

s22

### Process for answering incoming calls

When answering calls it is expected that switchboard operators follow a greeting announcing 'Treasury switchboard' for example: **"Good morning/ afternoon, Treasury switchboard"**.

In all circumstances where an external call is answered, transfers must be conducted in a warm manner and with the agreement of the Treasury employee who is receiving the phone call. Under no circumstance should an external call be directly transferred to a Treasury staff member without approval from the call recipient.

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## Schedule 2 – Statement of Work

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Description of Services (attach additional pages if required)

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- |    |                                                                                                               |
|----|---------------------------------------------------------------------------------------------------------------|
| 4. | Single switchboard operator provided between 0800 – 1730 hours, Monday to Friday (excluding public holidays). |
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#### 4. Switchboard Services

The Contractor will provide a single switchboard operator between 0800-1730 hrs. Monday to Friday (excluding public holidays); with a half hour break for lunch. The operators will come from a pool of operators with the appropriate security clearance and training to perform the duties.

The duties will include:

- Maintaining Treasury's internal telephone directory
- Responding appropriately to queries and requests including promptly transferring calls to the appropriate Treasury staff.
- Providing assistance to end users who are unable to establish external calls without assistance
- Being familiar with, and adhering to, Treasury's procedures with respect to incoming calls that raise security concerns
- The Contractor's level 2 engineer will also provide coverage to the switchboard operator for periods such as lunch breaks.

Australian Government Department of Treasury

FOI 2403  
Document 3



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# Privacy Statement

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## Overview

This privacy policy sets out how the Department of the Treasury (Treasury and its Ministers) comply with the Australian Privacy Principles (APPs) in the *Privacy Act 1988* (the Privacy Act).

In performing our functions and administering our legislation, we may collect, hold, use or disclose your personal information. This policy contains information about how we collect, use, disclose and store personal information, including sensitive information, and how individuals may access and correct personal information that we may hold.

We take privacy seriously and will only collect, use and disclose your personal information in accordance with the

Privacy Act and other applicable laws.

The Privacy Act applies to information about individuals, not to information about entities such as businesses, firms or trusts. If we do not receive personal information about you, the Privacy Act will not apply. Detailed information on the Privacy Act can be found on the [website of the Office of the Australian Information Commissioner](#).

Who should read this Privacy Policy?

You should read this policy if you are:

- An individual whose personal information may be given to or held by us
- a contractor, consultant, supplier or vendor of goods or services to us or someone who has tendered to provide goods or services to us
- a service provider funded to deliver services under a Treasury funding arrangement
- a person seeking employment with us
- a person who is or was employed by Treasury
- a person who is appointed to, or is being considered for appointment, to a statutory position within the portfolio
- a person who has sent correspondence (including submissions) to us
- a person who has made enquiries or complaints to us
- a person who has made Freedom of Information (FOI) requests or Special Access requests to us

## **Guidance on Treasury’s Information Handling Practices**

What is Personal Information?

‘Personal information’ is information or an opinion about an identified individual, or an individual who is reasonably identifiable, whether the information or opinion is true or not, and whether the information or opinion is recorded in a material form or not (section 6 of the Privacy Act).

What kinds of personal information does Treasury collect and hold?

We collect and hold a broad range of personal information in records relating to:

- employment services and human resource management

- the performance of legislative and administrative functions
- the performance of policy advice functions, including when we consult with other government agencies, private sector organisations or individuals and when we research policy issues
- public awareness, including when people ask to be on an e-mail or mailing list so that we can send them information about our activities and publications
- the management of contracts and funding arrangements
- correspondence from members of the public
- complaints (including privacy complaints) made
- requests made to us under the *Freedom of Information Act 1982* (FOI Act)
- the provision of legal advice by internal and external lawyers

In performing our functions, we may collect and hold the following kinds of personal information, which will vary depending on the context of the collection:

- your name, address and contact details (phone and facsimile numbers and e-mail address)
- photographs, video recordings and audio recordings of you (where you are an employee of the Treasury)
- information about your personal circumstances (for example, marital status, age, gender, occupation, accommodation and relevant information about your partner or children)
- financial information such as your bank account or credit card information (where we receive or make payments to you)
- information about your identity (for example, date of birth, country of birth, passport details, visa details, driver licence, birth certificate)
- information about your background (for example, educational qualifications, the languages you speak)
- information about your work history (for example, work history, referee comments, remuneration)
- government identifiers (for example, Tax File Numbers)

The Appendix provides detailed information about the types of personal information that we hold and our information handling practices.

## How we collect personal information

- We collect personal information through a variety of different methods including:
- paper-based forms

- electronic forms (including online forms)
- face to face meetings
- the exchange of business cards
- telephone communications
- e-mail communications
- communications by letter
- communications by fax
- Treasury websites
- Treasury social media websites and accounts

It is usual practice for us or an organisation acting on behalf of us (for example, a contracted service provider) to collect personal information directly from you or someone that you have authorised to provide information to us.

Under the Privacy Act, we are required to take contractual measures to ensure contracted service providers (including sub-contractors) comply with the same privacy requirements applicable to us.

Personal information about you may also be collected via other Commonwealth agencies, State or Territory government bodies, or other organisations. Sometimes we may collect personal information about you from a third party or a publicly available source, but only if you have consented to such collection or would reasonably expect us to collect your personal information in this way.

From time to time, personal information is provided to us without being requested by us. When we receive such information, we will handle it in accordance with our obligations under the Privacy Act.

## What is Sensitive Information?

‘Sensitive information’ is defined in section 6 of the Privacy Act as:

- a. information or an opinion about an individual’s:
  - i. racial or ethnic origin; or
  - ii. political opinions; or
  - iii. membership of a political association; or
  - iv. religious beliefs or affiliations; or
  - v. philosophical beliefs; or



- vi. membership of a professional or trade association; or
- vii. membership of a trade union; or
- viii. sexual orientation or practices; or
- ix. criminal record;

that is also personal information; or

- b. health information about an individual; or
- c. genetic information about an individual that is not otherwise health information; or
- d. biometric information that is to be used for the purpose of automated biometric verification or biometric identification; or
- e. biometric templates.

What kinds of sensitive information do we collect?

