



Australian Government
Attorney-General's Department

FOI17/008; 17/724

16 February 2017

JPK

By email: foi+request-2919-7510276c@righttoknow.org.au

Dear JPK

Freedom of Information Request – Outcome of recruitment process 493127/AGD

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, Helen Daniels, Assistant Secretary, am an officer authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests made to the Attorney-General's Department (the department).

On 7 January 2017, you requested access to documents relating to the recruitment process 493127/AGD- First Assistant Secretary- Senior Executive Service Band 2 (not any personal information of recruitment applicants contained in the documents).

On 17 January 2017, the department acknowledged your request.

On 3 February 2017, you were sent a notice of the department's intention to refuse your request on the basis of there being a practical refusal reason in relation to the request, and you were given the opportunity to revise your request. By return email on 14 February 2017, you revised the scope of your FOI request to the following:

'...documents about this recruitment process that discuss or refer to the likely number of vacancies that the process would be used to fill and the number of applications received, the number of applicant interviews and the number of applicants whose referees were approached for comment.

Any other information (eg personal information about applicants or assessment of merits etc) is not the subject of my request and should be excluded. Documents that are publicly available and refer to the likely number of vacancies are also excluded.'

On 15 February 2017, the department advised you that the practical refusal reason had been removed because of the revised scope of your request, and that your request could be processed. You were also advised that the decision for your request was due on 17 February 2017.

Decision and reasons for decision

Section 17 of the FOI Act relevantly provides:

(1) Where:

(a) a request is made in accordance with the requirements of subsection 15(2) to an agency;
(b) it appears from the request that the desire of the applicant is for information that is not available in discrete form in written documents of the agency; and
(c) the agency could produce a written document containing the information in discrete form by:

*(i) the use of a computer or other equipment that is ordinarily available...
the agency shall deal with the request as if it were a request for access to a written document so produced and containing that information and, for that purpose, this Act applies as if the agency had such a document in its possession.*

There is no discrete document or documents held by the department containing the information you have sought in your revised request. However, in accordance with section 17 of the FOI Act, I have arranged for a document to be produced containing the information you have sought, which has been compiled from information held by the department in various other documents. With regard to this document, I have decided to grant access in full. The relevant document is at **Attachment A**.

I have decided that, due to the limited resources that were required to prepare the document at Attachment A, no charge is associated with its release to you under the FOI Act.

Material taken into account

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

- information held by the department relevant to your request
- the FOI Act (specifically section 17), and
- the guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act.

Your review rights

If you are dissatisfied with my decision, you may apply for internal review or Information Commissioner review of the decision. I provide information about each avenue of review below. We would 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
post: Freedom of Information and Privacy Section
 Strategy and Delivery Division
 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
post: GPO Box 5218, SYDNEY NSW 2001
in person: Level 3, 175 Pitt Street, SYDNEY NSW 2000

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

Questions about this decision

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

Yours sincerely



Helen Daniels
Assistant Secretary

Attachments

1. Attachment A - Document for release

Attachment A - Document for release

Documents about this recruitment process that discuss or refer to the likely number of vacancies that the process would be used to fill	Documents are not able to be provided as no specific vacancies were identified prior to conducting the process. The recruitment process was conducted to create a merit pool for use across the department.
Number of applications received	44
Number of applicant interviews	10
Number of applicants whose referees were approached for comment	8