


West Moreton Hospital and Health Service

Queensland Health

www.health.qld.gov.au/workforus


Job ad reference:	H12WM12133
Role title:	Lawyer
Status:	Permanent Full Time <i>(Future vacancies of a temporary, full time or part time nature may be accommodated within this role)</i>
Unit/Branch:	Office of the Chief Executive
Division/Hospital and Health Service:	West Moreton Hospital and Health Service
Location:	Ipswich Hospital, Ipswich
Classification level:	PO4
Salary level:	\$86 225 - \$93 014 per annum
Closing date:	Wednesday, 2 January 2013 <i>(Applications will remain current for 12 months)</i>
Contact:	Lesley Dwyer
Telephone:	[REDACTED]
Online applications:	www.health.qld.gov.au/workforus or www.smartjobs.qld.gov.au If you are unable to apply online, please contact Statewide Recruitment Services on (07) 3121 1411 or [REDACTED]
Deliver application:	Hand delivered applications will not be accepted

About our organisation

Queensland Health's purpose is to provide safe, sustainable, efficient, quality and responsive health services for all Queenslanders. Our behaviour is guided by Queensland Health's commitment to high levels of ethics and integrity and the following **five core values**:

- **Caring for People:** We will show due regard for the contribution and diversity of all staff and treat all patients and consumers, carers and their families with professionalism and respect.
- **Leadership:** We will exercise leadership in the delivery of health services and in the broader health system by communicating vision, aligning strategy with delivering outcomes, taking responsibility, supporting appropriate governance and demonstrating commitment and consideration for people.
- **Partnership:** Working collaboratively and respectfully with other service providers and partners is fundamental to our success.
- **Accountability, efficiency and effectiveness:** We will measure and communicate our performance to the community and governments. We will use this information to inform ways to improve our services and manage public resources effectively, efficiently and economically.
- **Innovation:** We value creativity. We are open to new ideas and different approaches and seek to continually improve our services through our contributions to, and support of, evidence, innovation and research.

Purpose

- The Lawyer role is responsible for the provision of sound legal advice to the Board, Executive and staff of the West Moreton Hospital & Health Service; primarily related to industrial relations, human resources, commercial arrangements and legal risk management. The occupant of the role is also responsible to assist the Legal Services team in managing medico-legal claims, Coronial matters, health law matters, statutory interpretation and corporate governance. The Lawyer will report to the Corporate Counsel & Secretary.

To find out more about Queensland Health, visit www.health.qld.gov.au

EXHIBIT 16

WMS.9000.0023.00022

- The position operates in a complex environment involving a wide range of competing priorities and stakeholders, with often very short timelines. The Lawyer is required to deliver clinically sensitive legal and governance advice and take appropriate actions in support of the functions of the Chief Executive and the Hospital and Health Board.

Your key responsibilities

- Fulfil the responsibilities of this role in accordance with Queensland Health's core values, as outlined above.
- Provide quality legal advice on industrial relations, human resources, commercial arrangements and legal risk management within the public health service context (including as listed in the Purpose of the Position section). The Lawyer will also assist the Legal Services Team in managing medico-legal claims, Coronial matters, health law matters, statutory interpretation and corporate governance.
- Attend Courts and Tribunals, in particular those relating to Industrial Relations, and provide advocacy services where appropriate, or alternatively act as instructing solicitor for Counsel.
- Draft and / or review commercial arrangements including contracts, agreements, memorandums of understanding, licences, indemnities and releases.
- Provide professional advice to ensure appropriate mechanisms are in place for cost effective resolutions to all claims both litigated and non-litigated.
- Assist in managing the Health Service statutory obligations with respect to our health industry regulators, including the Office of the State Coroner, the Health Quality and Complaints Commission, Australian Health Practitioners Regulation Agency, the Commission for Children and Young People.
- Assist the Legal Services Team to manage medico-legal claims, and identify trends and issues with legal risk management and liaise with the Clinical Governance / Patient Safety and Quality team.
- Prioritise and assign work to external providers of legal services in a resource efficient, fair and equitable manner and monitor the progress and quality of such work to maintain best practice professional standards within the legal services function.
- Attend to other reasonable duties as requested, often in situations of urgency.

Qualifications/Professional registration/Other requirements

- Current admission as an Australian Legal Practitioner, or immediate eligibility for such admission, is mandatory.
- Prior experience providing legal advice in Industrial Relations or Human Resources matters would be highly regarded.
- Tertiary qualifications in Business, Commerce or Health are highly desirable.

Are you the right person for the job?

You will be assessed on your ability to demonstrate the following key attributes. Within the context of the responsibilities described above, the ideal applicant will be someone who can demonstrate the following:

- Demonstrated ability to undertake high level analytical and legal research in the preparation of quality legal and policy advice, submissions and correspondence in complex legal matters in relation to the operations of a health service, including Industrial Relations, Human Resources and Commercial matters.
- Sound knowledge, or the ability to quickly acquire a sound knowledge, of legislation relevant to the West Moreton Hospital & Health Service and the structure within which public health services in Queensland are delivered.
- Demonstrated highly developed written and oral communication, interpersonal, consultation and negotiation skills and the ability to develop and maintain appropriate networks.
- Demonstrated ability to operate as a competent legal advocate in Courts or Tribunals.
- Possession of outstanding personal qualities consistent with the Queensland Health and Hospital and Health Service values, Code of Conduct and leadership framework including self belief, self awareness, self management, drive for improvement and personal integrity.

