



Justice Health & Forensic Mental Health Network 2016/17 GIPA Reporting

*Government Information
(Public Access) Act 2009*

The object of the *Government Information (Public Access) Act 2009* (the *GIPA Act*) is to open government information by:

- Authorising and encouraging the proactive release of government information by agencies.
- Giving members of the public an enforceable right to access government information.
- Providing that access to government information is only restricted when there is an overriding public interest against disclosure.

Under section 7(1) agencies are authorised to make government information publicly available unless there is an overriding public interest against disclosure of the information. JH&FMHN's program for proactively releasing information involves reviewing information held, determining whether there is an overriding public interest against disclosure and determining whether it should be made available free of charge on our website. As a result of this review, JH&FMHN continued to proactively release the following documents:

1.020	Medication Management	1.322	Recognition and Management of Patients who are Clinically Deteriorating (ImpG)
1.025	Clinical Observation Beds in Health Centres	1.325	Referrals, Admission and Transfer of Care - (Adults) Forensic Hospital
1.030	Referrals for Admission - LBH MH Unit (Adults)	1.325M	Procedure Manual: Referrals, Admission and Transfer of Care - (Adults) Forensic Hospital
1.034	Admission and Assessment - Medical Surgical Unit Long Bay Hospital	1.327	Referrals for Admission and Transfer of Care - Forensic Hospital (Adolescents)
1.035	Admission and Assessment - Aged Care and Rehabilitation Unit LBH	1.327M	Procedure Manual: Referrals for Admission and Transfer of Care - Forensic Hospital (Adolescents)
1.036	Health Assessments by Nurses (Adolescents)	1.331	Referrals between CSNSW and JH&FMHN
1.040	Drug and Alcohol Service Provision	1.335	Referrals to the Community Integration Team
1.066	Management of Patients Exposed to Blood or Body Substances	1.340	Accommodation - Clinical Recommendations (Adult)
1.069	Care Coordination, Planning and Review - Forensic Hospital	1.350	Aggression, Seclusion & Restraint in MH Facilities - LBH MHU (ImpG)
1.075	Clinical Handover (ImpG)	1.361	Self Administration of Coagulation Factor
1.078	Clinical Risk Assessment & Management - Forensic Hospital	1.362	Self-Referral for Health Assessment - Ambulatory Setting (Adults)
1.080	Clinical Services Provided by JH&FMHN	1.363	Early Detection Program for BBVs / STIs
1.085	Consent to Medical Treatment - Patient Information	1.366	Segregation (Adolescents)
1.095	Contraception & Contraceptive Devices	1.380	Suicide and Suicidal Behaviour Risk Management
1.096	Clinical Procedure Safety (ImpG) (Correct Patient, Correct Site and Correct Procedure)	1.407	Transport of Forensic Patients from LBH, MRRC and SWCC
1.100	Plastic Surgery & Tattoo Removal	1.410	Management of Transgender Patients
1.111	Court and Police Cell Complexes (Adults) - Healthcare Responsibilities	1.422	Tuberculosis - Surveillance & Management of Confirmed & Suspected Cases
1.120	Management of a Death	1.423	Unfit to Attend Court - Health Related Reasons
1.130	Dental Services	1.425	Venepuncture and Peripheral Cannulation
1.135	Special Diets - Clinically Recommended	1.430	Management of Pregnant Women in Custody
1.141	Release Planning and Transfer of Care - Ambulatory Setting (Adults)	1.435	Working with Families and Carers - FH
1.170	Early Release for Health Related Reasons	1.437	Antimicrobial Stewardship Policy
1.174	End of Life Care, Not for Cardio-Pulmonary Resuscitation Orders and Advance Care Directives – Adult Centres Only	1.438	Assisted Reproductive Technology and Paternity Testing
1.175	Advanced Liver Disease – Management of Patients	2.001	Use of ICT Resources by Patients - FH
1.180	Enforced Medication - FH and LBH MHU	2.002	Acceptable Use of Communications Systems (ImpG)
1.192	Managing Mental Health for Forensic Patients in the Correctional Setting (Adults)	2.003	Asset Disposal (ImpG)
1.215	Wound Assessment & Management Policy	2.004	Conflicts of Interest and Gifts and Benefits
1.225	Health Assessments in Male and Female Adult Correctional Centres	2.005	Catering
1.230	Health Care Interpreter Services - Culturally and Linguistically Diverse Patients	2.010	Code of Conduct
1.231	Health Problem Notification Form (Adult)	2.014	Corporate Records Management
1.235	Health Problem Notification & Escort Form (Adolescents)	2.015	Patient Complaints Handling
1.241	Hepatitis C and B - Care, Management and Treatment	2.016	Management of a Complaint or Concern about a Clinician
1.242	HIV Management, Care and Treatment	2.018	Media and Communications (External)
1.245	Immunisation of Patients	2.020	Corruption & Fraud Prevention Control
1.249	Leave, Ground Access & SCALE - Forensic Hospital	2.021	Courier & Postal Services
1.250	Hunger Strikes	2.022	Delegations Authority
1.252	Access to Local Public Health Services	2.023	Software Licensing, Acquisition & Support
1.253	Access to Private Health Services	2.024	Disclosure of Criminal Activity by Patients
1.262	Medical & Nursing Certificates (Adults)	2.027	Forms Management
1.263	Medical Holds	2.030	Incident Management (ImpG)
1.264	Medical Appointments (Internal and External) - Referrals, Bookings and Cancellations	2.030M	Procedure Manual: Incident Management
1.267	Medical Responsibility LBH	2.050	JH&FMHN Key Administration
1.275	Management of Suspected Cases of Meningococcal Disease	2.066	Health Literacy
1.300	Afterhours and On-Call Services Statewide	2.090	Mobile Telephones, Pagers and Messaging Services
1.302	Clinical Management Patients on Prescription Opioid Analgesics	2.100	Motor Vehicles (ImpG)
1.303	Optometry Services	2.123	Patient Fees - Forensic Hospital
1.315	Photographic Identification of Young People in Custody	2.123M	Procedure Manual: Patient Fees Manual - Forensic Hospital
1.316	Pregnancy Care - Forensic Hospital and LBH Mental Health Unit	2.125	Clinical Applications Access and Security
1.319	Patient Observation - Forensic Hospital and LBH Mental Health Unit	2.126	Patient Purchasing Cards - FH
		2.127	Cash Handling
		2.130	Petty Cash
		2.134	Policy & Procedure Application - JH&FMHN
		2.135	Policy Development, Review & Distribution
		2.137	Improvement Framework
		2.140	Public Interest Disclosures (ImpG)

