COMMUNICATIONS AND DEALINGS BETWEEN MINISTERIAL OFFICE STAFF AND EMPLOYEES OF THE MINISTER FOR HEALTH'S PORTFOLIO AGENCIES

Office of the Director General of the Department of Health

1. Basis for communication

The purpose of this document is to define the communication arrangements between ministerial staff supporting the Minister for Health, Parliamentary Secretary and employees of the Department of Health.

These arrangements are in accordance with section 74 of the Public Sector Management Act and Department of the Premier and Cabinet Guidelines. In all communications, relevant statutory obligations and responsibilities of each Agency are to be preserved.

The term "Chief Executive Officer" (CEO) is used as a generic term to describe the accountable officer of the Agency (Director General).

The term "relevant senior officer" is used to describe the appropriate instructing officer or his/her representative (usually of a senior position) with the Agency (Attachment 1).

The term "Ministerial Liaison Officer" is used to describe the nominee or position(s) designated to managing Ministerial requests within each Agency (Attachment 2).

2 Directions by Ministerial Office staff to Agency employees on the manner in which they are to perform functions

In accordance with section 74(2) of the Public Sector Management Act, no instructions are to be given by Ministerial Office staff to Agency employees on the manner in which they are to perform their functions, unless there is prior agreement with the relevant Chief Executive Officer, who is the employing authority. This ensures the preservation of clear lines of accountability and responsibility.

When a requirement relates to the work of a Ministerial Office employee, and is not on the Minister's and/or Parliamentary Secretary's behalf, this must be clearly stated.

3. Communications from the Ministerial Office to the Agency

Communications are categorised into various categories and dealt with differently according to their potential impact:

- Requests for briefing notes, routine information or research
  In general, all requests from the Minister, Parliamentary Secretary and/or the Ministerial Office are to be in writing and directed through the Office of the

(1)
Chief Executive Officer, marked to the attention of the Agency's Ministerial Liaison Officer and also to the relevant senior officer (if known).

The Minister's staff will be responsible for indicating, by means of a Ministerial action stamp, the appropriate form of reply (eg, Minister reply, Parliamentary Secretary reply, Chief of Staff reply, direct reply from Director General, etc) and the due date.

Use of email: Urgent requests can be sent by email direct to the relevant senior officer, with a copy to the Ministerial Liaison Officer.

Verbal requests: Staff in the Minister's Office may contact senior officers direct in relation to urgent matters. Senior officers are to keep the Ministerial Liaison Officer informed of request.

- **Response to Parliamentary matters and urgent matters**
  Where information is required to advise Parliament or is required urgently by the Minister and/or Parliamentary Secretary, alternative arrangements can be made to ensure the Minister and/or Parliamentary Secretary receives the necessary information.

- **Meetings with the Minister for Health and/or Parliamentary Secretary**
  Requests for meetings are to be directed to the Minister for Health's Appointments Secretary and supported by briefing notes for the Minister for Health or Parliamentary Secretary two (2) clear working days in advance of the meeting. These will first be endorsed by the Agency's relevant senior officer. If necessary, requests for meetings which are of an urgent or contentious nature can be first discussed with the Chief of Staff.

- **Agency representation at official meetings**
  For Agency representation in an official capacity, staff in the Minister for Health's office will send a request to the Agency's Ministerial Liaison Officer who will arrange for an Agency representative. An advice note will be forwarded to the Chief Executive Officer.

- **Provision of professional legal advice to the Minister for Health and Parliamentary Secretary**
  The Minister, Parliamentary Secretary and Ministerial staff may directly contact the Agency's designated legal officer(s) in his or her professional capacity.

- **Development of legislation**
  The development of legislation in each Agency is dealt with by either a number of different staff, based on a specific industry sector, or by one section only. The Chief Executive Officer will advise which officer or section is dealing with particular legislation. Officers can liaise direct and will ensure all parties, including the Chief Executive Officer, are kept up-to-date and informed of developments.
Requests for clarification
Where information has been provided but it leaves some point unanswered or is unclear, clarification may be sought from the author of the briefing note or the Ministerial Liaison Officer.

When clarification is required with regard to the Minister for Health's comments on Ministerial correspondence, the Agency's Ministerial Liaison Officer will liaise with the Minister for Health's Office.

Media releases
If a media release is required as part of a speech request, this should be indicated on the formal speech request form.

The Minister's Media Adviser should contact the Agency's nominated senior Public Affairs staff to discuss other requests for media releases and media events (Attachment 2).

Media queries
The Agency's nominated Senior Public Affairs staff (Attachment 2) and the Minister's Media Adviser will liaise on contentious issues and media queries.

4. Communications from the Agency to the Minister for Health's office
For all communications of a strategic policy nature, where the Agency has provided a response, a covering memo will specify that the Chief Executive Officer has noted and endorsed the response before it is sent. If the Chief Executive Officer is not available to note and endorse the response, it will be the responsibility of the relevant senior officer to ensure that the Chief Executive Officer is subsequently advised of the response.

5. Communication from the Agency to the office of a Minister responsible for another portfolio
All communications between the Agency and the Office of another Minister should be directed through the Office of the Minister for Health, except where the office of the Minister for Health explicitly requests otherwise.

6. Communications between the Agency and a Member of Parliament
In circumstances where members of the Parliament contact Agency staff for information or to arrange a meeting, the approval of the Chief Executive Officer or delegated officer is required.

Requests by members of Parliament to the Chief Executive Officer should include the information being sought or issues to be discussed. Agencies are to provide members of Parliament with only factual publicly available information.

