

Corporate Governance Attestation Statement
NEPEAN BLUE MOUNTAINS LOCAL HEALTH DISTRICT
1 July 2022 to 30 June 2023



CORPORATE GOVERNANCE ATTESTATION STATEMENT
NEPEAN BLUE MOUNTAINS LOCAL HEALTH DISTRICT

The following corporate governance attestation statement was endorsed by a resolution of the Nepean Blue Mountains Local Health District Board at its meeting on 19 July 2023.

The Board is responsible for the corporate governance practices of the Nepean Blue Mountains Local Health District. This statement sets out the main corporate governance practices in operation within the Nepean Blue Mountains Local Health District for the 2022-23 financial year.

A signed copy of this statement is provided to the Ministry of Health by 31 August 2023.

Signed:

A handwritten signature in black ink, appearing to read "Peter Collins".

The Hon. Peter Collins, AM KC
Chair

Date 19 July 2023

A handwritten signature in black ink, appearing to read "Kay Hyman".

Kay Hyman
Chief Executive

Date 19 July 2023

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STANDARD 1: ESTABLISH ROBUST GOVERNANCE AND OVERSIGHT FRAMEWORKS

Role and function of the Board and Chief Executive

The Board and Chief Executive carry out their functions, responsibilities and obligations in accordance with the *Health Services Act 1997* and the *Government Sector Employment Act 2013*.

The Board has approved systems and frameworks that ensure the primary responsibilities of the Board are fulfilled in relation to:

- Ensuring clinical and corporate governance responsibilities are clearly allocated and understood
- Setting the strategic direction for the entity and its services
- Monitoring financial and service delivery performance
- Maintaining high standards of professional and ethical conduct
- Involving stakeholders in decisions that affect them
- Establishing sound audit and risk management practices.

Board Meetings

For the 2022-23 financial year the Board consisted of a Chair and 9 members appointed by the Minister for Health. The Board met 10 times during this period.

Authority and role of senior management

All financial and administrative authorities that have been delegated by a formal resolution of the Board and are formally documented within a Delegations Manual for the Nepean Blue Mountains Local Health District.

The roles and responsibilities of the Chief Executive and other senior management within the Nepean Blue Mountains Local Health District are also documented in written position descriptions.

Regulatory responsibilities and compliance

The Board is responsible for and has mechanisms in place to ensure that relevant legislation and regulations are adhered to within all facilities and units of the Nepean Blue Mountains Local Health District, including statutory reporting requirements.

The Board also has a mechanism in place to gain reasonable assurance that the Nepean Blue Mountains Local Health District complies with the requirements of all relevant government policies and NSW Health policy directives and policy and procedure manuals as issued by the Ministry of Health.

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STANDARD 2: ENSURING CLINICAL RESPONSIBILITIES ARE CLEARLY ALLOCATED AND UNDERSTOOD

The Board has in place frameworks and systems for measuring and routinely reporting on Clinical Governance and the safety and quality of care provided to the communities the Nepean Blue Mountains Local Health District serves. These systems and activities reflect the principles, performance and reporting guidelines as detailed in NSW Health Policy Directive '*Patient Safety and Clinical Quality Program*' (PD2005_608).

The Nepean Blue Mountains Local Health District has:

