



Dear 

DECISION ON YOUR ACCESS APPLICATION

I refer to your application under section 30 of the *Freedom of Information Act 2016* (FOI Act), received by Canberra Health Services (CHS) on **Thursday 10 March 2022**.

This application requested access to:

'the subject line of all final ministerial briefs from 10th of February 2022 to 9th of March 2022 generated for or directed to any ACT Government Minister.'

This request includes, wherever possible, the date of the brief, the internal reference, position of authority it was written by, and which Minister it was addressed to.

This request includes briefs prepared for Question Time, but not for Estimates or Annual Reports.'

I am an Information Officer appointed by the Chief Executive Officer of Canberra Health Services (CHS) under section 18 of the FOI Act to deal with access applications made under Part 5 of the Act. CHS was required to provide a decision on your access application by **Friday 8 April 2022**.

The information has been extracted into two documents holding the information within the scope of your access application. These are outlined in the schedule of documents included at [Attachment A](#) to this decision letter. The document was created for the purpose of your request and captures information sourced from HPE Content Manager (Record Management System).

Decisions on access

I have decided to:

- grant full access to one document; and
- grant partial access to one document.

My access decisions are detailed further in the following statement of reasons and the documents released to you are provided as [Attachment B](#) to this letter.

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

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

Full Access

I have decided to grant full access to one document at reference 2.

Partial Access

I have decided to grant partial access to one document at reference 1 as it contains information that I consider, on balance, to be contrary to the public interest to disclose under the test set out in section 17 of the Act as the information contained in these folios is partially comprised of personal information.

Public Interest Factors Favouring Disclosure

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

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

Public Interest Factors Favouring Non-Disclosure

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

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

On balance, the factors favouring disclosure did not outweigh the factors favouring non-disclosure as the redacted information contains names of non-ACT government employees. Therefore, I determined the information identified is contrary to the public interest and I have decided not to disclose this information.

Charges

Processing charges are not applicable to this request.

Disclosure Log

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

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

Ombudsman review

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

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

The ACT Ombudsman

GPO Box 442

CANBERRA ACT 2601

Via email: ACTFOI@ombudsman.gov.au

Website: ombudsman.act.gov.au

ACT Civil and Administrative Tribunal (ACAT) review

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

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

Further assistance

Should you have any queries in relation to your request, please do not hesitate to contact the FOI Coordinator on (02) 5124 9831 or email HealthFOI@act.gov.au.

Yours sincerely

A handwritten signature in blue ink that reads "Colm Mooney". The signature is fluid and cursive, with a long horizontal stroke at the end.

Colm Mooney
Acting Deputy Chief Executive Officer
Canberra Health Services

1 April 2022

FREEDOM OF INFORMATION SCHEDULE OF DOCUMENTS

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

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

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

APPLICANT NAME	WHAT ARE THE PARAMETERS OF THE REQUEST	FILE NUMBER
[REDACTED]	The subject line of all final ministerial briefs from 10th of February 2022 to 9th of March 2022 generated for or directed to any ACT Government Minister. This request includes, wherever possible, the date of the brief, the internal reference, position of authority it was written by, and which Minister it was addressed to. This request includes briefs prepared for Question Time, but not for Estimates or Annual Reports	CHSFOI21-22.24

Ref Number	Page Number	Description	Date	Status Decision	Factor	Open Access release status
1.	1 – 2	Minister for Health – CHSFOI21-22.24 from [REDACTED] regarding The subject line of all final ministerial briefs	21 March 2022	Partial Release	Schedule 2.2 (a)(ii) privacy	YES
2.	3	Minister for Mental Health – CHSFOI21-22.24 from [REDACTED] regarding The subject line of all final ministerial briefs	21 March 2022	Full Release		YES
Total Number of Documents						
2						

CHSFOI21-22.24 from [REDACTED] regarding The subject line of all final ministerial briefs