Discussions with Agency staff are not to be for the purposes of debating the merits of Government policy. In accordance with the Freedom of Information Act 1992, personal information about a third party is not to be given to a member of Parliament unless it is the subject of a Freedom of Information application and provided in accordance with consultation processes in the Act.
Where appropriate, members of Parliament should be advised of the provisions of the Public Sector Management Act 1994, in particular, sections 8 and 105.

7. Cabinet Matters

All communications relating to matters before Cabinet, or about to come before Cabinet, must be directed through the Office of the Minister for Health, except where explicitly requested or agreed to otherwise. It will be the responsibility of Ministerial Office staff to keep Agency staff informed of Cabinet issues in a reliable and timely manner.

All Cabinet papers between the Minister's Office and the Agency will be sent under confidential cover via the Ministerial Liaison Officer.

8. Secondments to the Minister for Health’s Office

An Agency employee or officer seconded or placed in the Office of the Minister for Health is for the period of the secondment/placement, under the direction of the Minister for Health.

9. Performance standards in communications and dealings between Ministerial Office staff and employees of the Department of Health

<table>
<thead>
<tr>
<th>Type of Ministerial Request</th>
<th>Timeframe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministerial request for and on behalf of the Premier or Governor</td>
<td>4 working days</td>
</tr>
<tr>
<td>Ministerial request for and on behalf of a WA Member of Parliament</td>
<td>4 working days</td>
</tr>
<tr>
<td>Ministerial request for and on behalf of a member of the public</td>
<td>8 working days</td>
</tr>
</tbody>
</table>

Where a response cannot be provided within 10 working days of request, then the Department of Health must provide an interim response or seek an extension from the Minister for Health’s office.

Specific deadlines will be negotiated on a case by case basis by Ministerial Office staff and the Agency’s Ministerial Liaison Officer depending on the urgency of the communication.

Extensions will need to be negotiated between the Correspondence Officer in the Ministerial Office in conjunction with the Department of Health’s Ministerial Liaison Officer depending on the urgency of the communication.
10. Resolution procedure for a breach of these written arrangements

The Chief Executive Officer will discuss the breach with the Minister for Health (or vice-versa, if appropriate) in order to resolve the situation.

Dr David Russell-Weisz  
A/DIRECTOR GENERAL  
DEPARTMENT OF HEALTH  
Date: 5/4/13

Dr Kim Hames MLA  
DEPUTY PREMIER  
MINISTER FOR HEALTH  
Date: 15/4/13

Hon Alyssea Hayden MLC  
PARLIAMENTARY SECRETARY  
MINISTER FOR HEALTH  
Date:  

(5)
## ATTACHMENT 1

### DEPARTMENT OF HEALTH – SENIOR OFFICERS

<table>
<thead>
<tr>
<th>Position</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>A/Director General</td>
<td>Dr David Russell-Weisz</td>
</tr>
<tr>
<td>A/Chief Executive, North Metropolitan Area Health Service</td>
<td>Dr Amanda Frazer</td>
</tr>
<tr>
<td>Chief Executive, South Metropolitan Area Health Service</td>
<td>Ms Nicole Feely</td>
</tr>
<tr>
<td>Chief Executive, WA Country Health Service</td>
<td>Mr Ian Smith</td>
</tr>
<tr>
<td>Chief Executive, Child and Adolescent Health Service</td>
<td>Mr Philip Aylward</td>
</tr>
<tr>
<td>Chief Executive, Fiona Stanley Hospital Commissioning</td>
<td>Dr David Russell-Weisz</td>
</tr>
<tr>
<td>Executive Director, Resource Strategy</td>
<td>Mr Wayne Salvage</td>
</tr>
<tr>
<td>Executive Director, Public Health and Clinical Services</td>
<td>Dr Tarun Weeramanthri</td>
</tr>
<tr>
<td>Executive Director, Performance, Activity and Quality</td>
<td>Dr Dorothy Jones</td>
</tr>
<tr>
<td>A/Executive Director, System Policy and Planning</td>
<td>Ms Gail Milner</td>
</tr>
<tr>
<td>Director, Office of the Director General</td>
<td>Ms Patsy Turner</td>
</tr>
<tr>
<td>Chief Medical Officer</td>
<td>Dr Gary Geelhoed</td>
</tr>
<tr>
<td>Chief Nurse and Midwifery Officer</td>
<td>Ms Catherine Stoddart</td>
</tr>
<tr>
<td>Director, Office of Aboriginal Health</td>
<td>Ms Jenni Collard</td>
</tr>
</tbody>
</table>
ATTACHMENT 2

DEPARTMENT OF HEALTH

NOMINATED MINISTERIAL LIAISON OFFICERS

<table>
<thead>
<tr>
<th>Name</th>
<th>Position Title</th>
<th>Phone number</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jane James</td>
<td>Manager, Ministerial Liaison Unit</td>
<td>9222 4011</td>
<td><a href="mailto:ministerials@health.wa.gov.au">ministerials@health.wa.gov.au</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(search for 'Royal St, Ministerial Correspondence' on Global)</td>
</tr>
<tr>
<td>Sandra Matthews</td>
<td>Parliamentary Liaison Officer</td>
<td>9222 4020</td>
<td><a href="mailto:PLO.EPGO@health.wa.gov.au">PLO.EPGO@health.wa.gov.au</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(search for 'Royal St, PLO' on Global)</td>
</tr>
<tr>
<td>Liz Malelo</td>
<td>Ministerial Officer</td>
<td>9222 2234</td>
<td>RoyalSt,<a href="mailto:MSO@health.wa.gov.au">MSO@health.wa.gov.au</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(search for 'Royal St, MSO' on Global)</td>
</tr>
<tr>
<td>Rose Garcia</td>
<td>Ministerial Officer</td>
<td>9222 2050</td>
<td><a href="mailto:RoyalSt.MO@health.wa.gov.au">RoyalSt.MO@health.wa.gov.au</a></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>(search for 'Royal St, MO' on Global)</td>
</tr>
</tbody>
</table>