On occasion, we may collect sensitive information about you including information about:

- your health (including information about your medical history and any disability or injury you may have)
- any criminal record you may have
- your membership of a professional or trade association
- your racial or ethnic origin

How we collect sensitive information

We may collect sensitive information about you if:

- you have consented and the information is reasonably necessary for, or directly related to, one of our functions or activities
- the collection is required or authorised by law

Data quality

We hold personal and sensitive information in paper-based files, electronic records, e-mails and databases.

We will take reasonable steps to maintain and update personal information in our possession or control, or when we are advised by individuals that their personal information has changed.

## Data security

We will take all reasonable steps to ensure that all personal information in our possession or control is protected against loss, unauthorised access, misuse, disclosure or modification.

Access to personal information held is restricted to authorised persons who are our employees or contractors to us.

Electronic and paper records containing personal information are protected in accordance with the Australian Government security policies; for example, we use password protection for electronic files, secure paper files in locked cabinets and compactuses and may use other physical access restrictions (for example, for personnel files).

Storage of personal information (and the disposal of information when no longer required) is managed in accordance with the Australian Government records management regime, including the Archives Act 1983 (Archives Act), Records Authorities and General Disposal Authorities.

## Accidental or unauthorised disclosure of personal information

We will take seriously any accidental or unauthorised disclosure of personal information. Complaints will be handled in accordance with Treasury's complaints process (please refer below).

If a breach of the Australian Privacy Principle(s) has been identified, we will advise you of our findings and proposed follow up action which may include, for example, an apology, targeted staff training, revised security or storage arrangements, or amendment of forms to prevent similar situations arising.

If you are not satisfied with our response, you have the option of making a complaint to the Privacy Commissioner (see below).

## **Purposes for which personal information is collected, held, used and disclosed**

We only collect personal information for purposes which are directly related to our functions or activities, and only when it is necessary for or directly related to such purposes.

These functions and activities include:

- performing recruitment, employment and human resource management functions in relation to individuals seeking employment with Treasury, Treasury staff, contractors and secondees to Treasury
- performing legislative and administrative functions
- policy development

- complaints handling
- program management
- contract management
- responding to enquiries and correspondence from members of the public
- responding to requests under the FOI Act and the Archives Act

We will not ask you for personal information we do not need.

We will use and disclose personal information for the primary purposes for which it is collected (for example, to respond to the assistance sought, application or enquiry or to make referrals which the individual, applicant and or enquirer has consented to or is reasonably likely to expect us to make). We will take reasonable steps to provide you with information about the primary purpose of collection at the time the information is collected or as soon as practicable after collection.

Sometimes we will pass on personal information to other staff, government Departments, or organisations. We will only do so if the purpose of the disclosure is related to the purpose for which the information was collected. We may also pass on personal information where it is required by law. Where possible, we will notify you at the time we collect the information, or shortly after, if we are likely to pass the information on to another body and, if relevant, the bodies to which the information is likely to be given.

We will only use your personal information for secondary purposes where it is able to do so under the Privacy Act.

## Disclosure of personal information overseas

We will not usually disclose personal information to overseas recipients. Where it is necessary for us to disclose personal information to overseas recipients, we will only do so where at least one of the exceptions under APP 8 apply.

## **Accessing your personal information**

### How to seek access to and correction of personal information

You have a right under the Privacy Act to access personal information we hold about you.

You also have a right under the Privacy Act to request corrections to any personal information that we hold about you if you think the information is inaccurate, out-of-date, incomplete, irrelevant or misleading.

If you wish to:

- query how your personal information is collected, held, used or disclosed
- ask questions about this Privacy Policy
- obtain access to or seek correction of your personal information

please contact Treasury using the following contact details:

**Email:**

[privacy@treasury.gov.au](mailto:privacy@treasury.gov.au)

**Post:**

Senior Adviser — Parliamentary and Legal Services Unit  
The Treasury  
Langton Crescent  
PARKES ACT 2600

## Complaints

### How to make a complaint

- If you are concerned about our handling of your personal information, you may wish to raise your concern directly with the area of the Department involved. This may allow for an informal and direct resolution of your complaint.

If you are not satisfied with this outcome, or prefer to make your complaint directly to Treasury's Privacy Officer, you may send your complaint in writing to either of the following:

**Email:**

[privacy@treasury.gov.au](mailto:privacy@treasury.gov.au)

**Post:**

Senior Adviser — Parliamentary and Legal Services Unit  
The Treasury

Langton Crescent  
PARKES ACT 2600

To assist us to consider your complaint, please provide as much information as possible in describing how you think your privacy has been interfered with, including:

- what happened;
- when it happened (including dates);
- what personal information of yours was affected;
- who did it (include individual names if known); and
- how and when you found out about it.

If you wish, you may interact with us anonymously or via a pseudonym. However, please note that if you do wish to make a complaint or for us to otherwise investigate a breach of the Australian Privacy Principles, it may assist us if you provide your personal details. We will treat any details you give us in confidence and in accordance with our obligations under the Privacy Act and any other applicable legislation.

We are committed to the timely and fair resolution of complaints. Your complaint will be investigated and you will be advised of the outcome.

## How to make a complaint to the Federal Privacy Commissioner

You have the option of contacting the Federal Privacy Commissioner if you wish to make a privacy complaint against us.

### **Telephone:**

1300 363 992

### **email:**

[enquiries@oaic.gov.au](mailto:enquiries@oaic.gov.au)

### **Post:**

The Privacy Commissioner  
Office of the Australian Information Commissioner  
GPO Box 5218  
Sydney NSW 2001

If you make a complaint directly to the Privacy Commissioner rather than to us, the Privacy Commissioner may recommend you try and resolve the complaint directly with us in the first instance.

## Availability of this policy

If you wish to access this policy in an alternative format (for example, hard copy) please contact Treasury using the following contact details.

### **Email:**

[privacy@treasury.gov.au](mailto:privacy@treasury.gov.au)

### **Post:**

Senior Adviser — Parliamentary and Legal Services Unit  
The Treasury  
Langton Crescent  
PARKES ACT 2600

This Policy will be made available free of charge.

## Privacy policy updates

This privacy policy will be reviewed and updated as required.