- Clear lines of accountability for clinical care which are regularly communicated to clinical staff and to staff who provide direct support to them. The authority of facility/network general managers is also clearly understood.
- Effective forums in place to facilitate the involvement of clinicians and other health staff in decision making at all levels of the Nepean Blue Mountains Local Health District.
- A systematic process for the identification and management of clinical incidents and minimisation of risks to the Nepean Blue Mountains Local Health District.
- An effective complaint management system for the Nepean Blue Mountains Local Health District and complaint information is used to improve patient care.
- A Medical and Dental Appointments Advisory Committee to review the appointment or proposed appointment of all visiting practitioners and specialists. The Credentials Subcommittee provides advice to the Medical and Dental Appointment Advisory Committee on all matters concerning the clinical privileges of visiting practitioners or staff specialists.
- An Aboriginal Health Advisory Committee with clear lines of accountability for clinical and other health services delivered to Aboriginal people.
- Adopted the *Decision Making Framework for NSW Health Aboriginal Health Practitioners Undertaking Clinical Activities* to ensure that Aboriginal Health Practitioners are trained, competent, ready and supported to undertake clinical activities.
- Achieved appropriate accreditation of healthcare facilities and their services.
- Licensing and registration requirements which are checked and maintained.
- A Medical Staff Executive Council, at least two Medical Staff Councils and a Mental Health Medical Staff Council (or an alternative mechanism established in accordance with the Model By-Laws)
- A Hospital Clinical Council for each public hospital in the entity
- The Local Health District has Clinical Councils for each of its hospitals but does not have a Local Health District Clinical Council. The functions of the hospital Clinical Councils are supported by other specialist clinic groups and functions including a Clinical Advisory Group, Accreditation Criteria Committees, Planning & Strategy Board Sub-committee, Clinical Service Plans, New and Innovative Procedures Advisory Committee and by specific groups formed by Ministry, including the Low Value Surgery and Surgical Services Task Forces. This approach enables the LHD to deliver the functions identified in the Nepean Blue Mountains Local Health District By-Laws without duplicating effort.

The Chief Executive has mechanisms in place to ensure that the relevant registration authority is informed where there are reasonable grounds to suspect professional misconduct or unsatisfactory professional conduct by any registered health professional employed or contracted by the Nepean Blue Mountains Local Health District.

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Health services are required to be accredited to the National Safety and Quality Health Service (NSQHS) Standards under the Australian Health Service Safety and Quality Accreditation Scheme (the AHSSQA Scheme).

The Nepean Blue Mountains Local Health District intends to submit an attestation statement confirming compliance with the NSQHS Standards for the 2022/23 financial year to their accrediting agency by 30 September 2023. The Nepean Blue Mountains Local Health District submitted an attestation statement to the accrediting agency for the 2022/23 financial year.

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STANDARD 3: SETTING THE STRATEGIC DIRECTION FOR THE ENTITY AND ITS SERVICES

The Board has in place strategic plans for the effective planning and delivery of its services to the communities and individuals served by the Nepean Blue Mountains Local Health District. This process includes setting a strategic direction in a 3- to 5-year strategic plan for both the Nepean Blue Mountains Local Health District and the services it provides within the overarching goals of the 2022/23 NSW Health Strategic Priorities.

Nepean Blue Mountains Local Health District-wide planning processes and documentation is also in place, covering:

- Detailed plans linked to the Strategic Plan for the following:
 - Asset management
 - Asset management plan (AMP)
 - Strategic asset management plan (SAMP)
 - Research and teaching
 - Workforce management
- Local Health Care Services Plan
- Aboriginal Health Action Plan

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STANDARD 4: MONITORING FINANCIAL AND SERVICE DELIVERY PERFORMANCE

Role of the Board in relation to financial management and service delivery

The Nepean Blue Mountains Local Health District is responsible for ensuring compliance with the NSW Health Accounts and Audit Determination and the annual Ministry of Health budget allocation advice.

The Chief Executive is responsible for confirming the accuracy of the information in the financial and performance reports provided to the Board and those submitted to the Finance and Performance Committee and the Ministry of Health and that relevant internal controls for the Nepean Blue Mountains Local Health District are in place to recognise, understand and manage its exposure to financial risk.

The Board has confirmed that there are systems in place to support the efficient, effective and economic operation of the Nepean Blue Mountains Local Health District, to oversight financial and operational performance and assure itself financial and performance reports provided to it are accurate.

To this end, Board and Chief Executive certify that:

- The financial reports submitted to the Finance & Performance Committee and the Ministry of Health represent a true and fair view, in all material respects, of the Nepean Blue Mountains Local Health District's financial condition and the operational results are in accordance with the relevant accounting standards
- The recurrent budget allocations in the Ministry of Health's financial year advice reconcile to those allocations distributed to units and cost centres.
- Overall financial performance is monitored and reported to the Finance and Performance Committee of the Nepean Blue Mountains Local Health District.
- Information reported in the Ministry of Health monthly reports reconciles to and is consistent with reports to the Finance and Performance Committee.
- All relevant financial controls are in place.
- Write-offs of debtors have been approved by duly authorised delegated officers.

