

s47E(c), s47F

From: s47E(c), s47F @health.gov.au>
Sent: Wednesday, 22 November 2023 1:14 PM
To: s47E(c), s47F ; HERALD, Russell; s47E(c), s47F
Cc: s47E(c), s47F ;
 s47E(c), s47F
Subject: FW: For Action : Order for the Production of Documents - Future Fit Program (NoM 393) [SEC=OFFICIAL]
Attachments: OPD - Rice - Due 7 December 2023 - Dept Health.pdf; Information Sheet - Orders for the Production of Documents - as at August 2023.docx; GOVERNMENT RELATIONS - Committees - Order for the production of documents - Future Fit Project.tr5
Categories: 0371

Hey everyone,

We have received an order to produce documents related to the Future Fit project.

Can you please move all of the relevant documents into **TRIM E23-369189**

We have been asked for the following documentation by Noon Thursday 7 December 2023:

1. All correspondence between the department and MMA regarding the Future Fit program
 - o I've included everything from the finance TRIM folder E21-600830. s47E(c), s47F not sure if you have anything else.
2. Any correspondence between the department and Victorian Councils exiting the Meals on Wheels program
3. All minutes, file notes, briefing notes, or other documents relating to meetings between the department and MMA on Future Fit

Can you move everything into the TRIM folder by **Thursday 30 November?**

Thank you!

s47E(c), s47F

From: CONNOLLY, Thea <Thea.Connolly@health.gov.au>
Sent: Wednesday, 22 November 2023 11:31 AM
To: HERALD, Russell <Russell.Herald@health.gov.au>
Cc: HRD Executive s47E(d) @Health.gov.au>; s47E(c), s47F @health.gov.au>; s47E(c), s47F @Health.gov.au>
Subject: FW: For Action : Order for the Production of Documents - Future Fit Program (NoM 393) [SEC=OFFICIAL]

Rusty, I hope you have this already.....

From: Parliamentary Committees s47E(d) @health.gov.au>
Sent: Thursday, 16 November 2023 5:24 PM
To: HRD Executive s47E(d) @Health.gov.au>
Cc: LYE, Michael <Michael.LYE@health.gov.au>; s47E(c), s47F @health.gov.au>; s47E(c), s47F @health.gov.au>; CONNOLLY, Thea <Thea.Connolly@health.gov.au>; s47E(c), s47F @health.gov.au>; s47E(c), s47F @health.gov.au>; s47E(c), s47F @health.gov.au>; Parliamentary Committees s47E(d) @health.gov.au>; Minister Butler DLO s47E(d) @Health.gov.au>; Minister Wells DLO s47E(d) @Health.gov.au>; s47E(c), s47F @Health.gov.au>; s47E(c), s47F @Health.gov.au>

s47E(c), s47F @health.gov.au>; s47E(c), s47F @Health.gov.au>; s47E(c), s47F
s47E(c), s47F @health.gov.au>

Subject: For Action : Order for the Production of Documents - Future Fit Program (NoM 393) [SEC=OFFICIAL]

Good afternoon

Please see the attached motion requiring the **Department of Health and Aged Care** to table documents relating to the **Future Fit Program and Miles Morgan Australia**. Further details on what has been requested are detailed in the attached noting all documents are to be tabled no later than 12.00pm, Thursday 7 December 2023.

These documents will need to be accompanied with a letter to the President of the Senate (Senator the Honourable Sue Lines) outlining the documents provided in response to the Order for the Production of Documents and are due to [@Parliamentary Committees](#) **midday Wednesday 6 December 2023**.

Please review the below email for further context.

We will liaise with the tabling office in regards to process and document formats and provide any further advice as soon as possible. Please reach out if you have any questions or concerns.

Thank you

s47E(c), s47F

PARLIAMENTARY CO-ORDINATION, APPOINTMENTS AND COMMITTEE SECTION

People, Communication and Parliamentary Division | Corporate Operations Group

Ministerial and Parliamentary Services Branch

Australian Government, Department of Health and Aged Care

T: 02 6289 s47E(c), s47F @health.gov.au

Location: 12.265

Level 12, Scarborough House, Atlantic Street, Woden ACT 2606

PO Box 9848, Canberra ACT 2601, Australia

The Department of Health acknowledges the traditional owners of country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to them and their cultures and to elders both past and present.

From: Senate Parliamentary Liaison Office s47E(d) @pmc.gov.au>

Sent: Thursday, 16 November 2023 1:52 PM

To: Parliamentary Committees s47E(d) @health.gov.au>; Minister Butler DLO

s47E(d) @Health.gov.au>; s47E(c), s47F @health.gov.au>

Cc: s47F - Wong Office (s47F @aph.gov.au) <s47F @aph.gov.au>; Senate

Parliamentary Liaison Office s47E(d) @pmc.gov.au>; s47F @aph.gov.au'

<s47F @aph.gov.au>; 'Allen, Zoe (Sen A. Urquhart)' s47F @aph.gov.au>; s47F (Sen A.

Urquhart) <s47F @aph.gov.au>; Drury, Zackary s47F @pm.gov.au>; Owens, Chris

s47F @pm.gov.au>; Cummins, Kath s47F @pm.gov.au>; PMO - Parliament

s47E(d) @pm.gov.au>

Subject: Order for the Production of Documents - Future Fit Program (NoM 393) [SEC=OFFICIAL]

OFFICIAL

Good afternoon

As flagged, the attached motion requiring the **Department of Health and Aged Care** to table documents relating to the **Future Fit Program and Miles Morgan Australia** (details in the attached) was moved by Senator Rice and agreed to by the Senate this afternoon.

The Senator's office will shortly receive a letter from the Clerk of the Senate outlining the order agreed by the Senate. The Senator is required to provide the specified documents by **no later than 12.00pm, Thursday 7 December 2023**.

Once the documents have been gathered and approved by the Senator for tabling, they should be accompanied by a letter to the President of the Senate (Senator the Honourable Sue Lines), indicating that the documents are the Senator's response to the Order for the Production of Documents (notice of motion number 393). Alternatively, the Senator can write to the President of the Senate outlining their reasons for not being in a position to comply with the order.

