

Our reference: **CHSFOI23-24.15**

[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 Canberra Health Services (CHS) on **Monday 04 September 2023**.

This application requested access to:

*I would like to request a copy of the subject line of all final Ministerial briefs between the 9th of July 2023 and the 31st of August 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 Chief Executive Officer of Canberra Health Services (CHS) under section 18 of the FOI Act to deal with access applications made under Part 5 of the Act. CHS was required to provide a decision on your access application by **Tuesday 17 October 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 (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 ACT Health Minister 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](mailto:ACTFOI@ombudsman.gov.au)

Website: [ombudsman.act.gov.au](http://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](mailto:HealthFOI@act.gov.au).

Yours sincerely



Josephine Smith,  
**Executive Branch Manager**  
Strategy and Governance

12 October 2023

**CHSFOI23-24.15 - [REDACTED] - Subject line of all final ministerial briefs from 9 July to 31 August 2023**

| Record Number | Title  | Position of Authority when it was Written | Date of Brief | Which Minister Addressed to            |
|---------------|--|---|---------------|--|
| MCHS23/524    | Event: (Chief Minister and Minister for Health) South Tuggeranong Health Centre Location Announcement - Friday, 1 September 2023 (10am)  | Deputy Chief Executive                    | 30/08/2023    | Chief Minister and Minister for Health |
| MCHS23/512    | Meeting - Minister for Health - Meeting with United Workers Union (UWU) - 25 August 2023   | Chief Executive                           | 25/08/2023    | Minister for Health                    |
| MCHS23/509    | Initiated Brief: (Minister for Health) Maternity Services – Choice of Birthing Site  | Chief Executive                           | 28/08/2023    | Minister for Health                    |
| MCHS23/493    | Initiated Brief: (Minister for Health) Breach of Contract Claim - [REDACTED] Canberra Health Services - ACAT Hearing scheduled for 22 August 2023  | Deputy Chief Executive                    | 17/08/2023    | Minister for Health                    |
| MCHS23/479    | Initiated Brief: (Minister for Health) Sustainability Roadmap  | Chief Executive                           | 15/08/2023    | Minister for Health                    |
| MCHS23/457    | Email - Complaint - Minister for Health - Discrimination against men in ACT Nurse Practitioner Led Walk In Clinics - [REDACTED]  | Deputy Chief Executive                    | 11/08/2023    | Minister for Health                    |
| MCHS23/446    | Initiated Brief: (Minister for Health) Canberra Health Services Aboriginal and Torres Strait Islander Consumer Reference Group   | Chief Executive                           | 2/08/2023     | Minister for Health                    |
| MCHS23/445    | Request for Advice (Minister for Health) Staphylococcus aureus bloodstream infection (SABSI) Rates   | Deputy Chief Executive                    | 24/08/2023    | Minister for Health                    |
| MCHS23/422    | Email - Complaint - Minister for Health - Parking at Garran Surge Centre - [REDACTED]  | Deputy Chief Executive                    | 11/08/2023    | Minister for Health                    |
| MCHS23/415    | Initiated Brief: (Minister for Health) ACT Audit Office's Performance Audit Report: Activities of the Government Procurement Board   | Chief Finance Officer                     | 18/07/2023    | Minister for Health                    |
| MCHS23/413    | Email - Request for Advice - Minister for Health - Information on S100 Highly Specialised Drugs  | Chief Executive                           | 20/07/2023    | Minister for Health                    |
| MCHS23/412    | Initiated Brief: (Minister for Health) Discrimination Claim - [REDACTED] Canberra Health Services (ACAT Hearing scheduled for 18 July 2023)  | Deputy Chief Executive                    | 14/07/2023    | Minister for Health                    |
| MCHS23/409    | Initiated Advisory Note: (Minister for Health) Update re Discrimination Claim - [REDACTED]   | Deputy Chief Executive                    | 17/07/2023    | Minister for Health                    |
| MCHS23/407    | Request for Update - Minister for Health - Update on 2022-23 Budget Initiatives  | Chief Executive                           | 18/07/2023    | Minister for Health                    |
| MCHS23/401    | Initiated Brief: (Minister for Health) Freedom of Information (FOI) Application from [REDACTED] - All documents related to Question on Notice 1176 (CHSFOI23-24.01)  | Deputy Chief Executive                    | 2/08/2023     | Minister for Health                    |
| MCHS23/400    | Initiated Brief: (Minister for Health) FOI Application from [REDACTED] - Correspondence between Ministers office, MAGS and head of line area who organises monthly packaging with Question on Notice 1253 (CHSFOI22-23.72)                         | Chief Executive                           | 20/07/2023    | Minister for Health                    |
| MCHS23/393    | Initiated Brief: (Minister for Health) Freedom of Information (FOI) Application from [REDACTED] - All documents relating to CHS' 2023 Workplace Culture Survey intended to be administered in March 2023 (CHSFOI22-23.70)                          | Chief Executive                           | 20/07/2023    | Minister for Health                    |
| MCHS23/392    | Initiated Brief: (Minister for Health) Freedom of Information (FOI) Application from [REDACTED] - Documents held by CHS between 20 December 2022 and 23 June 2023 in relation to both CPHB and the Government Procurement Act 200 (CHSFOI22-23.68) | Chief Operating Officer                   | 25/08/2023    | Minister for Health                    |
| MCHS23/391    | Initiated Brief: (Minister for Health) Freedom of Information (FOI) Application from [REDACTED] - Two most recent iterations of the bi-annual Patient Experience Report submitted to the Our Care Committee (CHSFOI22-23.65)                       | Chief Executive                           | 25/07/2023    | Minister for Health                    |
| MCHS23/390    | Initiated Brief: (Minister for Health) Workforce update for North Canberra Hospital  | Chief Executive                           | 11/07/2023    | Minister for Health                    |
| MCHS23/386    | Email - Minister for Health - Complaint - Call for a Royal Commission - [REDACTED]   | Chief Executive                           | 14/08/2023    | Minister for Health                    |
| MCHS23/382    | Request for Advice: (Minister for Health) AIHW MyHospitals: Safety and quality update  | Chief Executive                           | 18/07/2023    | Minister for Health                    |
| MCHS23/374    | Initiated Brief: (Minister for Health) Northside Opioid Treatment Service  | Deputy Chief Executive                    | 18/07/2023    | Minister for Health                    |
| MCHS23/324    | Initiated Brief: (Minister for Health) FOI Application from [REDACTED] - Any information held about needing to find contractors and specialists to deliver services in the fetal medicine unit at the Centenary Hospital (CHSFOI22-23.59)          | Deputy Chief Executive                    | 12/07/2023    | Minister for Health                    |
| MCHS23/231    | Event: (Minister for Health) DonatLife ACT 2023 - Launch of DonatLife Week and Cycling Challenge (Sunday, 23 July 2023)  | Chief Operating Officer                   | 17/07/2023    | Minister for Health                    |

