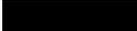


Our reference: **FOI20/65**



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 Friday 4 December 2020.

This application requested access to:

"I request pursuant to the Freedom of Information Act all documents comprising third party consultations undertaken by ACTHD in the course of dealing with our FOI20/53 request. This request includes hard copy and electronic correspondence and text messages via any platform, and notes of conversations."

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 28 January 2021**.

I have identified eight documents holding the information within the scope of your access application. As previously confirmed, the documents that were refused under FOI20/53 will not be included in the response for this request as outlined in section 43 (f) of the FOI Act, an earlier access application for the same government information was made in the 12 months before the application was made and (ii) access to the information was refused. This is outlined in the schedule of documents included at [Attachment A](#) to this decision letter.

Decisions

I have decided to:

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

Full Access

I have decided to grant full access to four documents at references 2-3, 5 and 8.

Partial Access

I have decided to grant partial access to three documents at references 1, 4 and 6.

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 the Department of Health FOI Unit employees' personal information as this does not further the objects of the Act. The employee names do not add anything of substance to open discussion of public affairs. These employees are not the decision makers in this matter. The Department of Health has advised that its FOI Unit officers have regularly been the focus of inappropriate telephone calls on the FOI Unit hotline from members of the public and applicants, including in relation to COVID border closures and vaccinations. In the current circumstances it is reasonable to expect that if the names of FOI Unit employees are disclosed, this could result in interference with the personal privacy of individual FOI officers, and potentially prejudice the health, safety and wellbeing of those officers. Therefore, on balance, I determined the information identified is contrary to the public interest and I have decided not to disclose this information.

Partial Access

I have decided to grant partial access to the document at reference 7.

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, 2.2(a)(x) prejudice intergovernmental relations;
- Schedule 2, 2.2(a)(xvi) prejudice the deliberative process of government.

The information that has been redacted is related to the correspondence provided from the Commonwealth Government to the Victorian Department of Health and Human Services. ACTHD considers that the release of this confidential and sensitive information would prejudice the intergovernmental relationship between the ACT Government, the Commonwealth Department of Health and the Victorian Department of Health and Human Services.

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 and my decision 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

The 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



Michael Culhane
Executive Group Manager
Policy, Partnerships and Programs

28
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
[REDACTED]	I request pursuant to the Freedom of Information Act all documents comprising third party consultations undertaken by ACTHD in the course of dealing with our FOI20/53 request. This request includes hard copy and electronic correspondence and text messages via any platform, and notes of conversations.	FOI20/65

Ref Number	Page Number	Description	Date	Status Decision	Factor	Open Access release status
1.	1-9	Email- FW: FOR REVIEW & SIGNATURE: FOI20/53- Third Party Notice and Consultation Letters for Michael's signature with attachments	11/11/2020	Partial release	Schedule 2, 2.2(a)(ii) prejudice the protection of an individual's right to privacy or any other right under the <i>Human Rights Act 2004</i> ;	Yes
2.	10-11	Email- FOI20/53 – Third Party Notice with attachment at reference 1	11/11/2020	Full release		Yes
3.	12-15	Email- FOI20/53 – Third Party Consultation Letter – Vic Dept of Health and Human Services with attachment	12/11/2020	Full release		Yes

4.	16-29	Email- FOI20/53 – Third Party Consultation- AHPPC – Due 25 Nov Email 1 of 6 with attachments (<i>attached documents not provided</i>) Emails 2, 3, 4, 5 and 6 of 6 (<i>attached documents not provided</i>)	17/11/2020	Partial release	Schedule 2, 2.2(a)(ii)	Yes
5.	30-37	Email- FOI20/53- Third Party Consultation – DHHS – Due 25 Nov Email 1 of 6 with attachments (<i>schedule at reference 4 and documents not provided</i>) Emails 2, 3, 4, 5 and 6 of 6 (<i>attached documents not provided</i>)	17/11/2020	Full release		Yes
6.	38-40	Email- RE: FOI20/53 – Third Party Consultation – AHPPC	18/11/2020	Partial release	Schedule 2, 2.2(a)(ii)	Yes
7.	41-45	Email- RE: OFFICIAL: RE: FOI20/53 – Third Party Consultation – DHHS – Due 25 Nov	25/11/2020	Partial release	Schedule 2, 2.2(a)(x)	Yes
8.	46-48	Teams messages	12-25/11/2020	Full release		Yes
Total Number of Documents						
8.						

From: [Attwood, Courtney \(Health\)](#)
To: [Pond, Aleks \(Health\)](#); [ACT Health FOI](#)
Cc: [Ramis, Tenny \(Health\)](#)
Subject: FW: FOR REVIEW & SIGNATURE : FOI20/53 - Third Party Notice and Consultation Letters for Michael's signature
Date: Wednesday, 11 November 2020 2:37:51 PM
Attachments: [FOI20-53 -Third Party Consultation - AHPPC MC Signed.docx](#)
[FOI20-53 - Third Party - Notice MC Signed.docx](#)
Importance: High

OFFICIAL

Hi Aleks,

Please find attached the two signed FOI20/53 Third Party Notice and Consultation Letters.

Thank you

Kind Regards,

Courtney Attwood | Ag Executive Officer

Phone: 02 512 49945 | Email: Courtney.attwood@act.gov.au

Policy, Partnerships & Programs Division | ACT Health Directorate

Level 3, 2 Bowes Street Phillip ACT 2606 | PO Box 11, Woden, ACT 2606 | www.health.act.gov.au



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From: Attwood, Courtney (Health)
Sent: Tuesday, 10 November 2020 3:08 PM
To: Culhane, Michael (Health) <Michael.Culhane@act.gov.au>
Cc: Ramis, Tenny (Health) <Tenny.Ramis@act.gov.au>
Subject: FOR REVIEW & SIGNATURE : FOI20/53 - Third Party Notice and Consultation Letters for Michael's signature
Importance: High

OFFICIAL

Good Afternoon Michael,

Please see below email in regards to FOI20/53.

Please find attached the following to review and sign:

- Third party notice letter to the applicant- the original due date of 12 Nov (this Thursday) will now be extended to 3 Dec
- Third party consultation letter to the Australian Health Protection Principal Committee

(AHPPC)

The relevant working documents (784 pages) that we will consult AHPCC on, were all by definition provided to the Chief Health Officer by AHPPC. Due to the size of the documents, they are saved [here](#)

If you have any issues or questions about this FOI please let me know, alternatively Jonas Allen from the FOI team is another good contact.

Thank you

Kind Regards,

Courtney Attwood | Ag Executive Officer

Phone: 02 512 49945 | Email: Courtney.attwood@act.gov.au

Policy, Partnerships & Programs Division | ACT Health Directorate

Level 3, 2 Bowes Street Phillip ACT 2606 | PO Box 11, Woden, ACT 2606 | www.health.act.gov.au



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From: Pond, Aleks (Health) <Aleks.Pond@act.gov.au> **On Behalf Of** ACT Health FOI
Sent: Monday, 9 November 2020 4:12 PM
To: Attwood, Courtney (Health) <Courtney.Attwood@act.gov.au>; Ramis, Tenny (Health) <Tenny.Ramis@act.gov.au>
Cc: ACT Health FOI <HealthFOI@act.gov.au>
Subject: FOI20/53 - Third Party Notice and Consultation Letters for Michael's signature
Importance: High

OFFICIAL

Hi Courtney and Tenny

Please find attached for Michael's review and signature:

- Third party notice letter to the applicant- the original due date of 12 Nov (this Thursday) will now be extended to 3 Dec
- Third party consultation letter to the Australian Health Protection Principal Committee (AHPPC)

The relevant working documents (784 pages) that we will consult AHPCC on, were all by definition provided to the Chief Health Officer by AHPPC. Due to the size of the documents, they are saved [here](#)

If I could have the signed letters back before Thursday, that would be wonderful

Please call me if you have any questions.