- Where the documents are being requested of a Senate minister in their capacity representing a House of Representatives minister, it is the House of Representatives minister's responsibility for compiling the documents, but the Senate minister's responsibility to respond to the order. In these circumstances, the House of Representatives minister should write to the Senate minister, outlining the response or reasons for non-compliance, and the Senate minister should write a cover letter addressed to the President of the Senate conveying the response.
- On the day before the return to order is due, the Senate minister's office should inform the Senate Parliamentary Liaison Officer whether or not the order is likely to be complied with by the designated date and time. We can then indicate to the Senate whether or not a response will be tabled at ministerial statements on the due date.
- If further time is required, the Senate minister should table a letter by the due date, advising that further time is required in order to respond. As per the above, if the order has been directed to a Senate minister in their capacity representing a House of Representatives minister, the House of Representatives minister should write to the Senate minister, outlining the reasons for the delay, and the Senate minister should write a cover letter addressed to the President of the Senate conveying the response.
- Three copies of the material should be provided to the Senate sub-programming office (room SG105 (outside of the government entrance to the Senate chamber) on sitting days, or room SG25 on non-sitting days). In addition, as a matter of courtesy, one copy should be delivered to the requesting Senators office.
- Please provide an electronic copy to the Senate Parliamentary Liaison Officer to ensure we are aware the order has been responded to.

Please ensure you consult with Senator Wong's office (s47F [redacted] [@aph.gov.au](mailto:[redacted]@aph.gov.au)) regarding responding to the Order.

Attached is a one page information sheet on Orders for the Production of Documents, but please contact me if you have any questions.

Kind regards, Rachael

Rachael Clarke

Assistant Secretary | Parliamentary Liaison Officer for the Senate

Department of the Prime Minister and Cabinet

SG 89, Parliament House, Canberra

p. (02) 6277 [redacted] | m. s47F [redacted]

Ngunnawal Country, One National Circuit Barton ACT 2600 | PO Box 6500 CANBERRA ACT 2600

e. s47E(c), s47F [redacted] [@pmc.gov.au](mailto:[redacted]@pmc.gov.au) w. pmc.gov.au



The Department acknowledges and pays respect to the past, present and emerging Elders and Traditional Custodians of Country, and the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples.

From: Senate Parliamentary Liaison Office s47E(d) [@pmc.gov.au](mailto:[redacted]@pmc.gov.au)>

Sent: Wednesday, 15 November 2023 8:33 PM

To: s47E(d) [@health.gov.au](mailto:[redacted]@health.gov.au); s47E(d) [@health.gov.au](mailto:[redacted]@health.gov.au); s47E(c), s47F [redacted] [@health.gov.au](mailto:[redacted]@health.gov.au)

Cc: Senate Parliamentary Liaison Office s47E(d) [@pmc.gov.au](mailto:[redacted]@pmc.gov.au)>; s47F [redacted] - Wong Office

(s47F @aph.gov.au) <s47F @aph.gov.au>; 's47F @aph.gov.au'
 s47F @aph.gov.au>; 'Allen, Zoe (Sen A. Urquhart)' s47F @aph.gov.au>; Goodchild, Will (Sen A.
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 s47E(d) @pm.gov.au>

Subject: Heads Up - Order for the Production of Documents - Future Fit Program [SEC=OFFICIAL]

OFFICIAL

Good evening

Please note: this motion has **NOT** been considered by the Senate yet. It may not get agreed to, this email is to provide you with a heads up.

Please see the attached motion requiring the **Department of Health and Aged Care** to table documents relating to the Future Fit Program and Miles Morgan Australia (details in the attached). This motion will be moved by Senator Rice tomorrow, Thursday 16 November 2023 – the Senate has **not yet considered the motion.**

If agreed by the Senate:

- The Senator's office will receive a letter from the Clerk of the Senate outlining the order agreed by the Senate. The Senator would be required to provide the specified documents by **no later than 12.00pm, Thursday 7 December 2023.**
- Once the documents have been gathered and approved by the Senator for tabling, they should be accompanied by a letter to the President of the Senate (Senator the Honourable Sue Lines), indicating that the documents are the Senator's response to the Order for the Production of Documents. Alternatively, the Senator can write to the President of the Senate outlining their reasons for not being in a position to comply with the order.
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Kind regards, Rachael

Rachael Clarke

Assistant Secretary | Parliamentary Liaison Officer for the Senate

Department of the Prime Minister and Cabinet

SG 89, Parliament House, Canberra

p. (02) 6277 s47E(c), s47F | m. s47F

Nggunawal Country, One National Circuit Barton ACT 2600 | PO Box 6500 CANBERRA ACT 2600

e. s47E(c), s47F @pmc.gov.au w. pmc.gov.au



The Department acknowledges and pays respect to the past, present and emerging Elders and Traditional Custodians of Country, and the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples.

IMPORTANT: This message, and any attachments to it, contains information that is confidential and may also be the subject of legal professional or other privilege. If you are not the intended recipient of this message, you must not review, copy, disseminate or disclose its contents to any other party or take action in reliance of any material contained within it. If you have received this message in error, please notify the sender immediately by return email informing them of the mistake and delete all copies of the message from your computer system.

This document has been released under
the Freedom Of Information Act 1982 by
the Department of Health, Disability and Ageing

Senator Rice

Notice of motion – General business (at the giving of notices)

I give notice that on the next day of sitting, I shall move—That there be laid on the table by the Department of Health and Aged Care, by no later than 12pm on Thursday the 7th of December.

- (a) All correspondence between the Department of Health and Aged Care and Miles Morgan Australia regarding the Future Fit Program.
- (b) Any correspondence between the Department of Health and Aged Care and Victorian councils exiting the Meals on Wheels program.
- (c) All minutes, file notes, briefing notes, or other documents relating to meetings between the Department of Health and Aged Care and Miles Morgan Australia associated with the Future Fit Program.