EXHIBIT 16
How to apply

Please provide the following information to the panel to assess your suitability:

- **Your current CV or resume, including referees.** You must seek approval prior to nominating a person as a referee. Referees should have a thorough knowledge of your work performance and conduct, and it is preferable to include your current/immediate past supervisor. By providing the names and contact details of your referee/s you consent for these people to be contacted by the selection panel. If you do not wish for a referee to be contacted, please indicate this on your resume and contact the selection panel chair to discuss.
- **A short response** (maximum 1-2 pages) on how your experience, abilities, knowledge and personal qualities would enable you to achieve the key responsibilities and meet the key attributes.
- **Application form** (only required if not applying online).

About West Moreton Hospital and Health Service

The Lawyer role is located in the Office of the Chief Executive and reports to the Corporate Counsel & Secretary, West Moreton Hospital and Health Service. The Office of the Chief Executive is responsible for the management and delivery of executive services to both the Board and Executive.

West Moreton Hospital and Health Service (WMHHS) comprises of four local government areas Scenic Rim Regional Council, Lockyer Valley Regional Council, Somerset Regional Council and Ipswich City Council.

Ipswich is the major city of the region. Esk, Laidley, Gatton, Boonah and Wacol are townships spread throughout the service area.

The WMHHS services a population of approximately 249,000 people. The region's demographics are diverse and include metropolitan and small rural community settings.

The service has a major teaching role, providing both undergraduate and postgraduate clinical experience for members of the multidisciplinary healthcare team. The service currently employs over 2 600 staff.

WMHHS is home to one medium sized hospital, Ipswich Hospital, four rural facilities, Boonah Rural Health Service (RHS), Esk RHS, Gatton RHS, and Laidley RHS.

Based at Gailles are The Brisbane Youth Detention Centre Health Service and The Park-Centre for Mental Health, Treatment, Research and Education which also hosts the state-wide service of Queensland Centre for Mental Health Learning and Queensland Centre for Mental Health Research.

Wacol Women's Correctional Offender Health Service (including Helana Jones at Albion), Wolston Correctional Offender Health Service, Brisbane Correctional Offender Health Service became apart of West Moreton Hospital and Health Service on 1 July 2012 as part of the state-wide health reform.

Community Health Services operate from both the Ipswich Health Plaza and Goodna Community Health Centre and provides an outreach service to the rural area.

Oral Health services are provided in 18 fixed clinics and 12 mobile dental clinics across the region, coordinated to provide comprehensive adult and school based services. The main oral health clinic is the Ipswich Community Dental Clinic based in the Limestone Street Centre.

By 2031 it is projected that the WMHHS population will more than double to approximately 580,000, making the Hospital and Health Service the fastest growing in the state.

Additional information on the District is available on QHEPS site via www.health.qld.gov.au

EXHIBIT 16

Pre-employment screening

Pre-employment screening, including criminal history and discipline history checks, may be undertaken on persons recommended for employment. The recommended applicant will be required to disclose any serious disciplinary action taken against them in public sector employment. In addition, any factors which could prevent the recommended applicant complying with the requirements of the role are to be declared.

Roles providing health, counselling and support services mainly to children will require a Blue Card, unless otherwise exempt. Please refer to the Information Package for Applicants for details of employment screening and other employment requirements.

Salary Packaging

To find out whether or not your work unit is eligible for the Public Hospital Fringe Benefits Tax (FBT) Exemption Cap please refer to the Salary Packaging Information Booklet for Queensland Health employees available from the Queensland Health Salary Packaging Bureau Service Provider - RemServ at <http://www.remserv.com.au>. For further queries regarding salary packaging RemServ's Customer Care Centre may be contacted via telephone on 1300 30 40 10.

Disclosure of Previous Employment as a Lobbyist

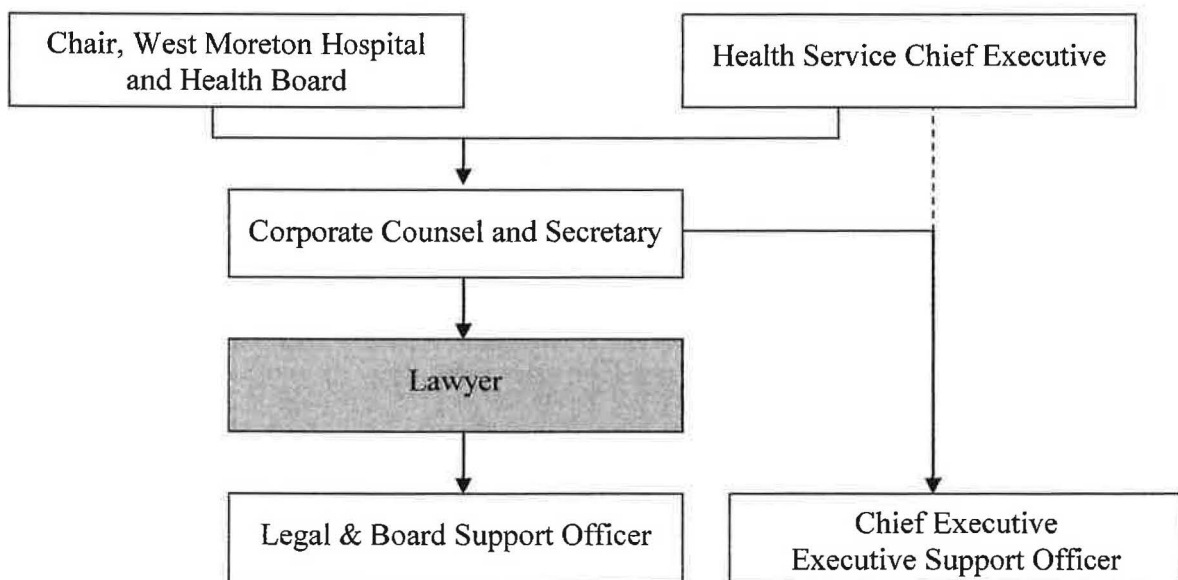
Applicants will be required to give a statement of their employment as a lobbyist within one (1) month of taking up the appointment. Details are available at <http://www.psc.qld.gov.au/library/document/policy/lobbyist-disclosure-policy.pdf>.

