



Australian Government

Department of Health

Department Reference: FOI 3470

A long standing member of the religious community in WA
via email: foi+request-8175-a15c4ccc@righttoknow.org.au

Dear Applicant

NOTICE OF DECISION UNDER SECTION 24A OF THE FREEDOM OF INFORMATION ACT 1982

I refer to your request of 11 December 2021 to the Department of Health (the department) seeking access under the *Freedom of Information Act 1982* (Cth) (the FOI Act) to documents related to COVID-19. Your request is in the following terms:

1. Please have the raw data for COVID -19 deaths, with full ICD-10 codes from early 2020 to present, with full break down of complete ICD-10 codes for each case, can be anonymized data.
2. Please provide documentation of attempts to break down COVID-19 deaths to show what the other risk factors are also at play – including age and underlying health issues, in both vaccinated and unvaccinated death cases, so as to provide meaningful statistics to the public on all COVID 19 deaths.

Information on ICD-10 codes

The purpose of the International Statistical Classification of Diseases and Related Health Problems (the ICD) is to permit the systematic recording, analysis, interpretation and comparison of mortality and morbidity data collected in different countries or areas and at different times. The ICD, which is endorsed by the World Health Organization (WHO), is primarily designed for the classification of diseases and injuries with a formal diagnosis.

<https://www.abs.gov.au/ausstats/abs@.nsf/Previousproducts/3303.0Glossary12016?opendocument&tabname=Notes&prodno=3303.0&issue=2016&num=&view=>

Information on COVID-19 associated death data and reporting by the department

COVID-19 cases and associated deaths are reported to the department by the states and territories via the National Interoperable Notifiable Diseases Surveillance System (NINDSS). The national case definitions for COVID-19 cases, including

COVID-19 associated deaths, reporting are outlined in the Communicable Diseases Network Australia COVID-19: National Guideline for Public Health Units, see: <https://www1.health.gov.au/internet/main/publishing.nsf/Content/cdna-song-novel-coronavirus.htm>. The current definition for a COVID-19 associated death is:

- A COVID-19 death is defined for surveillance purposes as a death in a confirmed COVID-19 case, unless there is a clear alternative cause of death that cannot be related to COVID-19 (e.g. trauma). There should be no period of complete recovery from COVID-19 between illness and death. Where a Coroner's report is available, these findings are to be observed.

Information and reports on COVID-19 case numbers and associated deaths as reported to the department by states and territories, is available on the department's website:

- Daily case summary of cases: <https://www.health.gov.au/news/health-alerts/novel-coronavirus-2019-ncov-health-alert/coronavirus-covid-19-current-situation-and-case-numbers>
- Daily infographic, including previous versions dating back to 5 April: <https://www.health.gov.au/resources/collections/coronavirus-covid-19-at-a-glance-infographic-collection>
- Communicable Diseases Intelligence COVID-19 epidemiology fortnightly report, which includes information on COVID-19 associated deaths by co-morbidity status and hospitalisations (updated monthly): https://www1.health.gov.au/internet/main/publishing.nsf/Content/novel_coronavirus_2019_ncov_weekly_epidemiology_reports_australia_2020.htm

Request for national notification data

National notification data on COVID-19 confirmed cases, including COVID-19 associated deaths by vaccination status, is collated in the NINDSS based on notifications made to state and territory health authorities under the provisions of their relevant public health legislation. As the Department are custodians of these data, a request for the release of data from the NINDSS requires agreement from states and territories via the Communicable Diseases Network Australia. Depending on the sensitivity of the data sought, and proposed use, ethics approval may also be required. Please be aware, due to the COVID-19 response, unfortunately, specific requests for NINDSS data are experiencing delays.

- For information on how to apply to access data from the NINDSS please contact the NINDSS Data Requests inbox (nndss.datarequests@health.gov.au)
- Please note the vaccination status fields, particularly date of vaccination, are not currently provided by all jurisdictions.