NOMINATED SENIOR PUBLIC AFFAIRS STAFF

<table>
<thead>
<tr>
<th>Name</th>
<th>Position Title</th>
<th>Phone number</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Virginia Ielati</td>
<td>Manager, Media</td>
<td>9222 6421</td>
<td><a href="mailto:Virginia.Ielati@health.wa.gov.au">Virginia.Ielati@health.wa.gov.au</a></td>
</tr>
<tr>
<td>Media on call number (After hours)</td>
<td></td>
<td>9222 4333</td>
<td></td>
</tr>
</tbody>
</table>
Agreement for communications and dealings between the
Minister for Tourism, Parliamentary Secretary for Tourism,
Office of the Minister for Tourism and
Tourism Western Australia

The Parties:

Hon Dr Kim Hames MLA
Minister for Tourism

Hon Alyssa Hayden MLC
Parliamentary Secretary to the
Minister for Tourism

and

Peter Prendiville
Chairman
On behalf of Tourism Western Australia

Stephanie Buckland
Chief Executive Officer

On this .............. day of .......... April 2013 agree as follows:

The Western Australian Tourism Commission (WATC) operating as Tourism Western Australia (Tourism WA) is the State Government agency that promotes a sustainable tourism industry by marketing the State as an attractive destination; developing, attracting and promoting major events; and supporting significant tourism infrastructure development.

In accordance with the Western Australian Tourism Commission Act 1983 a Board of Commissioners forms the governing body with authority to exercise the powers and perform the functions of the agency under the Western Australian Tourism Commission Act 1983, therefore, the Board and/or Chairman is the accountable authority of Tourism WA.

Tourism WA is a Statutory Authority and classed under the Public Sector Commission as a State Executive Service (SES) Agency.
1. Legislative framework

This agreement is for the purpose of establishing the framework for communications between the Minister for Tourism, Parliamentary Secretary to the Minister for Tourism, Office of the Minister for Tourism and Tourism WA and is made pursuant to Section 74 of the Public Sector Management Act 1994.

All requirements should be for, and on behalf of, the Minister and/or Parliamentary Secretary in relation to responsibilities as Minister and Parliamentary Secretary. Should this not be the case, this should be made clear at the time.

2. Overview

Interaction between the Minister's Office and Tourism WA is, and will continue to be, frequent. These guidelines are provided to assist both parties to maintain cooperative working relationships. Notwithstanding any arrangement set out below, Ministerial staff and Tourism WA officers will not interfere with each other in the exercise of their obligations and responsibilities.

These guidelines should be applied giving full consideration to the needs of a particular situation or issue. Officers from both parties should at all times adhere to providing a quality service rather than the precise and detailed wording of any particular clause. In particular, there needs to be flexibility when a response or advice is urgently sought.

As a general principle, requests made by the Minister's Office for information or for action to be taken by Tourism WA should be in writing and addressed to the CEO using the agreed routines and procedures. However, it is recognised that, due to time constraints or the routine/administrative nature of some requests, an oral or email approach (or a combination) may be more appropriate.

The main communication relationship between the Office of the Minister and Tourism WA staff would be as follows:

<table>
<thead>
<tr>
<th>Office of the Minister for Tourism</th>
<th>Tourism Western Australia</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minister</td>
<td>Chairman</td>
</tr>
<tr>
<td>Parliament Secretary</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td></td>
<td>Director Executive and Strategic Services</td>
</tr>
<tr>
<td>Chief of Staff</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td></td>
<td>Director Executive and Strategic Services</td>
</tr>
<tr>
<td>Principal Adviser – Tourism</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td></td>
<td>Director Executive and Strategic Services</td>
</tr>
<tr>
<td>Principal Policy Adviser Tourism</td>
<td>Director Executive and Strategic Services Michigan Liaison Officers</td>
</tr>
<tr>
<td>Media Adviser</td>
<td>Director Corporate Communications</td>
</tr>
</tbody>
</table>

Responses will be provided in an agreed timeframe.

The CEO takes responsibility for all advice provided and must at all times be aware of issues being raised.
3. **Regular Minister/CEO Meetings**

A regular meeting will be held between the Minister and CEO which will consist of confirmation of the action items from the previous meeting; items the Minister and/or Parliamentary Secretary wishes to raise; items Tourism WA wishes to discuss or brief the Minister listed in order of importance or urgency; and general business which could be upcoming announcements and urgent issues that have developed since the agenda was provided.

4. **Routine Communication**

Routine communication initiated by the Minister or his nominee, or initiated by Tourism WA, will be directed to the individuals outlined above.

Responses would normally be in writing through the CEO, or in the CEO's absence or unavailability the CEO's delegate. If time restraints require an oral response, the CEO should be advised as soon as possible.

In all cases, officers handling routine enquiries will ensure that emails, file notes and contact reports outlining telephone conversations of the information requested and provided will be maintained on permanent files.

5. **Strategic communication**

Strategic issues communication initiated by the Minister or his nominee will in the first instance be directed in writing to the CEO. Where time is an issue, email or verbal communication, or a combination may be used. If the CEO is unavailable strategic communication may be directed to Director Executive and Strategic Services. Once the issue has been discussed and a course of action agreed, then the CEO will delegate to the most relevant officer in Tourism WA.

