



OFFICIAL

## Freedom of Information (FOI) request

### Notice of Decision

Reference: FOI/2023/110

Mr Peter Foster

By email: [foi+request-10161-abe43e78@righttoknow.org.au](mailto:foi+request-10161-abe43e78@righttoknow.org.au)

Dear Mr Foster

I refer to your request of 16 April 2023 to the Department of the Prime Minister and Cabinet (the Department), for access to documents under the *Freedom of Information Act 1982* (the FOI Act).

The purpose of this letter is to provide you with a decision on your request for access under the FOI Act.

### Scope of request

You set out your request in the following terms:

*I am writing to request information under the Freedom of Information Act regarding the Secretaries Board's recent document titled "Principles of Flexible Work in the APS."*

*I am specifically interested in obtaining any research or evidence that was provided to the Secretaries Board to support the following two claims:*

*1: 'Regular face-to-face (in-person) contact can improve employee well-being and build tangible team benefits, including for those roles which are able to be performed from home.'*

*2: 'Where roles are able to be performed from home, agencies may also provide benchmarks around the extent of face-to-face contact, such as the number of days to be spent in the office, or on handling requests to work from a different location. These benchmarks may be necessary to ensure consistency and equity across similar roles.'*

*My request includes the following information:*

*A) Any studies, surveys, research, or evidence provided to the Secretaries Board that supports the claim that regular face-to-face contact improves employee well-being and tangible team benefits.*

*B) Any studies, surveys, research, or evidence provided to the Secretaries Board that demonstrate that an absence of benchmarks for face-to-face contact leads to a lack of equity.*

*C) Internal communications, briefs or papers discussing the rationale for promoting face-to-face contact and the decision-making process behind the creation of the document.*

## Authorised decision-maker

I am authorised to make this decision in accordance with arrangements approved by the Department's Secretary under section 23 of the FOI Act.

## Material taken into account

In reaching my decision I referred to the following:

- the terms of your request
- the FOI Act
- the Guidelines issued by the Information Commissioner under section 93A of the FOI Act (the Guidelines)

## Documents in scope of request

The Department has identified 9 documents that fall within the scope of your request.

These documents are set out in the Schedule of Documents at **Attachment A**.

## Decision

I have decided to grant access to the material relevant to the terms of your request. Irrelevant material is deleted under section 22 of the FOI Act.

## Reason for decision

My findings of fact and reasons are set out below.

### 1. Deletion of irrelevant matter

Section 22 of the FOI Act provides an agency may prepare an edited copy of documents, to remove information reasonably regarded as irrelevant to the request. The Department has the ability to identify material that does not relate to the subject matter of your request and has the capability to modify documents.

Parts of the email threads include purely administrative content that does not provide any information as to the consideration, rationale or decision-making process of the Secretaries Board, thus it has been deleted.

On 19 April 2023, the Department advised you of its policy to exclude the personal and direct contact details of Australian Public Service officers not in the Senior Executive Service (SES) and any Ministerial

staff, as well as any person's signature, and the mobile or direct numbers of SES officers, which are contained in documents that fall within the terms of an FOI request.

This category of information is identified as irrelevant and documents can be modified by the Department to delete the irrelevant material.

Therefore, I have decided to release to you the remaining relevant documents with the exempt and irrelevant matter deleted in accordance with section 22 of the FOI Act.

## Review rights

If you disagree with my decision, you may apply for Information Commissioner review of the decision.

### Information Commissioner review

Under section 54L of the FOI Act, you may apply to the Australian Information Commissioner to review my decision. An application for review by the Information Commissioner must be made in writing within 60 days after the date of this letter.

More information about Information Commissioner review is available [here](#).<sup>1</sup>

## FOI Complaints

If you are unhappy with the way we have handled your FOI request, please let us know what we could have done better. If you are not satisfied with our response, you can make a complaint to the Australian Information Commissioner. A complaint to the Information Commissioner must be made in writing. More information about complaints is available [here](#).<sup>2</sup>

If you wish to discuss any aspect of your requests, you can contact the FOI Section by email at [foi@pmc.gov.au](mailto:foi@pmc.gov.au).

Yours sincerely



David Belgrove  
Assistant Secretary (A/g)  
Parliamentary and Government Branch  
Department of the Prime Minister and Cabinet  
6 November 2023

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<sup>1</sup> <https://www.oaic.gov.au/freedom-of-information/your-freedom-of-information-rights/freedom-of-information-reviews/information-commissioner-review>

<sup>2</sup> <https://www.oaic.gov.au/freedom-of-information/your-freedom-of-information-rights/freedom-of-information-complaints/make-an-foi-complaint>