Information on data reported by the Australian Bureau of Statistics

Deaths certified as being from COVID-19 are routinely collated and reported by the Australian Bureau of Statistics (ABS). Mortality data compiled by the ABS is based on death registrations processed by the jurisdictional Registries of Births, Deaths and

Marriages, and information on the cause of death sourced from a Medical Certificate of Cause of Death (MCCD) completed by a certifying practitioner. Compared with NINDSS data (which is primarily collected for surveillance purposes), information from the registration-based system is more comprehensive and can provide important additional insights into circumstances surrounding deaths from COVID-19. This is especially the case with data obtained from the MCCD, which enables identification of the underlying cause of death and other associated causes. These data sources also provide demographic information about the decedent (e.g. age, sex and usual residence). For COVID-19 mortality data from the ABS, we suggest:

- The monthly 'Provisional Mortality Statistics' reports, available at: <https://www.abs.gov.au/statistics/health/causes-death/provisional-mortality-statistics/latest-release>. These reports provide information on doctor certified deaths and their registered causes, including deaths from COVID-19, noting that there is an approximate three-month lag in the availability of these data. Please note that these data are provisional, and do not include deaths that have been referred to a coroner. Further information on the provisional report methodology can be found at: <https://www.abs.gov.au/methodologies/provisional-mortality-statistics-methodology/jan-2020-jul-2021>.
 - The annual 'Causes of Death, Australia' reports, which include information and aggregated data on deaths for the calendar year of 2020, is available at: <https://www.abs.gov.au/statistics/health/causes-death/causes-death-australia/2020>.
 - A recently published article 'COVID-19 Mortality' which reports on COVID-19 deaths that occurred by 31 July 2021 that have been registered and received by the ABS, is available at: <https://www.abs.gov.au/articles/covid-19-mortality-1>.
 - Requests for ABS mortality data should be directed to the ABS.

FOI decision

I am authorised under subsection 23(1) of the FOI Act to make decisions in relation to Freedom of Information requests. I am writing to notify you of my decision in response to your request.

Appropriate steps have been taken to find documents you have requested including consultation with relevant departmental officers and searches of departmental file management systems.

I am satisfied, on the basis of the consultation undertaken and the searches conducted, that the department, including the TGA, does not hold any documents referred to in your request. Relevant research and information is available in the public domain as described above.

FOI review rights

If you are dissatisfied with my decision, you may apply for a review.

Internal review

Under section 54 of the FOI Act, you may apply for internal review of this decision. In accordance with section 54B of the FOI Act, an application for internal review must be made in writing within 30 days after the day you are notified of this decision (or such further period as the department allows). To assist in the internal review process, please provide reasons you consider the review of my decision is necessary.

The internal review will be carried out by another officer of this department within 30 days of receipt of your application.

An application for an internal review should be addressed to:

Email: FOI@health.gov.au
Mail: FOI Unit (MDP 516)
Department of Health
GPO Box 9848
CANBERRA ACT 2601

Information Commissioner review

Alternatively, under section 54L of the FOI Act, you may apply to the Office of the Australian Information Commissioner (OAIC) for review of my decision by the Information Commissioner (IC).

In accordance with subsection 54S(1) of the FOI Act, an IC review application in relation to a decision covered by subsection 54L(2) (access refusal decisions) must be made in writing within 60 days after the day you are notified of this decision (if you do not request an internal review).

More information about IC review is available on the OAIC website at:

<https://www.oaic.gov.au/freedom-of-information/reviews/>

The OAIC can be contacted by:

Phone: 1300 363 992
Email: enquiries@oaic.gov.au

Complaints

If you are dissatisfied with action taken by the department, you may also make a complaint.

Complaint to the department

Complaints to the department are covered by the department's privacy policy. A form for lodging a complaint directly to the department is available on the department's website:

<https://www.health.gov.au/about-us/contact-us/complaints>

Complaint to the IC

Information about making a complaint to the IC about action taken by the department is available on the OAIC website:

<https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/make-an-foi-complaint/>

Relevant provisions of the FOI Act

The FOI Act, including the provisions referred to in this letter, can be accessed from the Federal Register of Legislation website:

<https://www.legislation.gov.au/Details/C2021C00557>

Contacts

If you require clarification of any of the matters discussed in this letter you should contact the department's Freedom of Information Unit on (02) 6289 1666 or at FOI@health.gov.au.

Yours sincerely



Emily Harper
Assistant Secretary
Communicable Diseases Branch

7 January 2022