

Our reference: **ACTHDFOI23-24.19**

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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 ACT Health Directorate (ACTHD) on **Wednesday 18 October 2023**.

This application requested access to:

Copy of the subject line of all final Ministerial briefs for both ACT Health and CHS, between the 1st of September 2023 and the 17th of October generated for or directed to any ACT Government Minister.

This request includes, wherever possible, the date of the brief, the internal reference, position of authority it was written by, and which Minister it was addressed to.

This request includes briefs prepared for Question Time, but not for Estimates or Annual Reports.

I am an Information Officer appointed by the Director-General of 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 **Wednesday 29 November 2023**.

The information has been extracted into one document holding the information within the scope of your access application. The document was created for the purpose of your request and captures information sourced from HPE Content Manager and Objective ECM (Record Management Systems).

Decisions

I have decided to grant partial access to one document.

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

Partial Access

Redactions have been made to information that would reveal deliberations of Cabinet and is therefore taken to be contrary to the public interest to release, under Schedule 1.6 (1)(d) the disclosure of which would reveal any deliberation of Cabinet.

Further deliberations were taken under the public interest test set out in section 17 of the Act. Additional partial redactions were applied where I decided, on balance, the information could reasonably be expected to prejudice the protection of the individual's right to privacy, the management functions of an agency, and/or a deliberative process of government.

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

On balance, the factors favouring disclosure did not outweigh the factor favouring non-disclosure as the redacted information contains names of constituents that are non-ACT Government employees. Therefore, I 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
Allara House
15 Constitution Avenue
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



