



ACT
Government

ACT Health

FOI19-35



Dear 

Freedom of Information Request: FOI19/35

I refer to your rescoped application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the ACT Health Directorate (ACTHD) on 18 July 2019 in which you sought access to:

“... any documents held or created by ACT Health/Canberra Health Service as part of the 2018-19 State of the Service in relation to bullying and harassment incidents reported in ACT Health/Canberra Health Service and the outcome of those incidents.”

I am an Information Officer appointed by the Director-General of the ACT Health Directorate under section 18 of the 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 15 August 2019.

Decision on access

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

I have decided to grant full access to the relevant document. The document released to you is provided at Attachment A to this letter.

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

- The FOI Act;
- The contents of the document that falls within the scope of your request; and
- The Human Rights Act 2004.

Charges

Processing charges are not applicable to this request.

Online publishing – disclosure log

Under section 28 of the Act, ACTHD maintains an online record of access applications called a disclosure log. My decision and document 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 Your personal contact details will not be published.

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 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.

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 ACT Health Directorate's processing of your request, or would like further information, please contact the FOI Coordinator on (02) 5124 9829 or email HealthFOI@act.gov.au.

Yours, sincerely

A handwritten signature in black ink, appearing to be 'John Fletcher', written over a printed name and title.

John Fletcher
Executive Group Manager
Corporate & Governance

15 August 2019

Information provided in the Agency Survey response for the State of the Service Report 2018-19:

1. Does your directorate/agency have a formal reporting system in place for the management of bullying and harassment?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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2. For the 2018-19 financial year, please list the total number of bullying and harassment contacts:	
Contacts received by your Agency's RED Contact Officers	0
Contacts Received by HR (not by RED Contact Officer);	10
Contacts received through other mechanisms	4

Note: Data from RiskMan will be provided by the Workplace Safety and Industrial Relations team, CMTEDD.

3. What is the number of reports of bullying or harassment where a preliminary assessment under Section H of ACTPS Enterprise Agreements was commenced during the 2018-19 financial year.	8
4. What is the number of reports of bullying or harassment received during the 2018-19 financial year that resulted in a misconduct process under Section H of ACTPS Enterprise Agreements.	2
5. What is the number of bullying or harassment related misconduct processes completed during the 2018-19 financial year where the delegate has made a substantiated finding of bullying and harassment?	0
6. What is the number of bullying or harassment related misconduct processes that are currently underway or being investigated, as at 30 June 2019? <i>Note: total number of investigations commenced, completed and ongoing may not reconcile due to action across financial years.</i>	2