

Dear [REDACTED]

DECISION ON YOUR ACCESS APPLICATION

I refer to your application under section 30 of the *Freedom of Information Act 2016* (FOI Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) which was partially transferred to the ACT Health Directorate (ACTHD) on **Thursday 21 October 2021**.

This application requested access to:

'Any document/information/record: - Provided to energy providers related to and defines what is an emergency repairs during COVID and the latest lockdown. - Why this is considered a safety concern and the decision to put this process of emergency repairs in place. Such as the cold in Canberra in winter and the risk to the public. - If available specifically relating to emergency heating repairs conducted by providers such as ActewAGL energy shop. ActewAGL have advised that they were provided with guidelines. '

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 9 December 2021**.

I have identified two documents holding the information within scope of your access application. These are outlined in the schedule of documents included at [Attachment A](#) to this decision letter.

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

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

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

Decisions on access

I have decided to grant partial access to the two relevant documents. Partial redactions have been made to the documents where it contains information that I consider, on balance, to be contrary to the public interest to disclose under the test set out in section 17 of the Act. The information contained in these folios is partially comprised of personal information such as email addresses and contact numbers.

Public Interest Factors Favouring Disclosure

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

- Schedule 2, 2.1(a)(i) promote open discussion of public affairs and enhance the government's accountability; and

- Schedule 2, 2.1(a)(ii) contribute to positive and informed debate on important issues or matters of public interest.

Public Interest Factors Favouring Non-Disclosure

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

- Schedule 2, 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.

Following the consideration of the above factors I have decided, regarding personal information, the factor favouring non-disclosure outweighed the factors favouring disclosure. Therefore, and I have determined the information identified is contrary to the public interest and I have decided not to disclose this information.

Charges

Processing charges are not applicable to this request.

Disclosure Log

Under section 28 of the FOI Act, 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

A handwritten signature in black ink, appearing to read 'Vanessa Dal Molin', followed by a period.

Vanessa Dal Molin

Executive Branch Manager

Policy and Support Services, COVID-19

3 December 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>'Any document/information/record: - Provided to energy providers related to and defines what is an emergency repairs during COVID and the latest lockdown. - Why this is considered a safety concern and the decision to put this process of emergency repairs in place. Such as the cold in Canberra in winter and the risk to the public. - If available specifically relating to emergency heating repairs conducted by providers such as ActewAGL energy shop. ActewAGL have advised that they were provided with guidelines. '</i>				ACTHDFOI21-22.29
Ref Number	Page Number	Description	Date	Status Decision	Factor	Open Access release status
1.	1 – 6	Email – FW: Essential work – COVID-19 lockdown • Attachment – ActewAGL Energy Shop Covid-19 Plan	23 August 2021	Partial Release	Schedule 2, 2.2 (a)(ii) Privacy	YES
2.	7 – 9	Email – RE: Essential work – COVID-19 lockdown	24 August 2021	Partial Release	Schedule 2, 2.2 (a)(ii) Privacy	YES
Total Number of Documents						
2						

Lowes, Shannon (Health)

From: [REDACTED]
Sent: Monday, 23 August 2021 5:09 PM
To: ACT Health Office of the Chief Health Officer
Subject: FW: Essential work - COVID-19 lockdown
Attachments: ActewAGL Energy Shop Covid-19 Plan..docx

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 guys,

We have been directed to your department to gain approval for essential work during this Lockdown period.

Please find attached our Covid-19 plan and details as follows:

The Actew AGL Energy Shop will be carrying out essential work as per the Covid 19 guidelines for all heating ,hot water breakdowns, replacements and dangerous electrical faults.

These works are to be only carried out through the Suburbs of the ACT.

- Details of the PCBU (ABN, address, contact phone number, operating Officer) [REDACTED] **ABN 16089534403**
- Completed COVID-19 **Safety Plan as per attachment**
- Scope of emergency work to be undertaken breakdowns in **Heating , Hot water system, plumbing faults, electrical emergencies.**
- Location of proposed emergency work, and **Throughout the ACT .**
- Outline *why* your work is *essential*. ***As customers need hot water for their homes and to keep customers safe from electrical faults and plumbing issues.***

Please advise that this is approved through ACT Health.

[REDACTED]
[REDACTED]
Email: [REDACTED]

Phone: 02628 00994

100 Gladstone st Fyshwick 2609
www.actewaglenergyshop.com.au

From: Davis, MattE <MattE.Davis@worksafe.act.gov.au>
Sent: Monday, 23 August 2021 4:55 PM
To: [REDACTED]
Subject: FW: Essential work - COVID-19 lockdown

OFFICIAL

Hi [REDACTED]

WorkSafe ACT cannot deem the work essential, you need to contact ACT Health at the below address.

