8. There are no financial implications associated with the Assembly Business Paper. However, there will be financial implications associated with the implementation of the Review Report recommendations.

ConsultationCross Directorate

9. Canberra Health Services were consulted in the development of the ministerial statement.
10. Chief Minister, Treasury and Economic Development Directorate were consulted during the development of the Assembly Business Paper as per the requirement in the Cabinet Handbook.

External

11. Calvary Health Care-ACT were consulted in the development of the ministerial statement.

Work Health and Safety

12. Not applicable.

Benefits/Sensitivities

13. The public release of the Review of Culture Reports have and will continue to generate significant interest from staff, stakeholders, the media and public more generally.

SENSITIVE: CABINET

SENSITIVE: CABINET

Communications, media and engagement implications

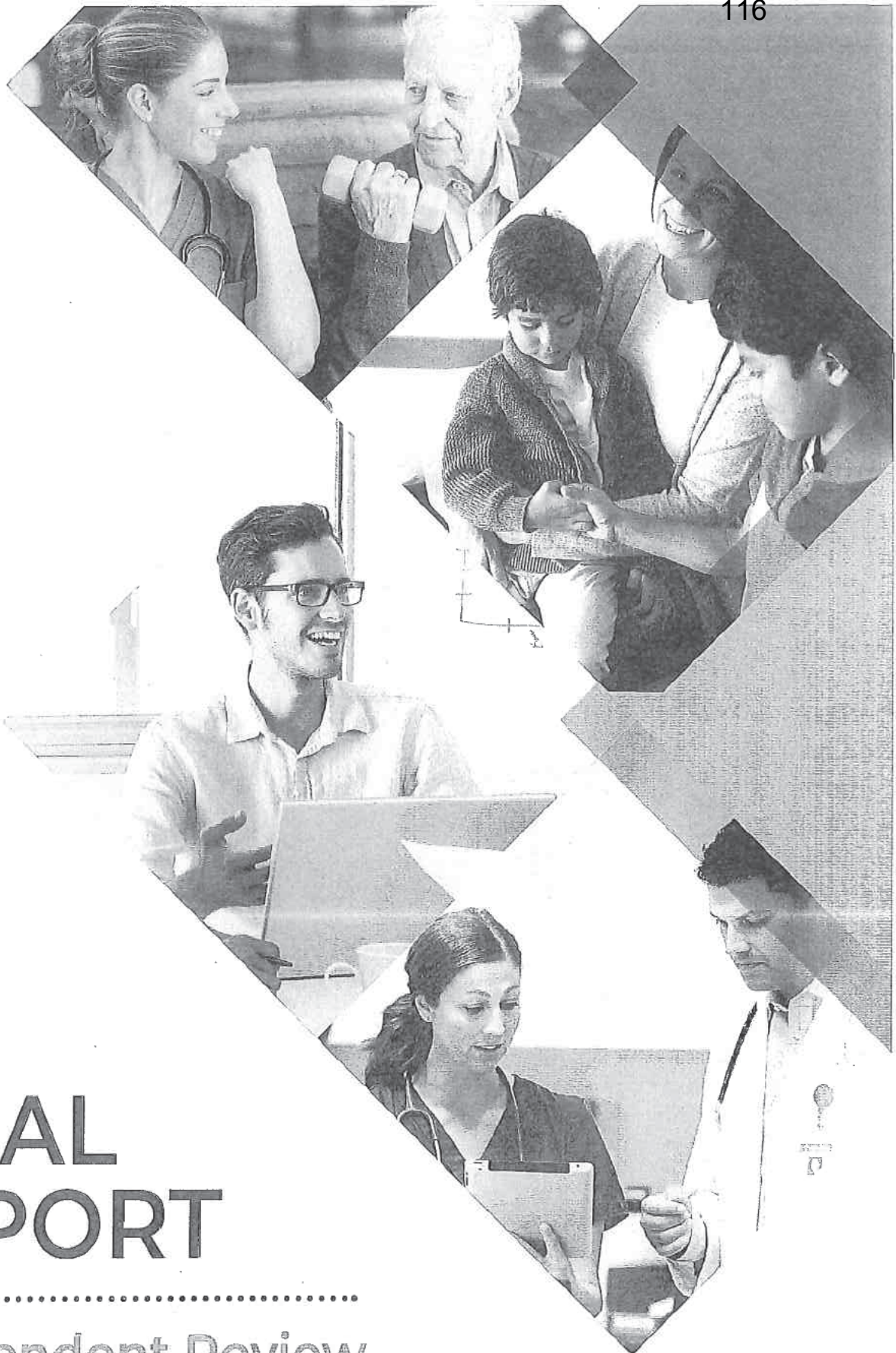
14. See above. There has been significant media interest in the release of the Interim Report.

