



Our reference: FOIREQ18/00187

Verity Pane

Verity Pane foi+request-4943-ec898831@righttoknow.org.au

Your Freedom of Information request

Dear Ms Pane,

I refer to your request for access to documents under the *Freedom of Information Act 1982* (Cth) (the FOI Act), received by the Office of the Australian Information Commissioner on 8 November 2018.

You requested access to:

Under FOI I request the OAIC to conduct a search of its Content Manager EDRMS, searching via Search By field 'Document Content' for documents containing the words 'Work, Health and Safety Act 2011'.

From those, identify those documents that relate to the any discussion or analysis about the disclosure or transparency of the names of public sector employees.

I seek copy of those documents identified.

On 15 November 2018 you revised the scope of your request to the following:

Under FOI I request the OAIC to conduct a search of its Content Manager EDRMS, searching via Search By field 'Document Content' for documents containing the words 'Work, Health and Safety Act 2011'.

From those documents identified, prioritise those documents that relate to any discussion or analysis about the disclosure or transparency of the names of public sector employees. Any documents that are not predominantly about this topic, and appear to have only a tangential mention, may be excluded.

If the list of documents in scope exceed 50 documents, can you please advise and I will assist in reducing the number of documents to be considered.

I seek copy of those documents identified within scope.

Decision

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

Documents within scope

I have located 8 documents that fall within the scope of your request. A schedule describing each document and the access decision I have made is at Appendix A to this decision.

I have decided to release the 8 documents in full.

I note that the Australian Public Service Commission (APSC) was consulted in relation to this FOI request. The APSC noted that the documents contain material which is more than 6 years old, some of which has been updated and conveyed into guidance material available at <https://www.apsc.gov.au/cyber-bullying-aps-employees-members-public>.

Please see the following page for information about your review rights and information about the OAIC's disclosure log.

Yours sincerely,

Amanda Nowland
Senior Lawyer

10 December 2018

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 submit your application by email to foi@oaic.gov.au, or by fax on 02 9284 9666.

Accessing your information

If you would like access to the information that we hold about you, please contact FOIDR@oaic.gov.au. More information is available on the **Access our information** page on our website.

Disclosure log

Section 11C of the FOI Act requires agencies to publish online documents released to members of the public within 10 days of release, except if they contain personal or business information that would be unreasonable to publish.

The documents do not contain personal or business information that it would be unreasonable to publish. As a result, I have decided that the documents will be published on our disclosure log after they are released to you.

APPENDIX A

Document number	Page number	Number of pages	Date	Description	Decision on access	Exemption
1	1	2	18/9/12	Meeting agenda and notes	Release in full	None
2	3	2	31/7/12	Record of meeting	Release in full	None
3	5	3	8/8/12	Email OAIC to APSC	Release in full	None
4	8	2	6/8/12	Email APSC to OAIC	Release in full	None
5	10	2	1/8/12	Notes of meeting	Release in full	None
6	12	1	1/8/12	Email OAIC to APSC	Release in full	None
7	13	2	30/7/12	Internal OAIC email	Release in full	None
8	15	2	31/7/12	Background paper	Release in full	None