

## Corporate Governance Attestation Statement

eHEALTH NSW

1 July 2022 to 30 June 2023



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### CORPORATE GOVERNANCE ATTESTATION STATEMENT eHEALTH NSW

The following corporate governance attestation statement was endorsed by the Chief Executive of eHealth NSW on 31 August 2023.

The Chief Executive is responsible for the corporate governance practices of eHealth NSW. This statement sets out the main corporate governance practices in operation within the entity 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 be "AP", written over a faint circular stamp.

Andrew Perkins

Acting Chief Executive

Date 31 August 2023

## STANDARD 1: ESTABLISH ROBUST GOVERNANCE AND OVERSIGHT FRAMEWORKS

### Role and function of the Chief Executive

The Chief Executive carries out the Office's functions, responsibilities and obligations in accordance with the *Health Services Act 1997*, *Government Sector Employment Act 2013* and the determination of function for the entity as approved by the Minister for Health.

The Chief Executive has in place practices that ensure that the primary governing responsibilities 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.

### Authority and role of senior management

All financial and administrative authorities that have been appropriately delegated by the Chief Executive are formally documented within a Delegations Manual for the Entity.

The roles and responsibilities of the Chief Executive and other senior management within the Entity are also documented in written position descriptions.

### Regulatory responsibilities and compliance

The Chief Executive 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 Entity, including statutory reporting requirements. A review of the mechanisms has established that not all mechanisms are adequate to ensure that *all* relevant requirements are proactively managed across *every* facility and unit.

The Chief Executive also has a mechanism in place to gain reasonable assurance that the Entity 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 Chief Executive 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 Entity 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 Entity has:

- Effective forums in place to facilitate the involvement of clinicians and other health staff in decision making at all levels of the entity.
- Licensing and registration requirements which are checked and maintained.

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 Entity.

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

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

Entity-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)
  - Information management and technology
  - Research and teaching
  - Workforce management
- Corporate Governance Plan

## STANDARD 4: MONITORING FINANCIAL AND SERVICE DELIVERY PERFORMANCE

### Role of the Chief Executive in relation to financial management and service delivery

The Chief Executive 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 also responsible for ensuring that the financial and performance reports it receives and those submitted to its Finance and Performance Committee and the Ministry of Health are accurate and that relevant internal controls for the entity are in place.

To this end, the Chief Executive certifies 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 Entity'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 entity.
- 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 Entity and the Secretary, NSW Health, and performance agreements between the Secretary and the Chief Executive, and the Chief Executive and all Health Executive Service Members employed within the entity.

The Chief Executive has mechanisms in place to monitor the progress of matters contained within the Service Agreement.

### The Finance and Performance Committee

The Chief Executive has established a Finance and Performance Committee to assist the Chief Executive in ensuring that the operating funds, capital works funds, resource utilisation and service outputs required of the entity 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 Restricted Financial Asset and Trust Funds
- Activity performance against indicators and targets in the performance agreement for the entity
- Advice on the achievement of strategic priorities identified in the performance agreement for the entity
- 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 Warren Clarke, Director Finance and comprised of:

- Zoran Bolevich, Chief Executive / Chief Information Officer
- Warren Clarke, Director Finance
- Mark Simpson, Chief Clinical Information Officer, Executive Director, Clinical Engagement & Patient Safety
- Andrew Perkins, Executive Director, Investment, Strategy and Architecture
- Simon James, Executive Director, Customer Engagement & Service Transitions
- Kieron McGarry, A/Executive Director, Service Deliver
- Vicki Fleming, Executive Director, Program Delivery
- Mark Hofmeyr, Director ICT Procurement
- Rachael Lunn, Director People and Culture
- Petra Milnes, Director Office of the Chief Executive

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 Chief Executive 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 Chief Executive has systems and processes in place to ensure the Code is periodically reinforced for all existing staff. Ethics education is also part of the entity's learning and development strategy.

The Chief Executive 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 0 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 entity in accordance with state policy and legislation, including establishing reporting channels and evaluating the management of disclosures.

During the 2022-23 financial year, the Entity reported 0 of public interest disclosures.

The Chief Executive attests that the Entity has a fraud and corruption prevention program in place.

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## STANDARD 6: INVOLVING STAKEHOLDERS IN DECISIONS THAT AFFECT THEM

The Chief Executive is responsible for ensuring that the rights and interests of the Entity's key stakeholders are incorporated into the plans of the entity and that they are provided access to balanced and understandable information about the entity and its proposals.

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.

The Entity business processes includes engagement with stakeholder when undertaking activities which impact on them. The Entity engages with Chief Executives of other shared services to support and collaborate across the NSW Health system.

Information on the key policies, plans and initiatives of the Entity and information on how to participate in their development are available to staff and to the public at <https://www.ehealth.nsw.gov.au/> and <https://hseh.intranet.health.nsw.gov.au/>

The Entity has the following in place:

- A consumer and community engagement plan to facilitate broad input into the strategic policies and plans.
- Mechanisms to ensure privacy of personal and health information.
- An effective complaint management system.



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

### Role of the Chief Executive in relation to audit and risk management

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

The Entity 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 and Audit and Risk Committee.

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 Chief Executive has established an Audit and Risk Management Committee, with the following core responsibilities:

- to assess and enhance the entity'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 Entity's financial reporting, safeguarding of assets, and compliance with the Entity's responsibilities, regulatory requirements, policies and procedures
- to oversee and enhance the quality and effectiveness of the Entity'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 Chief Executive to deliver the Entity'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 entity.

The Entity 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.

The Audit and Risk Management Committee comprises 3 members of which 3 are independent and 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 1

The following statement has been added to the proforma:

A review of the mechanisms has established that not all mechanisms are adequate to ensure that *all* relevant requirements are proactively managed across every facility and unit.

#### Progress

Ongoing

#### Remedial action

A dedicated resource in the form of a senior manager will take on the role of Head of Corporate Governance, Risk and Compliance to uplift the current state to imbed proactive compliance throughout the organisation.

### Item: Standard 2

#### Qualification 1

The following statement was removed from the proforma:

*Clear lines of accountability for clinical care which are regularly communicated to clinical staff and to staff who provide direct support to them.*

eHealth NSW does not provide clinical services

#### Progress

Not Applicable

#### Remedial Action

Not Applicable

#### Qualification 2

The following statement was removed from the proforma:

*A systematic process for the identification and management of clinical incidents and minimisation of risks to the entity.*

eHealth NSW does not provide direct clinical services although it has developed an Incident Management System (ims+) to facilitate this process.

#### Progress

Not Applicable

#### Remedial Action

Not Applicable

#### Qualification 3

The following statement was removed from the proforma:

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*An effective complaint management system for the entity and complaint information is used to improve patient care.*

eHealth NSW does not provide direct clinical services to patients but has developed ims+ for complaint management and which provides information which can be used in patient care.

### Progress

Not Applicable

### Remedial Action

Not Applicable

## Item: Standard 3

### Qualification

The following statement was removed from the proforma:

*Aboriginal Health Action Plan*

eHealth NSW does not deliver clinical services to Aboriginal people.

### Progress

Not Applicable

### Remedial Action

Not Applicable

Signed:

Andrew Perkins  
A/Chief Executive

Date 31 August 2023

Noel Patterson  
Chief Audit Executive

Date 31 August 2023