ACTHealthOCHO@act.gov.au.

Kind Regards
Matt

Matt Davis | A/g Director – Enforcement and Compliance
P: 02 6205 2618 | M: [REDACTED] | E: Matte.Davis@worksafe.act.gov.au
Office of the Work Health and Safety Commissioner
GPO Box 158 Canberra ACT 2601

WORKSAFEACT

I acknowledge the traditional custodians of the ACT the Ngunnawal people, and their continuing connection to land and community. I pay my respect to them, and to the Elders both past and present.

From: Egan, Emily <Emily.Egan@worksafe.act.gov.au> On Behalf Of WorkSafe
Sent: Monday, 23 August 2021 3:09 PM
To: Davis, MattE <MattE.Davis@worksafe.act.gov.au>
Subject: FW: Essential work - COVID-19 lockdown

OFFICIAL

Emily Egan (she/her) | Corporate and Communications Officer
Email: emily.egan@worksafe.act.gov.au Phone: 6207 0349
Office of the Work Health and Safety Commissioner
GPO Box 158 Canberra



I acknowledge the traditional custodians of the ACT the Ngunnawal people, and their continuing connection to land and community. I pay my respect to them, and to the Elders both past and present.

WORKSAFEACT

From: [REDACTED]
Sent: Monday, 23 August 2021 10:27 AM
To: WorkSafe <WorkSafe@worksafe.act.gov.au>
Cc: [REDACTED]
Subject: Essential work - COVID-19 lockdown

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.

To Whom It May Concern,

The Actew AGL Energy Shop will be carrying out essential work as per the Covid 19 guidelines for all heating ,hot water breakdowns, replacements and dangerous electrical faults.

These works are to be only carried out through the Suburbs of the ACT.

- Details of the PCBU (ABN, address, contact phone number, operating Officer) [REDACTED] **ABN 16089534403**
- Completed COVID-19 **Safety Plan as per attachment**
- Scope of emergency work to be undertaken breakdowns in **Heating , Hot water system, plumbing faults, electrical emergencies.**
- Location of proposed emergency work, and **Throughout the ACT .**
- Outline *why your work is essential. As customers need hot water for their homes and to keep customers safe from electrical faults and plumbing issues.*

Please advise that this is approved through WorkSafe ACT.

[REDACTED]
[REDACTED]
Email [REDACTED]

Phone: 02628 00994

100 Gladstone st Fyshwick 2609
www.actewaglenergyshop.com.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.

ActewAGL ENERGY SHOP

Covid -19 Safety Plan

Work that is essential:

- for the installation, maintenance and repairs of essential hot water systems and heaters.
- Dangerous electrical faults.

1. Physical distancing

Physical distancing is used in the work place to minimise the risk of transmission.

- maintain 1.5 metres separation.
- maintain a minimum of 2 square metres (2sqm) per patron.
- no more than 2 people are working in an indoor area of the home at the same time;
- a resident must stay in a separate indoor area to where the work is being carried out
- no more than 5 people are working in an outdoor area at the same time.

In these situations, staff will avoid direct contact and minimise face to face time to reduce the risk of transmission. Use telephone or video for essential meetings where practical. If staff do come into direct contact with people, staff will follow good hygiene practices such as hand washing and cleaning.

In addition to practising good hygiene and cleanliness, the following approaches will minimise the risk of transmission of communicable diseases in the workplace and to maximise continuity of business:

- physical distancing during break times.
- maintain the physical distancing protocol of 1.5m inside and outside the workplace where possible;

We implemented contactless delivery and invoicing, where practical. Otherwise, drivers remain in their vehicles while staff unload the delivery, where possible. If not possible, drivers will sanitise their hands and wear masks before unloading the delivery.

3. Wellbeing of staff and customers

We have implemented work that can be done offsite, such as prefabrication work, and administration work from home.

We have implemented action to exclude staff and customers who are unwell from job sites.

Making sure all workers comply with COVID-19 health advice so far as reasonably practicable. Most importantly, staff will not visit clients' homes or construction sites even if they have mild symptoms.

All staff are advised to read and follow the Covid-19 Health Guidelines as per the ACT Government: Covid-19 Stay Safe and Healthy/Protect yourself guidelines.

