

NSW Government's management of the COVID-19 pandemic

Hearing – 11/02/2022

QUESTION 1 – Page 44-45

The Hon. JOHN GRAHAM: But Minister that is understood and agreed, I think, that there are some difficult balancing acts to here. My question is this: Were you aware of the aged-care sector's view? They say this resulted in deaths and despair. They say they advised the health agencies through the forums they had, very strongly. They thought the message got to the Government. They say they absolutely knew this was the risk. Did you know—were you aware, as you balanced all those very difficult issues?

.....
The CHAIR: Minister, can I be clear: If you feel like you haven't finished your answer, please do feel free to finish it. But then we might find whether or not the aged-care sector communicated that to either the Chief Health Officer or the department and go to Dr Chant and Ms Koff. Minister, if you could finish what you wanted to say.

The Hon. BRAD HAZZARD: Thank you, Mr Chairman. What I was trying to get to is that by 15 December we obviously were still weighing up all those difficult issues, and we had seen people overseas and in the streets here in New South Wales and in Victoria who were exercising their right to democratic statements that they were not happy with the current state of restrictions even at that point, so we were constantly weighing up those issues.

We were looking to try to get the economy and the employment going. At the end of the day, we made a decision that on 15 December we would take some more freeing-up steps.

Having said that, I also recollect that we still gave strong advice. In fact, Dr Chant stood out on the grass on level nine of Parliament, I think it was, from memory, and said that the recommendation was still to wear masks and take some of the precautions that we keep talking about every day that we've got the media. So I do not recollect any specifics of what has been talked about apparently that was evidence this morning, but I am happy to ask whether any of the health officials here had any discussion with that particular sector that they are aware of. It certainly wasn't on my agenda. It wasn't something which [inaudible]. We might have to take it on notice if no-one can remember that today. They might have to go back and check their notes. Does anybody have any recollection?

ANSWER

From 15 November 2021 to 15 December 2021, NSW Health representatives attended 10 meetings with the two aged care peak bodies – Aged & Community Services Australia (ACSA) and Leading Age Services Australia (LASA) – and/or residential aged care providers.

It is worth noting that for the aged care sector, restrictions remained in place beyond 15 December 2021. The advice from the NSW Chief Health Officer on mask wearing, visitation limits (up to two eligible visitors per resident in a 24-hour period), and vaccination, continued to apply. Pursuant to clause 15 of the Public Health (COVID-19 General) Order (No 2) 2021 operators of residential aged care facilities are directed to consider the advice of the Chief Health Officer in relation to the following matters:

- The management of visitors to the premises of the facility;
- The screening of staff and visitors before entering the premises of the facility;
- The conduct of group recreational or other activities for residents of the facility;
- The wearing of fitted face coverings for staff and visitors; and,
- Vaccinations against Influenza or COVID-19 for staff, visitors and residents.

QUESTION 2 – Page 47

The Hon. BRAD HAZZARD:In terms of staffing, I can tell you that only yesterday we announced 2,800 new nurses and midwives, 2,800 just coming on board right now, and 40 per cent of those are going into the regions. That is a lot of staff to bring on, and yes we lost some, a relatively small amount, because we insisted at that point that they had to be vaccinated to keep patients safe and that was on public health advice and the broader health community's advice.

That was a relatively small number that we lost. I could ask Mr Minns, if you like, to expand on what number actually had to leave, but we are certainly making sure there are a lot more coming in. Mr Minns, could you advise us, or you need to take it on notice, what the number of people was that we lost as a result of the mandating?

Mr PHIL MINNS: I can do that, Minister. This staff note is from a week ago, but we can advise that we had 296 resignations across the entire workforce, so that is medical, nursing, allied health, corporate, mental health, et cetera. So far we have 886 terminations that are either commenced or still in the process of being discussed before the IRC and there is a potential further 346 that may yet lead to a termination process.

The Hon. BRAD HAZZARD: What I would also ask Mr Minns is what is the current position with regard to nursing staff, because Ms Faehrmann was asking specifically on nursing staff, what number of nurses do we have operational in the system?

Mr PHIL MINNS: I can find that, if you just give me a few minutes.

Ms CATE FAEHRMANN: That is okay. If you can please provide that on notice. Thank you for the detail, which is really important. It is also important to know the breakdown of how many registered nurses are being lost and replaced by nurses with—it is fabulous that new nurses are coming into the system, but of course it is important to know whether they are AINs or less experienced nurses and what that means in terms of the balance of experience versus new recruits. Is that also able to be provided, Mr Minns?