Thanks,

Aleks

From: Attwood, Courtney (Health) <Courtney.Attwood@act.gov.au>
Sent: Thursday, 15 October 2020 2:44 PM
To: ACT Health FOI <HealthFOI@act.gov.au>
Cc: Pond, Aleks (Health) <Aleks.Pond@act.gov.au>
Subject: RE: FOI20/53 - New Request - AHPPC Papers concerning matters in Victoria

OFFICIAL

Thanks Aleks.

Kind Regards,

Courtney Attwood | Ag Executive Officer

Phone: 02 512 49945 | Email: Courtney.attwood@act.gov.au

Policy, Partnerships & Programs Division | ACT Health Directorate

Level 3, 2 Bowes Street Phillip ACT 2606 | PO Box 11, Woden, ACT 2606 | www.health.act.gov.au



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From: Pond, Aleks (Health) <Aleks.Pond@act.gov.au> **On Behalf Of** ACT Health FOI
Sent: Thursday, 15 October 2020 2:29 PM
To: Attwood, Courtney (Health) <Courtney.Attwood@act.gov.au>
Cc: ACT Health FOI <HealthFOI@act.gov.au>
Subject: RE: FOI20/53 - New Request - AHPPC Papers concerning matters in Victoria

OFFICIAL

Hi Courtney, of course! I've spoken to the Office of the Chief Health Officer who are collating the documents so ill be in touch once I have a document pack for Michael's review.

Talk soon,

Aleks

From: Attwood, Courtney (Health) <Courtney.Attwood@act.gov.au>
Sent: Thursday, 15 October 2020 1:32 PM
To: ACT Health FOI <HealthFOI@act.gov.au>; Pond, Aleks (Health) <Aleks.Pond@act.gov.au>

Subject: RE: FOI20/53 - New Request - AHPPC Papers concerning matters in Victoria

OFFICIAL

Hi Aleks,

Are you able to CC me into all emails to Michael in regards to FOI20/53.

Thank you.

Kind Regards,

Courtney Attwood | Ag Executive Officer

Phone: 02 512 49945 | Email: Courtney.attwood@act.gov.au

Policy, Partnerships & Programs Division | ACT Health Directorate

Level 3, 2 Bowes Street Phillip ACT 2606 | PO Box 11, Woden, ACT 2606 | www.health.act.gov.au



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From: Piefke, Kathy (Health) <Kathy.Piefke@act.gov.au> **On Behalf Of** DDGHSPR

Sent: Thursday, 15 October 2020 11:51 AM

To: Culhane, Michael (Health) <Michael.Culhane@act.gov.au>

Cc: ACT Health FOI <HealthFOI@act.gov.au>; Ramis, Tenny (Health) <Tenny.Ramis@act.gov.au>

Subject: RE: FOI20/53 - New Request - AHPPC Papers concerning matters in Victoria

OFFICIAL

Hi Michael

I have been asked to forward this request to you on behalf of DDG HSPR as Meg has asked that you be the Information officer/Decision Maker on FOI20/53 on this occasion.

I have attached the original request from the FOI team.

The FOI team are happy to assist you if you require further information.

Regards

Kathy

From: Pond, Aleks (Health) <Aleks.Pond@act.gov.au> **On Behalf Of** ACT Health FOI

Sent: Thursday, 15 October 2020 10:54 AM

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

Cc: ACT Health FOI <HealthFOI@act.gov.au>

Subject: FOI20/53 - New Request - AHPPC Papers concerning matters in Victoria

Importance: High

OFFICIAL

Dear Kathy and Laura

Please find attached a new request from [REDACTED] from [REDACTED] received today requesting access to:

“Australian Health Protection Principal Committee papers by or circulated to the Chief Health Officer, or their representative, between 1 May and 31 July 2020 concerning the following matters in Victoria:

- *Contact tracing*
- *Testing approaches*
- *Hotel Quarantine*
- *Elimination/suppression strategies*
- *Public Health workforce capacity.”*

Kathy- for confirmation of an Information Officer for this request please.

Laura- please confirm if the OCHO holds any in scope information?

Thank you both.

Kind regards,

Aleks

Aleksandra Pond | Freedom of Information Coordinator

Ph: (02) 5124 9831 | Email: aleks.pond@act.gov.au

Governance and Risk | ACT Health Directorate

Level 4, 2 Bowes Street Phillip ACT 2606

health.act.gov.au



Our reference: **FOI20/53**

Dear [REDACTED]

THIRD PARTY CONSULTATION NOTIFICATION UNDER THE *FREEDOM OF INFORMATION ACT 2016*

I refer to your request submitted under section 30 of the *Freedom of Information Act 2016* (FOI Act) received by ACT Health Directorate (ACTHD) on Thursday 15 October 2020 in which you seek access to the following:

“Australian Health Protection Principal Committee papers by or circulated to the Chief Health Officer, or their representative, between 1 May and 31 July 2020 concerning the following matters in Victoria:

- *Contact tracing*
- *Testing approaches*
- *Hotel Quarantine*
- *Elimination/suppression strategies*
- *Public Health workforce capacity.”*

Authority

As an appointed Information Officer under section 18 of the FOI Act, I am authorised to make a decision on access or amendment to government information in the possession or control of ACTHD.

Consultation

Information identified as relevant to your request involves a third party. This relevant third party may be concerned about the release and publication of the identified information. Under section 38 of the FOI Act, I am obliged to seek third party views on the release of the information concerning them and, under section 40 of the Act, provide a period of 15 working days for them to submit reasons favouring non-disclosure.

The revised deadline for a response to your request is now due on **Thursday 3 December 2020**.

Further action

Third party consultation has commenced. Should the relevant third party disagree with my determination on the release of government information in response to your request, access to that information may be deferred to facilitate an external review process and you will be notified accordingly.

Privacy

Your personal information is protected and managed in accordance with the *Information Privacy Act 2014* and will not be provided to the relevant third party without your prior consent.

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 with the subject heading FOI20/53.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'M Culhane', with a long horizontal flourish extending to the right.

Michael Culhane
Executive Group Manager
Policy, Partnerships and Programs

 November 2020

Our reference: **FOI20/53**

[REDACTED]
Assistant Director
FOI and Legislation Support
Department of Health

Dear [REDACTED]

THIRD PARTY CONSULTATION UNDER THE *FREEDOM OF INFORMATION ACT 2016*

I am writing to inform you that the ACT Health Directorate (ACTHD) received an access application under the *Freedom of Information Act 2016* (FOI Act) on Thursday 15 October 2020. ACTHD seeks your views on the public release of government information identified through this process which concerns the Australian Health Protection Principal Committee (AHPPC).

The application requested access to:

“Australian Health Protection Principal Committee papers by or circulated to the Chief Health Officer, or their representative, between 1 May and 31 July 2020 concerning the following matters in Victoria:

- *Contact tracing*
- *Testing approaches*
- *Hotel Quarantine*
- *Elimination/suppression strategies*
- *Public Health workforce capacity.”*

Authority

As an appointed Information Officer under section 18 of the FOI Act, I am authorised to make a decision on access or amendment to government information in the possession or control of ACTHD.

Under the FOI Act, every person has an enforceable right to obtain access to government information, which I am obliged to provide unless access to the information would, on balance, be contrary to the public interest.

The FOI Act is accessible at <http://www.legislation.act.gov.au/a/2016-55/current/pdf/2016-55.pdf>.

Third Party Review and Response

I have determined that information identified as relevant to this request concerns AHPPC and, as such, I am obliged to seek your views on the release of this information under section 40 of the FOI Act. The identified information is provided at Attachment A. If you object to the release of this information, please provide your reasons as to why the disclosure of this information would be contrary to the public interest by **COB Monday 23 November 2020**. This deadline is set to enable me to meet the prescribed timeframes under the FOI Act.