Before attending a customer's home, we ask if there is anyone in the house with any cold or flu symptoms or anyone who is in home-isolation. If there is, we will reschedule our visit until the home isolation period has finished or for several days after symptoms have resolved.

All staff are aware of their leave entitlements if they are sick or required to self-isolate. Staff are actively encouraged the importance of vaccinations.

2. Hygiene

We provide staff with training and advice to in relation to personal hygiene, updated infection control practices and the adherence to COVID-19 control requirements.

We review the existing levels of supervision to provide and monitor this advice. We have morning toolbox talks so that all staff are across the strict Covid-19 Guidelines. These are conducted in smaller groups and in an open, well-ventilated space at our premises before start of work.

If sharing tools and equipment is unavoidable, we ensure cleaning with a detergent solution or disinfectant wipes in between use.

Where practical, site vehicles and plant are operated by a single designated operator and regularly cleaned. We regularly clean the inside of vehicle cabs and between use.

Cleaning hands

Staff understand that regularly washing hands is an effective way to prevent the spread of germs and virus.

They have been advised of the following

When cleaning your hands with soap and water:

- Lather for at least 20 seconds. Pay attention to the backs of hands and fingers, fingernails and the webbing between fingers.
- Rinse hands under running water and dry hands with a clean towel, or fresh paper towel. If cleaning your hands with an alcohol-based hand rub (hand sanitiser):
 - Apply enough product to cover both hands.
 - Rub all surfaces of both hands until they are dry.

Alcohol-based hand sanitisers is kited out in all installer's vans. Increased cleaning and sanitation regime to ensure appropriate cleaning of common contact items e.g Tools.

We instil a no contact policy with household items and fittings not related to work. We have hand sanitisers at key points around the site, such as entry and exit points and meal areas. We ensure bathrooms are well stocked with hand soap and paper towels. We ensure rubbish collection is performed regularly to avoid rubbish overflow.

We Clean indoor hard surface areas frequented by staff or customers at least daily with detergent or disinfectant.

We Clean frequently touched areas and surfaces, including in reception, delivery areas, printers, plant and machinery controls, handrails, taps and washing facilities, several times per day with a detergent or disinfectant solution or wipe.

We also have professional cleaners every week that do a deep clean through the whole premises.

Disinfectant solutions maintained at an appropriate strength and used in accordance with the manufacturer's instructions.

We display signs about physical distancing, hygiene and hand washing practices around the workplace where practical.

3. Payments

Promote cashless payments.

After handling money, wash hands with soap and water, or an alcohol-based hand sanitiser.

3. Record keeping

Use the ACT Government QR code system to collect an electronic record of the name, contact number and entry time for all staff, site visitors and contractors. Processes must be in place to ensure that people provide the required contact information, such as by checking phones for the green tick to confirm they have checked in (keeping 1.5m physical distance between staff and patrons).

QR codes should be clearly visible and accessible including at entrances to the premises.

If a person is unable to provide contact details, for example due to age or language barriers, another person may provide contact details on their behalf.

If it is not possible for check-in to occur, keep a record of the name, contact number and entry time for all staff, customers and contractors for a period of at least 28 days.

These records will be provided in an electronic format such as a spreadsheet upon request from an authorised officer.

4. Personal protective equipment

Wear the required personal protective equipment when cleaning, including gloves, and wash hands thoroughly before and after with soap and water.

When working in an indoor or outdoor area in a residential property it is mandatory to wear a face mask.

We will Cooperate with ACT Health if contacted in relation to a positive case of COVID-19 in our workplace, and notify SafeWork ACT on 13 22 81.

We keep a copy of this COVID-19 Safety Plan at the business premises and in every Installers Van.

Lowes, Shannon (Health)

From: ACT Health Office of the Chief Health Officer
Sent: Tuesday, 24 August 2021 9:30 AM
To: [REDACTED]
Cc: ACT Health Office of the Chief Health Officer
Subject: RE: Essential work - COVID-19 lockdown

OFFICIAL

Hi [REDACTED]

Thank you for your enquiry. The Public Health Direction allows for urgent repair or maintenance to be undertaken without requiring an exemption. The work you describe below falls into that category, and can be undertaken as essential work.

Kind regards
Laura

Office of the Chief Health Officer
COVID-19 Response/ Public Health Protection and Regulation
Email: ACTHealthOCHO@act.gov.au
health.act.gov.au
<https://www.covid19.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 without the permission of the author.

From: [REDACTED]
Sent: Monday, 23 August 2021 5:09 PM
To: ACT Health Office of the Chief Health Officer <ACTHealthOCHO@act.gov.au>
Subject: FW: Essential work - COVID-19 lockdown

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 guys,

We have been directed to your department to gain approval for essential work during this Lockdown period.