Senator Rice



Word count (starting from the word 'That') 96

②

LODGED

7B

What is an OPD	<ul style="list-style-type: none"> The Senate may make an order for the Government to table specified information/documents at or by a particular time on a particular day. An order can be made as a 'one off' request for documents or may be a permanent order, known as an 'order of continuing effect' (where there may be annual or biannual deadlines). These orders are known as Orders for the Production of Documents (OPDs) or 'an order for returns' and are a common means by which senators seek information. Responses to OPDs are sometimes referred to as 'returns to order'.
Authority	<ul style="list-style-type: none"> Senate Standing Order 164
Request for an OPD	<ul style="list-style-type: none"> A notice of motion will be lodged and moved by a senator, and determined during 'Discovery of Formal Business' on any sitting day, ie after Question Time on Mondays to Wednesdays or before Question Time on Thursdays. If agreed, the Clerk will write to the Leader of the Government in the Senate and the relevant Minister in the Senate to inform them of the Order. The Senate PLO will also advise the Minister's office (by email) as soon as the motion is agreed in the Chamber to ensure as much notice as possible is given.
Responding to an OPD	<ul style="list-style-type: none"> Decisions about the release of documents are up to the relevant Minister/s. There has been general acceptance by the Senate that there is some information held by the Government which ought not to be disclosed, but consideration should be given to past practice and the sanctions the Senate is able to impose. There are two options: <ul style="list-style-type: none"> Comply in full Partial or nil response - Ministers must then outline the reason/s for non-compliance and any claims for public interest immunity. Where the Minister is a House Minister, the response must be from the Minister representing the Minister in the Senate. Where an OPD impacts on a number of portfolios, one Minister's office must coordinate a whole of government response. It is then essential that the response is cleared by all Ministers affected. Responses should be unclassified as they will be tabled in the chamber and available on the APH website.
Lodgement and copy requirements	<ul style="list-style-type: none"> Three copies of the response should be delivered to the Senate Table Office in SG105 (adjacent to the Government entrance to the Senate Chamber) on sitting days, or in SG25 on non-sitting days, by the time agreed by the Senate. In addition, as a matter of courtesy, one copy should be delivered to the Senator who moved the motion (specified in the email from the Senate PLO). A single PDF (which should include the letter to the President from the minister, and any attachments related to that order) must be sent to the Senate Table Office at s47E(d)@aph.gov.au. Where the documents are to be provided to a Senate Committee, one copy should be provided to the Committee Secretary (either hard copy or electronic) – contact details are on committee websites.
Possible sanctions for non-compliance with an OPD	<ul style="list-style-type: none"> If a minister does not comply or provide a satisfactory response within 30 days of the deadline, a senator may after Question Time ask the relevant minister for an explanation and may move to take note of the explanation or move a motion in relation to the minister's failure to provide an answer or satisfactory explanation. Possible sanctions for non-compliance by a Minister include: <ul style="list-style-type: none"> a censure motion against the Minister a ban on legislation from the Minister's portfolio for a period establishment of a Senate select committee to inquire into and report on matters related to an OPD a resolution of contempt of the Senate with penalties applied in accordance with the <i>Parliamentary Privileges Act 1987</i>.

s47E(c), s47F

From: HERALD, Russell <Russell.Herald@health.gov.au>
Sent: Tuesday, 28 November 2023 10:19 AM
To: HRD Executive
Cc: s47E(c), s47F CONNOLLY, Thea
Subject: RE: For Action due 1 December (this Friday) - Order for the Production of Documents - Future Fit Program (NoM 393) [SEC=OFFICIAL]

Categories: 0371

s47E(c), s47F is all over it, I think that should be OK

From: HRD Executive s47E(d) @Health.gov.au>
Sent: Tuesday, 28 November 2023 10:12 AM
To: HERALD, Russell <Russell.Herald@health.gov.au>
Cc: HRD Executive s47E(d) @Health.gov.au>; s47E(c), s47F @health.gov.au>; s47E(c), s47F @Health.gov.au>; CONNOLLY, Thea <Thea.Connolly@health.gov.au>
Subject: RE: For Action due 1 December (this Friday) - Order for the Production of Documents - Future Fit Program (NoM 393) [SEC=OFFICIAL]

Hi Rusty,

Do you think you could get this to Thea by this Friday, 1 December for her to review/clear?

Thank you

s47E(c), s47F

A/g Executive Officer to **Thea Connolly**
 First Assistant Secretary

Home and Residential Division | Ageing and Aged Care Group

From: HERALD, Russell <Russell.Herald@health.gov.au>
Sent: Wednesday, 22 November 2023 11:35 AM
To: CONNOLLY, Thea <Thea.Connolly@health.gov.au>
Cc: HRD Executive s47E(d) @Health.gov.au>; s47E(c), s47F @health.gov.au>; s47E(c), s47F @Health.gov.au>
Subject: RE: For Action : Order for the Production of Documents - Future Fit Program (NoM 393) [SEC=OFFICIAL]

I did not

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Sent: Wednesday, 22 November 2023 11:31 AM
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Subject: FW: For Action : Order for the Production of Documents - Future Fit Program (NoM 393) [SEC=OFFICIAL]

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From: Parliamentary Committees s47E(d) @health.gov.au>
Sent: Thursday, 16 November 2023 5:24 PM
To: HRD Executive s47E(d) @Health.gov.au>
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Please review the below email for further context.

We will liaise with the tabling office in regards to process and document formats and provide any further advice as soon as possible. Please reach out if you have any questions or concerns

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PARLIAMENTARY CO-ORDINATION, APPOINTMENTS AND COMMITTEE SECTION

People, Communication and Parliamentary Division | Corporate Operations Group

Ministerial and Parliamentary Services Branch

Australian Government, Department of Health and Aged Care

T: 02 6289 s47E(c), s47F @health.gov.au

Location: 12.265

Level 12, Scarborough House, Atlantic Street, Woden ACT 2606

PO Box 9848, Canberra ACT 2601, Australia

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Sent: Thursday, 16 November 2023 1:52 PM
To: Parliamentary Committees s47E(d) @health.gov.au>; Minister Butler DLO s47E(d) @Health.gov.au>; s47E(c), s47F @health.gov.au>
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Please ensure you consult with Senator Wong's office (s47F [redacted] @aph.gov.au) regarding responding to the Order.

Attached is a one page information sheet on Orders for the Production of Documents, but please contact me if you have any questions.

Kind regards, Rachael

Rachael Clarke

Assistant Secretary | Parliamentary Liaison Officer for the Senate

Department of the Prime Minister and Cabinet

SG 89, Parliament House, Canberra

p. (02) 6277 s47E(c), s47F | m. +s47F [redacted]

Ngunnawal Country, One National Circuit Barton ACT 2600 | PO Box 6500 CANBERRA ACT 2600

e. s47E(c), s47F [redacted] @pmc.gov.au w. pmc.gov.au



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Subject: Heads Up - Order for the Production of Documents - Future Fit Program [SEC=OFFICIAL]

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Rachael Clarke

Assistant Secretary | Parliamentary Liaison Officer for the Senate
Department of the Prime Minister and Cabinet
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e. §47E(c), §47F [@pmc.gov.au](mailto:pmc.gov.au) w. pmc.gov.au



The Department acknowledges and pays respect to the past, present and emerging Elders and Traditional Custodians of Country, and the continuation of cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander peoples.

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s47E(c), s47F

From: CONNOLLY, Thea <Thea.Connolly@health.gov.au>
Sent: Wednesday, 29 November 2023 1:46 PM
To: HERALD, Russell; WOOD, Emma
Cc: s47E(c), s47F
Subject: RE: OPD advice [SEC=OFFICIAL]

Categories: 0371

We've got a draft minsub that we'd love you to look at ASAP, s47E(c), s47F to share please

From: HERALD, Russell <Russell.Herald@health.gov.au>
Sent: Wednesday, 29 November 2023 1:41 PM
To: WOOD, Emma <Emma.Wood@health.gov.au>
Cc: s47E(c), s47F @health.gov.au; CONNOLLY, Thea <Thea.Connolly@health.gov.au>; s47E(c), s47F @health.gov.au
Subject: RE: OPD advice [SEC=OFFICIAL]

Thanks Emma,

Yep OPD393

Owing to some challenges in this space I have asked my EL2, s47E(c), s47F, to engage as it is prudent to keep myself at an appropriate distance as the process moves forward.

