



Queensland

Hospital and Health Boards (Health Equity Strategies) Amendment Regulation 2021

Subordinate Legislation 2021 No. 34

made under the

Hospital and Health Boards Act 2011

Contents

		Page
1	Short title	2
2	Commencement	2
3	Regulation amended	2
4	Amendment of s 3 (Establishment of Hospital and Health Services—Act, s 17)	2
5	Insertion of new ss 11C and 11D	2
	11C Definitions for part	2
	11D Prescribed persons—developing health equity strategies	4
6	Amendment of s 12 (Prescribed requirements for clinician engagement strategies)	4
7	Amendment of s 13 (Prescribed requirements for consumer and community engagement strategies)	4
8	Insertion of new ss 13A and 13B	5
	13A Prescribed requirements for health equity strategies	5
	13B Prescribed persons—giving effect to health equity strategies	7
9	Amendment of s 14 (Prescribed requirements for protocol with local primary healthcare organisations)	8
10	Amendment of sch 1 (Hospital and Health Services)	8
11	Amendment of sch 6 (Dictionary)	8

[s 1]

1 Short title

This regulation may be cited as the *Hospital and Health Boards (Health Equity Strategies) Amendment Regulation 2021*.

2 Commencement

This regulation commences on 30 April 2021.

3 Regulation amended

This regulation amends the *Hospital and Health Boards Regulation 2012*.

4 Amendment of s 3 (Establishment of Hospital and Health Services—Act, s 17)

Section 3, ‘Service area’—

omit, insert—

health service area

5 Insertion of new ss 11C and 11D

Before section 12—

insert—

11C Definitions for part

In this part—

Aboriginal and Torres Strait Islander community-controlled health organisation means a body corporate that—

- (a) has a governing body whose members are Aboriginal people or Torres Strait Islander people elected by a local Aboriginal or Torres Strait Islander community; and
- (b) has rules preventing the distribution of the association’s property to its members; and

-
- (c) delivers health services to the local Aboriginal or Torres Strait Islander community.

chief Aboriginal and Torres Strait Islander health officer means the public service officer employed in the department who is appointed as the chief Aboriginal and Torres Strait Islander health officer.

community includes a group or organisation consisting of individuals with a common interest.

Examples of common interest—

- an interest in delivery of health services in a particular geographic location
- an interest in particular health issues
- a common cultural background, religion or language

consumer includes the following—

- (a) an individual who uses or may use a health service;
- (b) the individual's family members, carers and representatives;
- (c) a group of, or organisation for, individuals mentioned in paragraph (a) or (b);
- (d) a representative of the group or organisation.

implementation stakeholders, for a Service's health equity strategy, see section 13B.

service-delivery stakeholders, for a Service's health equity strategy, means the following—

- (a) Aboriginal and Torres Strait Islander community-controlled health organisations in the Service's health service area;
- (b) local primary healthcare organisations for the Service.

[s 6]

11D Prescribed persons—developing health equity strategies

For section 40(2)(c) of the Act, the following persons are prescribed—

- (a) Aboriginal and Torres Strait Islander members of the Service’s staff;
- (b) Aboriginal and Torres Strait Islander consumers of health services delivered by the Service;
- (c) Aboriginal and Torres Strait Islander members of the community within the Service’s health service area;
- (d) traditional custodians and native title holders of land and waters in the Service’s health service area;
- (e) the implementation stakeholders for the strategy.

6 Amendment of s 12 (Prescribed requirements for clinician engagement strategies)

Section 12(c), after ‘consumer and community engagement strategy’—

insert—

, health equity strategy

7 Amendment of s 13 (Prescribed requirements for consumer and community engagement strategies)

- (1) Section 13(1)(c), after ‘clinician engagement strategy’—

insert—

, health equity strategy

- (2) Section 13(2)—

omit.

