

Our reference: **FOI20/61**



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 Wednesday 25 November 2020.

This application requested access to:

"I seek any documents and/or emails and/or correspondence between the chief health officer Kerry Coleman and/or members of the ACT Health executive to the Department of Foreign Affairs and Trade between January 1, 2020 and November 24, 2020 concerning returning foreign diplomats from overseas and/or quarantine arrangements

I also see any briefing materials prepared/created by ACT Health/ACT COVID taskforce to DFAT in relation to foreign diplomats returning to Canberra from overseas during 2020."

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 **Monday 18 January 2021**.

I have identified 4 documents holding the information within scope of your access application.

Some information was not able to be considered as it consists of personal health records. As set out in section 12 of the FOI Act, the FOI Act does not apply to information in a health record as defined under the *Health Records (Privacy and Access) Act 1997*.

Decisions

I have decided to:

- grant access in full to 1 document; and
- grant partial access to 3 documents.

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

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

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

Partial Access

I have decided to grant partial access to 3 documents at references 2 to 4. Documents at these references also include some deferred information that has been redacted in the document pack.

Public Interest Factors Favouring Disclosure

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

- Schedule 2.1(a)(i) promote open discussion of public affairs and enhance the government's accountability.

Public Interest Factors Favouring Non-Disclosure

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

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

The information that has been redacted is related to employee mobile numbers and the personal information of non-Government individuals. On balance, I determined the information identified is contrary to the public interest and I have decided not to disclose this information. This does not compromise the Government information being disclosed.

Deferred Access

I have decided to defer access to 1 document at reference 1 and certain information in the other three folios under section 38(6)(b) of the Act. As part of a consultation process, relevant third parties have provided objections to the release of this information. I have deferred access to this information to enable these third parties to initiate the Ombudsman review process under part 8 of the Act.

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 9831 or email HealthFOI@act.gov.au.

Yours sincerely



Alan Philp
Executive Group Manager
Preventative and Population Health

15 January 2021

FREEDOM OF INFORMATION SCHEDULE OF DOCUMENTS

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

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

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

APPLICANT NAME	WHAT ARE THE PARAMETERS OF THE REQUEST	FILE NUMBER
	<p>"I seek any documents and/or emails and/or correspondence between the chief health officer Kerryn Coleman and/or members of the ACT Health executive to the Department of Foreign Affairs and Trade between January 1, 2020 and November 24, 2020 concerning returning foreign diplomats from overseas and/or quarantine arrangements.</p> <p>I also see any briefing materials prepared/created by ACT Health/ACT COVID taskforce to DFAT in relation to foreign diplomats returning to Canberra from overseas during 2020."</p>	FOI20/61

Ref Number	Page Number	Description	Date	Status Decision	Factor	Open Access release status
1.	1-3	Email: FW: Process for incoming diplomatic arrivals: quarantine arrangements with attachment	17/06/2020	Full release	Deferred release - not included in this document pack	No
2.	4-8	Email: RE: Diplomats arriving	03/07/2020	Partial release	Schedule 2, 2.2(a)(ii) prejudice the protection of an individual's right to privacy or any other	Yes

					right under the <i>Human Rights Act 2004</i> ; Includes redactions made to deferred information	
3.	9-14	Email: FW: Diplomats arriving with attachment	03/07/2020	Partial release	Schedule 2, 2.2(a)(ii) Includes redactions made to deferred information	Yes
4.	15-17	Email: RE: FOR CLEARANCE – DFAT QUESTION ON NOTICE	30/10/2020	Partial release	Schedule 2, 2.2(a)(ii) Includes redactions made to deferred information	Yes
Total Number of Documents						
4.						

Pond, Aleks (Health)

From: COVID Exemptions
Sent: Friday, 3 July 2020 11:13 AM
To: COVID Exemptions; HECC Operations
Cc: Purdue, Brett (Health); Keene, Toby (Health)
Subject: RE: [REDACTED] Diplomats arriving [REDACTED] [SEC=OFFICIAL]

UNCLASSIFIED

Hi all,

Just wanted to let you know that I have had a conversation with CHO about this case. CHO is happy to grant this exemption on compassionate grounds. We will draft the paperwork now, and will liaise with DFAT.

I'll provide you with a copy once signed.