Further action

Your response will be factored into my deliberations if it is provided by Monday 23 November 2020. If I do not receive a response by the deadline, I will proceed as if you do not contest release of the identified information.

Should I decide that it is in the public interest to publicly release the information outlined in the attached schedule, contrary to your objections, you will be notified of my decision and provided an opportunity to seek review of my decision. Information on how to request a review will be provided to you along with notice of my intention to release information. Please note that access to the information for which release is contested will not be provided until the review has concluded.

Privacy

Personal information is protected and managed by ACT Health Directorate in accordance with the *Information Privacy Act 2014*. Your identity and views will not be disclosed without your prior consent.

Please note that section 28 of the FOI Act requires publication of access applications (excluding access applications for personal information) and any information subsequently released on our disclosure log <https://www.health.act.gov.au/about-our-health-system/freedom-information/disclosure-log>.

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 with the subject heading FOI20/53.

Yours sincerely



Michael Culhane
Executive Group Manager
Policy, Partnerships and Programs

10 November 2020

From: [Pond, Aleks \(Health\)](#) on behalf of [ACT Health FOI](#)
To: [REDACTED]
Cc: [ACT Health FOI](#)
Subject: FOI20/53 - Third Party Notice
Date: Wednesday, 11 November 2020 2:42:11 PM
Attachments: [image002.png](#)
[FOI20-53 - Third Party - Notice - signed.pdf](#)

OFFICIAL

Good afternoon [REDACTED]

Please find attached the *Third Party Notice* letter in relation to your request FOI20/53.

The revised due date is now Thursday 3 December 2020.

Kind regards,

Aleks

From: Pond, Aleks (Health) <Aleks.Pond@act.gov.au> **On Behalf Of** ACT Health FOI
Sent: Thursday, 22 October 2020 10:49 AM
To: [REDACTED]
Cc: ACT Health FOI <HealthFOI@act.gov.au>
Subject: FOI20/53 - Acknowledgement Letter

OFFICIAL

Good morning [REDACTED]

Please find attached an acknowledgement letter for your recent FOI request, reference FOI20/53.

Kind regards,

Aleks

Aleksandra Pond | Freedom of Information Coordinator

Ph: (02) 5124 9831 | Email: aleks.pond@act.gov.au

Governance and Risk | ACT Health Directorate

Level 4, 2 Bowes Street Phillip ACT 2606

health.act.gov.au



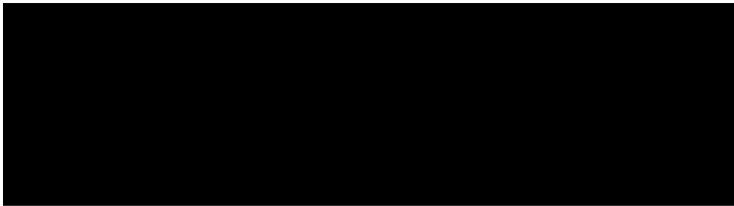
From: [REDACTED]
Sent: Wednesday, 14 October 2020 6:37 PM
To: ACT Health FOI <HealthFOI@act.gov.au>

Subject: Freedom of information request

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.

I request under the Freedom of Information Act:

- Australian Health Protection Principal Committee papers by or circulated to the Chief Health Officer, or their representative, between 1 May and 31 July 2020 concerning the following matters in Victoria:
 - Contact tracing
 - Testing approaches
 - Hotel Quarantine
 - Elimination/suppression strategies
 - Public Health workforce capacity.



From: [Pond, Aleks \(Health\)](#) on behalf of [ACT Health FOI](#)
To: [Culhane, Michael \(Health\)](#)
Cc: [Attwood, Courtney \(Health\)](#); [Ramis, Tenny \(Health\)](#); [ACT Health FOI](#)
Subject: FOI20/55 - Third Party Consultation Letter - Vic Dept of Health and Human Services
Date: Thursday, 12 November 2020 2:46:57 PM
Attachments: [FOI20-53 -Third Party Consultation - Vic Health and Human Services.docx](#)
Importance: High

OFFICIAL

Good afternoon Michael

Thank you for your time this afternoon. As discussed, please review and sign the third party consultation letter to be sent to the Victorian Department of Health and Human Services.

Kind regards,

Aleks

Aleksandra Pond | Freedom of Information Coordinator

Ph: (02) 5124 9831 | Email: aleks.pond@act.gov.au

Governance and Risk | ACT Health Directorate

Level 4, 2 Bowes Street Phillip ACT 2606

health.act.gov.au



From: [Culhane, Michael \(Health\)](#)
To: [Allen, Jonas \(Health\)](#); [Pond, Aleks \(Health\)](#)
Subject: FOI20-53 -Third Party Consultation - Vic Health and Human Services
Date: Thursday, 12 November 2020 3:30:26 PM
Attachments: [FOI20-53 -Third Party Consultation - Vic Health and Human Services.docx](#)

OFFICIAL

Signed.

Our reference: **FOI20/53**

FOI Unit
Department of Health and Human Services
foi@dhhs.vic.gov.au

Dear FOI Team

THIRD PARTY CONSULTATION UNDER THE *FREEDOM OF INFORMATION ACT 2016*

I am writing to inform you that the ACT Health Directorate (ACTHD) received an access application under the *Freedom of Information Act 2016* (FOI Act) on Thursday 15 October 2020. ACTHD seeks your views on the public release of government information identified through this process which concerns the Victorian Department of Health and Human Services (DHHS).

The application requested access to:

“Australian Health Protection Principal Committee papers by or circulated to the Chief Health Officer, or their representative, between 1 May and 31 July 2020 concerning the following matters in Victoria:

- *Contact tracing*
- *Testing approaches*
- *Hotel Quarantine*
- *Elimination/suppression strategies*
- *Public Health workforce capacity.”*

Authority

As an appointed Information Officer under section 18 of the FOI Act, I am authorised to make a decision on access or amendment to government information in the possession or control of ACTHD.

Under the FOI Act, every person has an enforceable right to obtain access to government information, which I am obliged to provide unless access to the information would, on balance, be contrary to the public interest.

The FOI Act is accessible at <http://www.legislation.act.gov.au/a/2016-55/current/pdf/2016-55.pdf>.

Third Party Review and Response

I have determined that information identified as relevant to this request concerns DHHS and, as such, I am obliged to seek your views on the release of this information under section 40 of the FOI Act. The identified information is provided at **Attachment A**. If you object to the release of this information, please provide your reasons as to why the disclosure of this information would be contrary to the public interest by **COB Monday 23 November 2020**. This deadline is set to enable me to meet the prescribed timeframes under the FOI Act.

Further action

Your response will be factored into my deliberations if it is provided by Monday 23 November 2020. If I do not receive a response by the deadline, I will proceed as if you do not contest release of the identified information.

Should I decide that it is in the public interest to publicly release the information outlined in the attached schedule, contrary to your objections, you will be notified of my decision and provided an opportunity to seek review of my decision. Information on how to request a review will be provided to you along with notice of my intention to release information. Please note that access to the information for which release is contested will not be provided until the review has concluded.

Privacy

Personal information is protected and managed by ACT Health Directorate in accordance with the *Information Privacy Act 2014*. Your identity and views will not be disclosed without your prior consent.

Please note that section 28 of the FOI Act requires publication of access applications (excluding access applications for personal information) and any information subsequently released on our disclosure log <https://www.health.act.gov.au/about-our-health-system/freedom-information/disclosure-log>.

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 with the subject heading FOI20/53.

