

Minutes for Justice Health and Forensic Mental Health Network (Justice Health NSW) Board Meeting

24/08/2023 | 11:30 AM - 03:51 PM - Australian Eastern Standard Time (AEST)

Justice Health Administration Centre (JHAC), Board Room and Microsoft Teams

The Chair, Professor Denis King, declared the meeting open at 11:07am with a quorum.

ITEM 1: Meeting Opening and Welcome

1.1 Attendance / Apologies

Members

Prof Denis King OAM, Board Chair

The Hon. Jillian Skinner, Deputy Chair

Dr Kath McFarlane, Board Member

Mr Roger Downs, Board Member

Ms Marisa Mastroianni, Board Member (MS Teams) joined the meeting at 11:26am left the meeting at 2:35pm.

Prof Penny Abbott, Board Member

Dr Annette Bemand, Board Member

Mr David McGrath, Board Member

Dr Robyn Shields, Board Member

Also In Attendance:

Ms Wendy Hoey, Chief Executive

Mr Hugh Norris, Acting Director Office of the Chief Executive (Acting Board Secretariat)

Ms Chrisa Dsouza, Executive Support Officer (Minutes)

Dr Joanne Grimsdale, Chair Medical Staff Council left the meeting at 11:21am and left the meeting at 2:35pm.

In attendance for item no 1.4

Prof Carolyn Quadrio, former Board Member(MS Teams) joined the meeting at 11:29am and left the meeting at 11:33am.

In attendance for item no 2

Ms Jackie Fitzgerald, Executive Director-BOCSAR(MS Teams) joined the meeting at 11:44am left the meeting at 12:45pm.

In attendance for item no 4.1

Ms Samantha Helais, Acting Chief Digital Health and Information Officer joined the meeting at 11:15am and left the meeting at 11:20am.

In attendance for item no 4.2.4

Mr Mike Wheaton, A/Executive Director Youth Justice NSW (MS Teams) joined the meeting at 01:32pm and left the meeting at 1:43pm.

Apologies

Ms Donna Blomgren, Director Office of the Chief Executive (Board Secretariat)

Mr Kevin Corcoran -Commissioner Corrective Services NSW

Mr Paul O Reilly – Executive Director Youth Justice NSW

Mr Paul Knight, Board Member

Mr Leon Taylor, Acting Commissioner Corrective Services NSW

Dr Robert Reznik, Chair Mental Health Medical Staff Council

1.2 Declaration of Interest - None

DG74597/23

Page 1 of 8



Prof Denis King
Board Chair

Minutes for Justice Health and Forensic Mental Health Network Board Meeting

1.3 Acknowledgement of Country

The Chair made an acknowledgement of country.

1.4 Thank You

Prof. Carolyn Quadrio thanked the Board Members for their support during her tenure as a Member on the Justice Health NSW Board. The Board expressed their appreciation for Prof Quadrio's contributions to Justice Health NSW.

ITEM 2: BOCSAR Presentation

The Board received a presentation from the Executive Director NSW Bureau of Crime Statistics & Research on the Key Trends in the NSW Criminal Justice System

ACTION 89/23: Board Chair to draft and send thank you letter to the Executive Director BOCSAR for her presentation to the Board. (Assignee(s): Board Chair (BC) Due Date: 29/08/2023)

ACTION 90/23: Executive Support Officer to request the Executive Director BOCSAR for a copy of her presentation tabled to the Board at the August 2023 meeting and upload into Diligent Boards Resources Centre. (Assignee(s): Executive Support Officer (ESO); Executive Director BOCSAR (ED) Due Date: 29/08/2023)

ITEM 3: Business From the Last Meeting

3.1 Confirmation of Previous Minutes – 7 July 2023 - Adopted

3.2 Action Items Arising - Noted

3.2.1 Action item no 82/23 – Update on Cyber Security Concerns and Mitigation Measures for Diligent Boards – Noted

The Chief Executive advised the Board that implementation of Multi Factor Authentication (MFA) and strong password measures are enforced to ensure the safety of information in Diligent Boards software. Board members were asked to reach out to the Executive Support Officer if support is required.

