



Administrator
National Health
Funding Pool



**National Health
Funding Body**

Data Governance Policy

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Preface

The Data Governance Policy details the information collected, the purpose for the collection, its use, storage, disclosure, and disposal, by the Administrator of the National Health Funding Pool and the National Health Funding Body (NHFB).

The security of all data provided by jurisdictions is of particular importance.

All data requested is either not identified, or de-identified, that is, the data does not contain identifiers as defined by the [Privacy Act 1988](#). We use de-identified information for the purposes of carrying out our work under the NHR Act, NHR Agreement and Addendum. While de-identification does not remove the chances of spontaneous recognition by people in a specific setting, the risk is actively managed through controls and data access safeguards as per [OAIC guidance](#).

Additionally, the NHFB has systems and processes in place for the collection and storage of data in line with the [Commonwealth's Protective Security Policy Framework](#).

The NHFB has embedded the five safes framework into our approach in making decisions about sharing and releasing data and any disclosure of data must be in accordance with provisions under the NHR Act.

This document will be updated as necessary to ensure these arrangements reflect changes in the legislative environment and best practice data and information management.

Additional information on the data required by the Administrator is detailed in the Administrator's Three-Year Data Plan and is available from the website at www.publichospitalfunding.gov.au



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Role of the Administrator and NHFB

The Administrator of the National Health Funding Pool (the Pool) and the National Health Funding Body (NHFB) were established through the Council of Australian Governments National Health Reform Agreement (NHR Agreement) of August 2011.

The primary functions of the NHFB are to assist the Administrator in:

- Calculating and advising the Commonwealth Treasurer of the Commonwealth's contribution to public hospital funding in each State and Territory
- Reconciling estimated and actual public hospital services, and adjusting Commonwealth payments
- Undertaking funding integrity analysis to identify public hospital services that potentially received funding through other Commonwealth programs
- Monitoring payments of Commonwealth, State and Territory public hospital funding into the Pool
- Making payments from the Pool to each Local Hospital Network (LHN)
- Reporting publicly on NHR Agreement funding, payments, and services
- Developing and providing three-year data plans to the Commonwealth, States and Territories.

The Administrator is independent of Commonwealth, State and Territory governments. The functions of the Administrator are set out in the *National Health Reform Act 2011* (NHR Act) and common provisions in relevant State and Territory legislation.

The Five Safes Framework

The NHFB uses the Five Safes framework to support management of the privacy and confidentiality of data. The Data Availability and Transparency Bill 2020 includes reference to Data Sharing Principles based on the Five Safes framework.

The Five Safes is an approach to thinking about, assessing and managing risks associated with data sharing and release. The Five Safes has been embedded into the NHFB's *Data Governance and Release Framework* which outlines the structure of policies, roles, procedures and systems that will be used to support data management.

Information collected

Table 1 provides a summary of the information collected or produced by the Administrator and the NHFB. The Administrator's rolling Three Year Data Plan provides further detail on the information required by the Administrator to undertake their functions. The information required is dependent on the provision of data by a number of stakeholders and the Administrator and the NHFB will not disclose the information unless it complies with legislation.

Table 1 Summary of information collected or produced¹

Information	Category	Level of detail	Provided by / derived by	Purpose of data	Data Steward
Public Health Funding	Financial data	State and Territory	Commonwealth Department of Health, Disability and Ageing	Calculation of Commonwealth contribution	Director Data, Modelling & Analysis
Service estimates	Hospital activity data	Service category within LHN	States and Territories	Calculation of Commonwealth contribution	
Service Agreements	Activity and financial data	LHNs	States and Territories	Calculation of Commonwealth contribution and reporting	
Highly Specialised Therapies Data	Activity and financial data	Patient Level	IHACPA/States and Territories	Reconciliation and funding integrity	
Hospital service activity data	De-identified	Patient level	States and Territories	Reconciliation and funding integrity	
Medicare PIN for hospital activity data	De-identified	Patient level	States and Territories through Services Australia	Reconciliation and funding integrity	
Medicare Benefits Schedule (MBS) claims data	De-identified	Patient level	Commonwealth Department of Health, Disability and Ageing	Reconciliation and funding integrity	
Pharmaceutical Benefits Scheme (PBS) claims data	De-identified	Patient level	Commonwealth Department of Health, Disability and Ageing	Reconciliation and funding integrity	

