

The background image shows three healthcare professionals in a clinical setting. Two men in the foreground are wearing blue scrubs and blue bouffant caps. The man on the left is looking towards the right, and the man on the right is looking down at something in his hands. A third person, seen from the back, is also in the foreground. In the background, there are medical monitors and equipment. A large, stylized blue graphic of a person is overlaid on the right side of the image.

NSW Government Legal Services Panel

Health cluster

NSW Health

- ▶ Budget of \$26.7B (2019/20)
- ▶ Australia's largest public health system
- ▶ 228 public hospitals
- ▶ 122,500 FTE Staff



Typical Day

18,000 overnight stays
6,200 admissions, through EDs
46,000 EMR entries
7,400 ASNSW responses
195 babies born

Ministers

*Appoints Boards
and meets regularly with
Council of Board Chairs*

**Secretary, NSW Health
Ministry of Health
Health Administration Corporation**

Local Health Districts and Specialty Networks

- Central Coast LHD
- Far West LHD
- Hunter New England LHD
- Illawarra Shoalhaven LHD
- Mid North Coast LHD
- Murrumbidgee LHD
- Nepean Blue Mountains LHD
- Northern NSW LHD
- Northern Sydney LHD
- South Eastern Sydney LHD
- South Western Sydney LHD
- Southern NSW LHD
- Sydney LHD
- Western NSW LHD
- Western Sydney LHD
- Sydney Children's Hospitals Network
- Justice Health and Forensic Mental Health Network

Statewide Health Services

- NSW Ambulance
- NSW Health Pathology
- Health Protection NSW

Shared Services

- HealthShare NSW
- eHealth NSW
- Health Infrastructure

Pillars

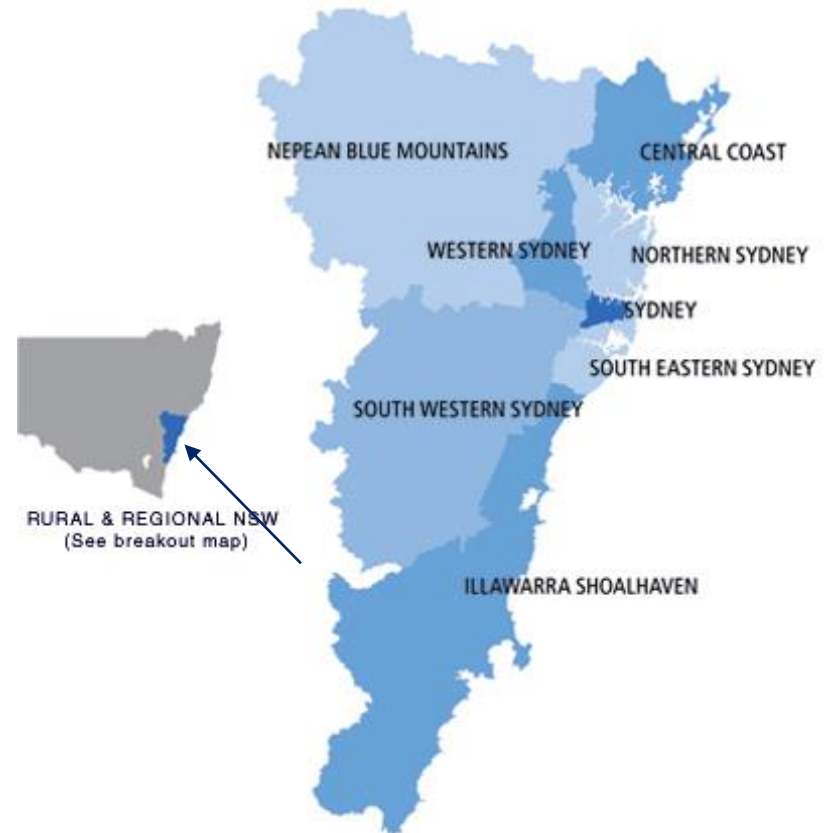
- Agency for Clinical Innovation
- Bureau of Health Information
- Cancer Institute NSW
- Clinical Excellence Commission
- Health Education and Training Institute

15 NSW Local Health Districts

Rural



Metropolitan



Key Legislation

Legislation

- ▶ *Health Services Act 1997*
- ▶ *Health Administration Act 1982*
- ▶ *Public Health Act 2010*
- ▶ *Health Practitioner Regulation National Law (NSW) 2009*
- ▶ *Private Health Facilities Act 2007*
- ▶ *Poisons and Therapeutics Goods Act 1966*
- ▶ *Mental Health Act 2007*



Policies and operations

- ▶ Significant Legal Matters and Management of Legal Services PD2017_003:
- ▶ Significant matters include :
 - ▶ Issues which are fundamental to the responsibilities of the Minister, Health Secretary or NSW Ministry of Health, Health Administration Corporation
 - ▶ Significant medico-legal, ethical, policy, industrial, work health and safety or other operational issues.
 - ▶ Legal proceedings to which a NSW Health agency or its officers are a party to, which raise a significant question of interpretation of NSW Health policy or legislation administered by the Minister for Health
 - ▶ Legal proceedings involving more than one NSW Health agency, multiple NSW Government agencies, or proceedings involving a Minister of the Crown
 - ▶ Issues concerning intergovernmental relations, arrangements or agreements
 - ▶ Legal engagement involving the expenditure or reasonably anticipated expenditure on legal costs and disbursements in excess of \$150,000
- ▶ NSW Health Lawyers Network encompass lawyers across the NSW Health system
- ▶ Ministry responsible for administrative matters for the Panel: reports, conflicts, etc



Legal Team

Leanne O'Shannessy:
General Counsel

Dean Bell
Deputy General
Counsel and Director
Legal

Gemma Broderick
Special Counsel,
Legislation and Policy

Deanne Tadros
A/Director Capability
and Legal Operation

Contact: MOH-legalpanel@health.nsw.gov.au



Key Work and other Panels

- ▶ Health's legal services needs span the whole panel, with a focus on
 - ▶ Employment, including Visiting Practitioner Contract and Appointment Disputes and Appeals
 - ▶ Major commercial,
 - ▶ Property related transactions
 - ▶ Litigation
- ▶ TMF Medical Liability Panel



Challenges and needs

Challenges	What we need
Increasing Complexity	Practical legal solutions
Resource pressures	Risk management strategies
Increasing community expectations and Emerging Risks	Timely and succinct advice
Class actions	Value adds: training, secondments
Increasing risk aversion	Forensic analysis of large and sensitive data sets
Escalation in heat of disputes	Creative solutions to complex problems
Upskilling the health system	Know our business
COVID Response – Tail	Value for money