

[REDACTED]

By email: [REDACTED]

Our reference: CIT2022-001

Dear [REDACTED]

DECISION ON YOUR ACCESS APPLICATION

I refer to your access application made under the *Freedom of Information Act 2016 (FOI Act)* received by the Canberra Institute of Technology (CIT) by email on 14 March 2022. In your application you requested CIT provide you with the following information:

[REDACTED]

On 15 March 2022 you revised your scope of your application to:

[REDACTED]

[REDACTED]

Authority

I am an officer acting as the CIT Information Officer appointed to make decisions about access to government information, in accordance with section 18 of the FOI Act.

Decision

I have identified 83 documents containing information within the scope of your access application which are enclosed as **Attachment A**. These documents are outlined in the *Schedule of Documents* which is enclosed as **Attachment B**.

I have decided to:

- grant full release to 37 documents
- grant release in part to 21 documents
- not release 25 documents

My reasons for this decision are outlined in the enclosed *Reasons for Decision*.

Disclosure log

Please note that section 28 of the FOI Act requires publication of access applications and any information subsequently released on CIT's disclosure log at:

https://cit.edu.au/about/freedom_of_information/disclosure_log.

This means that if access to the information is granted, it will also be made publicly available on our website, unless the access application is an application for your personal, business, commercial, financial or professional information. **As the information concerned with your application relates to your personal complaint, only a copy of this decision letter which is redacted of your personal information and that of others will be published on CIT's disclosure log.**

Review rights

You may apply to the ACT Ombudsman to review my decision under section 73 of the FOI Act.

An application for review must be made in writing within 20 days of my decision being published in the disclosure log on 10 May 2022.

You may submit a request for review of my decision to the ACT Ombudsman by writing in one of the following ways:

Email (preferred): actfoi@ombudsman.gov.au

Post: The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

More information about ACT Ombudsman review is available on the ACT Ombudsman website at:
<http://www.ombudsman.act.gov.au/improving-the-act/freedom-of-information>.

Yours sincerely



Andrew Whale
Executive Director, Education and Training Services &
Information Officer

4 May 2022

Reasons for Decision

What you requested:



What I took into account:

In reaching my decision, I took into account:

- your original access application dated 14 March 2022.
- the documents containing the information that fall within the scope of your access application
- consultation with third parties about information concerning them
- CIT's operating environment and functions
- the FOI Act
- the ACT Ombudsman FOI Guidelines

Reasons for my decision

I am authorised to make decisions under section 18 of the FOI Act.

I have decided that all of the documents provided contain information which is taken to be in favour of disclosure under Schedule 2, 2.1 (b)(i) of the FOI Act. I have also decided that some documents, or parts of documents contain information which is taken to be contrary to the public interest to disclose and outweigh disclosure under Schedule 2, 2.1 (b)(i).

I have described my application of these factors for and against disclosure in more detail below.

Schedule 2, 2.1 (b)(i)