Strategic communication initiated by Tourism WA will be raised in writing using agreed processes.

6. **Communication relating to the drafting of legislation**

Communication by the Minister and/or Parliamentary Secretary relating to the drafting of legislation will be communicated in writing to the CEO. Tourism WA will follow the guidelines and procedures provided by Counsel's Office *Getting Legislation Drafted and Enacted*.

7. **Communications relating to agency resources (beyond the normal function and duties of the Agency's Officer and staff)**

Communications relating to Tourism WA's resources (as described above) shall only be directed from a senior officer in the Minister's office to the CEO, preferably in writing if time permits. If the CEO is unavailable and the matter is urgent, an approach may be made to the relevant Executive Director or the Director Executive and Strategic Services. If the matter is dealt with in the absence of the CEO, she must be subsequently notified.

Communication relating to above initiated by Tourism WA will be raised in writing using the agreed processes with the Minister.
8. Communication between the Agency and any other Members of Parliament

All communication between Tourism WA and other portfolio Ministers, the Premier or their staff shall be directed through the Minister's Office.

The Minister, or his nominee, will be informed of any ad hoc communication with other portfolio Ministers, the Premier or their staff.

9. Communication relating to Cabinet and Executive Council

Communication relating to Cabinet and Executive Council initiated by the Minister will be directed to the CEO (or Director Executive and Strategic Services or the Ministerial Liaison Unit), preferably in writing if time permits. If the CEO is unavailable and the matter is urgent, an approach may be made to the relevant Executive Director or the Director Executive and Strategic Services. If the matter is dealt with in the absence of the CEO, she must be subsequently notified.

Communication relating to above initiated by Tourism WA will be raised in writing using the agreed processes with the Minister.

10. Communication relating to briefing notes

Communications relating to briefing notes (written and/or verbal) initiated by the Minister and/or Parliamentary Secretary will be directed to the CEO giving appropriate notice for a response. All correspondence in relation to briefing notes must be via Tourism WA's Director Executive and Strategic Services and Ministerial Liaison Unit.

11. Communication relating to Parliamentary Questions

Parliamentary Questions without notice will be treated as urgent by Tourism WA and an answer provided in the requested timeframe.

Parliamentary Questions without notice (when some notice is given) will be treated as urgent by Tourism WA and an answer will be provided in the requested timeframe.

Parliamentary Questions with notice will be treated as highly important by Tourism WA and will be answered as a matter of priority.

Questions should be emailed to the Ministerial Liaison Unit, which will ensure appropriate action.

12. Media queries and other communications

The Minister's Media Advisor shall liaise directly with Tourism WA's Director Corporate Communications in regard to media enquiries. Any response by the Director Corporate Communications will first be approved by the relevant Executive Director and the CEO.

Communications relating to procedures between the Minister’s Office and Tourism WA will be documented in a Procedures Manual provided by the Minister’s Office and documented in Tourism WA’s Ministerial Protocol and Procedures Policy and Ministerial Correspondence Guidelines documents to be agreed between the parties.

14. Form and content memorandum

From time to time, as appropriate, the Minister or his nominee will provide a “form and content” memorandum to the CEO. The purpose of this memorandum will be to provide stylistic assistance in order to facilitate effective communications.

15. Resolution of difficulties with these procedures

Should any difficulties arise with these arrangements, the Minister or his nominee and the CEO and Director Executive and Strategic Services will discuss and resolve the situation; if necessary recommending changes to policy and practice.

16. Alteration of agreement

This agreement may be altered by agreement between the parties.
Agreement for communications between the Minister for Tourism, Parliamentary Secretary and the Rottnest Island Authority

The Parties:

Hon Dr Kim Hames MLA
DEPUTY PREMIER
MINISTER FOR TOURISM

Hon Alyssa Hayden MLC
PARLIAMENTARY SECRETARY

and

Paolo Amaranti
CHIEF EXECUTIVE OFFICER
On behalf of the
ROTTNEST ISLAND AUTHORITY

On this 15th day of April 2013 agree as follows:

1. Legislative framework

This agreement is for the purpose of establishing the framework for communications between the Minister for Tourism, Parliamentary Secretary and the Rottnest Island Authority (RIA) and is made pursuant to Section 74 of the Public Sector Management Act 1994.

2. Overview

Providing information and advice to the responsible Minister, Parliamentary Secretary and the Minister's staff is an essential role for every government department and agency.
The information and advice provided to the Minister and/or Parliamentary Secretary is for important purposes such as making decisions and forming part of the public record, and will be conveyed to other entities and individuals including to the Parliament, Cabinet and the electorate. It is essential that the information and advice is accurate, timely and considered within a broader policy context.

An essential principle of the Westminster system of Parliament is the separation of powers and clear lines of accountability and responsibility. The communications agreement supports this premise as well as being a requirement of the Public Sector Management Act.

These guidelines are provided to assist Ministerial Office staff supporting the Minister for Tourism, Parliamentary Secretary and the employees of the RIA, to maintain a quality service and cooperative working relationships. Notwithstanding any arrangement set out below, Ministerial staff and RIA officers will not interfere with each other in the exercise of their obligations and responsibilities.