Catherine Ellis
Senior Director
Ministerial and Government Services

28 November 2023

| ref | title | no date | Minister addressed to | position of authority it was written |
|---------------|---|------------|----------------------------|---|
| MIN2023/00592 | Ministerial Brief - Health infrastructure update | 01/09/2023 | Minister for Health | Liz Lope A/g Deputy Director-General ACT Health Directorate |
| MIN2023/00576 | Caveat Brief - Engagement of Pricewaterhouse Coopers as the commercial advisor on Northside Hospital Transition Project | 01/09/2023 | Minister for Health | Caitlin Bladin Executive Branch Manager Strategic Infrastructure Planning |
| MIN2023/00507 | Ministerial Brief - Health Minister meeting with the Australian Red Cross Lifeblood CEO Adjunct Professor Stephen Comelizer | 04/09/2023 | Minister for Health | Robyn Hudson Deputy Director-General |
| GBC23/540 | Ministerial Brief - Response to Scrutiny Report 33 - Subordinate Law 9.10023-11 (being the Health Infrastructure Enabling Regulation 2023) | 05/09/2023 | Minister for Health | Caitlin Bladin Executive Branch Manager Strategic Infrastructure Planning |
| GBC23/371 | Ministerial Brief - Therapeutic Goods Administration (TGA) reforms and prescription of MS-3 Stevia in the ACT | 05/09/2023 | Minister for Health | Michael Culhane Executive Group Manager Policy Partnerships and Programs Division |
| GBC23/370 | Ministerial Brief - Exposure Draft Cabinet Submission [redacted] - Health | 06/09/2023 | Minister for Health | Rebecca Cross Director-General |
| GBC23/547 | Ministerial Brief - Health (Interest Charge) Determination 2023 (No 1) - s193 of the Health Act 199 | 06/09/2023 | Minister for Health | Rebecca Cross Director-General |
| GBC23/562 | Ministerial Brief - Minister for Health Weekly Brief - 28 August - 1 September 2023 | 06/09/2023 | Minister for Health | Robyn Hudson Deputy Director-General |
| MIN2023/00604 | Ministerial Brief - Update on a Central Intake Service for the Community Assistance and Temporary Supports (CATS) program | 06/09/2023 | Minister for Health | Michael Culhane Executive Group Manager Policy Partnerships and Programs Division |
| MIN2023/00596 | Ministerial Brief - First meeting with ACT Health System Council Chair Dr Nigel Lyons | 06/09/2023 | Minister for Health | Jacinta George Executive Group Manager Health System Planning and Evaluation |
| GBC23/563 | Ministerial Brief - Minister for Health Weekly Brief - 28 August - 1 September 2023 | 07/09/2023 | Minister for Health | Dr Elizabeth Moore Coordinator-General |
| MIN2023/00606 | Caveat Brief - Digital Health Record (DHR) Referral Issue | 06/09/2023 | Minister for Health | Holger Kaufmann Chief Information Officer |
| GBC23/501 | Ministerial Brief - 2024 Legislation Program - ACT Health Directorate Legislation Proposals | 09/09/2023 | Minister for Health | Robyn Hudson Deputy Director-General |
| GBC23/526 | Ministerial Brief - First Logged Final Cabinet Submission - Voluntary Assisted Dying Bill 2023 | 12/09/2023 | Minister for Health | Daniel Ng Executive Branch Manager Legislation Policy and Programs JACS |
| COR23/33714 | Question Time Brief - Future planning for Health Services Across the ACT (Mental Health focus) | 12/09/2023 | Minister for Mental Health | Michael Culhane Executive Group Manager Policy Partnerships and Programs ACTHD |
| MIN2023/00601 | Ministerial Brief - Freedom of Information application from [redacted] regarding The subject line of all final Ministerial briefs between the 8 May 2023 and 8 July 2023 | 12/09/2023 | Minister for Health | Jacinta George Executive Group Manager Health System Innovation and Performance |
| GBC23/575 | Ministerial Brief - Minister for Health Weekly Brief - 4 - 8 September 2023 | 12/09/2023 | Minister for Mental Health | Catherine Ellis Senior Director Ministerial and Government Services |
| GBC23/500 | Ministerial Brief - 2024 Legislation Program - ACT Health Directorate Legislation Proposals | 14/09/2023 | Minister for Health | Dr Elizabeth Moore Coordinator-General |
| GBC23/570 | Ministerial Brief - Mental Health Amendment Bill 2023 - Agreement to Introduce | 14/09/2023 | Minister for Mental Health | Rebecca Cross Director-General |
| MIN2023/00602 | Ministerial Brief - Freedom of Information application [redacted] regarding documents pertaining to negotiations regarding Calvary Hospital and plans for Calvary Hospital and any nearby buildings | 14/09/2023 | Minister for Health | Robyn Hudson Deputy Director-General |
