

Our reference: **CHSFOI23-24.34**

[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 Canberra Health Services (CHS) on **Thursday 25 January 2024**.

This application requested access to:

'Copies of the subject line of all final Ministerial briefs for both ACT Health and CHS, including attachments, between the 30 November 2023 and the 24 January 2024 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 and Annual Reports.'

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 (Record Management System).

I have identified additional information that is a health record for the purposes of the *Health Records (Privacy and Access) Act 1997*. The identified information is directly related to correspondence to the Health Minister and Minister for Mental Health regarding the treatment, health, illness, or disability of consumers of CHS. Section 12 of the FOI Act specifies that the FOI Act does not apply to health records. This information has not been assessed in this response.

Decisions

I have decided to grant partial access to the 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.

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 *Human Rights Act 2004*.

Partial Access

The document is also partially comprised of 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 regarding the personal information.

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, CHS 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



Josephine Smith
Executive Branch Manager
Strategy and Governance

6 March 2024

CHSFOI23-24.34 - Subject line of all final ministerial briefs from 30 November 2023 to 24 January 2024

Record Number	Title	Position of Authority when it was Written	Date of Brief	Which Minister Addressed to
MCHS23/728	Initiated Brief - Minister for Health - Coronial Inquest - Rozalia Spadafora - Hearing Commencing 4 December 2023	DCEO	30/11/2023	Minister for Health
MCHS23/706	Initiated Brief: (Minister for Health) Update - New Canberra Health Services Brand Identity	CEO	04/12/2023	Minister for Health
MCHS23/719	Initiated Brief: Minister for Health - North Canberra Hospital Accreditation Update	CEO	08/12/2023	Minister for Health
MCHS23/674	Request for Advice - Minister for Health Briefing - NETS NSW Cameras	CEO	08/12/2023	Minister for Health
MCHS23/774	Meeting - Minister for Health - Rape Crisis Centre Meeting 14 December 2023 - (1:00 - 1:45 pm)	COO	14/12/2023	Minister for Health
MCHS23/737	Email - Complaint - Minister for Health - Mammogram intervals - [REDACTED]	COO	15/12/2023	Minister for Health
MCHS23/714	Request for Advice - Minister for Health - Critical Services Building (CSB) Commissioning Briefing - 18 December 2023	DCEO	15/12/2023	Minister for Health
MCHS23/693	Letter - Comment - Minister for Health - Request for renal services in north Canberra - [REDACTED]	COO	15/12/2023	Minister for Health
MCHS23/776	Initiated Brief: (Minister for Health) 2023 Canberra Health Services Workplace Culture Survey	CEO	18/12/2023	Minister for Health
MCHS23/755	Event - Minister for Health - Minister for Health Visit to Phillip Health Centre - 19 December 2023	DCEO	18/12/2023	Minister for Health
MCHS23/709	Initiated Brief: (Minister for Health) Canberra Health Services Summer Preparedness/Air Quality Management	CEO	20/12/2023	Minister for Health
MCHS23/707	Email - Complaint - Minister for Health - 485 Visa change impacting Enrolled Nurse graduates - [REDACTED]	DCEO	20/12/2023	Minister for Health
MCHS23/807	Initiated Brief: (Minister for Health and Minister for Mental Health) - Review of Canberra Health Services Alcohol and Other Drug Services	COO	03/01/2024	Minister for Health/Minister for Mental Health
MCHS23/762	Initiated Brief: (Minister for Health) Proposed renaming of Canberra Health Services facilities	DCEO	03/01/2024	Minister for Health

MCHS24/38	Caveat Brief - Minister for Health - Fire Alarm Evacuation - 12 January 2024	CEO	12/01/2024	Minister for Health
MCHS24/4	Initiated Brief: (Minister for Health) Update re Canberra Health Services (CHS) Strategic and Corporate Plans	CEO	12/01/2024	Minister for Health
MCHS23/605	Request for Advice - Minister for Health - Endorsed Midwife Roles and Admitting Rights for Private Endorsed Midwives	CEO	12/01/2024	Minister for Health
MCHS24/8	Email - Complaint - Minister for Health - Wardsperson Duty Statement North Canberra Hospital (NCH) - [REDACTED]	COO	17/01/2024	Minister for Health
MCHS24/24	Visit - Minister for Health - Emergency Department - Canberra Hospital - 22 January 2024	COO	18/01/2024	Minister for Health
MCHS24/11	Request for Advice - Minister for Health - Fragrance free policy for health facilities	DCEO	18/01/2024	Minister for Health
MCHS23/796	Initiated Brief: (Minister for Health) Freedom of Information (FOI) Application from [REDACTED] - Copies of named Ministerial Briefs (CHSFOI23-24.27)	CEO	18/01/2024	Minister for Health
MCHS23/794	Initiated Brief: (Minister for Health) Freedom of Information (FOI) Application from [REDACTED] - The subject line of all final Ministerial briefs, between 18 October and 29 November 2023 (CHSFOI23-24.26)	CEO	18/01/2024	Minister for Health

CHSFOI23-24.34 - Subject line of all final ministerial briefs from 30 November 2023 to 24 January 2024

Record Number	Title	Position of Authority when it was Written	Date of Brief	Which Minister Addressed to
MCHS23/777	Initiated Brief: (Minister for Mental Health) 2023 Canberra Health Services Workplace Culture Survey	CEO	18/12/2023	Minister for Mental Health
MCHS23/807	Initiated Brief: (Minister for Health and Minister for Mental Health) - Review of Canberra Health Services Alcohol and Other Drug Services	COO	03/01/2024	Minister for Health/Minister for Mental Health
MCHS23/822	Initiated Brief: (Minister for Justice Health) Finalisation of the ACT Detainee Health and Wellbeing Action Plan	CEO	05/01/2024	Minister for Corrections and Justice Health
MCHS23/743	Request for Advice - Minister for Mental Health - Opioid Maintenance Treatment Medication while in custody	COO	12/01/2024	Minister for Mental Health
MCHS24/41	Event: (Minister for Mental Health) Relocation of Child Adolescent Mental Health Services - Thursday, 18 January 2024	DCEO	17/01/2024	Minister for Mental Health
MCHS23/795	Initiated Brief: (Minister for Mental Health) Freedom of Information (FOI) Application from ██████████ - The subject line of all final Ministerial briefs, between 18 October and 29 November 2023 (CHSFOI23-24.26)	CEO	18/01/2024	Minister for Mental Health
MCHS24/57	Event - Minister for Mental Health - Water ceremony to officially open CAMHS Southside - 22 January 2024	DCEO	19/01/2024	Minister for Mental Health