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## **Appendix A – How we handle specific types of files that contain personal information**

### Personnel files

The purpose of personnel records is to maintain information for recruitment, human resource management and employment related purposes. Files may contain personal or sensitive information including:

- application(s) for employment including an individual's résumé(s), statement(s) addressing the criteria and referee reports
- written tasks undertaken by an individual during a selection process

- notes from the selection committee during the selection process
- an individual's employment contract and other records relating to their terms and conditions of employment
- details of financial and other personal interests supplied by some individuals and their immediate family members for the purpose of managing perceived or potential conflicts of interest
- proof of Australian citizenship
- certified copies of academic qualifications
- records relating to an individual's salary, benefits and leave
- medical certificates or health related information supplied by an individual or their medical practitioner
- contact details
- financial information (for example, bank account information)
- taxation details (including a Tax File Number)
- details of superannuation contributions
- information relating to an individual's training and development

Treasury generally collects this information directly from the individual but may also collect personal information from others such as recruitment agents, personnel providers and managers/supervisors. Treasury may also collect personal information about employees and applicants from third parties where the individual has consented to such collection or would reasonably expect Treasury to collect the personal information in this way (for example, referee reports).

Personal information in personnel files is only used for the purpose of maintaining current employee data and information for business and employment related purposes.

Treasury does not give personal information held in these files to other agencies, organisations or anyone else without consent unless the individual would reasonably expect, or has been told, that information of that kind is usually passed to those agencies, organisations or individuals, or the disclosure is otherwise required or authorised by law.

Treasury may use personal information on these files for reporting purposes and may publish information on a de-identified basis in the Annual Report or disclose information on a de-identified basis to other bodies such as the Australian Public Service Commission.

Treasury will maintain and update personal information on these files as reasonably necessary, or when we are advised by individuals that their personal information has changed.

Treasury will take all reasonable steps to ensure that the information on these files that is in its possession or control is protected against loss, unauthorised access, misuse, disclosure or modification and that only authorised employees have access to such material.

The following agency staff have access to information contained on these files:

- officers in the People and Organisational Strategy Division
- officers in the Department with responsibilities for managing staff on a ‘need to know’ basis

The information contained in these files is not disclosed to overseas recipients except where reasonably necessary, for example, for the purposes of arranging overseas employment (for example, deployments in overseas countries) or for the purposes of making travel arrangements overseas. In such circumstances, Treasury will take reasonable efforts to seek your consent prior to making the disclosure.

## Freedom of Information files

The purpose of these records is to maintain a record of requests for access to documents under the FOI Act in order to process the requests.

Personal information contained in FOI files may include: name, contact details (address, telephone number, e-mail address), gender, occupation, marital status, financial information and other personal information volunteered by the applicant. On rare occasions, applicants may volunteer sensitive information including: information relating to physical or mental health, disabilities, racial or ethnic origin, citizenship information, criminal convictions and political beliefs.

The personal information in these records may relate to the FOI applicant and/or third parties to whom the information relates.

Treasury collects personal information in FOI files directly from individuals who make an FOI request.

Treasury uses the personal information in FOI files for the purpose of assessing and processing the FOI application. Treasury may also use the personal information in FOI files for the purposes of reporting (including to the Office of the Australian Information Commissioner). Where such information is published, it will be done so on a de-identified and aggregated basis in order to maintain confidentiality over the information.

The following Treasury staff have access to this personal information: officers in the Ministerial and Communications Division and officers in divisions responsible for processing and decision making in relation to particular FOI requests. Senior staff in the Department and staff of the offices of Treasurer and Treasury portfolio Ministers may have access to the information on a ‘need to know’ basis or in relation to requests made to their offices. The information is not disclosed to overseas recipients.



We do not give personal information held in FOI files to other agencies, organisations or anyone else without consent unless the individual would reasonably expect, or has been told, that information of that kind is usually passed to those agencies, organisations or individuals, or the disclosure is otherwise required or authorised by law (for example, under the transfer provisions in section 16 of the FOI Act).

The personal information contained in these records may also be disclosed to other agencies with responsibility for the subject of particular FOI requests, the Administrative Appeals Tribunal, the Office of the Commonwealth Ombudsman and the Office of the Australian Information Commissioner.

## Access request case files

The purpose of these records is to process requests for access to records controlled by Treasury. Most of these requests are made under the provisions of the Archives Act.

### Personal information

contained in these files may include: name, address, date of birth, gender, research interests and employment details.

The personal information in these records relates to individuals who have requested access to Treasury records outside the FOI Act and the Privacy Act.

The following Treasury staff have access to this personal information: records management staff, officers in the Parliamentary and Legal Services Unit and staff in functional areas responsible for the records that are the subject of a request. The information is not usually disclosed to overseas recipients.

Some of this information may be disclosed to staff of the National Archives of Australia, the Department of the Prime Minister and Cabinet, the Administrative Appeals Tribunal and the Office of the Commonwealth Ombudsman.

## Records relating to appointments to statutory positions within the Treasury portfolio

The purpose of these records is to arrange appointments of persons as statutory office holders within the Treasury portfolio and to administer terms and conditions of appointment.

Personal information contained in these files may include: names, addresses and curriculum vitae, leave, financial, travel information or an assessment of suitability.

Sensitive information contained in these files may include: health information, information on racial or ethnic origin

or membership of professional or trade organisations.

The personal information in these records relates to persons considered for appointment or appointed as statutory office holders.

The following Treasury staff have access to some or all of this information: officers in the Ministerial and Communications Division, officers of the Department in relation to statutory appointments within their areas of responsibility and senior staff of the Department. Some of this information is disclosed to the Treasurer or other Treasury portfolio Ministers, other government agencies, the Cabinet and the Governor-General on a ‘need to know’ basis.

This information is not usually disclosed to overseas recipients.

## Records of gifts received

The purpose of these records is to maintain a register of gifts received which are over the allowable limit.

Personal information contained in these files may include: names of the recipient of the gift(s) and presenter of the gift(s).

The following Treasury staff have access to this personal information: officers in the Financial and Facilities Management Division and the People and Organisational Strategy Division and senior staff in Treasury on a ‘need to know’ basis. The information is not disclosed to overseas recipients.

## Mailing/subscription lists of the Department

The purpose of these records is to distribute information to subscribers. The content of the material distributed will vary depending on the particular subscription list to which the individual or organization has subscribed.

