



Our reference: FOIREQ17/00051

By email to: foi+request-3762-a88d6ff1@righttoknow.org.au

Dear Anonymous

Your Freedom of Information request

I refer to your request for access to documents made under the *Freedom of Information Act 1982* (Cth) (the FOI Act) and received by the Office of the Australian Information Commissioner (OAIC) on 2 August 2017.

You requested access to documents which detail the precise salary paid to each of the OAIC's SES officers in 2014/15, 2015/16 and 2016/17.

You limited your request to current SES officers (that is, you did not request the salaries of SES officers no longer employed by the OAIC).

During a telephone call on 26 September 2017, you agreed to exclude the names of individual SES officers from the scope of your request. However you asked that any table prepared in response to your request include information about when an officer was appointed, if the person was appointed during the financial year so readers can calculate annual salary. I have not agreed to this, because it expands your request beyond its original scope.

It is important to note that there are many factors which affect the actual salary received by a person, including the length of time they occupied a position during the financial year, any periods of leave without pay or acting in other positions, and whether work was undertaken on a full or part-time basis.

Decision

I am an officer authorised under s 23(1) of the FOI Act to make decisions in relation to FOI requests.

I have decided to grant you access to the information you requested.

A table setting out the salary paid to the OAIC's SES officers in 2014/15, 2015/16 and 2016/17 is attached. The salary outlined in the table excludes superannuation payments.

The OAIC now publishes information about Executive remuneration on the OAIC's website (<https://www.oaic.gov.au/about-us/corporate-information/key-documents/executive-remuneration>).

If you disagree with my decision

Internal review

You have the right to apply for an internal review of my decision under Part VI of the FOI Act. An internal review will be conducted, to the extent possible, by an officer of the OAIC who was not involved in or consulted in the making of my decision. If you wish to apply for an internal review, you must do so in writing within 30 days. There is no application fee for internal review.

If you wish to apply for an internal review, please mark your application for the attention of the FOI Coordinator and state the grounds on which you consider that my decision should be reviewed.

Further Review

You have the right to seek review of this decision by the Information Commissioner and the Administrative Appeals Tribunal (AAT).

You may apply to the Information Commissioner for a review of my decision (IC review). If you wish to apply for IC review, you must do so in writing within 60 days. Your application must provide an address (which can be an email address or fax number) that we can send notices to, and include a copy of this letter. A request for IC review can be made in relation to my decision, or an internal review decision.

It is the Information Commissioner's view that it will usually not be in the interests of the administration of the FOI Act to conduct an IC review of a decision or an internal review decision, made by the agency that the Information Commissioner heads: the OAIC. For this reason, if you make an application for IC review of my decision, it is likely that the Information Commissioner will decide (under s 54W(b) of the FOI Act) not to undertake an IC review on the basis that it is desirable that my decision be considered by the AAT.

Section 57A of the FOI Act provides that before you can apply to the AAT for review of an FOI decision, you must first have applied for IC review.

Applications for internal review or IC review can be submitted to:

Office of the Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

Alternatively, you can apply by email to foi@oaic.gov.au or by fax on 02 9284 9666.

Yours sincerely

Caren Whip
Director
Dispute Resolution Branch
28 September 2017