Yours sincerely



Michael Culhane
Executive Group Manager
Policy, Partnerships and Programs

12 November 2020

From: [Pond, Aleks \(Health\)](#) on behalf of [ACT Health FOI](#)
To: [FOI](#)
Cc: [ACT Health FOI](#)
Subject: FOI20/53 - Third Party Consultation - AHPPC - Due 25 Nov - Email 1 of 6
Date: Tuesday, 17 November 2020 4:36:57 PM
Attachments: [FOI20-53 -Third Party Consultation - AHPPC - Signed.pdf](#)
[FOI20-53 - Schedule - Third Party Consultation.docx](#)
[FOI20-53 - Third Party Consultation Documents Part6.pdf](#)

OFFICIAL

Good afternoon FOI Team

The ACT Health Directorate (ACTHD) has received a Freedom of Information request and documents held by ACTHD include information that concern the Australian Health Protection Principal Committee.

Please find attached the third party consultation letter and documents. ACTHD seek your view of the release of the documents by **COB Wednesday 25 November 2020**.

I have attached a draft schedule outlining the documents where the attached information is from (agendas, outcomes and meeting papers), noting we have blacked out the information that we are considering as out of scope.

From previous consultation processes concerning AHPPC documents, you requested that all information be redacted under Schedule 2, 2.2(a)(x) prejudice intergovernmental relations- we seek your confirmation that this will be the case with the attached documents too.

Due to the size of the documents, they will be sent in 6 separate emails. This is email 1 of 6.

If you have any questions or concerns please contact me or email HealthFOI@act.gov.au.

Thank you in advance.

Aleks

Aleksandra Pond | Freedom of Information Coordinator

Ph: (02) 5124 9831 | Email: aleks.pond@act.gov.au

Governance and Risk | ACT Health Directorate

Level 4, 2 Bowes Street Phillip ACT 2606

health.act.gov.au



Our reference: **FOI20/53**

[REDACTED]
Assistant Director
FOI and Legislation Support
Department of Health

Dear [REDACTED]

THIRD PARTY CONSULTATION UNDER THE *FREEDOM OF INFORMATION ACT 2016*

I am writing to inform you that the ACT Health Directorate (ACTHD) received an access application under the *Freedom of Information Act 2016* (FOI Act) on Thursday 15 October 2020. ACTHD seeks your views on the public release of government information identified through this process which concerns the Australian Health Protection Principal Committee (AHPPC).

The application requested access to:

“Australian Health Protection Principal Committee papers by or circulated to the Chief Health Officer, or their representative, between 1 May and 31 July 2020 concerning the following matters in Victoria:

- *Contact tracing*
- *Testing approaches*
- *Hotel Quarantine*
- *Elimination/suppression strategies*
- *Public Health workforce capacity.”*

Authority

As an appointed Information Officer under section 18 of the FOI Act, I am authorised to make a decision on access or amendment to government information in the possession or control of ACTHD.

Under the FOI Act, every person has an enforceable right to obtain access to government information, which I am obliged to provide unless access to the information would, on balance, be contrary to the public interest.

The FOI Act is accessible at <http://www.legislation.act.gov.au/a/2016-55/current/pdf/2016-55.pdf>.

Third Party Review and Response

I have determined that information identified as relevant to this request concerns AHPPC and, as such, I am obliged to seek your views on the release of this information under section 40 of the FOI Act. The identified information is provided at Attachment A. If you object to the release of this information, please provide your reasons as to why the disclosure of this information would be contrary to the public interest by **COB Wednesday 25 November 2020**. This deadline is set to enable me to meet the prescribed timeframes under the FOI Act.

Further action

Your response will be factored into my deliberations if it is provided by Wednesday 25 November 2020. If I do not receive a response by the deadline, I will proceed as if you do not contest release of the identified information.

Should I decide that it is in the public interest to publicly release the information outlined in the attached schedule, contrary to your objections, you will be notified of my decision and provided an opportunity to seek review of my decision. Information on how to request a review will be provided to you along with notice of my intention to release information. Please note that access to the information for which release is contested will not be provided until the review has concluded.

Privacy

Personal information is protected and managed by ACT Health Directorate in accordance with the *Information Privacy Act 2014*. Your identity and views will not be disclosed without your prior consent.

Please note that section 28 of the FOI Act requires publication of access applications (excluding access applications for personal information) and any information subsequently released on our disclosure log <https://www.health.act.gov.au/about-our-health-system/freedom-information/disclosure-log>.

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 with the subject heading FOI20/53.

Yours sincerely



Michael Culhane
Executive Group Manager
Policy, Partnerships and Programs

16 November 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
Media	Australian Health Protection Principal Committee (AHPPC) papers by or circulated to the Chief Health Officer, or their representative, between 1 May and 31 July 2020 concerning the following matters in Victoria: <ul style="list-style-type: none"> • Contact tracing • Testing approaches • Hotel Quarantine • Elimination/suppression strategies • Public Health workforce capacity. 	FOI20/53

Ref Number	Page Number	Description	Date	Status Decision	Factor	Open Access release status
1.		Outcomes- Emergency Teleconference	11/05/20	Not for release		
2.		Outcomes- Emergency Teleconference	14/05/20			
3.		Agenda- Emergency Teleconference	15/05/20			
4.		Agenda- Emergency Teleconference	18/05/20			
5.		Agenda- Emergency Teleconference	21/05/20			
6.		Outcomes- Emergency Teleconference	29/05/20			
7.		<u>Additional Documents</u>	13/05/20			

		Estimating temporal variation in transmission of COVID-19 and adherence to social distancing measures in Australia – Report submitted to CDNA/AHPPC 13 May 2020				
8.		Outcomes- Emergency Teleconference	02/06/20			
9.		Agenda- Emergency Teleconference	03/06/20			
10.		Outcomes- Emergency Teleconference	08/06/20			
11.		Outcomes- Emergency Teleconference	10/06/20			
12.		Outcomes- Emergency Teleconference	11/06/20			
13.		Outcomes- Emergency Teleconference	12/06/20			
14.		Outcomes- Emergency Teleconference	16/06/20			
15.		Outcomes- Emergency Teleconference	17/06/20			
16.		Outcomes- Emergency Teleconference	22/06/20			
17.		Outcomes- Emergency Teleconference	24/06/20			
18.		Outcomes- Emergency Teleconference	25/06/20			
19.		Agenda- Emergency Teleconference	26/06/20			
20.		Outcomes- Emergency Teleconference	29/06/20			
21.		Agenda- Emergency Teleconference	30/06/20			
22.		<u>Additional Documents</u> Implementation progress towards a COVID Safe Australia	3/06/20			
23.		<u>Additional Documents</u> Next stage methods for estimating time-varying transmission potential of COVID-19 in Australia - Report submitted to CDNA/AHPPC 3 June 2020	3/06/20			
24.		<u>Additional Documents</u> Estimating temporal variation in transmission of COVID-19 and physical distancing behaviour in Australia – Report submitted to CDNA/AHPPC 17 June 2020	17/06/20			
25.		<u>Additional Documents</u> Daily epidemiology update as at 1200h	18/06/20			
26.		<u>Additional Documents</u>	21/06/20			

		Statement 21 June 2020 recent clusters of COVID-19 in Victoria				
27.		<u>Additional Documents</u> Correction and update: Estimating temporal variation in transmission of COVID19 and physical distancing behaviour in Australia- Report submitted to CDNA/AHPPC 21 June 2020	21/06/20			
28.		<u>Additional Documents</u> Key lessons learnt from hotel quarantine in Australia	29/06/20			
29.		Agenda- Emergency Teleconference	01/07/20			
30.		Outcomes- Emergency Teleconference	02/07/20			
31.		Outcomes- Emergency Teleconference	03/07/20			
32.		Outcomes- Emergency Teleconference	04/07/20			
33.		Outcomes- Emergency Teleconference (<i>with track changes</i>)	05/07/20			
34.		Outcomes- Emergency Teleconference	06/07/20			
35.		Outcomes- Emergency Teleconference	08/07/20			
36.		Outcomes- Emergency Teleconference	09/07/20			
37.		Outcomes- Emergency Teleconference	10/07/20			
38.		Outcomes- Emergency Teleconference	12/07/20			
39.		Outcomes- Emergency Teleconference	13/07/20			
40.		Outcomes- Emergency Teleconference	14/07/20			
41.		Outcomes- Emergency Teleconference	15/07/20			
42.		Outcomes- Emergency Teleconference	16/07/20			
43.		Agenda- Emergency Teleconference	17/07/20			
44.		Agenda- Emergency Teleconference	19/07/20			
45.		Outcomes- Emergency Teleconference	20/07/20			
46.		Outcomes- Emergency Teleconference	21/07/20			
47.		Outcomes- Emergency Teleconference	22/07/20			
48.		Outcomes- Emergency Teleconference	23/07/20			
49.		Outcomes- Emergency Teleconference	24/07/20			
50.		Outcomes- Emergency Teleconference	27/07/20			
51.		Outcomes- Emergency Teleconference	28/07/20			

