



Dear 

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 **Wednesday 29 November 2023**.

This application requested access to:

I would like to request a copy of the subject line of all final Ministerial briefs for both ACT Health and CHS, between the 18th of October 2023 and the 29th of November 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.

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 **Thursday 18 January 2024**.

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

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



Katherine Macpherson,
A/g Executive Branch Manager
Strategy and Governance

15 January 2024

CHSFOI23-24.26 - Subject line of all final ministerial briefs from 18 October 2023 to 29 November 2023

Record Number	Title	Position of Authority when it was Written	Date of Brief	Which Minister Addressed to
MCHS23/726	Initiated Advisory Note: Update on Open Access Information and the Status of Canberra Health Services documents on the Open Access Portal	DCEO	29 November 2023	Minister for Health
MCHS23/723	Caveat Brief: Minister for Health - Village Creek air quality concerns	DCEO	29 November 2023	Minister for Health
MCHS23/713	Caveat Brief: (Minister for Health) Ralstonia Outbreak	DCEO	27 November 2023	Minister for Health
MCHS23/712	Initiated Brief: (Minister for Health) Communication arrangements for Medicare Urgent Care Clinics in the ACT	DCEO	29 November 2023	Minister for Health
MCHS23/704	Initiated Brief: (Minister for Health) Canberra Health Services (CHS) Strategic and Corporate Plans	DCEO	24 November 2023	Minister for Health
MCHS23/680	Email - Complaint for Noting - Minister For Health - North Canberra Hospital Employee matter	CEO	17 November 2023	Minister for Health
MCHS23/672	Request for Advice - Minister for Health - Critical Services Building Commissioning Briefing - 27 November 2023	DCEO	24 November 2023	Minister for Health
MCHS23/664	Initiated Brief: (Minister for Health) Canberra Health Services Cleaning Insourcing Project	DCEO	28 November 2023	Minister for Health
MCHS23/648	Request for Advice - Minister for Health - Critical Services Building Commissioning Briefing - 13 November 2023	DCEO	10 November 2023	Minister for Health
MCHS23/645	Initiated Brief: (Minister for Health) New Canberra Health Services Brand Identity	CEO	2 November 2023	Minister for Health
MCHS23/639	Initiated Brief: (Minister for Health) Freedom of Information (FOI) from ██████████ -Subject line of all final Ministerial briefs between 1 September - 17 October 2023 generated for or directed to any ACT Government Minister (CHSFOI23-24.20)	CEO	29 November 2023	Minister for Health

MCHS23/637	Initiated Brief: (Minister for Health) Freedom of Information (FOI) Application from ██████████ - Copy of named ministerial briefs (excluding attachments) (CHSFOI23-24.19)	DCEO	29 November 2023	Minister for Health
MCHS23/634	Initiated Brief: (Minister for Health) Building 5 Community Events and Activity Plan	CEO	13 November 2023	Minister for Health
MCHS23/632	Email - Request for Assistance - Minister for Health - ACT Perinatal and Maternal Mortality Committee - ██████████	COO	15 November 2023	Minister for Health
MCHS23/629	Initiated Brief: (Minister for Health) 2023-24 Budget Review – Agency Cost Pressures	CEO	27 October 2023	Minister for Health
MCHS23/627	Initiated Brief - Minister for Health - Coronial Inquest - Rozalia Spadafora	CEO	24 October 2023	Minister for Health
MCHS23/620	Initiated Brief: (Minister for Health) North Canberra Hospital Sterilising Services Upgrade	DCEO	18 October 2023	Minister for Health
MCHS23/618	Initiated Brief: (Minister for Mental Health) Freedom of Information (FOI) Application from ██████████ - Information held by Canberra Health Services in relation to the Dhulwa Mental Health Unit From 1 July 2022 to 12 September 2023 (CHSFOI23-24.18)	DCEO	26 October 2023	Minister for Health
MCHS23/617	Initiated Brief: (Minister for Health) Freedom of Information (FOI) Application from ██████████ - Final briefs prepared for the 2023-24 estimates hearings (CHSFOI23-24.14)	CEO	18 October 2023	Minister for Health
MCHS23/609	Initiated Brief: (Minister for Health) 2022-23 Capital Works Undisbursed Appropriation Rollover	CEO	15 November 2023	Minister for Health
MCHS23/605	Request for Advice - Minister for Health - Endorsed Midwife Roles and Admitting Rights for Private Endorsed Midwives	CEO	19 October 2023	Minister for Health
MCHS23/597	Email - Minister for Health - Enquiry - Knee Replacement surgery versus research into other options - ██████████	DCEO	25 October 2023	Minister for Health
MCHS23/590	Request for Advice - Minister for Health - Critical Services Building Commissioning Briefing - 30 October 2023	DCEO	26 October 2023	Minister for Health

MCHS23/582	Initiated Brief: (Minister for Health) Freedom of Information (FOI) Application from [REDACTED] - Documents pertaining to “user personas” and “tone of voice” materials for the CHS Brand Refresh project (CHSFOI23-24.09)	CEO	23 October 2023	Minister for Health
MCHS23/580	Advice/Brief: (Minister for Health) Medical Imaging Infrastructure	CEO	25 October 2023	Minister for Health
MCHS23/538	Initiated Brief: (Minister for Health) Canberra Health Services New Health Centres – Services and Infrastructure Update	DCEO	23 November 2023	Minister for Health
MCHS23/527	Letter - Request for Advisory Note - Minister for Health - Employee History [REDACTED]	CEO	3 November 2023	Minister for Health

CHSFOI23-24.26 - Subject line of all final ministerial briefs from 18 October 2023 to 29 November 2023

Record Number	Title	Position of Authority when it was Written	Date of Brief	Which Minister Addressed to
MCHS23/640	Initiated Brief: (Minister for Mental Health) Freedom of Information (FOI) from ██████████ -Subject line of all final Ministerial briefs between 1 September - 17 October 2023 for or directed to any ACT Government Minister (CHSFOI23-24.20)	CEO	29 November 2023	Minister for Mental Health
GBCHS23/385	Minister for Mental Health - Question Time Briefs - Annual Report Hearing 21 November 2023 and Assembly Sitting 28-30 November 2023	COO	21 November 2023	Minister for Mental Health