



Australian Government

Aged Care Complaints Commissioner

Mr James Smith
c/o Right to Know
by email: foi+request-3834-f16a449a@righttoknow.org.au

Dear Mr Smith

Freedom of Information (FOI) request 2017/07

I am writing to give you my decision about access to documents you requested under the *Freedom of Information Act 1982* (the FOI Act). I am authorised under section 23 of the FOI Act to make decisions in relation to FOI requests for the Aged Care Complaints Commissioner (Complaints Commissioner).

On 5 October 2017 you asked us for documents under the FOI Act:

... related to the ten most recent instances where an employee has sought information, advice, guidance, or opinion on their social media use in a private capacity.

The scope of your request was limited to:

- *the original request from the employee*
- *the agency/department's response*
- *any follow-up questions and response*
- *only those sent to a relevant HR / conduct / social media (or similar) team (rather than managers across all areas of the organisation)*
- *where the original request was created in the last two years.*

We asked relevant areas to look for documents where staff working in the Aged Care Complaints Commissioner had asked for information, guidance, advice or opinion on their use of social media in a private capacity [since the Aged Care Complaints Commissioner commenced on 1 January 2016]. The search included any documented response to such requests, whether the original request had been made verbally or in writing. We could not find any electronic or paper-based records matching the scope of your request.

As no document relating to your request exists, my decision is to refuse your request for access to documents under s 24A(1) of the FOI Act.

If you are dissatisfied with this decision, you are entitled to seek review. More information about your review rights is attached.

If you have any questions about this decision, please contact the FOI Manager, Claire Spindler on 1800 500 294 or by email: FOI@agedcarecomplaints.gov.au.

Yours sincerely

Emily Grayson
Director
Assurance, Review, FOI
Aged Care Complaints Commissioner
30 October 2017

Your review rights

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.

If you wish to seek an internal review of this decision, you must apply for the review to the Aged Care Complaints Commissioner, in writing, within 30 days of receipt of this letter.

No particular format is required but it will help the new decision-maker if you state clearly why you consider the decision should be reviewed. Please send your application by post or email as follows:

Post: Freedom of Information (FOI) Officer
GPO Box 9848
Canberra ACT 2601

Email: foi@agedcarecomplaints.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 to seek a review of this decision.

If you wish to have the decision reviewed by the Information Commissioner you must apply for the review within 60 days of receipt of this letter.

You can also complain to the Information Commissioner 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 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 callers.