

Our reference: CIT FOI 2025–002

[REDACTED]

By email: [REDACTED]

Dear [REDACTED],

### DECISION ON YOUR ACCESS APPLICATION

I refer to your access application you made under the *Freedom of Information Act* received by Chief Minister, Treasury and Economic Development Directorate (CMTEDD) which was accepted as a partial transfer by Canberra Institute of Technology (CIT) on 13 March 2025. In your application you requested access to the following information that may be held by CIT;

*“All digital communications between directorate senior executives\*, directorate liaison officers or ministerial liaison until staff/ministerial and government relations staff (where applicable) and any ACT Minister and/or their staff. This request is for advice sent and received during the period covered by caretaker conventions in 2024, that being between 13/09/2024 and 06/11/2024 inclusive.*

*Excluded information: Matters relating to individual constituent queries (including businesses and other members of the public), material referred on from MLA's, administrative material (eg, room bookings, HR and corporate support), and handwritten conversation notes.*

*\*Senior Executives means any staff employed at the Senior Executive Service level.”*

### Authority

I am a Senior Executive officer appointed as a CIT Information Officer to make decisions about access to government information, in accordance with Section 18 of the FOI Act.

### Timeframes

In accordance with Section 40 of the FOI Act, CIT is required to provide a decision on your access application within 30 days. Accordingly, CIT was required to respond to your application by 29 April 2025.

### Document Search and Material Considered

Thorough searches for records held by CIT were undertaken to identify and locate any documents within scope of your request. These searches identified three documents within the scope of your request.

### Decision

Three documents fall within the scope of your request. I have decided to fully release all three of these documents to you.

These documents are enclosed as **Attachment A**. A schedule of all information and documents provided is also included as **Attachment B**. My statement of reasons for this decision is below.

### Statement of Reasons

In reaching my decision on your access application, I have taken the following into account:

- Your original access application.
- The FOI Act.
- The ACT Ombudsman FOI Guidelines
- Consultation undertaken under section 38 of the Act.
- The documents which fall within the scope of your request.

As a decision maker I am required to decide if release of the documents found to be within the scope of your request are within the public interest. Schedule 1 of the FOI Act provides categories of documents where release is not considered to be in the public interest. For example, Schedule 1, Section 1.14 – ‘law enforcement or public safety information’.

I do not consider any of the factors which are contrary to the public interest as listed in Schedule 1 are relevant to the release of the three documents provided.

I am also required to consider the factors favouring disclosure and non-disclosure as listed in Schedule 2.

Section 17(1) of the FOI Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. Taking into consideration the information contained in the documents, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the ‘public interest’.

#### Factors favouring disclosure:

I consider that the following factors favouring disclosure apply in relation to these documents.

- promote open discussion of public affairs and enhance government accountability (section 2.1 (a)(i)).

I consider the information requested would, on balance, support the factors favouring disclosure as the release will provide you with information in response to your application regarding Executive communications with the Minister during the Caretaker period.

Factors favouring non-disclosure:

I do not consider that there are any factors favouring non-disclosure that apply to these documents.

**Consideration of Factors**

Taking into account the factors favouring disclosure and factors favouring non-disclosure and having undertaken the test under section 17 of the Act I have decided to fully release all 3 documents.

**Charges**

In accordance with Section 107(2)(e) you have not been charged for this request as you are a member of the ACT Legislative Assembly.

**Disclosure Log**

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>.

**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 the date of my decision.

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](mailto:actfoi@ombudsman.gov.au)

Post: The ACT Ombudsman

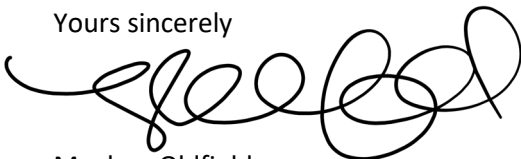
GPO Box 442

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



Meghan Oldfield  
Executive Director, Corporate Services &  
CIT Information Officer  
9 April 2025