## **GOVERNMENT OF BERMUDA**



# **Ministry of Health, Seniors and Environment**

In compliance with section 5(1) of the Public Access to Information Act, 2010

# **Information Statements for the**

**Public Authority: Ministry Headquarters** 

# At Dec 31st 2014

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Notes: The Information Statement for Headquarters is described by business unit, the header page numbers are for the authority in its entirety; the footer page numbers represent those for the business unit.



#### **GOVERNMENT OF BERMUDA**

# **Ministry Of Health, Seniors and Environment**

# Information Statement Public Authority: Ministry Headquarters

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#### Introduction

The following document is the Information Statement for the Ministry Headquarters Department. Every public authority covered by the Public Access to Information Act has a legal duty to maintain an information statement. *Please note that individual information statements were established for each section (aka business unit) under the Headquarters authority.* Accordingly, in many cases the reader is referred to the business unit's Information Statement for more information.

The purpose of the PATI Act and this document is to make information readily available to the public without the need for specific written requests, to encourage authorities to proactively publish information and to develop a culture of openness. Every person who is a Bermudian, or resident of Bermuda, has a right to access any record held by a public authority unless it is exempt. Several classes of information are exempt, including: Personal information (unless it relates to the requestor); Sensitive commercial, information received in confidence; Operations and deliberations of Public Authorities; Cabinet, Ministerial and Governors documents; and Legal documents. However, these exemptions are subject to the public interest test, except those that would be in contempt of Court, infringe Parliamentary privilege or are prohibited by other legislation [see sections 21 to 40, PATI Act]. In addition every person has a right to amend their personal information if it is incomplete, incorrect or misleading [s19, PATI Act].

#### How to make a request

Requests for information, or to amend your personal information, must be in writing using the application form, and submitted to the Ministry Information Officer (please contact the information officer as described in Section G). A request must identify the record, the subject and time period, and may specify the manner in which access is preferred. Please note there is a small fee levied for reproducing materials (as per the Government Fees Regulations 1976, and as listed on the application form).

#### **Key and Definitions**

• Ministry means the Ministry of Health, Seniors and Environment

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- PATI means Public Access To Information
- Square brackets [], refer to sections of the PATI Act, unless another Act is indicated

#### Section A: Structure, Organization and Governing Legislation [s5(1)a]

*Insert structure of Authority (text, and figure if latter useful):* 

The following five sections comprise Headquarters (HQ):

- Permanent Secretary and administration
- Accounts and Administration
- Corporate Services Unit
- National Office for Seniors and Physically Challenged (NOSPC)
- Office of the Chief Medical Officer (OCMO) (transferred to headquarters, April 1<sup>st</sup> 2013)

The four sections: Accounts, Corporate Services, NOSPC and OCMO, report to the Permanent Secretary.

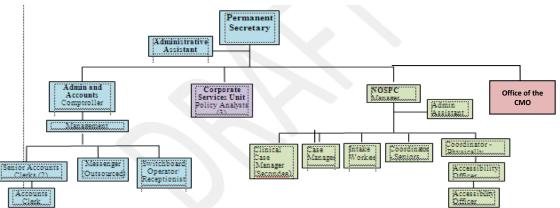


Figure: The organizational chart of Ministry Headquarters (Note the structure indicates reporting hierarchy, whereas the colour indicates budget heads).

#### Insert Governing Legislation:

The Bermuda Constitution Order, 1968 The Public Health Act, 1949

Other governing legislation outlines the role of the Minster and its Officers with regards the following entities:

- Bermuda Hospitals Board Act 1970
- Health Insurance Act 1970
- Bermuda Health Council Act 2004
- various other legislation (see section B1)
- various international conventions and treaties (see section B1)

#### Section B1: Legislated functions, powers, duties of the Authority [s5(1)b]

*Insert power, duties and function of the authority (cite Act or Policy):* 

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#### 1. Functions of Ministry Headquarters (HQ)

Mission: To serve as the policy directorate for the Bermuda Health System.

Ministry headquarters is charged with providing central policy direction, management and coordination of its departments and the services operated by the Ministry. Headquarters provides policy direction to the Bermuda Hospitals Board (BHB) and the Bermuda Health Council (BHeC). These two Quangos, being statutory bodies appointed by the Minister, report to the Minister through the Permanent Secretary. The estimated 2011/12 expenditure for HQ is 12.6 million representing 4.3% of the Ministry's budget.

The Ministry is comprised of several departments: Ministry Headquarters, the Department of Health, the Health Insurance Department; and in 2014 the Department of Environmental Protection and the Department of Conservation Services. Each department head reports directly to the Permanent Secretary. The Ministry, and entities under the direction of the Ministry, provides a large range of services either directly, or through partnerships with community agencies, to ensure positive health outcomes for the island's residents. In addition, the Ministry is responsible for upholding the Government's commitment to international treaties and conventions relevant to health, and international reporting requirements.

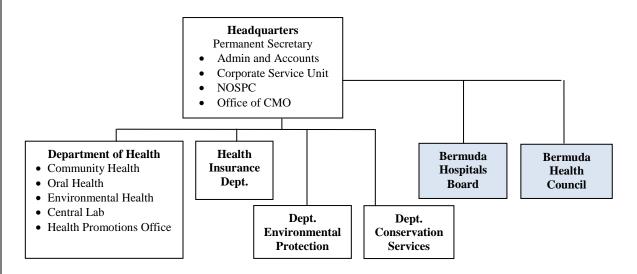


Figure: The functional organization of the Ministry (blue shading indicates QUANGO)

The mission for the Ministry is to "promote and protect the physical, mental and social well-being of the community, and ensure that individuals and groups have access to appropriate services and support necessary to maintain or attain optimal physical, mental or social well-being". This is achieved through ensuring the following outcomes:

- The population of Bermuda has a healthcare system which is accessible, affordable and effective.
- The population of Bermuda is protected from public health threats and has information to allow them to lead healthy lives.
- Bermudians have access to affordable health insurance.
- Residents of Bermuda have access to hospitals which provide affordable, safe and effective care.

Ministry initiatives are prioritized in the Ministry's strategic plan and progress is monitored through

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various accountability mechanisms. In 2010 the Ministry began extensive consultation on a National Health Plan: Health System Reform. The objective being to improve the quality, accessibility and affordability of the health system. Currently this is being re-tooled as the Bermuda Health Plan.

## 2. Legislated Powers and Duties of Ministry Headquarters (HQ)

The duties of the Ministry are outlined in the following legislative instruments:

Legislative Instrument	Relevance to Ministry of Health*
Under the legislated responsibility of the Minist	ry of Health
Allied Health Professions Act, 1973 (previously titled: The Professions Supplementary to Medicine Act)	Regulates 9 healthcare professions: Addiction Counsellors, Chiropodists, Dieticians, Diagnostic Imaging Technologists, Emergency Medical Technicians, Medical Laboratory Technologists, Occupational Therapists, Physiotherapists, Speech and Language Pathologists
Bermuda Health Council Act 2004	BHeC established to monitor the health sector (professionals, businesses & services); & regulate health insurance providers
Bermuda Hospitals Board Act 1970	Establishes the Board to operate the two hospitals.  The role of the Minister is to provide policy oversight.
Dental Practitioners Act, 1950	Regulates Dentists, Dental Hygienists, Dental assistants and Dental technicians.
Fumigation (Control) Act, 1945	Controls Fumigating substances by defining what they are and requiring a licence to perform fumigations and prescribing instructions on how to perform fumigations safely.
Health Insurance Act, 1970	The Act establishes the framework for compulsory and voluntary health insurance offered by licensed insurers and approved schemes. It also establishes the Health Insurance Committee to provide the Government's health insurance products (Health Insurance Plan, Mutual Reinsurance Fund, FutureCare and the Subsidies).
Human Tissue Act, 1967	Defines death and the use of the body for medical purposes (therapeutic, education or research).
Medical Practitioners Act, 1950	Regulates Physicians.
Mental Health Act, 1968	Concerns admissions to hospital for persons suffering a mental disorder and patients concerned with criminal proceedings. Establishes the Mental Health Review Tribunal to assess discharge.
Midwives Act, 1949	Regulates Midwives under the Medical Council.
Miscellaneous Taxes Act, 1976	With regards payroll taxes on Health professionals
Nursing Act 1997	Regulates Nurses.
Optometrists and Opticians Act 2008	Regulates Optometrists and Opticians.
Occupational Safety and Health Act 1982	Establishes the duties for employers and employees to

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(previously titled: Health and Safety at Work Act; Nb. Health & Safety at Work (pressure systems) Regulations 1989 needs title updated)	ensure that workplaces and work practices in Bermuda are safe as far as reasonably practicable. Creates the Advisory Council for Safety and Health to advise the Minister on occupational safety matters and empowers the Minister to appoint inspectors.
Parking of Vehicles (Designated Areas) Act 1973	Relevant to parking at Ministry HQ and KEMH
Pembroke Parish Public Cemetery Act, 1907	CMO approval for purchasing land
Pharmacy & Poisons Act, 1979	Regulation of pharmacists; facilities and drugs
Psychological Practitioners Act 1998	Regulates Psychologists
Public Health Act, 1949	Provides the Minister with responsibility for: -sanitation & water supply -prevention of public health nuisances (pollution) -offensive trades -communicable diseases -vaccination -burial and cremation of human remains and carcasses -general housing conditions (in conjunction with the Bermuda Housing Act 1980 and regulations) -production, preparation and sale of food -packaging and labelling of products other than food -hospitals, maternity homes, medical labs, rooming houses, laundries, slaughter houses, any place where food or drink is sold or prepared or stored for sale, day care centres for children or adults, kindergartens, beauty shops, barber shops, manicure parlours, mobile beauty shops, tattooing, electrolysis and body-piercing establishments, swimming baths, bathing beaches and places of public assembly, entertainment or resort In addition the Minister is given the legal powers to remedy unsatisfactory public health conditions and to license various categories of establishments and prescribe hygienic and safety standards for the above mentioned establishments - The Minister also has the power to establish clinics
Quarantine Act, 1946	To protect Bermuda from the international spread of disease by controlling ports conveyances 5epts.5rs and commodities; the Minister is the quarantine authority, empowered to appoint quarantine officers, establish quarantine stations
Radiation Act, 1972	Protects the operators of radiation equipment and radioisotopes and the public from harmful levels of ionizing radiation, by licensing all sources of ionizing radiation and ensuring that the source, equipment, environment and handling practices are safe and satisfactory.
Residential Care Homes & Nursing Homes Act 1999	Requires registration of residential care and nursing homes, and establishes standards for such.

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Senior Abuse Register Act 2008	To protect seniors from abuse and to establish a register of persons who have abused seniors by requiring mandatory reporting by professionals and others.	
Summary Offences Act, 1926	Restrictions on making noise; Prohibits sale of tobacco to persons under 16;	
Tobacco Products (Public Health) Act, 1987	Controls the sale, promotion, advertising of tobacco products and prohibits smoking in various places.	
Non- Health Ministry legislation in which Ministry of H	ealth Officers hold responsibilities	
Children Act, 1998	Legislated responsibility of Ministry of Youth, Families and Sport	
	Part IX- Day Care: establishes licensing and registration of Day Care Centres and home day care providers to be administered by the Chief Medical Officer and standards for day care centres. Operationalized by Env. Health	
Education Act, 1996	Consultation with the Ministry of Health regarding drug testings.67 and s.73	
Liquor License Act, 1974	Legislated responsibility of Ministry of Justice (NDC). Env. Health issues certain licenses. 1 <sup>st</sup> Schedule refers to Mental Health Act	
Misuse of Drugs Act and Regulations 1972	Determines what are controlled drug and the licensing requirements for importation and distribution.	
Police and Criminal Evidence Act, 2006 (previously the Evidence Act, 1905)	AKA PACE. Part VI: Treatment and collection of medical evidence from person detained by police. References the Mental Health Act. As pertains to the Criminal Code Act (see above).	
Road Traffic Act, 1947	Regarding the collection and analysis of human samples by an analyst and medical practitioner [s 35C-35J]	
Legislation updated annually (1 <sup>st</sup> April) by Ministry of Health		
Annual Budget Legislation  - The Bermuda Constitution Act [s96]  - The Appropriation Act (annual not consolidated)	Heads as determined in the Appropriation Act.	
Bermuda Hospitals Board (Hospital fees) Regulations 2012	Affirmative Resolution	
Bermuda Hospitals Board (Medical and Dental Charges) Order	Not subject to parliamentary scrutiny	
Health Insurance Act, 1970	re: Standard Premium Rate. Affirmative Resolution	
Health Insurance (Future Care Plan) (premium) Order	Not subject to parliamentary scrutiny	
Health Insurance (Health Insurance Plan) (premium) Order	Not subject to parliamentary scrutiny	
Health Insurance (Mutual Reinsurance Fund) (Prescribed Sum) Order	Not subject to parliamentary scrutiny	
Legislation of direct interest to Ministry of Health		

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Bermuda Nursing Association Act 1957	No Ministerial responsibility. The NA may establish and operate nursing homes under the Residential Care Homes and Nursing Homes Act 1999; and establish and operate homes or nurseries for children.
Criminal Code Act 1907	Established that Sexual assault is committed if HIV, AIDS or Hep B sufferer does not inform partner before sex act; Abandonment of children under 2 is a felony;
Evidence Act, 1905 [Now called the	As pertains to the Criminal Code Act (see above)
Police and Criminal Evidence Act, 2006]	
Government Authorities (fees) Act 1971	Prescribes remuneration for members sitting on statutory bodies. See list of Ministry Boards, Annex E.
Government Fees Regulations 1976	Prescribes fees payable to public authorities for listed functions. Includes fees In: Public Health Act, Registration of professionals, and this table.  Updated every 2 years (last update April 2012)
Social Welfare Act, 1971	Interest only. Organizations covered exclude government 7epts or the Bermuda Hospitals Board.
Key Legislation for all Ministries	
The Constitution Order 1968	Sets out scenarios when the interests of public health supersede individual rights and freedoms
Contributory Pensions Act, 1970	Information only
Contributory Pensions and Workmen's Compensation (Reciprocal Agreement) Act, 1970	Information only
Interpretation Act 1951	Explains interpretation of terms used in Bermuda Legislation

<sup>\*</sup>list updated Dec 2012

#### 3. INTERNATIONAL COMMITMENTS

The Ministry is responsible for upholding the Government's commitment to the following international treaties and conventions, and international reporting requirements, including:

- International Health Regulations (IHR) and
- International Narcotics Control Board (INCB)

#### INTERNATIONAL MEMBERSHIPS

- Pan American Health Organization (PAHO)
- World Health Organization (WHO)
- Caribbean Public Health Agency (CARPHA) (formerly Caribbean Epidemiology Centre (CAREC) plus other organizations)
- Caribbean Health Research Council (CHRC)
- Caribbean Community and Common Market (CARICOM)

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#### Section B2: Obligations under PATI [s5(1)b]

(same for all public authorities)

