



Australian Government
**Department of Employment
and Workplace Relations**

Our ref: LEX 419

Mr Justin Warren

By email: foi+request-8995-c14b3ef3@righttoknow.org.au

Dear Mr Warren

Freedom of Information – Internal review decision – Document access

1. I refer to your email of 20 August 2022 requesting an internal review of the Department of Employment and Workplace Relations' (**the department's**) freedom of information (FOI) decision dated 11 August 2022 made under the *Freedom of Information Act 1982 (FOI Act)* in relation to access to documents.
2. I am authorised to make decisions in respect of FOI requests under section 23(1) of the FOI Act.

Decision summary

3. I have decided to vary the primary decision dated 11 August 2022 to:
 - grant access in part to seven documents (documents 4 and 12-17) with redaction to certain material; and
 - refuse access in full to seven documents (documents 5-11).
4. I am satisfied that the documents contain material that is exempt from disclosure under sections 34, 42, 47C and 47E(d) of the FOI Act. However, I have decided to release additional material to you, as indicated in the Schedule of Documents at **Attachment A**.
5. The reasons for my internal review decision are set out in **Attachment B**.

Release of additional material

6. Document 4 with additional released material is **attached**.

Rights of review

7. I have enclosed information about your rights of review under the FOI Act at **Attachment C**.
8. Should you have any questions, please do not hesitate to contact me via email at foi@dewr.gov.au.

Yours sincerely

Tegan

Tegan
Authorised decision maker
Freedom of Information Team
Department of Employment and Workplace Relations

19 September 2022

SCHEDULE OF DOCUMENTS
Justin Warren – LEX 419 – Internal Review

Doc No	Pages	Date	Description	Primary Decision & Exemptions	Internal Review	
					Decision	Exemptions
1	82	Undated	New Employment Services Model (Regulation Impact Statement)	Grant access in full	N/A – document released to applicant in primary decision	
2	2	3 May 2021	Deputy Secretary Smyth letter to Executive Director, Office of Best Practice Regulation	Grant access in full	N/A – document released to applicant in primary decision	
3	1	13 June 2022	Office of Best Practice Regulation letter to Deputy Secretary Smyth	Grant access in full	N/A – document released to applicant in primary decision	
4	24	28 June 2021	New Employment Services Trial Risk Management Plan 2019-2022	Grant access in part ➤ ss 22(1)(a), 47C, 47E(d)	Grant access in part NB: Additional material released	s 22(1)(a) - Irrelevant material s 47C - Deliberative material s 47E(d) - Certain operations of agencies information
5	14		Ministerial Submission: The Points Based Activation System and Workforce Specialists in the New Employment Services Model - correspondence to the Prime Minister Attachment A: Points Based Activation System Framework Attachment B: Points Based Activation System Framework – issues identified	Refuse access ➤ ss 34(1)(a), 34(1)(d), 34(2), 47C	Refuse access	ss 34(1)(a), (1)(d) & (2) - Cabinet related material s 47C - Deliberative matter

Doc No	Pages	Date	Description	Primary Decision & Exemptions	Internal Review	
					Decision	Exemptions
			Attachment C: Letter to the Prime Minister			
6	24		New Policy Proposal – New Employment Services Model	Refuse access ➤ ss 34(1)(d), 47C	Refuse access	s 34(1)(d) - Cabinet related material s 47C - Deliberative matter
7	8	20 May 2021	Employment Steering Committee: Point Based Activation System for the New Employment Services Model Activation Framework and Appendices A, B and C	Refuse access ➤ ss 34(2), 47C	Refuse access	s 34(2) - Cabinet related material s 47C - Deliberative matter
8	11	24 June 2021	Employment Steering Committee: Point Based Activation System and Attachments A and B	Refuse access ➤ ss 34(2), 47E(d)	Refuse access	s 34(2) - Cabinet related material s 47E(d) - Certain operations of agencies information
9	13	5 August 2021	Employment Steering Committee: Point Based Activation System – Labour Market Credits and Appendices A and B	Refuse access ➤ ss 34(2), 47E(d)	Refuse access	s 34(2) - Cabinet related material s 47E(d) - Certain operations of agencies information
10	37	12 August 2021	Employment Steering Committee: Changes to the Job Plan for the New Employment Services Model (NESM) and Attachments A, B, C, D and E	Refuse access ➤ ss 34(2), 42, 47C, 47E(d)	Refuse access	s 34(2) - Cabinet related material s 42 - Legal advice s 47C - Deliberative material s 47E(d) - Certain operations of agencies information
11	7	19 August 2021	Joint Employment Steering Committee: Treatment of personal circumstances in the Points Based Activation System and Attachment A.	Refuse access ➤ ss 34(2), 47E(d)	Refuse access	s 34(2) - Cabinet related material s 47E(d) - Certain operations of agencies information