| MIN2023/00582 | Ministerial Brief - National Eating Disorder Strategy 2023-2033 | 14/09/2023 | Minister for Mental Health | Caitlin Bladin Executive Branch Manager Strategic Infrastructure Planning |
| GBC23/586 | Ministerial Brief - Final Cabinet Submission CAB23/592 - ACT Government Submission to the Senate Inquiry into the provision of and access to dental services in Australia | 15/09/2023 | Minister for Health | Cheryl Garrett Executive Branch Manager Mental Health and Suicide Prevention Division |
| GBC23/577 | Ministerial Brief - Minister for Health Weekly Brief - 4 - 8 September 2023 | 15/09/2023 | Minister for Health | Michael Culhane Executive Group Manager Policy Partnerships and Programs Division |
| MIN2023/00624 | Ministerial Brief - CBR Health and Wellbeing Study | 15/09/2023 | Minister for Health | Robyn Hudson Deputy Director-General |
| GBC23/607 | Ministerial Brief - Cabinet Submission - Update on [redacted] | 18/09/2023 | Minister for Health | Rebecca Cross Director-General |
| AHM23/71 | Ministerial Brief - Agreement to proposed candidate for Administrator of the National Health Funding Pool 2023 to 2031 | 19/09/2023 | Minister for Health | Dave Pether CEO Canberra Health Services |
| GBC23/605 | Ministerial Brief - Minister for Mental Health Weekly Brief - 11 - 15 September 2023 | 19/09/2023 | Minister for Mental Health | Michael Culhane Executive Group Manager Policy Partnerships and Programs Division |
| MIN2023/00473 | Ministerial Brief - Review of the COVID-19 Response Operating Model conducted by the Nour Group Pty Ltd | 20/09/2023 | Minister for Health | Dr Elizabeth Moore Coordinator-General |
| GBC23/594 | Ministerial Brief - Final Cabinet Submission CAB23/591 - [redacted] - Health | 20/09/2023 | Minister for Health | Rebecca Cross Director-General |
| GBC23/604 | Ministerial Brief - Minister for Health Weekly Brief - 11 - 15 September 2023 | 21/09/2023 | Minister for Health | Michael Culhane Executive Group Manager Policy Partnerships and Programs Division |
| GBC23/552 | Ministerial Brief - Cabinet Submission [redacted] | 21/09/2023 | Minister for Health | Rebecca Cross Director-General |
| MIN2023/00587 | Ministerial Brief - Alcohol tobacco and other drug commissioning investment approach | 21/09/2023 | Minister for Health | Christine Murray Executive Group Manager Population Health Division |
| GBC23/610 | Ministerial Brief - Assembly Business - Response to Scrutiny Report 34 (and 33) - Health Infrastructure Enabling Regulation 202 | 22/09/2023 | Minister for Health | Caitlin Bladin Executive Branch Manager Strategic Infrastructure Planning |
| MIN2023/00671 | Ministerial Brief - Update on Commissioning Health Services in the Community | 22/09/2023 | Minister for Health | Jacinta George Executive Group Manager Health System Planning and Evaluation |
| MIN2023/00672 | Ministerial Brief - Update on Commissioning Health Services in the Community | 22/09/2023 | Minister for Mental Health | Jacinta George Executive Group Manager Health System Planning and Evaluation |
| MIN2023/00312 | Ministerial Brief - Queen Elizabeth II Family Centre - Christmas shutdown | 22/09/2023 | Minister for Health | Jacinta George Executive Group Manager Health System Planning and Evaluation |
| GBC23/617 | Ministerial Brief - Letter to UnionsACT and Australian Medical Association - nominated officials for the ACT Health System Council | 25/09/2023 | Minister for Health | Kate Chambers Executive Branch Manager Health System Performance |
| MIN2023/00614 | Ministerial Brief - Food Ministers' Meeting Out-of-Session Item FMM005/23.21 | 25/09/2023 | Minister for Health | Rebecca Cross Director-General |
| MIN2023/00629 | Ministerial Brief - Meeting to discuss current midwifery initiatives to support midwives and midwifery led care in the ACT | 25/09/2023 | Minister for Health | Rebecca Stones Director Public Health and Regulation Population Health Division |
| MIN2023/00494 | Ministerial Brief - Meeting with the Australian Stroke Alliance | 25/09/2023 | Minister for Health | Rebecca Cross Director-General |
| MIN2023/00603 | Ministerial Brief - Freedom of Information application from [redacted] regarding correspondence, meeting papers and performance reports by the Digital Solutions Division | 26/09/2023 | Minister for Health | Michael Culhane Executive Group Manager Policy Partnerships and Programs Division |