#### **Obligations of the Authority under PATI Act**

- 1. To provide an **information statement** for the public and promulgate it [s5],
- 2. To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
  - General information, e.g. activities of the Authority
  - Log of all information requests and their outcome
  - Quarterly expenditure (upon request) [s6(5)]
  - Contracts valued at \$50,000 or more.
- 3. To **respond to information requests** in a timely manner [s12-16]
- 4. To **track information requests**, and provide this data to the Info Commissioner [s5(8)3]
- 5. To respond to requests from the Information Commissioner [s9]
- 6. To **amend personal information** held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s19]
- 7. To conduct an **internal review** if formally requested [part 5]
- 8. To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
- 9. To provide an **annual written report** to the Information Commissioner of the status of information requests [s58(3)].
- 10. To do anything else as prescribed under the PATI Act and Regulations [s59, 60], including:
  - **Fees** for Requests for information
  - Management and maintenance of records
  - Procedures for administering the Act
- 11. To train staff and make arrangements so as to facilitate compliance with the Act [s61]
- 12. To **designate one of its offices** to be the person to whom requests are directed [s62]

#### Section C: Services and Programmes provided [s5(1)c]

*Insert a summary of services and programmes provided by the authority:* 

The services and programmes provided by Ministry headquarters are listed by section. Please see the Information Statement of the relevant section for more information on these services:

#### **Permanent Secretary and Administration**

- 1. Strategic development of Ministry & Health Sector
- 2. Coordination of programmes
- 3. Policy development
- 4. Grant management
- 5. Cabinet paper writing
- 6. Direct service delivery

#### **Corporate Services**

- 1. Project management
- 2. Programme & policy development
- 3. Programme evaluation oversight
- 4. Research and analysis
- 5. Legislative review

# National Office for Seniors and Physically

#### **Accounts and Administration**

1. Budget preparation for Ministry

# Challenged

1. Case management, including assessment

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- 2. Payroll for Ministry employees
- 3. Cash processing
- 4. Payment of invoices
- 5. Ministry human resource management
- 2. Programme promotion
- 3. Advisory services to the public
- 4. Regulatory functions: Rest-homes & Nursing-homes; Senior abuse Register.
- 5. Policy and strategic development
- 6. Oversight of the Opportunity Workshop programme

#### Office of the Chief Medical Officer

- 1. Regulation & Registration of profession and facilities
- 2. Drugs Control import/ export licenses
- 3. Customs duty exemptions
- 4. Burials
- 5. LCCA

#### OCMO cont.,

- 6. Oversight of the Epidemiology & Surveillance Unit
- 7. Consultative services national incl: Staff Medical Board, GEHI, BHB, BHeC
- 8. Consultative international for the World Health Organization

#### Section D: Records held [s5(1)d]

List and describe the classes of records held by the authority:

The classes of records in respect of this public authority are listed below by section (business unit). Please see Section D of their information statements for the description, dates, and PATI status of each record.

#### Office of the Permanent Secretary

- Correspondence to the Ministry (from national & international bodies etc)
- Ministerial speeches
- Legislative review documents
- Fiscal/ budget
- Strategic

#### Accounts

- Personnel files
- Client files
- Revenue records and invoice batches

#### **Corporate Services**

- Ministry overview
- Legislative review
- Policy development

#### Office of the Chief Medical Officer

- Registers of healthcare professions, facilities
- Drugs importation/ exportation licenses
- Customs duty exemptions
- Statutory bodies activities: minutes, reports

#### Epidemiology and Surveillance unit

• Surveillance Registers and Reports on communicable diseases and syndromes

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- International reporting and reports
- Public information leaflets on managing communicable diseases

#### National Office for Seniors and the Physically Challenged

- Register of long term care facilities
- Registration criteria and process
- Seniors abuse register
- Case files
- Public information on accessibility (brochures)

#### **Section E: Administration manuals [s5(1)e]**

List and describe of all policies and guidelines used to make decisions in respect to any person.

The administrative records for this authority are listed below by section (business unit). Please see Section E of their information statement for the description, dates, and PATI status of each record. Note, Government-wide administrative documents are identified below in green coloured text.

#### Office of the Permanent Secretary

• Cabinet and Ministerial Responsibilities and Procedures

#### **Accounts & Administration**

- Enterprise (E1) training manual
- Collective bargaining agreement

#### **Corporate Services**

- The Legislative process
- Making Policy Happen

#### Office of the Chief Medical Officer

- Procedures Manual for the office of the CMO
- Activities: minutes

#### Epidemiology and Surveillance unit

- Surveillance Manual
- Standard Operating Procedures for the Nurse Epidemiologist
- Case management policies
- Guidelines to manage occupational exposure

#### National Office for Seniors and the Physically Challenged

• Standards for operating residential facilities

#### Section F: Decision-making documents [s5(1)f]

List and describe of all policies and guidelines used to make decisions in respect to any person.

The decision making records for this public authority are listed below by section (business unit). Please see Section D of their information statements for the description, dates, and PATI status of each record. Government-wide administrative documents are identified below in green coloured text

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#### Office of the Permanent Secretary

#### Strategic

- Speech from the Throne
- Government Platform (public access)
- Cabinet directives
- Strategic Planning Sessions

#### Employment/ HR

- Conditions of Employment & Code of Conduct
- BPSU Collective Agreement 2008-2011
- Public Service Commission Regulations 2001

#### Fiscal

Financial Instructions

#### Ministry Specific

- Legislation (public access)
- Strategic planning sessions
- Briefs to the permanent secretary
- Ministerial briefs. Provides information and recommendations on projects of interest for the Permanent Secretary and Minister (exempt)
- Ministry Public Consultations (public access)

#### Accounts

• Financial Instructions

#### **Corporate Services**

none

#### Office of the Chief Medical Officer

- Legislation
- For medical council policies and standards
- Drug control policies
- International Health Regulations
- Guidance and Plans to deal with public health emergencies
- Surveillance Manual

#### Epidemiology and Surveillance unit

- (Bermuda) Legislation
- International Health Regulations

#### National Office for Seniors and the Physically Challenged

Legislation

#### **Section G: The Information officer** [s5(1)g]

#### *Insert name and contact information:*

Requests for information shall be in writing and directed to the Headquarters Information Officer:

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Contact PATI Information Officer.

Ms. S Sylvester

c/o Paulette Richardson

Ministry of Health, Seniors & Environment

Re: Ministry Headquarters, Attention: Ms. S. Sylvester,

Mail to PO Box HM 380, Hamilton HM BX, Bermuda

Hand-deliver to Continental building, 25 Church Street, Hamilton

Tell 278-4906

#### Section H: Any Other Information [s5(1)h]

Insert any other information that **you think** might be useful for the public to know, so as to decrease requests for information [s6]:

#### **Further information**

- 1. **About us** is available on the government website at: <a href="http://www.gov.bm">http://www.gov.bm</a> then select Ministry of Health, Seniors and Environment from the pull down menu.
- 2. The **legislation** listed in this document may be found at Bermuda Laws Online www.bermudalaws.bm.
- 3. **Financial Information**: For the annual expenditure for the past fiscal period (31<sup>st</sup> Mar to 1<sup>st</sup> Apr), see the online Budget Book at: (www.gov.bm; then select Ministry of Finance; then select the "Budget Book" icon on the right-hand side; then select: Section B Current Account Estimates; then select the Ministry).

#### Section I: Any Other Information As Prescribed? [s5(1)i]

At Oct 2014 there are no Regulations to specify additional requirements for the Information Statement. But note, that the following shall be provided in accordance with s6 of the PATI Act:

- 1. **Log of PATI** information access requests: To be provided upon request and with personal identifiers deleted.
- 2. **Contracts:** Any contracts entered into, with a value greater than or equal to \$50,000 [s6(6)].
- 3. **Expenditure**: Quarterly expenditure will be provided upon request. Note the expenditure for the previous fiscal period is provided on the website (as per Section H)
- 4. **Salaries**: The Minster responsible for PATI shall publish a list of title and **salary range of every post** of public officers [s6(6)].

#### Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times by [s5(2-5), PATI Act]:

**Locations of Information Statement** (Confirm copies of Information Statement are available at):

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<ul> <li>Office: Ministry Headquarters, Continental Building, 25 Church st, Hamilton</li> </ul>	Y
The Bermuda National Library	Y
• The Bermuda Archives	Y
Available electronically at:	
<ul> <li>PATI website <a href="http://www.gov.bm">http://www.gov.bm</a> \ then select Cabinet Office</li> </ul>	Y
• Ministry website <a href="http://www.gov.bm">http://www.gov.bm</a> \then select Health, Seniors & Environment	Y
• With the Information Commissioner.	Y
Have you published a notice in the Gazette indicating the places where the information stater	nent is
available for the public?	Y
Date Information Statement was updated:  Sign and Date:  31st Dec	c 2014
Kevin Monkman, Permanent Secretary	
Ends ————————————————————————————————————	

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#### **GOVERNMENT OF BERMUDA**

# Ministry Of Health, Seniors and Environment

#### **Information Statement**

## Public Authority: Office of the Permanent Secretary (of Ministry HQ)

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Section A: Organizational structure of the authority and governing legislation Section B: 1. Legislated Functions, Powers and Duties of the authority

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#### **Key and Definitions**

• Ministry means the Ministry of Health, Seniors and Environment

- PATI means Public Access To Information
- Square brackets [], refer to sections of the PATI Act, unless another Act is indicated

#### Section A: Structure, Organization and Governing Legislation [s5(1)a]

*Insert structure of Authority (text, and figure if latter useful):* 

The Office of the Permanent Secretary consists of the Permanent Secretary and an administrative assistant.

All heads of sections within headquarters report directly to the Permanent Secretary (PS). All department heads report to the PS, and the two QUANGOS, the Bermuda Hospital Board and the Bermuda Health Council, report to the Minster through the PS.

Insert governing Legislation:

The Bermuda Constitution Order, 1968 The Public Health Act, 1949

#### Section B: Functions, powers, duties of the Authority [s5(1)b]

*Insert power, duties and function of the authority (cite Act or Policy):* 

#### 1. General functions of the Office of the Permanent Secretary (PS)

The Permanent Secretary is the most senior civil servant of a Government Ministry, and is charged with running the Ministry on a day-to-day basis. The Permanent Secretary takes policy direction from the Minister, reports to the Secretary to the Cabinet on administrative matters and has the responsibility to support the general policies and priorities of the Government, and to operate within the context of the management practices and procedures established for the Government as a whole.

The Permanent Secretary provides direct support to the Minister, is the accounting officer for the Ministry, ensures the implementation of policies and legislation and is also responsible for interministerial collaboration and the promotion and support for interministerial initiatives.

#### 2. Legislated Power and Duties of the Permanent Secretary

The Permanent Secretary has the following legislated power or duties:

- 2.1. The Registrar, or ensuring a register is kept, for the Councils regulating several healthcare professions, namely: Physicians, Dentists, midwives, Optometrists & Opticians
- 2.2. Serves as an ex-offico, non-voting member of the Bermuda Hospitals Board (according to the Bermuda Hospitals Board Act)
- 2.3. Serves as an ex-officio member of the Bermuda Health Council (according to the Bermuda Health Council Act).
- 2.4. Chairs the Health Insurance Committee (according to the Health Insurance Act 1970).

#### **Section B2: Obligations under PATI [s5(1)b]**

(same for all public authorities)

#### Obligations of the Authority under PATI Act

- 1. To provide an **information statement** for the public and promulgate it [s5],
- 2. To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
  - General information, e.g. activities of the Authority
  - Log of all information requests and their outcome
  - Quarterly expenditure (upon request) [s6(5)]
  - Contracts valued at \$50,000 or more.
- 3. To **respond to information requests** in a timely manner [s12-16]
- 4. To **track information requests**, and provide this data to the Info Commissioner [s5(8)3]
- 5. To respond to requests from the Information Commissioner [s9]
- 6. To **amend personal information** held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s19]
- 7. To conduct an **internal review** if formally requested [part 5]
- 8. To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
- 9. To provide an **annual written report** to the Information Commissioner of the status of information requests [s58(3)].
- 10. **To do anything else as prescribed** under the PATI Act and Regulations [s59, 60], including:
  - Managing Fees for Requests for information
  - Management and maintenance of records
  - Following procedures for administering the Act
- 11. To **train staff and make arrangements** so as to facilitate compliance with the Act [s61]
- 12. To **designate an officer** to be the person to whom requests are directed [s62]

#### Section C: Services and Programmes provided [s5(1)c]

*Insert a summary of services and programmes provided by the authority:* 

#### **Services**

- 1. Strategic development: Provides strategic direction for the health sector and Ministry entities
- 2. Coordination of programmes: under the auspices of the Ministry
- 3. Policy development: To develop and implement policy to address health sector issues and aligning this with best practice across the Ministry, QUANGOs and the health sector in general
- 4. Grant management: Management of government funds to support (descending order of monetary value) the Health Insurance Fund, Bermuda Hospitals Board, LCCA Medical Care overseas, the Health Council and various agencies and charities (as listed in the Budget book)
- 5. Preparation of Cabinet Memoranda: Documents regarding Ministry direction and/or activities; for decision, discussion, or for information.
- 6. Direct service delivery: To assist the Minister with any other matter as required

#### Generic duties of a Permanent Secretary

- 7. To provide support and advice to the Minister, including:
  - anticipating issues in the House of Assembly or the media
  - managing current issues and problems, keeping the Minister fully informed

- providing advice
- 8. To ensure the implementation of:
  - policy formulation and direction
  - sectoral strategic plan development
  - amending and drafting legislation;
  - major projects
- 9. To manage Ministry financial resources effectively, including:
  - coordinating the production of estimates from departments and other associated bodies, and establish priorities for resources
  - ensuring compliance with Ministry of Finance/Treasury requirements and policies
  - keeping working methods under review to secure value for money;
- 10. To contribute to the collective management of Government, including:
  - ensuring that due account is taken of the interests and views of other parts of Government
  - participating in meetings of Permanent Secretaries convened by the Secretary to the Cabinet.
- 11. To provide leadership in the Ministry, and where appropriate, to
  - arrange for organizational restructuring; determine departmental role delineations; to manage human resources effectively; ensure proper training and development; ensure establishment of effective information systems
- 12. To manage the handling of communications with the public

#### Section D: Records held [s5(1)d]

*List and describe the classes of records held by the authority:* 

The following records in respect of this public authority are held:

#### Ministry records

- 1. **Public correspondence, various issues**. (last 3 years). Ministry of Health. (mixed status). Correspondence from the public concerning any issue related to the Health sector (e.g. practitioners, facilities, services, health issues etc).
- 2. Correspondence from international health entities. (last 7 years). Ministry of Health. (public access). Correspondence regarding international health issues or regulation, e.g.: workshops, internationals reporting or changes in standards from international bodies such as the World Health Organization.
- 3. **Registers of healthcare professionals and facilities**, where the Permanent Secretary is the Registrar. (last 7 years). Government of Bermuda. (public access). Personal application information. Located in the Office of the Chief Medical Officer.
- 4. **General** (all last 7 years; author for all is the Ministry of Health):
  - i. *Ministry Overview* (dated when Minister changes). (public access). Describes the mandate, structure, duties, powers and services provided by the Ministry.
  - ii. *Ministry Business Plans* (last 7 years). (public access). Describes the Ministry Business plan for the next two years. Includes priorities and budget.

