

Dear 

DECISION ON YOUR ACCESS APPLICATION

I refer to your application under section 30 of the *Freedom of Information Act 2016* (FOI Act), received by ACT Health Directorate (ACTHD) on **Thursday 25 June 2020**.

This application requested access to:

'I would like any briefing, communications or notes of communication between the Health Directorate and the Minister for Health or other Ministers about Mr Bradley Burch from 1 July 2019 to date.'

I am an Information Officer appointed by the Director-General of ACT Health Directorate (ACTHD) under section 18 of the FOI Act to deal with access applications made under Part 5 of the Act. ACTHD was required to provide a decision on your access application by **Thursday 23 July 2020**.

I have identified three documents holding the information within scope of your access application. These are outlined in the schedule of documents included at Attachment A to this decision letter.

Decisions

I have decided to grant full access to all three documents. 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; and
- The *Human Rights Act 2004*.

Charges

Processing charges are not applicable to this request.

Disclosure Log

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 Your personal contact details will not be published.

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

Ombudsman review

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

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

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

ACT Civil and Administrative Tribunal (ACAT) review

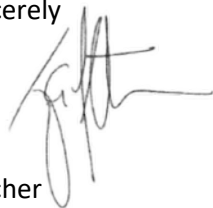
Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

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

Further assistance

Should you have any queries in relation to your request, please do not hesitate to contact the FOI Coordinator on (02) 5124 9833 or email HealthFOI@act.gov.au.

Yours sincerely



John Fletcher
Executive Group Manager
Corporate & Governance

22 July 2020

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]	I would like any briefing, communications or notes of communication between the Health Directorate and the Minister for Health or other Ministers about Mr Bradley Burch from 1 July 2019 to date.	FOI20-29

Ref Number	Page Number	Description	Date	Status Decision	Factor	Open Access release status
1.	1	Email – Dot points on employment matter	17 June 2020	Full Release		YES
2.	2 – 3	Email – A message from the Director-General	22 June 2020	Full Release		YES
3.	4 – 5	Email – A message from the Director-General	22 June 2020	Full Release		YES
Total Number of Documents						
3						

From: [Pulli, Tracey \(Health\)](#)
To: [Esquerra, Indra](#); [Bergin, Catherine](#)
Cc: [Jonasson, Kylie \(Health\)](#)
Subject: Dot points on employment matter
Date: Wednesday, 17 June 2020 12:57:43 PM
Attachments: [image001.jpg](#)

UNCLASSIFIED

Hi Cath and Indra

Please see below information that Kylie Jonasson has asked that I email through to you – timing of advice to Minister’s offices on an employment matter that may be in the media this week.

- First notified of the matter by the Director-General of the ACT Health Directorate on evening of Thursday 14 May 2020 over the phone. Was advised that the Directorate were investigating as an immediate priority.
- Provided further verbal updates on the matter by the Director-General on the following occasions:
 - On Friday 15 May 2020 was advised that the individuals employment had been suspended without pay.
 - On Friday 22 May 2020 was updated that the individuals employment with the Directorate had formally ended.
 - On Tuesday 16 June 2020 was advised of a media enquiry from The Canberra Times on the matter.

Regards

Tracey

Tracey Pulli | Senior Director of Media

Ph: (02) 5124 9444 | Email: tracey.pulli@act.gov.au

Communications and Government Relations | Office of the Director-General | ACT Health Directorate

Level 5, 6 Bowes Street Phillip ACT 2606

health.act.gov.au

ACTH Email signature Values



From: [Jonasson, Kylie \(Health\)](#)
To: [Stephen-Smith, Rachel](#); [Bergin, Catherine](#)
Subject: FW: A message from the Director-General | Monday 22 June 2020
Date: Monday, 22 June 2020 4:55:00 PM
Attachments: [image002.jpg](#)
[image001.jpg](#)

UNCLASSIFIED

fyi

Kylie Jonasson
 Director General
 ACT Health Directorate
 Level 5, 2-6 Bowes Street, Woden ACT
 Ph: (02) 5124 9786

Respect ▲ Integrity ▲ Collaboration ▲ Innovation
 ACT Health_RGB



From: West, Alice (Health) <Alice.West@act.gov.au> **On Behalf Of** DGACTHealth
Sent: Monday, 22 June 2020 4:53 PM
To: ##All Staff, ACT Health Directorate <##AllStaffACTHealthDirectorate@act.gov.au>
Subject: A message from the Director-General | Monday 22 June 2020

UNCLASSIFIED

A close up of a mans face Description automatically generated



Monday 22 June 2020

Dear colleagues

As many of you may already be aware, there is a story in The Canberra Times today about a former employee of the Directorate and the matter that is before the courts.

