



ACT
Government

ACT Health

FOI18-111



Dear 

Freedom of information request: FOI18/111

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by ACT Health on 31 October 2018.

In your application you requested:

"...documents related to the Surgical Procedures Interventional Radiology and Emergency building. Scope of Request:

- *The incoming Minister's brief prepared in 2016 for the Surgical Procedures Interventional Radiology and Emergency building;*
- *Briefs to the Minister for Health and Wellbeing about the SPIRE project from November 2016 to date. This may include but is not limited to Ministerial briefs, question time briefs, estimates briefs and annual report briefs."*

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 28 November 2018.

Searches were completed for relevant documents and 24 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 refuse access to all identified documents as I consider them to be contrary to the public interest information under schedule 1.

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

- the FOI Act, particularly Schedule 1, Section 1.6(a); and
- the content of the documents that fall within the scope of your request

My reasons for deciding not to grant access to the identified documents are as follows.

All of the identified documents contain information that is considered to be contrary to the public interest under schedule 1 of the Act;

- Schedule 1, 1.6(a) information, 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 identified information is information subject to budget cabinet consideration. Under schedule 1,1.6 (a) I have decided to not disclose this information as the information is currently before Cabinet for consideration and was brought into existence for that purpose.

Charges

Processing charges are not applicable for this request.

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

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.

Yours sincerely



Karen Doran
Deputy Director-General
Corporate Services

27 November 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: <https://www.health.act.gov.au/about-our-health-system/freedom-information/disclosure-log>

NAME		WHAT ARE THE PARAMETERS OF THE REQUEST					File No
[REDACTED]		Documents related to the Surgical Procedures Interventional Radiology and Emergency building. Scope of Request <ul style="list-style-type: none"> The incoming Minister's brief prepared in 2016 for the Surgical Procedures Interventional Radiology and Emergency building. Briefs to the Minister for Health and Wellbeing about the SPIRE project from November 2016 to date. This may include but is not limited to Ministerial briefs, question time briefs, estimates briefs and annual report briefs. 					FOI18/111
Ref No	No of Folios	Description	Date	Status	Reason for non-release or deferral	Open Access release status	
1	1-3	FINAL EC LAB 009a - Health - SPIRE Centre and Canberra Hospital	October 2016	Refused	Schedule 1.6.(1)(a)	No	
2	4	Assembly Brief – SPIRE Centre	12 December 2016	Refused	Schedule 1.6.(1)(a)	No	
3	5-6	Budget-In-Confidence – 2017-18 Initiative Concept Brief	January 2017	Refused	Schedule 1.6.(1)(a)	No	

4	7-11	Minister for Health - 2017-18 Business Cases - Building Health Services Program - 10 Year Plan - Planning and Early Works	10 March 2017	Refused	Schedule 1.6.(1)(a)	No
5	12-13	Assembly Brief – SPIRE Centre	23 January 2017	Refused	Schedule 1.6.(1)(a)	No
6	14-15	Assembly Brief – SPIRE Centre	16 March 2017	Refused	Schedule 1.6.(1)(a)	No
7	16-17	Assembly Brief – SPIRE Centre	28 April 2017	Refused	Schedule 1.6.(1)(a)	No
8	18-19	Assembly Brief - SPIRE Centre	25 May 2017	Refused	Schedule 1.6.(1)(a)	No
9	20-21	Assembly Brief – SPIRE Centre	18 June 2017	Refused	Schedule 1.6.(1)(a)	No
10	22-28	2018-19 Budget Concept Brief	21 November 2017	Refused	Schedule 1.6.(1)(a)	No
11	29-46	Initiated brief: Minister for Health and Wellbeing - Building Health Services Program - Acute Project Scope Recommendations for SPIRE and the Bruce General Hospital	13 February 2018	Refused	Schedule 1.6.(1)(a)	No
12	47-48	Question Time Brief - SPIRE	29 March 2018	Refused	Schedule 1.6.(1)(a)	No
13	49-50	Question Time Brief - SPIRE	14 March 2018	Refused	Schedule 1.6.(1)(a)	No

14	51-56	Ministerial Brief – Tier 1 – Strategic Business Case – SPIRE Centre	9 April 2018	Refused	Schedule 1.6.(1)(a)	No
15	57-58	Question Time Brief - SPIRE	7 May 2018	Refused	Schedule 1.6.(1)(a)	No
16	59-60	Question Time Brief – ACT Health Infrastructure Planning	29 May 2018	Refused	Schedule 1.6.(1)(a)	No
17	61	Select Committee on estimates – HEA CW04: SPIRE Centre	June 2018	Refused	Schedule 1.6.(1)(a)	No
18	62-64	Question Time Brief – ACT Health Infrastructure Planning	17 August 2018	Refused	Schedule 1.6.(1)(a)	No
19	65-67	Question Time Brief – Infrastructure (Including SPIRE)	5 September 2018	Refused	Schedule 1.6.(1)(a)	No
20	68-73	Ministerial Brief - Minister for Health and Wellbeing - Building Health Services Program – Update on Surgical Procedures, Intervention Radiology and Emergency (SPIRE) Centre	9 October 2018	Refused	Schedule 1.6.(1)(a)	No
21	74-76	Question Time Brief - Infrastructure (including SPIRE)	30 October 2018	Refused	Schedule 1.6.(1)(a)	No
22	77-80	Annual Report Hearing Brief - Infrastructure (including SPIRE)	30 October 2018	Refused	Schedule 1.6.(1)(a)	No
23	81-83	Advisory note – Hospitals including workforce and infrastructure	14 August 2018	Refused	Schedule 1.6.(1)(a)	No
24	84-105	Ministerial Brief – Building health Service Program	17 October 2018	Refused	Schedule 1.6.(1)(a)	No

Total No of Docs

24