- 5. **Annual Reports and Minutes** from Ministry entities e.g.: QUANGOs and Statutory Boards. (last 10 years). Government of Bermuda or Statutory Body. (public access with information redacted under section 23- personal information redacted or under section 29 deliberations of public authorities redacted; of the PATI Act). Outlining the activities of the body.
- 6. **Cabinet** Memoranda, Drafting Instructions, Draft legislation (last 10 years). Government of Bermuda. (Exempt under s27(ba) Cabinet Documents). Documents intended for Cabinet's review of legislative or policy amendments.
- 7. **Ministerial** speeches and statements (last 3 years). Ministry of Health. (public access). Public statements by the Minister on topical issues.
- 8. **Fiscal records**: of the Ministry's operations; monthly department reports. (last seven years). Government of Bermuda. (public access). As summarized in the annual budget, and revised as actual figures the following year in the Budget book.
- 9. **Human resource records**: of Ministry headquarters staff (exempt under section 23 personal information). Specifically: special leave, performance appraisals.

#### Activities of the authority

10. *Meeting minutes*: where appropriate (Mixed - some public access, some exempt).

#### **Section E: Administration manuals [s5(1)e]**

Insert list and description of all administrative manuals/ guidelines used by employees for administering or carrying-out activities:

- 1. Cabinet and Ministerial Responsibilities and Procedures (1990). Government of Bermuda. (public access). Provides guidance to Ministers, their Permanent Secretaries, Heads of Departments and Senior Officers of their roles and responsibilities. Includes administrative practice and procedure.
- 2. The Legislative Process in Bermuda. Creating Law: from Policy Development to Implementation (March 2005). Attorney-General Chambers, Government of Bermuda. (public access). Describes legislative and governmental procedures in the legislative process, including how to amend legislation.
- 3. *Making Policy Happen In Bermuda* (Nov 2005). Central Policy Unit, Government of Bermuda. (public access). Describes the process for developing good policy.
- 4. Government of Bermuda: Conditions of Employment and Code of Conduct. Department of Human Resources. This, read in conjunction with the Union Collective Agreements and the Public Service Commission Regulations provides guidance on staff management and policies.

#### Section F: Decision-making documents [s5(1)f]

List and describe of all policies and guidelines used to make decisions in respect to any person.

**A. Government-wide** (for more information on these documents please see the Cabinet Office Information Statement)

#### **Strategic direction**

1. Speech from the Throne (Annually in November). Government of Bermuda. (public access).

- Announces Governments strategic direction for the next fiscal year. Please access via the Cabinet Office.
- 2. *Government Platform*. (published after a change of Administration). Government of Bermuda. (public access). Describes the Party's high-level strategic direction in Office.
- 3. *Cabinet directives*. (various dates). Government of Bermuda. (Exempt under s27(ba) Cabinet Documents). Documents decisions and recommendations from Cabinet concerning various policies and legislative proposals.

#### **Employment & Human resources**

# 4. Conditions of Employment & Code of Conduct. See Human Resources Dept. Cabinet Office

- 5. BPSU Collective Agreement 2008-2011
- 6. Workmen's Compensation Act 1965

#### **Fiscal and Legislative Processes**

- 7. Financial Instructions. See Ministry of Finance
- 8. Public Service Commission Regulations 2001. See Bermuda laws online
- 9. Judicial procedures Guidelines

#### **B.** Ministry Specific

- 11. *Ministry legislation* (see legislation list in section B of the Ministry Headquarters Information Statement). Government of Bermuda. (public access available on-line at www.bermudalaws.bm)
- 12. *Ministry Public Consultations* (public access), for example:
  - a. Tendering: Requests for Information; Requests for Proposal. (last 7 years). Government of Bermuda. (exempt under section 25 commercial information). Documents that outline contract requirements for an external entity to undertake work/project for the Ministry. For example for services or facilities
  - b. Public consultation on legislative or policy (public access)
- 13. *Ministry Strategic Planning Sessions* (last 7 years). Ministry of Health. (exempt under section 29 deliberations of public authorities). Identifies the strategic direction for the Ministry.
- 14. *Briefs for the Permanent Secretary*. (last 10 years). Ministry of Health. (exempt under section 29 deliberations of public authorities). Provides information and recommendations on projects of interest for the Permanent Secretary and Minister
- 11. *Ministerial briefs* (last three years). Ministry of Health. (exempt under sections 28 Ministerial responsibility). Provides recommendations on projects of interest for the Minister

#### **Section G: The Information officer** [s5(1)g]

*Insert name and contact information:* 

Requests for information shall be in writing and directed to the Ministry Information Officer:

Contact PATI Information Officer,

Ms. S Sylvester

c/o Ms. Paulette Richardson

Ministry of Health, Seniors & Environment Re: Office of the Permanent Secretary,

Attention: Ms. S. Sylvester,

Mail to PO Box HM 380, Hamilton HM BX, Bermuda

Hand-deliver to Continental building, 25 Church Street, Hamilton

Tel 278-4906

#### **Section H: Any Other Information** [s5(1)h]

Insert any other information that **you think** might be useful for the public to know, so as to decrease requests for information [s6]:

#### **Further information**

- 1. **About us** is available on the government website at: <a href="http://www.gov.bm">http://www.gov.bm</a> then select Ministry of Health, Seniors and Environment from the pull down menu.
- 2. The **legislation** listed in this document may be found at Bermuda Laws Online www.bermudalaws.bm.
- 3. **Financial Information**: For the annual expenditure for the past fiscal period (31<sup>st</sup> Mar to 1<sup>st</sup> Apr), see the online Budget Book at: (www.gov.bm; then select Ministry of Finance; then select the "Budget Book" icon on the right-hand side; then select: Section B Current Account Estimates; then select the Ministry).

#### Section I: Any Other Information As Prescribed? [s5(1)i]

At Oct 2014 there are no Regulations to specify additional requirements for the Information Statement. But note, that the following shall be provided in accordance with s6 of the PATI Act:

- 1. **Log of PATI** information access requests: To be provided upon request and with personal identifiers deleted.
- 2. **Contracts:** Any contracts entered into, with a value greater than or equal to \$50,000 [s6(6)].
- 3. **Expenditure**: Quarterly expenditure will be provided upon request. Note the expenditure for the previous fiscal period is provided on the website (as per Section H)
- 4. **Salaries**: The Minster responsible for PATI shall publish a list of title and **salary range of every post** of public officers [s6(6)].

#### Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times by [s5(2-5), PATI Act]:

**Locations of Information Statement** (Confirm copies of Information Statement are available at):

• Office: Ministry Headquarters, Continental Bdlg, 25 Church St, Hamilton

Y

• The Bermuda National Library

Y

• The Bermuda Archives

Available electronically at:			
• PATI website <a href="http://www.gov.bm">http://www.gov.bm</a>			Y
• Ministry website <a href="http://www.gov.b">http://www.gov.b</a>	om \then sel	ect Health, Seniors & Environment	Y
• With the Information Commissioner.			Y
Have you published a notice in the Gazette available for the public?	indicating t	he places where the information stat	ement is Y
Date Information Statement was updated:	Sign:	Date: 31st De	ec 2014
	Kevin M	onkman, Permanent Secretary	
	Ends		



#### **GOVERNMENT OF BERMUDA**

## Ministry Of Health, Seniors and Environment

# Information Statement Public Authority: Administration and Accounts (of Ministry Headquarters)

#### **Table of Contents**

Section A: Organizational structure of the authority and governing legislation

Section B: 1. Legislated functions, powers and duties of the Authority

2. Obligations under PATI

Section C: Services and programmes Section D: Documents: Records held

Section E: Documents: Administrative manuals/ guidelines

Section F: Documents: Decision making

Section G: Contact details for the Information Officer
Section H: Further information (includes financial)
Section I: Other Information (as prescribed)
Section J: Locations of the Information Statement

#### Introduction

This document is the Information statement for the Administration and Accounts (of the Ministry Headquarters). In accordance with the Public Access To Information (PATI) Act 2010, every public authority has a legal duty to maintain an Information Statement.

The purpose of the PATI Act and this document is to make information readily available to the public without the need for specific written requests, to encourage authorities to proactively publish information and to develop a culture of openness. Every person who is a Bermudian, or resident of Bermuda, has a right to access any record held by a public authority, and a right to amend their personal information held by a public authority if it is incorrect or misleading. However, several classes of information are exempt, including: Personal information (unless it relates to the requestor); Sensitive commercial, information received in confidence; Operations and deliberations of Public Authorities; Cabinet, Ministerial and Governors documents; and Legal documents. All exemptions are subject to the public interest test, except those that would be in contempt of Court, infringe Parliamentary privilege or are prohibited by other legislation [for more information see sections 21 to 40, PATI Act].

#### How to make a request

Requests for information, or to amend your personal information, must be in writing using the application form, and submitted to the Ministry Information Officer (see Section G for contact details). A request must identify the record, the subject and time period, and may specify the manner in which access is preferred. Please note there is a small fee levied for reproducing materials (as per the Government Fees Regulations 1976, and as listed on the application form).

#### Key, including definitions

- Ministry means the Ministry of Health, Seniors and the Environment
- PATI means Public Access To Information
- [] Square brackets, refer to sections of the PATI Act, unless another Act is indicated

#### Section A: Structure, Organization and Governing Legislation [s5(1)a]

*Insert structure of Authority (a chart – if helpful, and some explanatory text):* 

The Administration and Accounts section of Ministry Headquarters has the following staff:

- 1 Comptroller
- 1 Management Accountant
- 2 Senior Accounts Clerks
- 1 Accounts Clerk
- 1 Messenger
- 1 Receptionist

#### *Insert Governing Legislation:*

Public Treasury (Administration and Payments) Act 1969

#### Section B1: Legislated Functions, Powers and Duties of the Authority [s5(1)b]

*Insert power, duties and functions of the Authority (cite Act or Policy):* 

The Accounts and Administration Section within the Ministry Headquarters provides financial and accounting support to the entire Ministry. This includes ensuring all financial transactions are in line with the policy and procedures of the Financial Instructions and the EnterpriseOne ('E1') system which is Governments financial information system. In addition any guidance in regards to budgets and other financial matters are provided by the Accounts Section to programme managers, section heads, department heads, the Permanent Secretary and the Minister.

#### **Section B2: Obligations under PATI Act [s5(1)b]**

(same for all public authorities)

#### **Obligations of the Authority under the PATI Act**

- 1. To provide an **information statement** for the public and promulgate it [s5],
- 2. To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
  - a. General information, e.g. activities of the Authority
  - b. Log of all information requests and their outcome
  - c. Quarterly expenditure (upon request) [s6(5)]
  - d. Contracts valued at \$50,000 or more.
- 3. To **respond to information requests** in a timely manner [s12-16]
- 4. To **track information requests**, and provide this data to the Info Commissioner [s5(8)3]
- 5. To respond to requests from the Information Commissioner [s9]
- 6. To **amend personal information** held by the Authority that it is wrong or misleading following

- a written request by the person to whom the information relates [s19]
- 7. To conduct an **internal review** if formally requested [part 5]
- 8. To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
- 9. To provide an **annual written report** to the Information Commissioner of the status of information requests [s58(3)].
- 10. To do anything else as prescribed under the PATI Act and Regulations [\$59, 60], including:
  - a. **Managing Fees** for Requests for information
  - b. Management and maintenance of **records**
  - c. **Following procedures** for administering the Act
- 11. To **train staff and make arrangements** so as to facilitate compliance with the Act [s61]
- 12. To **designate an officer** to be the person to whom requests are directed [s62]

#### Section C: Services and Programmes provided [s5(1)c]

*Insert a summary of services and programmes provided by the authority:* 

#### Services

- 1. Receipt revenue for the rest home clients and verify revenue received in the satellite sections such as the clinics and Environmental Health. Record revenue and deposit into the bank
- 2. Process and make payments to vendors, grantees etc. for goods and services rendered
- 3. Process weekly and monthly payroll for Ministry's staff
- 4. Coordinate the budget process for the Government's fiscal year (April 1 March 31)
- 5. Coordinate the fiscal year end process for the Government's fiscal year (April 1 March 31)
- 6. Deliver mail for the Ministry
- 7. Reception and Telephone Services for the Ministry

#### **Programmes**

Programmes are not applicable to the Administration and Accounts Section.

#### Section D: Records held [s5(1)d]

*List and describe the classes of records held by the authority:* 

- 1. Personnel files. (Active files kept for three years after employment ceases\*). Government of Bermuda. (Exempt under section 23(1) personal information). The files include staff contracts, changes to employment status and related documents. (\* dormant files are kept until the person is 70 years old or for one year after their death, as per Financial Instructions)
- 2. *Invoice batches*. (last six years). Government of Bermuda. (Exempt under section sections 25(1)d and 24(1)b). These are invoices paid to vendors.
- 3. *Revenue Records*: (last six years). Government of Bermuda. (Exempt under section 24(1)b). These are records of revenue receipts and documentation of deposits made to the bank.
- 4. *Client Files*. (six years after deceased). Government of Bermuda. (Exempt under section 23(1) personal information). The files contain the charge account information for the Rest Home (Lefroy

House and Sylvia Richardson) clients which include contracts and billing details and are maintained for six years after client is deceased.

#### **Section E: Administration manuals [s5(1)e]**

Insert list and description of all administrative manuals/ guidelines used by employees for administering or carrying-out activities:

- 1. *The EnterpriseOne (E1) Training Manual.* (2010). Accountant Generals Department (public access). This document is used to guide personnel on how to use the Government E1 Accounting System.
- 2. *The Collective Bargaining Agreement*. (September 2011). Bermuda Public Service Union and the Bermuda Government. (public access). This agreement provides guidelines to process the human resource, salary and benefit responsibilities.

#### Section F: Decision-making documents [s5(1)f]

Insert list and description of all policies and guidelines for decision making in respect to any person. Note "person" includes any company or association or body of persons, whether corporate or unincorporate; [Interpretation Act, 1951]

Financial Instructions. (March 31, 2013). Ministry of Finance. (public access). The Authoritative Document is the Financial Instructions. Financial Instructions apply to every person concerned in or responsible for the collection, receipt, custody, issue or payment of public money, stores, stamps, investments, securities, negotiable instruments or any other asset. Financial Instructions apply whether it is the property of the Government or in deposit with or entrusted to the Government or any Government employee in an official capacity either alone or jointly with another Government employee or any other person.

#### **Section G: The Information officer [s5(1)g]**

*Insert name and contact information:* 

Requests for information shall be in writing and submitted to the Ministry Information Officer; from where they will be directed to the Authority.

Contact PATI Information Officer,

Ms. Shauna Sylvester c/o Ms. Paulette Richardson

c/o Ministry of Health, Seniors & Environment

Re: Administration and Accounts (of the Ministry Headquarters),

Attention: Shivon Washington

Mail to P.O. Box HM 380, Hamilton HM BX, Bermuda

Visit Continental Building, 25 Church Street, Hamilton HM BX

Tel 278-4906

#### **Section H: Any Other Information [s5(1)h]**

Insert any other information that **you think** might be useful for the public to know, so as to decrease requests for information [s6]:

- 1. About us is available on the government website at: http://www.gov.bm then select Ministry of Health from the pull down menu; then select Administration and Accounts.
- 2. The legislation listed in this document may be found at Bermuda Laws Online www.bermudalaws.bm.
- 3. Annual Budget: For the annual expenditure for the past fiscal period (31st Mar to 1st Apr), see the online Budget Book at: (www.gov.bm; then select Ministry of Finance; then select the "Budget Book" icon on the right-hand side; then select: Section B Current Account Estimates; then select the Ministry).

