


### Office of Patient Safety and Clinical Quality

QUALIFIED PRIVILEGE

**Guide to Establishing a Committee under the *Health Services (Quality Improvement) Act 1994***

*\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

1. Step by Step Guide to Establishing a Committee (flowchart)
2. Application Links
3. Other useful links

**1. Step by Step Guide to Establishing a Committee**

Committee sends Quality Improvement and Change Management Unit (QICM) the application for qualified privilege including:

(Click for direct link to templates on the [WA Health website](http://ww2.health.wa.gov.au/Articles/N_R/Qualified-privilege))

1. Application form (Appendix 1)
2. [Terms of Reference](http://www.safetyandquality.health.wa.gov.au/clinical_incid_man/qualified_priv_state.cfm) (Appendix 2)
3. [Members list](http://www.safetyandquality.health.wa.gov.au/clinical_incid_man/qualified_priv_state.cfm) (Appendix 3)
4. [Information Management Policy](http://www.safetyandquality.health.wa.gov.au/clinical_incid_man/qualified_priv_state.cfm) (Appendix 4)
5. Current Health Service Quality Improvement Plan (however titled) under which the Committee functions
6. Letter to the Director General from the Chief Executive Officer (Appendix 5) (QICM will direct this to the Director General to approval establishment of the Committee).

Application is reviewed by Legal & Legislative Services (LLS) to ensure the Committee complies with the legislation (as per below):

* The Committee is established in accordance with the rules and regulations of the governing body (i.e. the Director General approves the establishment of the Committee).
* Each Committee member has training and experience appropriate to the services to be assessed and evaluated.
* The functions of the Committee include:
1. Assessment and evaluation of the quality of health services, including the review of clinical practices.
2. The reporting and making of recommendations to its governing body concerning health services.
3. Monitoring the implementation of those recommendations.

* The performance of those functions would be facilitated by the provision of immunities and protections afforded by the Act.
* It is in the public interest to restrict disclosure of information compiled by the Committee in the course of the performance of those functions.

Application approved by LLS. (Note if the application is not initially approved feedback will be provided to the Committee regarding required amendments to the application).

QICM will undertake to have the Gazettal Order published (Government Gazette). The order (for protection) comes into operation on the day on which it is published in the Government Gazette and expires three years after commencement.

Annual Reports (to the Minister for Health and the public) are due 12 months after Gazettal (plus one month) and then each year at the same time for the duration of the 3 years. Templates found on [website](http://ww2.health.wa.gov.au/Articles/N_R/Qualified-privilege). Once approved, public health committee reports for the public are uploaded to WA Health website. Private committees upload their own.

2. Application Links

[Application for Approval of a Committee under the Health Services (Quality Improvement) Act 1994](%5C%5C%5C%5Chdwa.health.wa.gov.au%5C%5Cshared%5C%5CPAQ%5C%5CEPG%5C%5CQICM%5C%5CQualified%20Privilege%5C%5CActive%20WA%5C%5CProject%20Managment%20Documents%5C%5CTemplates%5C%5CA_Application%5C%5CA%20Application%20Form.docx)

[Terms of Reference](file:///%5C%5Chdwa.health.wa.gov.au%5Cshared%5CPAQ%5CEPG%5CQICM%5CQualified%20Privilege%5CActive%20WA%5CProject%20Managment%20Documents%5CTemplates%5CA_Application%5CB%20Terms%20of%20Reference.docx) (template)

[Names and qualifications of Committee members](file:///W%3A%5CPAQ%5CEPG%5CQICM%5CQualified%20Privilege%5CActive%20WA%5CProject%20Managment%20Documents%5CTemplates%5CA_Application%5CC%20Members%20List.docx) (template)

[Example Letter to the Director General for approval to establish a Committee](file:///W%3A%5CPAQ%5CEPG%5CQICM%5CQualified%20Privilege%5CActive%20WA%5CProject%20Managment%20Documents%5CTemplates%5CA_Application%5CE_letter%20to%20DG%20from%20Committee%20submitting%20application%20%28template%29.docx) (template)

3. Other Useful Links

###   [HEALTH SERVICES (QUALITY IMPROVEMENT) ACT 1994](http://www.austlii.edu.au/au/legis/wa/consol_act/hsia1994398/)

 [**WA GOVERNMENT GAZETTE: STATE LAW PUBLISHER**](http://www.slp.wa.gov.au/gazette/gg.nsf/act2?OpenView&Start=1&Count=300&Expand=40&RestrictToCategory=Health%20Services%20(Quality%20Improvement)%20Act%201994#40)