Thanks
 Vanessa

From: COVID Exemptions <COVID.Exemptions@act.gov.au>
Sent: Friday, 3 July 2020 10:39 AM
To: HECC Operations <HECC.Operations@act.gov.au>; COVID Exemptions <COVID.Exemptions@act.gov.au>
Cc: Purdue, Brett (Health) <Brett.Purdue@act.gov.au>
Subject: RE: [REDACTED] Diplomats arriving [REDACTED] [SEC=OFFICIAL]

UNCLASSIFIED

I'll call shortly.

Thanks
 Vanessa

From: Bradley, Joanne (Health) <Joanne.Bradley@act.gov.au> **On Behalf Of** HECC Operations
Sent: Friday, 3 July 2020 8:03 AM
To: HECC Operations <HECC.Operations@act.gov.au>; COVID Exemptions <COVID.Exemptions@act.gov.au>
Subject: RE: [REDACTED] Diplomats arriving [REDACTED] [SEC=OFFICIAL]
Importance: High

UNCLASSIFIED

Hi Dani and Seridan,

I have received a call from [REDACTED] today from DFAT urgently chasing up this exemption request [REDACTED] and providing DFAT support for the exemption.

She has asked if you can please get back to her asap on [REDACTED] or [REDACTED]

Kind Regards,

Jo Bradley

From: Briones, Danielle (Health) **On Behalf Of** HECC Operations
Sent: Thursday, 2 July 2020 9:09 PM
To: COVID Exemptions <COVID.Exemptions@act.gov.au>
Subject: FW: [REDACTED] Diplomats arriving - [REDACTED] [SEC=OFFICIAL]

UNCLASSIFIED

Hi Seriden,

Please see another request for exemption, for consideration.

Kind regards,
Dani

From: [REDACTED]
Sent: Thursday, 2 July 2020 5:28 PM
To: [REDACTED]
[REDACTED] HECC Operations <HECC.Operations@act.gov.au>; ACT Health, HPSOps <ACTHealthHPSOps@act.gov.au>
Cc: [REDACTED]
[REDACTED] Kate Logan <Kate.Logan@dfat.gov.au>
[REDACTED]
Subject: RE: [REDACTED] Diplomats arriving - [REDACTED] [SEC=OFFICIAL]

Thank you [REDACTED] for your enquiry.

As [REDACTED] is arriving to Australia on a visitor visa, [REDACTED] will need to apply for exemption to self-isolate at the address in Canberra. An application can be completed at the following link:

<https://www.health.nsw.gov.au/Infectious/covid-19/Pages/quarantine-exemptions.aspx>

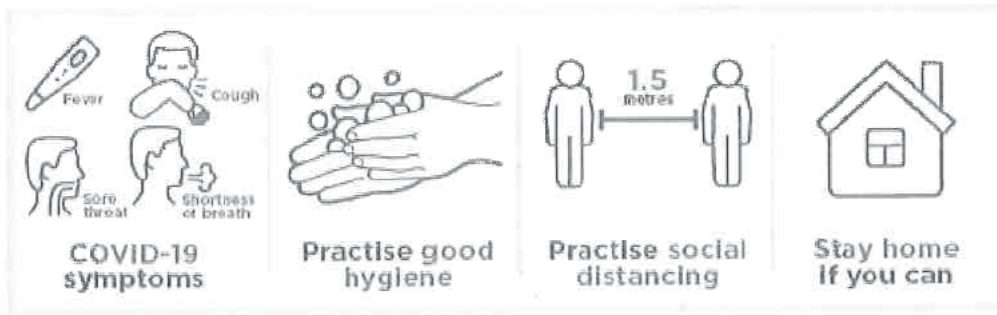
As [REDACTED] is travelling domestically into ACT, NSW is unable to authorise this request until we have also received approval from the ACT for the traveller to transit from NSW into ACT. This approval will need to be provided by ACT prior to [REDACTED] application for exemption being processed.

Should you require any further information, please feel free to contact me.

Kind regards,

[REDACTED]

Quarantine Exemptions Unit | **COVID-19 Health Service Operations**
[REDACTED] State Emergency Operations Centre, New South Wales
MOH-COVID19-Quarantine@health.nsw.gov.au
www.health.nsw.gov.au



Visit the [NSW Health website](#) for the latest information on COVID-19.



From: [REDACTED]
 Sent: Thursday, 2 July 2020 12:29 PM
 To: [REDACTED] HECC Operations
 <HECC.Operations@act.gov.au>; hpsops@act.gov.au
 Cc: [REDACTED]
 [REDACTED] Kate Logan <Kate.Logan@dfat.gov.au> [REDACTED]
 [REDACTED]
 Subject: [REDACTED] Diplomats arriving [REDACTED] [SEC=OFFICIAL]

OFFICIAL

Good afternoon,

The [REDACTED] has advised they have a diplomatic family arriving in Australia on Monday 6 July 2020.