The communications agreement describes roles and processes to be followed by both the Minister's Office and the RIA. The key elements and considerations include:

- All written communications to and from the Minister’s Office must be logged and tracked by the RIA’s Ministerial Liaison Officer who will keep the RIA’s Chief Executive Officer informed. If this is not done then this communication is not deemed an authorised record of what has occurred.
- All comments and advice from the RIA must be approved by the RIA’s CEO or his/her delegate for this advice/information to be considered a valid and authorised communication.
- All comments and advice from the RIA must be signed by the CEO and forwarded to the Ministerial Liaison Officer prior to submitting to the Minister’s Office.
- If the Minister’s Office contacts an officer direct for verbal "specialist" advice, this must be followed up by an official file note which should be endorsed by the CEO or his/her delegate and copied to the RIA’s Ministerial Liaison Officer. It should be noted that such direct contact should only be made because of the specialist nature of the request.
- In responding to urgent requests from the Minister’s Office, any comments or information provided is deemed personal unless approved by the CEO.

3. Basis for Communication

The following written arrangements are in accordance with Section 74 of the Public Sector Management Act and Department of Premier and Cabinet guidelines.

The arrangements specify the manner and circumstances in which communications and dealings are to occur between Ministerial Office staff supporting the Minister for Tourism, Parliamentary Secretary and the employees of the RIA.
When a requirement relates to the work of a Ministerial Office employee, and is not on the Minister's and/or Parliamentary Secretary's behalf, this must be clearly stated.

In all communications, the statutory obligations and responsibilities of the RIA are to be preserved.

4. Directions by Ministerial Office staff to RIA employees on the manner in which they are to perform functions

In accordance with Section 74(2) of the Public Sector Management Act, no instructions are to be given by Ministerial Office staff to RIA employees on the manner in which they are to perform their functions other than with the agreement of the CEO who is the employing authority.

In circumstances where it is desirable that Ministerial Office staff ask for advice of an RIA officer, this will require the agreement of the CEO or his/her delegate which may be given verbally or electronically. This requirement ensures the preservation of clear lines of accountability and responsibility as well as the authorised integrity of the information provided.

5. Communications from the Ministerial Office to the RIA

Communication requirements are categorised into various levels and dealt with differently according to their potential impact as outlined below.

For all urgent matters, if the persons mentioned are not available, the Minister's Office may address the request to such responsible and relevant persons as are available. The appropriate contact points within the RIA are attached.

a) Routine requests for information or research.

Routine requests largely encompass items related to core business of the RIA. These should be marked to the attention of the Ministerial Liaison Officer. Routine communication initiated by the RIA will be directed to the relevant Policy Adviser or Chief of Staff.

Matters related to the Minister's and/or Parliamentary Secretary's agenda for meeting with the RIA's CEO should be directed to the CEO's Executive Assistant.

b) Requests for briefing notes and answering of Ministerial correspondence.

All requests should go to the RIA marked to the attention of the Ministerial Liaison Officer. Ministerial Office staff will be responsible for indicating by means of a Ministerial instruction, the form of the reply for Ministerial correspondence (for example, draft reply, comment) and the due date.

c) Response to Parliamentary matters and any urgent matters.

Where information is required to advise Parliament or is otherwise required urgently, the request can be addressed to the RIA's Ministerial Liaison Officer or CEO. For questions without notice required urgently, if the
persons mentioned are not available, they may be addressed to such responsible and relevant persons as are available on the contact list.

d) Request for Clarification.

Where information has been requested and provided but in the opinion of the Minister, Parliamentary Secretary or the Ministerial Office staff it leaves some point unanswered or is unclear, a request for clarification may be addressed to the person as the author of the briefing. All requests and responses must be copied to the RIA's Ministerial Liaison Officer.

e) Requests for media enquiries.

Requests for responses to media enquiries should go direct to RIA's Manager Corporate Communications. The RIA's CEO and Ministerial Liaison Officer are to be copied in. All issues/instances that may or may not generate a media enquiry will be communicated to the Minister's Media Adviser who will then determine the appropriate course of action in respect to informing the Minister and/or Parliamentary Secretary.

f) Requests for cabinet comments, Government reporting requirements or any other matters.

All requests should go to the RIA marked to the attention of the Ministerial Liaison Officer. All comments and advice from the RIA must be signed by the CEO and forwarded to the Ministerial Liaison Officer prior to submitting to the Minister's Office.

g) Requirements involving the RIA in committing resources beyond the normal functions and duties of RIA officers.

All such requests should be directed to the CEO, or if unavailable, and the requirement is urgent, to a delegated officer. These requests should preferably be put in writing, although at times this may not be possible. If a delegated officer deals with the arrangement, the delegated officer must subsequently advise the CEO either verbally or in writing.

6. Communications from the RIA to the Minister’s Office

For all communications where the RIA has provided a response, a covering memo will specify that the CEO or his/her delegate has noted and endorsed the response before it is sent from the RIA. If the CEO is not available to note and endorse the matter, it will be the responsibility of the delegated officer to ensure that the CEO is subsequently advised of the response.

Approaches by the media to the RIA, on issues which may affect the Minister and/or Parliamentary Secretary, will be communicated to the Minister’s Media Adviser who will then determine the appropriate course of action in respect to informing the Minister and/or Parliamentary Secretary.
7. Communication between the RIA and the Office of a Minister responsible for another portfolio

All communications between the RIA and the office of another Minister should be directed through the Office of the Minister for Tourism, except where the Office of the Minister for Tourism requests otherwise.

8. Cabinet Matters

All communications relating to matters before Cabinet, or about to come before Cabinet, must be directed through the Office of the Minister for Tourism, except where explicitly requested to do otherwise. It will be the responsibility of Ministerial Office staff to keep the RIA staff informed of cabinet issues in a reliable and timely manner.

All cabinet papers between the Minister's Office and the RIA will be sent under confidential cover.

