



**Queensland
Government**

**Children's Health Queensland
Hospital and Health Service**

The Honourable Clare O'Neil MP
Minister for Home Affairs
CANBERRA ACT 2601

Email: ci.reforms@homeaffairs.gov.au

Dear The Honourable Clare O'Neil MP

Thank you for the email dated 5 October 2022 regarding critical infrastructure risk management program consultation, and for providing key stakeholders with the opportunity to provide feedback and/or suggested changes.

Children's Health Queensland Hospital and Health Service have considered your request and wish to provide feedback as detailed in Addendum A of this letter.

Should you require any further information in relation to this matter, please contact our Manager of Governance and Risk, Tanya Gilchrist

Yours sincerely

Frank Tracey
Health Service Chief Executive
Children's Health Queensland
Hospital and Health Service
16 / 11 / 2022

Addendum A – Feedback on Risk Management Program

Summary of Requirement	Feedback
<p>Definitions</p>	<p>A material number of key definitions are subjective. How these definitions apply to Children's Health Queensland (CHQ) Hospital and Health Service and its registered critical asset, Queensland Children's Hospital, will be instrumental in delineating scope and regulatory impact to the organisation.</p>
<p>Schedule 2 Part 2A critical hospitals</p> <p>Only certain critical hospitals will be required to establish and maintain a critical infrastructure risk management program under Part 2A of the Act by operation section 4 of the <i>Security of Critical Infrastructure (Critical Infrastructure risk management program) Rules (LIN 22/018) 2022</i>.</p>	<p>CHQ is of the understanding that Schedule 2 Part 2A is subject to further consultation, making it extremely difficult to assess and define scope and regulatory impact to the organisation.</p>
<p>Personnel Hazards</p> <p>Subsection 9(2) provides that an entity must establish and maintain a process or system in the entity's program:</p> <ul style="list-style-type: none"> • to identify the entity's critical workers (paragraph (a)). Critical worker is defined in section 5 of the Act; • to assess, on an ongoing basis, the suitability of a critical worker to have access to the critical components of the asset (paragraph (b)). Critical component is defined in section 5 of the Act; 	<p>Subjectivity in the definitions of 'critical worker', 'critical component' and 'material risk' provide it difficult to quantify scope and regulatory impact of this hazard.</p> <p>The cost of suitability assessments (Auschecks or similar) for critical workers, and the ongoing management of associated compliance requirements, will undoubtedly generate financial and human resource implications for CHQ. Until subjectivity in definitions is removed, it is difficult to quantify materiality of these implications.</p>
<p>Regulatory impact statement</p> <p>As part of the process in making the rules under Part 2A of the SOCI Act, the Minister for Home Affairs is required to consider the cost to industry in implementing the obligations for the risk management program. These are due to be finalised and published by the Officer of Best Practice Regulation once the Minister makes the final risk management program rules</p>	<p>CHQ would like to request that Regulatory Impact Statement, initiated by Department of Home Affairs, considers the following:</p> <ul style="list-style-type: none"> - Potential for contractual implications arising from 3rd parties either falling in-scope of 'critical worker' and/or being required to administer/govern systems and process resultant from compliance with SOCI Act. - Resource implications (human resource and financial) arising for organisations that need to implement and maintain additional suitability assessments (Auschecks or similar) to comply with SOCI Act.