



Board Minutes
12 August 2020
1.36 to 4.08pm

JHAC Conference Room and Skype Meeting

1. Acknowledgement of Country

The Chair made formal acknowledgement of country and to this meeting being held on Aboriginal land and paid respect to elders past and present.

2. Present

Mr C Puplick – Chair *
Mr K Barker *
Dr P Abbott *
Mr I Gillespie *
Mr S Loveday *
Dr M Sotiri *
Mr P Dwyer *
Dr R Shields *
Ms M Eason *
Ms A Churchill *

A/Prof J Phillips **
A/Prof C Quadrio **
Dr K McFarlane **

Invited Attendees

Mr Gary Forrest – Chief Executive *
Mr P Severin – Representing Corrective Services NSW **
Mr P O'Reilly – Representing Youth Justice NSW **

In Attendance

Ms B Gillard *
Ms L Willing *
Mr R Anand *
Ms J Buncombe *
Ms W Hoey *
Dr Stephen Hampton *
Dr SJ Spencer *
Dr G Nicholls *

* Attended the Justice Health and Forensic Mental Health Network Administration Centre for the meeting.

** Attended the meeting externally via Skype.

3. Apologies Nil

4. Presentation

Dr Jill Roberts (Clinical Director D&A Service) Dr Dena Attalla (Staff Specialist D&A Services) provided a presentation on a "Depot Buprenorphine patient".

5. Confirmation of Minutes

The minutes of 11 June 2020 were confirmed as a true and accurate record of the meeting.

6. Declaration of Interests

There were no declaration of interests declared at this meeting.

7. Business Arising

7.1 Actions arising from 11 June 2020 Board meeting

- **Coronial recommendations update**

A brief was included in the papers providing information on coronial recommendations that were handed down in the years 2017 to 2019. 28 of the 30 recommendations have now been completed. Of the two outstanding, one is not due and the other is overdue. The overdue recommendation has been actioned and is awaiting final policy sign off. Ongoing monitoring of these will be through HCQC.

- **High cost medications**

The brief included in the papers was taken as read.

8. Strategic Items

8.1 Board Strategic Directions

- **Aboriginal Justice and Health Committee report**

As the Board Sponsor and Chair of the Committee, Mr Dwyer recorded his gratitude to Ms Buncombe and Mr Trindall for their identification and formulation of the Committee's Report to the Board. He highlighted the considerable amount of material included in the report in other documents also before the Board at this meeting.

- **Terms of Reference for the Inquiry into the First Nations people in custody in NSW**

Mr Dwyer referred to the Committee's Terms of Reference including the identification of strategic options to progress the development of the Network's Aboriginal health services. There was noting from the Board that the age of criminality was not increased. The Chair requested that Mr Dwyer, through the Chief Executive, prepare a Submission to the NSW Parliamentary Select Committee of Inquiry into the High Level of First Nations People in Custody and Oversight and Review of Deaths in Custody.

The Chair noted that the Submission is to be lodged no later than 24 August 2020 and that it is to be made entirely on behalf of Board members in their personal capacities; and that such Submission does not formally represent the position of the Network or of the NSW Ministry of Health. When prepared, the Draft Submission is to be provided to each Board member for their consideration.

Action: Mr Dwyer

- **Brief Aboriginal Health and Justice Sub Committee**

The brief was tabled. Mr Dwyer discussed the need to determine the next steps.

- **Aboriginal Health Patient Data and access to services report**

The report was provided for information.

- **List of Aboriginal Research current in the Network**

The report was provided for information.

- **Aged Care and Community Re-Integration Committee report**

Mr Gillespie highlighted the following from his report:

At the last meeting the committee welcomed Nicola Chappell, as a member from CSNSW, in July 2020. The Committee also welcomed Joshua Taylor from Clinical Operations who is providing administrative support.

There were two major items of significance discussed at the July 2020 meeting:

- **Submission to the Royal Commission into Aged Care Quality and Safety**

The committee felt that whilst the NSW State submission represented older people in the broader community, especially in aged care facilities, it lacked the inclusion of issues related to the care of aged persons held in custody.

Subsequently, after discussion with the Chair, the Committee developed a submission for the Royal Commission related to the care of aged persons held in custody. This was forwarded by the Board Chair as a personal submission and Board members were also invited to support the submission in their personal capacities.

Thanks were provided to the Chair and Mr Loveday for an excellent document and to Ms Churchill for her contribution.