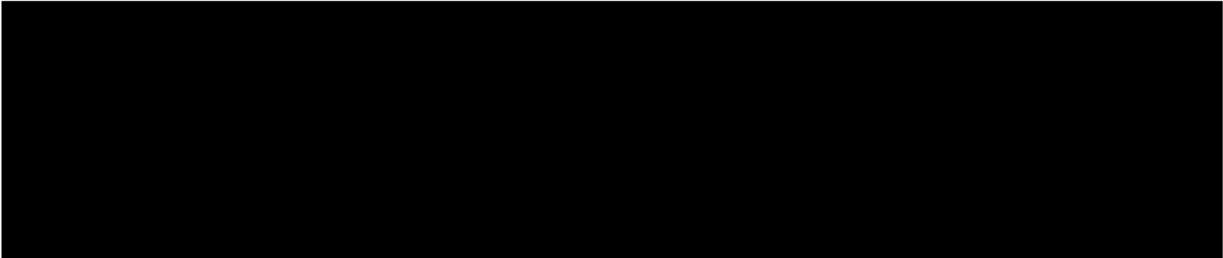
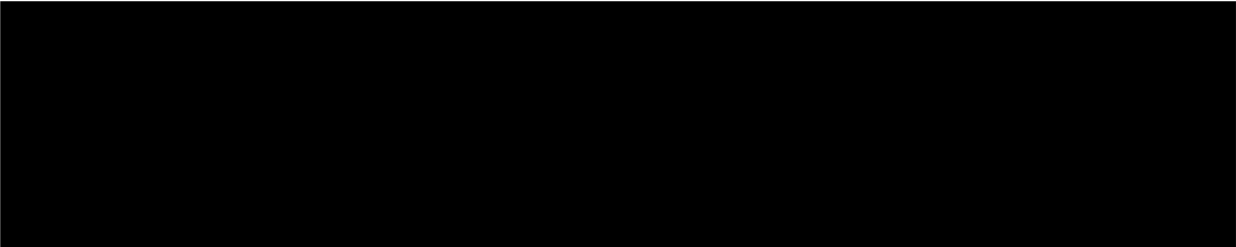
I have applied Schedule 2, 2.1 (b)(i) of the FOI Act which prescribes a factor in favour of disclosure across all of the documents provided. Section 2.1 (b)(i) provides that it is the public interest to disclose information where the information is the personal information of the person making the request. This information has therefore been provided to you in full where no factors against disclosure outweigh it.

Schedule 2, 2.2 (b)(iii)

I have considered Schedule 2, 2.2 (b)(iii) as a factor favouring disclosure when information may inform the community of the government's operations, including the policies, guidelines and codes of conduct followed by the government in its dealings with members of the community. I have decided to fully release response information that falls within the scope of this factor.

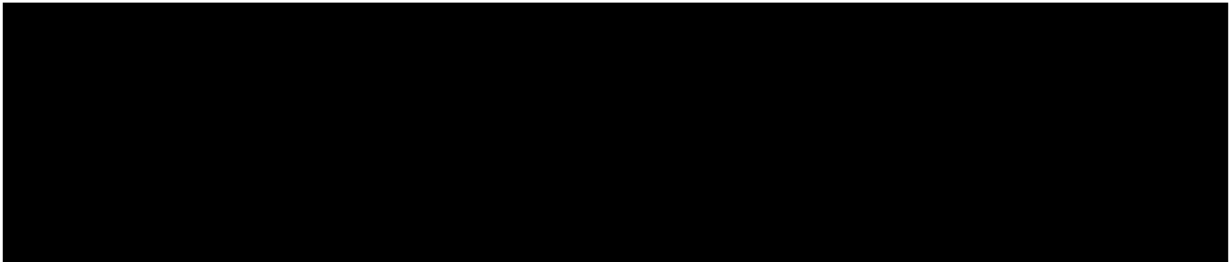
Schedule 2, 2.2 (a)(ii)

I have also applied Schedule 2, 2.2 (a)(ii) of the FOI Act to all documents as detailed on the attached Schedule. Schedule 2.2 (a)(ii) prescribes a factor favouring non-disclosure when disclosure of information could reasonably be expected to prejudice the protection of an individual's right to privacy or any other right under the *Human Rights Act 2004*. This factor was applied to the personal information of individuals which falls within the scope of your request, and which is also the personal information of third party staff who are not ACT government employees. As such, only this information has been redacted from the response information provided under this factor and results in partial access to those documents, and any third party staff personal information that you have previously referenced or received in your communications within the response information has not been redacted.



Schedule 2, 2.2 (xv)

I have considered the application of Schedule 2, 2.2 (xv) which is a factor against disclosure when it could be reasonably expected to prejudice the management function of an agency (CIT in this case). I have applied this factor across all of the response information that could reasonably be expected to prejudice the CIT management function and this information has been redacted as partial release or fully redacted and not released.



Summary of my decision

In conclusion, I have decided to:

- grant full release to 37 documents
- grant release in part to 21 documents
- not release 25 documents