



Our reference: FOIREQ20/00235

**Julie**

By email: [foi+request-6955-9242e414@righttoknow.org.au](mailto:foi+request-6955-9242e414@righttoknow.org.au)

## Your freedom of information request - FOIREQ20/00235

Dear Julie

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 7 December 2020.

In your request you seek access to the following:

*“...I seek copy of any document regarding the recommendation of Synergy Group Australia, an external consultant contracted by the Information Commissioner to process review and workshop changes to its processes, that OAIC staff members spend no more than 5 minutes reviewing IC Review requests (before rejecting them for investigation, without using any second stage review process to review such a decision internally before release) in order to reduce the OAIC's backlog of IC Reviews.*

*Was that recommendation, which was reported by them (from the results of its off-site workshops with OAIC staff), adopted?”*

## Decision

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

I have identified 1 document within the scope of your request. I have decided to grant you access to that document in full. A schedule describing the document and access decision I have made has also been provided with this decision.

You may also wish to look at the draft report prepared for the OAIC by Synergy Group regarding a review of FOI business processes. This is available on the OAIC's disclosure log at the following weblink:

[FOIREQ20/00088 Documents \(PDF, 9.7 MB\)](#)

## Searches undertaken

In conducting searches for documents relevant to your request, I consulted with the relevant line area in the OAIC. The line area provided the following response:

*“In considering Synergy's draft recommendations, the FOI Regulatory Group reviewed its existing process and operational documents to assist in streamlining the IC review process. The Synergy Review of IC review process: Implementation of draft recommendations document (attached) sets out the Group's response to the draft recommendations. In particular:*

- *Page 6 of the document in particular refers to the Synergy recommendation that ‘Initial assessment is ‘broad-stroke’ (av. 5 mins) and does not include the Principal Director unless the case is potentially significant or systemic’.*
- *Page 6 of the document notes the response of the team:*

*Preliminary assessments of incoming IC reviews are currently undertaken by the Director of Intake and Early Resolution and reviewed by the Principal Director. This process is undertaken on the basis that the IC review function is currently divided between 3 teams: Intake and Early Resolution, Reviews and Significant and Systemic under the broad leadership of the Principal Director.*

*Opportunities and improvements Changes to process Status and significant issues at various stages of the IC review process. A ‘Conducting IC review: Assessments’ D2019/002542 work sheet was developed in March 2019 and updated in June 2019 to provide guidance on assessing IC review applications. A Conducting IC reviews: Identification of systemic and significant issues worksheet (TRIM link: D2019/001898) was developed in March 2019 to enable identification of systemic. and significant issues at various stages of the IC review process. A ‘Conducting IC review: Assessments’ D2019/002542 work sheet was developed in March 2019 and updated in June 2019 to provide guidance on assessing IC review applications.*

*I confirm that the practice remains that incoming IC reviews are currently assessed by the Director of Intake and Early Resolution and reviewed by the Principal Director.*

*The FOI Regulatory Group have also developed operational documents to assist in streamlining the initial assessment of IC reviews, noting that applications are reassessed once documents/submissions are received from the parties in response to the s 54Z notice”*

## Irrelevant material (s 22)

Section 22 of the FOI Act provides that irrelevant information can be deleted from a document if it is reasonably practicable to prepare a copy of the document modified by deletions, and the modified copy would not disclose the irrelevant material.

Part of document 1 contains information that is not relevant to the scope of your request. As such, I have decided to redact this information from the document under section 22 of the FOI Act.

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

Yours sincerely

**Joseph Gouvatsos**  
Lawyer

24 December 2020

## 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.

Applications for internal reviews 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](mailto:foi@oaic.gov.au), or by fax on 02 9284 9666.

### 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, and the Information Commissioner is satisfied that in the interests of administration of the Act it is desirable that my decision be considered by the AAT, the Information Commissioner may decide not to undertake an IC review.

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 IC review can be submitted online at:

[https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICR\\_10](https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICR_10)

Alternatively, you can submit your application to:

Office of the Australian Information Commissioner

GPO Box 5218

SYDNEY NSW 2001

Or by email to [foidr@oaic.gov.au](mailto:foidr@oaic.gov.au), or by fax on 02 9284 9666.

### **Disclosure log**

Section 11C of the FOI Act requires agencies to publish documents released through an FOI request on our website within 10 days of release, except if they contain personal or business information that it would be unreasonable to publish.

I do not consider it would be unreasonable to publish this document. As a result, the document will be published on our [disclosure log](#) shortly.

### **Accessing your information**

If you would like access to the information that we hold about you, please contact [FOIDR@oaic.gov.au](mailto:FOIDR@oaic.gov.au). More information is available on the [Access our information](#) page on our website.