¹ Any data that directly identifies an individual has been removed from the data prior to the NHFB receiving it

Information	Category	Level of detail	Provided by / derived by	Purpose of data	Data Steward
Matched hospital activity data with MBS claims data	De-identified	Patient level	NHFB from linking hospital service activity and MBS claims data	Reconciliation and funding integrity	Director Data, Modelling & Analysis
Matched hospital activity data with PBS claims data	De-identified	Patient level	NHFB from linking hospital service activity and PBS claims data	Reconciliation and funding integrity	
Hospital Casemix Protocol (HCP) data	De-identified	Patient level	Commonwealth Department of Health, Disability and Ageing	Reconciliation and funding integrity	
Private Hospital Data Bureau (PHDB) data	De-identified	Patient level	Commonwealth Department of Health, Disability and Ageing	Reconciliation and funding integrity	
Matched hospital activity data with HCP data	De-identified	Patient level	NHFB from linking hospital service activity and HCP data	Reconciliation and funding integrity	
Funding and payment transactions	Financial data	LHNs and third party	States and Territories and NHFB	Reporting national health reform funding and payments	Chief Financial Officer
Bank account details	Financial data	LHNs and third party	States and Territories	Payment of Commonwealth and State and Territory contributions via the Pool	
Monthly report data	Financial data	Service category within LHN	States and Territories and NHFB	Publication of monthly reports	Deputy Chief Executive
Correspondence from stakeholders	To be assessed when provided	To be assessed when provided	Various	Various	

Information governance principles

The Administrator and the NHFB are committed to transparency and open access to information where appropriate and complies with legislation. In determining if information can be released or disclosed, consideration will be given to the following principles.

Principle 1 – Adherence to Sections 245, 268 and 270 of NHR Act

Under Section 245, the Administrator is required to provide to the Responsible Minister any information requested by that Responsible Minister that relates to their jurisdiction.

Sections 268 and 270 set out circumstances in which information may be disclosed by the Administrator and the NHFB, relevantly including where:

- the disclosure is for the purposes of the NHR Act (or, in the case of the Administrator, a National Health Reform law); or
- the disclosure is for the purposes of the performance of the functions of the Administrator and the NHFB under the NHR Act (or, in the case of the Administrator, a National Health Reform law); or
- the disclosure is in the course of a person's employment or service in the capacity as the Administrator or as an official of the NHFB.

Principle 2 – Consistency with role

The release or disclosure of the requested information is within the terms of the Administrator's and NHFB's remits and safeguards their independence.

This includes:

- Promotion of data sharing data within government, to drive service improvement and outcome delivery
- Development of tools, processes, frameworks and arrangements to facilitate data sharing; and
- Governance and monitoring of data sharing arrangements.

Principle 3 – Compliance with legislation

The NHR Act, the Addendum, and the National Health Reform laws of each State and Territory govern the role, functions, and responsibilities of the Administrator and the NHFB. Information released or disclosed must comply with legislative requirements. Legislation includes but is not limited to:

- *National Health Reform Act 2011*
- *National Health Reform Agreement*
- *Public Governance, Performance and Accountability Act 2013*
- *Privacy Act 1988*
- *Freedom of Information Act 1982*
- *Commonwealth Data Availability and Transparency Act 2022*
- *Health Services Act 1997 – New South Wales*
- *Health (Commonwealth State Funding Arrangements) Act 2012 – Victoria*
- *Hospital and Health Boards Act 2011 – Queensland*
- *National Health Funding Pool Administration (South Australia) Act 2012 – South Australia*
- *National Health Funding Pool Act 2012 – Western Australia*
- *National Health Funding Administration Act 2012 – Tasmania*
- *Health (National Health Funding Pool and Administration) Act 2013 – Australian Capital Territory*
- *National Health Funding Pool and Administration (National Uniform Legislation) Act 2012 – Northern Territory*

Use of Artificial Intelligence (AI)

The NHFB seeks to enhance the quality and efficiency of our services through our commitment to innovation and excellence. We may pursue utilising AI to take advantage of the benefits the technology provides while carefully managing the risks to support our vision of improving the transparency of public hospital funding in Australia.