Personal information recorded may include: name, address, telephone number, facsimile numbers and e-mail addresses of a subscriber.

Treasury staff that have responsibility for maintaining the particular mailing lists may have access to the personal information.

The personal information contained in these records is for Treasury’s use only and is not disclosed to other parties without prior consent.

To unsubscribe from these mailing lists, please refer to the relevant part of the Treasury website or contact the relevant area of the Department.

## Biographical records for meeting briefs

The purpose of these records is to assist the Treasurer, Treasury portfolio Ministers or Treasury officials when meeting or corresponding with constituents or external stakeholders.

Personal information on these files may include: name, contact information (address, telephone number, e-mail address), educational qualifications and employment history.

Sensitive information may include: membership of organisations and, in relation to constituents, information provided directly or with consent such as details of physical or mental health, disabilities, family relationship matters and financial affairs.

Treasury officers responsible for preparing briefing material will have access to this information.

The personal information contained in these files may be disclosed to Treasury officials, the Treasurer's office and other Treasury Ministers' offices, Departments and relevant state and territory agencies to address the issues presented by the individuals.

For information about how to access or correct personal information in administrative files please refer to the 'Accessing Your Personal Information' section of this policy.

## G20

The purpose of these records is to assist in the management of the G20 summit in November 2014.

Personal information on these files may include name, contact details (addresses, telephone numbers and e-mail addresses), date of birth and passport details of attendees of, or contractors to, the summit. Sensitive information contained on these files may include: gender, nationality, racial or ethnic origin, membership of professional associations.

The following Treasury staff have access to this information: officers of the G20 Division, Ministerial and Communications Division and other senior staff in Treasury on a 'need to know' basis. The personal information contained in these records may be disclosed to other agencies also on a 'need to know' basis.

For information about how to access or correct personal information in administrative files please refer to the 'Accessing Your Personal Information' section of this policy.

## Documents relating to applications for contracts and consultancies

The purpose of these records is to provide information about contractors and consultants who have submitted a response to a Treasury tender.

Personal information contained in these files may include: name, position, contact information (address, telephone and facsimile numbers and e-mail address), curricula vitae of individuals seeking to provide services to Treasury.

The following staff have access to this personal information: Treasury staff involved in evaluating the particular tender and staff in the Financial and Facilities Management Division.

For information about how to access or correct personal information in administrative files please refer to the 'Accessing Your Personal Information' section of this policy.

## Financial management records

The purpose of these records is to comply with legislative requirements in respect of the recording of transactions and to assist management in its planning and accountability responsibilities.

Personal information contained in these files may include: creditor's or debtor's name, address, contact information, bank account details and transaction history.

The following Treasury staff have access to this information on a 'need-to-know' basis: officers in the Financial and Facilities Management Division. Professional accounting firms may, from time to time, be contracted to undertake financial services to Treasury and may have access to this information where it is relevant to the work they are undertaking. All Treasury officers who are involved in processing and approving financial transactions on behalf of Treasury may have security controlled access to relevant information on the financial management information system.

Some of this information is disclosed as required to the Department of Finance, the Australian National Audit Office, the Australian Government Solicitor and Treasury's internal auditors.

For information about how to access or correct personal information in administrative files please refer to the 'Accessing Your Personal Information' section of this policy.

## Correspondence to the Treasurer and other ministers in the portfolio

The purpose of these records is to maintain a register of correspondence addressed to the Treasurer and other Portfolio Ministers. Correspondence may be received from private citizens, Ministers, Parliamentarians, Government Departments and private organisations.

Personal information provided may include: name, contact information (address, telephone number, e-mail address), financial matters, and any other personal information volunteered by the correspondent. Some correspondence may contain sensitive information including: statements about religious beliefs, racial origin and relationship details.

Upon receipt, the correspondence is scanned into the Department’s Ministerial system and basic details of the correspondence (such as author, address, date and indicative subject matter) are recorded so that action on each item can be monitored.

The following Treasury staff have access to this information: staff in the Ministerial offices of the Treasurer and other Portfolio Ministers and Treasury staff who need to have access to the correspondence for the purposes of actioning the correspondence. In addition, access is given to the staff of other agencies when the correspondence is referred to other Ministers whose portfolio responsibilities cover the matters raised.

For information about how to access or correct personal information in administrative files please refer to the ‘Accessing Your Personal Information’ section of this policy.

## Correspondence to the Department (including submissions)

The purpose of these records is to process correspondence (including submissions) received by the Treasury (including inquiries, taskforces and the like for whose records Treasury has responsibility).

Content may include: name, address, date of birth, occupation, gender, marital status, names and status of partners or relatives and other information volunteered by the correspondent.

Sensitive content volunteered may include: physical or mental health, disabilities, racial or ethnic origin, criminal convictions, criminal intelligence, religious affiliations, tax file numbers and other information volunteered by the correspondent.

The following Treasury staff have access to this information: staff that are processing, evaluating or preparing responses to the correspondence.

Personal information contained in these records may be disclosed to the Treasurer’s Office, the offices of other Ministers in the Treasury portfolio and Treasury staff on a ‘need to know’ basis. Personal information contained in these records may be disclosed to other Departments if they are involved in processing, evaluation or the preparation of the response to the correspondence.

## Applications to the Treasurer and other ministers to exercise statutory powers

The purpose of these records is to record applications to the Treasurer and other Treasury Ministers to exercise their powers under particular Acts.

The following Treasury staff have access to this information: staff that are preparing or processing such applications. Personal information contained in these records may be disclosed to the Treasurer's office and the offices of other Ministers in the Treasury portfolio and Treasury staff on a 'need to know' basis.

## Records of the Australian Government Actuary (AGA)

The purpose of these records is to facilitate the analysis and calculations necessary for the preparation of actuarial advice required under legislation or commissioned by government or public sector agencies. In most cases, information provided to the AGA from other APP entities is provided on a de-identified basis.

Content may include: name (in a small minority of cases), date of birth, occupation, gender, marital status, superannuation and other entitlements, names, ages and details of partners or relatives, financial information (including income, assets and liabilities).

Sensitive content may include: physical or mental health, disabilities, racial or ethnic origin, criminal convictions, criminal intelligence and religious affiliations.