Ill get s47E(c), s47F to talk to s47E(c), s47F in the first instance.

Rusty

From: WOOD, Emma <Emma.Wood@health.gov.au>
Sent: Wednesday, 29 November 2023 1:31 PM
To: HERALD, Russell <Russell.Herald@health.gov.au>
Cc: s47E(c), s47F @health.gov.au; CONNOLLY, Thea <Thea.Connolly@health.gov.au>; s47E(c), s47F @health.gov.au
Subject: RE: OPD advice [SEC=OFFICIAL]

Hi Rusty,

We provide wrap around support for PII's.

MPSB coordinates (s47E(c), s47F team), working with LAD and seeking advice from PM&C when needed. We have developed and tested an approach with PM&C and the MO, so only need to seek additional advice from PM&C if the PII has particular sensitivities.

Are you talking about OPD 393 - Future fit program?

Happy to arrange a quick chat today/ tomorrow?

Emma

Emma Wood (Ms/ she/ her)
 Assistant Secretary

Ministerial and Parliamentary Services Branch

People, Communication and Parliamentary Division | Corporate Operations Group
 Australian Government Department of Health and Aged Care
 T: 02 6289 ^{s47E(c), s47F} | M: ^{s47F} | E: emma.wood@health.gov.au
 EA: ^{s47E(c), s47F} T: 02 6289 ^{s47E(c), s47F}

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From: HERALD, Russell <Russell.Herald@health.gov.au>
Sent: Wednesday, 29 November 2023 1:03 PM
To: WOOD, Emma <Emma.Wood@health.gov.au>
Cc: ^{s47E(c), s47F} <^{s47E(c), s47F}@health.gov.au>; CONNOLLY, Thea <Thea.Connolly@health.gov.au>
Subject: OPD advice [SEC=OFFICIAL]

Hi Emma,

Quick Questions. Do you have a contact (B1 or EL2) in PMC that we can engage to talk about Public Interest Immunities, as part of the Order for the Production of Documents we are working on?

Cheers
 Rusty

Russell Herald
Assistant Secretary

Home Support Operations Branch
 Home and Residential Division | Ageing and Aged Care Group
 Department of Health and Aged Care
 (W) 02 6289 ^{s47E(c), s47F} (M) ^{s47F}

Executive Assistant: ^{s47E(c), s47F}
^{s47E(c), s47F} <@health.gov.au> (W) 02 6289 ^{s47E(c), s47F}

s47E(c), s47F

From: s47E(c), s47F @health.gov.au>
Sent: Monday, 4 December 2023 5:23 PM
To: s47E(c), s47F ; Russell HERALD
Subject: s47E(c), s47F @health.gov.au> & Russell HERALD
 <Russell.Herald@health.gov.au> & CBR.SIR.7.N.217 <08d46e90-12d8-40c3-ad20-b681ccb789e5@rooms.webex.com>

<p>· s47G(1) (a) have four requests:
<code>o</code> The establishment of a reference group where the Terms of Reference will outline the agreed approach for project governance. The Memorandum of Understanding (MOU) will not be required.
<code>o</code> Open communication between the parties of the reference group.
<code>o</code> Agree that service level data and commercially in confidence material will not be shared outside the reference group. Only high-level aggregated data will be share more broadly.
<code>o</code> If the department undertakes a new procurement process, the preferred supplier must have the appropriate skills to undertake a Feasibility Study
· Overall, s47G(1) (a) expressed they were happy for s47G(1) (a) to remain as the contract holder in order to avoid project delays, however the way s47G(1) (a) conduct themselves would need to be addressed. The department could include specific clauses about this as part of their contract.
· If tomorrow is successful, s47G(1) (a) is happy to write to the department and will relay the outcomes to senator Rice. </p>

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 the Department of Health, Disability and Ageing

From: [HERALD, Russell](#)
To: [CONNOLLY, Thea](#); s47E(c), s47F
Subject: Fwd: Letter - Minister Wells to Minister Gallagher and to the Senate.docx [SEC=OFFICIAL] [SEC=OFFICIAL]
Date: Monday, 4 December 2023 8:53:31 PM
Attachments: [image001.png](#)
[Letter - Minister Wells to Minister Gallagher and to the Senate.docx](#)
[OPD - Rice - Due 7 December 2023 - Dept Health.pdf](#)

Thea - the draft letters (2 in one doc)

Sent from Workspace ONE Boxer

[SEC=OFFICIAL]

----- Forwarded message -----

From: "s47E(c), s47F" <[REDACTED]@health.gov.au>
Date: 4 Dec 2023 8:49 pm
Subject: Letter - Minister Wells to Minister Gallagher and to the Senate.docx
 [SEC=OFFICIAL]
To: "HERALD, Russell" <Russell.Herald@health.gov.au>
Cc: "s47E(c), s47F" <[REDACTED]@Health.gov.au>, "s47E(c), s47F" <[REDACTED]@health.gov.au>
 Hey Rusty

We were advised this afternoon that Senator Rice's office has requested we write to the President of the Senate to seek an extension for the OPD.

I've drafted the letters to this effect. I understand the advisors agreed to receive a standalone letter, let me know if you do need an accompanying brief.

Need to get this up to Thea asap.

Many thanks,

s47E(c), s47F

CHSP and Continence Policy
Home Support Operations Branch

Home and Residential Division | Ageing and Aged Care Group
 Australian Government, Department of Health and Aged Care
 T: 6289 s47E(c), s47F <[REDACTED]@health.gov.au>
 Location: Level 7, Sirius Building
 GPO Box 9848, Canberra ACT 2601, Australia

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The Hon Anika Wells MP
Minister for Aged Care
Minister for Sport
Member for Lilley

LETTER 1 AND LETTER 2

Ref No: MS23-001782

Senator the Hon Katy Gallagher
 Minister for Finance
 Minister for Women
 Minister for the Public Service
 Senator for the Australian Capital Territory
 Parliament House
 CANBERRA ACT 2600

Dear Minister

I write with regard to the Senate Order for the Production of Documents No. 393 moved by Senator Rice and agreed by the Senate on 16 November 2023, relating to the Future Fit Program and Miles Morgan Australia (MMA), from the Department of Health and Aged Care (the department). The documents are to be tabled no later than noon, Thursday 7 December 2023.

On 30 November 2023, my office discussed an extension with Senator Rice, who we understand is supportive of the request. The department also has a private meeting with the Community Affairs Committee on Thursday 7 December 2023. I request that you write to the President of the Senate, Senator the Hon Sue Lines, on my behalf, seeking a two-week extension, until the 21 of December 2023, due to the large volume of documentation (more than 500 pages collated so far).