Service and Performance

A written Service Agreement was in place during the financial year between the Board and the Secretary, NSW Health, and performance agreements between the Board and the Chief Executive, and the Chief Executive and all Health Executive Service Members employed within the Nepean Blue Mountains Local Health District.

The Board has mechanisms in place to monitor the progress of matters contained within the Service Agreement and to regularly review performance against agreements between the Board and the Chief Executive.

The Finance and Performance Committee

The Board has established a Finance and Performance Committee to assist the Board and the Chief Executive to ensure that the operating funds, capital works funds, resource utilisation and service outputs required of the Nepean Blue Mountains Local Health District are being managed in an appropriate and efficient manner.

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The Finance and Performance Committee receives monthly reports that include:

- Financial performance of each major cost centre
- Subsidy availability
- The position of Restricted Financial Asset and Trust Funds
- Activity performance against indicators and targets in the performance agreement for the Nepean Blue Mountains Local Health District
- Advice on the achievement of strategic priorities identified in the performance agreement for the Nepean Blue Mountains Local Health District
- Year to date and end of year projections on capital works and private sector initiatives.

Letters to management from the Auditor-General, Minister for Health, and the NSW Ministry of Health relating to significant financial and performance matters, are also tabled at the Finance and Performance Committee.

During the 2022-23 financial year, the Finance and Performance Committee was chaired by Robert Lagaida, NBMLHD Board Member and comprised of:

- Peta Seaton, NBMLHD Board Representative
- Peter Collins, NBMLHD Board Representative
- Kay Hyman, Chief Executive
- Luke Bellman, A/Director Finance & Corporate Services
- Cathy Crowe, Director Community & Integration
- Brett Williams, Director Hospital Services
- Jacqui Clark, Director People & Culture
- Julie Williams, Director Nursing & Midwifery

The Chief Executive and Director of Finance attended all meetings of the Finance and Performance Committee except where on approved leave.

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STANDARD 5: MAINTAINING HIGH STANDARDS OF PROFESSIONAL AND ETHICAL CONDUCT

The Nepean Blue Mountains Local Health District has adopted the NSW Health Code of Conduct to guide all staff and contractors in professional conduct and ethical behaviour.

The Code of Conduct is distributed to, and signed by, all new staff and is included on the agenda of all staff induction programs. The Board has systems and processes in place to ensure the Code is periodically reinforced for all existing staff. Ethics education is also part of the Nepean Blue Mountains Local Health District's learning and development strategy.

The Nepean Blue Mountains Local Health District has implemented models of good practice that provide culturally safe work environments and health services through a continuous quality improvement model.

There are systems and processes in place and staff are aware of their obligations to protect vulnerable patients and clients – for example, children and those with a mental illness.

The Chief Executive, as the Principal Officer, has reported all instances of corruption to the Independent Commission Against Corruption where there was a reasonable suspicion that corrupt conduct had, or may have, occurred, and provided a copy of those reports to the Ministry of Health.

During the 2022-23 financial year, the Chief Executive reported 12 cases to the Independent Commission Against Corruption.

Policies and procedures are in place to facilitate the reporting and management of public interest disclosures within the Nepean Blue Mountains Local Health District in accordance with state policy and legislation, including establishing reporting channels and evaluating the management of disclosures.

During the 2022-23 financial year, the Nepean Blue Mountains Local Health District reported 0 of public interest disclosures.

The Board attests that the Nepean Blue Mountains Local Health District has a fraud and corruption prevention program in place.

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STANDARD 6: INVOLVING STAKEHOLDERS IN DECISIONS THAT AFFECT THEM

The Board seeks the views of local providers and the local community on the Nepean Blue Mountains Local Health District's plans and initiatives for providing health services, and also provides advice to the community and local providers with information about the Nepean Blue Mountains Local Health District's plans, policies and initiatives.

During the development of its policies, programs and strategies, the Entity considered the potential impacts on the health of Aboriginal people and, where appropriate, engaged with Aboriginal stakeholders to identify both positive and negative impacts and to address or mitigate any negative impacts for Aboriginal people.