The NHFB may use both generative and narrow model AI and in accordance with the Digital Transformation Agency (DTA) Classification systems for use, we may use AI as described below:

- Usage Patterns includes providing insights through analytics and enhancing workplace productivity. This allows our people to focus on more complex and meaningful work.
- Domains may include corporate and enabling, service delivery and data analysis.

All outputs generated with the assistance of AI in the NHFB will be assessed by a human to provide meaningful assessment and oversight and not for decision making purposes.

See the full AI Transparency Statement on our [website](#).

Release of protected Administrator information

The information received or derived by the Administrator and the NHFB is defined as ‘protected Administrator information’ and ‘protected Funding Body information’ respectively.

Section 5 of the NHR Act states the following:

- a) *protected Administrator information means information that was obtained by a person in the person’s capacity as the Administrator; and*
- b) *protected Funding Body information means information that:*
 - i. *was obtained by a person in the person’s capacity as an official of the Funding Body; and*
 - ii. *relates to the affairs of a person other than an official of the Funding Body.*

Under section 245 of the NHR Act, the Administrator may release protected Administrator information to the responsible Minister for a jurisdiction in the following circumstances:

Table 2 Release of protected Administrator information

Who	Circumstance
Responsible Minister for a jurisdiction	The Administrator is required to provide to the responsible Minister for a jurisdiction any information requested by that responsible Minister that relates to that jurisdiction.
Responsible Ministers of all jurisdictions	The Administrator is required to provide to the responsible Ministers of all jurisdictions a copy of advice provided by the Administrator to the Treasurer of the Commonwealth about the basis on which the Administrator has calculated the payments to be made into State Pool Accounts by the Commonwealth.
Responsible Minister for that jurisdiction	The Administrator may at any time provide any information that relates to a jurisdiction to the responsible Minister for that jurisdiction.
Information relating to another jurisdiction	Any information relating to a jurisdiction that is provided by the Administrator to another jurisdiction may only be publicly released by that other jurisdiction in accordance with arrangements approved by the responsible Minister for the jurisdiction to which the information relates.

In addition, each of the following is an exception to the prohibition on the disclosure or use of protected Administrator information under section 268(1) of the NHR Act:

- a) the disclosure or use is authorised by the NHR Act or by a National Health Reform law of a State or Territory;*
- *the disclosure or use is in compliance with a law of the Commonwealth or a law of a State or Territory;*
 - *the disclosure or use is for the purposes of the NHR Act or a National Health Reform law of a State or Territory;*
 - *the disclosure or use is for the purposes of the performance of the functions of the Administrator under the NHR Act or a National Health Reform law of a State or Territory;*
 - *the disclosure or use is in the course of the Administrator's employment or service as the Administrator;*
 - *the disclosure or use is in accordance with a direction given by COAG under subsection 238(3);*
 - *the disclosure is to the Treasurer of the Commonwealth or a State or Territory, or to the responsible Minister for the Commonwealth or a State or Territory;*
 - *the disclosure is of information that relates to the affairs of a person with consent of the person; and*
 - *the disclosure is of information that has already been lawfully made available to the public.*

Release of protected NHFB information

Section 269 of the NHR Act provides that each of the following is an exception to the prohibition on the disclosure or use of protected NHFB information:

- *the disclosure or use is authorised by Division 2 of Part 5.4 of the NHR Act; and*
- *the disclosure or use complies with a requirement under a law of the Commonwealth or a prescribed law of a State or a Territory.*

Division 2 of Part 5.4 of the NHR Act authorises the disclosure or use of protected NHFB information in the circumstances outlined in the NHR Act as per **Table 3** below:

Table 3 Disclosure of protected NHFB information

Who	Circumstance
Disclosure for the purposes of the NHR Act Section 270	<p>An official of the Funding Body may disclose or use protected Funding Body information if:</p> <ul style="list-style-type: none"> • The disclosure or use is for the purposes of the NHR Act; or • The disclosure or use is for the purposes of the performance of the functions of the Funding Body under the NHR Act; or • The disclosure or use is in the course of the official's employment or service as an official of the Funding Body
Disclosure to the Minister Section 271	<p>An official of the Funding Body may disclose Protected Funding Body Information to:</p> <ul style="list-style-type: none"> • The Minister; or The Treasurer
Disclosure to State/Territory Health Ministers Section 272	<p>An official of the Funding Body may disclose protected Funding Body information to a State/Territory Health Minister</p>
Disclosure to the Secretary etc. Section 273	<p>An official of the Funding Body may disclose protected Funding Body information to:</p> <ul style="list-style-type: none"> • The Secretary of the Commonwealth Department of Health and Aged Care; or The Head (however described) of the Health Department of a State or Territory
Disclosure to a Royal Commission Section 274	<p>An official of the Funding Body may disclose protected Funding Body information to a Royal Commission</p> <p>The Funding Body CEO may, by writing, impose conditions to be complied with in relation to protected Funding Body information disclosed under subsection (1)</p> <p>An instrument under subsection (2) is not a legislative instrument</p>

