



21 June 2016

Ms Leanne Cooper  
Director  
Cadence Health Pty Ltd

By email: [foi+request-1881-9c682287@righttoknow.org.au](mailto:foi+request-1881-9c682287@righttoknow.org.au)

Dear Ms Cooper,

**Freedom of Information (FOI) request – [15-16-0052]**

I am writing in response to your application under the *Freedom of Information Act 1982 (Cth)* (FOI Act).

*Summary*

On 20 April 2016, you made the following request:

*I would like to request information on the organisation/person who submitted the original complaint that initiated the above complaint process by ASQA on 27 September 2013.*

*I would like a copies notating the:*

- Date*
- Nature of the complaint*
- Details of the complainant*

*that were submitted to ASQA and led to the above complaint received by Cadence Health on the 27/9/2013 by email*

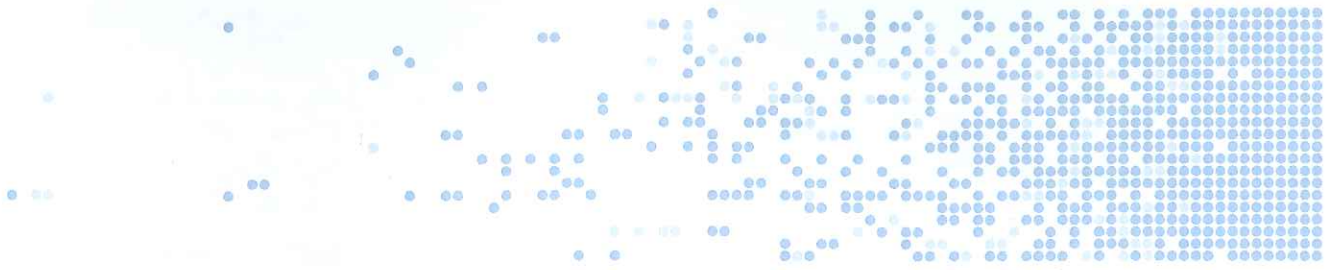
**Decision and reasons for decision**

I, Michael Bopf, am an officer authorised under subsection 23(1) of the *Freedom of Information Act 1982 (Cth)* (FOI Act) to make decisions about FOI requests.

*Summary*

I have identified one document that falls within the scope of the application under the FOI Act. I have decided to grant access to this document as follows:

- Access to the document in part with exempt information redacted under section 47F of the FOI Act.



### *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 the request;
- the FOI Act (specifically sections 11B, 22, and 47F);
- the guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (FOI Guidelines); and
- the advice of ASQA's Compliance and Governance, Policy and Quality teams.

### *Public interest conditional exemptions — personal privacy (s 47F)*

I have decided to delete certain information in the document in accordance with section 47F of the FOI Act. Section 47F of the FOI Act (paraphrased) provides that a document is conditionally exempt if its disclosure would involve the unreasonable disclosure of personal information about any person (including a deceased person).

In reaching this determination, I had regard to the following factors (section 47F(2)):

- the information is not well known; and
- the information is not available from publicly accessible sources.

I have decided that access to the conditionally exempt matter in the documents would, on balance, be contrary to the public interest (section 11B). In reaching this decision, I:

- considered the factors favouring disclosure – I identified the following factor:
  - promote the objects of the FOI Act as set out in section 3
- considered the factors against disclosure — I identified the following factor:
  - could reasonably be expected to prejudice the protection of an individual's right to privacy
- did not consider any irrelevant factors in subsection 11B(4) of the FOI Act.

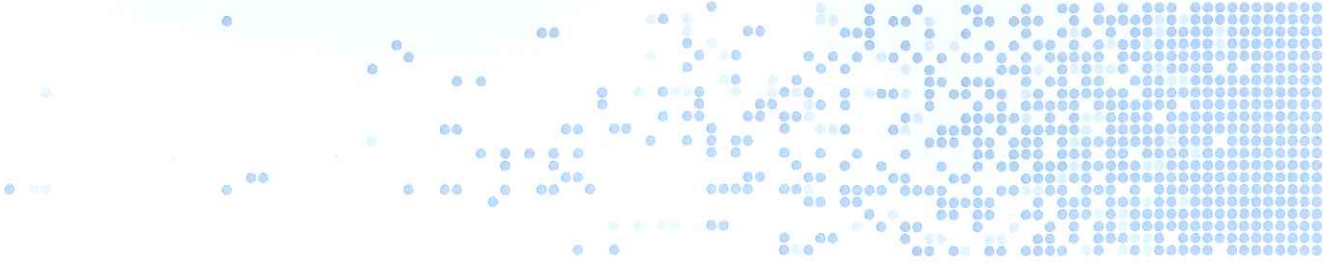
Therefore, I have determined that certain information in the document is conditionally exempt under section 47F of the FOI Act.

### ***Your review rights***

If you are dissatisfied with my decision, you may apply for internal review or Information Commissioner review. I 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 54A of the FOI Act, you may apply in writing to ASQA for an internal review of my decision. The internal review application must be made within 30 days of the date of this letter.



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 54M 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 30 days of the date of this letter, and be lodged in one of the following ways:

online:	<a href="https://forms.australia.gov.au/formsibaicifoi-review/">https://forms.australia.gov.au/formsibaicifoi-review/</a>
email:	<a href="mailto:enquiriesoic.gov.au">enquiriesoic.gov.au</a>
post:	GPO Box 2999, Canberra ACT 2601
in person:	Level 3, 175 Pitt Street, Sydney NSW

If you have any questions about this matter, please email the FOI Contact Officer, Ms Carolyn Hodges at: [foi@asqa.gov.au](mailto:foi@asqa.gov.au)

Yours sincerely



Michael Bopf  
**Freedom of Information Officer**