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Department of Veterans' Affairs

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14 December 2023

Ms Alison Frame
Secretary of the Department of Veterans' Affairs
Department of Veterans' Affairs
Email: alison.frame@dva.gov.au

UniSA Clinical and Health Sciences
Adelaide
South Australia 5000

GPO Box 2471
Adelaide
South Australia 5001
Australia

t: **s 47F**

www.unisa.edu.au

CRICOS Provider Number 00121B

Dear Ms Frame

Department of Veterans' Affairs Veterans' MATES Program – University of South Australia

I refer to the letter from the **s 47F** (dated 17 August 2023) regarding the University's role in the Veterans' MATES Program. Given the longstanding relationship between the Department of Veterans' Affairs (DVA) and the University, it is disappointing that there has been no written response as requested.

The University has worked in good faith with DVA all along, and we therefore seek a written update with information and assurances that DVA has the necessary consents to enable the University to use and disclose the data supplied by DVA for the provision of those services.

As indicated in the previous letter, until those assurances are provided, the provision of services for the Veterans' MATES Program will continue to be suspended by the University. This was not a pause determined by DVA, as suggested in Senate Estimates on 15 November 2023.

Mr Andrew Kefford (Deputy Secretary Policy & Programs) indicated in Estimates that DVA has published information which provides in detail the basis on which DVA manages personal information in accordance with the *Privacy Act 1988* (Cth). The University is unaware of this information.

Mr Kefford also purported to speak on behalf of the University when asked about the response or feedback from the University to issues of DVA compliance with the Privacy Act in the context of the Program when he had no authority to do so.

Aside from our letter, the University has sought information from DVA in various discussions and written communications between University and DVA staff in respect of the privacy issues which require resolution. Satisfactory responses to some of these information requests are yet to be provided by DVA. Answers are still being sought by the University and a summary of the information requests which remain relevant are attached to this letter.

The University's enquiries included seeking confirmation from DVA as to the handling of requests from veterans regarding their personal information made to the University, but referred at DVA's request to DVA for handling. As no satisfactory confirmation has been received from DVA that these requests are being appropriately handled by DVA, it is not reasonable for the University to continue referring these requests to DVA for actioning. The University is now dealing with these requests directly.

I would appreciate the opportunity to speak with you about how we can address the issues above, and again I am also seeking reassurance in writing.

Yours sincerely

S 47F

University of South Australia

Encl. Attachment: Information sought from DVA

s 22 - Out of scope

s 22 - Out of scope

From: s 47F
To: s 47F [Sue](#)
Cc: s 47F [Kylie](#); s 47F
Subject: RE: Legal Advice: DVA MATES Deed of Variation [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege]
Date: Monday, 27 November 2023 5:14:42 PM
Attachments: [image003.png](#)
[image004.gif](#)
[image005.gif](#)

Dear Sue

Thank you for sending through the revised Deed of Variation.

We will arrange signing now, please send through the executable version when available.

Thank you

Kind Regards

s 47F

s 47F

University of South Australia | s 47F

tel s 47F

unisa.edu.au/connect/enterprise-hub/



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CRICOS No: 00121B

From: s 47F Sue s 47F

Sent: Wednesday, 22 November 2023 9:55 AM

To: s 47F

Cc: s 47F Kylie s 47F

Subject: FW: Legal Advice: DVA MATES Deed of Variation [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege]



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From: s 47F [Sue](#)
To: s 47F
Cc: s 47F [Kylie](#); s 47F
Subject: FW: Legal Advice: DVA MATES Deed of Variation [SEC=OFFICIAL:Sensitive, ACCESS=Legal-Privilege]
Date: Wednesday, 22 November 2023 10:25:29 AM
Attachments: [231290787E Deed of Variation - MATES - DVA101123 \(Legal Review\).docx](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.jpg](#)
[image007.jpg](#)

Dear s 47F

Further to your email below, the attached deed of variation has been reviewed and updated for your further consideration.

s 22 - Out of scope

Apologies for the delay in getting this back to you.

Thanks, Sue

Sue s 47F Assistant Director
Pharmacy Programs and Operations Section I Client Programs Branch
Program Delivery Division
Department of Veterans' Affairs
Tel s 47F

www.dva.gov.au



From: s 47F
Sent: Wednesday, 25 October 2023 1:41 PM
To: s 47F Sue s 47F
Cc: s 47F Kylie s 47F
Subject: DVA MATES Deed of Variation

Dear Sue

s 47F has forwarded the Deed of Variation to the MATES programme for review.