Doc No	Pages	Date	Description	Primary Decision & Exemptions	Internal Review	
					Decision	Exemptions
12	3	4 November 2021	Email from FAs to MO – Following up on PBAS matters	Grant access in part ➤ ss 42, 47C, 47E(d)	Grant access in part	s 42 – Material subject to legal professional privilege s 47C - Deliberative material s 47E(d) - Certain operations of agencies information
13	4	20 May 2021	Joint Employment Steering Committee meeting minutes	Grant access in part ➤ ss 22(1)(a)(ii), 47E(d)	Grant access in part	s 22(1)(a)(ii) - Irrelevant material s 47E(d) - Certain operations of agencies information
14	7	24 June 2021	Employment Steering Committee meeting minutes	Grant access in part ➤ ss 22(1)(a)(ii), 47E(d)	Grant access in part	s 22(1)(a)(ii) - Irrelevant material s 47E(d) - Certain operations of agencies information
15	4	5 August 2021	Employment Steering Committee meeting minutes	Grant access in part ➤ ss 22(1)(a)(ii), 47E(d)	Grant access in part	s 22(1)(a)(ii) - Irrelevant material s 47E(d) - Certain operations of agencies information
16	4	12 August 2021	Employment Steering Committee meeting minutes	Grant access in part ➤ ss 22(1)(a)(ii), 47E(d)	Grant access in part	s 22(1)(a)(ii) - Irrelevant material s 47E(d) - Certain operations of agencies information
17	4	19 August 2021	Joint Employment Steering Committee meeting minutes	Grant access in part ➤ ss 22(1)(a)(ii), 47E(d)	Grant access in part	s 22(1)(a)(ii) - Irrelevant material s 47E(d) - Certain operations of agencies information

REASONS FOR INTERNAL REVIEW DECISION

Background

1. On 10 June 2022, the former Department of Education, Skills and Employment (DESE) received your request for access to the following documents under the FOI Act. Following machinery of government changes, your request was transferred to this department pursuant to section 16 of the FOI Act.
2. The scope of your request (which was clarified with and confirmed by you in your email of 13 June 2022) is as follows:

Terms of your request	Interpretation of the request
<i>'The business case document(s) or equivalent for the Points Based Activation System (https://www.dese.gov.au/new-employment-services-model/resources/points-based-activation-system), including any attachments. I request only the final version of the document(s) that were submitted for approval of the proposal.'</i>	Final version of the documents, including any attachments, that the department submitted for the final approval of the Points Based Activation System as part of the New Employment Services Model.
<i>"Documents constituting a risk register or equivalent documentation describing the risks from the proposal, risk ratings, proposed treatments and mitigations, etc. Where multiple versions of such documents exist (such as drafts) I only request two versions (if they are different):</i> <i>1. the version current when the proposal was submitted for approval, and</i> <i>2. the version current on 29 May 2022 at 9am Australia/Melbourne time."</i>	As per the terms of the request.
<i>"Documents, including emails containing the submission of the proposal for consideration and approval."</i>	Documents, including emails, containing the submission of the final proposal for approval of the Points Based Activation System as part of the New Employment Services Model.
<i>"Meeting minutes or equivalent that document approval of the proposal."</i>	Meeting minutes (or equivalent documents) that document the approval of the department's final proposal to proceed with the Points Based Activation System as part of the New Employment Services Model.

