



Our reference: FOI 158/13/14

[REDACTED]
By email [REDACTED]

Dear [REDACTED]

NOTICE OF DECISION ON FREEDOM OF INFORMATION REQUEST

1. I refer to your email of 9 October 2013, in which you requested access, under the *Freedom of Information Act 1982* (FOI Act), to:

"documents detailing the delegations, position number and position title for [REDACTED] on the 16 August 2013."

Background

2. On 9 October 2013, you were advised that your request was not valid in accordance with subparagraph 15(2)(b) of the FOI Act. Following further discussion, you agreed on 30 October 2013 to proceed with the following revised scope:

"A copy of the 'Termination of Employment' section in the 'Defence HR Delegations' document (final version and excluding duplicates) Item 1

A copy of the telephone directory printout showing [REDACTED] position number and title (final version and excluding duplicates) Item 2

A copy of the Job Data page in PMKeyS showing what position [REDACTED] was in on 16 August 2013 (final version and excluding duplicates) Item 3

3. On 18 November 2013 I advised you that the charges associated with processing your request had been imposed and that the statutory deadline for providing you with a response was due to expire on 4 December 2013.

4. The purpose of this letter is to provide you with the decision relating to the documents that are the subject of your request.

FOI decision maker

5. Ms Nicola Dakin, Director - Conduct, Performance and Probation, Defence People Group is the accredited decision maker, under the FOI Act, in relation to your request.

Documents identified

6. Ms Dakin identified three documents as matching the description of your request. A schedule of documents is at Enclosure 1. When you receive the documents you will note that for ease of reference and for the purposes of processing this request, Ms Dakin has added the FOI Item number on each of the documents, which corresponds with the schedule.

Decision

7. Following examination of the documents, Ms Dakin decided to release the three documents intact. Ms Dakin found material in the three documents that did not specifically relate to the terms of the request. Therefore, this particular material was removed in accordance with subsection 22(1) of the FOI Act on the grounds that the material was irrelevant. The material removed included information such as job data, work contact details and HR Delegations other than those associated with the termination of employment.

Further information

8. Prior to making her decision, Ms Dakin advised that she sought advice from her Human Resource Management Section about Item 3. Ms Dakin's Human Resource Management Section confirmed that [REDACTED] was in fact in position 00572964 on 16 August 2013.

Payment of Charges

9. In our letter, dated 30 October 2013, after deducting the free decision making time, the department estimated the cost associated with processing your request to be [REDACTED]. You agreed to pay charges for the administration of your request on 4 November 2013.

10. Upon completion of your request, after deducting the free decision making time, the actual amount for processing was calculated to be [REDACTED].

11. Accordingly you are required to pay the remaining [REDACTED] in order to finalise your request. Please find attached at Enclosure 2 Freedom of Information Payment Authorisation Form. Once our office receives this form, the Department of Defence will generate an invoice in order for you to make payment of the agreed charges via one of the payment options made available.

12. Details about payment of the invoice are on the form. Once you have completed your payment please provide a copy of the receipt to foi@defence.gov.au and your documents will be dispatched as soon as practical. Our office will not send documents until a receipt has been received in our office notifying that the balance of charges amount has been paid.

Rights of review

13. The FOI Act provides for rights of review of decisions. A copy of the fact sheet, "Freedom of Information – Your Review Rights" is at Enclosure 3.

FOI Disclosure Log

14. In accordance with the requirements of section 11C of the FOI Act, Defence is required to publish details of information released under the FOI Act. Defence publishes identified documents relating to requests within five working days of receipt by the applicant. Defence will also publish this decision notice with privacy deletions.

Further advice

15. The FOI Act may be accessed online at:
<http://www.comlaw.gov.au/Details/C2011C00803> .

16. Should you have any questions, please contact this office.

Yours sincerely



Andrea Sansom *on behalf of*
Melissa Davidson
Assistant Director
Freedom of Information

3 December 2013

Enclosures:

1. Schedule of documents
2. Freedom of Information Payment Authorisation Form
3. Fact Sheet: Freedom of Information – Your Review Rights