#### Section I: Any Other Information As Prescribed [s5(1)i]?

At Dec 2014 there are no Regulations to specify additional requirements for the Information Statement. But note, that the following shall be provided in accordance with s6 of the PATI Act:

- 1. **Log of PATI** information access requests: To be provided upon request and with personal identifiers deleted.
- 2. **Contracts:** Any contracts entered into, with a value greater than or equal to \$50,000 [s6(6)].
- 3. **Expenditure**: Quarterly expenditure will be provided upon request. Note the expenditure for the previous fiscal period is provided on the website (as per Section H)
- 4. **Salaries**: The Minster responsible for PATI shall publish a list of title and salary range of every post of public officers [s6(6)].

#### Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times at [s5(2-5), PATI Act]:

**Locations of Information Statement** (Confirm copies of Information Statement are available at):

- Office: Ministry Headquarters, Continental Bdlg, 25 Church St., Hamilton
- The Bermuda National Library N
- The Bermuda Archives N
- Available electronically at:
  - PATI website http://www.gov.bm/ Select Cabinet Office from the Government tab
  - Ministry website <a href="http://www.gov.bm">http://www.gov.bm</a> \Select Health, Seniors & Environment\
    Y
- With the Information Commissioner.

  Note that the Information Commissioner is the Commissioner than the Information statement.

Have you published a notice in the Gazette indicating the places where the information statement is available for the public?

**Date Information Statement was updated:** Sign: Date: 31st Dec 2014

S. Washington, Comptroller

**Ends** 

N



#### **GOVERNMENT OF BERMUDA**

# **Ministry Of Health, Seniors and Environment**

# Information Statement Public Authority: Corporate Services (of Ministry Headquarters)

#### **Table of Contents**

Section A: Organizational structure of the authority and governing legislation Section B: 1. Legislated Functions, Powers and Duties of the authority

2. Obligations under PATI

Section C: Services and programmes Section D: Documents: Records held

Section E: Documents: Administrative manuals/ guidelines

Section F: Documents: Decision making

Section G: Contact details for the Information Officer Section H: Further information (includes financial) Section I: Locations of the Information Statement

#### Introduction

This document is the Information Statement for the Corporate Services Unit of Ministry Headquarters. In accordance with the Public Access to Information (PATI) Act 2010, every public authority has a legal duty to maintain an Information Statement.

The purpose of the PATI Act and this document is to make information readily available to the public without the need for specific written requests, to encourage authorities to proactively publish information and to develop a culture of openness. Every person who is a Bermudian, or resident of Bermuda, has a right to access any record held by a public authority unless it is exempt. Several classes of information are exempt, including: Personal information (unless it relates to the requestor); Sensitive commercial, information received in confidence; Operations and deliberations of Public Authorities; Cabinet, Ministerial and Governors documents; and Legal documents. However, these exemptions are subject to the public interest test, except those that would be in contempt of Court, infringe Parliamentary privilege or are prohibited by other legislation [see sections 21 to 40, PATI Act]. In addition every person has a right to amend their personal information if it is incomplete, incorrect or misleading [s19, PATI Act].

#### How to make a request

Requests for information, or to amend your personal information, must be in writing using the application form, and submitted to the Ministry Information Officer (please contact the information officer as described in Section G). A request must identify the record, the subject and time period, and may specify the manner in which access is preferred. Please note there is a small fee levied for reproducing materials (as per the Government Fees Regulations 1976, and as listed on the application form).

#### **Key and Definitions**

- Ministry means the Ministry of Health, Seniors and Environment
- PATI means Public Access To Information

• Square brackets [], refer to sections of the PATI Act, unless another Act is indicated

#### Section A: Structure, Organization and Governing Legislation [s5(1)a]

*Insert structure of Authority (text, and figure if latter useful):* 

Corporate Services is comprised of three (3) policy analyst posts that report directly to the Permanent Secretary of Health. Currently there is one policy analyst. The other two posts were frozen in 2010 and March 2013.

Insert governing Legislation:

Public Health Act, 1949

#### Section B1: Legislated Functions, Powers and Duties of the Authority [s5(1)b]

*Insert power, duties and function of the authority (Explain, cite Act, Policy or similar)*:

#### 1. General functions of Corporate Services

The Corporate Services Unit provides support and assistance to the Minister, the Permanent Secretary and the Heads of Department, within the Ministry. Corporate Services assumes duties that do not fall within any particular department in the Ministry and tasks which cross more than one Ministry or emergency projects. Responsibilities, within this context, include:

- i Review, development and amendment of Policy, Programmes and Legislation
- ii Support to the Permanent Secretary
- iii Oversight of monitoring and evaluation processes
- iv Formatting long range strategic planning

The Corporate Services Unit has no legislated power or duties

#### **Section B2: Obligations under PATI [s5(1)b]**

(the same for all public authorities)

#### **Obligations of the Authority under PATI Act**

- 1. To provide an **information statement** for the public and promulgate it [s5],
- 2. To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
  - General information, e.g. activities of the Authority
  - Log of all information requests and their outcome
  - Quarterly expenditure (upon request) [s6(5)]
  - Contracts valued at \$50,000 or more.
- 3. To **respond to information requests** in a timely manner [s12-16]
- 4. To **track information requests**, and provide this data to the Info Commissioner [s5(8)3]
- 5. To respond to requests from the Information Commissioner [s9]
- 6. To **amend personal information** held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s19]
- 7. To conduct an **internal review** if formally requested [part 5]
- 8. To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required

- 9. To provide an **annual written report** to the Information Commissioner of the status of information requests [s58(3)].
- 10. **To do anything else as prescribed** under the PATI Act and Regulations [s59, 60], including:
  - Managing Fees for Requests for information
  - Management and maintenance of records
  - Following procedures for administering the Act
- 11. To **train staff and make arrangements** so as to facilitate compliance with the Act [s61]
- 12. To **designate an officer** to be the person to whom requests are directed [s62]

#### Section C: Services and Programmes provided [s5(1)c]

*Insert a summary of services and programmes provided by the authority:* 

#### Services:

- i. Programme and policy development: To develop policy to address health issues aligned with best practice
- ii. Research and analysis: To provide information on any matter pertaining to health that the Minister requires
- iii. Legislative review: Aligning legislative instruments with changing policy and best practice.
- iv. Project management: To manage projects related to the function of the Ministry as assigned by the Permanent Secretary
- v. Programme evaluation: To provide oversight of monitoring and evaluation processes of Ministry programmes
- vi. To assist the Permanent Secretary with any other matter as required.

**Programmes:** The Corporate Services Unit does not provide any programmes

#### Section D: Records held [s5(1)d]

*List and describe the classes of records held by the authority:* 

The following records in respect of this public authority are held:

#### **General Ministry:**

- 1. *Ministry Overview*. (v3c, 2014). Ministry of Health, Government of Bermuda. (Public access). Describes the mandate, structure, duties, powers and services provided by the Ministry. The document is updated for new Ministers.
- 2. *Ministry Strategic Planning Sessions*. (Last 5 years, Revised annually). Ministry of Health, Government of Bermuda. [Exempt under section 29 deliberations of public authorities]. Identifies the strength, weaknesses, opportunities and threats of the Ministry so as to establish strategic direction.
- 3. *Ministry Business Plan*. (Last 7 years, Revised biennially). Ministry of Health, Government of Bermuda (Public Access). Describes the Ministry Business plan for the next two years. Includes priorities and budget.

#### **Project records** (all last 5 years)

- 4. *Policy development documents*: meeting minutes, confidential consultation feedback, research, jurisdictional opinions, draft policies [exempt under section 29 deliberations of public authorities]. Note, the final policies are published by the authority to which they relate.
- 5. Briefs to the Permanent Secretary [exempt under sections 28 Ministerial responsibility, and under section 29 deliberations of public authorities]. Recommendations on projects of interest. Includes issue identification, industry data, jurisdictional and best practice review, confidential stakeholder feedback, and recommendations.
- 6. Cabinet documents regarding legislative review: Draft Cabinet Memoranda; Drafting Instructions; Draft Bills and draft statutory instruments. [Exempt under s27(ba) Cabinet Documents]. Aligning legislative instruments with changing policy and best practice.

#### **Activities of the authority:**

7. CSU Weekly update, (2008 to 2011). Ministry of Health, Government of Bermuda. [Exempt under section 29 – deliberations of public authorities]. A record of policy decisions and milestones for each project.

#### **Section E: Administration manuals [s5(1)e]**

Insert list and description of all administrative manuals/ guidelines used by employees for administering or carrying-out activities:

- 1. The Legislative Process in Bermuda. Creating Law: from Policy Development to Implementation, (March 2005). Attorney-General Chambers, Government of Bermuda. (Public Access). Describes the law-making process.
- 2. *Making Policy Happen In Bermuda*. (Nov 2005). Central Policy Unit, Government of Bermuda. (Public Access). Describes the process for developing good policy.

#### Section F: Decision-making documents [s5(1)f]

List and describe of all policies and guidelines used to make decisions in respect to any person.

None. Corporate Services provides advice and recommendations to the Permanent Secretary and the Ministry's authorities, who then use this information to make decisions. The advice is based on Bermuda laws, Jurisdictional reviews and best practice.

#### **Section G: The Information officer** [s5(1)g]

*Insert name and contact information:* 

Requests for information shall be in writing and directed to the Information Officer:

Contact PATI Information Officer.

Ms. S Sylvester

c/o Paulette Richardson

Ministry of Health, Seniors & Environment

Re: Corporate Services Unit, Attention: Ms. S. Sylvester,

Mail to PO Box HM 380, Hamilton HM BX, Bermuda

Hand-deliver to Continental building, 25 Church Street, Hamilton

#### **Section H: Any Other Information** [s5(1)h]

Insert any other information that **you think** might be useful for the public to know, so as to decrease requests for information [s6]:

- 1. **About us** is available on the government website at: <a href="http://www.gov.bm">http://www.gov.bm</a> then select Ministry of Health, Seniors and Environment from the pull down menu.
- 2. The **legislation** listed in this document may be found at Bermuda Laws Online www.bermudalaws.bm.
- 3. **Financial Information**: For the annual expenditure for the past fiscal period (31<sup>st</sup> Mar to 1<sup>st</sup> Apr), see the online Budget Book at: (www.gov.bm; then select Ministry of Finance; then select the "Budget Book" icon on the right-hand side; then select: Section B Current Account Estimates; then select the Ministry).

#### Section I: Any Other Information As Prescribed? [s5(1)i]

At Oct 2014 there are no Regulations to specify additional requirements for the Information Statement. But note, that the following shall be provided in accordance with s6 of the PATI Act:

- 1. **Log of PATI** information access requests: To be provided upon request and with personal identifiers deleted.
- 2. **Contracts:** Any contracts entered into, with a value greater than or equal to \$50,000 [s6(6)].
- 3. **Expenditure**: Quarterly expenditure will be provided upon request. Note the expenditure for the previous fiscal period is provided on the website (as per Section H)
- 4. **Salaries**: The Minster responsible for PATI shall publish a list of title and **salary range of every post** of public officers [s6(6)].

#### Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times by [s5(2-5), PATI Act]:

**Locations of Information Statement** (Confirm copies of Information Statement are available at):

- Office: Ministry Headquarters, Continental Bdlg, 25 Church st, Hamilton
   The Bermuda National Library

  Y
- The Bermuda Archives Y
- Available electronically at:
  - PATI website http://www.gov.bm
  - Ministry website <a href="http://www.gov.bm">http://www.gov.bm</a> \then select Health, Seniors & Environment
- windsty website <u>http://www.gov.om</u> then select fleath, beliefs & Environment
- With the Information Commissioner.

Have you published a notice in the Gazette indicating the places where the information statement is available for the public?

S Sylvester, Policy Analyst

**Ends** 

Y

Y



#### **GOVERNMENT OF BERMUDA**

# **Ministry Of Health, Seniors and Environment**

# **Information Statement**

Public Authority: Ministry Headquarters Section: Office of Chief Medical Officer

#### **Table of Contents**

Section A: Organizational structure of the authority and governing legislation

Section B: 1. Legislated functions, powers and duties of the authority

2. Obligations under PATI

Section C: Services and programmes Section D: Documents: Records held

Section E: Documents: Administrative manuals/ guidelines

Section F: Documents: Decision making

Section G: Contact details for the Information Officer
Section H: Further information (includes financial)
Section I: Locations of the Information Statement

#### Introduction

This document is the Information statement for the Office of the Chief Medical Officer (CMO) in the Ministry Headquarters. In accordance with the Public Access To Information (PATI) Act 2010, every public authority has a legal duty to maintain an Information Statement.

The purpose of the PATI Act and this document is to make information readily available to the public without the need for specific written requests, to encourage authorities to proactively publish information and to develop a culture of openness. Every person who is a Bermudian, or resident of Bermuda, has a right to access any record held by a public authority unless it is exempt. Several classes of information are exempt, including: Personal information (unless it relates to the requestor); Sensitive commercial, information received in confidence; Operations and deliberations of Public Authorities; Cabinet, Ministerial and Governors documents; and Legal documents. However, these exemptions are subject to the public interest test, except those that would be in contempt of Court, infringe Parliamentary privilege or are prohibited by other legislation [see sections 21 to 40, PATI Act]. In addition every person has a right to amend their personal information if it is incomplete, incorrect or misleading [s19, PATI Act].

#### **How to make a request** (to update)

Requests for information, or to amend your personal information, must be in writing using the application form, and submitted to the Ministry Information Officer (please contact the information officer as described in Section G). A request must identify the record, the subject and time period, and

may specify the manner in which access is preferred. Please note there is a small fee levied for reproducing materials (as per the Government Fees Regulations 1976, and as listed on the application form).

#### **Key and Definitions**

- CMO means Chief Medical Officer
- Department means the Department of Health
- ESU means Epidemiology and Surveillance Unit
- Ministry means the Ministry of Health, Seniors and Environment
- PATI means Public Access To Information
- Square brackets [], refer to sections of the PATI Act, unless another Act is indicated

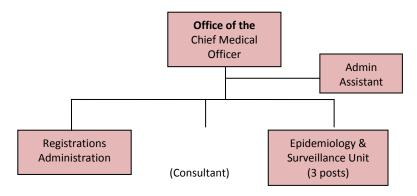
#### Section A: Structure, Organization and Legislation [s5(1)a]

*Insert structure of Authority (text, and figure if latter useful):* 

#### **Department Structure:**

Ministry of Health: Headquarters

Section: Office of the CMO Cost centre/ID Number: 31030



The Office of the CMO was established as a separate section following the reorganization of the Department of Health in April 2013. The mandate of the Office is provided in several legislative instruments, foremost being the Public Health Act 1949.

#### Insert Governing Legislation:

Main legislation: The Public Health Act, 1949 Other legislation: see list in section B1(4)

#### Section B1: Legislated Functions, powers, duties of the Authority [s5(1)b]

*Insert power, duties and function of the authority (cite Act or Policy):* 

#### 1. Legislated Functions

The Public Health Act gives the Minister general supervision and control over all matters concerning or connected with public health, including: sanitation and water supply, nuisances and offensive trades, communicable diseases, vaccination, burials, food production, healthcare establishments, and general housing conditions. This includes: making inquiries, the collection of statistical data, and the publication of records or reports, the coordination of the teaching of public or personal health at educational institutions, the dissemination of information connected with public or personal health [section 7, PH Act].