| MIN2023/00584 | Ministerial Brief - Final Evaluation of Fresh Tastes Report | 27/09/2023 | Minister for Health | Holger Kaufmann Chief Information Officer |
| MIN2023/00716 | Ministerial Brief - Drugs of Dependence law reforms implementation update | 27/09/2023 | Minister for Health | Dr Kerry Coleman Chief Health Officer Population Health Division |
| GBC23/614 | Ministerial Brief - Minister for Mental Health Weekly Brief - 18 - 22 September 2023 | 27/09/2023 | Minister for Mental Health | Dr Kerry Coleman Chief Health Officer |
| GBC23/598 | Ministerial Brief - Passage of amendments to the Commonwealth Australian Organ and Tissue Donation and Transplantation Authority Act 2001 | 28/09/2023 | Minister for Health | Cheryl Garrett Executive Branch Manager Mental Health and Suicide Prevention Division |
| GBC23/590 | Ministerial Brief - Response to the Standing Committee on Justice and Community Safety (Legislative Scrutiny Role) Scrutiny Report No. 32 - Human Rights Commission Amendment Bill 1 2023 (Code of Conduct for Health Worker | 28/09/2023 | Minister for Health | Rebecca Cross Director-General |
| GBC23/451 | Ministerial Brief - Cabinet Assembly Business Paper Package: Ministerial Statement - 2023 Update on Eating Disorders Position Statement | 28/09/2023 | Minister for Mental Health | Rebecca Cross Director-General |
| MIN2023/00722 | Ministerial Brief - Seek Independent Reviewer's approval for Drugs of Dependence public information campaign | 28/09/2023 | Minister for Health | Christine Murray Executive Group Manager Population Health Division |
| MIN2023/00440 | Ministerial Brief - Mental Health Future Service Development planning | 28/09/2023 | Minister for Mental Health | Rebecca Cross Director-General |
| MIN2023/00709 | Ministerial Brief - Review of the incident at ANU on 18 September 2023 | 28/09/2023 | Minister for Mental Health | Rebecca Cross Director-General |
| GBC23/633 | Ministerial Brief - Notifiable Instrument to set up Special Purpose Quality Assurance Committee | 29/09/2023 | Minister for Health | Dr Dinesh Arya Chief Psychiatrist |
| GBC23/608 | Ministerial Brief - Cabinet Submission [redacted] | 29/09/2023 | Minister for Health | Dr Dinesh Arya Chief Psychiatrist |
| GBC23/613 | Ministerial Brief - Health Ministers Meeting Out of Session item 478 - Proposed independent review on the regulation of podiatric surgeons: to be commissioned by the Podiatry Board of Australia and the Australian Health Practitioners | 29/09/2023 | Minister for Health | Rebecca Cross Director-General |
| AHM23/75 | Regulation Agency | 04/10/2023 | Minister for Health | Rebecca Cross Director-General |
| GBC23/565 | Ministerial Brief - Exposure Draft Cabinet Submission [redacted] regarding All Performance Reports by the Digital Solutions Division since June 2023 | 04/10/2023 | Minister for Health | Maria Travers Executive Branch Manager Health Policy and Strategy Branch |
| MIN2023/00700 | Ministerial Brief - Freedom of Information application from [redacted] regarding All Performance Reports by the Digital Solutions Division since June 2023 | 04/10/2023 | Acting Minister for Health | Rebecca Cross Director-General |
| GBC23/635 | Ministerial Brief - ACT Health System Council - Referral to ACT Remuneration Tribunal | 05/10/2023 | Acting Minister for Health | Holger Kaufmann Chief Information Officer |
| GBC23/522 | Ministerial Brief - Transfer of North Canberra Hospital capital project funding to Canberra Health Services | 05/10/2023 | Acting Minister for Health | Rebecca Cross Director-General |
| MIN2023/00734 | Ministerial Brief - Community Engagement for South Tuggerang Health Centre | 05/10/2023 | Acting Minister for Health | Rebecca Cross Director-General |
| GBC23/631 | Ministerial Brief - Minister for Health Weekly Brief - 25 - 29 September 2023 | 06/10/2023 | Minister for Mental Health | Trish Johnston Acting Deputy Director-General Infrastructure & Engagement |
| GBC23/581 | Ministerial Brief - Presentation of the 2022-23 ACT Health Directorate Annual Report | 06/10/2023 | Minister for Health | Cheryl Garrett Executive Branch Manager Mental Health and Suicide Prevention Division |
| GBC23/582 | Ministerial Brief - Presentation of the 2022-23 ACT Health Directorate Annual Report | 06/10/2023 | Minister for Mental Health | Rebecca Cross Director-General |
