

# Requests lodged under the Freedom of Information Act 1982 104-04010000

## Background

This document outlines the actions taken when a customer lodges a request for documents under the Freedom of Information Act 1982 (the FOI Act).

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## Administrative access processes

The Department of Human Services has a number of administrative access processes in place that allow for access to information. All staff must assist a person to access information and/or documents where the secrecy provisions of the appropriate legislation and/or the Privacy Act 1988 allow, and where the information and/or documents are not otherwise sensitive.

A person should not be asked to complete a Freedom of Information (FOI) request where the information and/or documents can be routinely provided through the department's administrative access schemes.

## FOI requests

To request access to a document that cannot be provided in full under information access arrangements, a request must be made in writing under the FOI Act.

If a person lodges an FOI request, it must be immediately forwarded to the FOI Team.

Time limits for processing FOI requests

If a person makes an FOI request, the FOI team must:

- acknowledge the request within 14 days of receipt within the department
- notify the applicant of a decision on access to the documents within 30 days. This can be extended in certain circumstances (the FOI team will contact the applicant about any extension of time)

The [Resources](#) page contains links to information on the Human Services Website, contact details for the FOI team, relevant forms and contact details.

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[A person wants to access non-personal information](#)

## Related links

[Accepting and disclosing information](#)

[Authenticating a customer](#)

[Viewing customers' digital images](#)

[Release of an Employment Services Assessment \(ESAt\)/Job Capacity Assessment \(JCA\) report to customer](#)

## Process Summary

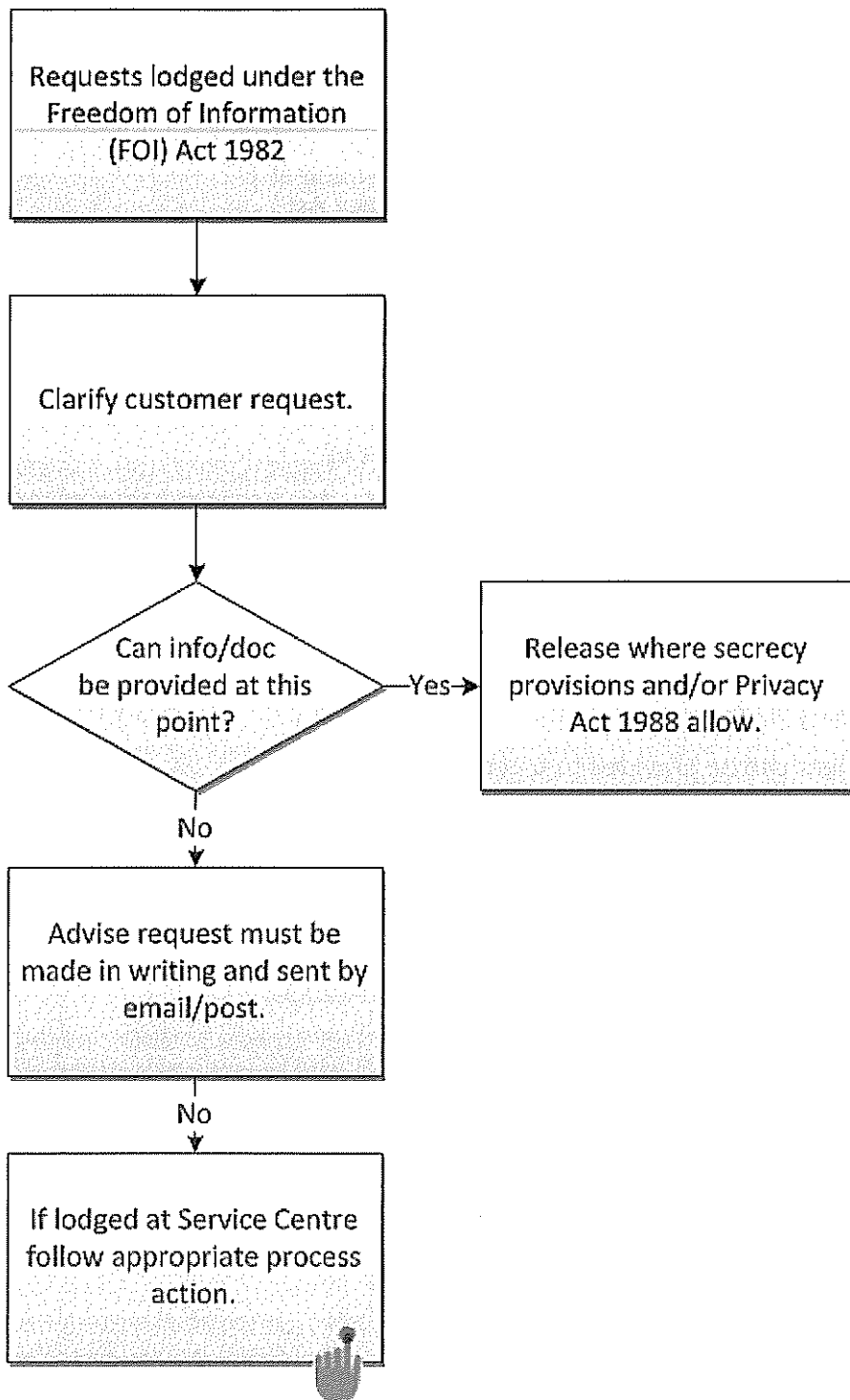
This page contains information supporting the processing of Freedom of Information (FOI) requests.

## Flowchart

### Processing an FOI request

This image provides a summary of the actions taken when processing a Freedom of Information (FOI) request.

**Note:** a text based version of this process is located [here](#).



## Process

This page contains information on the process when a customer lodges a request for documents under the Freedom of Information Act 1982 (the FOI Act).