Probation

Employees who are permanently appointed to Queensland Health may be required to undertake a period of probation appropriate to the appointment. For further information, refer to Probation HR Policy B2 <http://www.health.qld.gov.au/qhpolicy/docs/pol/qh-pol-197.pdf>.

West Moreton Hospital and Health Service Corporate Office

Organisational Chart



Role Description for Legal Counsel

Business unit:	Legal Services Legal Services and Board Support	Division:	Office of the Chief Executive
Position ID:	TBA	Location:	Ipswich Hospital
Classification:	PO5	Contact:	Jacqui Keller
Salary:	\$102,724 - \$110,243 per annum	Telephone:	
Employment status:	Permanent Full Time	Closing date:	Tuesday, 7 April 2015 Applications will remain current for 12 months.
Vacancy reference:	WM03166620		

About this role

The Legal Services team at West Moreton Hospital and Health Service prides itself on delivering best practice legal advice and solutions to the organisation across a broad spectrum of areas, ranging from commercial and contract law issues to health and medico-legal affairs to industrial relations matters, and everything in between.

The Legal Counsel plays a key role in ensuring the delivery of such services in a manner that reinforces the Legal Services team's role as trusted business advisors to the organisation.

The Legal Counsel is responsible for the provision of practical legal advice and risk-based solutions that assist the organisation to deliver on its strategic directions and objectives.

The key accountabilities of the role are:

- Partner with others within the organisation to achieve West Moreton Hospital and Health Service's strategic directions and objectives through the provision of accurate, timely and easily-understood legal advice and solutions that are aligned with the commercial, strategic and practical needs of the organisation.
- Protect and enhance the interests of West Moreton Hospital and Health Service in all matters of a legal or regulatory nature, primarily in the areas of:
 - Commercial legal advice and contract negotiation, particularly in the areas of health care purchasing, research and clinical trials, employment, grants and funding, tendering and expression of interest processes, procurement of goods and services, information technology (GITC) and property leases and licences
 - Industrial relations
 - Confidentiality and privacy
 - Intellectual property
 - Legal and regulatory compliance,
 but also in the following areas, depending on the needs of the organisation:
 - Health Ombudsman matters and investigations
 - Coronial investigations and inquests
 - Other investigations and inquiries
 - Personal injury and other litigation/dispute resolution
 - Health law
 - Other areas as required.
- Strengthen legal and regulatory compliance across the organisation through the identification of, and provision of advice, education and training to the organisation in relation to, current and emerging legal concepts and risks.
- Deliver legal services in an efficient and cost-effective manner to achieve optimum outcomes.
- Develop and foster productive working relationships with internal and external stakeholders, external legal providers, and regulatory bodies.
- Prepare reporting to the Board and Executive on the activities and achievements of the Legal Services team.

- Assist in enhancing the Legal Services team's systems, infrastructure and processes to support best practice delivery of legal services, including the development of precedents and templates for use by the Legal Services team and other areas of the organisation.
- Actively participate in strategic and operational planning for the Legal Services team.
- Actively contribute to maintaining a safe workplace that values the health and safety of co-workers, clients or visitors.
- Actively contribute to developing and maintaining a culture where staff are vigilant to risks to themselves, their co-workers, clients or visitors (including health and safety, business and operational risks).
- Actively participate in the Health Service Performance Planning and Appraisal and Individual Development Planning processes.

This position is required to work under the general direction of the Senior Legal Counsel and General Counsel and Corporate Secretary, however is frequently required to work on complex and contentious legal matters without detailed direction or intensive supervision.

The Legal Counsel's duty to the court and the administration of justice is paramount and prevails to the extent of inconsistency with any other duty.

Staffing and budget responsibilities

- The position reports to the Senior Legal Counsel, who reports to and operates under the guidance of the General Counsel and Corporate Secretary.
- The position is not responsible for any other staff.
- The position is not allocated any budget responsibility, but will assist the Senior Legal Counsel and General Counsel and Corporate Secretary to ensure that the activities of the Legal Services team are delivered within budget.
- Staffing and budget responsibilities may change over time in line with the organisation's needs.

Attributes required for effective performance in this role

The information in this section is used to assess candidate suitability to perform effectively in the role.

Mandatory Qualifications / Professional Registration:

- Bachelor of Laws (or equivalent tertiary qualification).
- Admission as an Australian Legal Practitioner, or immediate eligibility for such admission.

Key capabilities required for this role:

- Three or more years' post admission experience in a similar field or position, ideally gained within a top tier law firm and/or quality corporate or government environment.
- Demonstrated knowledge, skills and experience in the areas of law identified above.
- Experience in the autonomous handling of legal and regulatory matters with little or no supervision.
- Demonstrated ability to be more than a lawyer, applying commercial acumen, problem solving and strategic thinking to issues at hand.
- Superior communication, negotiation and consultation skills including the ability to deal effectively and sensitively with a wide range of people at all levels of the organisation and across a wide range of professions.
- High level of legal drafting, analytical and investigative skills including the ability to prepare briefs, contracts, memoranda of understanding, term sheets, statements, advices and other legal documents without the assistance of external legal providers.
- Excellent attention to detail.
- Demonstrated ability to show initiative, adopt a proactive approach to solving arising legal issues, and to innovate.
- Excellent time management skills with the ability to effectively manage multiple tasks and deadlines as well as competing priorities.
- Detailed knowledge of the *Hospital and Health Boards Act 2011*, *Financial Accountability Act 2009*, *Financial and Performance Management Standard 2009*, *Statutory Bodies Financial Arrangements Act 1982*, *Health Ombudsman Act 2013*, *Coroners Act 2003*, *Crime and Corruption Act 2001*, *Public Health Act 2005* and other legislation and Government directives and policies that affect West Moreton Hospital and Health Service.
- A commitment to continuous professional development.