Yours sincerely

Anika Wells

December 2023

A. Encl (1) Attachment A: Order to Produce Documentation

cc: The Hon Mark Butler MP, Minister for Health and Aged Care

Senator the Hon Katy Gallagher

Minister for Finance
Minister for Women
Minister for the Public Service
Senator for the Australian Capital Territory

LETTER 2

Senator the Hon Sue Lines
President of the Senate
Parliament House
CANBERRA ACT 2600

Dear President

ORDER FOR THE PRODUCTION OF DOCUMENTS NO. 393 – FUTURE FIT PROGRAM

I write with regard to the Senate Order for the Production of Documents No. 393 moved by Senator Rice and agreed by the Senate on 16 November 2023, relating to the Future Fit Program and Miles Morgan Australia (MMA), from the Department of Health and Aged Care (the department).

Due to the large volume of documentation (more than 500 pages), the department requires a two-week extension, until the 21 of December 2023, to comply with the order.

Yours sincerely

Katy Gallagher

From: [CONNOLLY, Thea](#)
To: s47E(c), s47F
Cc: [HERALD, Russell](#); [HRD Executive](#)
Subject: FW: MS23-001873 - OPD Future Fit and Miles Morgan [SEC=OFFICIAL]
Date: Tuesday, 12 December 2023 2:58:14 PM
Attachments: [image001.png](#)
[MS23-001873.docx](#)
[Attachment C - Phase 1 deliverables summary - December 2023.docx](#)
[Attachment A - MS23-001873 - Letters - Minister Wells to Minister Gallagher and to the Senate.docx](#)

Thanks s47E(c), s47F I spoke to s47E(c), s47F he said a min brief (via email and then in the system) would be fine. The brief should highlight any sensitivities that the Minister should be aware of, as well as the type of information we will be redacting. He is fine with an index rather than the documents themselves for this purpose. The brief should flag that the pack of redacted documents will be provided to Wells's office for transmission to Gallagher's office with the signed letters by xx December, once the review is complete, ahead of the 21? Dec tabling date. (Please liaise with the Wells DLO to make sure Gallagher's office will be open and able to receive the docs....). The letters attached are fine, as edited, but importantly, I have clarified that scope includes documents relating to **contract management** (as well as contract itself and deliverables). I am worried the latter two are too narrow. Senator Rice wants a sense of how we are managing the contract. It will be inflammatory if we do not provide this. What she doesn't want is documents that damages the reset.

Apols for the diversion re the contract. Less critical now. s47C, s47E(d)

I think this can go to her via an email through the MO to her office, but will check that with ML tomorrow.

Regards Thea

From: s47E(c), s47F @health.gov.au>
Sent: Monday, 11 December 2023 11:35 PM
To: CONNOLLY, Thea <Thea.Connolly@health.gov.au>
Cc: s47E(c), s47F @health.gov.au>; s47E(c), s47F s47E(c), s47F @health.gov.au>
Subject: MS23-001873 - OPD Future Fit and Miles Morgan [SEC=OFFICIAL]

Hey Thea

Attached in the draft min sub. I still have to:

- Update the budget table
- Develop an index of the documents to be tabled
- Parliamentary team are reviewing Attachment A.
- Confirm the approach with the MO

Let me know if you want any updates

s47E(c), s47F

Many thanks,

s47E(c), s47F

CHSP and Continence Policy
Home Support Operations Branch

Home and Residential Division | Ageing and Aged Care Group
Australian Government, Department of Health and Aged Care
T: 6289 s47E(c), s47F [@health.gov.au](mailto:s47E(c), s47F@health.gov.au)
Location: Level 7, Sirius Building
GPO Box 9848, Canberra ACT 2601, Australia

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Attachment B**Index of documents to be supplied to the Senate**

Document #	Document Title
1.	Transmittal letter from Minister Wells
2.	Meals on Wheels Future Fit Portfolio management plan
3.	MOW Operational Dashboard Data Map
4.	Project management framework
5.	Project schedule
6.	Risk management plan
7.	Risk register
8.	Future Fit funding model – feasibility study signup sheet
9.	Funding model Feasibility study
10.	Future Fit Data insights – Part 4
11.	Miles Morgan Official order (Variation)
12.	Miles Morgan Official order (Original contract)
13.	Future Fit – Key deliverables
14.	Future Fit Governance Paper - Status report 5 - May 2022
15.	Future Fit Governance Paper - Status report 6 – June 2022
16.	Finance and Operations stocktake survey questions
17.	Future Fit Governance Paper - Status report 7 - November 2022
18.	Future Fit Governance Paper - Status report 8 – December 2022
19.	Meals on Wheels State Association: Document register
20.	Meals on Wheels State Associations Constitution/rules summary
21.	Presentation Future Fit: Overview
22.	MOW 2.0 Digital Operating Model
23.	FUTURE FIT Governance discussion paper
24.	Future Fit Governance Paper - Status report 9 – January 2023
25.	Future Fit Governance Paper - Status report 3 – March 2022
26.	Future Fit Governance Paper - Status report 15 – July 2023
27.	Future Fit Governance Paper - Status report 14 – June 2023
28.	Future Fit Governance Paper - Status report 13 – May 2023
29.	Future Fit Governance Paper - Status report 12 – April 2023
30.	Future Fit Governance Paper - Status report 11 – March 2023
31.	Future Fit Governance Paper - Status report 10 – February 2023
32.	Final Report Key Outputs & Deliverables
33.	Future Fit National operations Team Terms of Reference
34.	Future Fit Governance Paper - Status report 4 – April 2022
35.	Future fit terms of reference MOWA Board Sub-Committees
36.	Future Fit Governance Paper - Status Report 4
37.	MOWA Board Meeting: April 2022
38.	Presentation - finance and operations stocktake: initial data analysis
39.	Finance & Operations Stock Take Data Insights – Part 2
40.	Finance & Operations Stocktake Data Insights – Part 3
41.	Definition Of a Meal Discussion Paper
42.	Future Fit Mid-Point Check
43.	Future fit terms of reference MOWA Board Sub-Committees
44.	Response to DOHAC Information Request 23 September 2022 request 1: Meals on Wheels (Mow) Business Model

Attachment B

Document #	Document Title
45.	Response to DOHAC Information Request 23 September 2022request 2: Meals on Wheels (Mow) Systems Usage
46.	Food And Nutrition Stocktake Overview
47.	Future Fit: Establishing A Baseline for The Mow Network
48.	FUTURE FIT: Finance and Operations Stocktake User Guide
49.	Finance & Operations stocktake data Insights – Part 1
50.	Emails between the Department of Health and Aged Care and Miles Morgan Australia