#### 2. Functions of the Office of the CMO

The Office of the Chief Medical Officer (OCMO), led by the Chief Medical Officer (CMO), provides leadership, protection and regulatory functions for the health sector. In particular, leadership and advice is provided on key issues impacting the health sector. The office carries out functions to protect, promote and improve the populations' health, including investigating outbreaks of infectious disease and research to inform policy decisions on health matters. In addition, the office provides regulatory functions including healthcare professional registration and regulation, and drug regulation; and is responsible for meeting international health reporting requirements. See section C for a list of services.

#### 3. Public Health Functions

The CMO and Department of Health have lead responsibility for protecting the community against public health threats and, providing leadership to the public health system. The role of public health is to provide for the organization and delivery of public health programs and services, the prevention of the spread of disease and the promotion and protection of the health of the people of Bermuda.

The core functions of public health in Bermuda include:

- 1. **Assessment:** monitoring the health of the public;
- 2. Policy development: promoting scientifically sound health policy; and
- 3. **Assurance:** guaranteeing the benefits of public health for all.

#### 4. Other legislation pertinent to the operations of the office of the CMO

Legislative Instrument	Relevance to Ministry*	
Under the legislated responsibility of the Ministry of Health		
Allied Health Professions Act, 1973 (previously titled: The Professions Supplementary to Medicine Act)	Regulates 9 healthcare professions: Addiction Counsellors, Chiropodists, Dieticians, Diagnostic Imaging Technologists, Emergency Medical Technicians, Medical Laboratory Technologists, Occupational Therapists, Physiotherapists, Speech and Language Pathologists	
	BHeC established to monitor the health sector (professionals, businesses & services); & regulate health insurance providers	
Bermuda Hospitals Board Act 1970	Establishes the Board to operate the two hospitals.  The role of the Minister is to provide policy oversight.	
Dental Practitioners Act, 1950	Regulates Dentists, Dental Hygienists, Dental assistants and Dental technicians.	
Fumigation (Control) Act, 1945	Controls Fumigating substances by defining what they are and requiring a licence to perform fumigations and prescribing instructions on how to perform fumigations safely.	
Health Insurance Act, 1970	The Act establishes the framework for compulsory and voluntary health insurance offered by licensed insurers and approved schemes. It also establishes	

	the Health Insurance Committee to provide the Government's health insurance products (Health Insurance Plan, Mutual Reinsurance Fund, FutureCare and the Subsidies).
Human Tissue Act, 1967	Defines death and the use of the body for medical purposes (therapeutic, education or research).
Medical Practitioners Act, 1950	Regulates Physicians.
Mental Health Act, 1968	Concerns admissions to hospital for persons suffering a mental disorder and patients concerned with criminal proceedings. Establishes the Mental Health Review Tribunal to assess discharge.
Midwives Act, 1949	Regulates Midwives under the Medical Council.
Miscellaneous Taxes Act, 1976	With regards payroll taxes on Health professionals
Nursing Act 1997	Regulates Nurses.
Optometrists and Opticians Act 2008	Regulates Optometrists and Opticians.
Occupational Safety and Health Act 1982 (previously titled: Health and Safety at Work Act; Nb. Health & Safety at Work (pressure systems) Regulations 1989 needs title updated)	Establishes the duties for employers and employees to ensure that workplaces and work practices in Bermuda are safe as far as reasonably practicable. Creates the Advisory Council for Safety and Health to advise the Minister on occupational safety matters and empowers the Minister to appoint inspectors.
Parking of Vehicles (Designated Areas) Act 1973	Relevant to parking at Ministry HQ and KEMH
Pembroke Parish Public Cemetery Act, 1907	CMO approval for purchasing land
Pharmacy & Poisons Act, 1979	Regulation of pharmacists; facilities and drugs
Psychological Practitioners Act 1998	Regulates Psychologists
Public Health Act, 1949	Provides the Minister with responsibility for: -sanitation & water supply -prevention of public health nuisances (pollution) -offensive trades -communicable diseases -vaccination -burial and cremation of human remains and carcasses -general housing conditions (in conjunction with the Bermuda Housing Act 1980 and regulations) -production, preparation and sale of food -packaging and labelling of products other than food -hospitals, maternity homes, medical labs, rooming houses, laundries, slaughter houses, any place where food or drink is sold or prepared or stored for sale, day care centres for children or adults, kindergartens, beauty shops, barber shops, manicure parlours, mobile beauty shops, tattooing, electrolysis and body-piercing establishments,

pu - I to an	wimming baths, bathing beaches and places of			
to an	ublic assembly, entertainment or resort.  In addition the Minister is given the legal powers			
ab	o remedy unsatisfactory public health conditions and to license various categories of establishments and prescribe hygienic and safety standards for the bove mentioned establishments.  The Minister also has the power to establish clinics			
of tra qu	o protect Bermuda from the international spread f disease by controlling ports conveyances ravellers and commodities; the Minister is the uarantine authority, empowered to appoint uarantine officers, establish quarantine stations			
ra ioi ra en	Protects the operators of radiation equipment and radioisotopes and the public from harmful levels of ionizing radiation, by licensing all sources of ionizing radiation and ensuring that the source, equipment, environment and handling practices are safe and satisfactory.			
	Requires registration of residential care and nursing homes, and establishes standards for such.			
re, re	To protect seniors from abuse and to establish a register of persons who have abused seniors by requiring mandatory reporting by professionals and others.			
	and the second s			
Summary Offences Act, 1926 Re	estrictions on making noise;			
·	estrictions on making noise; rohibits sale of tobacco to persons under 16;			
Tobacco Products (Public Health) Act, 1987 Cc				
Tobacco Products (Public Health) Act, 1987 Cc	rohibits sale of tobacco to persons under 16; ontrols the sale, promotion, advertising of tobacco roducts and prohibits smoking in various places.			
Tobacco Products (Public Health) Act, 1987  Coppr  Legislation in which Ministry of Health Officers hold responsible Children Act, 1998  Legislation Legislation In Which Ministry of Health Officers hold responsible Children Act, 1998	rohibits sale of tobacco to persons under 16; ontrols the sale, promotion, advertising of tobacco roducts and prohibits smoking in various places.			
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Tobacco Products (Public Health) Act, 1987  Copr  Legislation in which Ministry of Health Officers hold responsit  Children Act, 1998  Legislation Act, 1998  Education Act, 1996  Liquor License Act, 1974  Production Act, 1996  Code  Liquor License Act, 1974	rohibits sale of tobacco to persons under 16; ontrols the sale, promotion, advertising of tobacco roducts and prohibits smoking in various places.  ibilities  regislated responsibility of Ministry of Youth, amilies and Sport  art IX- Day Care: establishes licensing and registration of Day Care Centres and home day care roviders to be administered by the Chief Medical reficer and standards for day care centres.  In perationalized by Env. Health			
Tobacco Products (Public Health) Act, 1987  Copr  Legislation in which Ministry of Health Officers hold responsite Children Act, 1998  Children Act, 1998  Legislation Act, 1998  Children Act, 1998  Copr  Education Act, 1996  Copr  Liquor License Act, 1974  Legislation Act, 1998  Copr  Co	ontrols the sale, promotion, advertising of tobacco roducts and prohibits smoking in various places.  ibilities  egislated responsibility of Ministry of Youth, amilies and Sport  art IX- Day Care: establishes licensing and egistration of Day Care Centres and home day care roviders to be administered by the Chief Medical efficer and standards for day care centres. Experationalized by Env. Health  consultation with the Ministry of Health regarding rug testings.67 and s.73  egislated responsibility of Ministry of Justice NDC). Env. Health issues certain licenses.			
Tobacco Products (Public Health) Act, 1987  Copr  Legislation in which Ministry of Health Officers hold responsite Children Act, 1998  Children Act, 1998  Legislation Act, 1998  Children Act, 1998  Education Act, 1996  Code dressed Act, 1974  Liquor License Act, 1974  Misuse of Drugs Act and Regulations 1972  Deficite and Criminal Evidence Act, 2006  Aken	ontrols the sale, promotion, advertising of tobacco roducts and prohibits smoking in various places.  ibilities  egislated responsibility of Ministry of Youth, amilies and Sport  art IX- Day Care: establishes licensing and egistration of Day Care Centres and home day care roviders to be administered by the Chief Medical efficer and standards for day care centres. Experationalized by Env. Health  consultation with the Ministry of Health regarding rug testings.67 and s.73  egislated responsibility of Ministry of Justice NDC). Env. Health issues certain licenses.  st Schedule refers to Mental Health Act  etermines what are controlled drug and the censing requirements for importation and			

	References the Mental Health Act. As pertains to the Criminal Code Act (see above).					
Road Traffic Act, 1947	Regarding the collection and analysis of human samples by an analyst and medical practitioner [s 35C-35J]					
Legislation updated annually (1 <sup>st</sup> April) by Ministry of Health						
Annual Budget Legislation  - The Bermuda Constitution Act [s96]  - The Appropriation Act (annual not consolidated)	Heads as determined in the Appropriation Act.					
Bermuda Hospitals Board (Hospital fees) Regulations 2012	Affirmative Resolution					
Bermuda Hospitals Board (Medical and Dental Charges) Order	Not subject to parliamentary scrutiny					
Health Insurance Act, 1970	re: Standard Premium Rate Affirmative Resolution					
Health Insurance (Future Care Plan) (premium) Order	Not subject to parliamentary scrutiny					
Health Insurance (Health Insurance Plan) (premium) Order	Not subject to parliamentary scrutiny					
Health Insurance (Mutual Reinsurance Fund) (Prescribed Sum) Order	Not subject to parliamentary scrutiny					
Legislation of direct interest to Ministry of Health						
Bermuda Nursing Association Act 1957	No Ministerial responsibility. The NA may establish and operate nursing homes under the Residential Care Homes and Nursing Homes Act 1999; and establish and operate homes or nurseries for children.					
Criminal Code Act 1907	Established that Sexual assault is committed if HIV, AIDS or Hep B sufferer does not inform partner before sex act; Abandonment of children under 2 is a felony;					
Evidence Act, 1905 [Now called the Police and Criminal Evidence Act, 2006]	As pertains to the Criminal Code Act (see above)					
Government Authorities (fees) Act 1971	Prescribes remuneration for members sitting on statutory bodies. See list of Ministry Boards, Annex E.					
Government Fees Regulations 1976	Prescribes fees payable to public authorities for listed functions. Includes fees In: Public Health Act, Registration of professionals, and this table.  Updated every 2 years (last update April 2012)					
Social Welfare Act, 1971	Interest only. Organizations covered exclude government depts. or the Bermuda Hospitals Board.					
*list updated Dec 2012						

#### INTERNATIONAL COMMITMENTS

The Office of the CMO is responsible for upholding the Government's commitment to the following international treaties and conventions, and international reporting requirements, including:

- International Health Regulations (IHR) and
- International Narcotics Control Board (INCB)

#### INTERNATIONAL MEMBERSHIPS

- Pan American Health Organization (PAHO)
- World Health Organization (WHO)
- Caribbean Public Health Agency (CARPHA) (formerly Caribbean Epidemiology Centre (CAREC) plus other organizations)
- Caribbean Health Research Council (CHRC)
- Caribbean Community and Common Market (CARICOM)

#### **B2.** Obligations under PATI [s5(1)b]

(same for all public authorities)

# Obligations of the Authority under the PATI Act

- 1. To provide an **information statement** for the public and promulgate it [s5],
- 2. To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
  - a. General information, e.g. activities of the Authority
  - b. Log of all information requests and their outcome
  - c. Quarterly expenditure (upon request) [s6(5)]
  - d. Contracts valued at \$50,000 or more.
- 3. To **respond to information requests** in a timely manner [s12-16]
- 4. To **track information requests**, and provide this data to the Info Commissioner [s5(8)3]
- 5. To respond to requests from the Information Commissioner [s9]
- 6. To **amend personal information** held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s19]
- 7. To conduct an **internal review** if formally requested [part 5]
- 8. To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
- 9. To provide an **annual written report** to the Information Commissioner of the status of information requests [s58(3)].
- 10. To do anything else as prescribed under the PATI Act and Regulations [\$59, 60], including:
  - a. Managing Fees for Requests for information
  - b. Management and maintenance of records
  - c. Following procedures for administering the Act
- 11. To **train staff and make arrangements** so as to facilitate compliance with the Act [s61]
- 12. To **designate an officer** to be the person to whom requests are directed [s62]

#### Section C: Programmes and Services - [s5(1)c]

*Insert a summary of services and programmes provided to persons by the authority:* 

# **Programmes**

The CMO organizes, executes and coordinates the many statutory duties of the Office of the Chief Medical Officer and public health leadership responsibilities; and oversees the management the Epidemiology and Surveillance Unit.

#### **Services**

# 1. Registration

- 1.1. **Registration of health care professionals** through the various Councils & Boards (i.e. Allied Health Council, Bermuda Medical Council (CMO is ex-officio member), Dental Board, Council for Optometrists and Opticians, Pharmacy Council)
- 1.2. Licensure of Health Care Facilities & Diagnostic Imaging Facilities this process is coordinated through the Environmental Health Office.
- 1.3. **Regulation of registration of Long term Care Facilities and Day Care-** oversees the licensing and relicensing of residential home care, long term care facilities and day care facilities. Receives and investigates complaints or incidents in such facilities. The National Office for Seniors and the Physically Challenged (NOSPC) coordinates and facilitates these functions on behalf of the Office of the CMO.

# 2. Drugs Control

Issues import and export licenses, monitors importation of drugs and assures compliance with drug quotas; CMO reports to International Narcotics Control Board (INCB) in Vienna, Austria. CMO supervises and guides the Pharmacy Inspector who assures compliance with the Pharmacy & Poisons Act, 1979.

# 3. Customs/duty exemptions

Issues exemption certificates for certain persons/organizations importing products that qualify for duty exemption: such as drugs/ medications, prescription eyeglasses, and other identified products.

#### 4. Burials

The CMO issues authorizations for disinterment and re-internment, certificates of quarantine, permissions for overseas shipping of deceased persons. This function is authorized under section VII, Burials, Cremations and Cemeteries, of the Public Health Act, 1949.

#### 5. LCCA

The Lady Cubitt Compassionate Association (LCCA) administers an Overseas Medical Care Fund that is supported by Government. The fund is used to provide assistance to those with life threatening conditions whose health care cannot be obtained on the island. The Chief Medical Officer approves or rejects applications according to the established guidelines.

#### 6. Epidemiology and Surveillance Programme

The CMO advises and directs the activities of the Epidemiology & Surveillance Unit (ESU). The assessment function of the Department of Health is spearheaded primarily by the ESU, which provides expertise and guidance to monitor the island's health status and to identify and contain outbreaks of infectious disease. The ESU works cooperatively with the health promotion office, the hospital and

private physician offices and laboratories.