How to apply for this role

To apply for this role please provide the following documents:

- Your current resume including the name and contact details of at least two referees; and
- A short statement (maximum 2 pages) on how your experience, abilities, knowledge and personal qualities would enable you to achieve the key accountabilities and meet the key capabilities.

The Health Service prefers candidates to apply for roles online through www.health.qld.gov.au/workforus or www.smartjobs.qld.gov.au. If you apply online you can track your application during the selection process, maintain your personal details and contact details and withdraw your application if necessary.

To find out more about West Moreton Hospital and Health Service visit www.health.qld.gov.au/westmoreton/

Page 2 of 6

If you are unable to apply online, please contact our Recruitment and Establishment Team or [redacted] or email [redacted] and we will assist you. We are not able to accept hand delivered applications.

Employment related information

Pre-employment screening

Pre-employment screening including criminal history and discipline history checks may be undertaken on candidates recommended for employment. Roles providing health, counselling and support services mainly to children will require a Blue Card unless an exemption applies.

The recommended candidate is required to disclose if they have been subject to serious disciplinary action during any public sector employment. Candidates are also required to declare any factors which could prevent them from effectively fulfilling the requirements of the role.

All health professionals are responsible for maintaining their level of capability in the provision of health care and must comply with their reporting obligations in this regard.

Please refer to the document *Information for Applicants* for further information about pre-employment screening and other requirements.

Health professional roles involving delivery of health services to children and youth

All health professionals (including nurses and medical officers) who, in the course of their duties, formulate a reasonable suspicion that a child or youth has been abused or neglected in their home/community environment, have a legislative and a duty of care obligation to immediately report such concerns to Child Safety Services, Department of Communities.

Salary Packaging

For information about the Public Hospital Fringe Benefits Tax (FBT) Exemption Cap please refer to the *Salary Packaging Information Booklet* for Department of Health employees available from our salary packaging provider RemServ at <http://www.remserv.com.au>. Questions about salary packaging can be directed to the RemServ Customer Care Centre on 1300 30 40 10.

Disclosure of Previous Employment as a Lobbyist

Candidates appointed to the Health Service are required to give a statement of any previous employment as a lobbyist within one (1) month of taking up the appointment. Details are available at <http://www.psc.qld.gov.au/library/document/policy/lobbyist-disclosure-policy.pdf>.

Probation

Employees who are permanently appointed to the Health Service may be required to undertake a period of probation. For further information about probation requirements, please refer to Probation HR Policy B2 <http://www.health.qld.gov.au/qhpolicy/docs/pol/qh-pol-197.pdf>.

Please refer to the document *Information for Applicants* for further employment related information.

About West Moreton Hospital and Health Service

West Moreton Hospital and Health Service has a long and proud history of caring for the communities of Ipswich, Boonah, Esk, Laidley and more recently Gatton. The hospital and health service is one of the largest employers in the region, employing more than 2500 staff.

West Moreton Hospital and Health Service delivers health services in a mix of metropolitan and small rural community settings and services a population of about 245,000 people. The Health Service catchment is the third fastest growth area in Australia and the population is forecast to increase to an about 475,000 people by 2026 (an increase of 90 per cent). The projected increase in population is the largest of any Hospital and Health Service in Queensland. The Health Service has excellent prospects for growth which makes it an ideal employer for those seeking to develop their career.

The Hospital and Health Service delivers health services across the continuum of care: preventative and primary health care services, ambulatory services, acute care, sub-acute care, oral health and mental health and specialised services (including Offender Health and Alcohol Tobacco and Other Drugs). WMHHS also has a major teaching role, providing both undergraduate and postgraduate clinical experience for members of the multi disciplinary healthcare team and has accountability for state wide research and learning facilities for mental health.

Our Health facilities include:

- Ipswich Hospital
- Boonah Health Service
- Esk Health Service
- Gatton Health Service
- Laidley Health Service
- Community Health Services
- The Park Centre for Mental Health

To find out more about West Moreton Hospital and Health Service visit www.health.qld.gov.au/westmoreton/

Page 3 of 6

West Moreton Hospital and Health Service Core Values

- **Really Care** - Every day we are proud of how we care for our patients, how we work together and how we deliver our work.
- **You Matter** - We are part of the community we serve. What is important to our community is important to us. We respond to your feedback about our work, our attitude, the services we provide and the way we provide them.
- **We Deliver** - Our patients, their families, our colleagues, our staff, our partners and our community can be confident in our people and our services. We honour our commitments.
- **Be the Best** - We are here to make our patients' healthcare experience the very best it can be. We aspire to realise our vision and be Your Partner in Healthcare Excellence.

West Moreton Hospital and Health Service is committed to delivering patient centred highly reliable care through better health, better care and better value.