We have no concerns with the document. There are only two things to consider:

- i) Duration of the pause. Once s 47F and team have agreed this with the DVA that can be written in.

s 22 - Out of scope

For further discussion if required once the pause duration is agreed.

Kind Regards

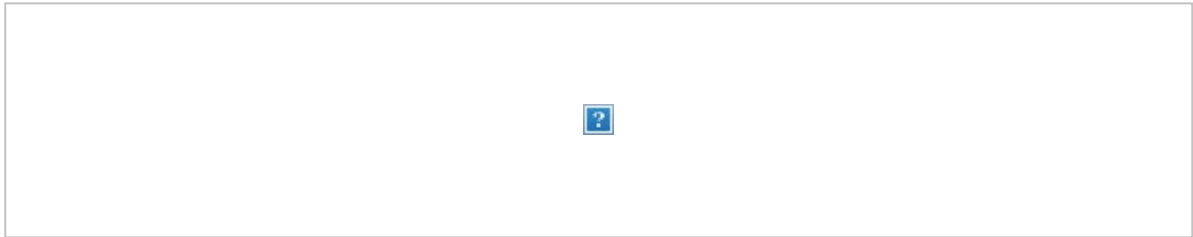
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University of South Australia | s 47F

tel s 47F

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CRICOS No: 00121B

From: s 47F [Sue](#)
To: s 47F
Cc: s 47F [Kylie](#)
Subject: Deed of Variation [SEC=OFFICIAL]
Date: Thursday, 12 October 2023 5:28:17 PM
Attachments: [231290787E_Deed of Variation - MATES - DVA121023.DOCX](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image009.jpg](#)
[image010.jpg](#)

Hi s 47F

Attached is the draft Deed of Variation relating to the pause of the program. For your consideration and agreement on the trigger for how the program will recommence.

Thanks, Sue

Sue s 47F Assistant Director
Pharmacy Programs and Operations Section | Client Programs Branch
Program Delivery Division
Department of Veterans' Affairs
Tel s 47F

www.dva.gov.au





Australian Government
Department of Veterans' Affairs

SECRETARY

s 47F

University of South Australia

Dear Professor **s 47F**

Thank you for your letter of 17 August 2023, which followed our meeting earlier that day, regarding the Veterans' MATES program (Program).

The Department of Veterans' Affairs (DVA) acknowledges the importance of complying with privacy obligations and individual requests in relation to participation in the Program, and the University of South Australia's (the University) support in this regard.

As you are aware, I have instructed DVA to pause provision of data to the University for the Program pending satisfactory resolution of issues associated with individual veteran requests to opt out of the program. I note your endorsement of this approach given in discussion with DVA First Assistant Secretary Program Delivery, Ms Leanne Cameron, on 28 August 2023.

I am advised it will likely be necessary to amend the Deed of Standing Offer for the Program to reflect decisions already made, and record future arrangements governing data provision and respecting the wishes of veterans in relation to participation in the Program. I seek your continuing assistance in bringing these matters to a speedy resolution.

DVA Deputy Secretary Policy & Programs, Mr Andrew Kefford PSM, will be in Adelaide in the week commencing 18 September 2023. I have asked Mr Kefford to seek a meeting with you and/or your team to progress these matters.

DVA thanks the University for its valuable work in the delivery of the Program and the contribution it has made to improving health and wellbeing outcomes in the veteran community. DVA remains committed to restarting the Program as soon as possible, and looks forward to continuing to work collaboratively with the University in the future.

Yours sincerely

s 47F

Alison Frame

12 September 2023

s 22 - Out of scope

From: s 47F Kylie s 47F
Sent: Wednesday, August 23, 2023 10:16 AM
To: s 47F
Cc: s 47F Sue s 47F Veterans'.Mates <xxxxxxxx@xxx.xxx.xx>
Subject: program pause - s 22 - Out of scope [SEC=OFFICIAL]

Hi s 47F

s 22 - Out of scope

Just letting you know that DVA is still considering the next steps and response to the UniSA letter advising of a pause of the program until the receipt from DVA of the requested information.

s 22 - Out of scope

Hope to be in a place for more of a conversation about definition of a 'program pause' (beyond no release of program materials) and next steps soon

Kind regards,

Kylie's 47F | Director
Pharmacy Programs and Operations
Client Programs Branch
Program Delivery Division
Department of Veterans' Affairs
's 47F
www.dva.gov.au