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the Department of Health, Disability and Ageing

From: [HRD Executive](#)
To: s47E(c), s47F
Cc: [HRD Executive](#); s47E(c), s47F
Subject: FW: OPD - Future Fit Miles Morgan [SEC=OFFICIAL:Sensitive]
Date: Tuesday, 19 December 2023 5:27:33 PM
Attachments: [image001.png](#)

Hi: s47E(c),
s47F

I understand you are the proxy s47E(c), s47F – so sending this on to you

Ta

s47E(c),
s47F

From: CONNOLLY, Thea <Thea.Connolly@health.gov.au>
Sent: Tuesday, 19 December 2023 5:18 PM
To: s47E(c), s47F @health.gov.au>; HERALD, Russell
<Russell.Herald@health.gov.au>
Cc: HRD Executive s47E(d) @Health.gov.au>
Subject: RE: OPD - Future Fit Miles Morgan [SEC=OFFICIAL:Sensitive]

Done!

s47C, s47G(1)(a)

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s47C, s47G(1)(a)

From: CONNOLLY, Thea

Sent: Tuesday, 19 December 2023 11:05 AM

To: s47E(c), s47F [REDACTED] <[\[REDACTED\]@health.gov.au](mailto:[REDACTED]@health.gov.au)>; HERALD, Russell
<Russell.Herald@health.gov.au>

Cc: HRD Executive s47E(d) [REDACTED] <[\[REDACTED\]@Health.gov.au](mailto:[REDACTED]@Health.gov.au)>

Subject: FW: OPD - Future Fit Miles Morgan [SEC=OFFICIAL:Sensitive]

Importance: High

Thanks s47E(c), s47F [REDACTED] please package up for tabling:

1. with a note to s47F [REDACTED] to be cleared through me which gives her a copy of the pack, advises her of the process to finalise tabling (whatever that is) highlights what's new in the index, and advises that we still have a number of questions from Senator Rice to respond to re specified personnel changes, IP, data, nutrition that we will provide via the MO once we get the advice from MoW Newcastle.
2. Can we also table the Index, as document two, behind the letter and in front of the PMP, to aid the Senate?
3. What's the logic behind the order of the documents? Most recent to oldest? The index needs to have page numbers as well as document numbers, where documents are not dated we should assign a date in the index to save follow up questions,

s47C

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s47C

I am only up to page 314..... but thought you could start reviewing,,,,,

Thanks Thea

From: s47E(c), s47F @health.gov.au>
Sent: Sunday, 17 December 2023 3:12 PM
To: CONNOLLY, Thea <Thea.Connolly@health.gov.au>
Cc: HERALD, Russell <Russell.Herald@health.gov.au>; s47E(c), s47F
 s47E(c), s47F @health.gov.au>; HRD Executive s47E(d) @Health.gov.au>
Subject: OPD - Future Fit Miles Morgan [SEC=OFFICIAL:Sensitive]
Importance: High

Hey Thea

I've pulled together the OPD and just need to write a brief for Butlers office. I wanted to get the documents to you asap. s42

I've attached everything that fits the scope of the revised OPD and have marked commercially in confidence material for redaction. Specifically form the contract you will find:

- Project plan
- Project management framework
- Risk register
- Risk management plan
- Network stocktake template – data map
- Status reports – information bulletins (some reports are missing, I've searched everywhere so I can only assume we never received them)
- Final report

For transparency, I've included other documents that have all been critical elements to the development of the final report. I've also included a draft discussion paper on a meals definition.

I've updated the index of documents.

Next steps

- I'll draft the one pager for Butlers office asap. I'll check with the DLOs to see if Butler's office knows this is coming.
- Will need to get the MO's approval no later than COB Wednesday 20 Dec
- Once approved I'll print 4 hard copies (one will be sent to Senator Rice's Office).

Need to give the hard copies to the courier Thursday Morning.

Many thanks,

s47E(c), s47F

- CHSP and Continence Policy
Home Support Operations Branch

Home and Residential Division | Ageing and Aged Care Group
Australian Government, Department of Health and Aged Care
T: 6289 s47E(c), s47F @health.gov.au
Location: Level 7, Sirius Building
GPO Box 9848, Canberra ACT 2601, Australia

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From: HERALD, Russell
To: s47E(c), s47F ; CONNOLLY, Thea
Cc:
Subject: RE: OPD - Future Fit Miles Morgan [SEC=OFFICIAL:Sensitive]
Date: Wednesday, 20 December 2023 11:53:00 AM
Attachments: image001.png

Quick proofing things in RED

From: s47E(c), s47F
Sent: Wednesday, 20 December 2023 11:48 AM
To: CONNOLLY, Thea
Cc: HERALD, Russell ; s47E(c), s47F
Subject: FW: OPD - Future Fit Miles Morgan [SEC=OFFICIAL:Sensitive]

Hey Thea, is this what you were thinking?

I'm heading into parliament now!

Hi s47F

Please see the attached OPD #393 pack that will be provided to the President of the Senate out of session. We have updated the index (pages 3-4 in the PDF) since we briefed the Minister Office last week. The changes include:

- Addition of a title page and letter from Minister Wells
- Inclusion of index into the PDF
- Addition of page numbers to mark the start of each document in the index
- Information Bulletins have been renamed to 'Future Fit Governance Paper - Status report' to better align with the contract deliverables
 - Location of "Future Fit Governance Paper - Status report 9, 10, 11, 12, 13, 14, 15" reorganised in the index to match the corresponding location in the PDF.
 - Bookmarks for these seven (7) documents added to the PDF
- Reference added to the index for the document titled "Emails between the Department of Health and Aged Care and Miles Morgan Australia" within the PDF

Next steps:

1. My team has arranged to deliver four copies of the OPD pack to Parliament house today.
2. The DLOs will collect the pack and deliver 3 copies to the Senate Table Office and one copy to Senator Rice's office.
3. The Parliamentary team will email a copy to Senate Table Office at s47E(d) @aph.gov.au (cc: s47E(d) @health.gov.au).
4. Below I've included a note for s47E(c), s47F to forward to the Senate and cc the relevant people. The President of the Senate addressing 3 questions taken on notice at the hearing on 7 December 2023. I've also clarified the ownership of the intellectual property of the Miles Morgan Australia contract. At the hearing I explained the department does not own the IP but this isn't entirely correct.