The AGA will use and disclose the information solely for the purposes for which it was provided.

The following Treasury staff have access to this information: staff of the Australian Government Actuary on a 'need to know' basis.

## Records relating to foreign investment

### Case files

The purpose of these records is to: record and process proposals by foreign interests to acquire Australian assets as required by the *Foreign Acquisitions and Takeovers Act 1975* and Australia's Foreign Investment Policy; and undertake compliance activities where necessary.

Personal information on these files may include: name, address, date of birth, occupation, gender, marital status, names and status of partners and relatives, financial information, company registration and incorporation details, nationality and visa status.

The personal information on these records mainly relates to prospective investors.

The following agency staff may have access to this personal information: Treasury Ministers, Secretary, Executive

Directors, staff of Foreign Investment and Trade Policy Division and Records Services staff.

Some of this information is disclosed to: other State and Federal agencies and the Foreign Investment Review Board.

### Property Transfer Records Received From External Agencies

The purpose of these records is to analyse property transfer transactions in Australia and assist with compliance activities.

Personal information on these files may include: name, property address, consideration and other transactional information.

This personal information may be disclosed to: Treasury Ministers, the Treasury Secretary, Executive Directors, staff of Foreign Investment and Trade Policy Division and Records Services staff, relevant law enforcement related agencies and the Department of Immigration and Border Protection staff.

A summary of this information may be disclosed to: other State and Federal agencies and the Foreign Investment Review Board. It may also be published on a de-identified basis in the Foreign Investment Review Board Annual Report.

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## **Appendix B – Website information**

The Treasury, and affiliated websites, are managed internally by the Department.

Generally, Treasury only collects personal information from its website where a person chooses to provide that information.

If you visit our website to read or download the information, we record a range of technical information which does not reveal your identity. This information includes your IP or server address, your general locality and the date and time of your visit to the website. This information is used for statistical and development purposes.

No attempt is made to identify you through your browsing other than in exceptional circumstances, such as an investigation into the improper use of the website.

Some functionality of the Treasury website is not run by Treasury and third parties may capture and store your personal information outside Australia. These third parties include (but are not limited to) Facebook, YouTube, Twitter and Google and may not be subject to the Privacy Act. Treasury is not responsible for the privacy practices of these third parties and encourages you to examine each website's privacy policies and make your own decisions

regarding their reliability.

The Treasury website contains links to other websites. Treasury is not responsible for the content and privacy practices of other websites and encourages you to examine each website's privacy practices and make your own decisions regarding the reliability of material and information found.

## Collection

### Forms

Sometimes, Treasury collects personal information that individuals choose to give Treasury via online forms or by email, for example when individuals use forms on the site to:

- provide information
- register interest
- purchase publications

The information you provide is not retained on the public web server and will not be used for purposes other than that for which it was provided.

Treasury will only record your e-mail address if you send Treasury a message. It will only be used for the purpose for which it was provided and will not be added to a mailing list unless that is the purpose of your message.

### Http logs

When individuals only browse the website, Treasury does not collect their personal information.

When an individual looks at Treasury's website, Treasury collects clickstream data in its Http logs. These logs are used internally to better develop the site and allow Treasury to report on site activity. They are not used for any other purpose. When you visit Treasury's websites, Treasury makes a record of the individual's visit and logs (in server logs) the following information for statistical purposes:

- the individual's server address
- the individual's top level domain name (for example .com, .gov, .org, .au, etc)
- the date and time of visit to the site
- the pages the individual accessed and documents downloaded.

We do not identify users or their browsing activities except, in the event of an investigation, where a law



enforcement agency may exercise a warrant to inspect the internet service provider’s server logs.

## Cookies

A cookie is a small file that is sent to your web browser from a web server and stored on your computer’s hard drive.

When an individual closes their browser the session cookie set by Treasury’s website is destroyed and no personal information is maintained which might identify an individual should they visit Treasury’s website at a later date.

## Keep up to date with Treasury

Twitter

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COMMONWEALTH OF AUSTRALIA  
*FREEDOM OF INFORMATION ACT 1982*  
AUTHORISATION UNDER SECTION 23

I, **KENNETH ROSS HENRY**, Secretary to the Department of the Treasury and Principal Officer of the Department within the meaning of the *Freedom of Information Act 1982*, **HEREBY**:

- (a) **REVOKE** the instrument of authorisation made on 18 September 2002 authorising the holders of certain positions to make decisions under the *Freedom of Information Act 1982* in respect of a request made to the Department; and
- (b) **APPROVE** under subsection 23(1) of the *Freedom of Information Act 1982* the following arrangements:
  - (i) each officer from time to time performing duties at a classification specified in Part 2 of Schedule 1 to this instrument is authorised to make decisions under the Act on behalf of the Department, as specified in Part 1 of that schedule; and
  - (ii) each officer from time to time performing duties at a classification specified in Part 2 of Schedule 2 to this instrument is authorised to make decisions under the Act of behalf of the Department, as specified in Part 1 of Schedule 2 to this instrument.

**DATE:** 23 November 2006



**Secretary and Principal Officer of the Department of the Treasury**

**SCHEDULE 1**

**PART 1 – POWERS**

To make any decision in respect of a request made to the Department under the *Freedom of Information Act 1982*.

**PART 2 – CLASSIFICATIONS**

- *Senior Executive Service Band 3*

**SCHEDULE 2****PART 1 – POWERS**

To make any decisions in respect of a request made to the Department under the *Freedom of Information Act 1982*, except decisions to be made on an application for internal review of a decision.

**PART 2 – CLASSIFICATIONS**

- *Senior Executive Service Band 2*
- *Senior Executive Service Band 1*

THE **TREASURY** — POLICIES AND PROCEDURES

**FOI Principles**



## OPEN GOVERNMENT

FOI is part of a broader trend towards greater scrutiny of government actions and decisions, greater accountability of government, greater transparency in government and greater public participation in government decision making.

Government held information is viewed as a national resource that is more valuable the more widely it is shared. Government agencies are increasingly using innovative ways of sharing information with the public.