2.148	Publication of Journal Articles	4.019	Health Records Forms Design
2.150	Purchasing	4.020	Health Records (ImpG)
2.152	Recognition & Awards Program	4.030	Releasing and Requesting Health Information
2.155	Enterprise - Wide Risk Management (ImpG)	5.011	Assaults Involving Patients
2.163	Social Media	5.015	Child Protection
2.170	Electronic Rosters	5.018	Sterilisation and Disinfection
3.005	Clinical Placements at JH&FMHN	5.019	Point of Care Testing
3.010	JH&FMHN Clinical Supervision Policy incorporating reflective practice	5.020	Hazardous Chemicals
3.020	Conduct & Discipline (ImpG)	5.030	Cytotoxic Management
3.043	Dress Code	5.035	Duress Alarms and Two-way Radios
3.045	Employee Assistance Program	5.037	Environmental Cleaning (ImpG)
3.070	Flexible Work Practices	5.040	First Aid
3.080	Grading, Re-grading and Reclassification of Positions	5.045	Food Recalls
3.090	Grievance Management (ImpG)	5.070	Infection Control
3.100	Harassment, Bullying and/or Discrimination	5.085	Latex Allergy (ImpG)
3.105	Health Manager Salary	5.090	Hazardous Manual Tasks
3.110	Learning & Development Leave (ImpG)	5.100	Occupational Exposure Management
3.115	Management of Workers with Drug and Alcohol Problems	5.105	Clinical Observers
3.130	Orientation	5.110	Work Health & Safety
3.132	Performance Development & Review (ImpG)	5.115	WHS Risk Management (OH&S Hazard Management)
3.140	Sick Leave Management (ImpG)	5.123	Safe Introduction of New Interventional Procedures & Medications into Clinical Practice
3.150	Staff Recruitment, Employment & Separation	5.125	Screening of HCWs who Perform Exposure Prone Procedures
3.150M	Procedure Manual: Staff Recruitment, Employment and Separation	5.130	Security & Disposal of Needles & Syringes
3.165	TESL - Training Education & Study Leave	5.135	Security Risk Management
3.170	Workers Compensation and Injury Management	5.140	Sexual Assault Management
4.013	Client Registration (ImpG)	5.155	Management of Nicotine Dependence and Smoking Cessation
4.014	Clinical Applications - Non-Clinical Alerts, Health Conditions and Allergies or Adverse Drug Reactions	5.175	Waste Management
		5.175M	Procedure Manual: Waste Management

During the reporting period 1 July 2016 to 30 June 2017, JH&FMHN received 22 formal access applications, including withdrawn applications but not including invalid applications. Of these, 22 have been completed within the reporting period. One application requested the disclosure of information referred to in Schedule 1 of the *GIPA Act*. Information, as set out in the required form under Schedule 2 of the *Government Information (Public Access) Regulation 2009*, relating to the access applications made to JH&FMHN during the reporting period is provided below.