52.		Outcomes- Emergency Teleconference	29/07/20			
53.		Outcomes- Emergency Teleconference	31/07/20			
54.		<u>Additional Documents</u> Estimating temporal variation in transmission of COVID-19 and physical distancing behaviour in Australia – Report submitted to CDNA/AHPPC 1 July 2020	01/07/20			
55.		<u>Additional Documents</u> Forecasting alternate scenarios of the June COVID-19 outbreak in Victoria – Report submitted to AHPPC 4 July 2020	04/07/20			
56.		<u>Additional Documents</u> Epidemiology update as at 1200h	06/07/20			
57.		<u>Additional Documents</u> COVID-19 Pandemic Health Intelligence Plan (PHIP) Report- Issue 4 including PHIP Report (Reporting period 22 June – 5 July 2020)	08/07/20			
58.		<u>Additional Documents</u> Modelling of COVID-19 in Australia – Overall Assessment	N/A			
59.		<u>Additional Documents</u> PHIP Inputs and Status as at 8 July	08/07/20			
60.		<u>Additional Documents</u> Daily epidemiology update as at 1500h	08/07/20			
61.		<u>Additional Documents</u> Estimating temporal variation in transmission of COVID-19 and physical distancing behaviour in Australia – Report submitted to CDNA/AHPPC 8 July 2020	08/07/20			
62.		<u>Additional Documents</u> COVID-19 in Australia – Forward Plan Issue 2	10/07/20			
63.		<u>Additional Documents</u> Statement from Greg Hunt MP and Richard Colbeck- Victorian aged care workers urged to wear face masks	13/07/20			
64.		<u>Additional Documents</u>	14/07/20			

		Transparency of case finding, contact tracing and isolation				
65.		<u>Additional Documents</u> The purpose of GP led respiratory clinics	14/07/20			
66.		<u>Additional Documents</u> Estimating temporal variation in transmission of COVID-19 and physical distancing behaviour in Australia – Report submitted to CDNA/AHPPC 15 July 2020	15/07/20			
67.		<u>Additional Documents</u> COVID-19 Pandemic Health Intelligence Plan (PHIP) Report-Issue 5 (AHPPC Meeting 22 July 2020) - PHIP Reporting period 6-19 July Date: 22 July 2020 - PHIP Inputs and Status - Status of precedent conditions Table	22/07/20			
68.		<u>Additional Documents</u> Estimating temporal variation in transmission of COVID-19 and physical distancing behaviour in Australia – Report submitted to CDNA/AHPPC 22 July 2020	22/07/20			
69.		<u>Additional Documents</u> COVID-19 in Australia – Forward Plan Issue 2- Executive Summary	24/07/20			
70.		<u>Additional Documents</u> Estimating temporal variation in transmission of COVID-19 and physical distancing behaviour in Australia – Report submitted to CDNA/AHPPC 29 July 2020	29/07/20			
71.		<u>Additional Documents</u> Public Transport – Victoria Contribution	N/A			
72.		<u>Additional Documents</u> Statement on positive coronavirus test in person who attended protest in Victoria	N/A			
73.		<u>Additional Documents</u>	N/A			

		Statement on urging Victorian Aged Care Workers to wear face masks				
Total Number of Documents						
73.						

From: [Pond, Aleks \(Health\)](#) on behalf of [ACT Health FOI](#)
To: [FOI](#)
Cc: [ACT Health FOI](#)
Subject: FOI20/53 - Third Party Consultation - AHPPC - Email 2 of 6
Date: Tuesday, 17 November 2020 4:37:51 PM
Attachments: [FOI20-53 - Third Party Consultation Documents Part1.pdf](#)

OFFICIAL

Good afternoon

This is email 2 of 6.

Kind regards,

Aleks

Aleksandra Pond | Freedom of Information Coordinator

Ph: (02) 5124 9831 | Email: aleks.pond@act.gov.au

Governance and Risk | ACT Health Directorate

Level 4, 2 Bowes Street Phillip ACT 2606

health.act.gov.au



From: [Pond, Aleks \(Health\)](#) on behalf of [ACT Health FOI](#)
To: [FOI](#)
Cc: [ACT Health FOI](#)
Subject: FOI20/53 - Third Party Consultation - AHPPC - Email 3 of 6
Date: Tuesday, 17 November 2020 4:38:40 PM
Attachments: [FOI20-53 - Third Party Consultation Documents Part2.pdf](#)

OFFICIAL

Good afternoon

This is email 3 of 6.

Kind regards,

Aleks

Aleksandra Pond | Freedom of Information Coordinator

Ph: (02) 5124 9831 | Email: aleks.pond@act.gov.au

Governance and Risk | ACT Health Directorate

Level 4, 2 Bowes Street Phillip ACT 2606

health.act.gov.au



From: [Pond, Aleks \(Health\)](#) on behalf of [ACT Health FOI](#)
To: [FOI](#)
Cc: [ACT Health FOI](#)
Subject: FOI20/53 - Third Party Consultation - AHPPC - Email 4 of 6
Date: Tuesday, 17 November 2020 4:39:24 PM
Attachments: [FOI20-53 - Third Party Consultation Documents Part3.pdf](#)

OFFICIAL

Good afternoon

This is email 4 of 6.

Kind regards,

Aleks

Aleksandra Pond | Freedom of Information Coordinator

Ph: (02) 5124 9831 | Email: aleks.pond@act.gov.au

Governance and Risk | ACT Health Directorate

Level 4, 2 Bowes Street Phillip ACT 2606

health.act.gov.au



From: [Pond, Aleks \(Health\)](#) on behalf of [ACT Health FOI](#)
To: [FOI](#)
Cc: [ACT Health FOI](#)
Subject: FOI20/53 - Third Party Consultation - AHPPC - Email 5 of 6
Date: Tuesday, 17 November 2020 4:40:00 PM
Attachments: [FOI20-53 - Third Party Consultation Documents Part4.pdf](#)

OFFICIAL

Good afternoon

This is email 5 of 6.

Kind regards,

Aleks

Aleksandra Pond | Freedom of Information Coordinator

Ph: (02) 5124 9831 | Email: aleks.pond@act.gov.au

Governance and Risk | ACT Health Directorate

Level 4, 2 Bowes Street Phillip ACT 2606

health.act.gov.au



From: [Pond, Aleks \(Health\)](#) on behalf of [ACT Health FOI](#)
To: [FOI](#)
Cc: [ACT Health FOI](#)
Subject: FOI20/53 - Third Party Consultation - AHPPC - Email 6 of 6
Date: Tuesday, 17 November 2020 4:40:38 PM
Attachments: [FOI20-53 - Third Party Consultation Documents Part5.pdf](#)

OFFICIAL

Good afternoon

This is email 6 of 6.