Signatory Name:	Michael De'Ath, Director General	Phone:	49400
Action Officer:	Vanessa Dal Molin	Phone:	49401

Attachments

Attachment	Title
Attachment 1	Assembly Business Paper
Attachment 1A	Ministerial Statement
Attachment 1B	Final Report
Attachment 1C	Open Access Decision Summary
Attachment 2	Summary of changes to report

SENSITIVE: CABINET



FINAL REPORT

.....

Independent Review
into the Workplace Culture
within ACT Public Health Services

.....

March 2019

5 March 2019

Ms Meegan Fitzharris MLA
Minister for Health and Wellbeing
ACT Legislative Assembly
London Circuit
CANBERRA ACT 2601

Dear Minister

On 10 September 2018, you announced the Independent Review into the Workplace Culture within ACT Public Health Services (the Review). Thank you for the opportunity to conduct this Review.

Having presented the Interim Report on 31 January 2019, we are now pleased to present the Final Report.

This report sets out the Review findings and recommendations for your consideration that we believe, if adopted, will effect positive change to the workplace culture across the ACT Public Health System. We are submitting this Final Report earlier than anticipated, given the general endorsement of the Interim Report recommendations by both your Government and major health organisations and the uniform desire to move rapidly to implementation. An indicative Implementation Timeline has been included in Section 10 of this report which was developed in consultation with ACT Health Senior Executives.

We wish to thank the extensive number of individuals and organisations who have participated in each stage of the Review. Their engagement, experiences and feedback have been integral to the findings and recommendations contained in this report. As with the Interim Report, the Reviewers accept full responsibility for the views expressed in this final version.

You asked the Reviewers to examine and report on the workplace culture of public health care services in the ACT and provide advice on any systemic and institutional issues. To establish a basis for our findings and recommendations we have taken into account:

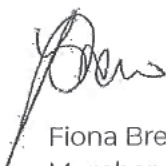
- close to 400 submissions received from individuals and organisations
- insights from a range of workshops, round table discussions and meetings
- a survey of staff across the ACT Public Health System
- relevant literature research and previous reports and reviews, and
- consultation with relevant parties on the Interim Report findings and recommendations.

The Reviewers have consulted with key stakeholders to explore issues not fully addressed in the Interim Report and this has resulted in some adjustments in the Final Report. Similarly, the recommendations have now been fully considered to ensure they align with work already underway to improve the workplace culture within ACT Public Health Services.

Yours sincerely



Mick Reid AM
Chair



Fiona Brew
Member



David Watters AM, OBE
Member

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Executive Summary

In September 2018, the ACT Minister for Health and Wellbeing, Meegan Fitzharris MLA issued a statement on workplace culture which committed the ACT Government to an independent review of the culture within the public health services⁽¹⁾.

This is the Final Report of the Independent Review into Workplace Culture within ACT Public Health Services and follows the Interim Report released in February 2019. The purpose of this report is to present the Review's findings and recommendations designed to support improvements to the workplace culture across the ACT Public Health System.

Terms of Reference

The Review operated in accordance with the following Terms of Reference⁽²⁾:

- a) Examine and report on the workplace culture of public health care services in the ACT and provide advice on any systemic and institutional issues. This examination should take into account any examples of best practice workplace culture and professional conduct in the delivery of public health care in the ACT, nationally and internationally.
- b) Examine any claims made in relation to inappropriate conduct and behaviours related to the delivery of public health care services in the ACT, and provide advice on:
 - i. best practice responses to such complaints;
 - ii. whether referral of such complaints should be made to any other authority; and
 - iii. what support services should be provided to complainants.
- c) Examine and report on the existing workforce policies and complaints management practices to ensure their relevance and appropriateness in achieving satisfactory outcomes for all parties.
- d) Provide findings and recommendations for:
 - i. further improving workforce culture across the ACT public health system; and
 - ii. additional support systems required for staff and management engaged in the delivery of public health services in the ACT, including processes, training and professional development.