#### 7. Consultative Services within Government

- 7.1. **Staff Medical Board.** The CMO reviews and advises the Public Service Commission on applications from government employees requesting early retirement on medical grounds
- 7.2. Government Employee Health Insurance (GEHI) Appeals Tribunal. The CMO issues
- 7.3. **Government Occupational Health oversight.** The CMO is responsible to assure that occupational health concerns are identified, investigated and mitigated, with the support and assistance of the Occupational Safety and Health Officer in the Environmental Health Section of the DOH. The ESU performs environmental survey analyses when required for government facilities.
- 7.4. Consultative and advisory responsibility to health sector entities: Ex-officio membership on Bermuda Hospitals Board, Bermuda Health Council and Health Insurance Committee. Chairs and conducts: Government Employee Health Insurance Appeals Tribunal and Staff Medical Board

#### 8. External Consultative Services

- 8.1. **Regional Public Health representative for Bermuda.** The CMO serves as a member of the Caribbean Health Research Council, and represents Bermuda at annual CMO meetings for the Caribbean Community (CARICOM). CMO is the liaison for Bermuda to the Pan American Health Organization (PAHO) and Caribbean Public Health Agency (CARPHA).
- 8.2. **International Public Health focal point.** The CMO is the contact focal point for the International Health Regulations in the United Kingdom. CMO reports public health incidents of significance and receives worldwide advisories about public health threats from this agency of the World Health Organization. Such advisories include travel advisories or reports of outbreaks of infectious diseases. Office of CMO assures Bermuda's compliance with IHR guidelines.

# Section D: Records held (mixed exempt and public access) [s5(1)d]

*Insert list and description of the classes of records held by the authority:* 

- 1. **Registers** (all public access) of:
  - a. *Healthcare Professionals*. (active, last 10 years). Government of Bermuda. The Register is a list of practitioners authorized to practice in Bermuda. It is an electronic database, an official copy of which is Gazetted every year. Early registers were a book, since the 1990s most were paper files and gazetted
    - i. Register of Medical Practitioners (1854-2000). Hardcopy book.
    - ii. Register of Dental Practitioners (1911-1995). Hardcopy book.
    - iii. Register of Midwives (1927-1980). Hardcopy book.
    - iv. Register of Dental hygienists (1995-1999). Hardcopy book.
    - v. Register of Dental Technicians (1963-1988). Hardcopy book.
  - b. *Healthcare facilities*. (last 7 years). Ministry. (public access). The Register is a list of facilities authorized to practice, namely: Diagnostic Imaging facilities; Laboratories and Hospitals. For Pharmacies the records are kept in the Health & Safety section of the Department.

- c. Long term care facilities. (last 5 years). Ministry. (public access). Register is a list of facilities authorized to practice. The inspections, the Register and the records are kept at the National Office for Seniors and Physically Challenged.
- d. *Day care facilities*. (last 5 years). Ministry. (public access). The Register is a list of facilities authorized to practice. The regulation of these is delegated to the Department of Health (for details, please see their Information Statement)
- 2. **Registration Applications**. (active last 10 years). Ministry. (Exempt under s23 Personal Information). Contains application information such as qualifications and work experience for entities listed in #1 above.
- 3. *Drugs importation/exportation licenses*. (since 2006). Government. (Public Access, with redactions under s23-personal information). Regulates the type and quantity of controlled drugs that commercial and personal entities may import according to the Misuse of Drugs Act.
- 4. *Customs duty exemptions*. (since 2006). Government. (Public Access for entities; but exempt under s23-personal information for private use). Letters to Customs indicating medical goods which are exempt of customs duty usually concerning the hospital, charities and personal use. According to the Customs Tariff Act, 1970
- 5. *Minutes, Reports, and Communications of statutory bodies*. (last 7 years). Government. (Public Access with redactions under section 23 personal information). Records the activities of the bodies. For the healthcare professions and the Mental Health Review Tribunal see their information statement online at www\OCMO\

For more information on the Epidemiology and Surveillance Unit please see their information statement

#### Section E: Administration (all public access) manuals [s5(1)e]

Insert list and description of all administrative manuals/ guidelines used by employees for administering or carrying-out activities:

- 1. *Procedures Manual for the Office of the Chief Medical Officer*. (March, 2012). Ministry. (public access). Describes the procedures undertaken by the Office for the CMO. Three volumes:
  - a. Vol I: Administrative procedures. Concerning operations staff, budget etc
  - b. Vol II: Regulation procedures. Concerning regulatory functions
  - c. Vol III: Registration of Healthcare Professions. Outlines the process
  - d. note in Vol II: Staff Medical Board Procedures
  - e. note in Vol II: GEHI Appeals Tribunal Procedures
- 2. Administrative documents:
  - a. *Meeting Minutes of the Office* (2013 to present). Ministry. (exempt under s 29 deliberations of public authorities). Records project and personnel planning and strategic direction.

For more detailed information on the Epidemiology and Surveillance Unit please see their information statement

#### Section F: Decision-making documents [s5(1)f]

Insert list and description of all policies and guidelines for decision making in respect to any person:

- 1. Legislative Acts (as per section A above). Government of Bermuda. (Public Access).
- 2. Drug Control Policies (last 3 years). Ministry. (public access).
- 3. Staff Medical Board Procedures (as listed in section E#1 above)
- 4. For Medical Council duties:
  - a. Bermuda Medical Doctors Association By-laws (1990s). BMDA. (public access)
  - b. *The Constitution of the Bermuda Medical Doctors Association* (2015, update in progress). BMDA. (Public access).
    - o improve medical services in Bermuda by promoting high standards of professional practice, ethical conduct and by fostering good relationships between members of the profession and the public.
  - c. Standards of Practice for Physicians (2013). Bermuda Medical Council. (public access). Describes the standards to which registered practitioners are expected to abide.
- 5. International Health Regulations (IHR) (2005). World Health Organization. (Public Access). Relates to capacity to detect and notify the World Health Organization through IHR focal points of public health emergencies of international concern
- 6. Public Health Emergency Response Plan, for public events and outbreak situations (Jan 2015). ESU (public access). Overview of Ministry and community public health partners' coordinated response to public health emergencies, including outbreak investigation, prevention and control.
- 7. Public Health Management of Ebola and other Viral Haemorrhagic Fevers: Interim Guidance. (Dec 2014). ESU. (public access). Guidance for the community management of serious communicable diseases, including Ebola and Viral Haemorrhagic Fevers.
- 8. *Surveillance Manual* (2008). ESU (public access). A guide for reporting and investigating communicable diseases and syndromes.

For more information on the Epidemiology and Surveillance Unit please see their information statement

#### **Section G: The Information officer** [s5(1)g]

*Insert name and contact information:* 

Requests for information shall be in writing and submitted to the Ministry Information Officer:

Contact PATI Information Officer,

Ms. S Sylvester

C/o Ms. Paulette Richardson

c/o Ministry of Health, Seniors & Environment

Re: Office of the CMO, Attention: Dr. Peek-Ball

Mail to PO Box HM 380, Hamilton HM BX, Bermuda

Visit Continental Building, 25 Church Street, Hamilton

#### Section H: Any Other Information [s5(1)h]

Insert any other information that **you think** might be useful for the public to know, so as to decrease requests for information [s6]:

- 1. **About us** is available on the government website at: <a href="http://www.gov.bm">http://www.gov.bm</a> then select Ministry of Health from the pull down menu; then select Office of the CMO
- 2. The **legislation** listed may be found at Bermuda Laws Online <u>www.bermudalaws.bm</u>.
- 3. **Financial Information**. For the annual expenditure for the past fiscal period (31<sup>st</sup> Mar to 1<sup>st</sup> Apr), see the online Budget Book at: (www.gov.bm; then select Ministry of Finance; then select the "Budget Book" icon on the right-hand side; then select: Section B Current Account Estimates; then select the Ministry).

#### Section I: Any Other Information To be Provided as Prescribed? [s5(1)I, s6]

At Dec 2014 there are no Regulations to specify additional requirements for the Information Statement. But note, that the following shall be provided in accordance with s6 of the PATI Act:

- 1. **Log of PATI** information access requests: To be provided upon request and with personal identifiers deleted.
- 2. **Contracts:** Any contracts entered into, with a value greater than or equal to \$50,000 [s6(6)].
- 3. **Expenditure**: Quarterly expenditure will be provided upon request. Note the expenditure for the previous fiscal period is provided on the website (as per Section H)
- 4. **Salaries**: The Minster responsible for PATI shall publish a list of title and salary range of every post of public officers [s6(6)].

#### Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times by [s5(2-5), PATI Act]:

**Locations of Information Statement** (Confirm copies of Information Statement are available at):

- Office: Ministry Headquarters, Continental Bdlg, 25 Church st, Hamilton
- The Bermuda National Library
- The Bermuda Archives
   Y
- Available electronically at:
  - PATI website
  - Ministry website <a href="http://www.gov.bm">http://www.gov.bm</a> \Select Health, Seniors & Environment\
- With the Information Commissioner.

Y

Y

Y

Y

Have you published a notice in the Gazette indicating the places where the information statement is available for the public?

**Date Information Statement was updated:** Sign: Date: 31<sup>st</sup> Dec 2014

Dr. Peek-Ball, Chief Medical Officer

Ends



# **GOVERNMENT OF BERMUDA**

# Ministry Of Health, Seniors and Environment

# **Public Authority: Epidemiology and Surveillance Unit**(of the Office of the Chief Medical Officer)

#### **Table of Contents**

Section A: Organizational structure of the authority and governing legislation

Section B: 1. Legislated functions, powers and duties of the Authority

2. Obligations under PATI

Section C: Services and programmes Section D: Documents: Records held

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Section G: Contact details for the Information Officer
Section H: Further information (includes financial)
Section I: Other Information (as prescribed)
Section J: Locations of the Information Statement

#### Introduction

This document is the Information statement for the Epidemiology and Surveillance Unit of the Office of the Chief Medical Officer. In accordance with the Public Access To Information (PATI) Act 2010, every public authority has a legal duty to maintain an Information Statement.

The purpose of the PATI Act and this document is to make information readily available to the public without the need for specific written requests, to encourage authorities to proactively publish information and to develop a culture of openness. Every person who is a Bermudian, or resident of Bermuda, has a right to access any record held by a public authority, and a right to amend their personal information held by a public authority if it is incorrect or misleading. However, several classes of information are exempt, including: Personal information (unless it relates to the requestor); Sensitive commercial, information received in confidence; Operations and deliberations of Public Authorities; Cabinet, Ministerial and Governors documents; and Legal documents. All exemptions are subject to the public interest test, except those that would be in contempt of Court, infringe Parliamentary privilege or are prohibited by other legislation [for more information see sections 21 to 40, PATI Act].

#### How to make a request

Requests for information, or to amend your personal information, must be in writing using the application form, and submitted to the Ministry Information Officer (see Section G for contact details). A request must identify the record, the subject and time period, and may specify the manner in which access is preferred. Please note there is a small fee levied for reproducing materials (as per the Government Fees Regulations 1976, and as listed on the application form).

# Key, including definitions

- The Unit means Epidemiology and Surveillance Unit
- The Ministry means the Health, Seniors and the Environment
- PATI means Public Access To Information
- [] Square brackets, refer to sections of the PATI Act, unless another Act is indicated

# Section A: Structure, Organization and Governing Legislation [s5(1)a]

*Insert structure of Authority (a chart – if helpful, and some explanatory text):* 

Ministry of Health, Seniors and Environment Section: Office of the Chief Medical Officer

3 Full Time equivalents

Programme: Epidemiology and Surveillance Unit

Cost centre/ID Number: 31040

# Insert Governing Legislation:

The Public Health Act, 1949

#### Section B1: Legislated Functions, Powers and Duties of the Authority [s5(1)b]

#### 1. Legislated Functions of the Unit

The Public Health Act gives the Minister general supervision and control over all matters concerning or connected with the public health, including: making inquiries, the collection of statistical data, and the publication of records or reports, the coordination of the teaching of public or personal health at educational institutions, the dissemination of information connected with public or personal health [section 7].

The Office of the CMO and the Department of Health are the lead entities to assist the Minister meeting the above mandate. In particular, the Act gives the Minister responsibility for all matters connected with communicable diseases, vaccination, burials, food production, healthcare establishments, sanitation and water supply, nuisances and offensive trades and general housing conditions. The Unit's primary role is monitoring the health of the population and mitigating the impact of public health threats. For more information please see the information statement for the Office of the Chief Medical Officer.

#### 2. Powers and Duties of the Unit

The unit assists the Chief Medical Officer in meeting the duty to mitigate public health threats as provided in part V of the Public Health Act. Including, for example: Ensuring that persons suspected of suffering from, or a carrier of, a communicable disease are medically examined, do not expose infected materials to other persons, their place of work or school; Coordinating the establishment of temporary isolation hospitals during epidemics.

surveillance reporting to the regional health bodies of CAPHRA (see section D records).

# Section B2: Obligations under PATI Act [s5(1)b]

(same for all public authorities)

# Obligations of the Authority under the PATI Act

- 1. To provide an **information statement** for the public and promulgate it [s5],
- 2. To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
  - a. General information, e.g. activities of the Authority
  - b. Log of all information requests and their outcome
  - c. Quarterly expenditure (upon request) [s6(5)]
  - d. Contracts valued at \$50,000 or more.
- 3. To **respond to information requests** in a timely manner [s12-16]
- 4. To **track information requests**, and provide this data to the Info Commissioner [s5(8)3]
- 5. To respond to requests from the Information Commissioner [s9]
- 6. To **amend personal information** held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s19]
- 7. To conduct an **internal review** if formally requested [part 5]
- 8. To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
- 9. To provide an **annual written report** to the Information Commissioner of the status of information requests [s58(3)].
- 10. To do anything else as prescribed under the PATI Act and Regulations [s59, 60], including:
  - a. Managing Fees for Requests for information
  - b. Management and maintenance of records
  - c. Following procedures for administering the Act
- 11. To train staff and make arrangements so as to facilitate compliance with the Act [s61]
- 12. To **designate an officer** to be the person to whom requests are directed [s62]

#### Section C: Services and Programmes provided [s5(1)c]

*Insert a summary of services and programmes provided by the authority:* 

The Epidemiology and Surveillance Unit ensures surveillance and investigation of communicable diseases and follows up outbreaks, such as food and waterborne diseases. It is responsible for the routine collection, analysis, interpretation and distribution of information relevant for control and prevention of communicable and non-communicable disease. It also provides health education to health professionals and the general public

# **Services**

- a. Detection and provision of an appropriate response to unusual events, clusters and outbreaks of communicable disease
- b. Provision of epidemiological data on the magnitude, distribution and trends of communicable diseases, syndromes, and deaths, according to time, place, and person as applicable
- c. Provision of relevant health information that is accessible, accurate and timely
- d. Routine surveillance of selected communicable diseases

- e. Investigation and follow-up of communicable diseases and outbreaks, including food- and water-borne diseases.
- f. Analysis and interpretation of health-related data relevant to the control and prevention of communicable and non-communicable diseases
- g. Collection, analysis and interpretation of mortality information based on underlying cause of death
- h. Participation in the conducting of special studies and projects, especially those which integrate efforts among Department of Health programs and national surveys relating to health issues
- i. Dissemination of health-related data to health professional, policy makers and international bodies such as World Health Organization (WHO), Pan-American Health Organization (PAHO), Caribbean Epidemiology Center (CAREC), CARICOM, etc.
- j. Provision of health education information through various means to health professionals and the general public.

