

Corporate Governance Attestation Statement

WESTERN NSW LOCAL HEALTH DISTRICT

1 July 2019 to 30 June 2020



**CORPORATE GOVERNANCE ATTESTATION STATEMENT
WESTERN NSW LOCAL HEALTH DISTRICT**

The following corporate governance attestation statement was endorsed by a resolution of the Western NSW Local Health District Board at its meeting on 5 August 2020.

The Board is responsible for the corporate governance practices of the Western NSW Local Health District. This statement sets out the main corporate governance practices in operation within the District for the 2019-20 financial year.

A signed copy of this statement is provided to the Ministry of Health by 31 August 2020.

Signed:

A handwritten signature in black ink, appearing to read "Scott Griffiths".

Scott Griffiths, PSM

Chair

5 August 2020

Date

A handwritten signature in black ink, appearing to read "Scott McLachlan".

Scott McLachlan

Chief Executive

5 August 2020

Date

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 governance responsibilities are clearly allocated and understood
- Setting the strategic direction for the organisation 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 2019-20 financial year the Board consisted of a Chair and nine members appointed by the Minister for Health. The Board met 11 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 have been formally documented within the Delegations Manual for the District.

The roles and responsibilities of the Chief Executive and other senior management within the 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 District, including statutory reporting requirements.

The Board also has a mechanism in place to gain reasonable assurance that the 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.

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 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 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 District.
- A systematic process for the identification and management of clinical incidents and minimisation of risks to the District.
- An effective complaint management system for the District.
- 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 services delivered to Aboriginal people.
- Adopted the NSW Health *Decision Making Framework for Aboriginal Health Workers to Undertake Clinical Activities* to ensure that Aboriginal Health Workers are trained, competent, and ready and supported to undertake clinical activities.
- Achieved appropriate accreditation of healthcare facilities and their services.

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 District.

STANDARD 3: SETTING THE STRATEGIC DIRECTION FOR THE ORGANISATION 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 District. This process includes setting a strategic direction for both the District and the services it provides within the overarching goals and priorities of the NSW State Health Plan.

District-wide planning processes and documentation is also in place, with a 3- to 5-year horizon, covering:

- Asset management – Designing and building future-focussed infrastructure
- Information management and technology – Enabling eHealth
- Research and teaching – Supporting and harnessing research and innovation
- Workforce development – Supporting and developing our workforce
- Aboriginal Health Action Plan – Ensuring health needs are met competently

STANDARD 4: MONITORING FINANCIAL AND SERVICE DELIVERY PERFORMANCE

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

The 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 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 District, to monitor financial and operational performance and assure itself financial and performance reports provided to it are accurate.

To this end, the 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 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 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 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 District are being managed in an appropriate and efficient manner.

The Finance and Performance Committee receives monthly reports that include:

- Financial performance of each major cost centre
- Subsidy availability
- The position of Special Purpose and Trust Funds
- Activity performance against indicators and targets in the performance agreement for the District

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- Advice on the achievement of strategic priorities identified in the performance agreement for the 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 2019-20 financial year, the Finance and Performance Committee was chaired by Mr Scott Griffiths and comprised of:

- Ms Fiona Bennett, Board Member
- Mr Jason Cooke, Board Member
- Mr Paul Mann, Board Member

The Chief Executive attends all meetings of the Finance and Performance Committee unless on approved leave.

STANDARD 5: MAINTAINING HIGH STANDARDS OF PROFESSIONAL AND ETHICAL CONDUCT

The 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 District's learning and development strategy.

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 2019-20 financial year, the Chief Executive reported four 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 District in accordance with state policy and legislation, including establishing reporting channels and evaluating the management of disclosures.

During the 2019-20 financial year, the District reported 4 public interest disclosures.