About the Legal Services and Board Support Division

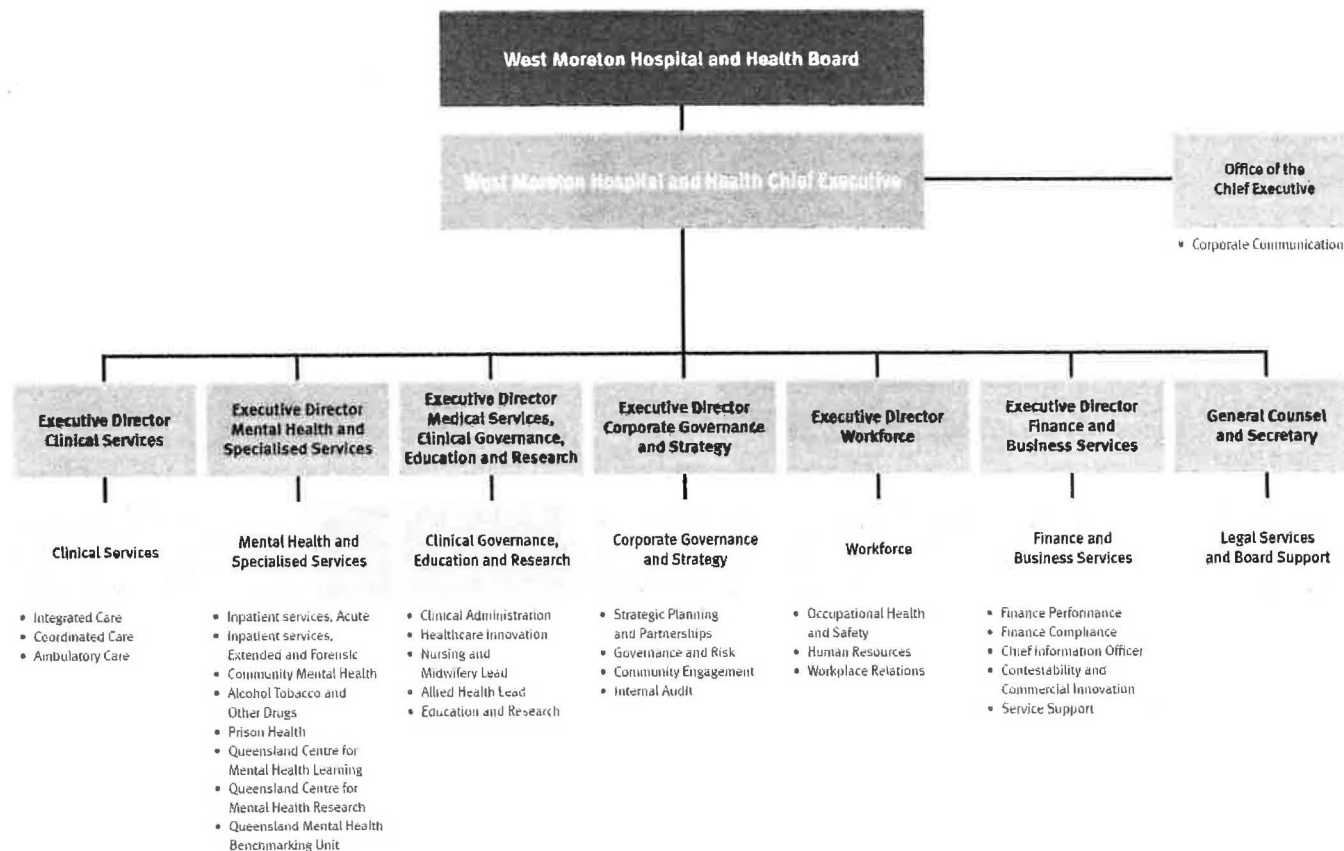
The Legal Services and Board Support Division oversees the legal affairs of West Moreton Hospital and Health Service and supports the operations of the West Moreton Hospital and Health Board.

The Division is comprised of the Legal Services team and the Board Support team, both of which pride themselves on delivering best practice legal and governance services to West Moreton Hospital and Health Service.

The activities of the Legal Services team range across a broad spectrum of areas, including medico-legal matters, coronial matters, confidentiality and privacy, procurement, health law, administrative law, commercial law, intellectual property, construction, contracts, corporate law, human resources and industrial relations, work health and safety, insurance, property, finance, dispute resolution, corporate governance and regulatory compliance.