3.3 Register of Board Resolutions – Noted

ACTION 91/23: Executive Support Officer to upload the complete Resolutions Tracker into the Resources Centre and moving forward to only include extracts of specific relevance to a meeting to be attached as part of the papers. (Assignee(s): Executive Support Officer (ESO) Due Date: 18/10/2023)

ITEM 4: Standing Items and Exceptional Reporting

4.1 Cyber Security – Noted

Acting Chief Digital Health and Information Officer advised the Board that a cyber security breach occurred at the Forensic Hospital. No sensitive information was leaked

DG74597/23

Page 2 of 8



Prof Denis King
Board Chair

during this breach. To prevent reoccurrence, mitigation strategies have been implemented.

Third party assessment for Mandatory Requirements and Essential 8 is completed. Four (4) controls have been uplifted under Mandatory Requirements and two (2) controls have been uplifted under Essential 8.

Regarding Essential 8, Justice Health NSW set a target of reaching maturity level 2 across all eight (8) controls by 2024/2025. This has already been achieved with one (1) control reaching the highest maturity level 3.

4.2 Board Updates

4.2.1 Board Chair Report (Verbal Update)

The Board received a verbal update from the Chair on discussions held at the Council of Board Chairs meeting noting:

- ongoing reviews on the functions of different government agencies
- Minister for Health is reviewing the composition of every Board. The Board Chair assured members of their appointment until 31 December 2023.
- Secretary for Health stressed the importance of the accuracy of Board minutes by providing adequate information.
- budgets estimates will be announced on 19 September 2023 with challenges in forward estimates.
- state-wide mask mandates will be eliminated shortly. It will be the responsibility of each Local Health District/ Specialty Network to implement a policy on mask mandates.
- slow progress on challenges faced by medicos and HSU's.
- Voluntary Assisted Dying will be implemented across the state on 28 November 2023 and the organisation needs to establish protocols.
- There has been a transfer of Research into the Agency of Clinical Innovation.

4.2.2 Chief Executive Board Report - Received

The Chief Executive verbally highlighted:

- That the Organisation has been successful and achieved 3-year accreditation following the QIP assessment against the RACGP standards for health services in Australian Prisons.
- An update on the organisational Tier 2 realignment with Anthony Dombkins commenced in the role of Director Nursing, Midwifery and Clinical Governance noting also that the recruitment of the Chief Digital and Health Information Officer is completed.
- As per the recommendations from the Psychiatry Workforce Review, there has been progress in strengthening of Forensic Psychiatry at Tier 2 level. A position description has been drafted to clarify the position status and expectations.
- The CE thanked the Members who were able to attend the Health Care in Secure Settings Conference 2023.

DG74597/23

Page 3 of 8



Prof Denis King
Board Chair

- A visit to the Forensic Hospital and Long Bay Mental Health has been scheduled with Minister Jackson. There was a query from Minister Jackson on the involuntary treatment in custody and on Forensic Patients. There is a developed strategy and policy which is getting signed off and the Chief Executive has been requested by the Secretary of Health to attend the next meeting to talk that through.
- Minister for Health has requested a briefing on what he can take to Minister for Corrections to discuss.
- The Voluntary Assisted Dying project continues with extensive collaboration and consultation between the many stakeholders.

The Board Chair stressed the importance of the organisation's position statements to be presented to the Board routinely. The Board Chair requested the members to advise the Board if they had any suggestions about any other concerns where it could be necessary to establish a position statement to assist staff. The staff will have access to a running list of internal position statements that have been approved which should be helpful if they encounter the situation and provide a position they can rapidly convey as a backup.

The Board queried if there is an organisational position on the referendum on 'The Voice' and were advised by the Chair and Chief Executive the Ministry has indicated that there is to be no official position on 'The Voice' however, information sessions have been conducted to educate the workforce on the referendum. There is an additional responsibility on the organisation for patients to ensure that they are informed of the referendum.

The Board queried the outcomes of the PAS project recommendations received from the Coroner and were advised that the PAS project will be fixed by the SDPR however there is a comprehensive redesign project underway.