## IMPORTANCE OF FOI

FOI is important because it:

- **allows** individuals to see what information government holds about them, and to seek correction of that information if they consider it wrong or misleading.
- **enhances** the transparency of policy making, administrative decision making and government service delivery.
- **informs** the community – and a better informed community can participate more effectively in the nation’s democratic processes.
- **enables** the better utilisation of information gathered by government at public expense for public purposes and as a national resource.

## GUIDING PRINCIPLES FOR PROCESSING FOI REQUESTS

### EXCELLENCE AND EFFICIENCY

FOI requests must be responded to and processed within legislated timeframes and to a high quality.

### COLLABORATIVE AND HELPFUL

Working collaboratively with each other (intra and inter-departmentally) and with the public will enable us to achieve outcomes in the best interests of the public.

### INFORMED AND CONSIDERED

Each FOI case needs to be treated on its own merits, while FOI related decisions should be informed with a sufficient depth of understanding and careful consideration.

## PRACTICAL CONSIDERATIONS

FOI requests in Treasury are dealt with in alignment with the *Freedom of Information Act 1982* and having regard to the FOI Guidelines, as required by the Act.

Guidance on processing FOI requests is contained in the FOI Toolkit and FOI governance documents.

THE **TREASURY** — POLICIES AND PROCEDURES



FOI Process

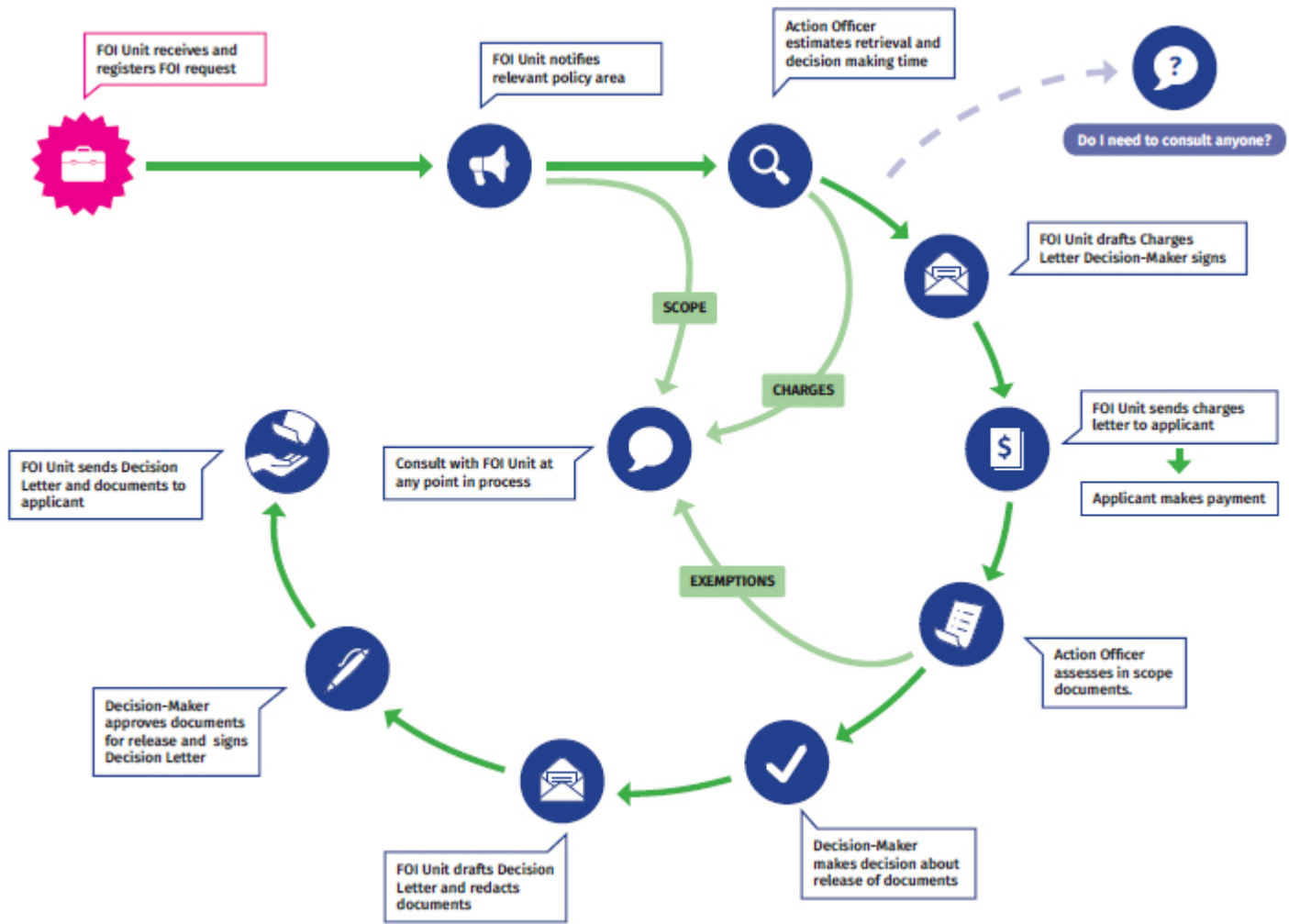
## BASIC FOI PROCESS

The basic steps involved in the processing of an FOI request (with charges) at Treasury:

1. FOI Unit notifies relevant Decision-Maker of new FOI request by email
2. ***Meet with FOI Unit to discuss scope interpretation***
3. Decision-Maker assesses whether the request is “doable” and provides estimate of retrieval and decision-making time
4. If “doable”, Action Officer locates the documents and estimates:
  - Number of documents involved
  - Number of pages
  - Search, retrieval and decision making hours needed to respond to the request
5. ***Meet with the FOI Unit to discuss application of charges***
6. FOI Unit prepares a Charges Letter to the applicant (based on Action Officer’s estimates)
7. Action Officer highlights sections of documents that cannot be released
8. ***Meet with FOI Unit for advice regarding appropriate exemptions***
9. Decision-Maker makes final decision
10. FOI Unit drafts Decision Letter and applies redactions to documents
11. Decision-Maker approves documents for release and signs Decision Letter
12. Decision Letter and documents for release are sent out by the FOI Unit on Friday afternoon and the Disclosure Log is updated simultaneously



## FOI PROCESS DIAGRAM (SIMPLE REQUEST 30 DAYS) AT A GLANCE



Australian Government Department of Treasury

FOI 2403  
Document 7



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## Freedom of information

The *Freedom of Information Act 1982* (the Act) gives members of the public a general right of access to documents of an agency and official documents of a Minister, other than exempt documents or parts of documents. Exemptions may relate to national security, material obtained in confidence, Cabinet documents, or other matters set out in the Act.