Methodology

The Review specifically excluded investigation of individual allegations of inappropriate workplace behaviour and bullying and harassment. Where clusters of complaints were received, the Senior Executive of the relevant arm of the ACT Public Health System was advised. The confidentiality of submissions was maintained in these referrals. Similarly, where the Reviewers were particularly concerned during interviews about the wellbeing of an individual, with the agreement of that individual, the Senior Executive was notified, or a referral was made to the ACT Public Sector Standards Commissioner.

Despite the scepticism expressed by some that this Review would not achieve any more than previous attempts to improve the workplace culture, the overwhelming response to the call for submissions revealed a deep desire from staff and the community for change. Close to 400 submissions were received from staff, former staff, family members of patients, consumers, members of the public, Non-Government Organisations (NGOs), health care groups and unions.

To capture the broad views of staff across the ACT Public Health System, an online survey was conducted, which also had a high participation rate of 1953 responses (constituting 20% of ACT Public Health System staff) over a period of a week.

The Reviewers complemented these sources of information with numerous individual interviews and forums with a broad spectrum of groups including medical practitioners, nurses, midwives, allied health workers, support and administrative staff, NGOs, consumers, executives and unions. These conversations enabled the Reviewers to test findings about the problems and issues, discuss areas of best practice and identify practical solutions.

Prior to presenting the results, the Reviewers wish to emphasise the positive and professional approaches they witnessed in many areas of the ACT Public Health System and the dedication of both individuals and groups in the delivery of quality care.

The Reviewers have been cautious to ensure these positive aspects are not lost within the report and instead, present opportunities to build the culture by leveraging off existing strengths.

It should also be emphasised that the ACT Public Health System is not alone in health sector workplace culture issues of inappropriate behaviours, bullying, discrimination and harassment. All other State and Territory health services have identified similar issues in their workplace, as have studies in international health services.

The Evidence

Turning to the findings, the submissions overwhelmingly highlighted:

- inappropriate behaviours and bullying and harassment in the workplace
- inefficient procedures and processes including complaints handling
- inadequate training in dealing with inappropriate workplace practices
- inability to make timely decisions
- poor leadership and management at many levels throughout the ACT Public Health System, and
- inefficient and inappropriate Human Resource (HR) practices, including recruitment.

The results from the survey similarly pointed to a number of concerning trends with 61% of respondents having witnessed bullying over the past twelve months and 35% having experienced bullying themselves. Most of the bullying was staff-on-staff.

Of great concern was that 12% of staff indicated they had been subjected to physical harm, sexual harassment or abuse at work. Of these staff, 46% indicated it was by someone they worked with and 37% was by a member of the public.

Almost three in four who experienced bullying or were subjected to harm did not submit a formal complaint, and worryingly, only 22% of staff had confidence in the way grievances were resolved once they were identified and reported.

The survey results were similar across all three arms of the ACT Public Health System (i.e. Canberra Health Services, Calvary Public Hospital and the Health Directorate) and were worse than comparable data for NSW Health.

The information gathered from submissions, individual and group interviews and the staff survey reveal a worrying and pervasive poor culture across the ACT Public Health System. There are pockets of high performance where staff are proud of the quality of their work and were keen to demonstrate it to the Reviewers. By contrast, there were areas where a very poor culture had persisted over many years, and where bullying and other poor performance had not been addressed.

Pride in working for the ACT Public Health System is low, bullying is common and confidence in how the system resolves grievances is extremely low. These issues have been identified in previous reviews⁽³⁾ and audits⁽⁴⁾.

A point regularly raised in submissions was that whilst the contribution of poor leadership over the past few years has led to this unhealthy workplace culture, it was also generally acknowledged that this poor culture had been present for many years.

Cautious optimism was expressed by many regarding the new leadership in the Health Directorate, Canberra Health Services and Calvary Public Hospital. However, it was acknowledged by all that establishing a great health service was a long-term proposition.

Going Forward

The Reviewers believe the starting point for the ambition to create a happier and healthier health service requires a concerted effort by all parties and partners to ensure the vision and values of the ACT Public Health System are lived values, embraced throughout the system, integrated with strategy and constantly reflected in leadership. There is little doubt the vast majority of staff provide high quality health care and strive for excellence. Less embedded are the values of collaboration, integrity and respect.

A program based on the Vanderbilt University Medical Center (United States) early intervention program⁽³⁰⁾ is proposed for adoption as a matter of priority throughout Calvary Public Hospital, Canberra Health Services and the Health Directorate.