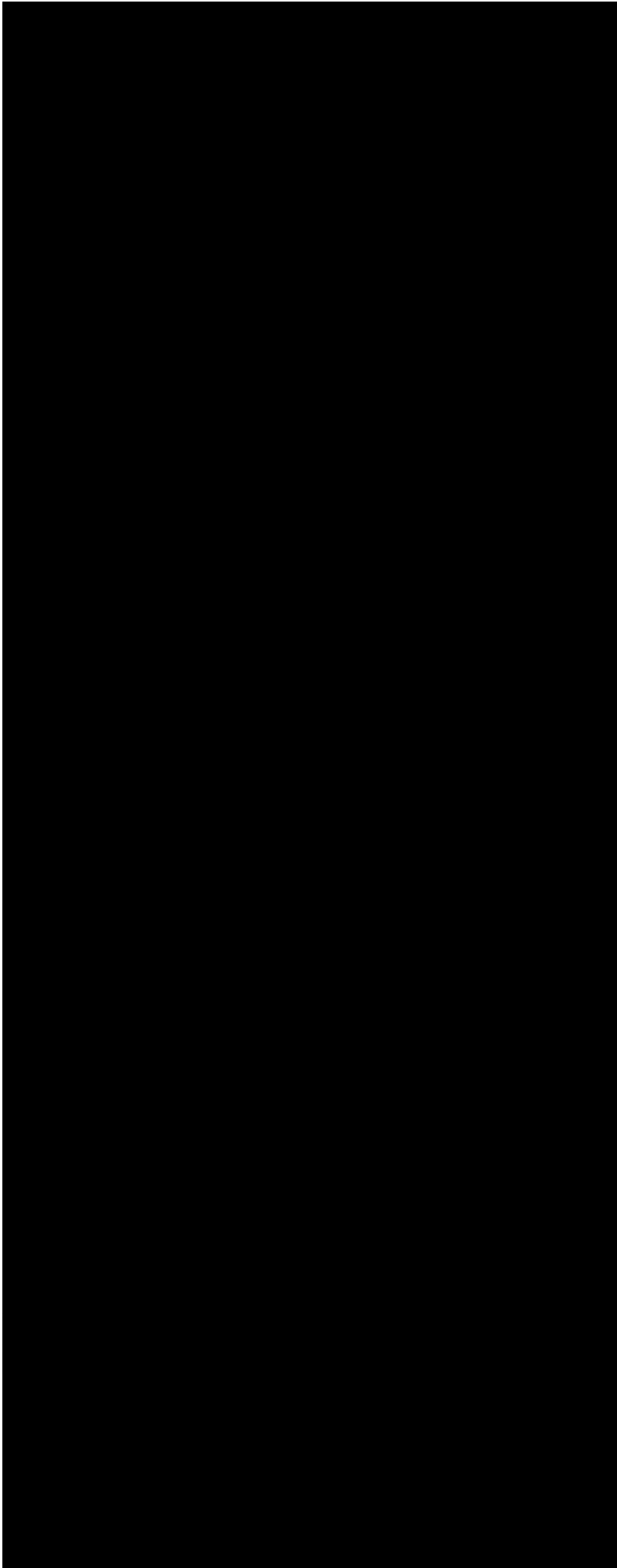
[REDACTED]

[REDACTED] We support this request for the family to home quarantine together.

Grateful if you could confirm that [REDACTED] would be eligible to quarantine at home with the rest of the family, given these compelling circumstances.


[REDACTED] will be collected from Sydney airport by private vehicle and driven back to their private residence in Canberra where they will self-isolate for the compulsory 14 days.

[REDACTED]






Kind regards



Protocol Officer
Diplomatic and Consular Accreditation Section
Protocol Branch
Department of Foreign Affairs and Trade



This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender.

Views expressed in this message are those of the individual sender, and are not necessarily the views of NSW Health or any of its entities.

