



Australian Government

Department of Health

Department Reference: FOI 206-1617

James Smith

Via email: foi+request-3097-9c051be7@righttoknow.org.au

Dear Mr Smith,

NOTICE OF DECISION

I refer to your request of 16 February 2017 to the Department of Health (Department) seeking access under the *Freedom of Information Act 1982* (FOI Act) to:

"I request 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 writing to advise you of my decision.

Decision

I am authorised under section 23(1) of the FOI Act to make decisions in relation to Freedom of Information requests.

I have identified five documents falling within the terms of your request. The documents are set out in the schedule at Attachment A.

I have decided to give access to all documents subject to the deletion of irrelevant information as indicated in the attached schedule.

Charges

Given the processing of this request was not complex I have decided not to impose any fees and charges normally associated with the processing of applications under the FOI Act, in this instance.

Relevant provisions

The FOI Act, including the provisions referred to in this letter, can be accessed from the Federal Register of Legislation website:

<https://www.legislation.gov.au/Details/C2016C00067>

Contact

If you require clarification of any of the matters discussed in this letter you should contact the Department's FOI Unit on 02 6289 1666 or by email foi@health.gov.au

Yours sincerely



Belinda Casson
Assistant Secretary
Capability Branch

10 April 2017

ATTACHMENT A

SCHEDULE OF DOCUMENTS - FOI 206-1617

Doc. No.	No. of Pages	Date	Author	Description of Document	Decision ¹	Portion Exempt
1	1	ND	Department of Health	Voter Roll for Proposed Enterprise Agreement 2015-2018	R	
2	1	3/03/2015	Department of Health	Email – Enterprise Agreement – Lead Negotiator Message	RE	s22(1)(a)(ii) Page 1
3	2	28/08/2015	Department of Health	Email – Enterprise Agreement – Access Period and Vote Dates	RE	s22(1)(a)(ii) Page 2
4	2	30/11/2015	Department of Health	Email – Message from Martin	RE	s22(1)(a)(ii) Page 1 - 2
5	2	9/12/2015	Department of Health	Email – EA Lead Negotiator Message – find out what the new EA means for you	RE	s22(1)(a)(ii) Page 2

¹ R= Release, RE= Release with Exemptions applied

ATTACHMENT B

REASONS FOR DECISION

In making my decision, I had regard to the following:

- the terms of your request;
- the content of the documents to which you sought access;
- advice from departmental officers with responsibility for matters relating to the documents to which you sought access;
- third party submissions;
- the relevant provisions of the FOI Act; and
- guidelines issued by the Australian Information Commissioner under s93A of the FOI Act.

The schedule of documents indicates exemption claims have been applied to the document. My reasons for deciding that exemption provisions apply to the documents are set out below.

Subparagraph 22(1)(a)(ii) - material irrelevant to the request

Subparagraph 22(1)(a)(ii) allows an agency to delete irrelevant material from a document that would reasonably be regarded as irrelevant to the request for access. A number of the documents contain the mobile phone number of a Department of Health employee. As outlined in our acknowledgement email to you on 10 March 2017, this material is considered to be irrelevant to the scope of your request and as such has been deleted under s22(1)(a)(ii).