The program is designed to build a culture of safety and quality in the workplace by training and thus empowering staff to better support each other and raise concerns early. All evaluations of that program demonstrate its effectiveness.

Programs adopting Vanderbilt principles are being implemented at present in an expanding number of health service organisations across Australia. These include the St Vincent's Health Australia Ethos Program, and the Cognitive Institute Speaking Up for Safety and Promoting Professional Accountability programs. The Reviewers believe implementation of such a program would greatly benefit the ACT Public Health System in addressing issues related to poor behaviour, bullying and harassment.

Developing, valuing and sustaining strong partnerships and relationships is an important mechanism to strengthen the culture within the ACT Public Health System. Internally, strengthened relationships are needed between Clinical Divisions in Canberra Health Services, between the acute and community health sectors, and between Canberra Health Services and Calvary Public Hospital.

Externally, improved relationships with NGOs, universities, and other health sectors such as NSW Health are needed. Such improved relationships will not only contribute to improved coordinated care and enable a better research and learning system, importantly they will help strengthen culture by breaking down the relative isolation of the ACT Public Health System.

Commendable work is progressing in some of these areas with internal and external relationship building underway. Examples externally include the recent research summit with the university sector and, internally, the realignment and improved cohesiveness of the Clinical Divisional Structures in Canberra Health Services.

A necessary prerequisite to good clinical governance in any health system is clinical engagement. A number of very dedicated clinicians, including medical clinicians have fully engaged with this Review, even though some expressed reservations regarding the Review's impact.

However, it was apparent that, unlike nurses, midwives and allied health workers, the significant majority of the medical workforce did not engage. This was indicative to the Reviewers that such disengagement was symptomatic of their general disengagement from the management of ACT public hospitals and health services.

Clinicians who are disengaged usually continue to provide high quality care to their individual patients which is why these hospitals still achieve good clinical outcomes. However, such disengagement means that the health system does not benefit from the knowledge and input of individual clinicians who provide little consistent input to opportunities to improve the quality of care across the system. Disengaged clinicians are often cynical, distrustful of the system, lack pride in their organisation, and are unhappy in the workplace. A critical success factor to improving the ACT Public Health System workplace culture is to enhance clinical, in particular medical, engagement within the health system.

The onus to engage should be equally recognised by both individual clinicians and the system in which they work. Enhanced clinical engagement contributing to improved clinical governance is proposed. It is also proposed that, in line with many other health services across Australia, the divisional structure in Canberra Health Services should progressively adopt Clinical Divisional Directors with Business Manager support.

Submissions from both individuals and organisations to the Review highlighted the inadequacy of the HR practices across all levels of the ACT Public Health System, particularly around HR systems and the local implementation of policies and procedures. Consistently raised themes include, inappropriate recruitment practices, lack of 'customer' focus by HR staff, opaque, often heavy-handed processes of complaints handling, a perception of insufficient and uncoordinated training programs and general inefficiencies and duplication of HR processes and practices. A number of recommendations follow, which target these issues.

At the time of preparing this Report, a number of initiatives were underway designed to improve staff welfare. For example, the Ministers for Health and Wellbeing and Mental Health in mid-December 2018 announced the *Nurses and Midwives: Towards a Safer Culture – the First Step – Strategy*⁽⁵⁾, to support the fundamental rights of nurses and midwives to be safe and protected in the workplace.

Similarly, the new CEO of Canberra Health Services advised the Reviewers of strategies she is implementing in such areas as:

- reducing occupational violence
- establishing an employee advocate role, and
- facilitating targeted workshops for teams and departments with recognised disharmony and poor culture.

All these initiatives are strongly supported by the Reviewers. However, it needs to be emphasised that the level of dissatisfaction and distrust is high and effecting the necessary improvements will be a long process that will require sustained attention.

The Reviewers acknowledge the challenges in resetting the culture of a complex, multifaceted system like the ACT. Writing this report is the easy phase. For this Review to fully realise its intent and deliver the desired outcomes there will need to be a focus on developing a sustained, transparent and measurable approach for monitoring implementation.

An Implementation Group is proposed, chaired by the Minister for Health and Wellbeing including as members; the Minister for Mental Health, the Director-General Health Directorate, the CEO Canberra Health Services, the General Manager Calvary Public Hospital, Health Care Consumers' Association (HCCA) of the ACT, Australian Medical Association (AMA), Australian Nursing and Midwifery Federation (ANMF) and the Community and Public Sector Union (CPSU).