Nepean Blue Mountains Local Health District has a longstanding joint Consumer Engagement Council with the Nepean Blue Mountains Primary Health Network. Members of the Consumer Engagement Council are involved in key NBMLHD committees and structures including the HealthCare Quality Committee Board Sub-Committee." Key documents are made available for consumer input. Consumers from the four Local Government Areas have been invited to provide input into the LHD's new Strategic Plan.

NBMLHD also have a Mental Health Consumer and Carers Charter. This was developed in partnership with our Mental Health Consumers and Carers and formalises the vital role that they play in shaping our Mental Health service.

Meetings are held with Councils of the four LGAs to exchange information with regard to priorities.

Aboriginal Health Impact Statements are required to be undertaken for the introduction of any new service and any significant change in existing services.

Information on the key policies, plans and initiatives of the Nepean Blue Mountains Local Health District and information on how to participate in their development are available to staff and to the public at www.nbmlhd.health.nsw.gov.au.

The Nepean Blue Mountains Local Health District has the following in place:

- A consumer and community engagement plan to facilitate broad input into the strategic policies and plans.
- A patient service charter established to identify the commitment to protecting the rights of patients in the health system.
- A Local Partnership Agreement with Aboriginal Community Controlled Health Services.
- Mechanisms to ensure privacy of personal and health information.
- An effective complaint management system.

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STANDARD 7: ESTABLISHING SOUND AUDIT AND RISK MANAGEMENT PRACTICES

Role of the Board in relation to audit and risk management

The Board is responsible for supervising and monitoring risk management by the Nepean Blue Mountains Local Health District and its facilities and units, including the system of internal control. The Board receives and considers all reports of the External and Internal Auditors for the Nepean Blue Mountains Local Health District, and through the Audit and Risk Management Committee ensures that audit recommendations and recommendations from related external review bodies are implemented.

The Nepean Blue Mountains Local Health District has a current Risk Management Plan that identifies how risks are managed, recorded, monitored and addressed. It includes processes to escalate and report on risk to the Chief Executive, Audit and Risk Committee and Board.

The Plan covers all known risk areas including:

- Leadership and management
- Clinical care and patient safety
- Health of population
- Finance (including fraud prevention)
- Communication and information
- Workforce
- Legal
- Work health and safety
- Environmental
- Security
- Facilities and assets
- Emergency management
- Community expectations

Audit and Risk Management Committee

The Board has established an Audit and Risk Management Committee, with the following core responsibilities:

- to assess and enhance the Nepean Blue Mountains Local Health District's corporate governance, including its systems of internal control, ethical conduct and probity, risk management, management information and internal audit
- to ensure that appropriate procedures and controls are in place to provide reliability in the Nepean Blue Mountains Local Health District's financial reporting, safeguarding of assets, and compliance with the Nepean Blue Mountains Local Health District's responsibilities, regulatory requirements, policies and procedures
- to oversee and enhance the quality and effectiveness of the Nepean Blue Mountains Local Health District's internal audit function, providing a structured reporting line for the Internal Auditor and facilitating the maintenance of their independence
- through the internal audit function, to assist the Board to deliver the Nepean Blue Mountains Local Health District's outputs efficiently, effectively and economically, so as to obtain best value for money and to optimise organisational performance in terms of quality, quantity and timeliness; and
- to maintain a strong and candid relationship with external auditors, facilitating to the extent practicable, an integrated internal/external audit process that optimises benefits to the Nepean Blue Mountains Local Health District.

The Nepean Blue Mountains Local Health District completed and submitted an Internal Audit and Risk Management Attestation Statement for the 12-month period ending 30 June 2023 to the Ministry without exception.

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The Audit and Risk Management Committee comprises 3 members of which all are independent and appointed from the NSW Government's Prequalification Scheme for Audit and Risk Committee Independent Chairs and Members.

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QUALIFICATIONS TO THE GOVERNANCE ATTESTATION STATEMENT

Item:

Qualification

NBMLHD does not currently have an approved ICT Strategy.

Progress

NBMLHD is currently working with eHealth NSW to build a new Digital Strategy.

Remedial Action

Signed:

A handwritten signature in black ink, appearing to read "Kay Hyman".

Kay Hyman
Chief Executive

Date 19 July 2023

A handwritten signature in black ink, appearing to read "Chris Van Zyl".

Chris Van Zyl
Chief Audit Executive

Date 13 July 2023