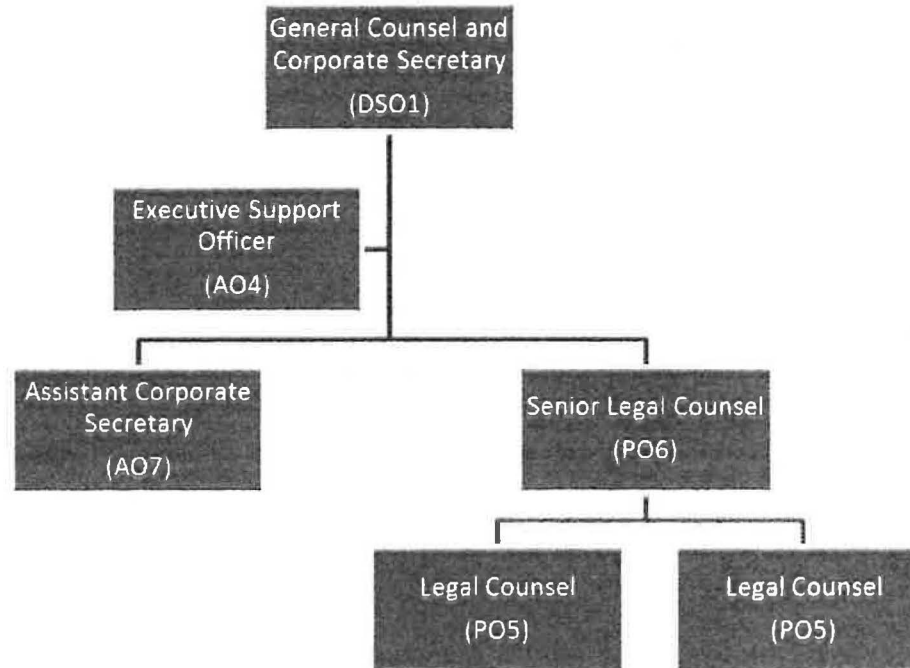
Organisation chart

West Moreton Hospital and Health Service organisational structure



Legal Services and Board Support Division Organisational Structure

06/02/2015



From: MD09-WestMoreton-HSD
Sent: 15 Aug 2014 09:05:29 +1000
To: Anne Griegg;Holly Ahern;Jacqueline Keller;Leanne Geppert;Sharon Kelly;WM_ED_MH&SS
Cc: MD09-WestMoreton-HSD;Lesley Dwyer;Karen Clarke
Subject: MD09141057 FOR ED URGENT ACTION- : Health Service Investigation following closure of Barrett Adolescent Centre (14_821)
Attachments: 20140814_Letter to Lesley Dwyer.pdf
Importance: High

Good morning Sharon and Jacqui

Please find attached for your attention.

Thanks
Jen

Jenifer Lye
Correspondence Officer
Office of the Chief Executive
West Moreton Hospital and Health Services

T: [REDACTED]
E: [REDACTED]
Chelmsford Avenue/ PO Box 73
Ipswich Qld 4305
Australia

Your partner in healthcare excellence

www.health.qld.gov.au/westmoreton

Facebook: www.facebook.com/pages/West-Moreton-Hospital-and-Health-Service/390111887692956

Twitter: www.twitter.com/wm_health



From: Karen Clarke **On Behalf Of** Lesley Dwyer
Sent: Friday, 15 August 2014 8:10 AM
To: MD09-WestMoreton-HSD
Subject: FW: Health Service Investigation following closure of Barrett Adolescent Centre (14_821)

Hi Jen

Can you please formally log this correspondence and send to Sharon and Holly please.

Thanks
K

From: Wensley Bitton
Sent: Thursday, 14 August 2014 5:11 PM
To: Lesley Dwyer
Cc: Annette McMullan
Subject: Health Service Investigation following closure of Barrett Adolescent Centre (14_821)

Dear Ms Dwyer,

Please find attached correspondence from the Director-General for your attention.

The original has been posted to you.

Kind regards
Wensley

Wensley Bitton
Senior Principal Lawyer

Legal and Governance Branch
System Support Services
Department of Health
Level 12, 147 – 163 Charlotte Street
BRISBANE QLD 4000
Phone: [REDACTED]
Fax [REDACTED]
Email: [REDACTED]

Work days: Monday, Wednesday, Thursday, Friday



Queensland
Government

Department of Health

Enquiries to: Annette McMullan
Chief Legal Counsel
Legal and Governance Branch

Telephone:
File Ref:

14 AUG 2014

Ms Lesley Dwyer
Chief Executive
West Moreton Hospital and Health Service
PO Box 73
IPSWICH QLD 4305

Dear Ms Dwyer

I wish to inform you of a planned investigation into the statewide transition and care planning measures following the policy decision made by Queensland Health in 2013 (and communicated by the Minister on 6 August 2013) to close the Barrett Adolescent Centre (BAC), Wacol, West Moreton Hospital and Health Service (HHS) in January 2014.

This is in response to communications to me over the past week in relation to the closure of the BAC and transition of health care for its adolescent patients from being institutionally-based in a stand-alone mental health facility to being community-based. I make further note of there being three previous patients of the BAC who have died in 2014 and whose deaths are currently being investigated by the Queensland Coroner.

I have appointed three health service investigators, under section 190(1) of the *Hospital and Health Boards Act 2011*, to undertake a health service investigation into the statewide transition and care planning measures following the closure of the BAC.

The objective of the investigation will be to:

- Assess the governance model put in place within Queensland Health (including the Department of Health and relevant Hospital and Health Services, including West Moreton, Metro South and Children's Health Queensland and any other relevant Hospital and Health Service) to manage and oversight the healthcare transition plans [REDACTED]
- Advise if the governance model was appropriate given the nature and scope of the work required for the successful transition of the then patients to a community based model;
- Advise if the healthcare transition plans developed for individual patients by the transition team were adequate to meet the needs of the patients and their families;

Office
19th Floor
Queensland Health Building
147 - 163 Charlotte Street
BRISBANE QLD 4000

Postal
GPO Box 48
BRISBANE QLD 4001

Phone [REDACTED]

Fax [REDACTED]

- Advise if the healthcare transition plans developed for individual patients by the transition team were appropriate and took into consideration patient care, patient support, patient safety, service quality, and advise if these healthcare transition plans were appropriate [REDACTED]
[REDACTED] and
- Based on the information available to clinicians and staff at the time of closure of the BAC, advise if the individual healthcare transition plans [REDACTED]
[REDACTED] were appropriate. A detailed review of the healthcare transition plans for patients who have been associated with serious adverse events should be undertaken.

Should officers of your Department require further information, Department of Health's contact is Annette McMullan, Chief Legal Counsel, Legal and Governance Branch, on telephone [REDACTED]

Yours sincerely

[REDACTED]
Ian Maynard
Director-General

14 AUG 2014

File Note

12:15 15/08/14
12:26.