Pond, Aleks (Health)

From: COVID Exemptions
Sent: Friday, 3 July 2020 3:28 PM
To: [REDACTED] HECC Operations; ACT Health, HPSOps
Cc: [REDACTED]
 Kate.Logan@dfat.gov.au; [REDACTED]
Subject: [REDACTED] COVID Exemptions
 FW: [REDACTED] Diplomats arriving - [REDACTED] [SEC=OFFICIAL]
Attachments: scan_vanessa dal molin_2020-07-03-15-16-54.pdf

UNCLASSIFIED

Dear [REDACTED]
Please find attached an approved exemption for [REDACTED] to change [REDACTED] designated premises for mandatory quarantine.

Best regards

Vanessa

Vanessa Dal Molin, Executive Branch Manager – COVID-19 Response
Ph: 02-5124 9401 | Mob: [REDACTED] Email: vanessa.dalmolin@act.gov.au
Office of the Chief Health Officer | ACT Health Directorate
health.act.gov.au



From: [REDACTED]
Sent: Thursday, 2 July 2020 5:28 PM
To: [REDACTED] HECC Operations <HECC.Operations@act.gov.au>; ACT Health, HPSOps <ACTHealthHPSOps@act.gov.au>
Cc: [REDACTED]
 Kate Logan <Kate.Logan@dfat.gov.au>; [REDACTED]
Subject: RE: [REDACTED] Diplomats arriving - [REDACTED] [SEC=OFFICIAL]

Thank you [REDACTED] for your enquiry.

As [REDACTED] is arriving to Australia on a visitor visa [REDACTED] will need to apply for exemption to self-isolate at the address in Canberra. An application can be completed at the following link:

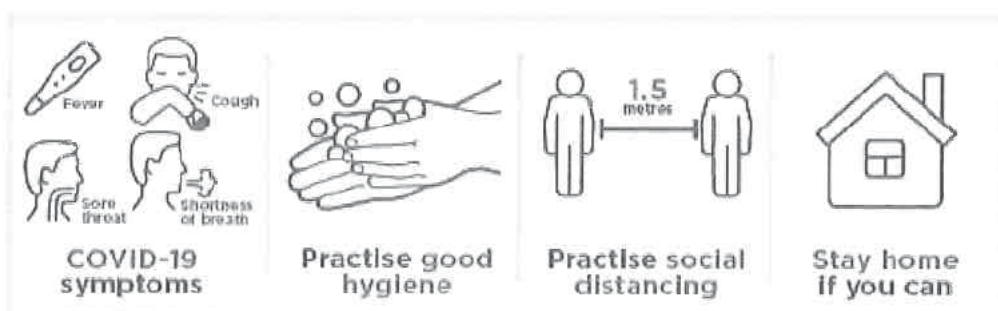
<https://www.health.nsw.gov.au/Infectious/covid-19/Pages/quarantine-exemptions.aspx>

As [REDACTED] is travelling domestically into ACT, NSW is unable to authorise this request until we have also received approval from the ACT for the traveller to transit from NSW into ACT. This approval will need to be provided by ACT prior to [REDACTED] application for exemption being processed.

Should you require any further information, please feel free to contact me.

Kind regards,

Quarantine Exemptions Unit | **COVID-19 Health Service Operations**
 [REDACTED] State Emergency Operations Centre, New South Wales
MOH-COVID19-Quarantine@health.nsw.gov.au
www.health.nsw.gov.au



Visit the [NSW Health website](https://www.health.nsw.gov.au) for the latest information on COVID-19.



Health

From: [REDACTED]
 Sent: Thursday, 2 July 2020 12:29 PM
 To: [REDACTED] HECC Operations
 <HECC.Operations@act.gov.au>; hpsops@act.gov.au
 Cc: [REDACTED]
 [REDACTED] Kate Logan <Kate.Logan@dfat.gov.au>
 [REDACTED]
 Subject: [REDACTED] Diplomats arriving - [REDACTED] [SEC=OFFICIAL]

OFFICIAL

Good afternoon,

The [REDACTED] has advised they have a diplomatic family arriving in Australia on Monday 6 July 2020.

