

# QUEENSLAND PUBLIC HOSPITALS COMMISSION OF INQUIRY

## STATEMENT OF MORGAN NEELAN NAIDOO

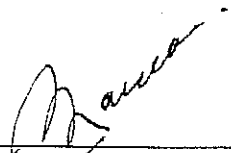
I, **MORGAN NEELAN NAIDOO** of \_\_\_\_\_, East Brisbane in the State of Queensland, state on oath:

### 1. Fuel Records

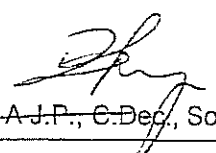
- 1.1 The Commission has provided me with a document that schedules my fuel purchases in light of leave arrangements. I have been given less than 24 hours to respond to this document. I have not had the opportunity to review the fuel record docketts themselves but must rely on the accuracy of a document, created by those assisting the commission which appears to only have considered HR entered records.
- 1.2 As the dates are so far in the past, I cannot recall specific circumstances of what occurred.
- 1.3 Most of the occasions that the Commission has provided to me regarding the fuel records fall into two categories. These categories are:
  - (1) Times when the schedule indicates I left work early or arrived late; and
  - (2) Periods of time where I was on leave which, for some reason, HR has failed to record the leave.
- 1.4 I have prepared a table responding to the individual occurrences in the schedule prepared by A Stella of the Commission.

Petrol Purchase Response		
Docket Date	Purchase Location	Comment
16/08/2002 Friday 15.01	Forest Glen	The schedule shows that I would have left early and left the hospital around 12.30pm -1pm.
19/08/2002 Monday 8.50	Forest Glen	The schedule shows that I would have been running late and would have arrived at Hervey Bay around 11am.

Deponent

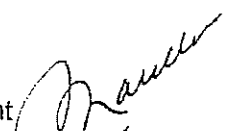


A.J.P., C.Dec., Solicitor

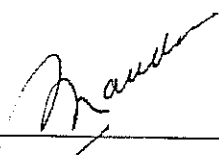
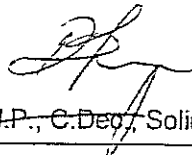


**Petrol Purchase Response**

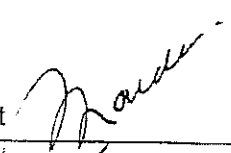
<b>Docket Date</b>	<b>Purchase Location</b>	<b>Comment</b>
04/09/2002 Wednesday 16.10	Gympie	The schedule shows that I would have left the hospital around 2.45 pm
16/09/2002 Monday 9.49	East Brisbane	The schedule shows that I would have been running late and would have been in Hervey Bay around 2.00pm.
21/10/2002 Monday 10.06	Gympie	The schedule shows that I would have been running late and would have arrived in Hervey Bay around 11.30am.
08/11/2002 Friday 13.51	East Brisbane	The schedule shows that I would have left early and would have left Hervey Bay around 10 am.
11/11/2002 Monday 8.08	East Brisbane	The schedule shows that I would have been running late and would have arrived Hervey Bay approximately midday.
15/11/2002 Friday 11.44	Cannon Hill	The schedule shows that I would have left Hervey Bay around 8am.
27/11/2002 Wednesday 9.43	East Brisbane	The schedule shows that I would have been running late and would have arrived around 1.30pm.
27/02/2003 Thursday 18.04	East Brisbane	I attended the 2003 "Excellence in Joint Arthroplasty" seminar at Sea World Nara Resort on the Gold Coast from 27 February 2003 to 1 March 2003. Attached to this statement and marked <b>MNN- 1</b> " is a copy of the certificate of attendance, the programme for the seminar and a letter from the organisers thanking me for my attendance.  I would have been on approved leave, which HR has failed