Mr Gillespie stated the preparation and submission of this document "Out of Sight, Out of Mind: Aged Persons in Custodial Care" is a major achievement and sends a strong message in order to support and improve the circumstances of aged persons detained in custodial care.

- **2021-2025 Strategic Plan for Aged Care in Secure Settings**

The Strategic Plan was developed by Clinical Operations in collaboration with the Committee and explores challenges facing aged persons in custodial care and identifies three strategies:

- Integrated Care Service;
- Community Partnership; and
- Expansion of Age Specific Accommodation.

Attention was drawn to page 49 of the Board papers which summarises the strategies that are proposed and discussed in detail in the plan.

Board members are invited to review the document and provide feedback to Mr Gillespie by 31 August, 2020. Following a discussion, the Chair indicated he would send comments through.

Ms McFarlane referenced the UK Office of National Statistics Longitudinal Study which she believed had relevance to the Network.

Board members were advised that comments received will be considered and incorporated and the final version of the Strategic Plan will be provided to the Board at its October 2020 meeting for Board endorsement. Thereafter, the Chief Executive will approve the Strategic Plan.

Mr Gillespie expressed his gratitude to Ms Hoey and her team for the significant work that has contributed to the Strategic Plan.

- **Brief to Board - Health and ageing of Australia's prisoners 2018**

Ms Buncombe spoke to her report advising that it explores social, economic and lifestyle factors of aged people in custody across Australia. The Network will consider the results of its data for inclusion in future Australian Institute of Health and Welfare activities.

The Chair will write to Louise Markus, Chair of Board, Australian Institute of Health and Welfare regarding options for the Network to contribute to future AIHW reports without incurring costs to the Network or duplicating current research such as the Network Patient Health Surveys.

Action: Chair and Chief Executive

Ms McFarlane highlighted the health risks that are associated with Out Of Home Care. There are two reports from the UK derived from longitudinal research on this matter that Ms McFarlane will distribute to the Board members.

Action: Ms McFarlane

9. Standing Business Items

9.1 Board Chair Report

The Chair spoke to his report highlighting the following items:

- **Field Hospital**

The Chair was enormously impressed when he, Mr Gillespie and Mr Loveday attended a site visit of the new field hospital at Silverwater.

- **2019/2020 Service Agreement**

The service agreement has been signed off. An omitted paragraph in the agreement regarding NSW MoH working with JHFMHN to complete and implement a state-wide strategic forensic mental health plan to improve access and flow across mental health beds has now been amended.

The Chair will write to the Health Secretary in November 2020 asking for a formal report on the Ministry's delivery on their commitment in the statewide strategic forensic mental health plan.

Action: Chair

- **Prison bed capacity program**

CSNSW released a report regarding Better Prisons - delivering an expanded prison system that operates more efficiently, has a greater focus on inmate rehabilitation, maintains safety and security and increases accountability.

The Chair was pleased the Network was mentioned in the report and the role we have in supporting that program.

- **Cancer Australia**

The Chair received formal correspondence from Cancer Australia advising it is expected that Corrective Services around Australia will be required to participate in the implementation of the lung cancer screening program.

- **NSW Bureau of Crime Statistics and Research (BOCSAR)**

The Chair referenced a recent paper published by BOCSAR on the impact of COVID-19 measures on the size of the NSW adult prison population.

9.2 Chief Executive Report

Mr Forrest took the new format CE report as being read and highlighted the following items. The report continues to observe financial, strategic, risk and governance matters as well as any relevant operational matters.

- **Freshwater Unit**
There is slow progress on the tender for Freshwater Unit. The document is currently with Health Infrastructure for final feedback before it goes out to market with a RFT.
- **Forensic Hospital Patient Fees**
Progress continues to recoup overdue patient fees through legal processes.
- **Continued electronic medical record build**
The Network is moving forward with the electronic medical record build with electronic medication management as the next project.
- **Submissions to Government**
Work has been done on the First Nations People in Custody and Oversight and Review of Deaths in Custody.
- **Aboriginal Justice and Health**
The Network's Aboriginal Strategy and Culture Unit is doing some regional engagement and there are three areas of the state where they are working with the stakeholders to improve the connection with the Network and the patients we have contact with.
- **ICT Services**
There has been a lot of effort given to resolving issues with ICT services with a much more stable system. This matter has been reported up to the Audit and Risk Committee.
- **Telehealth Utilisation**
The Network has some targets set and COVID-19 has given the opportunity to test the rigours of our Telehealth strategy.
- **Governance matters**
The Network is working on a document that aligns with SafeWork Australia and SafeWork NSW to ensure a COVID safe workplace.
- **Awards program**
The format of this year's Awards program will change so it will be a virtual event.
- **Data Analytics**
There has been a considerable amount of work carried out on data analytics and business intelligence which will create an environment with access to more automated reports. The linkage with long term strategy is to be able to automate the reports provided to the Ministry for the service agreement. It is also expected to include the privately managed centres as well as John Morony to extract the KPI's electronically and allow the Network to benchmark data across all the centres in NSW.
- **ICT Review**
An ICT security review of privileged accounts access is to be commenced to ensure security in the back end of the Network's computer system and also undertake a roadmap by strategic planning for future infrastructure investment.