9. Performance standards in communications and dealings between Ministerial Office staff and employees of the RIA

General performance standards and timeframes for communications and dealings will be negotiated and agreed to between the CEO and the Minister, having consulted with Ministerial Office staff and RIA employees. Specific deadlines will be negotiated on a case by case basis by Ministerial Office staff and the CEO, depending on the urgency of the communication.

10. Resolution procedure for breach of the agreed written arrangements

Should any difficulties arise with these arrangements, the Minister (or nominee) and the CEO will discuss and resolve the situation, if necessary recommending changes to policy and practice.

11. Alteration of Agreement

This agreement may be altered by agreement between the parties.
# CONTACT LIST

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Phone</th>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td>Paolo Amaranti</td>
<td>Chief Executive Officer</td>
<td>9432 9330 0417 984 977</td>
<td><a href="mailto:paolo.amaranti@rottnestisland.com">paolo.amaranti@rottnestisland.com</a></td>
</tr>
<tr>
<td>Deb Toy</td>
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</tr>
</tbody>
</table>
INTERIM COMMUNICATION AGREEMENT

BETWEEN

THE MINISTER FOR HEALTH

AND THE

WESTERN AUSTRALIAN HEALTH PROMOTION FOUNDATION (HEALTHWAY)

1. BASIS FOR COMMUNICATION

In accordance with Section 74 of the Public Sector Management Act 1994 and the Tobacco Products Control Act 2006 the following arrangements will apply concerning the circumstances and manner in which communications and dealings will occur between Ministerial officers and employees of the WA Health Promotion Foundation (Healthway).

This Agreement seeks to ensure:

• Quality service to the Minister’s office;
• Accuracy in written communications and Ministerial correspondence;
• Efficient monitoring and tracking; and
• Timeliness in the delivery of Ministerial services and correspondence.

In all communications, the statutory obligations and responsibilities of the relevant parties will be preserved including confidentiality regarding the approval of grants and other sensitive information in accordance with the intention of the Tobacco Products Control Act 2006.

In all communications care will be undertaken to ensure the ongoing separation of Healthway business from the Minister and other members of Parliament in accordance with Section 71 (5) of the Tobacco Products Control Act 2006.

2. MINISTERIAL OFFICE COMMUNICATIONS TO HEALTHWAY

- Routine requests for information or research

These are to be directed through the Executive Director or nominated officers shown at Appendix 1. Telephone contact with general Healthway staff should not occur.

- Arranging a meeting with relevant Healthway staff and requesting their attendance

All matters of a strategic nature will be referred to the Executive Director or other officers nominated by the Executive Director. For other matters, the appropriate nominated staff shown at Appendix 1 may be approached direct.
Directions to Healthway

Ministerial staff will only direct officers of Healthway in a manner consistent with Section 74(2) of the Public Sector Management Act 1994 and in accordance with Part 5 of the Tobacco Products Control Act 2006.

In accordance with Section 71 (5) of the Tobacco Products Control Act 2006 officers of Healthway cannot be directed by Members of Parliament in regards to funding decisions.

Access to information

Under Section 68 of the Tobacco Products Control Act 2006, the Minister is entitled to obtain information from Healthway.

Ministerials

Ministerial Correspondence
Requests from the Minister’s office for draft responses to Ministerial correspondence will be sent to Healthway via email. Draft responses for the Minister’s signature will be prepared by Healthway and forwarded to the Minister’s office for consideration via email. A copy of the final correspondence, showing the date it was signed by the Minister, will be returned to Healthway in hard copy.

Briefing Notes
Requests for urgent briefing notes will be sent via email to nominated officers in Healthway. Briefing Notes, following approval by the Executive Director, will be returned to the requesting officer via email. All Briefing Notes, whether specifically requested or prepared at the Healthway’s instigation, will be provided to the Minister’s office in the agreed format.

Speech Notes
Urgent requests for speeches and associated notes will be sent to Healthway via email. Speeches and associated event notes will be prepared, using the agreed format, by Healthway staff and approved by the Executive Director.

Parliamentary Questions
Requests for draft responses to Parliamentary questions will be forwarded to the nominated officers in Healthway via the Parliamentary Questions System, with responses prepared and returned following the Executive Director’s approval. All responses will include the name and contact number of an officer who can advise on any changes or provide further, urgent information if needed.

Timelines
The following timelines will apply for Ministerials:
- Ministerial correspondence – turnaround time for Members of Parliament will be five working days following receipt and for members of the general public, 10 working days following receipt;
• Briefing notes – turnaround time as requested by the Minister’s office;
• Speech notes – turnaround time as requested by the Minister’s office; and
• Media inquiries – turnaround time as requested by the Minister’s Media Adviser.

### Matters relating to the drafting of Legislation

A drafting officer will be nominated for each piece of legislation and this officer will be responsible for dealing with all matters associated with the legislation and for keeping the relevant Ministerial officers and Executive Director informed of developments.

### Significant and/or Contentious Issues

The Executive Director will ensure that the Minister is thoroughly informed on all significant and/or contentious issues.

### 3. HEALTHWAY COMMUNICATIONS TO THE MINISTERIAL OFFICE

#### Communications from Healthway to the Minister’s Office

The Executive Director and other nominated officers will provide advice in a timely manner for the Minister’s attention through the Minister’s Chief of Staff or other nominated Ministerial staff member. The Executive Director will be advised of the communication at the earliest opportunity.

Routine communications relating to administrative requests, for example requests for extensions, are to be directed to the requesting officer from the Minister’s office.

#### Formal meetings with the Minister

Formal meetings between the Executive Director and the Minister will occur on a quarterly basis scheduled with the Minister’s Appointments Secretary.