Thank you,

Aleks

Aleksandra Pond | Freedom of Information Coordinator

Ph: (02) 5124 9831 | Email: aleks.pond@act.gov.au

Governance and Risk | ACT Health Directorate

Level 4, 2 Bowes Street Phillip ACT 2606

health.act.gov.au



From: [Pond, Aleks \(Health\)](#) on behalf of [ACT Health FOI](#)
To: Foi@dhhs.vic.gov.au
Cc: [ACT Health FOI](#)
Subject: FOI20/53 - Third Party Consultation - DHHS - Due 25 Nov - Email 1 of 6
Date: Tuesday, 17 November 2020 4:42:41 PM
Attachments: [FOI20-53 - Schedule - Third Party Consultation.docx](#)
[FOI20-53 - Third Party Consultation Documents Part6.pdf](#)
[FOI20-53 -Third Party Consultation - DHHS - Signed.pdf](#)
Importance: High

OFFICIAL

Good afternoon FOI Team

The ACT Health Directorate (ACTHD) has received a Freedom of Information request and documents held by ACTHD include information that concern the Victorian Department of Health and Human Services.

Please find attached the third party consultation letter and documents. ACTHD seek your view of the release of the documents by **COB Wednesday 25 November 2020**.

I have attached a draft schedule outlining the documents where the attached information is from (agendas, outcomes and meeting papers), noting we have blacked out the information that we are considering as out of scope.

Due to the size of the documents, they will be sent in 6 separate emails. This is email 1 of 6.

If you have any questions or concerns please contact me or email HealthFOI@act.gov.au.

Thank you in advance.

Aleks

Aleksandra Pond | Freedom of Information Coordinator

Ph: (02) 5124 9831 | Email: aleks.pond@act.gov.au

Governance and Risk | ACT Health Directorate

Level 4, 2 Bowes Street Phillip ACT 2606

health.act.gov.au



Our reference: **FOI20/53**

FOI Unit
Department of Health and Human Services
foi@dhhs.vic.gov.au

Dear FOI Team

THIRD PARTY CONSULTATION UNDER THE *FREEDOM OF INFORMATION ACT 2016*

I am writing to inform you that the ACT Health Directorate (ACTHD) received an access application under the *Freedom of Information Act 2016* (FOI Act) on Thursday 15 October 2020. ACTHD seeks your views on the public release of government information identified through this process which concerns the Victorian Department of Health and Human Services (DHHS).

The application requested access to:

“Australian Health Protection Principal Committee papers by or circulated to the Chief Health Officer, or their representative, between 1 May and 31 July 2020 concerning the following matters in Victoria:

- *Contact tracing*
- *Testing approaches*
- *Hotel Quarantine*
- *Elimination/suppression strategies*
- *Public Health workforce capacity.”*

Authority

As an appointed Information Officer under section 18 of the FOI Act, I am authorised to make a decision on access or amendment to government information in the possession or control of ACTHD.

Under the FOI Act, every person has an enforceable right to obtain access to government information, which I am obliged to provide unless access to the information would, on balance, be contrary to the public interest.

The FOI Act is accessible at <http://www.legislation.act.gov.au/a/2016-55/current/pdf/2016-55.pdf>.

Third Party Review and Response

I have determined that information identified as relevant to this request concerns DHHS and, as such, I am obliged to seek your views on the release of this information under section 40 of the FOI Act. The identified information is provided at **Attachment A**. If you object to the release of this information, please provide your reasons as to why the disclosure of this information would be contrary to the public interest by **COB Wednesday 25 November 2020**. This deadline is set to enable me to meet the prescribed timeframes under the FOI Act.

Further action

Your response will be factored into my deliberations if it is provided by Wednesday 25 November 2020. If I do not receive a response by the deadline, I will proceed as if you do not contest release of the identified information.

Should I decide that it is in the public interest to publicly release the information outlined in the attached schedule, contrary to your objections, you will be notified of my decision and provided an opportunity to seek review of my decision. Information on how to request a review will be provided to you along with notice of my intention to release information. Please note that access to the information for which release is contested will not be provided until the review has concluded.

Privacy

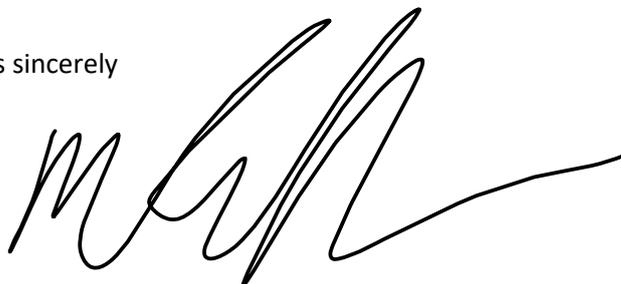
Personal information is protected and managed by ACT Health Directorate in accordance with the *Information Privacy Act 2014*. Your identity and views will not be disclosed without your prior consent.

Please note that section 28 of the FOI Act requires publication of access applications (excluding access applications for personal information) and any information subsequently released on our disclosure log <https://www.health.act.gov.au/about-our-health-system/freedom-information/disclosure-log>.

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 with the subject heading FOI20/53.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M Culhane', with a long horizontal flourish extending to the right.

Michael Culhane
Executive Group Manager
Policy, Partnerships and Programs

16 November 2020

From: [Pond, Aleks \(Health\)](#) on behalf of [ACT Health FOI](#)
To: Foi@dhhs.vic.gov.au
Cc: [ACT Health FOI](#)
Subject: FOI20/53 - Third Party Consultation - DHHS - Email 2 of 6
Date: Tuesday, 17 November 2020 4:43:52 PM
Attachments: [FOI20-53 - Third Party Consultation Documents Part1.pdf](#)
Importance: High

OFFICIAL

Good afternoon

This is email 2 of 6.

Kind regards,

Aleks

Aleksandra Pond | Freedom of Information Coordinator

Ph: (02) 5124 9831 | Email: aleks.pond@act.gov.au

Governance and Risk | ACT Health Directorate

Level 4, 2 Bowes Street Phillip ACT 2606

health.act.gov.au



From: [Pond, Aleks \(Health\)](#) on behalf of [ACT Health FOI](#)
To: Foi@dhhs.vic.gov.au
Cc: [ACT Health FOI](#)
Subject: FOI20/53 - Third Party Consultation - DHHS - Email 3 of 6
Date: Tuesday, 17 November 2020 4:45:13 PM
Attachments: [FOI20-53 - Third Party Consultation Documents Part2.pdf](#)
Importance: High

OFFICIAL

Good afternoon

This is email 3 of 6.

Kind regards,

Aleks

Aleksandra Pond | Freedom of Information Coordinator

Ph: (02) 5124 9831 | Email: aleks.pond@act.gov.au

Governance and Risk | ACT Health Directorate

Level 4, 2 Bowes Street Phillip ACT 2606

health.act.gov.au



From: [Pond, Aleks \(Health\)](#) on behalf of [ACT Health FOI](#)
To: Foi@dhhs.vic.gov.au
Cc: [ACT Health FOI](#)
Subject: FOI20/53 - Third Party Consultation - DHHS - Email 4 of 6
Date: Tuesday, 17 November 2020 4:45:42 PM
Attachments: [FOI20-53 - Third Party Consultation Documents Part3.pdf](#)

OFFICIAL

Good afternoon

This is email 4 of 6.

Kind regards,

Aleks

Aleksandra Pond | Freedom of Information Coordinator

Ph: (02) 5124 9831 | Email: aleks.pond@act.gov.au

Governance and Risk | ACT Health Directorate

Level 4, 2 Bowes Street Phillip ACT 2606

health.act.gov.au



From: [Pond, Aleks \(Health\)](#) on behalf of [ACT Health FOI](#)
To: Foi@dhhs.vic.gov.au
Cc: [ACT Health FOI](#)
Subject: FOI20/53 - Third Party Consultation - DHHS - Email 5 of 6
Date: Tuesday, 17 November 2020 4:46:20 PM
Attachments: [FOI20-53 - Third Party Consultation Documents Part4.pdf](#)
Importance: High

OFFICIAL

Good afternoon

This is email 5 of 6.