- **Risk Matters**

There has been a significant increase in the number of deaths in custody that are currently going through coronial investigation. Currently there is no indication of escalation in self harm.

- **Privately operated centres**

The Chief Executive highlighted three main areas of risk in this space:

- Provision of funding for the monitoring team.
- Escalation of concerns with health care.
- Access to network data for private operators.

- **Medical Staff**

There has been a small number of Medical officers in the broader Health system operating out of their scope of practice. The Network has robust mechanisms in place through the MDAAC to ensure our medical officers do not operate out of their scope of practice.

9.2.1 National Agreement on Closing the Gap 2020

Provided for information.

9.2.2 TMF Insurance and Liability Cover for Staff Specialists

Provided for information.

9.2.3 Degradation of Clinical Application Access

Provided for information.

9.3 Corrective Services NSW update

Mr Severin provided an update throughout the meeting on Corrective Service NSW matters related to the Network.

9.4 Youth Justice update

Mr O'Reilly provided an update throughout the meeting on Youth Justice matters related to the Network.

10 General Business

10.1 Board Sub-Committee Reports

10.1.1 Finance and Performance Committee

Mr Barker took the report as being read and highlighted the following:

- The Network finished around \$2.5m over budget with \$1.5 million of that relating to COVID 19 expenditure not reimbursed by Ministry of Health.
- The Network will be monitoring closely COVID 19 costs during 2020/21 and submitting them for reimbursement. It is unlikely all costs will be reimbursed.
- Major problems noted at Government level with iCare.
- There are ongoing issues with one private operator challenging our authority to gain access to undertake monitoring. This is being managed.

Mr Anand advised Health Infrastructure legal team is reviewing the RFT and the construction contract of Freshwater Unit. At present there are no risks with this project.

10.1.2 Health Care Quality Committee

Mr Loveday reported that the last HCQC meeting held on 4 August 2020 considered the following key items, noting that the HCQC agreed there were no existing or emerging risks to elevate to the Board.

Deaths in custody (DIC) remain a key focus of attention for the HCQC.

Mr Loveday reported that there have been further meetings with the NSW Health Pathology Forensic Medicine Unit and Network Executive staff continue. There is a worldwide shortage of forensic pathologists and this had contributed to delays in establishing causes of death, and subsequent delays to reports from the coroner. This impacted negatively on families of deceased patients and on Network staff. However the increased ongoing liaison continues to improve access and efficiency.

The HCQC considered the report and 16 recommendations following the CE's commissioned external inquiry into three suspected homicides in custody in 2019; an action tracker targets and records recommended policy, procedure and operational improvements and improved partnerships with CSNSW so as to reduce the potential for inappropriate cell matching of patients with significant mental health concerns. Detailed oversight of progress is provided by the Close the Loop committee with summary oversight by the HCQC. All actions to implement recommendations will be complete by the end of December 2020.

Consideration of both a detailed overview of DIC in 2019 from both natural and unnatural causes, and the five year review interim report on unexpected DIC from 2015 to 2019, with 2019 having had a significantly greater number than previously.

The Council considered reports on progress on meeting relevant KPIs, the top 10 clinical risks (both operational and strategic). Most are close to achieving targeted risk ratings; the Network now has a much better understanding of proposed changes on bed allocations by CSNSW.

The Clinical and Corporate Governance report noted that full accreditation of health centres to RACGP National Standards had been achieved, with all recommendations arising being in known areas of need; the Network had contributed to the development of the RACGP's 2nd edition of National Standards for Healthcare in Australian prisons.

Forensic Hospital patient and staff safety continued to see ongoing improvements: while use of physical restraint had increased in line with reductions in seclusion episodes and lengths.