3. On 13 June 2022, you advised by email that the scope of your request also includes staff names, signatures, position titles, identification numbers and contact details.
4. On 16 June 2022, the former DESE advised you that the preliminary estimate of the charge for processing your request was \$370. On 20 June 2022, you contended that the charge should be reduced or not imposed.
5. On 8 July 2022, the department advised you that following machinery of government changes, your request had been transferred to this department pursuant to section 16 of the FOI Act.
6. On 19 July 2022, the department notified you of its charges decision under section 29(4) of the FOI Act, to affirm the preliminary charge of \$370. On 19 August 2022, you requested an internal review of the charges decision.
7. On 11 August 2022, the primary decision maker decided that 17 documents consisting of a total 249 pages fall within the scope of your request. The primary decision maker granted full access to three documents, granted partial access to seven documents, and refused access to seven documents. In summary, the primary decision maker decided to refuse access to seven documents in full, and seven documents in part, because they contain:
 - irrelevant material (section 22(1)(a)(ii))
 - Cabinet material (section 34 exemption, in particular sections 34(1)(a), (1)(d) and (2))
 - material subject to legal professional privilege (section 42 exemption)
 - deliberative material, the disclosure of which would be contrary to the public interest (section 47C conditional exemption)
 - information, the disclosure of which would, or could reasonably be expected to, have a substantial adverse effect on the proper and efficient conduct of the operations of an agency, contrary to the public interest (section 47E(d) conditional exemption).
8. The documents that the primary decision maker decided to release to you in full (documents 1-3) were provided to you at the same time as the notice of the decision.
9. On 1 July 2022, the department received your payment of a deposit of the charge. On 18 August 2022, the department provided you with a copy of the documents released to you in part (documents 4 and 12-17) with redactions to irrelevant and exempt material.
10. On 20 August 2022, the department received your request for internal review.

Reasons

11. In accordance with section 54 of the FOI Act, FOI applicants have a right to apply for internal review of an 'access refusal decision', as defined in section 53A of the FOI Act. An access refusal decision includes a decision refusing access to a document in accordance with a request.
12. In reaching my decision, I took the following material into account:
 - the primary decision dated 11 August 2022
 - your correspondence dated 20 August 2022 seeking internal review of the department's primary decision, and other correspondence with you
 - consultations with relevant departmental officers
 - consultations with the Department of Prime Minister and Cabinet (**PM&C**)
 - the FOI Act

- the guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (the FOI Guidelines).

13. In accordance with subsection 11(2) of the FOI Act, I note that your right of access to the documents is not affected by the reasons you have given for seeking access.

14. In the following paragraphs, I discuss whether the documents contain information that is:

- irrelevant to your request
- exempt under sections 34 and 42 of the FOI Act
- conditionally exempt pursuant to sections 47C and 47E(d) of the FOI Act, and if so, whether disclosure of the relevant material would be contrary to the public interest.

Identified in-scope documents

15. In your internal review request, you asked whether document 4 (New Employment Services Trial Risk Management Plan 2019-2022) is the only version of this document. The relevant business area has confirmed there are no other versions of document 4, and it was last updated on 7 July 2020.

16. For clarity, I have provided further details with respect to document 5 (Ministerial Submission - MS21-900270) in the Schedule of Documents, including details of the attachments to the Submission.

Section 22 of the FOI Act - access to edited copies with irrelevant matter deleted

17. Section 22 of the FOI Act provides:

Scope

(1) This section applies if:

- (a) an agency or Minister decides:
 - (i) to refuse to give access to an exempt document; or
 - (ii) that to give access to a document would disclose information that would reasonably be regarded as irrelevant to the request for access; and
- (b) it is possible for the agency or Minister to prepare a copy (an edited copy) of the document, modified by deletions, ensuring that:
 - (i) access to the edited copy would be required to be given under section 11A (access to documents on request); and
 - (ii) the edited copy would not disclose any information that would reasonably be regarded as irrelevant to the request; and
- (c) it is reasonably practicable for the agency or Minister to prepare the edited copy, having regard to:
 - (i) the nature and extent of the modification; and
 - (ii) the resources available to modify the document; and
- (d) it is not apparent (from the request or from consultation with the applicant) that the applicant would decline access to the edited copy.

Access to edited copy

(2) The agency or Minister must:

- (a) prepare the edited copy as mentioned in paragraph (1)(b); and
- (b) give the applicant access to the edited copy.

18. The subject matter and scope of your request relates to documents concerning the Points Based Activation System (**PBAS**). A number of the documents deal with a range of different issues, including matters other than the Points Based Activation System. I am satisfied that for the purposes of section 22(1)(a)(ii) of the FOI Act, information relating to such other matters is outside the scope of, and irrelevant to, your request. I have therefore decided it is appropriate for the irrelevant material to have been deleted from documents.