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Docket Date	Purchase Location	Comment
		to record.
06/06/2003 Friday 18.44	East Brisbane	The schedule shows that I would have left early and would have left Hervey Bay around 2.30pm
Records from 09/08/2003 to 15/08/2003 Saturday to Friday	Kedron, Indooroopilly, Mooloolaba	There is a roster that says I was on leave. Attached to this statement is a roster which states I was on leave from 11-15 August 2003. The roster is attached to this statement and marked "MNN- 2". 9 & 10 August is a weekend.
21/08/2003, 22/08/2003 & 25/08/2003 Thursday, Friday and Monday		On call roster shows that I was on leave 22 August and that I was not listed on the roster for 21 August. The roster is "MNN- 2".
21/08/2003 to 28/08/2003	Various	Given the length of time for which the fuel records show I could not have been at Hervey Bay, I believe such an extended period of time must have been taken as leave. It is inconceivable that I could have been on leave without approval for such a period of time, and there be no record of contact with me. I believe the HR department has failed to maintain a record of this leave.
28/08/2003 Thursday 12.51	Milton	Roster shows I was not on duty this day. The roster is "MNN- 2".
29/08/2003 to 04/09/2003		From 31 August to 4 September 2003, I attended the Stryker OrthoPacific Conference in Queenstown NZ. Attached to this statement and marked "MNN- 3" are documents which show my attendance by an itinerary of Qantas flights with departure date Saturday 30 August 2003 and return date 6 September 2003, the conference programme and a certificate of attendance for the

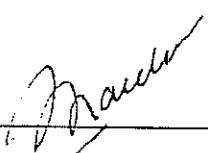
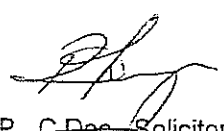



Petrol Purchase Response		
Docket Date	Purchase Location	Comment
		<p>conference.</p> <p>Accordingly, I did not fill up the car on 3 September 2003. I believe a member of my family filled the car, which is allowed under the fuel policy of Queensland Health.</p> <p>I would have requested leave for this period and it would have been approved according to the same procedure as my other periods of conference attendance.</p> <p>There is a roster which states I was on leave from 1-5 September 2003. The roster is "MNN- 2".</p>
29/12/2003 to 02/01/2004		<p>The schedule shows that I would have left Hervey Bay around 2pm.</p> <p>1 January was New Year's Day, a public holiday.</p>
27/01/2004 Tuesday 14.12 to 01/02/2004 16.27	East Brisbane	<p>Attached and marked <b>MNN- 4"</b> to this statement is a memorandum dated 12 December 2003 and a roster from January 2004 regarding leave for this period. The memorandum forms part of exhibit 434. The roster clearly shows I was on leave from 27 January to 30 January 2004.</p> <p>The odometer shows that I could not have travelled to Hervey Bay between Tuesday 27 January and Sunday 1 February but that is because I was on leave, for which there is a leave memo.</p> <p>HR has failed to record this period of leave.</p> <p>27 Jan mobile phone call is also from this period on leave.</p>
13/02/2004 Friday 14.41	Forest Glen	<p>The schedule shows that I would have left Hervey Bay hospital approximately midday.</p>
27/02/2004 Friday 17.04	East Brisbane	<p>I believe I would have provided a leave form or called the clinical support person to report my absence on this date.</p> <p>I believe HR has failed to record the absence.</p>
23/04/2004 Friday	Hamilton	<p>The schedule shows that I would have been running late and would have arrived at hospital approximately 10.50am.</p>



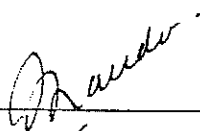
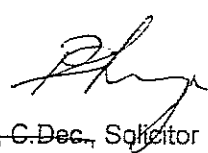