From: s 47F
To: s 47F [Kylie](#)
Cc: s 47F [Sue; Veterans'.Mates](#)
Subject: Re: positive program communications [SEC=OFFICIAL]
Date: Friday, 18 August 2023 9:51:57 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)
[image006.jpg](#)
[image008.jpg](#)

Hi Kylie,

I was not informed of any executive decision to suspend the program from UniSA, but we received advice recommending to wait for DVA advice on opt-out consent before sending further mailouts. As of now, I was not advised to stop topic development or the activities required for it (problem identification, stakeholder meetings, and so on).

s 22 - Out of scope

I would appreciate her involvement in this, given her knowledge of the program and UniSA's executive structure. It is certainly our preference to reduce impact on material development, ^{s 22 - Out of scope}

s 22 - Out of scope

Cheers,

s 47F

UniSA Clinical and Health Sciences | University of South Australia
GPO Box 2471 Adelaide SA 5001
Mobile: s 47F

From: s 47F Kylie s 47F
Sent: Thursday, 17 August 2023 7:58:32 PM
To: s 47F
Cc: s 47F Sue; Veterans'.Mates
Subject: RE: positive program communications [SEC=OFFICIAL]

Apologies s 47F I need to correct the information in my email in that there has not yet been a firm decision re the continuation or temporary halt of the data feed. I hope to be able to update more on that tomorrow.

From: s 47F Kylie
Sent: Thursday, 17 August 2023 7:43 PM

To: s 47F

Cc: s 47F Sue s 47F

Veterans'.Mates <xxxxxxxx@xxx.xxx.xx>

Subject: RE: positive program communications [SEC=OFFICIAL]

Hi s 47F

s 22 - Out of scope

Can I please check you were informed about the notice DVA received from UniSA which indicated the decision to temporarily suspend the program until DVA can provide some further information about aspects of the program? As a sign of good faith and being prudent given the number of requests for data and potential opt-outs that DVA has received to date, I understand there was also an aligned decision by DVA to work to temporarily pause the data feed going to the University. I am not yet sure when that would take effect.

We'll need to both consider the contract management and operational aspects of this, so we'll arrange some time to discuss this through, perhaps tomorrow if it suits you? I think at that time we can also discuss the operational on-the-ground definition of a paused program and what activities will be useful for your team to maintain in the period of a temporarily paused mail out and data flow.

Talk to you tomorrow,
Kylie

s 22 - Out of scope

s 22 - Out of scope

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17 August 2023

s 47F

GPO Box 2471
Adelaide
South Australia 5001
Australia

t: s 47F

e: s 47F

www.unisa.edu.au

Alison Frame
Secretary of the Department of Veterans' Affairs
Department of Veterans' Affairs

Email: Alison.Frame@dva.gov.au

Alison
~~Dear Ms Frame~~

Department of Veterans' Affairs Veterans' MATES program – University of South Australia

I am writing to you in relation to the University's role in the DVA Veterans' MATES program.

At the outset, I wish to state that the University values its involvement in this important program and its relationship with DVA generally. The University is extremely proud of the part that its team has played in improving the health and well-being of veterans and in producing the many achievements and benefits of the program.

The University has carefully considered the determination by the Office of the Australian Information Commissioner in 'ADJ' and the Secretary to the Department of Veterans' Affairs (Privacy) [2023] AICmmr29.

As a consequence of that determination, the University seeks confirmation from DVA that it has the necessary consents to enable the University to access the data supplied by DVA in order to continue to deliver the services that the University has contracted to provide to DVA.

Given the importance of complying with the privacy requirements, the University seeks confirmation from DVA that it:

1. has all appropriate privacy consents to enable the data to be disclosed to the University and used by the University for the delivery of the program;
2. has a records management policy and practices which comply with the Defence Archiving requirements; and
3. is compliant with any other relevant obligation in relation to the use and/ or disclosure of the data it provides to the University for the delivery of the program.



Unless and until the DVA confirms that it has the appropriate consents as outlined above, the University will not have any option but to suspend the program until the matter of consent is resolved.

I would appreciate the opportunity to speak with you about how we can address the issues that have been raised and continue this important program to support Australian veterans.

s 22 - Out of scope

Yours sincerely

S 47F

s 22 - Out of scope

s 22 - Out of scope

s 22 - Out of scope

s 22 - Out of scope

s 22 - Out of scope