Information to be provided to the Committee

Information to be provided from s47E(c), s47F to the Chair of the Committee, Senator Andrew McLachlan and cc:

s47E(c), s47F @health.gov.au; s47E(c), s47F @health.gov.au;
 s47E(c), s47F @health.gov.au; WOOD, Emma Emma.Wood@health.gov.au;
 LYE, Michael Michael.LYE@health.gov.au; HERALD, Russell Russell.Herald@health.gov.au; s47F
 s47F @Health.gov.au; s47F @Health.gov.au, [Senator
 Rice's Advisor]

Dear Senator McLachlan

Following the Committee hearing on 7 December 2023, the Department of Health and Aged

Care (the department) agreed to provide further information on the Future Fit Program and Miles Morgan Australia, specifically the Committee asked 3 questions.

1. **Question:** Is Whitehorse Meals on Wheels (Whitehorse) client data being inappropriately accessed by Miles Morgan Australia.

Answer: There is no evidence of inappropriate behaviour.

The Department investigated this issue and identified that the concerns raised likely related to a technical issue in the deployment of new software, with the effect on business operations being misinterpreted.

New software was deployed to Whitehorse Meals on Wheels in early July 2023. However, the software deployed was not yet fully operational in line with technical specifications. One of those specifications related to data extraction. Due to this, a short-term workaround was put in place where the software developer, under sub-contract with Miles Morgan Australia, provided information through back-end data extraction.

This issue was temporary in nature and has since been resolved.

Based on the question raised, it appears that the manual provision of data by the software developer was **interpreted as** potentially nefarious. Newcastle Meals on Wheels have confirmed there were no issues relating to data and privacy obligations, and that appropriate data governance was in place.

For clarity, Newcastle Meals on Wheels (NMOW) owns the client data at Whitehorse as per their CHSP contract. Under their Commonwealth Home Support Program (CHSP) contract and as outlined in the CHSP manual, service providers must have systems in place to allow them to meet their service delivery, data collection and reporting obligations as outlined in their CHSP Grant Agreement, this includes protecting a client's privacy and confidentiality. NWOW has confirmed they have an agreement with their new software provider to ensure full implementation of data security measures. MMA also signed an agreement with NMOW to maintain data security to the extent that MMA had access to this information.

2. **Question:** Is the Department aware of changes in Directors at Miles Morgan Australia.

Answer: No. The Department would expect MMA to provide appropriate notification of changes in key project personnel but not on general personnel changes within their organisation. Since the commencement of the project, there have been no changes to key project personnel.

3. **Question:** Is MoW Whitehorse only delivering Lite N' Easy and does Lite N' Easy meet the nutritional guidelines?

Answer: Whitehorse have a 3-tiered menu offer that is sourced from 4 different food suppliers, one of which is Lite N' Easy:

- A regular frozen supplier
- A modified food frozen supplier
- Two fresh food suppliers

Lite N' Easy is known to have entered the ready to eat market with a focus on weight-loss. It is understood that the meals developed for this purpose do not meet the National Meals Guidelines. This is not surprising given the stated purpose of the meals.

This is likely to be the source of questions being raised about Whitehorse, however, this is not the product range that Whitehorse utilises.

Lite N' Easy worked closely with nutritionists to develop a separate product range specifically targeted to the nutritional needs of older Australians. This range is entitled "My Choice" and is the range that Whitehorse utilises.

One caveat is that Whitehorse does have a very small number of Lite N' Easy vegetarian meals that are understood to likely not meet the National Meals Guidelines (**based on**

appropriate portion sizes). This is to ensure older Australians have as much choice as possible in their menu options, with the provision of vegetarian meals that meet the National Meals Guidelines an ongoing area of work across meals on wheels network.

The department notes that these questions, while of interest to the Senate, have arisen due to fractured relationships within the Meals on Wheels network. In order to address misinformation, even under positive intent, the department is requesting that Meals on Wheels Victoria and Newcastle Meals on Wheels develop a relationship that can avoid misunderstandings into the future.

Lastly, the department would like to clarify the ownership of the Intellectual Property (IP) produced as part of the MMA contract. Under the Head Agreement, the department owns the relevant material created under the contract and has the right to use any other pre-existing material supplied with it. There is an ongoing process to determine the ownership of the technological products moving forward. Neither MMA of the department hold an intent to own the IP, it is expected the users of the technology will take ongoing responsibility of the IP.

Regards

s47E(c), s47F

Many thanks,

s47E(c), s47F

- CHSP and Continence Policy

Home Support Operations Branch

Home and Residential Division | Ageing and Aged Care Group

Australian Government, Department of Health and Aged Care

T: 6289 s47E(c), s47F @health.gov.au

Location: Level 7, Sirius Building

GPO Box 9848, Canberra ACT 2601, Australia

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From: [CONNOLLY, Thea](#)
To: s47E(c), s47F
Cc: s47E(c), s47F ; [HERALD, Russell](#); s47E(c), s47F ; [WOOD, Emma](#); s47E(c), s47F
Subject: RE: For Tabling Office: OPD 393 Future Fit and Miles Morgan Australia [SEC=OFFICIAL]
Date: Wednesday, 20 December 2023 1:03:00 PM
Attachments: [image001.png](#)

Please hold until I have spoken to s47F you will see an email from me confirming, Thea

From: s47E(c), s47F
Sent: Wednesday, 20 December 2023 12:51 PM
To: s47E(c), s47F
Cc: s47E(c), s47F ; CONNOLLY, Thea ; HERALD, Russell ; s47E(c), s47F ; WOOD, Emma ; s47E(c), s47F
Subject: For Tabling Office: OPD 393 Future Fit and Miles Morgan Australia [SEC=OFFICIAL]

Importance: High

Hey s47E(c), s47F

Confirming I dropped the four copies of the OPD pack to the DLOs this morning at 11.40am.

Can I get your assistance with sending the zipped file to the Senate Table Office at

s47E(d) [@aph.gov.au](mailto:s47E(d)@aph.gov.au) (cc: s47E(d) [@health.gov.au](mailto:s47E(d)@health.gov.au))?

Thanks for all your help!

Many thanks,

s47E(c), s47F

- CHSP and Continence Policy

Home Support Operations Branch

Home and Residential Division | Ageing and Aged Care Group

Australian Government, Department of Health and Aged Care

T: 6289 s47E(c), s47F [@health.gov.au](mailto:s47E(c), s47F@health.gov.au)

Location: Level 7, Sirius Building

GPO Box 9848, Canberra ACT 2601, Australia

The Department of Health and Aged Care acknowledges First Nations peoples as the Traditional Owners of Country throughout Australia, and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to all Elders both past and present.