Record Number	Title	Action Area
MCHS22/160	GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Initiated Advisory Note: (Minister for Health) Coronial Inquest – Ruth McKay (Hearing scheduled for 16 March 2022)	Strategy, Policy & Planning
MCHS22/136	RECORDS & INFORMATION MANAGEMENT - Advice (N) - Initiated Brief: (Minister for Health) Freedom of Information (FOI) Application from [REDACTED] (CHSFOI21-22.19) Guidelines, rules, memoranda, documents police attendance when vulnerable people under 'welfare' checks	Clinical Services
MCHS22/129	GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Initiated Brief: (Minister for Health) - Canberra Health Services Weekly Brief (28 February to 4 March 2022)	Strategy, Policy & Planning
MCHS22/120	GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Initiated Brief: (Minister for Health) - Canberra Health Services Weekly Brief (21 to 25 February 2022)	Strategy, Policy & Planning
MCHS22/109	PATIENT SERVICES ADMINISTRATION - Service Delivery - Maternity services - Email - Minister for Health - Complaint - Maternity Options Service - [REDACTED]	Clinical Services
MCHS22/108	RECORDS & INFORMATION MANAGEMENT - Advice (N) - Request for Advice - Minister for Health - Freedom of Information (FOI) Application from [REDACTED] (CHSFOI21-22.17) - Information related to appointments with [REDACTED], Pain Management Unit, Canberra Hospital	Clinical Services
MCHS22/106	GOVERNMENT & STAKEHOLDER RELATIONS - Planning (N) - Initiated Brief - Minister for Health - Governance Review Outcome	Strategy, Policy & Planning
MCHS22/96	GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Initiated Brief: (Minister for Health) - Canberra Health Services Weekly Brief (14 to 18 February 2022)	Strategy, Policy & Planning
MCHS22/91	GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Initiated Advisory Note: (Minister for Health) Dispute Lodged with Fair Work Commission re payment ([REDACTED])	People and Culture
MCHS22/87	PATIENT SERVICES ADMINISTRATION - Service Delivery - Request for Advice - Minister for Health - Elective Surgery Forward Plan	Strategy, Policy & Planning

MCHS22/84	GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Initiated Brief (Minister for Health) - Medical Negligence Claim – [REDACTED]	Strategy, Policy & Planning
MCHS22/77	GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Request for Advice - Minister for Health - Insourcing Activities/Taskforce	IHSS
MCHS22/75	GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Initiated Brief: (Minister for Health) - Canberra Health Services Weekly Brief (7 to 11 February 2022)	Strategy, Policy & Planning
MCHS22/58	HUMAN RESOURCES - Remuneration - Minister for Health - VMO Locum Pay Rates - [REDACTED]	People and Culture
MCHS21/1061	GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Initiated Brief: (Minister for Health) Diabetes in School program update	Clinical Services

CHSFOI21-22.24 from [REDACTED] regarding The subject line of all final ministerial briefs

Record Number	Title	Action Area
MCHS22/134	GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Initiated Brief: (Minister for Mental Health) Canberra Health Services' new website	Strategy, Policy & Planning
MCHS22/130	GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Initiated Brief: (Minister for Mental Health) - Canberra Health Services Weekly Brief (28 February to 4 March 2022)	Strategy, Policy & Planning
MCHS22/127	GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Caveat Brief: (Minister for Mental Health) Consumer escapes lawful custody from Adult Mental Health Unit	Clinical Services
MCHS22/121	GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Initiated Brief: (Minister for Mental Health) - Canberra Health Services Weekly Brief (21 to 25 February 2022)	Strategy, Policy & Planning
MCHS22/98	PATIENT SERVICES ADMINISTRATION - Service Delivery - Request for Advice - Minister for Mental Health - Current Situation at Dhulwa	Clinical Services
MCHS22/97	GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Initiated Brief: (Minister for Mental Health) - Canberra Health Services Weekly Brief (14 to 18 February 2022)	Strategy, Policy & Planning
MCHS22/88	GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Initiated Brief: (Minister for Justice Health) Justice Health Services Model of Care Update	Clinical Services
MCHS22/76	GOVERNMENT & STAKEHOLDER RELATIONS - Government & Assembly Matters - Initiated Brief: (Minister for Mental Health) - Canberra Health Services Weekly Brief (7 to 11 February 2022)	Strategy, Policy & Planning