Kind regards,

Aleks

Aleksandra Pond | Freedom of Information Coordinator

Ph: (02) 5124 9831 | Email: aleks.pond@act.gov.au

Governance and Risk | ACT Health Directorate

Level 4, 2 Bowes Street Phillip ACT 2606

health.act.gov.au



From: [Pond, Aleks \(Health\)](#) on behalf of [ACT Health FOI](#)
To: Foi@dhhs.vic.gov.au
Cc: [ACT Health FOI](#)
Subject: FOI20/53 - Third Party Consultation - DHHS - Email 6 of 6
Date: Tuesday, 17 November 2020 4:47:34 PM
Attachments: [FOI20-53 - Third Party Consultation Documents Part5.pdf](#)
Importance: High

OFFICIAL

Good afternoon

This is email 6 of 6.

Thank you,

Aleks

Aleksandra Pond | Freedom of Information Coordinator

Ph: (02) 5124 9831 | Email: aleks.pond@act.gov.au

Governance and Risk | ACT Health Directorate

Level 4, 2 Bowes Street Phillip ACT 2606

health.act.gov.au



From: [FOI](#)
To: [ACT Health FOI](#)
Cc: [FOI](#) [REDACTED]
Subject: RE: FOI20/53 - Third Party Consultation - AHPPC - Due 25 Nov - Email 1 of 6 [SEC=OFFICIAL]
Date: Wednesday, 18 November 2020 1:23:25 PM
Attachments: [image002.png](#)

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.

Dear Aleks

As discussed last week, the Department of Health does not have the capacity to process such a voluminous request. Both the FOI Unit and the relevant business unit within the department are working on a range of priorities, including the Commonwealth Government's response to the COVID-19 pandemic, and do not have the resources to process this request, even if the timeframe for response was extended.

Have you discussed possible ways to reduce the scope of the request with the applicant? The FOI Unit and relevant departmental business unit would be able to assist with processing if the request was significantly smaller.

If the applicant refuses to reduce the scope to something that can be processed without diverting resources, we suggest you consider issuing a practical refusal on the basis of (the ACT legislation equivalent of) unreasonable diversion of resources.

As the department is unable to process the request and provide specific advice on each page of each document, we object to the release of any of the documents on the basis that they contain information that is exempt, including deliberative material and material communicated in confidence between governments.

Please advise the FOI Unit before any decision is made to release any documents as I anticipate our senior executive and/or Minister's Office will then contact your department.

Kind regards

[REDACTED]

[REDACTED]
FOI Team Leader

FOI Unit - FOI and Legislation Support Section

Legal & Assurance Division | Corporate Operations Group

Legal Advice & Legislation Branch

Australian Government Department of Health

[REDACTED]
GPO Box 9848, Canberra ACT 2601, Australia

The Department of Health acknowledges the Traditional Custodians of Australia and their

continued connection to land, sea and community. We pay our respects to all Elders past and present.

If you receive this email in error, please delete it and contact the sender immediately.

From: Pond, Aleks (Health) <Aleks.Pond@act.gov.au> **On Behalf Of** ACT Health FOI
Sent: Tuesday, 17 November 2020 4:37 PM
To: FOI <FOI@health.gov.au>
Cc: ACT Health FOI <HealthFOI@act.gov.au>
Subject: FOI20/53 - Third Party Consultation - AHPPC - Due 25 Nov - Email 1 of 6

REMINDER : Think before you click! This email originated from outside our organisation. Only click links or open attachments if you recognise the sender and know the content is safe.

OFFICIAL

Good afternoon FOI Team

The ACT Health Directorate (ACTHD) has received a Freedom of Information request and documents held by ACTHD include information that concern the Australian Health Protection Principal Committee.

Please find attached the third party consultation letter and documents. ACTHD seek your view of the release of the documents by **COB Wednesday 25 November 2020**.

I have attached a draft schedule outlining the documents where the attached information is from (agendas, outcomes and meeting papers), noting we have blacked out the information that we are considering as out of scope.

From previous consultation processes concerning AHPPC documents, you requested that all information be redacted under Schedule 2, 2.2(a)(x) prejudice intergovernmental relations- we seek your confirmation that this will be the case with the attached documents too.

Due to the size of the documents, they will be sent in 6 separate emails. This is email 1 of 6.

If you have any questions or concerns please contact me or email HealthFOI@act.gov.au.

Thank you in advance.

Aleks

Aleksandra Pond | Freedom of Information Coordinator

Ph: (02) 5124 9831 | Email: aleks.pond@act.gov.au

Governance and Risk | ACT Health Directorate

Level 4, 2 Bowes Street Phillip ACT 2606

health.act.gov.au



This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.

"Important: This transmission is intended only for the use of the addressee and may contain confidential or legally privileged information. If you are not the intended recipient, you are notified that any use or dissemination of this communication is strictly prohibited. If you receive this transmission in error please notify the author immediately and delete all copies of this transmission."

From: [Pond, Aleks \(Health\)](#) on behalf of [ACT Health FOI](#)
To: "[FOI \(DHHS\)](#)"
Cc: [Lisa Scholes \(DHHS\)](#); [Andrew Neil \(DHHS\)](#); [ACT Health FOI](#)
Subject: RE: OFFICIAL: RE: FOI20/53 - Third Party Consultation - DHHS - Due 25 Nov
Date: Wednesday, 25 November 2020 5:02:14 PM

OFFICIAL

OFFICIAL

Dear Heather

I would like to thank the Department in taking the time to review the documents and we note your comments. We have also been in discussions with AHPCC who have expressed the same view.

Although a final decision on the release of documents has not been made, we can confirm that we will not be releasing the documents to the applicant without notifying you and providing you an opportunity to seek review of any decision that may disclose this information.

Kind regards,

Aleks

From: FOI (DHHS) <FOI@dhhs.vic.gov.au>
Sent: Wednesday, 25 November 2020 4:08 PM
To: ACT Health FOI <HealthFOI@act.gov.au>
Cc: Lisa Scholes (DHHS) <Lisa.Scholes@dhhs.vic.gov.au>; Andrew Neil (DHHS) <Andrew.Neil@dhhs.vic.gov.au>
Subject: RE: OFFICIAL: RE: FOI20/53 - Third Party Consultation - DHHS - Due 25 Nov

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 afternoon Aleksandra,

Thank you for contacting the Department of Health and Human Services (the department) to seek our views on the potential release of documents under the *Freedom of Information Act 2016* (FOI Act).

I have contacted the relevant program area of the department who have provided advice in relation to the documents.

The department does not consent to the release of the information contained in the documents. Although information contained in the documents may have been provided by the Victorian Government and its representatives, the information was provided in-confidence to the Australian Health Protection Principal Committee (AHPPC). All documents within the scope of the request are AHPPC documents, which we have been advised are Committee-in-Confidence and should not be disclosed.

If you have not done so already, I would suggest consulting with the AHPPC to seek their views on the documents.

Kind regards,

Heather

Freedom of Information unit | Executive Services

03 9096 8449 | foi@dhhs.vic.gov.au

Legal and Executive Services

Department of Health and Human Services | 50 Lonsdale Street, Melbourne VIC 3000



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From: Pond, Aleks (Health) <Aleks.Pond@act.gov.au> **On Behalf Of** ACT Health FOI

Sent: Thursday, 19 November 2020 10:23 AM

To: FOI (DHHS) <FOI@dhhs.vic.gov.au>

Cc: Lisa Scholes (DHHS) <Lisa.Scholes@dhhs.vic.gov.au>; ACT Health FOI <HealthFOI@act.gov.au>

Subject: RE: OFFICIAL: RE: FOI20/53 - Third Party Consultation - DHHS - Due 25 Nov - Email 1 of 6

OFFICIAL

OFFICIAL

Good morning Heather

Thank you for letting me know.