The Hon BRAD HAZZARD: We can look at that because I would be interested to know that too.

ANSWER

As of January 2022 there were nearly 63,000 nurses and midwives working in the NSW Health system. It is important to note that these numbers fluctuate based on seasonal variation and are normally lower in December and January compared to other periods of time.

On 10 February 2022 the Minister for Health announced that more than 2,800 graduate nurses and midwives will start work across the system, further boosting these numbers.

Local Health Districts are responsible for ensuring skilled clinical workforce are available to deliver care to the people of NSW. This includes skilled nurses that also work as part of the agreed nursing industrial awards as relevant to their location. Between June 2020 and June 2021 the nursing and midwifery workforce has increased by approximately 1,906 staff or 3.8%.

QUESTION 3 – Page 53

Ms ABIGAIL BOYD: Just before you do, I will make it very clear the information I am after. I want to know whether the aged-care sector was asked if they felt adequately prepared for those restrictions to be lifted.

The Hon. BRAD HAZZARD: Just to emphasise to you, before I pass to whichever senior officials wish to talk about it, the aged-care sector primarily is working under—is regulated and managed by obviously—various organisations that are under the domain of the Federal Government, not the State Government. The State Government's responsibility is public health.

Ms ABIGAIL BOYD: Of course. This decision—

The Hon. BRAD HAZZARD: Without [disorder]—

Ms ABIGAIL BOYD: Sorry. The decision, though, was a decision of the State Government to lift restrictions in the context of the aged-care sector at the time.

The Hon. BRAD HAZZARD: It was not just in the context of the aged-care sector; it was in the context of the entire community. Of course, you would recollect too—I am quite sure you would recollect because I had to sign off on various exemptions to allow people to have demonstrations in the street saying they wanted their freedom. There were a whole lot of factors happening at the time. But does anybody here have anything they can add? Secretary.

Ms ELIZABETH KOFF: Specifically, as Dr Chant mentioned, Dr Nigel Lyons is the deputy secretary responsible and met regularly with the residential aged-care facilities, the Commonwealth Department of Health and the peak bodies for aged-care facilities. They have had over 30 meetings since June 2020 to discuss how outbreak management occurred within their facilities. In terms of dates of meetings, I will have to take that on notice and determine whether any of those [inaudible] issues were raised about the concerns that had been expressed by the aged-care providers.

Ms ABIGAIL BOYD: If you could take that on notice, that would be very helpful. I understand that as of a couple of days ago there were 525 aged-care homes across New South Wales that were currently experiencing an outbreak of Omicron. Do you know the current number today?

The Hon. BRAD HAZZARD: I do not think we have had any advice from the aged-care sector on that today, but I would say, Cate, that Omicron was obviously more broadly throughout the community, so it is also in the aged-care facilities. We will take that on notice and I will let you know as soon as I can.

ANSWER

NSW Health retained existing restrictions for the aged care sector as provided for by the: Public Health (COVID-19 General) Order (No 2) 2021, Public Health (COVID-19 Care Services) Order 2021, and advice from the NSW Chief Health Officer (detailed in Question 1).

In the lead up to the general easing of restrictions for the community in NSW on 15 December 2021, there were two meetings held between NSW Health and the aged care peak bodies (ACSA and LASA), with officials from the Commonwealth Department of Health also in attendance. These meetings occurred on 23 November 2021 and 6 December 2021. Discussions were focused on how residents of aged care facilities could enjoy the festive season and have opportunities to spend time with their loved ones, in a COVID-Safe way.

The Federal Government reports weekly on COVID-19 outbreaks in residential aged care facilities at:

<https://www.health.gov.au/resources/collections/covid-19-outbreaks-in-australian-residential-aged-care-facilities>

QUESTION 4 – Page 54

Ms ABIGAIL BOYD: Thank you, that is very useful. A group of people who are not given perhaps as much coverage in the media is of course people with a disability, and particularly people in disability homes. Do you have any data for how many deaths there have been in disability homes?

The Hon. BRAD HAZZARD: If you do not mind, Ms Boyd, I am going to ask Dr Chant to answer that

because it is a really important issue. Dr Chant?

