



Standing Committee on Health and Community Wellbeing

Inquiry into Annual and Financial Reports 2022-2023 **ANSWER TO QUESTION TAKEN ON NOTICE**

Asked by **Ms Leanne Castley** on 16 November 2023: Ms Liz Lopa took on notice the following question(s):

Reference: Hansard uncorrected proof transcript 16 November 2023 [PAGE 10]

In relation to: Northside Hospital matrix

MS CASTLEY: Okay. The last actions register released I have got here—we got it through FOI—shows that the Health Department was to develop matrices of terms, lengths, options and preferences by July 2022 and it says that the term lengths, options and preferences was in progress. Where was this up to at the end of the exclusive negotiations?

Ms Lopa: At the end of the negotiations, Calvary was aware of the government's 25 years. They were always aware that the government's preference was 25 years and then at the end of the negotiations the minister wrote to say this was the government's position in finalising the government's position of 25 years. I will have to take on notice where the actual matrix was up to, but it was absolutely clear in our negotiations with Calvary what the government's preference was around term. It was discussed with them and then it was reiterated in the letter at the end of the negotiation period.

MS CASTLEY: And so again, are you taking on notice? Can you provide me with that documentation where they were advised about the 25 years?

Ms Lopa: I will take that on notice.

Minister Rachel Stephen-Smith: The answer to the Member's question is as follows:

The ACT Government has previously stated publicly that a period of exclusive negotiations with Calvary regarding the new northside hospital was held between May and July 2022. Some information from this period has been published through a freedom of information request (FOI22.23-54), for which the response is available online at <https://www.health.act.gov.au/about-our-health-system/freedom-information/disclosure-log/disclosure-log-2023>.

Some of the documents are subject to confidentiality provisions outlined in the negotiating protocol agreed by the Territory and Calvary for the exclusive negotiating period, and as such were not released as per the decisions made for FOI22.23-54.

Documents released show when the services agreement (including term) was discussed during the exclusive negotiating period with Calvary, and the status of the matrix through responses to freedom of information requests.

As per folio 945 (see https://www.health.act.gov.au/sites/default/files/2023-09/ACTHDFOI22-23.54%20ACTHD%20Response_DL_Part%202.pdf), the ACT Health Directorate (ACTHD) completed the 'Services Agreement Term length matrix' and provided it to Calvary representatives on 13 July 2022. This closed off this action in the 'ACT Health/Calvary – Negotiations Actions Register'. In response, Calvary developed its own 'outcome matrix' and provided it to ACTHD representatives on 18 July 2022 through its legal representatives Thomson Geer (see folio 968 at above link). At the formal checkpoint of negotiations, this matrix included each party's position on substantive matters in the negotiations, including term. Each party's position on substantive matters was provided to Government for consideration as part of providing advice on the outcome of exclusive negotiations.

The documents published in FOI22.23-54 show the services agreement (including term options) was discussed on the following dates:

- 15 June 2022 (see folio 833)
- 17 June 2022 (see folio 842)

The actions register also published in FOI22.23-54 (folio 946) also shows the services agreement was discussed on 29 June 2022, and again at the check point meeting on 15 July 2022.

Approved for circulation to the Standing Committee on Health and Community Wellbeing

Signature:



Date: 11/12/23

By the Minister for Health, Ms Rachel Stephen-Smith MLA