Section 34 of the FOI Act – Cabinet documents

19. Section 34 of the FOI Act relevantly provides:

- (1) A document is an exempt document if:
 - (a) both of the following are satisfied:
 - (i) it has been submitted to the Cabinet for its consideration, or is or was proposed by a Minister to be so submitted;
 - (ii) it was brought into existence for the dominant purpose of submission for consideration by the Cabinet; or
 - ...
 - (d) it is a draft of a document to which paragraph (a), (b) or (c) applies.
- (2) A document is an exempt document to the extent that it is a copy or part of, or contains an extract from, a document to which subsection (1) applies.

...

Exceptions

- (4) A document is not an exempt document only because it is attached to a document to which subsection (1), (2) or (3) applies.
- (5) A document by which a decision of the Cabinet is officially published is not an exempt document.
- (6) Information in a document to which subsection (1), (2) or (3) applies is not exempt matter because of this section if the information consists of purely factual material, unless:
 - (a) the disclosure of the information would reveal a Cabinet deliberation or decision; and
 - (b) the existence of the deliberation or decision has not been officially disclosed.

20. The FOI Guidelines provide (at paragraphs 5.77 and 5.78) that:

- for the purposes of section 34(6) of the FOI Act, 'purely factual material' includes material such as statistical data, surveys and factual studies, and does not include conclusions involving opinion or judgement
- in relation to section 34(6)(b) of the FOI Act, an 'official disclosure' of a Cabinet deliberation or decision is one that has been authorised by the Cabinet or made by a person such as a minister acting within the scope of their role or functions.

21. In the primary decision, the section 34 exemption was found to apply to documents 5-11.

22. In considering the application of section 34 to these documents, I have taken into account the information in the documents themselves, as well as advice provided by PM&C and departmental officers with knowledge of the creation of the documents or who otherwise have responsibility for matters to which the material relates. Where a document identified in the Schedule of Document comprises a document with attachments, I have considered each individual document component.

- I am satisfied that with respect to the package of documents that make up document 5, being a Ministerial Submission and Attachments A, B and C:
 - The Ministerial Submission is a draft version, and parts of it contain an exact extract from a document that was submitted to Cabinet for its consideration;
 - Attachment A was brought into existence for the dominant purpose of submission for consideration by the Cabinet and was in fact so submitted to the Cabinet for its consideration;
 - Attachment B is a draft version of a Cabinet document;
 - Attachment C is a draft version of a document that was submitted to Cabinet. It also contains an exact extract from a document that was submitted to Cabinet for its consideration.
- document 6 (NPP New Employment Services Model) is a draft version of a Cabinet submission;
- documents 7, 8, 9, 10 and 11 each comprise copies/parts/extracts of documents that were prepared for the dominant purpose of submission, and were in fact so submitted, to the Cabinet for its consideration.

23. I am also satisfied that:

- the information in documents 5-11 do not comprise purely factual material; and
- in any event, disclosure of the information in these documents would reveal a Cabinet deliberation or decision, the existence of which has not been officially disclosed.

24. I have therefore decided that:

- document 5 is exempt in full pursuant to sections 34(1)(a), 34(1)(d) and 34(2) of the FOI Act
- document 6 is exempt in full pursuant to section 34(1)(d)
- documents 7-11 are exempt in full pursuant to section 34(2).

Section 42 – legal professional privilege

25. Section 42 of the FOI Act provides:

- (1) A document is an exempt document if it is such a nature that it would be privileged from production in legal proceedings on the ground of legal professional privilege.

- (2) A document is not an exempt document because of subsection (1) if the person entitled to claim legal professional privilege in relation to the production of the document in legal proceedings waives that claim.
- (3) A document is not an exempt document under subsection (1) by reason only that:
 - (a) the document contains information that would (apart from this subsection) cause the document to be exempt under subsection (1); and
 - (b) the information is operational information of an agency.

26. The primary decision maker decided that documents 10 and 12 contain material that is exempt under section 42 of the FOI Act.

27. I am satisfied that documents 10 and 12 contain material that is subject to legal professional privilege. The relevant material comprises confidential and independent legal advice prepared and provided by qualified lawyers of an external law firm (as the legal advisers) acting in their professional capacity, for the dominant purpose of giving legal advice to the former DESE (as the client). I am also satisfied that privilege has not been waived, and that the information is not 'operational information' within the meaning of the FOI Act.