Dr KERRY CHANT: We would collect that information but I just have not got it with me and, yes, you rightly point out, it is a very important component. We have been reporting on our death data every Friday and obviously there are some sensitivities in identifying individuals through that data, but we will certainly move to make sure we are very clear on reporting disability group home deaths as well in that data. We do report on a number in aged-care facilities as well.

Ms ABIGAIL BOYD: Thank you. If I could ask just a couple more questions on disability before I hand back to my colleagues. First, I understand from advocacy organisations that there has been no guidance from NSW Health about the protocols that disability support service workers are supposed to follow when providing support services to people who are COVID positive. In particular, they have mentioned the difficulties with not knowing when they are going into a person's home who has COVID and they are trying to shower them—are they supposed to wear PPE? What is the protocol? We are hearing that there is a real dearth of information. Can you confirm that or take it on notice?

The Hon. BRAD HAZZARD: I will ask Dr Chant whether she can answer it. If she cannot answer it now, let's take it on notice but [disorder].

Dr KERRY CHANT: I would have to investigate the specific concerns. But, clearly, there are quite clear—a person that has got COVID, that is infectious with COVID, you would need to take a very high level of protection to protect yourself against that. The CEC, the Clinical Excellence Commission, has got guidance on what that would look like. But if I could just take that on notice and work with my colleague Dr Lyons just to see what information has gone out, and if there are issues that it needs to be made clearer or simpler then we would happy to do so. But I would have thought that there was some guidance. I think one of the challenges here is making sure that the communication gets out effectively to everyone who needs it, so I will follow that up as a matter of priority.

ANSWER

Data regarding deaths in disability group homes is available from the Australian Government. It includes data indicating the number of deaths of NDIS participants residing in group homes who were reported to the NDIS Quality and Safeguards Commission or the National Disability Insurance Agency (NDIA) as having died with COVID-19. This data is publicly available at: <https://www.health.gov.au/health-alerts/covid-19/case-numbers-and-statistics#cases-in-ndis-services>. As at 24 February 2022, the number of deaths reported from this source is 23.

NSW Health provides advice to Disability Service Providers at:

<https://www.health.nsw.gov.au/Infectious/covid-19/Pages/disability-support.aspx>. This site provides links to a range of resources including a specific page, which provides information regarding 'Caring for a client with suspected or confirmed COVID-19 in a residential facility (including group homes and private residences)'.

In addition to this advice, disability providers are directed to specific resources providing guidance on managing outbreaks in group home settings, these documents include:

- COVID-19 Interim Guidance to support assessment of workers, residents and visitors in Residential Disability Care to determine level of risk and when staff can be permitted to work, including to ensure service continuity, available at:

https://www.cec.health.nsw.gov.au/_data/assets/pdf_file/0012/699951/Guidance-to-support-assessment-of-workers,-residents-and-visitors-in-Residential-Disability-Care.pdf
and

- First 24 Hours: Managing an Outbreak of COVID-19 in a Residential Disability Facility, available at: https://www.cec.health.nsw.gov.au/_data/assets/pdf_file/0006/690351/First-24-Hours-Managing-an-Outbreak-of-COVID-19-in-a-Residential-Disability-Facility-Group-Home.pdf

These resources are regularly updated and are currently under review to align with the updated Communicable Diseases Network Australia (CDNA) national guidelines.

QUESTION 5 – Page 54

The CHAIR: Thanks, Ms Boyd. Minister, I want to go back to the issue about aged care at the time that restrictions were lifted on 15 December. We had evidence from Mr Sadler, the Chief Executive Officer of the peak body, Aged Care and Community Services Australia, that they had raised with the New South Wales Government their concerns about the lifting of the restrictions before Christmas, before the break, and they were concerned that if that was done without adequate RAT tests and without adequate masks and without adequate warning it would have a severe negative health outcome in the aged-care sector. But, nevertheless, the restrictions were lifted. Is there nobody on your team who can recall those representations coming from the aged-care sector?

The Hon. BRAD HAZZARD: David, I think I have answered that. Look, I am happy to ask—I will let anybody at the table answer the question. Does anybody here know anything that you can help the Chair with on that particular issue, or shall we take it on notice?

Ms ELIZABETH KOFF: Nothing more than we have already said, Minister. I will take it on notice.

ANSWER

Please refer to the answers to questions 1 and 3.