# **Programmes**

(no programmes)

# Section D: Records held [s5(1)d]

List and describe the classes of records held by the authority:

- 1. Surveillance Reports. (2012 to present). (Public Access).
  - a. Quarterly: newsletters to update health care providers and others on the situation of certain communicable diseases and syndromes in Bermuda and provide further information on local and international health events.
  - b. Annual: HIV/AIDS report update on HIV/AIDS situation in Bermuda
- 2. Surveillance Registers. (2008 to present) (Exempt under section 23 personal information). Register of communicable diseases reported to the Unit, contains some personal identifiers. Data from this register is extracted and annoymysed for contribution into the surveillance reports
- 3. Communicable Disease Case Reports. (2006 to present). (Exempt under section 23 personal information). Individual case reports of selected communicable diseases reported to the Unit, contains personal information
- 4. *Mortality Registers*. (2000 to present). (Exempt under section 23 personal information). Register of all deaths in Bermuda, contains personal identifiers. Data from this register is extracted and anonymized for contribution into the surveillance reports
- 5. Data requests. (last 3 years). Where the Unit provides anonymized data from the registers.
- 6. Public Information Fact sheets (2006 to present). (Public Access)
  - a. Cover Your Cough campaign
  - b. Fact sheets on various communicable diseases; for example, chikungunya, MERS-CO-V, Ebola, MRSA
  - c. Fact sheets on vaccine preventable diseases and common childhood illness; for example, measles, chickenpox, hand, foot and mouth
  - d. Guidance on Infection Control in Schools and other Childcare Settings (2014)
- 7. Required International Reports. (2005 to present). (Public Access upon publication).

- a. World Health Organization: Malaria, TB, Health Indicators
- b. Pan-American Health Organization: Vaccine-preventable diseases
- c. CAREC: Non-communicable Diseases, Syndromic Surveillance, Communicable Diseases, including Sexually Transmitted Infections and HIV/AIDS, Outbreak investigation reports, and Mortality
- d. CARICOM (via Dept. of Statistics): Selected Health Indicators, including HIV/AIDS, Mortality, Environmental Health, and Millennium Development Goals
- e. Caribbean Health Research Council: Caribbean Cooperation in Health Report

# **Section E: Administration manuals [s5(1)e]**

Insert list and description of all administrative manuals/ guidelines used by employees for administering or carrying-out activities:

- 1. Surveillance Manual.2<sup>nd</sup> Edition (2008). ESU. (Public Access). A Guide for Reporting & Investigating Communicable Diseases & Syndromes Includes Sections on: public health surveillance in Bermuda, reporting procedures, diseases and syndromes under surveillance, case definitions for syndromes and selected diseases, outbreak investigations, reporting and investigation forms
- 2. Standard Operating Procedures for the Nurse Epidemiologist. (Updated: February 2013). ESU. (Public Access). Includes sections on: confidentiality, investigative procedures, case reports, referrals, laboratory results, outbreak investigations, interviewing persons regarding the Sexual Offences Act, hospital visits, informing the CMO of specific cases.
- 3. Case management policies. (2006 to present). all authored by ESU. (all Public Access).
  - a. The Screening and Management of Methicillin Resistant Staphlycoccus Aureus (MRSA) in the community. (2011). Describes the management of MRSA in the community by ensuring that all occurrences of MRSA will be monitored and isolated as appropriate
  - b. Respiratory cough etiquette policy. (2009). Respiratory Hygiene/Cough Etiquette is a combination of measures designed to minimize the transmission of respiratory pathogens via droplet or airborne routes in healthcare settings.
  - c. *Sharps policy*. (2012). The Safe Disposal of Dirty/Used Needles and Syringes and Red Bag Waste in clinical settings in the community.

# 4. Guidelines

a. A guideline for management of occupational exposures. (2007). ESU. (public access). Describe how to eliminate and/or minimize the risk of transmission of blood-borne pathogens which include but are not limited to Hepatitis B virus (HBV) and Human Immunodeficiency Virus (HIV) through occupational and non-occupational exposures to blood and body fluids.

#### Section F: Decision-making documents [s5(1)f]

Insert list and description of all policies and guidelines for decision making in respect to any person.

Note "person" includes any company or association or body of persons, whether corporate or unincorporate; [Interpretation Act, 1951]

- 1. The Public Health Act 1949 (Part V) Communicable Diseases. (1949). Government. (Public Access). Relates to notification, investigation and follow-up of persons with communicable diseases and infected articles/areas
- 2. *The Criminal Code (Sexual Offences) Act 1987.* (1987). Government. (Public Access). Relates to non-disclosure prior to exposure of HIV and Hepatitis B
- 3. *International Health Regulations (IHR) 2005.* (2005). World Health Organization. (Public Access). Relates to capacity to detect and notify the World Health Organization through IHR Focal Points of Public Health Emergencies of International Concern

# **Section G: The Information officer [s5(1)g]**

*Insert name and contact information:* 

Requests for information shall be in writing and submitted to the Ministry Information Officer.

Contact PATI Information Officer,

Ms. Shauna Sylvester

c/o Ministry of Health, Seniors & Environment Re: Epidemiology and Surveillance Unit

Attention: Ms. Dyjaun Deroza

Mail to P.O. Box HM 380, Hamilton HM BX, Bermuda

Visit Continental Building, 25 Church Street, Hamilton HM 12

Tel 278-4909

# **Section H: Any Other Information [s5(1)h]**

Insert any other information that **you think** might be useful for the public to know, so as to decrease requests for information [s6]:

- 1. **About us** is available on the government website at: <a href="http://www.gov.bm">http://www.gov.bm</a> then select Ministry of Health from the pull down menu; then select Office of the Chief Medical Officer.
- 2. The legislation listed in this document may be found at Bermuda Laws Online www.bermudalaws.bm.
- 3. **Annual Budget:** For the annual expenditure for the past fiscal period (31<sup>st</sup> Mar to 1<sup>st</sup> Apr), see the online Budget Book at: (www.gov.bm; then select Ministry of Finance; then select the "Budget Book" icon on the right-hand side; then select: Section B Current Account Estimates; then select the Ministry).

#### Section I: Any Other Information As Prescribed [s5(1)i]?

At Dec 2014 there are no Regulations to specify additional requirements for the Information Statement. But note, that the following shall be provided in accordance with s6 of the PATI Act:

- 1. **Log of PATI** information access requests: To be provided upon request and with personal identifiers deleted.
- 2. **Contracts:** Any contracts entered into, with a value greater than or equal to \$50,000 [s6(6)].
- 3. **Expenditure**: Quarterly expenditure will be provided upon request. Note the expenditure for the previous fiscal period is provided on the website (as per Section H)
- 4. **Salaries**: The Minster responsible for PATI shall publish a list of title and salary range of every post of public officers [s6(6)].

# Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times at [s5(2-5), PATI Act]:

**Locations of Information Statement** (Confirm copies of Information Statement are available at):

- Office: Ministry of Health Headquarters, Continental Building, Church Street, Hamilton
- The Bermuda National Library

Y

• The Bermuda Archives

- Available electronically at:
  - PATI website http://www.gov.bm/Select Cabinet Office from the Government tab
  - Ministry website <a href="http://www.gov.bm">http://www.gov.bm</a> /Select Health, Seniors & Environment\ Office of the CMO\
- With the Information Commissioner.

Y

Y

Y

Y

Y

Have you published a notice in the Gazette indicating the places where the information statement is available for the public?

**Date**: 31<sup>st</sup> Dec 2014

Date Information Statement was updated: Sign:

. . .

D. DeRoza, Epidemiologist



# **GOVERNMENT OF BERMUDA**

# Ministry Of Health, Seniors and Environment

# **Information Statement Public Authority: National Office for Seniors and** The Physically Challenged (of the Ministry Headquarters)

#### **Table of Contents**

Organizational structure of the authority and governing legislation Section A: Section B:

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Section E: Documents: Administrative manuals/ guidelines

Section F: Documents: Decision making

Contact details for the Information Officer Section G: Further information (includes financial) Section H: Other Information (as prescribed) Section I: Locations of the Information Statement Section J:

#### Introduction

This document is the Information statement for the National Office for Seniors and the Physically Challenged, Section of the Ministry Headquarters. In accordance with the Public Access To Information (PATI) Act 2010, every public authority has a legal duty to maintain an Information Statement.

The purpose of the PATI Act and this document is to make information readily available to the public without the need for specific written requests, to encourage authorities to proactively publish information and to develop a culture of openness. Every person who is a Bermudian, or resident of Bermuda, has a right to access any record held by a public authority, and a right to amend their personal information held by a public authority if it is incorrect or misleading. However, several classes of information are exempt, including: Personal information (unless it relates to the requestor); Sensitive commercial, information received in confidence; Operations and deliberations of Public Authorities; Cabinet, Ministerial and Governors documents; and Legal documents. All exemptions are subject to the public interest test, except those that would be in contempt of Court, infringe Parliamentary privilege or are prohibited by other legislation [for more information see sections 21 to 40, PATI Act].

#### How to make a request

Requests for information, or to amend your personal information, must be in writing using the application form, and submitted to the Ministry Information Officer (see Section G for contact details). A request must identify the record, the subject and time period, and may specify the manner in which access is preferred. Please note there is a small fee levied for reproducing materials (as per the Government Fees Regulations 1976, and as listed on the application form).

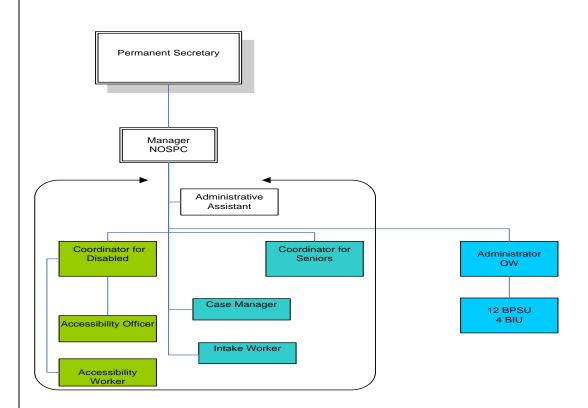
# **Key**, including definitions

NOSPC means National Office for Seniors and the Physically Challenged

- The Ministry means the Health, Seniors and the Environment
- PATI means Public Access To Information
- [] Square brackets, refer to sections of the PATI Act, unless another Act is indicated

# Section A: Structure, Organization and Governing Legislation [s5(1)a]

*Insert structure of Authority (a chart – if helpful, and some explanatory text):* 



#### **Sub-Programmes:**

Cost centre/ID Number: 31140 Disabilities

• Cost Centre: 31145 Office of Seniors

*Insert Governing Legislation:* 

Senior Abuse Register Act 2008

#### Section B1: Legislated Functions, Powers and Duties of the Authority [s5(1)b]

Insert power, duties and functions of the Authority (cite Act or Policy):

- a) The Minister appoints a public officer to be the Registrar of Senior Abuse.
- b) The Minister may make regulations for carrying out of the purposes of this Act, including—
  - prescribing the form of any application or appeal under this Act; and
  - prescribing anything which is to be prescribed under this Act.

# 2. Functions of the National Office for Senior and Physically Challenged

The mission is to connect and support service users and service providers to enhance quality of life for seniors and the physically challenged.

The Office has three primary functions:

- a) **Case management**: entails assisting members of the public with issues and problems. It has three parts: intake, case planning and case management.
- b) **Enforcement**: The Office is responsible for two legislations, the Senior Abuse Register Act 2008 and the Residential Care Home and Nursing Home Act 1999. The Office also monitors access to building and events for persons with disabilities.
- c) Advocacy: This function requires collection of data and research into best practices. It also includes education and information sharing as well as strategic planning. The advocacy is the need to push for the rights of and resolution to issues for our clients.

#### Section B2: Obligations under PATI Act [s5(1)b]

(same for all public authorities)

# **Obligations of the Authority under the PATI Act**

- 1. To provide an **information statement** for the public and promulgate it [s5],
- 2. To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
  - a. General information, e.g. activities of the Authority
  - b. Log of all information requests and their outcome
  - c. Quarterly expenditure (upon request) [s6(5)]
  - d. Contracts valued at \$50,000 or more.
- 3. To **respond to information requests** in a timely manner [s12-16]
- 4. To **track information requests**, and provide this data to the Info Commissioner [s5(8)3]
- 5. To respond to requests from the Information Commissioner [s9]
- 6. To **amend personal information** held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s19]
- 7. To conduct an **internal review** if formally requested [part 5]
- 8. To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
- 9. To provide an **annual written report** to the Information Commissioner of the status of information requests [s58(3)].
- 10. To do anything else as prescribed under the PATI Act and Regulations [s59, 60], including:
  - a. **Managing Fees** for Requests for information
  - b. Management and maintenance of **records**
  - c. Following procedures for administering the Act
- 11. To train staff and make arrangements so as to facilitate compliance with the Act [s61]
- 12. To **designate an officer** to be the person to whom requests are directed [s62]

#### Section C: Services and Programmes provided [s5(1)c]

*Insert a summary of services and programmes provided by the authority:* 

The Department's service-products, programmes, service information and other activities are listed in further detail below.

#### 1. Services

#### For persons with disabilities

- a) Initiate project concepts for programme development. Add a summary.
- b) Provide advice and referral to services. Add a summary
- c) Provide advice on accessibility. Add a summary
- d) Develop awareness events. Add a summary
- e) Acts as a resource to Government, private agencies and individuals regarding concerns related to disabilities

#### For Seniors

- f) Provide advice on ageing and its impact on the community
- g) Case management services. Add a summary
- h) Monitor residential homes and nursing homes. Add a summary
- i) Enforce the provisions of the Senior Abuse Register Act 2008. Add a summary
- j) Develop strategic initiatives on ageing. Add a summary
- k) Act as a resource for government, private agencies and individuals regarding seniors concerns
- 2. **Programmes** not applicable there are no programmes for this section

#### Section D: Records held [s5(1)d]

*List and describe the classes of records held by the authority:* 

- 1. Register of residential homes and nursing homes. (date). Government of Bermuda. (Public Access). A list of the facilities that have met regulatory criteria and are registered to operate in Bermuda
- 2. Information regarding the registration of care facilities. (dates). Public Access. Description ...
- 3. Information regarding long term care. (dates). (public advice) Public Access. Description ...
- 4. *Senior Abuse Register*. (since 2008). Government of Bermuda. (Public Access). This is a register of persons who have abused seniors.
- 5. Files on case being managed . (dates). (Exempt). Description ...

6. Pamphlets on accessibility (dates). Government of Bermuda. (Public Access). Description ...

# **Section E: Administration manuals [s5(1)e]**

Insert list and description of all administrative manuals/ guidelines used by employees for administering or carrying-out activities:

1. Standards for operating residential care facilities (date). Government of Bermuda. (Public Access). Description ...

#### **Section F: Decision-making documents [s5(1)f]**

Insert list and description of all policies and guidelines for decision making in respect to any person. Note "person" includes any company or association or body of persons, whether corporate or unincorporate; [Interpretation Act, 1951]

- 1. Residential Care Homes and Nursing Homes Act. (1999). Government of Bermuda. (Public Access). This Act requires the registration of residential care and nursing homes, and establishes standards for such. Such facilities are described as any establishment where board and personal care are provided for two or more persons who are: a) 65 years of age or older, b) disabled; or c) 65 years of age or older and disabled.
- 2. Residential Care Homes and Nursing Homes Regulations. (2001). Government of Bermuda. (Public Access). Description ...
- 3. *Bermuda Building Code*. (2014). Government of Bermuda. (Public Access). Describe and state why this is relevant to NOSPC.
- 4. Senior Abuse Register Act. (2008). Government of Bermuda. (Public Access). The Act is intended to protect seniors from abuse, and to establish a register of persons who have abused seniors by requiring mandatory reporting by professionals and others.
- 5. Opinions by the Attorney General (since 2008). Government of Bermuda. (Public Access? or Exempt). Describe these: Decision by the Attorney General concerning cases that went to court on SAR register or other topics?
- 6. *Powers of Attorney Act.* (1944, consolidated to 1989). Government of Bermuda. (Public Access). The Act governs the appointment of a legal representative for persons deemed unable to make decisions for themselves.

