Dear Mr Terenzini

Re: Inquiry into the protection of public sector whistleblower employees

Officers of the Department of Health appeared and gave evidence at a Committee hearing on the 24 November 2008.

At that hearing you asked the questions "Have you ever had to take any action to stop a complainant suffering as a result of making a complaint? Have you ever had to deal with reprisals as a result of information being disclosed?”. My response was “I am not aware of any instance, but I will confirm that for the Committee”.

The NSW Department of Health (Department) does not maintain a register of complaints that specifically identifies complaint matters as described in the Committee’s question. However, the Department’s Internal Audit and Corporate Governance and Risk Management Branches have both confirmed they are not aware of any complaints of reprisal action being referred to their Branches or to I during my time as Deputy Director-General, Health System Support.

Although NSW Health Services also do not record complaints matters as specifically described in the Committee’s question I sought advice from Chief Executives of the NSW Health Services in respect of their experiences in relation to the Committee’s two questions,

Nine Health Services responded in the negative to both questions however, two Health Services reported three occasions (in total) where intervention by management has been required to provide support to a complainant following allegations of retaliation or a threat against a complainant. Remedial action taken by these Health Services included temporarily relocating a staff member in one instance and management meeting with a group of staff in another to make clear to these staff that any such action was an illegal act.
In addition to the above, a further Health Service advised the Department it was aware of several occasions where a staff member that was the subject of a complaint has contacted the complainant, despite a direction not to do so. Although the Health Service advised the Department the complaints involved were not made as protected disclosure, the Health Service took disciplinary action in response to these matters.

Yours sincerely

[Signature]

Karen Crawshaw  
Deputy Director-General  
Health System Support  
22.1.09