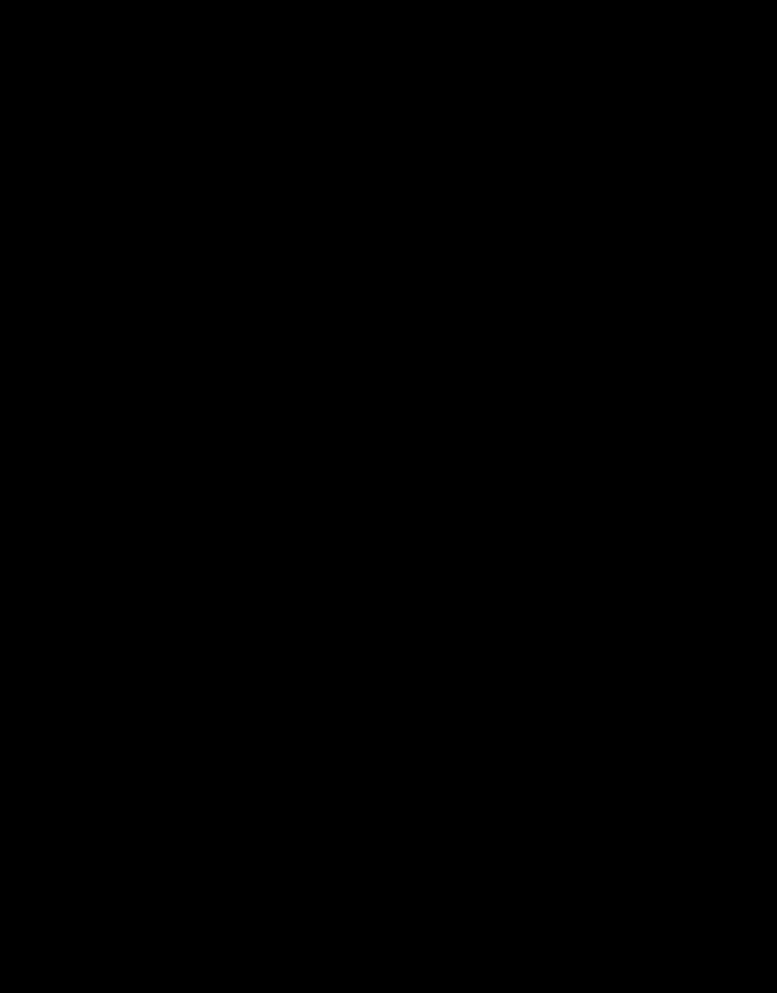
[REDACTED] We support this

request for the family to home quarantine together.

Grateful if you could confirm that [REDACTED] would be eligible to quarantine at home with the rest of the family, given these compelling circumstances.

[REDACTED] will be collected from Sydney airport by private vehicle and driven back to their private residence in Canberra where they will self-isolate for the compulsory 14 days.

[REDACTED]



Kind regards



Protocol Officer
Diplomatic and Consular Accreditation Section
Protocol Branch
Department of Foreign Affairs and Trade



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ACT
Government

ACT Health

[REDACTED]
copy to [REDACTED]

Dear [REDACTED]

I refer to correspondence received via the Department of Foreign Affairs requesting approval for [REDACTED] to change the designated premises for [REDACTED] mandatory 14-day quarantine period after arrival to Sydney from [REDACTED] on Monday 6 July 2020.

[REDACTED]

The Department of Foreign Affairs supports the request for your family to home quarantine together.

Against this background, I am comfortable in granting [REDACTED] an exemption under the *Public Health (Returned Travellers) Emergency Direction 2020 (No 5)* to allow:

- [REDACTED] to enter the ACT as soon as practicable following the family's arrival to Sydney from [REDACTED] on Monday 6 July 2020; and
- the mandatory 14-day quarantine period is to be spent at the following address: [REDACTED]

Based on your arrival date to Australia, this quarantine period will remain in force until 11:59pm on Monday 20 July 2020.

This exemption is only granted provided the following conditions are met:

- NSW authorities permit [REDACTED] to exit NSW for the purpose of quarantining in the ACT instead of at the port of entry; and
- [REDACTED] complies with the *Public Health (Returned Travellers) Emergency Direction 2020 (No 5)* during the quarantine period. A copy of this Direction is attached.

The following conditions will also need to be met:

- You follow any guidance provided to you by the Department of Foreign Affairs and Trade.

A Public Health Officer will be contacting you daily during the quarantine period. Should you have any questions or concerns during the quarantine period please feel free to contact the ACT's Health Emergency Control Centre Operations Manager on (02) 5124 9225.