8 Insertion of new ss 13A and 13B

After section 13—

insert—

13A Prescribed requirements for health equity strategies

For section 40(3)(a) of the Act, a health equity strategy of a Service must—

- (a) state the Service's key performance measures, as agreed by the Service and the chief Aboriginal and Torres Strait Islander health officer, that relate to improving health and wellbeing outcomes for Aboriginal people and Torres Strait Islander people, including—
 - (i) actively eliminating racial discrimination and institutional racism within the Service; and
 - (ii) increasing access to healthcare services; and
 - (iii) influencing the social, cultural and economic determinants of health; and
 - (iv) delivering sustainable, culturally safe and responsive healthcare services; and
 - (v) working with Aboriginal people, Torres Strait Islander people and Aboriginal and Torres Strait Islander communities and organisations to design, deliver, monitor and review health services; and
- (b) set out the actions the Service will take to—
 - (i) achieve the key performance measures mentioned in paragraph (a), including through entering into partnership agreements or other arrangements with

[s 8]

the service-delivery stakeholders for the health equity strategy; and

- (ii) work with the implementation stakeholders for the health equity strategy to ensure greater collaboration, shared ownership and decision-making and the implementation of the strategy; and
- (iii) improve the integration of health service delivery between the Service and the service-delivery stakeholders; and
- (iv) provide inclusive mechanisms to support Aboriginal people and Torres Strait Islander people of all needs and abilities to give feedback to the Service; and

Example—

alternative mechanisms for Aboriginal people and Torres Strait Islander people experiencing vulnerabilities to give advice and feedback other than the use of an online or written form

- (v) increase workforce representation of Aboriginal people and Torres Strait Islander people across all levels of health professions and employment streams to levels at least commensurate with the health service area's Aboriginal and Torres Strait Islander population; and
- (c) state how the strategy aligns with—
- (i) the strategic and operational objectives of the Service; and
 - (ii) other strategies, policies, guidelines or directives made by, or applying to, the Service under the Act or another Act; and

Examples—

- the Service’s consumer and community engagement strategy
 - policies relating to the *Human Rights Act 2019*
- (iii) health equity strategies of other Services; and
- (iv) other national, state and local government strategies, policies, agreements and standards relevant to promoting shared decision-making, shared ownership and working in partnership with Aboriginal people and Torres Strait Islander people.

Examples—

- the National Agreement on Closing the Gap (2020)
- the Queensland Government Statement of Commitment to reframe the relationship between Aboriginal and Torres Strait Islander Peoples and the Queensland Government
- the Queensland Health Aboriginal and Torres Strait Islander Cultural Capability Framework 2010-2033 (2015)

13B Prescribed persons—giving effect to health equity strategies

For section 40(5) of the Act, the following persons (the *implementation stakeholders*) are prescribed—

- (a) the service-delivery stakeholders for the health equity strategy;
- (b) the chief Aboriginal and Torres Strait Islander health officer;
- (c) Queensland Aboriginal and Islander Health Council ABN 97 111 116 762;

[s 9]

(d) Health and Wellbeing Queensland established under the *Health and Wellbeing Queensland Act 2019*.

9 Amendment of s 14 (Prescribed requirements for protocol with local primary healthcare organisations)

Section 14(c), ‘and clinician engagement strategy’—

omit, insert—

, clinician engagement strategy and health equity strategy

10 Amendment of sch 1 (Hospital and Health Services)

(1) Schedule 1, column 2 heading, ‘Service area’—

omit, insert—

Health service area

(2) Schedule 1, entry for Children’s Health Queensland, column 2, ‘network’—

omit, insert—

service

11 Amendment of sch 6 (Dictionary)

Schedule 6—

insert—

Aboriginal and Torres Strait Islander community-controlled health organisation, for part 4, see section 11C.

chief Aboriginal and Torres Strait Islander health officer, for part 4, see section 11C.

community, for part 4, see section 11C.

consumer, for part 4, see section 11C.

implementation stakeholders, for a Service’s

health equity strategy, for part 4, see section 13B.
service-delivery stakeholders, for a Service's
health equity strategy, for part 4, see section 11C.

Endnotes

ENDNOTES

- 1 Made by the Governor in Council on 29 April 2021.
- 2 Notified on the Queensland legislation website on 30 April 2021.
- 3 The administering agency is Queensland Health.

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