Please find attached our Covid-19 plan and details as follows:

The Actew AGL Energy Shop will be carrying out essential work as per the Covid 19 guidelines for all heating ,hot water breakdowns, replacements and dangerous electrical faults.

These works are to be only carried out through the Suburbs of the ACT.

- Details of the PCBU (ABN, address, contact phone number, operating Officer) [REDACTED] **ABN 16089534403**
- Completed COVID-19 **Safety Plan as per attachment**
- Scope of emergency work to be undertaken breakdowns in **Heating , Hot water system, plumbing faults, electrical emergencies.**
- Location of proposed emergency work, and **Throughout the ACT .**
- Outline *why your work is essential. As customers need hot water for their homes and to keep customers safe from electrical faults and plumbing issues.*

Please advise that this is approved through ACT Health.

[REDACTED]
[REDACTED]
Email [REDACTED]

Phone: 02628 00994

100 Gladstone st Fyshwick 2609
www.actewaglenergyshop.com.au

From: Davis, MattE <MattE.Davis@worksafe.act.gov.au>
Sent: Monday, 23 August 2021 4:55 PM
To: [REDACTED]
Subject: FW: Essential work - COVID-19 lockdown

OFFICIAL

Hi [REDACTED]

WorkSafe ACT cannot deem the work essential, you need to contact ACT Health at the below address.

ACTHealthOCHO@act.gov.au.

Kind Regards
Matt

Matt Davis | A/g Director – Enforcement and Compliance
P: 02 6205 2618 | M: [REDACTED] | E: Matte.Davis@worksafe.act.gov.au
Office of the Work Health and Safety Commissioner
GPO Box 158 Canberra ACT 2601

WORKSAFEACT

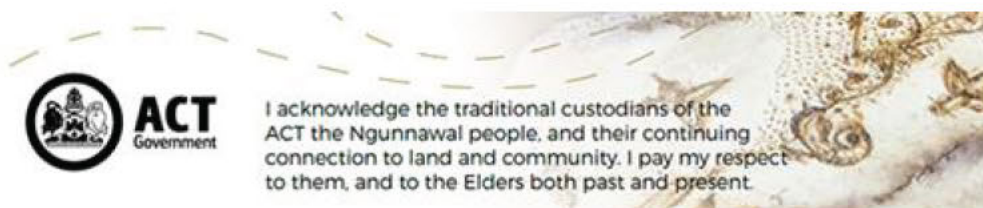


I acknowledge the traditional custodians of the ACT the Ngunnawal people, and their continuing connection to land and community. I pay my respect to them, and to the Elders both past and present.

From: Egan, Emily <Emily.Egan@worksafe.act.gov.au> On Behalf Of WorkSafe
 Sent: Monday, 23 August 2021 3:09 PM
 To: Davis, MattE <MattE.Davis@worksafe.act.gov.au>
 Subject: FW: Essential work - COVID-19 lockdown

OFFICIAL

Emily Egan (she/her) | Corporate and Communications Officer
 Email: emily.egan@worksafe.act.gov.au Phone: 6207 0349
 Office of the Work Health and Safety Commissioner
 GPO Box 158 Canberra



WORKSAFEACT

From: [REDACTED]
 Sent: Monday, 23 August 2021 10:27 AM
 To: WorkSafe <WorkSafe@worksafe.act.gov.au>
 Cc: [REDACTED]
 Subject: Essential work - COVID-19 lockdown

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.

To Whom It May Concern,

The Actew AGL Energy Shop will be carrying out essential work as per the Covid 19 guidelines for all heating ,hot water breakdowns, replacements and dangerous electrical faults.

These works are to be only carried out through the Suburbs of the ACT.

- Details of the PCBU (ABN, address, contact phone number, operating Officer) [REDACTED] ABN 16089534403
- Completed COVID-19 Safety Plan as per attachment
- Scope of emergency work to be undertaken breakdowns in Heating , Hot water system, plumbing faults, electrical emergencies.
- Location of proposed emergency work, and Throughout the ACT .
- Outline why your work is essential. *As customers need hot water for their homes and to keep customers safe from electrical faults and plumbing issues.*

Please advise that this is approved through WorkSafe ACT.

[REDACTED]

[REDACTED]

Email: [REDACTED]

Phone: 02628 00994

100 Gladstone st Fyshwick 2609
www.actewaglenergyshop.com.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.
