

13 December 2021

Private and Confidential

David Buckley PhD

By email only: foi+request-7967-f2357322@righttoknow.org.au

Dear Dr Buckley

Decision about your request for documents

I am writing about your request for documents¹ in your email of 15 October 2021.

As an authorised decision maker,² this letter sets out a summary of my decision and outlines:³

- a summary of your request
- a list of the materials used to reach the decision
- the reasons for the decision, and
- information about your review rights.

The detail of my reasons is set out in the attachment to this letter.

Your request

As you'll know, we wrote to you on 28 October 2021 to provide you with information about the FOI process and to acknowledge that we would consider your request for the following documents:

Please provide the recorded audio and visual proceedings of the online forums conducted by Pharmacy Board Australia at 0900am and 1pm on 29/09/21.

Subsequent to this, on 15 November 2021, we emailed you advising that because some of the documents you had requested contained information received from third parties, consultation was required in order to obtain those third parties' views.

At this time, we explained that we were required to make a decision by **Tuesday, 14 December 2021**.

How I made my decision

In reaching my decision I referred to:

¹ Made under under the *Freedom of Information Act 1982* (Cth).

² Under section 23 of the *Freedom of Information Act 1982* (Cth).

³ In accordance with section 26 of the *Freedom of Information Act 1982* (Cth).

- the terms of your request
- the documents relevant to the request
- the FOI Act
- the Health Practitioner Regulation National Law, as enforced in each state and territory (the National Law)
- FOI Guidelines issued by the Australian Information Commissioner
- Consultation responses from third parties

Documents I can release

Having considered your request, I have identified 3 documents that the Australian Health Practitioner Regulation Agency (Ahpra) holds in relation to your request. Specifically, these are documents relating to the Pharmacy Board of Australia's online forum regarding compounding of medicines, which was held on 29 September 2021. The documents themselves are the PowerPoint slides of the presentation and the audio-visual recordings of the two sessions.

My decision is that all 3 documents should be released to you in full.

Charges

No charges have been imposed for processing your request.

Review rights

Although I have granted full access to the relevant documents, you can ask for the decision to be reviewed if for example, you believe that there are further documents I have not identified.

[Review of this decision by Ahpra](#)

You may apply to Ahpra for a review of this decision.⁴ Your application must be made by whichever date is the later between:

- 30 days of you receiving this notice, or
- 15 days of you receiving the documents to which you have been granted access.

This review would not be conducted by me. To apply, it would help your case to explain why you believe the original decision is not correct.

An application for a review of the decision should be addressed to:

Mailing address:

Mr Robert Green
Senior Legal Adviser
Ahpra
GPO Box 9958
MELBOURNE VIC 3001

Email address: foi@ahpra.gov.au

If you choose to seek a review and disagree with that decision, you would subsequently have a right to apply to the National Health Practitioner Privacy Commissioner (the Commissioner) for a review of our decision. However, if you wish, you may choose to instead apply directly for review of this decision to the Commissioner, as I describe below.

⁴ Under section 54 of the *Freedom of Information Act 1982* (Cth).

Review by the Commissioner

You can apply to the Commissioner to review an FOI decision made by Ahpra.⁵ Your application must be made within 60 days of receiving our decision.

The Commissioner is an independent office holder who may review decisions of Ahpra under the FOI Act. You can contact them to seek review of this decision at the details listed below. An FOI review application form is available on the National Health Practitioner Ombudsman (the Ombudsman) website: <https://nhpo.gov.au/>

Complaints about the way we've managed your matter

If you want to provide feedback or make a complaint about Ahpra or a National Board then you can contact our Complaints and Feedback team. Information about how to do this can be found on our website: <https://www.ahpra.gov.au/About-AHPRA/Complaints.aspx>

If you're unhappy with our response to your complaint, you can contact the Ombudsman. Their details are:

Mailing address:

National Health Practitioner Ombudsman
GPO Box 2630
MELBOURNE VIC 3001

Email address: complaints@nhpo.gov.au

Telephone enquiries: 1300 795 265

Contact

If you have any questions about anything in this letter or in the attachment, please contact me on 07 3149 4767 or foi@ahpra.gov.au. If you do this, please tell me the reference number below.

Yours sincerely



Matthew Reghenzani

Senior Freedom of Information Officer
National Information Release Unit

Reference Number: FOI33602

⁵ Under section 54L of the *Freedom of Information Act 1982* (Cth).