



**Australian Government**  
**Attorney-General's Department**

FOI16/063; 16/5150

9 May 2016

Mr James Smith

By email only: [foi+request-1828-f60e228a@righttoknow.org.au](mailto:foi+request-1828-f60e228a@righttoknow.org.au)

Dear Mr Smith

**Freedom of Information Request FOI16/063**

The purpose of this letter is to give you a decision about access to documents that you requested under the *Freedom of Information Act 1982* (FOI Act).

**Summary**

I, Ayesha Perry, Assistant Secretary, am an officer authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests.

On 15 April 2016 you requested access to documents relating to the department's social media policy. Specifically you sought access to:

- 1. Current social media policy of the department, which covers departmental use and/or private use by employees in an individual capacity.*
- 2. Any guidance material which is available for employees to make informed decisions about their social media use.*

I identified three documents that fall within the scope of your request. I did this by arranging for a comprehensive search of the department's electronic document management system and making inquiries of staff likely to be able to identify relevant documents.

The attached schedule of documents provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

With regard to the documents you requested (set out in the schedule attached), I have decided to grant access to edited versions of the documents. More information, including my reasons for my decision, is set out below.

**Decision and reasons for decision**

With regard to the documents identified in the attached schedule, I have decided to grant access in part to documents 1 – 3 with irrelevant matter deleted under section 22.

**Material taken into account**

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

- the content of the documents that fall within the scope of your request
- the FOI Act (specifically sections 22 and 47F)
- the guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act

My reasons for refusing access are given below.

### **Access to edited copies with exempt or irrelevant material deleted (section 22)**

Section 22 of the FOI Act provides that:

*(1) This section applies if:*

*(a) an agency or Minister decides:*

*(i) to refuse to give access to an exempt document; or*

*(ii) that to give access to a document would disclose information that would reasonably be regarded as irrelevant to the request for access; and*

*(b) it is possible for the agency or Minister to prepare a copy (an edited copy) of the document modified by deletions, ensuring that:*

*(i) access to the edited copy would be required to be given under section 11A (access to documents on request); and*

*(ii) the edited copy would not disclose any information that would reasonably be regarded as irrelevant to the request; and...*

Section 22 provides that if an agency decides that granting access to a document would disclose information that would be exempt or reasonably be regarded as irrelevant to the request and it is reasonably possible to prepare an edited copy of the document by deleting the irrelevant information, then the department should do so.

I have decided to apply section 22 of the FOI Act in cases where the information does not fall within the scope of your request (irrelevant information). I have considered all the documents identified in the schedule to determine whether a portion or portions of each document could be released using the procedure envisaged in section 22(1)(b) of the FOI Act. Included in my assessment of irrelevant material are the contact details of junior public servants. In the acknowledgement email sent to you on 27 April 2016, the department advised any personal information of junior public servants would be treated as outside the scope of the request unless you indicated otherwise.

Where irrelevant information appears in the documents, I have decided to delete this irrelevant information in order to allow for the release of the balance of the document.

### **Your review rights**

If you are dissatisfied with my decision, you may apply for internal review or Information Commissioner review of the decision. We encourage you to seek internal review as a first step as it may provide a more rapid resolution of your concerns.

## Internal review

Under section 54 of the FOI Act, you may apply in writing to the Attorney-General's Department for an internal review of my decision. The internal review application must be made within 30 days of the date of this letter, and be lodged in one of the following ways:

email:      [foi@ag.gov.au](mailto:foi@ag.gov.au)  
post:      Freedom of Information and Privacy Section  
            Office of Corporate Counsel,  
            Attorney-General's Department,  
            3-5 National Circuit  
            Barton, ACT 2600

Where possible please attach reasons why you believe review of the decision is necessary. The internal review will be carried out by another officer within 30 days.

## 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 of the date of this letter, and be lodged in one of the following ways:

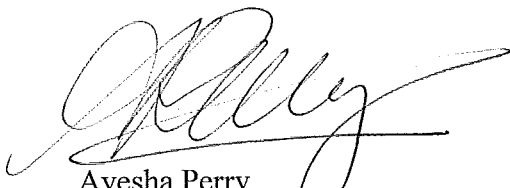
online:      <https://forms.business.gov.au/aba/oaic/foi-review-/>  
email:      [enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)  
post:      GPO Box 5218 Sydney NSW 2001  
in person:   Level 3, 175 Pitt Street, Sydney NSW

More information about Information Commissioner review is available on the Office of the Australian Information Commissioner website. Go to <http://www.oaic.gov.au/freedom-of-information/foi-reviews>.

## Questions about this decision

If you wish to discuss this decision, please contact Briony, FOI case manager, by telephone on (02) 6141 6666 or by email [foi@ag.gov.au](mailto:foi@ag.gov.au).

Yours sincerely



Ayesha Perry  
Assistant Secretary

## Attachments

- A. *Schedule of documents*
- B. *Documents 1 – 3*