28. I have therefore decided that the relevant material is exempt under section 42 of the FOI Act.

Section 47C – deliberative processes

29. Section 47C of the FOI Act provides:

General rule

- (1) A document is conditionally exempt if its disclosure under this Act would disclose matter (***deliberative matter***) in the nature of, or relating to, opinion, advice or recommendation obtained, prepared or recorded, or consultation or deliberation that has taken place, in the course of, or for the purposes of, the deliberative processes involved in the functions of:
 - (a) an agency; or
 - (b) a Minister; or
 - (c) the Government of the Commonwealth.

Exceptions

- (2) Deliberative matter does not include either of the following:
 - (a) operational information (see section 8A);
 - (b) purely factual material.
- (3) This section does not apply to any of the following:
 - (a) reports (including reports concerning the results of studies, surveys or tests) of scientific or technical experts, whether employed within an agency or not, including reports expressing the opinions of such experts on scientific or technical matters;
 - (b) reports of a body or organisation, prescribed by the regulations, that is established within an agency;
 - (c) the record of, or a formal statement of reasons for, a final decision given in the exercise of a power or of an adjudicative function.

30. I am satisfied that:

- document 4 contains material which discloses deliberative matter in the nature of, or relating to, opinions and advice prepared in the course of, and for the purposes of, identifying and assessing potential risks, and risk treatments, relating to the delivery of the New Employment Services Trial (**NEST**), being matters relating to the functions of the former DESE (and are functions for which this department is now responsible)
- documents 5, 6, 7 and 10 contain material which discloses deliberative matter in the nature of, or relating to, opinions, advice and recommendations prepared in the course of, or for the purposes of, the deliberative processes of the Cabinet
- document 12 contains material which discloses deliberative matter in the nature of, or relating to, opinions and advice prepared by DESE for the office of the former Minister for Employment, in the course of, and for the purposes of, finalising the PBAS framework, being a matter relating to the functions of DESE (and now this department) and the Minister.

31. I am also satisfied that the deliberative material:

- is not 'operational information' within the meaning of the FOI Act
- is not purely factual material
- to the extent that material could be characterised as being factual in nature, the information is not 'purely factual' because it is an integral part of the deliberative content and purpose of the documents, and is intertwined with the deliberative content such that it is impractical to separate it
- is not of a kind to which section 47C(3) of the FOI Act applies.

32. I therefore find that the documents identified above and in the Schedule of Documents contain material that is conditionally exempt under section 47C of the FOI Act.

33. For the purposes of section 11A(5) of the FOI Act, my consideration of the public interest test is addressed further below.

Section 47E of the FOI Act – certain operations of agencies

34. The primary decision maker found that certain documents contain information that is conditionally exempt under subsection 47E(d) of the FOI Act.

35. Section 47E(d) of the FOI Act provides:

A document is conditionally exempt if its disclosure under this Act would, or could reasonably be expected to, do any of the following:

...

- (d) have a substantial adverse effect on the proper and efficient conduct of the operations of an agency.

Staff names and direct contact details

36. Documents 4 and 8-17 contain the direct contact details of departmental staff, as well as the names of non-SES staff. These details are not publicly available.

37. The department receives a large volume of correspondence and other communications. To ensure these communications (including those from members of the public and media) can effectively and efficiently dealt with, the department has established points of contact including dedicated telephone numbers, email addresses, postal addresses, and other online mechanisms. This ensures that enquiries are directed to and handled by staff in the appropriate areas that have the relevant role, experience and expertise to provide a response. These established channels of communication are also monitored for quality assurance, and to inform allocation of resources to areas where they are most needed.

38. The FOI Act does not restrict the use or further dissemination of information released under the Act. If direct staff contact details and the names of non-SES staff were to be released, this would enable members of the public to contact staff directly, circumventing the proper established methods for contacting the department. In turn, I consider this would have a substantial adverse effect on the proper and efficient conduct of the operations of the department, including:

- the time and resources involved in re-directing communications to the appropriate points of contact within the department for response
- diverting staff from their usual duties
- exposing staff to inappropriate contact, or placing staff in situations that they are not prepared or equipped to deal with, in a way that adversely impacts on their health, safety and wellbeing (and consequently the department's ability to retain and attract staff).

39. I therefore find that material comprising staff names and direct contact details are conditionally exempt under section 47E(d) of the FOI Act.

