



Australian Government
Department of Education and Training

Mr James Smith

By email: 'foi+request-3155-403451b4@righttoknow.org.au'

Dear Mr Smith

FREEDOM OF INFORMATION (FOI) REQUEST: DECISION

I refer to your FOI request to this Department dated 26 February 2017. You have sought access under the *Freedom of Information Act 1982* (Act) to the following documents:

'all documents wherein the outcome of any enterprise bargaining ballots were communicated to the department by the entity who undertook the ballots.

This shall include the YES/NO vote amounts or percentages as well as any additional information related to the vote. For example, a breakdown of the vote by employee location, or APS level.

The scope of this request covers any such documents that were received as a result of EBA offers made to staff under:

Workplace Bargaining Policy 2015

or

Australian Government Public Sector Workplace Bargaining Policy 2014'

I am an authorised decision maker under subsection 23(1) of the Act.

The department has in its possession documents which fall within the scope of your request. I have decided that those documents are appropriate for release. They are therefore attached.

Please note that I have redacted some names, signatures and a mobile phone number from the documents under section 22 of the FOI Act on the ground that they are irrelevant to your request.

A statement setting out your review rights is attached.

Should you have any questions, please do not hesitate to contact me at foi@education.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mal Bennett'.

Mal Bennett
Senior Government Lawyer
Schools, Child Care and Corporate Legal Branch
People, Communication and Legal Group
28 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

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, 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.