#### **Section G: The Information officer [s5(1)g]**

*Insert name and contact information:* 

Requests for information shall be in writing and submitted to the Ministry Information Officer.

Contact

PATI Information Officer.

Ms. Shauna Sylvester

c/o Ms Paulette Richardson

c/o Ministry of Health, Seniors & Environment

Re: National Office for Seniors and the Physically Challenged,

Attention: Ms. Keeona Belboda

Mail to P.O. Box HM 380, Hamilton HM BX, Bermuda

Visit Continental Building, 25 Church Street, Hamilton

Tel 278-4906

#### **Section H: Any Other Information [s5(1)h]**

Insert any other information that **you think** might be useful for the public to know, so as to decrease requests for information [s6]:

- 1. **About us** is available on the government website at: <a href="http://www.gov.bm">http://www.gov.bm</a> then select Ministry of Health from the pull down menu; then select National Office for Seniors and the Physically Challenged.
- 2. The legislation listed in this document may be found at Bermuda Laws Online www.bermudalaws.bm

www.gov.bm; then select Ministry of Finance; then select the "Budget Book" icon on the right-hand side; then select: Section B - Current Account Estimates; then select the Ministry).

## Section I: Any Other Information As Prescribed [s5(1)i]?

At Dec 2014 there are no Regulations to specify additional requirements for the Information Statement. But note, that the following shall be provided in accordance with s6 of the PATI Act:

- 1. **Log of PATI** information access requests: To be provided upon request and with personal identifiers deleted.
- 2. **Contracts:** Any contracts entered into, with a value greater than or equal to \$50,000 [s6(6)].
- 3. **Expenditure**: Quarterly expenditure will be provided upon request. Note the expenditure for the previous fiscal period is provided on the website (as per Section H)
- 4. **Salaries**: The Minster responsible for PATI shall publish a list of title and salary range of every post of public officers [s6(6)].

# Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times at [s5(2-5), PATI Act]:

**Locations of Information Statement** (Confirm copies of Information Statement are available at):

<ul> <li>Office: Continental Building, 25 Church Street, Hamilton HM 12</li> </ul>	Y		
The Bermuda National Library	Y		
The Bermuda Archives	Y		
Available electronically at:			
<ul> <li>PATI website http://www.gov.bm/Select Cabinet Office from the Government tab</li> </ul>			
<ul> <li>Ministry website <a href="http://www.gov.bm">http://www.gov.bm</a> /Select Health, Seniors &amp; Environment\</li> </ul>			
• With the Information Commissioner.			
Have you published a notice in the Gazette indicating the places where the information statement			
is available for the public?	Y		
Date Information Statement was updated: Sign: Date: 31st Dec 2014	4		
Keonna Belboda, Acting Director, NOSPC			
Ends			



# **GOVERNMENT OF BERMUDA**

# Ministry Of Health, Seniors and Environment

# Information Statement Public Authority: Opportunity Workshop (Programme of the National Office for Seniors and Physically Challenged)

#### **Table of Contents**

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#### Introduction

This document is the Information statement for the Opportunity Workshop, programme of the National Office for Seniors and Physically Challenged. In accordance with the Public Access To Information (PATI) Act 2010, every public authority has a legal duty to maintain an Information Statement.

The purpose of the PATI Act and this document is to make information readily available to the public without the need for specific written requests, to encourage authorities to proactively publish information and to develop a culture of openness. Every person who is a Bermudian, or resident of Bermuda, has a right to access any record held by a public authority, and a right to amend their personal information held by a public authority if it is incorrect or misleading. However, several classes of information are exempt, including: Personal information (unless it relates to the requestor); Sensitive commercial, information received in confidence; Operations and deliberations of Public Authorities; Cabinet, Ministerial and Governors documents; and Legal documents. All exemptions are subject to the public interest test, except those that would be in contempt of Court, infringe Parliamentary privilege or are prohibited by other legislation [for more information see sections 21 to 40, PATI Act].

#### How to make a request

Requests for information, or to amend your personal information, must be in writing using the application form, and submitted to the Ministry Information Officer (see Section G for contact details). A request must identify the record, the subject and time period, and may specify the manner in which access is preferred. Please note there is a small fee levied for reproducing materials (as per the Government Fees Regulations 1976, and as listed on the application form).

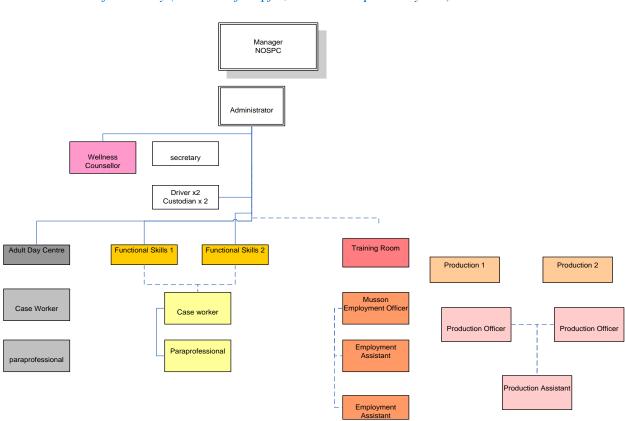
# Key, including definitions

• The Ministry means the Health, Seniors and the Environment

- PATI means Public Access To Information
- [] Square brackets, refer to sections of the PATI Act, unless another Act is indicated

# Section A: Structure, Organization and Governing Legislation [s5(1)a]

*Insert structure of Authority (a chart – if helpful, and some explanatory text):* 



Cost centre/ID Number: 31155 – Opportunity Workshop (OW) Cost centre/ID Number: 31150 – Orange Valley Centre (OVC)

Note, in October 2013, OW and OVC were combined, however, note that although one facility, OW/OVC budgets will not be combined.

Insert Governing Legislation:

The Public Health Act, 1949

#### Section B1: Legislated Functions, Powers and Duties of the Authority

*Insert power, duties and functions of the Authority (cite Act or Policy):* 

#### None

#### Section B2: Obligations under PATI Act [s5(1)b]

(same for all public authorities)

# Obligations of the Authority under the PATI Act

- 1. To provide an **information statement** for the public and promulgate it [s5],
- 2. To provide **other information** to the public so that the public needs only to have minimum resort to the use of the Act to obtain information [s6]. This includes:
  - a. General information, e.g. activities of the Authority
  - b. Log of all information requests and their outcome
  - c. Quarterly expenditure (upon request) [s6(5)]
  - d. Contracts valued at \$50,000 or more.
- 3. To **respond to information requests** in a timely manner [s12-16]
- 4. To **track information requests**, and provide this data to the Info Commissioner [s5(8)3]
- 5. To respond to requests from the Information Commissioner [s9]
- 6. To **amend personal information** held by the Authority that it is wrong or misleading following a written request by the person to whom the information relates [s19]
- 7. To conduct an **internal review** if formally requested [part 5]
- 8. To give evidence for **review by the Information Commissioner** [part 6, 47(4)], or for **judicial review** [s49], if required
- 9. To provide an **annual written report** to the Information Commissioner of the status of information requests [s58(3)].
- 10. **To do anything else as prescribed** under the PATI Act and Regulations [s59, 60], including:
  - a. Managing Fees for Requests for information
  - b. Management and maintenance of **records**
  - c. Following procedures for administering the Act
- 11. To train staff and make arrangements so as to facilitate compliance with the Act [s61]
- 12. To **designate an officer** to be the person to whom requests are directed [s62]

# **Section C: Services and Programmes provided [s5(1)c]**

Insert a summary of services and programmes provided by the authority:

Opportunity Workshop is a government managed training center that provides opportunities for training in Functional Skills, Vocational skills and Social skills development for adults with learning and physical disabilities. Our clients range in age from 18 years to 50 plus years. Their cognitive challenges span from mild to moderate, resulting in learning disabilities secondary to Down's Syndrome, Autism, or other congenital disorders. Opportunity Workshop is dedicated to improving the quality of life of persons with disabilities by preparing and providing them with meaningful work experience in an integrated community or extended (sheltered) employment through vocational, rehabilitation and supervised work experience that enhances their optimum quality of life.

Opportunity Workshop and Orange Valley Center merged programs on October 1<sup>st</sup>, 2013. Orange Valley Center is no longer in operation at Mid-Atlantic Wellness Institute. Opportunity Workshop is located at 21 Robert's Avenue, Devonshire.

#### **Services**

1. **Independence** - We help optimize each client's individual abilities for greater independent function in the community, either through supported living environments, job placement or community social

awareness.

- 2. Activities of daily living training Our clients are supported in their learning efforts by skilled caseworkers who provide self-care and home care practice, job site coaching, time and money management training, support in volunteer programs, contracted jobs for sheltered work, independent community travel, utilization of community services, leisure activities and general nutrition awareness.
- 3. **Therapeutic Recreation and Leisure services** We offer clients a variety of opportunities to meet physical, spiritual, cognitive, creative and social needs of each client through the use of active games, creative expression, music therapy, recreation, religious programs, exercise and physical activities.
- 4. **Functional living skills training** We provide training in functional living skills.

# **Programmes**

- 1. Employment & Training Program The Employment Program encourages clients with mild disabilities to unlock unrealized potential and assist them in becoming less dependent, more self-directed and socially active participants in their community by acquiring work and / or volunteer skills to retain full-time or semi employment.
- **2. Production Centre Program** In the production center program, persons with disabilities perform a variety of tasks and acquire on the job training that enhances workplace skills. Clients are trained in specific job skills, work place etiquette and other disciplines.
- **3. Wellness Program** It is the mission of the Wellness Program to encourage clients to develop healthier lifestyle choices to lower health risk factors, improve well-being and maintain a productive, active work environment.
- **4. Treatment Program** Occupational therapy is a healthcare service in which an occupational therapist is skilled in the assessment and treatment of individuals who are limited by physical injury or illness, psychological dysfunction, developmental or learning disabilities, or the aging process through the use of purposeful activity and adaptive equipment and technology in order to maximize independence, prevent disability and maintain health.
- **5. Functional Skills Program** Addresses life skills that persons use every day, in different environments. The *Functional Independence Skills Handbook*, or FISH, is a screening used for determining a person's ability to perform certain functional activities. It was developed for special education teachers, para-educators, and parents working with individuals with severe developmental disabilities. The outcome of the program, when successful, is a direct increase in personal independence in those with autism, intellectual disabilities and related disorders.
- **6.** Adult Day Centre Program Provides social, recreational and community awareness activities to meet the needs of our older (ages 40+), learning and physically disabled clients who are no longer apt to benefit from intense training in vocational and functional skills.

#### Section D: Records held [s5(1)d]

*List and describe the classes of records held by the authority:* 

- 1. Client records. (date). NOSPC. (Exemtp under s23- personal information). Add description
- 2. Brochures: Opportunity Workshop Program Brochure (dates). (Public Access). Add description
- Surveys: Satisfaction Survey. (date). Author. (Public Access as is anonymysed?). Add description

#### **Section E: Administration manuals [s5(1)e]**

Insert list and description of all administrative manuals/ guidelines used by employees for administering or carrying-out activities:

- 1. Programme Profile for OWS. (date). National Office of Seniors and Physically challenged (Public Access). Describes key elements of the programme such as the goals and objectives, services
- 2. Programme Objectives/Logic Models. (dates) Public Access. Add description
- 3. *Administrative Monitoring Report.* (dates) Public Access. Add description

#### **Section F: Decision-making documents [s5(1)f]**

Insert list and description of all policies and guidelines for decision making in respect to any person. Note "person" includes any company or association or body of persons, whether corporate or unincorporate; [Interpretation Act, 1951]

(Citation required for 1 and 2 below - title, date, author, PATI status and description of record)

- 1. Functional Inventory Skills Handbook (F.I.S.H)/Becker Work Adjustment Profile (date). author. (Public Access). These are assessment tools that are used to determine client's level of functioning
- 2. Budget. (dates) Public Access. Add description
- 3. Standards: Code of Ethics, Human Rights Act Public Access. Add description

# **Section G: The Information officer [s5(1)g]**

*Insert name and contact information:* 

Requests for information shall be in writing and submitted to the Ministry Information Officer.

Contact PATI Information Officer,

Ms. Shauna Sylvester

c/o Ms. Paulette Richardson

c/o Ministry of Health, Seniors & Environment

Re: Opportunity Workshop Attention: Keeona Belboda

Mail to P.O. Box HM 380, Hamilton HM BX, Bermuda

Visit Continental Building, 25 Church Street, Hamilton HM 12

Tel 278-4906

#### **Section H: Any Other Information [s5(1)h]**

Insert any other information that **you think** might be useful for the public to know, so as to decrease requests for information [s6]:

- 1. **About us** is available on the government website at: <a href="http://www.gov.bm">http://www.gov.bm</a> then select Ministry of Health from the pull down menu; then select Opportunity Workshop.
- 2. The legislation listed in this document may be found at Bermuda Laws Online www.bermudalaws.bm.
- 3. **Annual Budget:** For the annual expenditure for the past fiscal period (31<sup>st</sup> Mar to 1<sup>st</sup> Apr), see the online Budget Book at: (www.gov.bm; then select Ministry of Finance; then select the "Budget Book" icon on the right-hand side; then select: Section B Current Account Estimates; then select the Ministry).

# Section I: Any Other Information As Prescribed [s5(1)i]?

At Dec 2014 there are no Regulations to specify additional requirements for the Information Statement. But note, that the following shall be provided in accordance with s6 of the PATI Act:

- 1. **Log of PATI** information access requests: To be provided upon request and with personal identifiers deleted.
- 2. **Contracts:** Any contracts entered into, with a value greater than or equal to \$50,000 [s6(6)].
- 3. **Expenditure**: Quarterly expenditure will be provided upon request. Note the expenditure for the previous fiscal period is provided on the website (as per Section H)
- 4. **Salaries**: The Minster responsible for PATI shall publish a list of title and salary range of every post of public officers [s6(6)].

#### Section J: Information Statement: Copies and Updates [s5(2,3,4,5)]

Every public authority shall update its information statement at least once a year, and make it available for inspection by the public at reasonable times at [s5(2-5), PATI Act]:

**Locations of Information Statement** (Confirm copies of Information Statement are available at):

- Office: Continental Building, 25 Church Street, Hamilton HM 12
- The Bermuda National Library
- The Bermuda Archives Y
- Available electronically at:
  - PATI website http://www.gov.bm/Select Cabinet Office from the Government tab Y
  - Ministry website <a href="http://www.gov.bm/SelectHealth">http://www.gov.bm/SelectHealth</a>, Seniors & Environment\
- With the Information Commissioner.

Have you published a notice in the Gazette indicating the places where the information statement is available for the public?

**Date Information Statement was updated:** Sign: Date: 31st Dec 2014

Keonna Belboda, Acting Director, NOSPC

**Ends** 

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