ACTION 92/23: Executive Support Officer to include recording link of the Health Care in Secure Conference 2023 into Diligent Boards Resources Centre. (Assignee(s): Executive Support Officer (ESO) Due Date: 18/10/2023)

ACTION 93/23: Chief Executive and Executive Support Officer to formalise the process for determining and finalising position statements to be endorsed by the Board - including private operators. (Assignee(s): Chief Executive (CE) and Executive Support Officer (ESO); Due Date: 18/10/2023)

4.2.3 Corrective Services NSW (Verbal Update) - None

4.2.4 Youth Justice NSW (Verbal Update)

The Acting Executive Director advised the Board that while the number of young people in Youth Justice NSW continues to remain low, that of young people on remand is rising. The proportion of youth under community supervision has declined. The organisation's website has been updated with five-year training statistics on community custody and adolescent justice conferencing. In spite of efforts, 90% of young people remanded never receive a control order, which is a work in progress. Particularly among those between the ages of 10 -13 there has been an upsurge in the number of young people using the system. These people do not receive a court order requiring continued contact with Youth Justice. Work is underway both internally and with

DG74597/23

Page 4 of 8



Prof Denis King
Board Chair

stakeholders that target young people ensuring they are provided with adequate support in the community. The Acting Executive Director thanked Justice Health NSW staff for their support provided during the passing away of a Youth Justice NSW staff member.

4.3 Board Sub- committee Reports

4.3.1 Finance and Workforce Performance Committee – Received including draft minutes from 25 July 2023

The Committee Member highlighted from the report:

- the endorsement of the Workforce Enabling Plan by the committee.
- discussions about hiring consultants being engaged through the public sector is closely monitored. The committee took note of any new requirements introduced by the government.
- the organisation has been favourable to budgets. The committee complemented the work undertaken by the finance team on their reporting.

The Committee member noted that the area of focus for the committee is work health and safety and workforce both in terms of attraction and retention of Aboriginal workforce.

4.3.2 Audit and Risk Committee – Received including draft minutes from 13 July 2023

The Chief Executive noted:

- cyber security continues to remain a high risk for the organisation.
- work is underway to conduct an internal audit.
- there are concerns by the committee on the occupational health and safety specifically on Lost Time Injury.
- two Committee members complete their term in March 2024. Work is underway to appoint to these positions.
- Issues of cyber security were discussed at the meeting and our attestation about cybersecurity and the fact that eHealth holds so many of our crown jewels, has a big impact on our cyber security. A letter was sent to eHealth by the Committee Chair requesting assurance that they are meeting the Mandatory Requirements 20 in the NSW Cyber Policy and Essential 8.

4.3.3 Patient Safety and Clinical Quality Committee - Received including draft minutes from 12 July 2023.

The Committee Chair assured the Board that the committee is drilling down into the Patient Access Report to understand what patients are waiting for and if there is difference between centres. The redesign process is taking a while however there is already some better way of us seeing what's happening, which will be presented at the next meeting .

The Committee member provided an update from the quarterly meeting held with the Health Care Quality Committee Chairs quarterly meeting noting that



Prof Denis King
Board Chair

there were three presentations tabled by three different Local Health Districts on partnership work with the Clinical Excellence Commission. It was further noted that the Chief Executive of the Clinical Excellence Commission is scheduled to visit Justice Health NSW.

The Board queried about the process once recommendations are received from the Coroner on death's in Custody and the Chief Executive provided an overview of the governance process undertaken internally.

ACTION 94/23: Director Nursing, Midwifery and Clinical Governance to present to Patient Safety and Clinical Quality Committee (PSCQC) a brief outline of coronial and SAER recommendations governance structures (Close the Loop). (Assignee(s): Director Nursing, Midwifery and Clinical Governance (DNMCG); Due Date: 13/09/2023)

4.3.4 Research Advisory Committee – Noted

4.3.5 Strategic Planning and Governance Committee Received including draft minutes from 14 July 2023.

The Committee Chair provided highlights from the report:

- commended the work undertaken on the Corporate Governance Framework. The committee provided input on the role of the Board and aligning it to the compendium reflecting the Board's responsibilities and the other area was ICT governance. These were the changes that the committee requested for and have been incorporated
- Clinical Service Plan and the Workforce Enabling Plan have been endorsed by the committee.
- The strategic plan continues to remain on track. Work is underway in terms of metrics and collaboration with the new Tier 2 and getting their feedback on appropriate metrics and a bit of an end user role into the business plans to ensure that the strategic plan outcomes become embedded.