**Petrol Purchase Response**

Docket Date	Purchase Location	Comment
7.21		
07/05/2004 Friday 16.57	Gympie	<p>The schedule shows that I would have left hospital around 3pm.</p> <p>I vary rarely took lunch breaks and I always finished my duties before leaving on a Friday afternoon.</p>
04/06/2004 Friday 16.51	Gympie	<p>The schedule shows that I would have left hospital around 3pm.</p> <p>I vary rarely took lunch breaks and I always finished my duties before leaving on a Friday afternoon.</p>
07/06/2004 Monday 5.56	East Brisbane	<p>The schedule shows that I would have arrived at Hervey Bay at 10am.</p> <p>I vary rarely took lunch breaks and when late, where required I stayed back later in order to finish my Monday duties.</p>
13/08/2004 Friday 15.07	Milton	<p>This was the first day of my hospitalisation in the New Farm Clinic.</p> <p>The Commission's schedule wrongly states that I was in the New Farm Clinic from 13-16 August 2004. The Clinic records clearly show I was in the New Farm Clinic from 13 to 28 August 2004. I refer the commission to MNN-2 of my supplementary statement of 10 October 2005 for these records.</p> <p>The hospital was aware of my hospitalisation and was provided with a medical certificate from Dr Christensen for the period of 9 August to 8 October 2004, attached to this statement and marked "MNN- 5".</p> <p>I refer to a bundle of emails and the chronological table of my leave originally attached to Dr Terry Hanelt's supplementary statement which I attach to this statement and mark "MNN- 6" which demonstrates that the hospital was aware of my hospitalisation and that leave was recorded on the following dates:</p> <p>9/8/04-12/8/04 (13/8/04 wrongly omitted from HR records), 16/08/2004 to 20/08/2004, 23/08/2004 to 25/08/2004, 26/08/2004, and 27/08/2004.</p>

**Petrol Purchase Response**

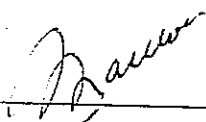
<b>Docket Date</b>	<b>Purchase Location</b>	<b>Comment</b>
28/08/2004 to 02/09/2004		<p>The Commission schedule states that I could not have travelled to Hervey Bay between 28 August and 2 September.</p> <p>This is because I was recuperating after my hospitalisation. There is a medical certificate covering these days, which is attached at MNN-5.</p> <p>I believe it was an oversight of the HR department in failing to record leave for the week 30 August to 2 September. My leave forms commence again on 3 September 2004. I refer the commission once again to the table of leave attached to Dr Terry Hanelt's supplementary statement, which I attach at MNN-5.</p> <p>I had an appointment with Dr Christensen on 2 September 2004.</p>
02/09/2004 Thursday 11.13	East Brisbane	<p>I had an appointment with Dr Christensen on this date.</p> <p>I would have made a call to the clinical support person if this was an unplanned leave day and I would have provided a leave form if it was a planned leave day.</p> <p>I believe HR has failed to record this leave.</p>
15/11/2004 Monday 8.40	Gympie	<p>The schedule shows that I would have arrived at Hervey Bay at 10am.</p> <p>I vary rarely took lunch breaks and when I was running late, where required, I stayed back later in order to finish my Monday duties.</p>
23/12/2004 Thursday 9.33	East Brisbane	<p>This was my final day in the New Farm Clinic for this period of hospitalisation.</p> <p>The leave form around this time ends on 17 December 2004, which was my first day in hospital.</p> <p>I believe this was an error by HR as the hospital was certainly aware that I was hospitalised at this time.</p> <p>Attached and marked "MNN-7" is the leave form, originally attached to Dr Terry Hanelt's supplementary statement, from 29 November 2004 to 17 December 2004. I would also refer the commission to the New Farm Clinic tax invoices attached to my supplementary statement dated 10</p>

Petrol Purchase Response		
Docket Date	Purchase Location	Comment
		October 2005.
04/04/2005 Monday 8.01	Gympie	The schedule shows that I would have arrived at Hervey Bay at 9.30am.  I very rarely was able to take lunch breaks, and when I was running late, where required, I stayed back later in order to finish my Monday duties.

