

Our reference: CIT FOI 2026-010

[REDACTED]
By email: [REDACTED]

Dear [REDACTED]

DECISION ON YOUR ACCESS APPLICATION – CIT FOI 2026-010

I refer to your access application made under the *Freedom of Information Act 2016* (FOI Act) on 26 May 2026. In your application, you sought access to the following information:

- *'Formal correspondence, minutes and briefings regarding the recruitment of contractors engaged by CIT on a temporary or ongoing basis to implement Artificial Intelligence technologies or technological business solutions.'*
- *recruitment postings, position descriptions, Statements of work, contract dates, Key Performance Indicators and declared conflicts of interest relating (with personal contact details redacted) to staff or contractors engaged by CIT on a temporary or ongoing basis to implement Artificial Intelligence technologies or technological business solutions.*
- *Risk assessments, compliance reports or conflict of interest management plans presented to the CIT board or CIT executive team relating to the implementation of Artificial Intelligence'.*

'For the purposes of this request, 'Artificial intelligence technologies' includes but is not limited to, machine learning systems, generative AI tools, automated decision-making systems, predictive analysis platforms and chatbot implementations.'

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 is required to respond to your application by 9 July 2026.

Document Search and Material Considered

CIT undertook reasonable and thorough searches of records held by CIT to identify and locate any documents within the scope of your request. A total of 121 pages were identified as falling within the scope of your access application.

A number of the identified documents consist of Executive Management Committee papers and attachments containing information relating to broader organisational matters that are unrelated to the scope of your access application. This information was assessed as being outside the scope of

your application and has been removed from the released documents. Duplicates have also been removed.

Decision

I have decided to grant access in full to some documents and partial access to others identified as falling within the scope of your application. Other documents contain information that has been redacted because it either:

- comprises personal information relating to CIT staff below the Senior Executive Level, contractors or third parties, of which the disclosure of which would be contrary to the public interest.
- disclosure could reasonably be expected to prejudice the competitive commercial activities of an agency.
- falls outside the scope of your access application.

A schedule of all documents is included as **Attachment A**. All response documents are 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 access application.
- The provisions of the *Freedom of Information Act 2016*.
- The ACT Ombudsman FOI Guidelines.
- 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.

I have reviewed the documents within the scope of your request and am satisfied that none of the information proposed to be withheld falls within a category of information disclosure of which is taken to be contrary to the public interest under Schedule 1 of the FOI Act.

As the information contained in the documents within the scope of your request are not exempted from release in accordance with Schedule 1 of the FOI Act, I am required to consider the factors favouring disclosure and non-disclosure as found in Schedule 2 of the FOI Act.

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:

- contribute to positive and informed debate on important issues or matters of public interest (Schedule 2.1(a)(ii));
- ensure effective oversight of expenditure of public funds (Schedule 2.1 (a) (iv); or
- reveal the reasons for government decisions and the background information informing those decisions (Schedule 2.1 (a) (viii)).

The documents in Attachment B relate to the engagement of contractors and consultants by CIT to support the development and uplift of CIT's Artificial Intelligence governance arrangements, Artificial Intelligence policies and frameworks, and executive consideration of Artificial Intelligence initiatives within CIT. I consider that the disclosure of this information will promote transparency and accountability regarding the recruitment practices, the way CIT governs, implements emerging technologies, manages risks and uses public resources in support of those activities. In addition, this information will allow for informed debate on the use of Artificial Intelligence in VET education.

Factors favouring non-disclosure:

In reviewing the documents considered to be within the scope of your request, I have identified the following factor in favour of non-disclosure:

- prejudice the protection of an individual's right to privacy (Schedule 2, s 2.2(a)(ii)).
- disclosure could reasonably be expected to prejudice the competitive commercial activities of an agency Schedule 2, clause 2.2(a)(xiii) of the of the FOI Act 2016.

Some documents Attachment B contain personal information relating to identifiable individuals, including staff below the Executive level including contractors, contact details. In addition, the Conflict-of-Interest Disclosure Form contains the name of the employee making the declaration, the name of the employee's supervisor, and details of the declared conflict of interest. I consider that disclosure of this information could reasonably be expected to prejudice the protection of those individuals' privacy. These documents are found on pages 1, 5- 7, 16, 41 and 91.

Page 121 of the documents also contains information relating to CIT's enrolment numbers, cost of delivery, workforce profile and market share. CIT operates within a competitive vocational education and training environment and competes with other public and private education providers for student enrolments, industry partnerships, funding opportunities, and commercial training activities. Disclosure of this information could reasonably be expected to provide competing providers with insight into CIT's operational strategies, market position and future directions. I consider that disclosure of this information could reasonably be expected to prejudice CIT's competitive commercial activities by revealing commercially valuable information. This information is found on page 121 and has been redacted.

While I recognise the public interest in promoting transparency and accountability in relation to CIT's use of Artificial Intelligence and its associated governance arrangements, after balancing the relevant public interest factors for and against disclosure, I consider that the public interest is best served by releasing the substantive content of the documents. I have also decided to withhold only information where disclosure could reasonably be expected to prejudice personal privacy and commercial activities of CIT. The remaining information is to be released in full.

Accordingly, I have removed information that I consider would be contrary to the public interest to disclose, or that falls outside the scope of your request.

Charges

You have not been charged for this request.

Disclosure Log

Section 28 of the FOI Act requires publication of access applications and any information, as the information provided does not contain any personal information, I have decided to publish this decision and documents release on the CIT disclosure log which can be accessed at:

<https://cit.edu.au/about/freedom of information/disclosure log>.

This decision and documents will be published with 3 – 10 days after the date of this decision.

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
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



Daniel Riley

Executive Branch Manager, Audit, Risk & Corporate Governance
CIT Information Officer
Canberra Institute of Technology

9 July 2026