ITEM 5: For Decision / Approval

5.1 Corporate Governance Attestation Statement – Endorsed

The Board queried if attendees are members of the committee as presented in the attestation statement. The Board Chair advised that the Board composition is being looked into. Once the final Board composition is finalised, it will be ensured that there is sufficient representation across the subcommittees.

ACTION 95/23: Chief Executive to review the by-laws to verify formal members per Board Subcommittee.(Assignee(s): Chief Executive (CE)Due Date: 18/10/2023)

RESOLUTION 2023/20: The Board endorsed the Corporate Governance Attestation Statement

5.2 Corporate Governance Framework - Approved

RESOLUTION 2023/21: The Board approved the Corporate Governance Framework

DG74597/23

Page 6 of 8



Prof Denis King
Board Chair

5.3 Workforce Enabling Plan – Reviewed and Approved

The Board queried the pathway for exit interviews and the Chief Executive advised that the internal workforce committee manages this pathway.

RESOLUTION 2023/22: The Board reviewed and approved the Workforce Enabling Plan.

5.4 Justice Health NSW 2023/24 Service Agreement Monitoring by Board Subcommittees – Approved

The Chief Executive advised the Board that reporting on specific KPI's will be significantly expanded for inclusion in Service Agreement monitoring, including PAS waitlist times. These Key Performance Indicators (KPI's) will be allocated to the subcommittees shortly as these get written into the Service Agreement for 2023 – 2024.

Noting the significant number of KPI's, the Board proposed a process to be established for prioritising the reported KPI's.

ACTION 96/23: *Chief Executive to create a KPI reporting traffic light system plus trend data for Committees to simplify service agreement monitoring. (Assignee(s): Chief Executive (CE) Due Date: 18/10/2023)*

RESOLUTION 2023/23: The Board approved the alignment of the Service Agreement 2023 - 24 Key Performance Indicators (KPI's) to the Board Sub Committee.

ITEM 6: For Discussion

6.1 Board Evaluation Results – Received

The Board Chair thanked the members for completing the survey for 2023 and advised that the feedback would be taken into account in the recommendations to the Minister for appointment of new Board members.

ITEM 7: For Information / Noting

7.1 Medical and Dental Appointments Advisory Committee

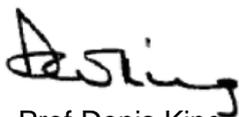
The Committee Chair advised that they are looking into the Committee's composition which is a work in progress. It was also noted that the Ministry of Health are bringing in a directive that you are not allowed to be a VMO and Staff Specialist in the same area which is going to affect a lot of staff.

7.2 Medical Staff Council – Noted and Received

The Committee Chair thanked the Chief Executive for her hard work specially in the psychiatry space.

7.3 Mental Health Medical Staff Council - Noted

7.4 Ministry of Health Annual Report 2022-23– Noted



Prof Denis King
Board Chair

General Manager Primary Care advised the Board that the recommendations received from the Inspector of Custodial Services are being monitored by the Close the Loop Committee.

7.5 June 2023 Financial Update– Noted

The Chief Executive discussed the current risks to budget.

7.6 2023 - 24 Interim Service Agreement Budget Update – Noted

7.7 Internal Audit Attestation – Noted

7.8 Clinical Governance Attestation Statement – Noted

ACTION 97/23: Program Manager Corporate Governance & Enterprise Risk and Executive Support Officer to compile a tracker for attestation statements due annually and include in the resource centre. To confirm attestations are made from an organisational rather than Board level. (Assignee(s): Program Manager Corporate Governance and Enterprise Risk (PMCGER) and Executive Support Officer (ESO) Due Date: 18/10/2023)

7.9 Clinical Services Plan– Noted

ITEM 8: New Business

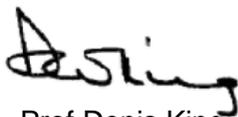
8.1 Risks for Escalation to Audit and Risk Committee - None

ITEM 9: Business Without Notice - None

ITEM 10: Closure of General Meeting – 2:20pm.

DG74597/23

Page 8 of 8



Prof Denis King
Board Chair