



Australian Government
Department of Employment

James Smith
via 'Right to Know'

By email: foi+request-1855-5e19c5d3@righttoknow.org.au

Dear Mr Smith

1. I refer to your correspondence received by the Department of Employment (the Department) on 18 April 2016, in which you requested access under the *Freedom of Information Act 1982* (Cth) (the FOI Act) to the following documents:
 - *Current social media policy of the Department, which covers Departmental use and/or private use by employees in an individual capacity.*
 - *Any current guidance material which is available for employees to make informed decisions about their private social media use.*
2. On 2 May 2016, the Department advised you may be liable to pay a charge for processing your request. However, I have decided not to impose a charge in this instance.
3. I am authorised to make decisions under the FOI Act and my decision regarding your request and the reasons for my decision are set out below. The Schedule of Documents at **Attachment B** summarises my decision as it applies to the documents covered by your request.
4. I am advised the Department has in its possession eleven pages and one video that fall within the scope of your request.
5. I have decided that all documents are appropriate for release, and I have attached copies of these pages. However, due to the size of the video file I am unable to send it to you by email. If you would kindly provide your postal address I would be happy to send a copy of the video file on compact disc.
6. I have enclosed information about your rights of review under the FOI Act at **Attachment A**.
7. Should you have any questions, please do not hesitate to contact me via email at foi@employment.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Oliver Shepherd', written over a faint circular stamp.

Oliver Shepherd
Government Lawyer
Information Law Team
Information Law, Practice Management and Corporate Advising Branch

12 May 2016

Attachment A - Your rights of review

Internal Review

Section 54 of the *Freedom of Information Act 1982* (FOI Act) gives you the right to apply for an internal review of this decision. The review will be conducted by a different person to the person who made the original decision.

If you wish to seek an internal review of the decision you must apply for the review, in writing, within 30 days of receipt of this letter.

No particular form is required for an application for internal review, but to assist the decision-maker you should clearly outline the grounds upon which you consider the decision should be reviewed. Applications for internal review can be lodged in one of the following ways:

Post: The Information Law Coordinator
 Information Law, Practice Management and Corporate Advising Branch
 Department of Employment
 Location Code: C12MT1-LEGAL
 GPO BOX 9880
 CANBERRA ACT 2601
Email: foi@employment.gov.au

External Review by the Australian Information Commissioner

Section 54L of the *Freedom of Information Act 1982* (FOI Act) gives you the right to apply directly to the Australian Information Commissioner (AIC) to seek a review of this decision.

If you wish to have the decision reviewed by the AIC you must apply for the review, in writing or by using the online merits review form available on the AIC's website at www.oaic.gov.au, within 60 days of receipt of this letter. To assist the AIC your application should include a copy of this decision and your contact details. You should also clearly set out why you are objecting to the decision.

You can also complain to the AIC about how an agency handled an FOI request, or other actions the agency took under the FOI Act.

Applications for review or complaint can be lodged in one of the following ways:

Online: www.oaic.gov.au
Post: GPO Box 5218
 Sydney NSW 2001
Fax: +61 2 9284 9666
Email: enquiries@oaic.gov.au
In person: Level 3, 175 Pitt Street
 SYDNEY NSW 2000

For general enquiries, please call 1300 363 992 or +61 2 9284 9749 for international.

The Commonwealth Ombudsman

You can complain to the Commonwealth Ombudsman concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act.

A complaint to the Commonwealth Ombudsman may be made orally or in writing. The Ombudsman may be contacted for the cost of a local call from anywhere in Australia on telephone 1300 362 072.

Attachment B – Schedule of Documents for James Smith

Document Number	Page number	Date	Description	Decision on access
1	1-7	June 2015	Personal Use of Social Media Policy	Release in full.
2	8	4/7/15	Staff intranet page – Social Media	Release in full.
3	9	9/4/15	Staff intranet page – Twitter	Release in full.
4	10	24/4/15	Staff intranet page – Guidance for Employees Making Public Comment	Release in full.
5	11	19/9/13	Staff intranet page – Social media: know your boundaries	Release in full.
6	-		Social Media – Know Your Boundaries (video)	Release in full.