

16 October 2019

Response to a request for official information

Dear 

Thank you for your request for official information as transferred from the Ministry of Health and received 2 September 2019 by Nelson Marlborough Health (NMH)¹ followed by the necessary extension of time 27 September 2019 where you seek the following information:

- ***A copy of the current risk register for each DHB, and copies of any summary briefings, memos or correspondence related to the current risk register items.***

In 2018 NMH developed a strategic risk register, with twelve key risks identified by the Executive Leadership Team, Audit & Risk Committee and the NMH Board. A summary of those twelve key strategic risks is attached. The summary provides a short title for the identified risk, a description of what this looks like, the executive role responsible for the risk, and the current risk rating.

As to the part of your request for summary briefings, memos or correspondence related to the current risk register items, we have considered the impact of releasing such information. We have attempted to balance the public interest in this information being available, and are declining your request for this extent of information under sections 9(2)(b)(ii) and 9(2)(c) of the Official Information Act 1982. We do not believe that withholding the information is outweighed by other considerations which render it desirable to make the information available.

We note the following further details as to our reasons for applying these withholding grounds:

- Section 9(2)(b)(ii) – *to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information*

Some of the information in our risk register (and more particularly in some summary briefings, memos or correspondence) contains information about or from third parties who provide services. These include for example Business Cases for further investment, and correspondence related to multi-party contingency work. We believe the release of such information may unreasonably prejudice parties who supplied, or are the subject of the information; potentially damaging their reputation, commercially disadvantaging, or damaging customer confidence in those parties. It may also impact the future supply of information from those parties to us, to enable mitigation of these or additional emerging risks.

¹ Nelson Marlborough District Health Board

- Section 9(2)(c) - *avoid prejudice to measures protecting the health or safety of members of the public*

Much of the information in our risk register, and the related summary briefings, memos or correspondence, identifies risks to the services and systems that meet the health and support needs of our community, and potentially includes the health and safety of individual patients, and of our staff.

Registers are designed to enable us to effectively manage, reduce or eliminate those risks. In this regard, risk registers and documents related to the risk register items are measures designed to protect the health or safety of members of the public.

We believe that the full release of risk register documentation, summary briefings, memos or correspondence related to the risk register items would prejudice measures protecting the health or safety of members of the public. In addition, there is a conceivable countervailing harm, if the release of this information results in the public not seeking early health care and services due to undue or 'out of context' assessment of risk to themselves.

We are also concerned to avoid discouraging NMH as an organisation, or our employees as part of a public sector entity from effectively raising, identifying and engaging in managing of risks in the provision of health care services to our community, and/or impede the ability to be operationally consistent in identifying and managing these risks. Consequently, we believe the full release of these documents would be harmful to our ability to maintain the effective conduct of our public affairs.

At this time, we believe that withholding this level of information from public release, on these grounds is the only basis that ensures these documents and processes, intended to manage health care delivery can be meaningful, and assist NMH to mitigate its operational and strategic risks, perform its responsibilities, and maintain the effective conduct of its public affairs.

As noted above, we believe that our reasons for withholding the information are not outweighed by other considerations which render it desirable, in the public interest, to make the information available.

This response has been provided under the Official Information Act 1982. You have the right to seek an investigation by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or free phone 0800 802 602. If you have any questions about this decision please feel free to email our OIA Coordinator OIArequest@nmdhb.govt.nz

I trust that this information meets your requirements. NMH, like other agencies across the state sector, supports the open disclosure of information to assist the public's understanding of how we are delivering publicly-funded healthcare. This includes the proactive publication of anonymised Official Information Act responses on our website from 10 working days after they have been released. If you feel that there are good reasons why your response should not be made publicly available, we will be happy to consider.

Yours sincerely



Dr Peter Bramley
Chief Executive

cc: Ministry of Health via email: SectorOIA@moh.govt.nz

Strategic Risk Register

Key:

- *Inherent Risk:* The natural level of risk inherent in a process or activity without the implementation of risk management controls.
- *Tolerable Risk:* A level of risk deemed acceptable by an organisation in order to pursue objectives within resourcing, but in the knowledge that the risk has been evaluated, monitored and risk management controls implemented.

Risk	Risk Description	Executive Owner	Risk rating
Public confidence in NMH significantly reduced	NMH strives to be an exemplar institution within the region underwritten by public confidence and trust. Ongoing public and media scrutiny of NMH activities means that organisational credibility is always under the microscope. Incorrect or unbalanced reporting can have disproportionate effects on consumer confidence. Similarly, progress in reducing health outcome inequality relies on the most vulnerable groups of the region having the confidence to seek out health care support.	Chief Executive	Inherent: Major Tolerable: Moderate
Ineffective clinical stewardship undermines the achievement of objectives	Fundamental to NMH success is its ability to deliver safe, skilled and compassionate care that reduces inequity for everyone in our community, regardless of the specific health need. The capacity for all staff to continually monitor and improve the standard of healthcare and promotion is representative of a mature organisation. Whilst the point of healthcare delivery has the potential for disproportionate risk events, effective clinical stewardship transcends the quality of care provided to individuals and relies on all clinicians to understand the value of all activity in the context of the wider organisation and its priorities, effectively manage resources and accept the requirement to prioritise expenditure.	Clinical Governance	Inherent: Major Tolerable: Moderate