CHSFOI23-24.15 - [REDACTED] - Subject line of all final ministerial briefs from 9 July to 31 August 2023

| Record Number | Title   | Position of Authority when it was Written | Date of Brief | Which Minister Addressed to |
|---------------|---|---|---------------|-----------------------------|
| MCHS23/499    | Caveat Brief: (Minister for Mental Health) Death of mental health consumer – [REDACTED]                         | Chief Operating Officer                   | 18/08/2023    | Minister for Mental Health  |
| MCHS23/496    | Dot Points: (Minister for Veterans) Complaint re Northside Canberra Hospital Vacant Veteran Liaison Officer     | Chief Operating Officer                   | 21/08/2023    | Minister for Veterans       |
| MCHS23/495    | Visit - Minister for Mental Health - Northside Canberra Hospital (22 August 2023 2.30pm to 3.30pm)              | Chief Executive                           | 21/08/2023    | Minister for Mental Health  |
| MCHS23/488    | Initiated Brief: Minister for Mental Health - Coronial Findings - Death of Louise Abbott                        | Chief Operating Officer                   | 18/08/2023    | Minister for Mental Health  |
| MCHS23/487    | Initiated Brief: Minister for Mental Health - Coronial Findings - Death of Liam Moors                           | Chief Operating Officer                   | 18/08/2023    | Minister for Mental Health  |
| MCHS23/486    | Caveat Brief - Minister for Mental Health - Death of voluntary mental health patient within 7 days of discharge | Chief Operating Officer                   | 17/08/2023    | Minister for Mental Health  |
| MCHS23/465    | Email - Complaint - Minister for Mental Health - Concerns about Health Care Services - [REDACTED]               | Chief Operating Officer                   | 29/08/2023    | Minister for Mental Health  |
| MCHS23/437    | Caveat Brief - Minister for Mental Health - Child and Adolescent Unit Incident - July 2023                      | Chief Operating Officer                   | 2/08/2023     | Minister for Mental Health  |
| MCHS23/405    | Initiated Brief: (Minister for Mental Health) Coronial findings - Bronte Haskins                                | Deputy Chief Executive                    | 4/08/2023     | Minister for Mental Health  |