QUESTION 6 – Page 55

The CHAIR: Well, Minister, I look forward to getting those answers. When we asked the sector what their key wishes were going forward, one of those wishes put forward was for the New South Wales Government to commit to being part of a national aged-care coordinating centre which then has State-based nodes and ensuring that NSW Health is part of a national aged-care coordinating centre. Is that something that the New South Wales Government has considered?

.....
The CHAIR: It is my understanding, it is the national peak body and it has been progressed at both a national and at different State and Territory levels. But could I understand from this, you have no opposition in principle—in principle it seems sensible, but maybe you will take on notice a more detailed response?

The Hon. BRAD HAZZARD: I would do anything at all to assist in trying to do anything we can to assist in the aged-care sector. I think NSW Health and the team within NSW Health in every local health district has done that right from the word go. We would be delighted to help in any way we can, but it has got to be done through a coordinated way. I think, from the sound of what you are proposing, through some sort of manager.

ANSWER

The roles and responsibilities of the NSW and Commonwealth governments in responding to an outbreak in a residential aged care facility in NSW are set out in the publicly available NSW-Commonwealth Joint Protocol. NSW was the first state to develop a protocol of this nature. The Joint Protocol is principles-based and aims to optimise care for all residents in impacted residential aged care facilities, and intends to ensure the appropriate level of support is available to aged care providers in an outbreak situation.

The NSW Government established a dedicated Aged Care team within the State Health Emergency Operations Centre (SHEOC) in August 2020 to lead the operational planning and to coordinate and escalate NSW Health's emergency capability in this area. This team has worked closely with the Commonwealth Government throughout the pandemic and together developed the publicly available *NSW and Commonwealth Joint Aged Care Emergency Response Plan for COVID-19 in Residential Aged Care Facilities*, which outlines the coordinated NSW and Commonwealth emergency response to outbreaks in this setting.

The establishment of a national coordinating centre for aged care would duplicate the existing structures in place in NSW.

QUESTION 7 – Page 57

The Hon. COURTNEY HOUSSOS: I understand that. Thank you, Minister. Minister, can I move on? In June 2020 you announced an additional \$380 million for elective surgery. How much of that has been spent?

The Hon. COURTNEY HOUSSOS: If you can on notice provide me with a breakdown by LHD of how that money was spent, if that is possible please?

Ms SUSAN PEARCE: I will have to ask Tim about that, obviously it is a [inaudible] budget that we expend on surgery generally, so it is not a straight forward process.

The Hon. COURTNEY HOUSSOS: But if you know that money has been spent, then surely you can give us a breakdown of where it has been spent?

The Hon. BRAD HAZZARD: If it has been expended then what Ms Pearce is saying, she is not sure she can give you precision of the question you are asking, because obviously it melds into the money that has been spent on surgery more broadly across 15 local health districts. It may not be something we can do easily. If it is something that can be done easily, then it will be done and provided to you as soon as possible. If it cannot be done easily, I have to say right now the health staff should be concentrating on looking after patients, but we will try.

ANSWER

The total actual spend since the start of the COVID-19 pandemic to January 2022 is \$465.2 million. Breakdown by LHD is provided in the table below.

Outsourced Activity (Elective Surgery) - April 2020 to 31 January 2022	Total (\$'000's)
Local Health Districts	
Sydney LHD	59,339
Western Sydney LHD	72,263
South Western Sydney LHD	83,045
South Eastern Sydney LHD	51,002
North Sydney LHD	19,935
Hunter New England LHD	31,551
Murrumbidgee LHD	12,147
Illawarra Shoalhaven LHD	29,362
Central Coast LHD	8,288
Northern NSW LHD	10,324
Mid North Coast LHD	40,637
Nepean Blue Mountain LHD	23,118
Far West LHD	338
Western NSW LHD	10,175
Southern NSW LHD	456
Total Local Health Districts	451,980
Specialty Health Network	
Sydney Children's Hospital Network	11,852
St Vincent's Health Network	1,260
* Justice Health	87
Total Specialty Health Network	13,198
Total Incremental Expenses All	465,178

QUESTION 8 – Page 59

Mr PHIL MINNS:what we might need to do to seek to recover and recuperate our workforce and that work is underway now, particularly minded ahead of the winter season.

The CHAIR: Thank you, Mr Minns, and if you are in a position to table that data today with the Committee we would really appreciate that. I will now hand over to the Government.

ANSWER

The relevant data was provided during the hearing.