

Alex Pentland

e-mail: foi+request-10617-62eabfab@righttoknow.org.au

Dear Alex,

RE: YOUR FREEDOM OF INFORMATION REQUEST [FOI202324/03]

I refer to your request submitted 26 August 2023 for access to the following documents under the *Freedom of Information Act 1982* (FOI Act):

“the Style Guides/Brand Guides/Writing Guides currently used for the Australian Bureau of Statistics”

A copy of your full request can be found in **Attachment A**.

Response to Your Request

I am an authorised decision maker under section 23 of the FOI Act. The ABS has conducted a search for documents relating to your request. I am able to notify you that 25 documents were identified that relate to your request. I have decided to grant access to 19 documents in full, and 6 documents in part.

I have added a schedule of documents in **Attachment B**. The documents being released under this FOI request can be found in **Attachment C**.

Section 47E – Operations of the Agency

I have decided that 6 documents contain information which is conditionally exempt under section 47E of the FOI Act.

Section 47E of the FOI Act provides:

A document is conditionally exempt if its disclosure under this Act would or could reasonably be expected to:

- d. have a substantial adverse effect on the proper and efficient conduct of the operations of an agency.*

In assessing these documents, I have considered the content and the guidelines issued by the Information Commissioner to determine if the release of this material would have a substantial adverse effect on the proper and efficient conduct of the operations of the agency.

These documents contain blank templates that the ABS uses when creating documents. Releasing these would expose the ABS to the risk of third parties fraudulently imitating the agency through the use of these templates.

I am satisfied that releasing the above information could have a substantial adverse effect on the proper and efficient conduct of the operations of the ABS (section 47E(d)).

Public Interest Test

Section 47E is a conditional exemption. Pursuant to s11A(5) of the FOI Act, the ABS is required to give access to a conditionally exempt document at a particular time, unless access to the document at that time would, on balance, be contrary to the public interest.

In considering whether disclosure would be in the public interest, I considered the following factors favoring disclosure, including factors set out in s11B(3) of the FOI Act:

- Disclosure would promote the objects of the FOI Act.
- Disclosure would inform debate on a matter of public importance.

I also considered the following factor against disclosure:

- Disclosure could reasonably be expected to substantially affect the management function of the agency.

After weighing up these considerations for and against disclosure I am of the view that it would be contrary to the public interest to disclose this information at this time. I have therefore removed the exempt content from the documents released.

Section 47F – Personal Privacy

I have decided that 1 document contains some information which is conditionally exempt under section 47F of the FOI Act. Section 47F provides:

A document is conditionally exempt from disclosure, if disclosure would involve the unreasonable disclosure of personal information about a person.

This exemption is designed to prevent the unreasonable invasion of a person's privacy, with a test for 'unreasonableness' balancing the public interest in disclosure of documents held by government, and the private interest of the individuals.

In determining whether the disclosure would involve an unreasonable disclosure of personal information, I have considered the following matters set out in section 47F(2):

- The extent to which the information is well known.
- Whether the person to whom the information relates is known to be, or to have been associated with the matters dealt with in the documents.
- The availability of the information from publicly accessible sources.

I have also considered:

- The nature, age, and current relevance of the information.
- Any detriment that disclosure may cause to the person to whom the information relates.
- Any opposition to disclosure expressed or likely to be held by that person.
- The circumstances of ABS' collection and use of the information.
- Whether disclosure of the information might advance the public interest in government transparency and integrity.
- The fact that the FOI Act does not control or restrict any subsequent use or dissemination of information released under the FOI Act.

I have assessed the document and determined it contains the name and signature of an ABS staff member. I have decided that this personal information is not accessible through other sources, and that the person it relates to has not consented to its disclosure.

Public interest test

Section 47F is a conditional exemption. Pursuant to section 11A(5) of the FOI Act, the ABS is required to give access to a conditionally exempt document at a particular time unless access to the document at that time would, on balance, be contrary to the public interest.

In considering whether disclosure would be in the public interest, I have considered the following factor favouring disclosure:

- Disclosure would promote the objectives of the FOI Act.

I have also considered the following factor against disclosure:

- Disclosure of these documents would involve the unreasonable disclosure of personal information about an individual.

When weighing up these considerations for and against disclosure, I am of the view that while there is public interest in the public being able to scrutinise a project as a whole, disclosure of personal information such as a person's name and signature, does not add anything to that scrutiny. I believe it is contrary to the public interest to expose individuals to the potential of public criticism and fraud, when disclosure of this information would give no insight into the role or responsibility that they had in the formulation of, or policy behind a project. I have therefore removed the content from the documents provided.

Decision and Reasons for Decision

I have taken the following into account in making my decision:

- Email correspondence between yourself and the FOI team.
- The content of the documents that fall in scope of your request.
- The views of the document authors and other relevant facts.
- The relevant provisions of the FOI Act; namely section 47E and section 47F.
- Guidelines issued by the Australian Information Commissioner under s93A of the FOI Act.

Charges

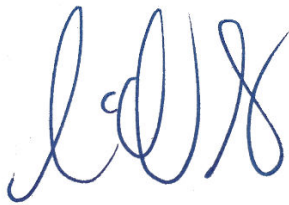
The total charge for this request is \$118.00. We received your payment of the estimate in full on 6 October 2023.

Internal Review of the Decision

Section 54 of the FOI Act gives you the right to apply for an internal review of the decision by the ABS. Additionally, you may request a review of this decision by the Information Commissioner. Details of both procedures involved in an application to review a decision are set out at **Attachment D**.

If you have any queries on this matter, please contact the ABS FOI Contact Officer at freedomofinformation@abs.gov.au.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'M Meagher', is positioned above the typed name and title.

Michael Meagher
Program Manager
Legislative Compliance and Parliamentary Branch
Australian Bureau of Statistics

25/10/2023