Risk	Risk Description	Executive Owner	Risk rating
Failure to support equitable health outcomes within the region	Achieving health equity is our greatest challenge. The most vulnerable in our community continue to have poorer health outcomes. This is clearly reflected in the seclusion rates in Mental Health and in Ambulatory Sensitive Hospitalisation rates for children aged 0-4. This is unacceptable and must be addressed now before it continues to impact future generations.	Chief Executive	Inherent: Critical Tolerable: Moderate
Models of Care Programme underachieves in meeting outcomes	In order to meet its objectives, NMH aims to improve and transform the way health care is provided in the region. In order to meet the needs of the community, especially Māori and vulnerable populations and increased demand, services must be safe, high quality and take advantage of new technology. The Models of Care Programme is the key enabler to understanding how the various components of our health system should interact to improve outcomes. Failure to achieve scope will undermine system reconfiguration and subsequent transformational change.	GM Strategy, Primary & Community	Inherent: Critical Tolerable: Moderate
Failure to innovate and embrace change inhibits organisational learning	Digital transformation and other technological advancement is challenging the way we deliver health care. Our strategy, operational processes, workforce structures and resource allocation is all dependent on embracing innovation and a robust framework to nurture organisational change when required. The current fiscal context suggests we are asked to do more (increase in health care demand) with less (slower increase in supply). Encouraging innovation, whilst tolerating associated risk, is a means to increase efficiency in achieving objectives.	Chief Executive	Inherent: Major Tolerable: Moderate

Risk	Risk Description	Executive Owner	Risk rating
Inability to provide a safe environment for patients, staff and other users	NMH operates a number of sites across the full spectrum of health care services. Staff regularly work under pressure, interacting with stressed consumers and rely on a number of contractors to perform key support roles. Legislatively, the organisation is bound to provide a safe working environment and implement a sound workplace health and safety framework. Failure to safeguard staff, patients and other users of NMH facilities undermines the achievement of organisational objectives and exposes leadership to litigation.	GM People & Capability	Inherent: Critical Tolerable: Moderate
Ineffective workforce management inculcates a poor organisational culture	Fundamental to the delivery of safe, effective and efficient health care is the requirement for NMH to 'be a good employer'. This multifaceted objective relies on the ability to recruit and retain specialist and suitably qualified staff. Secondly, succession planning and workforce management must address a generally aging workforce. Finally, all departments must buy in to organisational culture by living the NMH values and ensuring that the organisation is a desirable employer. A sound culture will support job satisfaction, retention, knowledge transfer and set our people up for success in achieving desired objectives.	GM People & Capability	Inherent: Critical Tolerable: Moderate
Capital facilities projects fail to produce fit for purpose infrastructure	In order to meet the evolving demand for health services within the Nelson Marlborough region, NMH must effectively execute small, medium and large scale capital work projects. Capital investment needs to account for future health care trends and consider ongoing operating expense thus ensuring enhanced patient outcomes and value for money. Failure to adequately account for trends in health care within future works will have adverse impacts on future services and undermine both financial and clinical stewardship.	GM Finance, Performance & Facilities	Inherent: Critical Tolerable: Major (current site, Moderate post Nelson Hospital redevelopment)

Risk	Risk Description	Executive Owner	Risk rating
Information and communication technology system failure	The Government Chief Digital Officer (GCDO) has mandated that all crown entities maintain ICT operations assurance plans. NMH relies heavily on ICT services to achieve its objectives and has identified five key focus areas (service continuity management, information security management, service portfolio management, capacity management and supplier management). The number of operating systems used in NMH has increased with digital processes replacing paper. As more systems incorporate outsourcing ('the cloud') third part assurance is also a key risk. A breakdown in one or many of the ICT platforms used at NMH represents a threat to the safe delivery of services.	GM Information Technology	Inherent: Critical Tolerable: Major
A natural disaster disrupts the provision of core services	NMH is responsible for working with the people of the Nelson Marlborough region to promote, encourage and enable their health, wellbeing and independence. The achievement of this is subject to disruption by natural hazards and related events such as severe weather or seismic events, rural fire or tsunami. As well as disrupting the ability to provide core services, all of the aforementioned events are likely to cause increased demand for both emergency and long term rehabilitative care.	GM Finance, Performance & Facilities	Inherent: Critical Tolerable: Moderate
Non compliance with legislation or associated guideline	Good and sustainable health services are essential for resilient and thriving communities. A key component of ensuring sustainable services relies on sound governance through compliance with relevant legislation and associated guidelines. The significant annual allocation of public monies, the relative large and diverse workforce and the complex nature of delivering healthcare outcomes means NMH has a responsibility to comply with a raft of legislation. Failure to do so will undermine credibility, threaten the	GM Finance, Performance & Facilities	Inherent: Major Tolerable: Moderate

Risk	Risk Description	Executive Owner	Risk rating
Ineffective financial stewardship undermines achievement of objectives	safe delivery of services and expose NMH to a range of adverse consequences. NMH is allocated ~\$550 mil annually to ensure the people of the Nelson Marlborough region get well, stay well and live well. An older, slowly growing and dispersed population in turn with technological advancements in the delivery of healthcare continue to place fiscal pressure on the organisation. Historically NMH has been one of the few DHBs to have operated within its fiscal constraints however increasing demand and rising employment and other costs continue to place strain on the organisation to live within its allocated fiscal resources.	GM Finance, Performance & Facilities	Inherent: Critical Tolerable: Major