The Implementation Group should auspice an independent annual external review, with similar methodology to this Review, which measures the extent of success of the implementation of the recommendations and the consequent impact on cultural change within the ACT Public Health System.

Specific recommendations are as follows:

Recommendation 1: That the three arms of the ACT Public Health System should commence a comprehensive process to re-engage with staff in ensuring the vision and values are lived, embraced at all levels, integrated with strategy and constantly reflected in leadership. To achieve this the Health Directorate should take the lead in providing the necessary tools and guidelines and coordinate the implementation by Canberra Health Services, Calvary Public Hospital and the Health Directorate.

Recommendation 2: That Canberra Health Services and Calvary Public Hospital in conjunction with the Health Directorate, develop an appropriate suite of measures that:

- reflect on elements of a great health service - both culture and strategy
- monitor patient/client perspectives of outcomes/experience, and
- engage clinicians in their development.

Recommendation 3: That a program designed to promote a healthier culture to reduce inappropriate workplace behaviour and bullying and harassment be implemented across the ACT Public Health System. The model adopted should be based on the Vanderbilt University Medical Center Patient Advocacy Reporting System (PARS) and Co-worker Observation Reporting System (CORS).

Recommendation 4: The Health Directorate convene a summit of senior clinicians and administrators of both Canberra Health Services and Calvary Public Hospital to map a plan of improved clinical services coordination and collaboration.

Recommendation 5: The CEO of Canberra Health Services should review mechanisms to better integrate clinical streams of the community health services within the Clinical Divisional Structures.

Recommendation 6: That the Health Directorate re-establish open lines of communication with the NGO sector and other external stakeholders. The proposal by the Alcohol, Tobacco and Other Drug Association (ATODA) and the Mental Health Community Coalition ACT (MHCC) to establish a peak NGO Leadership Group to facilitate this new partnership is supported.

Recommendation 7: The initiatives already underway to develop a valued and more coordinated research strategy in partnership with the academic sector and others are strongly supported. These provide a mechanism to encourage professional development and address culture, education, training, research and other strategic issues.

Recommendation 8: That discussions occur between ACT and NSW with a view to developing a Memorandum of Understanding (MoU) for improved collaboration between the two health systems for joint Ministerial consideration.

Recommendation 9: Clinical engagement throughout the ACT Public Health System, particularly by the medical profession, needs to be significantly improved. Agreed measures of monitoring such improvement needs to be developed through consensus by both clinicians and executives. Such measures should include participation in safety, quality and improvement meetings, reviews and other strategy and policy related initiatives.

Recommendation 10: There should be a clear requirement for senior clinicians to collaboratively participate in clinical governance activities.

Recommendation 11: Canberra Health Services and Calvary Public Hospital should assess the appropriateness of the Choosing Wisely initiative as a mechanism for improving safety and quality of care, developing improved clinical engagement and greater involvement in clinical governance.

Recommendation 12: That Canberra Health Services adopt the progressive evolution of clinically qualified Divisional Directors across each Clinical Division with Business Manager support and earned autonomy in financial and personnel management.

Recommendation 13: That an executive leadership and mentoring program be introduced across the ACT Public Health System specifically designed to develop current and future leaders. This program should include both current and emerging leaders.

Recommendation 14: The three arms of the ACT Public Health System should review their HR staffing numbers and functions in light of the concerns staff have expressed regarding timeliness and confidence in current HR procedures, and the future needs for HR, as proposed in this Review.

Recommendation 15: The recruitment processes in the ACT Public Health System should follow principles outlined in the Enterprise Agreements, *Public Sector Management Act 1994* and relevant standards and procedures.

Recommendation 16: The range of training programs for staff offered by the ACT Public Health System should be reviewed with respect to their purpose, target audience, curriculum, training styles and outcomes so that they address the issues raised in this Review.

Recommendation 17: Should the recommendations of this Review be accepted, a public commitment should be jointly made by the Ministers for Health and Wellbeing, and Mental Health, the Director-General Health Directorate, the CEO Canberra Health Services, the General Manager Calvary Public Hospital and key representative organisations to collectively implement the recommendations of this Review to ensure ongoing cultural improvement across the ACT Public Health System.