This document has been released under the Freedom of Information Act 1982 by the Department of Health, Disability and Ageing

From: [CONNOLLY, Thea](#)
To: s47F
Cc: [WOOD, Emma](#); s47E(c), s47F; [HRD Executive](#); s47E(c), s47F; [HERALD, Russell](#); s47E(c), s47F; [LYE, Michael](#); s47E(c), s47F; [Minister Wells DLO](#); [Minister Butler DLO](#); s47E(c), s47F; s47E(c), s47F
Subject: RE: Order for the Production of Documents 393 - Future Fit Miles Morgan [SEC=OFFICIAL:Sensitive]
Date: Wednesday, 20 December 2023 1:19:37 PM
Attachments: [OPD 393 - Emails Contracts and deliverables pack v4_Redacted.PDF](#)

Now with just the PDF attachment, as intended. Thea

From: CONNOLLY, Thea
Sent: Wednesday, 20 December 2023 1:12 PM
To: s47F @Health.gov.au>
Cc: WOOD, Emma <Emma.Wood@health.gov.au>; s47E(c), s47F @health.gov.au>; s47E(c), s47F @health.gov.au>; HRD Executive s47E(d) @Health.gov.au>; s47E(c), s47F @health.gov.au>; HERALD, Russell <Russell.Herald@health.gov.au>; s47E(c), s47F @Health.gov.au>; LYE, Michael <Michael.LYE@health.gov.au>; s47F @Health.gov.au>; Minister Wells DLO s47E(d) @Health.gov.au>; Minister Butler DLO s47E(d) @Health.gov.au>; s47E(c), s47F @Health.gov.au>; s47E(c), s47F @Health.gov.au>; s47E(c), s47F @Health.gov.au>; s47E(c), s47F @Health.gov.au>
Subject: Order for the Production of Documents 393 - Future Fit Miles Morgan [SEC=OFFICIAL:Sensitive]

Hi s47F

Please see attached the OPD #393 pack that the DLOs will support us to provide to the President of the Senate for tabling out of session by the deadline of midday tomorrow. Consistent with our advice to the Minister and the Committee, we redacted commercially sensitive information or information not pertinent to the OPD that would be unhelpful to the relationships reset withing MoW.

We have updated the index (pages 3-4 in the PDF) since we briefed the Minister last week. The changes include:

- Addition of a title page and the signed transmittal letter from Minister Wells
- Inclusion of index into the PDF
- Addition of page numbers to mark the start of each document in the index
- Information Bulletins have been renamed to 'Future Fit Governance Paper - Status report' to better align with the contract deliverables
 - Location of "Future Fit Governance Paper - Status report 9, 10, 11, 12, 13, 14, 15" reorganised in the index to match the corresponding location in the PDF.
 - Bookmarks for these seven (7) documents added to the PDF
- Reference added to the index for the document titled "Emails between the Department of Health and Aged Care and Miles Morgan Australia" within the PDF

Next steps:

1. My team has delivered the required 4 copies of the OPD pack to the office today.
2. The DLOs will deliver 3 copies to the Senate Tabling Office and one copy to Senator Rice's

office.

3. The Parliamentary team will email a copy to Senate Tabling Office at s47E(d) @aph.gov.au (cc: s47E(d) @health.gov.au).
4. I've attached a note below that you may wish to provide to Senator Rice's adviser/office addressing 3 questions she posed to Michael and I at our private briefing for the Community Affairs Committee on 7 December 2023. I've also clarified the ownership of the intellectual property of the Miles Morgan Australia contract. If you'd prefer we conveyed this information to Senator Rice in some other way I can do that.
5. I have copied in s47F in Minister Butler's office for visibility. You may wish to consider alerting Minister Gallagher's office, noting she requested the extension to table, but was not required to be involved in out of session tabling.

This is what my call was about. Happy to discuss

Regards

Thea

s47F

1. **Question:** Is Whitehorse Meals on Wheels (Whitehorse) client data being inappropriately accessed by Miles Morgan Australia (MMA).

Answer: There is no evidence of inappropriate behaviour.

The Department investigated this issue and identified that the concerns raised likely related to a technical issue in the deployment of new software, with the effect on business operations being misinterpreted.

New software was deployed to Whitehorse Meals on Wheels in early July 2023. However, as sometimes occurs with new releases the software deployed was not yet fully operational in line with technical specifications. One of those specifications related to data extraction. Due to this, a short-term workaround was put in place where the software developer, under sub-contract with Miles Morgan Australia, provided information through back-end data extraction. This issue was temporary in nature and has since been resolved.

Based on the question raised, it appears that the manual provision of data by the software developer was interpreted as potentially problematic. Newcastle Meals on Wheels have confirmed there were no issues relating to data and privacy obligations, and that appropriate data governance was in place.

For clarity, Newcastle Meals on Wheels (NMOW) owns the client data at Whitehorse as per their Commonwealth Home Support Program (CHSP) contract. Under their CHSP contract and as outlined in the CHSP manual, service providers must have systems in place to allow them to meet their service delivery, data collection and reporting obligations as outlined in their CHSP Grant Agreement, this includes protecting a client's privacy and confidentiality.

NWOW has confirmed they have an agreement with their software provider to ensure full implementation of data security measures. MMA also signed an agreement with NMOW to maintain data security to the extent that MMA had access to this information.

2. **Question:** Is the Department aware of changes in Directors at Miles Morgan Australia.

Answer: No. The Department would expect MMA to provide appropriate notification of changes in key *project* personnel but not on general personnel changes within their organisation. Since the commencement of the project, there have been no changes to key project personnel.

3. **Question:** Is MoW Whitehorse only delivering Lite N' Easy and does Lite N' Easy meet the nutritional guidelines?

Answer: Whitehorse have a 3-tiered menu offer that is sourced from 4 different food suppliers, one of which is Lite N' Easy:

- A regular frozen supplier
- A modified food frozen supplier
- Two fresh food suppliers

Lite N' Easy is known to have entered the 'ready to eat' meals market with a focus on weight-loss. It is understood that the meals developed for that purpose do not meet the National Meals Guidelines. This is not surprising given the stated purpose of the meals. This is not the product range that Whitehorse utilises.

Lite N' Easy worked closely with nutritionists to develop a separate product range specifically targeted to the nutritional needs of older Australians. This range is entitled "My Choice" and is the range that Whitehorse utilises.

One caveat is that Whitehorse does have a very small number of Lite N' Easy vegetarian meals that are understood to likely not meet the National Meals Guidelines (based on appropriate portion sizes). This is to ensure older Australians have as much choice as possible in their menu options, with the provision of vegetarian meals that meet the National Meals Guidelines an ongoing area of work across Meals on Wheels network.

4. **Advice:** Lastly, the department would like to clarify the ownership of the Intellectual Property (IP) produced as part of the MMA contract. Under the Head Agreement, the Commonwealth owns the relevant material created under the contract and has the right to use any other pre-existing material supplied with it. There is an ongoing process to determine the ownership of the technological products moving forward. Neither MMA of the department hold an intent to own the IP, it is expected the users of the technology will take ongoing responsibility of the IP.