

2018

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

TERMS OF REFERENCE

**INDEPENDENT REVIEW INTO THE
WORKPLACE CULTURE WITHIN
ACT PUBLIC HEALTH SERVICES**

**Presented by
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23 October 2018**



Independent Review into the Workplace Culture within ACT Public Health Services

Introduction

The Government has committed to hold an Independent Review into the workplace culture within ACT public health services. The Review will make clear recommendations to address specific issues that will improve workplace culture. The Minister for Health and Wellbeing will appoint a three member Independent Panel to conduct the Review.

The ACT Government invests significantly in the delivery of public health services to ensure safe, high quality healthcare for the ACT community and surrounding region. A positive workplace culture is vital to ensure our public healthcare system can deliver a high level of care to the community and can be an employer of choice for all health professions.

Improving workplace culture and staff engagement within our healthcare system has been a significant area of priority for the Government in delivering public healthcare to the ACT community.

Notwithstanding the positive changes that are underway and the commitment to the values of the organisation; care, excellence, collaboration and integrity, demonstrated by the majority of staff, concerns continue to be raised that are of concern to the Government and the Canberra community. The Government reiterates that any behaviour that is not aligned with the values of ACT Health cannot continue.

ACT Health Transition

In March 2018, the Minister for Health and Wellbeing and the Minister for Mental Health announced that ACT Health would separate into two distinct organisations from 1 October 2018. Canberra Health Services will be focused on the delivery of healthcare services. The ACT Health Directorate will focus on strategic policy for the health system, territory-wide planning, research and population health.

This transition provides another opportunity to re-state the Government's commitment to a positive workplace culture and consider further improvements for workplace culture, and policies and processes relating to workplace behaviours.

Terms of Reference

The Review will operate in accordance with the following Terms of Reference.

- a) Examine and report on the workplace culture of public health care services in the ACT and provide advice on any systemic and institutional issues. This examination should take into account any examples of best practice workplace culture and professional conduct in the delivery of public health care in the ACT, nationally and internationally.
- b) Examine any claims made in relation to inappropriate conduct and behaviours related to the delivery of public health care services in the ACT and provide advice on:
 - i. best practice responses to such complaints;
 - ii. whether referral of such complaints should be made to any other authority; and
 - iii. what support services should be provided to complainants.
- c) Examine and report on the existing workforce policies and complaints management practices to ensure their relevance and appropriateness in achieving satisfactory outcomes for all parties.
- d) Provide findings and recommendations for:
 - i. further improving workforce culture across the ACT public health system;
 - ii. additional support systems required for staff and management engaged in the delivery of public health services in the ACT, including processes, training and professional development.

The Review will consider earlier reports and reviews which have been developed/undertaken in relation to workplace culture within ACT Health, including but not limited to:

- The KPMG Review into the Clinical Training Culture in ACT Health (2015)
- The ACT Auditor General Report – ACT Health’s management of allegations of misconduct and complaints about inappropriate workplace behaviour (2018)
- Report of the ACHS National Safety and Quality Health Service (NSQHS) Standards Survey of ACT Health (2018)

Independent Panel Membership

The Minister for Health and Wellbeing will appoint a three member Independent Panel to conduct the Review, including a Chair and two other members, with subject matter experts invited as required.

The Review may call upon other expertise as it considers necessary including from such fields as:

- Clinical professions
- Administrative and public sector leaders
- Legal
- Auditing
- Restorative practice
- Health profession education and training
- Organisational culture and people expertise
- Workplace industrial relations
- Quality and safety of healthcare.

Conduct of Review and Privacy

The Review will be conducted so as to protect the confidentiality and privacy of individuals who make submissions and who may be the subject of complaints, and shall ensure procedural fairness is afforded to all persons and organisations participating in and subject to the Review.

The Independent Panel will determine how best to ensure confidentiality and privacy for any and all submissions and provide that advice clearly to individuals and organisations who wish to make submissions.

The Independent Panel will:

1. undertake extensive engagement and consultation, and will seek input from relevant experts where necessary;
2. call for written submissions from 15 October 2018 and will invite persons or organisations to indicate if those submissions are being made confidentially;
3. determine whether it wishes to hold public or private hearings, based on its considerations of confidentiality and privacy; and
4. develop business rules to inform and support the independent and confidential nature of the Review including processes for the protection of confidential information and the identity of individuals as required and in accordance with law.

Face to face meetings should be held as necessary and as agreed by the Independent Panel.

Independent Panel members and experts will be appropriately remunerated in accordance with agreed terms and conditions.

Structure, Process and Timing

The Independent Panel will provide an Interim Report to the Minister for Health and Wellbeing by 31 January 2019. The Interim Report will provide an overview and analysis of the issues and concerns raised to date and make any preliminary recommendations.

The Independent Panel will provide a Final Report to the Minister for Health and Wellbeing by 30 March 2019.

The Minister for Health and Wellbeing will table the Interim and Final Reports in the ACT Legislative Assembly at the earliest opportunity, and thereafter publicly release both Reports. The Government will also table a response to the Final Report in the Assembly within three months and provide regular reports to update on progress against the recommendations.

The Independent Panel will determine if some material needs to be anonymised to protect individuals from harm, to the extent that it contains personal information or material provided in confidence.

Secretariat

The ACT Government will provide appropriate secretariat staff drawn from across the ACT and Commonwealth Public Service. The Secretariat will provide support for the Review and assist with the provision of documents and information for the Review as requested by Panel Members.

Secretariat staff will at all times be bound by their obligations and duties as public servants in relation to the treatment of information related to the Review.