The HCQC's first orientation manual is nearing completion. We are happy to share this with all Board members should they wish to see it.

The HCQC welcomed an observer to our meeting: Ms Debbie Wyburd, Director of Clinical Governance with Nepean Blue Mountains LHD. Following the meeting, Ms Wyburd provided both thanks and feedback, noting the differences in structures and committee roles between our two health entities.

10.1.3 Research Advisory Committee

Dr Abbott took the report as being read and highlighted the improvements to the Aboriginal controlled oversight of research.

Dr Abbott conveyed her thanks to Aboriginal Strategy and Culture team and to Ms Buncombe.

The Research Governance Framework is progressing.

Dr Abbott suggested that a research presentation occur at a future Board meeting.

The AHMRC and potential delays were discussed.

Ms Buncombe advised of the new process to support applications for AH&MRC ethics endorsement of Network led research. The Aboriginal Strategy and Culture Unit now links researchers directly to relevant Aboriginal led health and community groups for consultation on research study applications. Researchers then follow-up directly. 10 Aboriginal controlled services have already engaged in this process.

10.1.4 Audit and Risk Committee (ARC)

Mr Gillespie provided a verbal report and highlighted the following: Presentation and overview of ICT services and the challenges on service delivery. The Top 10 risk report was discussed and there is now a regular senior Executive risk meeting to review and discuss enterprise risks.

Internal audit plan for 2021- 2023 was tabled and comments and feedback to be provided out of session.

The ARC received the Attestation statements for endorsement of financial statements and Corporate Governance.

10.1.5 Medical and Dental Advisory Committee

Mr Dwyer took the report as being read and highlighted the following: There is a reference under a primary care appointment of Dr Dana Slape, first Aboriginal senior medical officer in Dermatology.

Mr Dwyer highlighted the Board briefing note regarding TMF insurance cover for Staff specialists with pending specialist registration. It is confirmed that such specialists will have TMF coverage once appointed.

10.1.6 Medical Staff Council (MSC)

Dr Nicholls spoke to the following from the report in the papers: The Board was informed that Dr Slape is a Dermatologist which will be of great benefit to the Network.

MSC has been focussing on:

- The three private goals.
- Discussion on complex self-harm patients.
- The alternative ways staff are working across the network remotely and the great job they do.

10.1.7 Clinical Council

Ms Hoey provided a verbal update and reported she had been Chairing the Council for approximately two months.

The Council is currently developing the Clinical Services plan which will be endorsed by the Council and provided to the Executive and Board in the next few months.

The TOR's have been refreshed and a governance structure has been included within the professional meetings to enable an escalation process.

Governance Unit staff provided a presentation on DIC and trends across the Network and how to learn from previous incidents.

11. Network Performance Reports

The reports were provided for information.

11.1 Directors remuneration – Quarter 4

The report was provided for information.

11.2 Performance and Monitoring report – Quarter 4

The Chief Executive advised the Network may be operating on outdated Hepatitis C data noting prevalence at 33 to 36%, however it is believed to be lower. This could be a possibility as there are fewer patients coming through the system. The EDCO is working to ascertain what the prevalence of Hep C patients is.

The KPI for 2021 has been reduced to 1,250. MoH will increase funding to support the Network meet this KPI.

11.3 2019/2020 Service Agreement KPI's

The signed copy of the agreement was received this morning and a link will be sent via email to all Board members today.

11.4 Budget briefing

Mr Anand advised it will be a challenging year and the MoH is supportive of the Network retaining the \$2.5 mil based on 2019/2020 baseline.

11.5 Annual Pecuniary Interest

There was no update provided at this item.

11.6 Corporate Governance Attestation Statement

Please refer to item 10.1.4.

11.7 Brief and Governance, Leadership and Culture Attestation Statement for 2020-21

The report was provided for information.

11.8 Brief Safety and Quality Framework 2020-21

The report was provided for information.

12. Minutes of Committee Papers emailed to members 6 August 2020

12.1 MDAAC – 4 June 2020

12.2 Finance and Performance Committee- 19 May 2020

13. Business without Notice

There was no business without notice at this meeting.

14. General Information

14.1 Adult population update – week ending 26 July 2020

14.2 Youth Justice Population update – week ending 24 July 2020

15. 2020 Meeting Dates

8 October 2020

Justice Health Administration Centre – Malabar

10 December 2020

Justice Health Administration Centre – Malabar followed by APM