Who	Circumstance
Disclosure to certain agencies, bodies or persons Section 275	<p>Scope</p> <p>If the Administrator or the Funding Body CEO is satisfied that particular protected Funding Body information will enable or assist any of the following agencies, bodies or persons:</p> <ul style="list-style-type: none"> a) The Australian Commission on Safety and Quality in Health Care; b) The Independent Health and Aged Care Pricing Authority; c) The Administrator; d) The Standing Council on Health²; e) Health Chief Executives Forum³ (HCEF) f) The Australian Institute of Health and Welfare; g) The Australian Statistician; h) A State/Territory government body that has functions relating to health care; i) An agency, body or person specified in a legislative instrument made by the Minister with the agreement of the Health Council; j) to perform or exercise any of the functions or powers of the agency, body or person. <p>the Health Council is to give its agreement for the purposes of paragraph (1)(j) by a written resolution of the Health Council passed in accordance with the procedures determined by the Health Council⁴.</p> <p>Disclosure</p> <p>If an official of the Funding Body is authorised by the Administrator or the Funding Body CEO, in writing, for the purposes of this section, the official may disclose that protected Funding Body information to the agency, body or person concerned.</p> <p>If protected Funding Body information is disclosed under subsection (3) to an agency, body or person, the agency, body or person must not disclose or use the information for a purpose other than the purpose for which the information was given to the agency, body or person.</p>

² Now known as Health Ministers' Meeting (HMM)

³ Formally known as the Australian Health Ministers Advisory Council (AHMAC)

⁴ Formally known as COAG Health Council

Who	Circumstance
Disclosure to Researchers Section 276	<p>Scope</p> <p>This section applies if the Administrator or the Funding Body CEO is satisfied that particular protected Funding Body information will assist an agency, body or person to conduct research</p> <p>Disclosure</p> <p>If an official of the Funding Body is authorised by the Administrator or the Funding Body CEO, in writing, for the purposes of section 276, the official may disclose that protected Funding Body information to the agency, body or person concerned.</p> <p>An official of the Funding Body must not disclose information under subsection (2) if the information is likely to enable the identification of a particular patient.</p>
Disclosure with Consent Section 277	<p>An official of the Funding Body may disclose protected Funding Body information that relates to the affairs of a person if:</p> <ul style="list-style-type: none"> • The person has consented to the disclosure; and • The disclosure is in accordance with that consent.
Disclosure of Publicly Available Information Section 278	<p>An official of the Funding Body may disclose protected Funding Body information if it is already publicly available.</p>

The Administrator and the NHFB are committed to respond to information requests in a professional and timely manner. Requests for release or disclosure of protected Administrator information and protected NHFB Information must be in writing and requested via nhfa.administrator@nhfa.gov.au

Data Roles

Table 4 NHFB data roles and accountabilities

Role	Related Data Asset	Accountabilities
Data Owners: CEO NHFB / Administrator	Protected NHFB Information and NHFB Corporate data assets In conjunction with the Administrator, oversight, and management of Protected Administrator Information.	<ul style="list-style-type: none"> • Final Approver for Protected NHFB Information • Final Approver for NHFB data assets • Data Governance Policy • Ensures the proper use of data assets is within legal requirements and NHFB objectives.
Data Stewards: <ul style="list-style-type: none"> - Deputy Chief Executive Officer - Director Data, Modelling and Analysis - Chief Finance Officer - Director Policy, Planning and Performance) 	Various specific data sets relating to their area of responsibility such as human resourcing, calculation, payments, reporting etc	<ul style="list-style-type: none"> • Authorise access to and release of their data assets • Development of documentation, business rules, data standards and data quality rules for the use and development of their data assets with the assistance of the Subject Matter Experts (SMEs) • First point of contact for all data governance issues and change control processes for their data assets • Assess impact of any high-risk data governance issues and escalate to relevant Data Owners with supporting recommendations