Yours sincerely



Dr Kerryn Coleman
Chief Health Officer
3 July 2020

Pond, Aleks (Health)

From: Coleman, Kerryn (Health)
Sent: Friday, 30 October 2020 3:48 PM
To: ACT Health Office of the Chief Health Officer
Subject: RE: FOR CLEARANCE - DFAT QUESTION ON NOTICE [REDACTED]
 [REDACTED] [SEC=OFFICIAL]

OFFICIAL

Good to go

*Kerryn*Public Health, Protection and Regulation | **ACT Health Directorate**

PH [REDACTED] | MOB [REDACTED]

25 Mulley Street, HOLDER ACT 2611 | GPO Box 825, Canberra City ACT 2601

E Kerryn.coleman@act.gov.au W <https://health.act.gov.au/>

From: Owen, Kimberly (Health) <Kimberly.Owen@act.gov.au> **On Behalf Of** ACT Health Office of the Chief Health Officer

Sent: Friday, 30 October 2020 3:43 PM**To:** Coleman, Kerryn (Health) <Kerryn.Coleman@act.gov.au>**Cc:** ACT Health Office of the Chief Health Officer <ACTHealthOCHO@act.gov.au>**Subject:** FOR CLEARANCE - DFAT QUESTION ON NOTICE [REDACTED] [SEC=OFFICIAL]

OFFICIAL

Kerryn are you happy to clear or Vanessa D?

From: Briones, Danielle (Health) <Danielle.Briones@act.gov.au> **On Behalf Of** HECC Operations

Sent: Friday, 30 October 2020 12:34 PM**To:** ACT Health Office of the Chief Health Officer <ACTHealthOCHO@act.gov.au>**Subject:** FW: FOR ACTION : QUESTION ON NOTICE [REDACTED] [SEC=OFFICIAL]

OFFICIAL

Hello Kimberly,

Please see below response, approved by both Bec and Vanessa J:

ACT Health conducted an initial case interview with [REDACTED] and has maintained daily phone contact throughout [REDACTED] isolation period to check on [REDACTED] health and wellbeing. This is ACT Health's standard process for all confirmed cases in isolation.

Kind regards,
 Dani

From: HPS <HPS@act.gov.au>

Sent: Thursday, 29 October 2020 1:29 PM

To: ACT Health Office of the Chief Health Officer <ACTHealthOCHO@act.gov.au>

Subject: FW: URGENT: QUESTION ON NOTICE - [REDACTED] [SEC=OFFICIAL]

OFFICIAL

Hi Laura,
One for you.
Thanks,

Tracey Docherty | Manager

Ph: 5124 9926 | Email: Tracey.Docherty@act.gov.au

Business Management Service, Health Protection Service, Public Health, Protection & Regulation | ACT Health Directorate
25 Mulley Street Holder ACT 2611, Locked Bag 5005 Weston Creek ACT 2611
health.act.gov.au



From: Health Ops <Health.Ops@health.gov.au>

Sent: Thursday, 29 October 2020 1:19 PM

To: HPS <HPS@act.gov.au>

Cc: Health Ops <Health.Ops@health.gov.au>

Subject: URGENT: QUESTION ON NOTICE - [REDACTED] [SEC=OFFICIAL]

CAUTION: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good morning ACT colleagues.

Thank you for speaking with me on the phone regarding the request for information for a question on notice.

As discussed if you could provide some high level information regarding when and what information has been discussed with the Index Case that would be appreciated.

Kind regards.

[REDACTED]
for

National Incident Room

Office of Health Protection

Australian Government Department of Health

t: (+61) 2 6289 3030 (24 hours)

f: (+61) 2 6289 3040

health.ops@health.gov.au

From: [REDACTED]

Sent: Thursday, 29 October 2020 1:02 PM

To: Health Ops <Health.Ops@health.gov.au> [REDACTED]

Cc: [REDACTED]

Subject: Grateful advice- URGENT: QUESTION ON NOTICE - [REDACTED]
[SEC=OFFICIAL:Sensitive]

OFFICIAL:Sensitive

Hi Health Ops,

Grateful urgent advice WRT the QoN below [REDACTED]

[REDACTED]
DFAT Liaison Officer
National Incident Room (COVID-19), Department of Health
Mobile: [REDACTED]
Office: [REDACTED]
Email: [REDACTED]

From: [REDACTED]
Sent: Thursday, 29 October 2020 12:59 PM
To: [REDACTED]
Cc: Media <media@dfat.gov.au>; Ian Mcconville <Ian.Mcconville@dfat.gov.au> [REDACTED]
[REDACTED] Jenny Da Rin <Jenny.DaRin@dfat.gov.au>
Subject: RE: URGENT: QUESTION ON NOTICE [REDACTED] SEC=OFFICIAL:Sensitive]

OFFICIAL:Sensitive

Hello

Please see QON below – grateful answer to me asap please.
Thank you

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