| GBC23/630 | Ministerial Brief - Minister for Health Weekly Brief - 25 - 29 September 2023 | 09/10/2023 | Minister for Health | Rebecca Cross Director-General |
| MIN2023/00657 | Ministerial Brief - Renewal of Licence for CatholicCare to operate the ACT Sobering Up Shelter | 09/10/2023 | Acting Minister for Health | Robyn Hudson Deputy Director-General |
| GBC23/638 | Ministerial Brief - Cabinet - Submission [redacted] - Minister for Health - CAB23/76 | 10/10/2023 | Minister for Health | Dr Kerry Coleman Chief Health Officer Population Health Division |
| MIN2023/00409 | Ministerial Brief - Amsterdam visit | 10/10/2023 | Minister for Health | Robyn Hudson Deputy Director-General |
| MIN2023/00625 | Ministerial Brief - Minister for Health Weekly Brief - 25 September 2023 | 10/10/2023 | Acting Minister for Health | Christine Murray Executive Group Manager Population Health Division |
| MIN2023/00719 | Ministerial Brief - Food Ministers' Meeting Out-of-Session Item FMM005/23.30 | 10/10/2023 | Minister for Health | Rebecca Cross Director-General |
| GBC23/645 | Ministerial Brief - Minister for Health Weekly Brief - 2 - 7 October 2023 | 11/10/2023 | Minister for Health | Rebecca Stones Director Public Health and Regulation Population Health Division |
| MIN2023/00694 | Ministerial Brief - General resolution by ACT Labor Weston Creek Molonglo sub-Branch for immediate action to implement the TGA's plasma pathway | 11/10/2023 | Minister for Health | Robyn Hudson Deputy Director-General |
| GBC23/646 | Ministerial Brief - Minister for Mental Health Weekly Brief - 2 - 7 October 2023 | 12/10/2023 | Minister for Mental Health | Dr Elizabeth Moore Coordinator-General |
| MIN2023/00763 | Ministerial Brief - Open Access Quarter 3 Ministerial Briefs | 12/10/2023 | Minister for Health | Acting Minister for Health |
| MIN2023/00748 | Ministerial Brief - Diploid Maintenance Treatment reform impacts | 12/10/2023 | Acting Minister for Health | Fiona Barbero Executive Group Manager Corporate and Governance |
| MIN2023/00773 | Ministerial Brief - Closure of a food business following reports of illness | 13/10/2023 | Acting Minister for Health | Rebecca Cross Director-General |
| MIN2023/00699 | Ministerial Brief - Chief Minister meeting with ACT Branch Pharmacy Guild | 16/10/2023 | Chief Minister | Victor Martin Executive Branch Manager Health Protection Services |
| COR23/33637 | Question Time Brief - Mental Health Subsector Commissioning | 17/10/2023 | Minister for Mental Health | Victor Martin Executive Branch Manager Health Protection Services |
| COR23/33633 | Question Time Brief - Safe Haven | 17/10/2023 | Minister for Mental Health | Dr Elizabeth Moore Coordinator-General |
| COR23/37066 | Question Time Brief - Future planning for Health Services Across the ACT (Mental Health focus) | 17/10/2023 | Minister for Mental Health | Dr Elizabeth Moore Coordinator-General |
| COR23/33636 | Question Time Brief - Mental Health Access and Utilisation | 17/10/2023 | Minister for Mental Health | Jacinta George Executive Group Manager Health System Innovation and Performance |
| GBC23/611 | Ministerial Brief - Cabinet - Government Response - Maternity services and health services for women - Assembly Resolutions of 7 February 2023 and 21 March 202 | 17/10/2023 | Minister for Health | Michael Culhane Executive Group Manager Policy Partnerships and Programs Division |
| GBC23/647 | Ministerial Brief - Cabinet - Government Response - Maternity services and health services for women - Assembly Resolutions of 7 February 2023 and 21 March 202 | 17/10/2023 | Minister for Health | Jacinta George Executive Group Manager Health System Innovation and Performance |
| COR23/33630 | Question Time Brief - Drug Therapy | 17/10/2023 | Minister for Mental Health | Michael Culhane Executive Group Manager Policy Partnerships and Programs Division |
| MIN2023/00701 | Ministerial Brief - Freedom of Information application from [redacted] regarding Any final briefs prepared for the ACT Minister for Health and CHS/ACT Health witnesses during the 2023-24 estimates hearing | 17/10/2023 | Acting Minister for Health | Rebecca Cross Director-General |
| MIN2023/00702 | Ministerial Brief - Freedom of Information application from [redacted] regarding The subject line of all final Ministerial briefs between the 9th of July 2023 and the 31st of August 2023. | 17/10/2023 | Minister for Mental Health | Victor Martin Executive Branch Manager Health Protection Services |