Recommendation 18: A 'Cultural Review Oversight Group' should be established to oversight the implementation of the Review's recommendations. The Group should be chaired by the Minister for Health and Wellbeing, and include the Minister for Mental Health, the Director-General Health Directorate, the CEO Canberra Health Services, the General Manager Calvary Public Hospital, Senior Executives across the ACT Public Health System, the Executive Director Health Care Consumers Association of the ACT, President of the AMA (ACT), Branch Secretary ANMF (ACT), and Regional Secretary CPSU.

Recommendation 19: That the 'Cultural Review Oversight Group' auspice for the next three years, an annual, independent and external review of the extent of implementation of the recommendations of the Review and consequent impact on cultural changes within the ACT Public Health System.

Recommendation 20: As a result of this Review, the 'Cultural Review Oversight Group' should engage with staff in the development of a change management and communications strategy, which clearly articulates to staff, patients/clients and the community the nature of the issues to be addressed and the mechanisms for doing it.

7. Introduction

Purpose

This Final Report sets out the Review's findings and recommendations which are designed to improve the workplace culture across the ACT Public Health System. The Review's Interim Report was released on 1 February 2019, and the recommendations contained within it received in principle support from the Government. The Interim Report also received positive feedback from internal and external parties during consultation. Where appropriate, comments and feedback provided during consultation have been incorporated in this Final Report. An indicative timeline covering implementation of all of the Review recommendations over the next three years has been included in Section 10 of this report. This timeline was developed in consultation with ACT Health Senior Executives.

Terms of Reference

In September 2018, the ACT Minister for Health and Wellbeing, Meegan Fitzharris MLA issued a statement on workplace culture which committed the ACT Government to an independent review of the culture within the public health services. Details of the Members of the Review Panel are included at Appendix A.

The Review operated in accordance with the following terms of reference:

- a) Examine and report on the workplace culture of public health care services in the ACT and provide advice on any systemic and institutional issues. This examination should take into account any examples of best practice workplace culture and professional conduct in the delivery of public health care in the ACT, nationally and internationally.
- b) Examine any claims made in relation to inappropriate conduct and behaviours related to the delivery of public health care services in the ACT, and provide advice on:
 - i. best practice responses to such complaints;
 - ii. whether referral of such complaints should be made to any other authority; and
 - iii. what support services should be provided to complainants.
- c) Examine and report on the existing workforce policies and complaints management practices to ensure their relevance and appropriateness in achieving satisfactory outcomes for all parties.
- d) Provide findings and recommendations for:
 - i. further improving workforce culture across the ACT public health system; and
 - ii. additional support systems required for staff and management engaged in the delivery of public health services in the ACT, including processes, training and professional development.

The Terms of Reference specifically indicated that the Review will consider earlier reports and reviews which have been undertaken in relation to workplace culture within the ACT Public Health System, including:

- The 2015 KPMG Report into the Review of the Clinical Training Culture: The Canberra Hospital and Health Services⁽³⁾.
- The 2018 ACT Auditor-General Report on ACT Health's Management of Allegations of Misconduct and Complaints About Inappropriate Workplace Behaviour⁽⁴⁾, and
- The 2018 Report of the Australian Council on Healthcare Standards (ACHS) National Safety and Quality Health Service (NSQHS) Standards Survey of ACT Health⁽⁶⁾.

An overview of the findings of these reports is included at Appendix B.

It should be emphasised that the Review excluded investigation of individual allegations of inappropriate workplace behaviour and bullying and harassment. How such cases were handled as they arose is described in Section 2.

Scope

The scope of the Review encompassed the ACT Public Health System comprising services delivered by:

- Canberra Health Services
- ACT Health Directorate, and
- Calvary Public Hospital.

Canberra Health Services incorporates a number of functions, including:

- the Canberra Hospital
- University of Canberra Hospital Specialist Centre for Rehabilitation, Recovery and Research
- three Walk-In Centres for treatment of minor illness and injury
- six Community Health Centres, and
- a range of community-based health services including early childhood services, youth and women's health, dental health, mental health and alcohol and drug services.

The Office of the Review

The ACT Government provided secretariat staff drawn from across the ACT and Commonwealth Public Service to operate the Office of the Review. These staff provided secretariat services and supported the day-to-day administrative and operational functions of the Review.

The Office staff implemented submission and survey arrangements, scheduled and facilitated meetings, forums and teleconferences, analysed submissions and assisted with the provision of documents and information as requested by the Reviewers. Office staff are bound by their obligations and duties as public servants in the way they treated confidential information provided to the Review.