The media reports on a very difficult topic which I know will be distressing for many of you. As Director-General, I want to reassure you all that I take my obligations to you and the obligations to report and investigate under the ACT Reportable Conduct Scheme very seriously. I took significant steps to deal with this issue as soon as I heard of the matter and as you are aware this person is no longer an employee of the ACT Health Directorate.

As with all employment matters, no matter the circumstances, I am bound by the public sector employment framework and privacy legislation to not discuss details more broadly. Unfortunately this often means that I am unable to be proactive in communicating with you on such issues.

I strongly encourage you to seek out the Employee Assistance Program (EAP) if you have been affected and would like to speak to someone. You can also reach out to your executive manager if you need, or alternatively the People Strategy team.

The EAP provide free, professional and confidential services and can help support you. EAP providers include:

- **Assure** 1800 808 374 info@assureprograms.com.au
- **Converge International** 1300 687 327 info@convergeintl.com.au
- **Benestar** 1300 360 364 info@benestar.com
- **PeopleSense** 1300 307 912 reception@peoplesense.com.au

Further information on the EAP can also be found at: <https://www.cmtedd.act.gov.au/employment-framework/resources-and-links/employee-assistance-program2>

Please take care

Kylie

Kylie Jonasson, Director-General

Ph: (02) 5124 9400 | Email: DGACTHealth@act.gov.au

ACT Health Directorate

Level 5, 6 Bowes Street Phillip ACT 2606

health.act.gov.au

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From: [Jonasson, Kylie \(Health\)](#)
To: [Rattenbury, Shane](#); [Esguerra, Indra](#)
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Attachments: [image002.jpg](#)
[image001.jpg](#)

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fyi

Kylie Jonasson
 Director General
 ACT Health Directorate
 Level 5, 2-6 Bowes Street, Woden ACT
 Ph: (02) 5124 9786

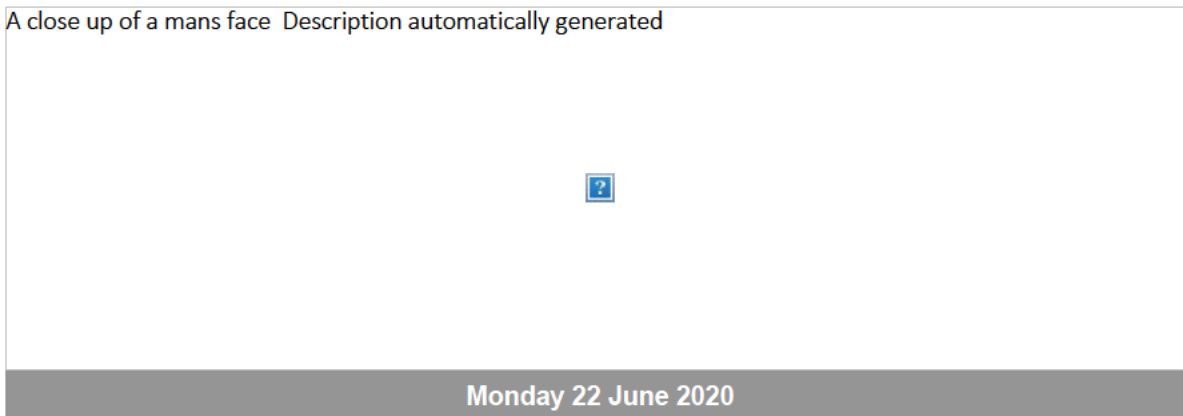
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Kylie

Kylie Jonasson, Director-General

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