

Dear Gemma,

I am writing to acknowledge receipt of your request under the *Freedom of Information Act 1982* (Cth) (**FOI Act**) for access to documents held by the Australian Public Service Commission (**Commission**). The scope of your request is as follows:

1. Please provide a copy of the APSC's current procedures for determining breaches of the APS Code of Conduct and the imposition of sanctions that is currently in force.
2. Please provide a copy of the APSC's current social media policy (which covers departmental use and/or private use by employees in an individual capacity).
3. Provide a provide a copy of the APSC's current guidance material which is available for employees to make informed decisions about their private social media use.
4. Provide a copy of guidance/information provided to your employees regarding expectations on their conduct in the lead up to the Voice Referendum.
5. Please advise:
 - A) In the last 6 months, have you received a complaint regarding social media post made by an employee of the APSC?
 - B) In the last 6 months, how many complaints have you received regarding social media post made by your employees?
6. Please advise:
 - A) In the last 6 months, have you received a complaint regarding social media post made by an Australian Public Service (APS) employee?
 - B) In the last 6 months, how many complaints have your received regarding social media post made by an APS employee?
 - C) Are you aware of any complaints made, in the last 6 months, to an agency regarding social media post made by an APS employee? If so, please list those agencies that you are aware a complaint has been made.

The timeframe for responding to your request is 30 days from the date of receipt. As your request was received by the Commission on **10 May 2023**, a decision on this request is currently due on **9 June 2023**. This timeframe may be extended in certain circumstances. You will be notified if these circumstances arise and the timeframe is extended.

Administrative release

I have been informed by the relevant line areas in the Commission that the documents you are seeking in parts 1-3 of your request are publicly available here:

1. [Procedures for determining breaches of the Code of Conduct and for determining sanction | Australian Public Service Commission \(apsc.gov.au\)](#)
2. [Social media: Guidance for Australian Public Service Employees and Agencies | Australian Public Service Commission \(apsc.gov.au\)](#)
3. [Factsheet: Personal Behaviour on Social Media | Australian Public Service Commission \(apsc.gov.au\)](#), [Social media: Tips for employees | Australian Public Service Commission \(apsc.gov.au\)](#), [Case study - APS employee engagement on social media | Australian Public Service Commission \(apsc.gov.au\)](#) and [Frequently](#)

[Asked Questions: Personal Behaviour on Social Media | Australian Public Service Commission \(apsc.gov.au\)](#)

In relation to part 4 of your request, I have been informed that there is guidance that is publicly available here:

- [Engagement in the Voice Referendum in a personal capacity: Guidance for APS employees and agencies | Australian Public Service Commission \(apsc.gov.au\)](#)

The Commission has also identified an internal policy document that is relevant to part 4. The Commission is willing to release this information to you administratively outside of the Freedom of Information (**FOI**) process. This is called an administrative release.

In parts 5 and 6 of your request, you seek access to information by asking a series of questions. The FOI Act gives individuals a right to obtain access to documents, not information. However, the Commission would also be willing to answer your questions administratively outside of the FOI process.

The benefit to you, should you agree to receive the information administratively, is that the process is likely to be quicker for you. However, you will not be able to seek review of the decision. Further information about administrative access is available here: [Administrative access | OAIC](#).

For your action

You have been provided with links to access the publicly available information for parts 1-4 of your request above, and the Commission is willing to providing you with information administratively to satisfy parts 4-6.

If you are satisfied with this administrative release option, I invite you to withdraw your FOI request by **close of business on 31 May 2023**.

Kind Regards,

FOI OFFICER

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