



**ACT**  
Government

**ACT Health**

FOI18-95

Dear [REDACTED]

**Freedom of information request: FOI18/95**

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by ACT Health on 27 September 2018.

In your application you requested:

*“... all correspondence between ACT Health and/or Health Minister Meegan Fitzharris to Katy Gallagher regarding Calvary Hospital between May 2018 and the present.”*

I am an Information Officer appointed by the Director-General of ACT Health under section 18 of the Act to deal with access applications made under Part 5 of the Act.

ACT Health was required to provide a decision on your access application by 26 October 2018.

Searches were completed for relevant documents and one document was identified that falls within the scope of your request.

I have included as Attachment A to this decision the schedule of relevant document. This provides a description of the document that falls within the scope of your request and the access decision for each of those documents.

I have decided to grant partial access to the document.

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

I have decided to grant access, under section 50 of the Act, to copies of document with redactions applied to information that I consider would be contrary to the public interest to disclose.

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

- the FOI Act, particularly Schedule 1, Section 1.6 (1) (a); and

- the content of the documents that fall within the scope of your request

My reasons for deciding not to grant access to components of the document is as follows:

Folios 2 and 3 of the identified documents contain information that is considered to be contrary to the public interest under schedule 1 of the Act;

- Schedule 1, Section 1.6 (1) (a) that has been submitted, or that a Minister proposes to submit, to Cabinet for its consideration and that was brought into existence for that purpose.

The information contained in folio 2 and 3 is information that is proposed to be submitted to cabinet and was brought into existence for that purpose. Pursuant of Schedule 1, Section 1.6 (1) (a) I have decided to not disclose this information.

#### Charges

Processing charges are not applicable for this request because the number of pages released to you is less than 50 pages, pursuant of Section 104 (4) of the FOI Act.

#### Online publishing – disclosure log

Under section 28 of the Act, ACT Health maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published in the ACT Health 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.

You may view ACT Health's disclosure log at <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 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 on 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](mailto:ACTFOI@ombudsman.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/>

If you have any queries concerning the ACT Health's processing of your request, or would like further information, please contact the FOI Coordinator on 6205 1340 or e-mail [HealthFOI@act.gov.au](mailto:HealthFOI@act.gov.au).

Yours sincerely

A handwritten signature in black ink that reads "K. Doran" followed by a horizontal line.

Karen Doran  
**Deputy Director-General**  
Corporate Services

26 October 2018

## FREEDOM OF INFORMATION REQUEST SCHEDULE

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>

NAME	WHAT ARE THE PARAMETERS OF THE REQUEST	File No
[REDACTED]	"... all correspondence between ACT Health and/or Health Minister Meegan Fitzharris to Katy Gallagher regarding Calvary Hospital between May 2018 and the present."	FOI18/95

Ref No	No of Folios	Description	Date	Status	Reason for non-release or deferral	Open Access release status
1	1 - 3	E-mail with attachment	17/08/2018	Partial	Schedule 1, Section 1.6 (1) (a)	Yes
<b>Total No of Docs</b>						
1						

**Culver, Jakob (Health)**

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**From:** Culver, Jakob (Health)  
**Sent:** Friday, 17 August 2018 2:51 PM  
**To:** 'Katy Gallagher'; John Merchant (Calvary)  
**Cc:** Doran, Karen (Health); Brady, Vanessa (Health); Chamberlain, Jodie (Health)  
**Subject:** Draft Summary Doc for Review - Key Feedback [DLM=Sensitive]  
**Attachments:** Key Feedback Future Role for Calvary v2.docx

Hi John and Katy

Please find attached a draft summary document of our discussions – regarding key feedback/opportunities.

Could I kindly ask for your review of the attached, with feedback provided back to me by Monday? This will assist in the informing next BHSP meeting.

Should you have any questions or queries please do not hesitate to let me know.

Thanks and regards

Jakob

**Jakob J Culver**

Senior Manager | Economic and Commercial Advice

Building Health Services Program | ACT Health

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