#### Communications between the Agency and Members of Parliament

All communications with Members of Parliament must be directed through the Minister’s office in the first instance. All approaches for Ministerial visits by other State or Federal Ministers, or by members of the Agency to a State or Federal Minister’s office, will be co-ordinated through the Minister’s Policy Adviser.

#### Cabinet matters

All submissions for consideration by Cabinet are to be directed through the Minister’s office and signed-off by the Executive Director or other officers nominated by the Director. A minimum of 10 working days needs to be allowed for the internal considerations to be completed.
4. RESOLUTION PROCEDURE

Resolution procedure for a breach of these arrangements

In the first instance, the Minister or Chief of Staff and Executive Director will discuss any breach of this arrangement and decide on the appropriate action.

Hon Dr Kim Hames MB BS JP MLA
MINISTER FOR HEALTH

Date: ...........................................

Mr David Malone
EXECUTIVE DIRECTOR
Western Australian Health Promotion Foundation
(Healthway)

Date: 2 August 2013 .............
Appendix 1

Nominated Staff Contact List

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
<th>Direct Line</th>
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</tr>
</tbody>
</table>
COMMUNICATION AGREEMENT

BETWEEN

THE MINISTER FOR HEALTH

AND THE

HEALTH AND DISABILITY SERVICES COMPLAINTS OFFICE

1. BASIS FOR COMMUNICATION

In accordance with Section 74 of the Public Sector Management Act 1994 and the Health and Disability Services (Complaints) Act 1995 the following arrangements will apply concerning the circumstances and manner in which communications and dealings will occur between Ministerial officers and employees of the Health and Disability Services Complaints Office (HaDSCO).

This Agreement seeks to ensure:

- Quality service to the Minister’s office;
- Accuracy in written communications and Ministerial correspondence;
- Efficient monitoring and tracking; and
- Timeliness in the delivery of Ministerial services and correspondence.

In all communications, the statutory obligations and responsibilities of the relevant parties will be preserved including the requirement to meet the confidentiality provisions within the Health and Disability Services (Complaints) Act 1995.

2. MINISTERIAL OFFICE COMMUNICATIONS TO HADSCO

- Routine requests for information or research

These are to be directed through the Director or nominated officers shown at Appendix 1. Telephone contact with general HaDSCO staff should not occur.

- Arranging a meeting with relevant HaDSCO staff and requesting their attendance

All matters of a strategic nature will be referred to the Director or other officers nominated by the Director. For other matters, the appropriate nominated staff shown at Appendix 1 may be approached direct.
• Directions to HaDSCO

Ministerial staff will only direct officers of HaDSCO in a manner consistent with Section 74(2) of the Public Sector Management Act 1994 and in accordance with sections 11, 12, 45, 71 of the Health and Disability Services (Complaints) Act 1995 (sections included at Appendix 2).

• Confidentiality provisions

- Where the complainant is not known by HaDSCO the Minister can refer a consumer directly to HaDSCO for follow up. In this situation the Minister's office may wish to first discuss with HaDSCO the appropriateness of referral and the most suitable way for the referral to occur.

- Where the complainant is known by HaDSCO and the Minister is seeking information on the status of the matter, prior written permission is required from the complainant pursuant to s12(4) Health and Disability Services (Complaints) Act 1995.

- Where the complainant is dissatisfied with the outcome of a matter managed by HaDSCO, the avenue for review is either an internal review by HaDSCO or the matter is referred to the Ombudsman for their follow up. In this situation the Minister's office may wish to inform HaDSCO of the consumer's dissatisfaction and either refer the matter back to HaDSCO or the Ombudsman for review.

- The minister may direct the Director to conduct an investigation pursuant to s45 Health and Disability Services (Complaints) Act 1995.

• Ministerials

Ministerial Correspondence
Requests from the Minister's office for draft responses to Ministerial correspondence will be sent to HaDSCO via email. Draft responses for the Minister's signature will be prepared by HaDSCO and forwarded to the Minister's office for consideration via email. A copy of the final correspondence, showing the date it was signed by the Minister, will be returned to HaDSCO in hard copy.

Briefing Notes
Requests for urgent briefing notes will be sent via email to nominated officers in HaDSCO. Briefing Notes, following approval by the Director, will be returned to the requesting officer via email. All Briefing Notes, whether specifically requested or prepared at the HaDSCO's instigation, will be provided to the Minister's office in the agreed format.
Speech Notes
Urgent requests for speeches and associated notes will be sent to HaDSCO via email. Speeches and associated event notes will be prepared, using the agreed format, by HaDSCO staff and approved by the Director.

Parliamentary Questions
Requests for draft responses to Parliamentary questions will be forwarded to the nominated officers in HaDSCO via the Parliamentary Questions System, with responses prepared and returned following the Director's approval. All responses will include the name and contact number of an officer who can advise on any changes or provide further urgent information if needed.

Timelines
The following timelines will apply for Ministerials:
• Ministerial correspondence – turnaround time for Members of Parliament will be five working days following receipt and for members of the general public, 10 working days following receipt;
• Briefing notes – turnaround time as requested by the Minister’s office;
• Speech notes – turnaround time as requested by the Minister’s office; and
• Media inquiries – turnaround time as requested by the Minister’s Media Adviser.

Matters relating to the drafting of Legislation
A drafting officer will be nominated for each piece of legislation and this officer will be responsible for dealing with all matters associated with the legislation and for keeping the relevant Ministerial officers and Director informed of developments.

Requirements involving HaDSCO in committing resources (beyond the normal functions and duties of HaDSCO officers)
All such requests will be directed in writing to the Director. If this is not possible, the Director will be informed as soon as practicable.

