I, *(insert name of Chief Executive)* in accordance with Part 2A, Division 2 of the *Health Administration Act 1982* (the Act), do hereby appoint the following person(s) as assessors to conduct a preliminary risk assessment (PRA):

Insert name, title, background, employing organisation (lead PRA assessor)

Insert name, title, background, employing organisation (assessor)

Insert name, title, background, employing organisation (assessor)

Insert name, title, background, employing organisation (assessor)

Insert name, title, background, employing organisation (assessor)

In accordance with s.21D of the Act, the PRA team is to provide advice to the Chief Executive to assist in understanding the events comprising the below incident and the measures required to appropriately manage the incident and remove or mitigate any risk:

(*insert the incident number*)

[insert summary of incident (include date)]

and to prepare a report of the preliminary risk assessment in accordance with Part 2A, Division 2 of the *Health Administration Act 1982*.

A preliminary risk assessment carried out pursuant to Part 2A, Division 2 of the Act, it is subject to statutory privilege.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(signed)*

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(name of Chief Executive)

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

*(date)*

**Important information for PRA assessors**

1. Mandatory NSW Health PRA report template

The PRA team is to utilise the NSW Health PRA report template, accessible via the ims+ incident management system or Clinical Excellence Commission website.

1. Restrictions on disclosure of information

The PRA team is required to maintain confidentiality in relation to their work as members of a PRA team. They must not disclose information obtained during the PRA, unless it is for the purpose of the PRA or in other limited defined circumstances.

1. Statutory Privilege

The internal workings of PRA teams appointed under the Health Administration Actare privileged. This means:

* Members of the team cannot give evidence about information obtained by them as part of their work on the PRA team
* Members of the team cannot be compelled to produce to court, papers created or

communications (written or verbal) made for the dominant purpose of the PRA team carrying out its functions;

* The PRA report prepared by the PRA team cannot be adduced or admitted as

evidence in any proceedings (including coronial proceedings, or any proceedings in which it is claimed a procedure or practice was careless or inadequate);

* Members of the team are protected from personal liability, including actions for

defamation, provided they act in good faith as a part of the PRA team.

Team members should be aware there are limits to the privilege. It does not apply to:

* Pre-existing documents such as a notification in the

incident management system, or medical records or other records created for general care or management reasons;

* Any communication not for the dominant purpose of the PRA;
* Documents created or communications made before the PRA team was commissioned.

1. Beyond the scope of PRA assessors

The PRA team does not have any authority to investigate concerns or complaints about an individual clinician. Where the PRA team considers the reportable incident may involve professional misconduct, unsatisfactory professional performance or possible impairment issues, or suspected unsatisfactory professional performance, the PRA team is to refer to section 4.3 of the NSW Health Policy *Incident Management* (PD2020\_0xx).