The Act allows individuals access to their personal records held by Government and enables them to correct any personal information that is incomplete, incorrect, out of date or misleading.

The Act also requires an agency to publish information on its operations under the Information Publication Scheme and a disclosure log of information that has been accessed under freedom of information (FOI) requests. A potential FOI applicant may find the information they are seeking is already available in those publications.

### Receiving access

Once the FOI request has been completed by Treasury, any available documents will be forwarded to the applicant. If the requested documents or parts of them are within an exemption specified in the Act, Treasury will provide reasons for the decision to exempt.

The FOI Act provides that a disclosure log of information accessed under FOI requests must be published, except for personal, business or certain other information set out in section 11C of the Act. Treasury publishes its responses to FOI requests on the Treasury website at the same time as providing the response to the applicant. Documents released under the FOI Act are generally made

available on the website after 4pm on Fridays (other than public holidays).

## Disclosure Log

Once the FOI request has been provided to the applicant, the request will be made available on the Treasury website's [Disclosure Log](#).

## How to apply for access

To make an FOI request the applicant should:

- apply online: [Application Form](#)
- apply in writing:  
Freedom of Information  
The Treasury  
Langton Crescent  
PARKES ACT 2600

Describe as clearly as possible the information being sought. Include any reference numbers or articles that may assist in identifying specific material and where possible include a date range.

## Request process

Treasury processed FOI requests in accordance with the [Freedom of Information Act 1982](#) and guidelines from the [Office of the Australian Information Commissioner](#)

## Charges

There is no application fee for an FOI request. [Processing charges](#) may apply to requests other than for documents containing only personal information. If there is a charge, the applicant will receive a written estimate. Applicants can ask for a charge to be waived or reduced for any reason, including financial hardship or on the grounds of public interest. Evidence may be requested when seeking a waiver of charges.

## Review rights

Applicants have the right of a review of FOI decisions made by Treasury. The following options are available:

- [Internal review](#)
- [Review by the Office of the Australian Information Commissioner](#)
- [Administrative Appeals Tribunal](#)

## FOI Contact

The Treasury  
Freedom of Information  
Langton Crescent  
PARKES ACT 2600

Email: [FOI@treasury.gov.au](mailto:FOI@treasury.gov.au)

Phone: 02 6263 2800

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THE **TREASURY** — POLICIES AND PROCEDURES

## Statutory Processing Timeframes





## STATUTORY PROCESSING TIMEFRAMES

The FOI Act requires agencies to comply with statutory timeframes for processing FOI requests. All decisions must be made within 30 calendar days of Treasury receiving the FOI request.

Reasonable steps must be taken to complete and finalise the FOI request within 30 calendar days; however, timeframes may be extended in the following circumstances:

Type of extension	Keep in mind	Time period
To consult with a third party	The applicant must be informed in writing.  Extensions do not apply to consultation with other Commonwealth agencies.	30 days
To consult a foreign government	The applicant must be informed that the processing period has been extended as soon as practicable.	30 days
With the applicant's agreement	The OAIC must be informed in writing as soon as practicable after reaching an agreement with the applicant.	Up to 30 days
For complex or voluminous requests	This extension may be applied for more than once.	Determined by OAIC
Following a deemed refusal decision	This is a one-off extension and the OAIC may impose conditions.	Determined by OAIC
Imposing an FOI access charge	Where issuing charges is appropriate, the applicant has up to 30 days to pay.	Up to 30 days

### Keep in mind:

- It is best practice to continue decision-making even where the statutory timeframe has expired and an extension of time has been refused.

For further information on statutory timeframes and more detailed advice on applying for extensions, contact the FOI Team through the FOI inbox at [FOI@treasury.gov.au](mailto:FOI@treasury.gov.au)

THE **TREASURY** — POLICIES AND PROCEDURES

**Applying Exemptions**





## OVERVIEW

The FOI Act gives members of the public a general right of access to documents of an agency and official documents of a Minister unless they are exempt under the Act.

An agency may grant access to exempt documents if it chooses to – it is simply not required to under the Act. However, documents that are not exempt must be released.

Some basic guidance on exemptions is provided below; however, the FOI Team can provide you with more detailed guidance and advice on applying exemptions under the FOI Act. The FOI Team can be contacted on through the FOI inbox at <mailto:FOI@treasury.gov.au>

## EXEMPT DOCUMENTS

If a document is considered exempt, the Decision-Maker is not required to release it.

Some of the more frequently used *unconditional* exemptions include:

### Section 34 – Cabinet Documents

This exemption is designed to protect the confidentiality of the Cabinet process and ensure that the principle of collective ministerial responsibility is not undermined.

The Cabinet exemption may be applied to the following classes of documents:

- Cabinet submissions (submitted or proposed for submission) prepared for the dominant purpose of submission for the consideration of Cabinet,
- Official records of the Cabinet,
- Documents prepared for the dominant purpose of briefing a Minister on a Cabinet submission, or
- Drafts of documents of the above type.
- Copies of, or extracts from, documents of the above type.
- Documents which, if disclosed, would reveal Cabinet deliberations or decisions (unless the existence of the deliberation or decision has been officially disclosed).

This exemption can also be applied to parts of documents.

### Keep in mind:

- A document cannot be considered exempt solely on the grounds that it is attached to an exempt cabinet document.
- A document by which a decision of the Cabinet is officially published is not an exempt document.
- Purely factual material in a Cabinet submission, record or briefing is not exempt unless its disclosure would reveal a Cabinet deliberation or decision which has not been officially disclosed.

In instances where you identify Cabinet-related material within the scope of a FOI request you should consult the FOI Team as soon as possible. The FOI Team will refer the relevant documents to the Department of the Prime Minister and Cabinet for further guidance.

### Section 45 – Documents containing information obtained in confidence

This exemption may be applied to documents where release may found an action for breach of confidence by a person or body other than the Government or its agencies. The information must be inherently confidential in nature and must have been provided, and accepted, in confidence.