Significant and/or Contentious Issues
The Director will ensure that the Minister is thoroughly informed on all significant and/or contentious issues and, in particular, on any pending or likely adverse findings by regulatory bodies.

3. HaDSCO COMMUNICATIONS TO THE MINISTERIAL OFFICE

Communications from HaDSCO to the Minister’s Office
The Director and other nominated officers will provide advice in a timely manner for the Minister’s attention through the Minister’s Chief of Staff or other nominated Ministerial staff member. The Director will be advised of the communication at the earliest opportunity.
Routine communications relating to administrative requests, for example requests for extensions, are to be directed to the requesting officer from the Minister’s office.

- **Formal meetings with the Minister**

  Formal meetings between the Director and the Minister will occur on a quarterly basis scheduled with the Minister’s Appointments Secretary.

- **Communications between the Agency and Members of Parliament**

  All communications with Members of Parliament must be directed through the Minister’s office in the first instance. All approaches for Ministerial visits by other State or Federal Ministers, or by members of the Agency to a State or Federal Minister’s office, will be co-ordinated through the Minister’s Policy Adviser.

- **Cabinet matters**

  All submissions for consideration by Cabinet are to be directed through the Minister’s office and signed-off by the Director or other officers nominated by the Director. A minimum of 10 working days needs to be allowed for the internal considerations to be completed.

**RESOLUTION PROCEDURE**

- **Resolution procedure for a breach of these arrangements**

  In the first instance, the Minister or Chief of Staff and Director will discuss any breach of this arrangement and decide on the appropriate action.

---

Hon. Dr Kim Hames MLA  
DEPUTY PREMIER  
MINISTER FOR HEALTH

Date: \( \frac{4}{13} \)

Linley Anne Donaldson  
DIRECTOR  
HEALTH AND DISABILITY SERVICES COMPLAINTS OFFICE

Date: \( 31/1/2013 \)
## Nominated Staff Contact List

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<td>Director</td>
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</tbody>
</table>
Appendix 2

11. Minister may give Director directions

1) The Minister may give directions in writing to the Director with respect to the performance of the functions of the Director, either generally or in relation to a particular matter, and the Director is to give effect to any such direction.

(2) Without limiting section 45, the Minister cannot under subsection (1) direct the Director with respect to the performance of the Director's functions in respect of —
   (a) a particular person; or
   (b) a particular complaint; or
   (c) a matter relating to a particular complaint.

(3) The text of any direction given under subsection (1) is to be —
   (a) laid before each House of Parliament within 14 sitting days of that House after the direction is given; and
   (b) included in the annual report submitted by the accountable authority in respect of the Office under Part 5 of the Financial Management Act 2006.

(4) In subsection (1) —
   functions of the Director does not include the functions of the Director under the Disability Services Act 1993.

[Section 11 amended by No. 57 of 2004 s. 36; No. 77 of 2006 Sch. 1 cl. 82(1); No. 35 of 2010 s. 80.]

12. Minister to have access to information

(1) The Minister is entitled —
   (a) to have information in the possession of the Director; and
   (b) where the information is in or on a document, to have, and make and retain copies of, that document.

(2) For the purposes of subsection (1) the Minister may —
   (a) request the Director to furnish information to the Minister; and
   (b) request the Director to give the Minister access to information; and
   (c) for the purposes of paragraph (b) make use of the staff of the Office to obtain the information and furnish it to the Minister.

(3) The Director is to comply with a request under subsection (2) and make staff and facilities available to the Minister for the purposes of paragraph (c) of that subsection.

(4) The Minister is not entitled to have information under this section in a form that —
   (a) discloses the identity of a person involved in a complaint; or
   (b) might enable the identity of any such person to be ascertained,
unless that person has consented to the disclosure.

(5) In this section —

document includes any tape, disc or other device or medium on which information is recorded or stored mechanically, photographically, electronically or otherwise;

information means information specified, or of a description specified, by the Minister that relates to the functions of the Director.

45. Further power to investigate

Where the Minister is of the opinion that —

(a) the health or welfare of any person is or may be at risk and circumstances exist in relation to that person that would justify a complaint being made under this Act; or

(b) it is in the public interest on a matter of general importance relating to health that an investigation be carried out,

the Minister may direct the Director to conduct an investigation under this Part with such terms of reference as the Minister may specify.

71. Confidentiality

(1) A person who is or has been in a situation to which this section applies must not, whether directly or indirectly, record, disclose, or make use of any information obtained because of that situation except —

(a) in the course of duty; or

(b) as required or allowed by this Act or any other law; or

(c) for the purpose of proceedings for an offence against this Act; or

(d) with the written authority of the Minister or the person to whom the information relates; or

(e) in other prescribed circumstances.

Penalty: $2,500.

(2) Subject to subsection (1)(c), (d) or (e), the prohibition in subsection (1) extends to the giving of evidence or the production of a book, document or record to a court.

(3) This section does not apply to the disclosure of statistical or other information that could not reasonably be expected to lead to the identification of any person to whom it relates.

(4) The exceptions in subsection (1)(c) and (d) do not apply to information obtained by a person acting as a conciliator.

(5) The situations to which this section applies are —

(a) holding the office of Director or being a member of the staff of the Office;
(b) being a participant in conciliation or investigation proceedings under this Act, whether as principal or agent;

(c) being a person or body to whom the Director refers a complaint;

(d) being a person who has received a notice under section 33(a), 35(1) or (3), 37, or 50(2) or (3) or a copy of a communication under section 33(b).

[Section 71 amended by No. 35 of 2010 s. 90.]