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| Conventional version of the Commonwealth Coat of Arms | **Australian Government** |
| **Department of Jobs and Small Business** |

Ref 33636

FOI Applicant

**By email:** [foi+request-4342-29fa3c32@righttoknow.org.au](mailto:foi+request-4342-29fa3c32@righttoknow.org.au)

Dear FOI Applicant

**Notice of extension for time to make an access decision**

We refer to your request of 27 January 2018 to the Department for access to documents under the *Freedom of Information Act 1982* (FOI Act) in the following terms:

*‘I refer the Department of Employment (the Department) to my FOI request made of the Office of the Australian Information Commissioner here (the 'OAIC request'):* [*https://www.righttoknow.org.au/request/precise\_salaries\_paid\_to\_the\_oai*](https://www.righttoknow.org.au/request/precise_salaries_paid_to_the_oai)

*By this application I make the same request of the Department albeit such that every reference to 'OAIC' in the OAIC request should be read as a reference to the 'Department'. I rely on all my submissions contained in the OAIC request, in support of this request made of the Department under s.15 of the FOI Act.*

*Further, I am amenable to the Department providing copies of relevant group certificates or otherwise a payroll report or other summary document with the names of the relevant officers redacted but only on the condition that each relevant officer's name be replaced by a single unique identifier such that each relevant SES officer's precise salary can be tracked over the three relevant financial years (eg. SES officer #1, SES officer #2, SES officer #3 etc).’*

By accessing the request to the Australian Information Commissioner to which you refer, we therefore understand the scope of your request as follows:

*‘Documents which detail the precise salary paid to each of the Department’s SES officers in the following financial years - FY2014/15, FY 2015/16 and FY2016/17. That information might be included in the group certificates/end-of-year PAYG payments summaries issued by the Department to its SES officers, or common law contracts relating to the employment of the relevant SES officers or, any relevant determinations made under subsection 24(1) or 24(3) of the Public Service Act 1999.*

*I am willing to further narrow the scope of my request by limiting it to officers employed by the Department who, at the time of my application, were categorised as SES officers, meaning that:*

*- Department staff who were once SES officers at the Department, but weren’t categorised as such at the time of this application; and*

*- the documents the subject of my request that pertain to SES officers who are no longer employed by the Department;*

*are discounted from the scope of my application.*

*Further, I am amenable to the Department providing copies of relevant group certificates or otherwise a payroll report or other summary document with the names of the relevant officers redacted but only on the condition that each relevant officer's name be replaced by a single unique identifier such that each relevant SES officer's precise salary can be tracked over the three relevant financial years (eg. SES officer #1, SES officer #2, SES officer #3 etc).’*

As there were only two SES Band 3 officers with the Department in the relevant periods, these officers would remain reasonably identifiable notwithstanding replacement of their names with a single unique identifier. They will therefore need to be consulted about the release of their personal information. In these circumstances, section 15(6) of the FOI Act extends the standard 30-day statutory time period by a further 30 days. This gives the Department 60 days in which to notify you of its decision on access to the documents.

**Contact details**

Should you wish to discuss any issues arising from this letter, please contact us by email [foi@jobs.gov.au](mailto:foi@jobs.gov.au).

Yours sincerely

Senior Government Lawyer

Information Law Team

Corporate Legal

23 February 2018