Annette McMullan, Chief Legal Counsel, Depart. ~~AT~~

Normally don't give copies of terms of reference
Investigators will give full list of docs

~~Megan Fairweather?~~

1 x Psych

Christie Geddis
Minter ELLISON

1 x OT

More docs will follow from investigators inc instrument of app.

15/17 Sept. -> Report due.

Wensley Bitton Transition planning for [redacted] - Confirmed.

John Allen - Chief Psych.
initial point of contact for collation



West Moreton Hospital and Health Service

Enquiries to: Sharon Kelly
Telephone:
Facsimile:

Dr John Allan
Chief Psychiatrist
Mental Health Alcohol and Other Drugs Branch
Department of Health

C/o Minter Ellison Lawyers
Level 22 Waterfront Place
3 Eagle Street
Brisbane QLD 4000

Dear Dr Allan

Investigation under Part 9 of the *Hospital and Health Boards Act 2011* – Barrett Adolescent Centre

I refer to the correspondence to you dated 15 August 2014 from Minter Ellison Lawyers regarding the investigation under Part 9 of the *Hospital and Health Boards Act 2011* into the closure of the Barrett Adolescent Centre (**Centre**).

I understand that the investigation has been commissioned to examine the governance model and transitional planning arrangements put in place for a number of adolescents who were inpatients or outpatients of the Centre.

I note the appointment of Health Service Investigator Ms Kristi Geddes, Senior Associate, Minter Ellison Lawyers in relation to the investigation. Whilst I am yet to receive a copy of the instruments of appointment, I understand that the following two representatives from the Mental Health and Drug and Alcohol Office, NSW Ministry of Health have also been appointed to conduct the investigation:

- Associate Professor Beth Kotze, Acting Associate Director, Health System Management; and
- Ms Tania Skippen, Occupational Therapist, Associate Director, Specialist Programs, Mental Health – Children and Young People.

In summary, we have been asked to provide documents and information relating to:

- the governance model in place within West Moreton to manage and oversight the health care transition plans for the then current inpatients and day patients;
- healthcare transition planning;
- clinical records; and
- details of relevant clinicians and staff of the Centre.

Overview of the Centre's history

The Centre was, until its closure, a 15-bed inpatient service located at The Park Centre for Mental Health (**The Park**) that also offered day program services as a step down intervention following inpatient admission. The Centre provided extended treatment and rehabilitation programs for adolescents across Queensland presenting with complex mental health diagnoses including eating disorders, anxiety and mood disorders, and severe self-harm and suicidal behaviour.

The Centre was constructed in 1976 as part of the Adult Inpatient Service at the Wolston Park Hospital. The Centre was intended to close in 1999 once the child and youth acute inpatient service in the adjacent districts were commissioned. However, in 1997, families of consumers and staff successfully lobbied for the retention of the Centre as a medium stay inpatient service for adolescents in Queensland. However neither the Ten Year Mental Health Strategy for Queensland nor the Queensland Health Capital Rebuilding program allowed for programs for medium stay treatment and rehabilitation for adolescents 18 years and under. As a result, the Centre has had no major refurbishment since opening.

Queensland's public mental health system has undergone significant reform over the past ten years. The reform agenda includes a shift from institution-based service models, including extended treatment and rehabilitation, to more contemporary models of care that align with state and national policy. The impact of these important reforms has seen the care of consumers moved primarily into community-based settings that support the consumer to engage in their own local neighbourhoods and facilities. This has been particularly vital for consumers requiring medium to longer-term care.

In alignment with the Queensland Plan for Mental Health 2007-17, a key area for reform within Mental Health and Specialised Services in the West Moreton Hospital and Health Service has been the development of The Park as an adult-only forensic and secure mental health campus. The high security forensic services have been expanded, and a new service option was established on the campus (Extended Forensic Treatment and Rehabilitation Unit) in July 2013.

In light of these significant changes, it was no longer safe or contemporary practice to provide long-term inpatient care for adolescents at the Centre on The Park campus.

Overview of governance model put in place for the Centre's closure

The foundational work for the Centre's closure commenced in late 2012 when a project plan titled 'Barrett Adolescent Strategy' was tabled by the Chief Executive at a West Moreton Board meeting. A copy of the strategy is contained as **Attachment 1** for your reference.

The project was led by the Adolescent Strategy Planning Group (**Planning Group**) which was comprised of senior clinical and management representatives of West Moreton Hospital and Health Service, Townsville Hospital and Health Service, Children's Health Queensland, Education Queensland and the Department of Health.

The purpose of the project was to consider options for the provision of mental health services for adolescents requiring extended treatment and rehabilitation in Queensland. To assist with the process, the Planning Group appointed an Expert Clinical Reference Group (**ECRG**) of child and youth mental health clinicians, a consumer representative, a carer representative, a child and youth senior clinical representative from interstate, and other key stakeholders to explore and identify alternative service options for this target group.

On 8 May 2013, the ECRG endorsed the Proposed Service Model Elements for Adolescent and Extended Treatment Rehabilitation Services and made seven recommendations for the Planning Group's consideration.



West Moreton Hospital and Health Service

Later in May 2013, the recommendations were accepted by the Planning Group subject to a number of conditions. The recommendations of the ECRG and Planning Group can be found at **Attachment 2** and were supported by the West Moreton Board based on extensive consultation and no gap to service provision for the adolescent target group.

On 6 August 2013, Minister for Health, Mr Lawrence Springborg announced the closure of the Centre and that new service options for adolescent extended treatment and rehabilitation would be available in early 2014. Additionally, it was announced that Children's Health Queensland (CHQ) would hold governance of new service options.

