



Australian Government  
Department of Education and Training

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Mr James Smith

By email: 'foi+request-3093-8356b2bc@righttoknow.org.au'

Dear Mr Smith

FREEDOM OF INFORMATION (FOI) REQUEST: DECISION

I refer to your FOI request to this Department dated 16 February 2017. You have sought access under the *Freedom of Information Act 1982* (Act) to the following documents:

*'the document(s) which describe the data provided to the external organisation(s) responsible for conducting the ballot(s) for all Enterprise Agreements put to staff for a vote.*

*The scope of this request is limited only to those ballots undertaken for enterprise agreements which were proposed to take effect after 30 June 2014.*

*The document shall describe the data given to the ballot agent. For example, employee name, employee identification number, employee email address, etc. I exclude the data for specific employees here; I am only after the 'meta-data'.'*

I am authorised to make decisions under subsection 23(1) of the Act.

In response to your request I am enclosing a document which contains the information you are requesting. I trust it is useful.

A statement setting out your review rights is also attached.

Should you have any questions, please do not hesitate to contact me at [foi@education.gov.au](mailto:foi@education.gov.au).

Yours sincerely

Mal Bennett  
Senior Government Lawyer  
Schools, Child Care and Corporate Legal Branch  
People, Communication and Legal Group

14 March 2017

## **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 FOI Coordinator  
Schools, Child Care and Corporate Legal Branch  
People, Communication and Legal Group  
Department of Education and Training  
Location Code: C50MA10  
GPO BOX 9880  
CANBERRA ACT 2601

**Email:** [foi@education.gov.au](mailto:foi@education.gov.au)

### **External Review by the Australian Information Commissioner**

Section 54L of the 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](http://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](http://www.oaic.gov.au)  
**Post:** GPO Box 5218 Sydney NSW 2001  
**Fax:** +61 2 9284 9666  
**Email:** [enquiries@oaic.gov.au](mailto: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.