

**Decision D0052003 – Published in note form only**

***Re Richardson and Swan Health Service [2003] WAICmr 5***

**Date of Decision: 20 February 2003**

***Freedom of Information Act 1992, Schedule 1, clause 3(1); section 26***

In August 2002, the complainant made an application for access to the letter of resignation of an officer of the agency. The agency refused access on the ground that that document is exempt under clause 3(1) of Schedule 1 to the FOI Act because it contains personal information about a third party. The complainant subsequently lodged a complaint with the Information Commissioner seeking external review of the agency's decision.

The Information Commissioner examined the disputed document and was satisfied that it contained personal information about the former officer of the agency. The Information Commissioner was satisfied that the limit on exemption in clause 3(3) did not apply because the personal information in the disputed document was information of a private nature that went well beyond prescribed details. The Information Commissioner decided that the public interest in maintaining privacy was not outweighed by any other public interest which required the disclosure of personal information about one person to another person. The Information Commissioner found the disputed document exempt under clause 3(1).

The complainant alleged that the agency should also hold copies of correspondence between the agency and a professional organization to which the complainant belonged. The Information Commissioner made inquiries with the agency about its admission and treatment of the complainant and decided that such documents did not exist and that there were no reasonable grounds to expect that they should.