Following the announcement of the Centre's closure, a state-wide project was established and governed by CHQ to progress the implementation of new service options. West Moreton was a partner in this process. A state-wide Steering Committee (chaired by CHQ) was convened.

In October 2013, the Chief Executive and Department of Health Oversight Committee was put in place and was comprised of the Deputy Director-General from the Department of Health (**Department**), Health Service Chief Executives from key hospital and health services, the Executive Director of the Mental Health Alcohol and Other Drugs Directorate in the Department and other key representatives from CHQ. The purpose of this committee was to provide strategic leadership and governance for the State-wide Adolescent Extended Treatment and Rehabilitation Implementation Strategy.

The governance structures that were put in place at a local level within West Moreton included the:

- West Moreton Management Committee (BAC weekly update). This multidisciplinary committee met on a weekly basis from September 2013 until January 2014. Stakeholders ranged from managerial and clinical representatives from within West Moreton's Mental Health and Specialised Services Division, CHQ, the Mental Health, Alcohol and Other Drugs Branch and other external service providers as the need arose; and
- Clinical Care Transition Panel. This multidisciplinary panel met as often as required to discuss the transitional and day to day needs of each patient and was comprised mainly of the acting Clinical Director, Psychiatrist Dr Brennan, Clinical Nurse Consultant Vanessa Clayworth, Occupational Therapist Megan Hayes, Social Worker Carol Hughes, project officer Laura Johnson and initially A/Principal of the Centre's school; and

A timeline of key decision points and events that occurred during the Centre's closure is contained as **Attachment 3** for your reference.

Transitional arrangements

Following the closure of the Centre, every effort was made to transition each young person according to their individual needs. A comprehensive review of the ongoing clinical needs for all young people at the Centre (including those on the wait list) was conducted. Recommendations were made by the clinical team about future service needs utilising a range of strategies including direct consumer assessments and consultation (where possible), consumer medical charts, contact with the referring agency and local mental health service, and contact with family. A series of factors were taken into account including but not limited to clinical need and risk, length of stay in the inpatient setting, age, demographics, family engagement and available community supports.

Consumers requiring ongoing care were supported during transition to a range of service types (adult or child and youth services) including public, private and non-government organisations. CHQ has continued to provide support as required to ensure there is no service gap.

Transition planning for each young person at the Centre was conducted utilising a multidisciplinary approach at an individual level with the consumer, their family and the new service providers. Each transition package was tailored to meet the clinical need and risk profile of the young person. These packages were implemented as close to their local community as was possible and safe.

As needed, high level inter-departmental negotiations were conducted with other agencies in order to facilitate housing and disability support.

West Moreton undertook extensive consultations with service providers and families to ensure that the best possible options for care were made available for each young person. This included discussions about the health service that would best meet the needs of the young person (i.e. whether a Child and Youth Mental Health Service or an adult mental health service would be more suitable). Where needed, varying intensities of intervention were also implemented, with some young people requiring only intermittent community outpatient care and others requiring extended inpatient care in a Community Care Unit.

Information provided to us continues to support the view that a large majority of young people and their families have transitioned positively to alternative care options. Please refer to **Attachment 4** for some of the feedback received from patients following the Centre's closure. In the small number of cases where we have been informed of ongoing issues post-transition, West Moreton has engaged with the new service to support a speedy resolution to the issue/s.

We also wish to highlight that the Centre was established to meet the mental health care needs of adolescents aged between 13 and 18 years.

Provision of documents for the Investigation

Please find enclosed three USBs which contain all collated documents and information. The documents are contained in a Sandisc Secure Access Vault and password protected.



West Moreton Hospital and Health Service

[REDACTED]

All emails should be opened in Microsoft Outlook.

A USB file index which provides a brief summary of the files contained within each folder and subfolder is contained as **Attachment 5**.

Please find a complete list of the Centre's inpatients and outpatients [REDACTED] contained as **Attachment 6**. Given the scope of the terms of reference, we have not included clinical records or documentation relevant those patients who were on the waitlist.

We have enclosed copies of each patient's clinical file for the period [REDACTED]. We would be happy to provide the complete patient chart for each patient upon request. Also included are extracts from the Queensland public health sector electronic database 'Consumer Integrated Mental Health Application' (CIMHA) for each consumer.

In terms of the health care transition plans, we note that some adolescents were already well progressed through their discharge process at the time the Centre's closure was announced on 6 August 2013. There are therefore not specific documents titled 'health care plans' for all patients.

We note that within the folder titled 'Individual_transition_package_planning', there are a number of excel spreadsheet documents called 'transition guides' as well as word documents called 'community contacts'. These were created during the course of the transition planning process. Please be advised however, that these were intended as a guide only and do not reflect the entire process. To assist in providing the investigators with a snapshot of the transitional documents and actions that were taken by West Moreton and relevant stakeholders, we have updated a number of the transition guides for selected consumers, [REDACTED].

These updated transition guides may be found in the individual transition folders for those consumers.

A list of all the relevant clinicians and staff employed at the Centre has been included as **Attachment 7**.

Please note that due to changes made to the email systems used within West Moreton and the fact that Dr Brennan is no longer with our service, we have not been able to provide her emails at this point. We are currently working with our information technology services to retrieve that information.

We would be happy to provide further assistance to the investigators in any way that we can. Please don't hesitate to contact Ms Sharon Kelly, Executive Director of Mental Health and Specialised Services on [REDACTED] or by emailing [REDACTED].

Yours sincerely

[REDACTED]

Lesley Dwyer
Health Service Chief Executive
West Moreton Hospital and Health Service

24 August 2014