### Leaving Early

- 1.5 For the periods of time where I have left early or arrived late I would say that during my time at Hervey Bay Hospital, I worked through my lunch break, almost without fail and was not paid for this time. As I stated in my original statement to the commission, I organised in-service meetings a 4-6 times in a year. Meetings often went from 5 to 9 pm. I never claimed payment for this overtime. From Tuesday to Thursday I often went in to work well before I was rostered to start. I would also like to mention that I very often took work home with me from the hospital, which I would complete over the weekend in Brisbane. I believe that these practices mitigate the occasional late arrival or early departure.
- 1.6 The schedule provided by those assisting the Commission has pointed to approximately 17 incidences of late arrivals and early departures over a period of 4 years. This is an average of 4 times per year. This is not substantial when compared to the almost 30 years of service I have provided to the health care system in Queensland, most of that within Queensland Health.
- 1.7 There were times, where, beyond my control, the traffic travelling to Hervey Bay resulted in my late arrival at the hospital. I always telephoned ahead to the hospital to inform them of the late arrival when this occurred.
- 1.8 I understand that Dr Terry Hanelt has mentioned at page 5 of his supplementary statement that I often worked longer hours than the required hours and this is true. Dr Hanelt also states in his original statement at paragraph 51 (ii) that senior staff often work overtime for which they do not claim and in recognition of that fact, some flexibility is allowed in taking time off in lieu of payment of this overtime. Given the large distance between Hervey Bay and Brisbane, I tended to take this time by leaving early after I had finished my duties at Hervey Bay on some Friday afternoons.

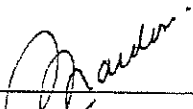


- 1.9 I remember on some occasions that continuing orthopaedic education sessions were held on a Thursday evening at 6.30pm in Brisbane. I would have left Hervey Bay earlier than usual to attend those. I cannot, however, recall specific dates.
- 1.10 I stand by the statements I have made in my original statement and supplementary statement that on all occasions when I was on sick leave, I would call in to the clinical support officer to inform the hospital of my absence and that when I took planned leave, I always filled out a leave form and sent it via the clinical support person to Dr Hanelt who would then send it to the hospital's Human Resources Manager. I have no control over whether the form makes its way onto my personnel file and I have no control over leave (either planned or unplanned) being entered by members of the HR department.
- 1.11 My memory regarding dates and reasons why I would not have been at the hospital is incomplete. I cannot recall specific dates except to the extent that documentation has been able to assist me. I have not had the opportunity to take the requisite amount of time to be able to assemble all the relevant documentation. I have not, for example, been able to look at each of the rosters for all dates provided in the table.
- 1.12 I wish I had kept my own records of leave taken rather than relying on the HR department to maintain such records, as through this inquiry I have come to learn that the records kept by HR are incomplete, inadequate and at times, incorrect.

SWORN by MORGAN NAIDOO at  
presence of: *BRISBANE*



*21 NA*  
on 22 October 2005 in the






# QUEENSLAND PUBLIC HOSPITALS COMMISSION OF INQUIRY

## ANNEXURES TO STATEMENT

Annexures "MNN-1" to "MNN-7" to the statement of MORGAN NEELAN NAIDOO sworn on  
22 October 2005.

Deponent



A.J.P., C.Dec., Solicitor

### INDEX TO ANNEXURES

Annexure Description	Page no.
"MNN-1" certificate of attendance, program and letter for Excellence on Joint Arthroplasty seminar 27 February to 1 March 2003.	10-12
"MNN-2" roster for August 2003.	13
"MNN-3" Qantas flight confirmation, program and certificate of attendance for Annual OrthoPacific meeting from 31 August to 4 September 2003.	14-16
"MNN-4" leave memo from 12 December 2003 and on-call roster for January 2004.	17-18
"MNN-5" medical certificate from Dr Christensen for 9 August to 8 October 2004.	19
"MNN-6" Dr Hanelt's chronological order recorded leave table and emails regarding hospitalisation in August 2004.	20-26
"MNN-7" approved leave form for 29 November to 17 December 2004.	27