## Freedom of Information requests

### Processing FOI requests

This table describes the actions taken when processing FOI requests.

Step	Action	Role/Authority
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<p>1</p>	<p><b>Clarify customer request + <a href="#">Read more ...</a></b></p> <p>Clarify with the person exactly what information or document they want.</p> <p>This will help to identify whether the document can be provided at point of contact, where the secrecy provisions and/or Privacy Act 1988 allow, and where the information/documents are not otherwise sensitive, or whether an FOI request is required.</p> <p>If a person wants to access a document on behalf of another person, or they want to change a personal document, <a href="#">go to Step 4</a>.</p>	
<p>2</p>	<p><b>Can the information/documents be provided at point of contact? + <a href="#">Read more ...</a></b></p> <ul style="list-style-type: none"> <li>• If <b>yes</b>, <a href="#">go to Step 3</a></li> <li>• If <b>no</b>, <a href="#">go to Step 4</a></li> </ul>	
<p>3</p>	<p><b>Release where secrecy provisions and/or Privacy Act 1988 allow, and where the information/documents not otherwise sensitive + <a href="#">Read more ...</a></b></p> <p>A copy of the document can be provided to a person at point of contact, by post or fax (<a href="#">faxing personal/protected information to customers</a>).</p> <ul style="list-style-type: none"> <li>• <a href="#">Authenticate the customer</a> (proof of identity check if the customer is seeking their own personal information)</li> <li>• Record details of request</li> <li>• Centrelink program and Child Support program: Record details of release on customer record as appropriate</li> </ul>	
<p>4</p>	<p><b>Helping a person make an FOI request + <a href="#">Read more ...</a></b></p> <p>Advise the person that a request must be made <b>in writing</b> (by email, post or in person) via:</p> <ul style="list-style-type: none"> <li>• the Freedom of Information - I want to access or change document(s) (Si031), or</li> <li>• a statement or letter that:             <ul style="list-style-type: none"> <li>◦ states the request is made under the FOI Act</li> <li>◦ provides information about the documents</li> <li>◦ provides an address for reply</li> </ul> </li> </ul> <p>If a person asks another person to make an FOI request on their behalf, the person needs to provide a specific, written authority to send copies of documents to the person care of the other person, or to allow that person to inspect copies of documents containing information about the person.</p> <p>Requests can be emailed to:</p> <p><a href="mailto:freedomofinformation@humanservices.gov.au">freedomofinformation@humanservices.gov.au</a></p> <p>Requests can be posted to:</p> <p>Department of Human Services PO Box 7820</p>	

	Canberra BC ACT 2610.	
5	<p><b>FOI request lodged at a Service Centre</b> <a href="#">+ Read more ...</a></p> <p><b>Centrelink</b></p> <ul style="list-style-type: none"> <li>• Scan request. See <a href="#">Scanning a document</a></li> </ul> <p><b>Child Support</b></p> <ul style="list-style-type: none"> <li>• Scan request</li> <li>• See <a href="#">Handling mail received in Child Support</a></li> <li>• Record in FOI window in CUBA</li> </ul> <p><b>Medicare</b></p> <ul style="list-style-type: none"> <li>• Scan request and refer to FOI team via email, <a href="mailto:freedomofinformation@humanservices.gov.au">freedomofinformation@humanservices.gov.au</a></li> <li>• Advise the person that the FOI Team will: <ul style="list-style-type: none"> <li>◦ acknowledge the request within 14 days of receipt within the department</li> <li>◦ notify the applicant of a decision on access to the documents within 30 days. This can be extended in certain circumstances (the FOI team will contact the applicant about any extension of time)</li> </ul> </li> </ul>	

## References

This page contains links to policy and legislation.

## Policy

### Access to information other than under FOI

[Guide to Social Security law, 1.3.3. Privacy & Confidentiality](#)

[Family Assistance Guide, 1.4.2. Privacy & Confidentiality](#)

[Paid Parental Leave Guide, 1.3.2.40, Recording, Access & Alteration of Information](#)

[Child Support Guide, 6.6.2, Gaining access to documents](#)

### Access under FOI

Policy guidelines are available on the Office of the Australian Information Commissioner (OAIC) website in the Guidelines issued by the Australian Information Commissioner under s 93A of the Freedom of Information Act 1982. Click on the links below to access the relevant information.

[Freedom of information guidelines, Part 3.28, Processing requests for access, The formal requirements of an FOI access request](#)

[Freedom of information guidelines, Part 3.49, Processing requests for access, Assisting an applicant](#)

## Legislation

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Links to the Comlaw site now point to a 'Series' page which lists all available historical versions. Select 'Current' and then navigate to the appropriate legislative reference(s) listed below.

## Access to information other than under FOI Act

[Privacy Act 1988, Australian Privacy Principles](#)

## Access under FOI Act

[Freedom of Information Act 1982, Part III - Access to documents](#)

## Resources

This page contains links to information about Freedom of Information, Self Service on the Human Service Website, relevant forms and contact details. Links on this page may be unavailable to external audiences.

## External websites

For information about Freedom of Information, see [Human Services Website, Freedom of Information](#)

For information about FOI, publications and resources, see [Office of the Australian Information Commissioner website, Freedom of information](#)

## Human Services Website link

[Self service](#)

## Forms

[Freedom of Information - I want to access or change document\(s\) \(Si031\)](#)

## FOI Team contact details

[FOI Contacts](#)

## Blueprint documents

[Call recording for Child Support calls - access and reporting \(CS\)](#)

[Handling mail received in Child Support \(CS\)](#)

## Window Help

[Freedom of Information Window Help](#)