The contribution of the Office staff in skilfully preparing the groundwork for the preparation of this Report is gratefully acknowledged by the Reviewers.

Context

It should be noted that this Review was undertaken at the time of considerable restructuring of the ACT Public Health System. The previous single Health Directorate was split into two agencies in October 2018 - the ACT Health Directorate and Canberra Health Services. The Health Directorate is now largely focused on policy and strategy matters, and Canberra Health Services on providing health care. New Senior Executives (a Director-General and CEO) have been appointed to run these agencies. Similarly, a new General Manager was appointed to Calvary Public Hospital in December 2018.

Early indications are that the new Senior Executives, in recognising the extent of the cultural dysfunctionality they have inherited, are actively engaged in establishing improved workplace environments. The recommendations of this Review are designed to assist them in this regard.

Interstate and International Context

It is important to note that the ACT Public Health System is not alone in the workplace culture issues identified in this Report. Bullying, discrimination, harassment and sexual harassment are all prevalent in health care settings throughout Australia and internationally. For example, this is evidenced by the findings of a 2016 survey of trainees and fellows of the College of Intensive Care Medicine of Australia and New Zealand, which found that 32% of those surveyed had experienced bullying, 12% discrimination and 3% sexual harassment⁽⁷⁾. The Royal Australasian College of Surgeons found in a survey of members throughout Australia in 2015 that 49% of members had experienced discrimination, bullying, harassment or sexual harassment. This figure rose to 63% when surveying trainees. This affected all health jurisdictions and all clinical specialties⁽⁸⁾. Similar rates of bullying among nurses have been reported in the United States and United Kingdom⁽⁹⁾.

Professional organisations, national and international health services are now focussing on understanding how to address inappropriate workplace behaviours.

Definitions

The following outlines the key workplace culture related definitions used by the Reviewers in conducting the Review and writing this report.

Culture

The culture within a workplace is made up of the values and behaviours that people in the workplace share and demonstrate, including their shared attitudes and beliefs. Workplace culture has been described as 'the way things are done around here'⁽¹⁰⁾. Within a health service, this culture impacts on how effectively staff are able to work and how well patients are cared for⁽¹¹⁾. Research shows that poor workplace culture can impact negatively on patient care and health outcomes⁽¹²⁾.

Misconduct/Wrongdoing

Misconduct/wrongdoing is unacceptable or improper behaviour, especially by an employee or professional person and/or the mismanagement or culpable neglect of duties.

Bullying

Workplace bullying is repeated, and unreasonable behaviour directed towards a worker or a group of workers that creates a risk to health and safety⁽¹³⁾. Bullying can be intentional or unintentional, overt or covert, active or passive and can involve other staff members, supervisors, senior officers, contractors and/or subordinates.

Bullying behaviours include actions such as shouting and non-action such as purposely not passing on information necessary for doing a job⁽¹⁴⁾. Bullying should not be confused with legitimate feedback (including negative comments) given to staff on their work performance, or other legitimate management decisions and actions undertaken in a reasonable and respectful way⁽¹³⁾.

Harassment

Harassment is unwanted, 'unwelcome or uninvited behaviour that makes a person feel humiliated, intimidated or offended⁽¹⁵⁾. Harassment may include telling insulting jokes about gender, race or disability, sending explicit or sexually suggestive emails, displaying racially offensive material or asking intrusive questions about someone's personal life. Unlike bullying, harassment may involve a single incident.

Sexual Harassment

Sexual harassment is any unwanted or unwelcome sexual behaviour where a reasonable person would have anticipated the possibility that the person harassed would feel offended, humiliated or intimidated⁽¹³⁾. It has nothing to do with mutual attraction or consensual behaviour.

Discrimination

Discrimination occurs when a person or group is treated less favourably than others due to a particular characteristic such as their background or personal characteristics⁽¹³⁾⁽¹⁶⁾ including:

- race, including colour, national or ethnic origin or immigrant status
- sex, pregnancy or marital status and breastfeeding, and
- age, disability, or sexual orientation, gender identity and intersex status.

Duty of Care

Employers have a duty of care under the *Work Health and Safety Act 2011* (WHS Act)⁽¹⁷⁾ to ensure the health, safety and welfare of their employees. This includes identifying bullying and harassment and taking steps to eliminate and prevent it. The WHS Act also requires employees to take reasonable care for their own health and safety as well as for the health and safety of others who may be affected by their acts in the workplace.