Role	Related Data Asset	Accountabilities
Data Custodians: Security Advisor and ICT Services and Security provided by the Department of Health, Disability and Ageing under a Shared Services Agreement	Enterprise Data Warehouse, Records Management System (TRIM) and desktop software	<ul style="list-style-type: none"> • Maintenance and administration of the technical security of data sets • Ensure technical processes support the use and security of the data assets • Technical provision of accesses as directed by the relevant data steward • Maintenance of data storage for ongoing data security and integrity
Data Analysts	Data Asset Register	<ul style="list-style-type: none"> • Support development and documentation of enterprise-wide data and information management standards • Data Steward of the Data Asset Register
Subject Matter Experts (SMEs)	Various specific data sets relating to their area of responsibility such as human resourcing	Use data to undertake designated roles and associated processes
All NHFB staff (including contractors)	Calculation, payments, reporting etc	<ul style="list-style-type: none"> • Raise data-related concerns, issues and problems to the relevant Data Steward • Knowledge share with the relevant Data Steward • Work within the current data governance policies and best practices

NHFB Data Holdings

Table 5 The Administrator and NHFB's data holdings

Who	Circumstance
Estimated National Weighted Activity Unit (NWAU)	Data submitted by the States and Territories providing an estimate of the hospital activity for a financial year by Local Hospital Network (LHN) and/or the Service Category.
Commonwealth Contribution Model (CCM)	Using data provided by the States and Territories, information provided by the IHACPA and information from the Commonwealth Government, the Commonwealth Contribution Model (CCM) is used to calculate Commonwealth funding to the States and Territories.
Payment Advice	Payment calculations are advised to the States and Territories in the form of amounts, recipients, and purpose of payments.
Reconciliation (Actual NWAU)	Reconciliation of estimate and actual hospital activity data provided by States and Territories to adjust for any variances and determine final payments (six-monthly and annually)
Funding integrity	De-identified patient activity data in the form of Submission A (provided by States and Territories via IHACPA) and Submission B (provided by States and Territories via Services Australia) seek to identify any Commonwealth payments made more than once for the same hospital service
Monthly Reporting	The National Health Reform (NHR) payments by State, Territory and Commonwealth governments are provided to local hospital networks. Monthly Reports are provided at National level, State or Territory level, local hospital network level within each State and Territory and Service Category level.
Compliance Reporting	The Commonwealth, State and Territory compliance with the data requirements specified in the Administrator's Three-Year Data Plan and reported in the Quarterly Compliance Reports
Corporate	Information relating to NHFB corporate matters including Financial, Human Resources, Procurement, Internal Audit and Assurance, Policies and Procedures, Secretariat, Annual Reports and Corporate Plan.

Data Security and Storage Arrangements

There is commitment to the security of all data, and particularly patient level data submitted by States and Territories. The Commonwealth Department of Health, Disability and Ageing Enterprise Data Warehouse is being used as a secure facility for the submission, storage and dissemination of data to enable the Administrator's reconciliation processes including National Weighted Activity Unit (NWAU) calculation and determination of activity-based funding eligibility.

The Administrator and the NHFB are reliant on the assurances provided by the Commonwealth Department of Health, Disability and Ageing to attest the security and storage arrangements of the data. Where appropriate, security measures and standards employed are consistent with those provided within the Protective Security Policy Framework (PSPF) issued by the Commonwealth Department of Home Affairs and, the Australian Government Information Security Manual (ISM) issued by the Australian Signals Directorate.

Data archiving and disposal

As a data asset ages, it may become necessary to archive or dispose of it, depending on any future use requirements and its sensitivity. The NHFB is obligated by the requirement outlined in the NHR Act and the Agreement supported by broader legislation contained in the Archives Act 1983 and the Public Governance, Performance and Accountability Act 2013 when archiving or disposing of information collected and managed by the NHFB, in accordance with its Records Authority 2020/00197566.

Privacy

Both the Administrator and the NHFB are entities for the purposes of the Commonwealth *Privacy Act 1988* and are required to comply with the Australian Privacy Principles (APPs) set out in that Act. The APPs apply to sensitive and personal information.

More information on the Commonwealth Department's Data Strategy can be found [here](#).