Table A: Number of applications by type of applicant and outcome*

	Access to granted in full	Access granted in part	Access refused in full	Information not held	Information already available	Refuse to deal with application	Refuse confirm/deny whether information is held	Application withdrawn
Media	0	0	0	0	0	1	0	0
Members of Parliament	0	0	0	0	0	0	0	0
Private sector business	0	0	0	0	0	0	0	0
Not for profit organisations or community groups	0	1	0	0	0	0	0	0
Members of the public (application by legal representative)	3	4	0	1	0	0	0	8 [#]
Members of the public (other)	0	2	0	0	0	1	0	1

* More than one decision can be made in respect of a particular access application. If so, a recording must be made in relation to each such decision. This also applies to Table B.

[#] Includes GIPA applications ultimately progressed under the *Health Records (Information Protection) Act 2002*, and which therefore ceased to be GIPA Act access applications.

Table B: Number of applications by type of application and outcome

	Access granted in full	Access granted in part	Access refused in full	Information not held	Information already available	Refuse to deal with application	Refuse to confirm/deny whether information is held	Application withdrawn
Personal information applications*	7	2	0	1	0	1	0	9 [#]
Access applications (other than personal information applications)	0	1	0	0	0	1	0	0
Access applications that are partly personal information applications and partly other	0	0	0	0	0	0	0	0

* A **personal information application** is an access application for personal information (as defined in clause 4 of Schedule 4 to the Act) about the applicant (the applicant being an individual).

[#] Includes GIPA applications ultimately progressed under the *Health Records (Information Protection) Act 2002*, and which therefore ceased to be GIPA Act access applications.

Table C: Invalid applications

Reason for invalidity	Number of applications
Application does not comply with formal requirements (section 41 of the Act)	14
Application is for excluded information of the agency (section 43 of the Act)	0
Application contravenes restraint order (section 110 of the Act)	0
Total number of invalid applications received	14
Invalid applications that subsequently became valid applications	5*

* Five applications assessed as invalid were remedied of their invalidity and those applications were progressed as valid under the GIPA Act. The remaining invalid applications were progressed under the *Health Records (Information Protection) Act 2002*.

Table D: Conclusive presumption of overriding public interest against disclosure: matters listed in Schedule 1 of the Act

	Number of times consideration used*
Overriding secrecy laws	0
Cabinet information	0
Executive Council information	0
Contempt	0
Legal professional privilege	0
Excluded information	1
Documents affecting law enforcement and public safety	0
Transport safety	0
Adoption	0
Care and protection of children	0
Ministerial code of conduct	0
Aboriginal and environmental heritage	0

* More than one public interest consideration may apply in relation to a particular access application and, if so, each such consideration is to be recorded (but only once per application). This also applies in relation to Table E.

Table E: Other public interest considerations against disclosure: matters listed in table to section 14 of the Act

	Number of occasions when application not successful
Responsible and effective government	1
Law enforcement and security	1
Individual rights, judicial processes and natural justice	5
Business interests of agencies and other persons	0
Environment, culture, economy and general matters	0
Secrecy provisions	0
Exempt documents under interstate Freedom of Information legislation	0

Table F: Timeliness

	Number of applications
Decided within the statutory timeframe (20 days plus any extensions)	11
Decided after 35 days (by agreement with applicant)	2
Not decided within time (deemed refusal)	0
Total	13

Table G: Number of applications reviewed under Part 5 of the Act (by type of review and outcome)

	Decision varied	Decision upheld	Total
Internal review	0	1	1
Review by Information Commissioner*	1	0	1
Internal review following recommendation under section 93 of Act	0	1	1
Review by NCAT	1	0	1
Total	2	2	4

* The Information Commissioner does not have the authority to vary decisions, but can make recommendation to the original decision-maker. The data in this case indicates that a recommendation to vary or uphold the original decision has been made.

Table H: Applications for review under Part 5 of the Act (by type of applicant)

	Number of applications for review
Applications by access applicants	2
Applications by persons to whom information the subject of access application relates (see section 54 of the Act)	0