STANDARD 6: INVOLVING STAKEHOLDERS IN DECISIONS THAT AFFECT THEM

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

- 36 Health Councils operate within the Local Health District with over 300 members who represent their local communities. This enables the LHD to negotiate strategies, plans, and initiatives with our communities and discuss the health issues that are forefront to them. The Board regularly meets with the Health Councils as part of the annual Health Councils Forum
- Clinician group consultations are convened to seek the strategic input of specialists in: medical services; surgical services; critical care services; multi-purpose services; GP services; cancer and palliative care services; maternity and paediatric services; and mental health services for service planning.
- Strategic partnerships are built and maintained with Aboriginal health corporations to improve Aboriginal health outcomes and wellbeing
- Regular community input forums and surveys are held and provide input into needs assessments and service planning
- Consumer representatives form part of key LHD committees including the District Health Care Quality Committee, the Human Research and Ethics Committee, the District Clinical Council and the District Disability Advisory Committee

Regular meetings, committees and working parties are in place to manage relationships with external and intra-health organisations including the Ambulance Service of NSW, HealthShare NSW; NSW Health Pathology; Pinnacle and Spotless for the Public Private Partnership (PPP) services; and organisations providing Visiting Medical Officer Services.

Collaborative initiatives between the LHD and the Western NSW Primary Health Network

Information on the key policies, plans and initiatives of the District and information on how to participate in their development are available to staff and to the public at <http://wnswlhd.health.nsw.gov.au>.

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 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 District and, through the Audit and Risk Management Committee, ensures that audit recommendations and recommendations from related external review bodies are implemented.

The 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 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 District's financial reporting, safeguarding of assets, and compliance with the District's responsibilities, regulatory requirements, policies and procedures
- to oversee and enhance the quality and effectiveness of the 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 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 District.

The District completed and submitted an Internal Audit and Risk Management Attestation Statement for the 12-month period ending 30 June 2020 to the Ministry without exception.

The Audit and Risk Management Committee comprises five members, four of whom are appointed from the NSW Government's Prequalification Scheme for Audit and Risk Committee Independent Chairs and Members.

QUALIFICATIONS TO THE GOVERNANCE ATTESTATION STATEMENT

Item: STANDARD 3: SETTING THE STRATEGIC DIRECTION FOR THE ORGANISATION AND ITS SERVICES

Qualification

Due to the disruption to routine operations caused by COVID-19, the Ministry's Service and Capital Planning Unit did not require submission of the *2019-2020 Asset Strategic Plan*. As a result, the Plan has not been refreshed per the regular schedule.

Progress

The 2018-2019 Asset Strategic Plan remains operational in the intervening period, and while it has not yet been refreshed to reflect the current operating environment and outlook, it covers a horizon out to five years and beyond.

Remedial Action

A refreshed Plan will be formalised and submitted on return to routine operations.

Item: STANDARD 7: ESTABLISHING SOUND AUDIT AND RISK MANAGEMENT PRACTICES

Qualification

During the reporting period, one member of Western NSW Local Health District's Audit and Risk Committee was not registered on the *Audit and Risk Committee Independent Chairs and Members Scheme* as required by the revised *Model Corporate Governance Attestation Statement*.

Throughout the 2020 financial year, Western NSW Local Health District operated in compliance with Section 2.2 of Ministry policy, PD2016_051 *Internal Audit*, which remains in effect. PD2016_051 is the instrument through which the Ministry applies the requirements of Treasury policy TPP15-03 (*Internal Audit and Risk Management Policy for the NSW Public Sector*) to local health districts. In a departure from TPP15-03, PD2016_051 allows officers who are not registered on the NSW Treasury's *Audit and Risk Committee Independent Chairs and Members Scheme* to exercise membership of the Committee provided they form a minority.

Signalling the evolving position of the Ministry the revised *Model Corporate Governance Attestation Statement*, in so far as it relates to the composition of the Audit and Risk Committee, now uses the unaltered requirements of Treasury Policy TPP15-03 as the basis for attestation. Notwithstanding the Local Health District's compliance with PD2016_051, this has resulted in a qualification to the Statement.

Progress

The membership composition provisions of the *Audit and Risk Committee Charter* have been amended in accordance with the requirements of TPP15-03 and the revised *Model Corporate Governance Attestation Statement* and have been authorised by the Board.

Remedial Action

Commencing from 1 July 2020, Board representatives who are not prequalified on the Scheme will engage with the Audit and Risk Committee in the capacity of meeting attendees rather than members.

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Signed:

A handwritten signature in black ink, appearing to read "Scott McLachlan".

Scott McLachlan
Chief Executive

Date: 5 August 2020

A handwritten signature in black ink, appearing to read "Nicholas Bennett".

Nicholas Bennett
Chief Audit Executive

Date: 17 July 2020