Other material in document 4

40. I am satisfied that document 4 contains information the disclosure of which could reasonably be expected to have a substantial adverse effect on the proper and efficient conduct of the operations of the department, by:

- having a detrimental impact on the working relationship between the department and another agency which the department works closely with and relies on to support the administration of the department's functions and activities
- unnecessarily undermining public confidence in Workforce Australia Services, thereby negatively impacting on engagement, participation, and the achievement of job initiative outcomes.

41. I find this information to be conditionally exempt under section 47E(d) of the FOI Act.

42. However, I am not satisfied that other material to which section 47E(d) was applied in the primary decision, is conditionally exempt under this provision. I have therefore decided to release additional material in document 4.

Other material in document 12

43. Document 12 contains information relating to certain risks and risk mitigation options relating to the operation of the PBAS. The disclosure of this information could enable job seekers to take certain steps to circumvent job seeking and mutual obligation requirements. I am satisfied this

would or could reasonably be expected to have a substantial adverse effect on the operations of the department, including in relation to compliance.

44. I therefore find that document 12 contains conditionally exempt material under section 47E(d).

45. I have considered the public interest test in relation to the conditionally exempt material below.

Public interest considerations

46. For the reasons outlined above, I have found that certain documents contain material that is conditionally exempt under sections 47C and 47E(d).

47. Under section 11A(5) of the FOI Act, the department must give you access to conditionally exempt material unless in the circumstances it would be, on balance, contrary to the public interest to do so.

48. I consider that the following public interest factors in favour of disclosure to be relevant insofar as it relates to conditionally exempt material other than staff names and contact details:

- promoting the objects of the FOI Act in a general way, by facilitating access to government information and scrutiny, discussion or comment on government activities and decision-making processes relating to the PBAS
- informing debate on a matter of interest and importance to the public, in particular job seekers.

49. I do not consider these public interest factors to be relevant to staff names and contact details. Disclosure of this information does not further the objects of the FOI Act, as it will not contribute to increased scrutiny, discussion or comment in relation to government processes or activities, nor will it inform debate on the PBAS.

50. I consider the following public interest factors weigh against disclosure of the conditionally exempt material:

- in the case of documents 5-11, undermining the well-established convention of Cabinet confidentiality and collective Ministerial responsibility
- in relation to staff names and contact details –
 - prejudice to the protection of privacy
 - risks to the health, safety and wellbeing of staff, and the department's ability to manage those risks
 - the adverse impact to the department's operations resulting from members of the public contacting certain staff directly, rather than appropriate designated points of contact
- deterring departmental officers in future from engaging in frank and candid discussions, or at least being more guarded in the way in which views are expressed, out of concern that such matters intended for a limited audience could be made public, which consequently would have a detrimental impact on the department's ability to fully explore, identify and assess issues, risks and policy options

- damaging working relationships between the department and other agencies which are necessary to effectively deliver on government programs and initiatives
- enabling job seekers to potentially circumvent their job seeking and mutual obligation requirements, which would consequently compromise the integrity of income support schemes and compliance activities.

51. I am satisfied that public interest factors against disclosure outweigh those in favour of disclosure. In forming this view, I have not taken into account any of the irrelevant factors set out in section 11B(4) of the FOI Act.

52. I therefore find that in the circumstances, giving access to the conditionally exempt material at this time would, on balance, be contrary to the public interest.

Conclusion

53. I have decided to release additional material in document 4 to you.

54. The remainder of the primary decision is affirmed.

YOUR RIGHTS OF REVIEW

Applying for external review by the Australian Information Commissioner

If you do not agree with this decision, you can ask the Australian Information Commissioner to review the decision.

You will have 30 days to apply in writing for a review by the Australian Information Commissioner.

You can lodge your application in one of the following ways:

Online:

https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICR_10

Email: foidr@oaic.gov.au

Post: Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001

Complaints to the Australian Information Commissioner

Australian Information Commissioner

You may complain to the Australian Information Commissioner about action taken by an agency in the exercise of powers or the performance of functions under the FOI Act.

A complaint to the Australian Information Commissioner must be made in writing and can be lodged in one of the following ways:

Online:

https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICCA_1

Email: foidr@oaic.gov.au

Post: Australian Information Commissioner
GPO Box 5218
SYDNEY NSW 2001