



Freedom of Information Newsletter

September 2015

From the Information Commissioner

Thank you to all agencies for completing their annual statistical returns and submitting them to this office. The statistical information is essential for informing Parliament and the people of Western Australia about the use of freedom of information in our State. It also helps the Office of the Information Commissioner direct its advice and training resources to areas of greatest need.

Did you know?

A third party has 30 days after being given written notice of the agency's internal review decision to seek external review of that decision. An access applicant has 60 days after being given written notice of the agency's internal review decision to seek external review. If your agency has precedent letters for notices of decision, you are encouraged to check that these correctly advise applicants and third parties of the time frames in which they can exercise their review rights. This is also a good opportunity to ensure that your precedent documents refer to the current contact details for the Office of the Information Commissioner.

Agency news

The Office of the Information Commissioner has created an Agency FOI Reference Group to assist it to promote good practice in FOI in Western Australia and to hear about agencies' experiences and needs in administering the FOI Act. The reference group consists of 10 individuals from a variety of government agencies in Western Australia, including small and large, regional and metropolitan agencies. It will meet quarterly. We look forward to keeping you advised of action taken as a result of those meetings.

Recent decisions of the Information Commissioner

[Re 'K' and Office of the Public Advocate](#) [2015] WAICmr 15 ([PDF](#))

Certain information in documents relating to a contact plan to accommodate the complainant and his sister when visiting their late mother was found to be exempt under clause 3(1). The agency's decision was confirmed.

[Re Seven Network \(Operations\) Limited and Western Australia Police](#) [2015] WAICmr 14 ([PDF](#))

The names of senior public officers appearing in traffic infringement notices issued to those officers when they were driving Government vehicles were found not to be exempt under clause 3(1).

The agency's decision was set aside.

[Re Stuckey and City of Nedlands](#) [2015] WAICmr 13 ([PDF](#))

The agency's decision to refuse access to documents relating to telecommunications infrastructure approvals under section 26 of the FOI Act on the basis that further documents cannot be found or do not exist was found to be justified.

The agency's decision was confirmed.

FOI Training News

Upcoming [training dates](#) for agencies. Places are available.

FOI Coordinators Workshop, Thursday 24 September, 9:00am – 4:15pm

FOI Decision-makers Forum, Wednesday 21 October, 9:00am – 1:00pm

FOI Coordinators Workshop, Tuesday 17 November, 9:00am – 4:15pm

The **FOI Coordinators Workshop** introduces participants to the objects and the principles of the FOI Act and the major features of the legislation. Topics include the role of decision-makers; FOI applications; exemptions; consultation with third parties; charges; notices of decision and review; amendment of records; publication of information; statistics and reporting.

The **Decision-makers Forum** covers the decision-maker's role and responsibilities, including notices of decision, exemptions and consultation.

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Office of the Information Commissioner

Albert Facey House, 469 Wellington Street, Perth WA 6000

Phone: (08) 6551 7888: Fax: (08) 6551 7889

Freecall (WA country): 1800 621 244

Email: info@foi.wa.gov.au