Kind regards,

Aleks

From: FOI (DHHS) <FOI@dhhs.vic.gov.au>
Sent: Thursday, 19 November 2020 10:17 AM
To: ACT Health FOI <HealthFOI@act.gov.au>
Cc: Lisa Scholes (DHHS) <Lisa.Scholes@dhhs.vic.gov.au>
Subject: OFFICIAL: RE: FOI20/53 - Third Party Consultation - DHHS - Due 25 Nov - Email 1 of 6

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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.

Hi Aleks,

Thank you for your email.

I confirm we received the six consultation emails and at this stage we anticipate we will be able to provide a response to you by 25 November 2020.

Kind regards,

Heather

Freedom of Information unit | Executive Services

03 9096 8449 | foi@dhhs.vic.gov.au

Legal and Executive Services

Department of Health and Human Services | 50 Lonsdale Street, Melbourne VIC 3000



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From: Pond, Aleks (Health) <Aleks.Pond@act.gov.au> **On Behalf Of** ACT Health FOI
Sent: Wednesday, 18 November 2020 11:32 AM
To: FOI (DHHS) <FOI@dhhs.vic.gov.au>
Cc: ACT Health FOI <HealthFOI@act.gov.au>
Subject: RE: FOI20/53 - Third Party Consultation - DHHS - Due 25 Nov - Email 1 of 6

OFFICIAL

Good morning FOI Team

Can you please confirm receipt of six consultation emails I sent through yesterday afternoon?

Kind regards,

Aleks

From: Pond, Aleks (Health) <Aleks.Pond@act.gov.au> **On Behalf Of** ACT Health FOI
Sent: Tuesday, 17 November 2020 4:42 PM
To: Foi@dhhs.vic.gov.au
Cc: ACT Health FOI <HealthFOI@act.gov.au>
Subject: FOI20/53 - Third Party Consultation - DHHS - Due 25 Nov - Email 1 of 6
Importance: High

OFFICIAL

Good afternoon FOI Team

The ACT Health Directorate (ACTHD) has received a Freedom of Information request and documents held by ACTHD include information that concern the Victorian Department of Health and Human Services.

Please find attached the third party consultation letter and documents. ACTHD seek your view of the release of the documents by **COB Wednesday 25 November 2020**.

I have attached a draft schedule outlining the documents where the attached information is from (agendas, outcomes and meeting papers), noting we have blacked out the information that we are considering as out of scope.

Due to the size of the documents, they will be sent in 6 separate emails. This is email 1 of 6.

If you have any questions or concerns please contact me or email HealthFOI@act.gov.au.

Thank you in advance.

Aleks

Aleksandra Pond | Freedom of Information Coordinator

Ph: (02) 5124 9831 | Email: aleks.pond@act.gov.au

Governance and Risk | ACT Health Directorate

Level 4, 2 Bowes Street Phillip ACT 2606

health.act.gov.au



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Postmaster@dhhs.vic.gov.au

Teams messages between Aleks Pond and Jonas Allen

[11/12 9:39 AM] Pond, Aleks (Health)

Hey Joe, I spoke to commonwealth health re the ahppc consult. They would not be able to review the 784 pages in a week and were asking why we didn't refuse it under unreasonable and substantial diversion of resources. Can we have a chat about it?

[11/12 9:42 AM] Allen, Jonas (Health)

because 784 is not a substantial diversion of resources

[11/12 9:43 AM] Allen, Jonas (Health)

they are all similar documents it would take 2 hours to review

[11/12 9:44 AM] Pond, Aleks (Health)

That's exactly what I said. We did not consider it to be a substantial diversion of resources. I proposed sending them the schedule for them to determine that, exactly, it might be as simple as going no all out

[11/12 9:44 AM] Allen, Jonas (Health)

and what did they say

[11/12 9:45 AM] Pond, Aleks (Health)

Ok as a starting point but they won't have capacity to review the docs in a week

[11/12 9:46 AM] Allen, Jonas (Health)

so where are we at. they can't refuse consultation?

[11/12 9:46 AM] Allen, Jonas (Health)

they can refuse to respond

[11/12 9:47 AM] Allen, Jonas (Health)

Two weeks?

[11/12 9:49 AM] Pond, Aleks (Health)

I might send the schedule over and yes, offer 2 weeks to review. Give them til cob 26/11 and then the response to applicant is due 3/12. Can I amend the due date on the letter without Michaels approval? Or better give him / Courtney the heads up

[11/12 9:51 AM] Allen, Jonas (Health)

unless Michael just want to make the decision but having the DoH response would give us more grounds

[11/12 9:52 AM] Allen, Jonas (Health)

unless we can refer to previous coro that refuses access to AHPPC meeting papers

[11/12 9:54 AM] Pond, Aleks (Health)

Yes having a current response would give more grounds for sure. I'll go through the previous docs we consulted them on to see the nature of them and their response

[11/12 9:55 AM] Allen, Jonas (Health)

and then maybe need a meeting with Michael for a decision on how we progress.

[11/12 9:55 AM] Pond, Aleks (Health)

Absolutely, was thinking the same. He can make the call

[11/12 10:11 AM] Pond, Aleks (Health)

I'm going to call Courtney to see if Michael has time today to meet

[11/12 10:11 AM] Allen, Jonas (Health)

ok

[11/12 10:18 AM] Pond, Aleks (Health)

Did u have something on at 1.30? Sorry can't remember and Tenny is proposing 1.15pm to meet with Michael. I said we prob need 15mins, hopefully that's enough ???

[11/12 10:20 AM] Allen, Jonas (Health)

i am meeting with Jacqui at 1:30 so i can do 13:15 for 15mins if thats the option

[11/12 10:21 AM] Pond, Aleks (Health)

Cool I'll lock it in and that way we keep it short and sweet and hopefully get a decision on a way fwd

[11/12 10:21 AM] Allen, Jonas (Health)

ok

[11/12 2:36 PM] Pond, Aleks (Health)

I've started a file note from our meeting- can u edit/amend. I've done up a consult letter with the vic department of health and human services. Is it ok just to send to the Foi team/ to whom it may concern? Just going through docs for 53, am I strictly leaving in only the pages that include vic ref ie I'm removing the list of attendees

[11/17 4:25 PM] Pond, Aleks (Health)

Foi 53- 576 pages and 111mb in size 😊

[11/17 4:26 PM] Allen, Jonas (Health)

holey moley. that didn't reduce it much did it

[11/17 4:26 PM] Pond, Aleks (Health)

Not at all. I'm scared to send it to ahppc and Vic health 😞 they will not be happy

[11/18 3:21 PM] Pond, Aleks (Health)

Hey Joe, can we pls discuss commonwealth health's response to our consult when u get a chance, thanks

[11/18 3:21 PM] Allen, Jonas (Health)

yep

[11/18 4:28 PM] Pond, Aleks (Health)

It looks like Michael can only do fri but am waiting to hear back from Tenny with a time

[11/18 4:29 PM] Allen, Jonas (Health)

okay that is fine

[11/25 4:18 PM] Pond, Aleks (Health)

Hey, we received comments from vic health - it's good, supports our decision to refuse releasing the docs. I'll incorporate some of their wording into my decision letter 😊

[11/25 4:46 PM] Pond, Aleks (Health)

I'm about to respond to them, can u have a look to see if it's ok or did I say too much that we're not intending on releasing the docs

Teams messages between Aleks Pond and Office of the Information Officer

[11/12/20 10:13 AM] Pond, Aleks (Health)

Hey Courtney, would Michael have 10/15mins for joe and I today to discuss foi 53. We have come across a problem with the consultation process and need him to make a call on the way fwd. thanks

[11/12/20 10:14 AM] Attwood, Courtney (Health)

Hi Aleks, can you contact Tenny Ramis. Tenny is Michaels EA and will be able to assist you with his diary.

[11/12/20 10:14 AM] Attwood, Courtney (Health)

if you have any issues let me know