### Section 33 – Documents affecting national security, defence or international relations

This section exempts documents which, if disclosed would or could reasonably be expected to, cause damage to Australia's national security, defence or international relations. This exemption also protects information that has been communicated in confidence to the Commonwealth by a foreign government, an agency of a foreign government or an international organisation.

#### Keep in mind:

- Classification markings on a document (such as 'secret' or 'confidential') are not of themselves conclusive of whether the exemption applies.
- The content of each document must also be examined in conjunction with the context of the request as alone the information may not result in harm, but it may in combination with other known information.

## CONDITIONALLY EXEMPT DOCUMENTS

Some exemptions have a public interest test attached to them. They are called *conditional* exemptions. Conditionally exempt documents only become exempt when the decision maker decides that, as well as being conditionally exempt under the Act, their release would be contrary to the public interest.

Some commonly used conditional exemptions are as follows:

### Section 47c – deliberative processes

Where documents contain 'deliberative material' they are conditionally exempt under section 47C of the Act.

'Deliberative material' is material in the nature of, or relating to, opinions, advice or recommendations that have been obtained, prepared or recorded in the course of, or for the purposes of, the deliberative processes of an agency or Minister.

The following types of material are not to be considered deliberative material:

- Operational information
- Purely factual information
- Content that is merely descriptive
- Incidental administrative content
- Procedural or day to day content
- The decision reached at the end of the deliberative process
- Material not obtained, prepared or recorded in the course of for the purposes of a deliberative process

### Section 47E –operations of agencies

Material which, if disclosed, would, or could reasonably be expected to, prejudice, or have a substantial adverse effect on, certain listed agency operations is conditionally exempt under the Act.

These include documents which would, or could be reasonably expected to:

- Prejudice the effectiveness of procedures or methods for the conduct of tests, examinations or audits by an agency
- Prejudice the attainment of the objects of particular tests, examinations or audits conducted or to be conducted by an agency
- Have a substantial adverse effect on the management or assessment of personnel by the Commonwealth, by Norfolk Island or by an agency, or
- Have a substantial adverse effect on the proper and efficient conduct of the operations of an agency.

## **REDACTING DOCUMENTS**

Where a document contains both exempt and non-exempt material, the documents must be released with the exempt parts redacted. Information that is irrelevant to the scope of the request may also be redacted. However, any editing should be clearly indicated. The FOI team will apply redactions in consultation with you.

## **OTHER REASONS FOR NOT RELEASING DOCUMENTS**

Decision-Makers may also refuse an FOI request in cases where:

- There are no relevant documents held by the agency,
- The documents have not been described in sufficient detail to allow identification of them, or
- The processing of the request would result in an unreasonable diversion of the agency's resources.

However, in some of these cases the FOI Team will liaise with the applicant in the first instance to help them make a valid and practicable request.

There are many other exemptions and conditional exemptions covering a wide range of matters such as other people's personal information, trade secrets and so on. See below for a full list of exemptions and conditional exemptions under the Act.

## FULL LIST OF EXEMPTIONS

	<i>Unconditional exemptions</i>
S 33	documents the disclosure of which would adversely affect national security, defence or international relations
S 34	Cabinet documents
S 37	documents the disclosure of which would adversely affect enforcement of law and protection of public safety
S 38	documents to which secrecy provisions in other legislation apply
S 42	documents subject to legal professional privilege
S 45	documents containing material obtained in confidence
S 46	documents the disclosure of which would be in contempt of Parliament or in contempt of court
S 47	documents the disclosure of which would reveal trade secrets or commercially valuable information
S 47A	electoral rolls and related documents
	<i>Conditional exemptions</i>
S 47B	documents the disclosure of which would adversely Commonwealth-State relations
S 47C	deliberative material
S 47D	documents the disclosure of which would adversely the Commonwealth's financial and property interests
S 47E	documents the disclosure of which would adversely affect certain operations of agencies
S 47F	documents the disclosure of which would unreasonably disclose personal information
S 47G	documents the disclosure of which would adversely affect an organisation's business affairs
S 47H	documents the disclosure of which would adversely affect research (by CSIRO or the Australian National University)
S 47J	documents the disclosure of which would adversely affect Australia's economy

## CONTACT

The FOI team within the Parliamentary and Legal Services Unit (PLSU) is the central coordination point for managing the FOI process and providing strategic and procedural advice in relation to FOI requests. The FOI team can be contacted through the FOI inbox at [FOI@treasury.gov.au](mailto:FOI@treasury.gov.au)



THE **TREASURY** — POLICIES AND PROCEDURES

**Undertaking Consultation**



## CONSULTATION

The FOI Act requires consultation with other parties in some circumstances. Early and collaborative engagement with parties relevant to a particular FOI request is essential to timely and effective administration and processing.

## THIRD PARTY CONSULTATIONS

Consultation with statutory third parties such as state or territory governments, businesses or individuals must be undertaken if the FOI request involves documents that may:

- affect Commonwealth-State relations;
- affect a person's business or professional affairs; or
- contain personal information.

These consultations will generally attract an additional allowance of 30 days to the deadline for processing the request, except for consultation with a foreign government, which attracts 60 days.

## CONSULTING WITHIN THE COMMONWEALTH

Consultation with other Commonwealth agencies may be necessary where a particular FOI request raises issues which cross agency boundaries. In some cases it may be appropriate to transfer the FOI request or part of it to the other agency.

Consultation with a Treasury Minister's office may also be required from time to time.

Consultation with the Department of the Prime Minister and Cabinet is required if the FOI request relates to Cabinet documents.

Where documents involved in a request are relevant to other areas of Treasury, you should consult with colleagues in those areas to ensure their point of view and reasoning is taken into account in the decision-making process. If you need help locating a contact in another part of Treasury, the FOI team can assist.

Consultation within the Commonwealth does not attract any additional time to the processing deadline, so any need for consultation should be identified and acted upon early.

If you identify a need for consultation with a Treasury Minister's office or external stakeholders you should notify the FOI Team as soon as possible at [FOI@treasury.gov.au](mailto:FOI@treasury.gov.au). The FOI Team will facilitate the consultation process, including setting up a discussion with the particular stakeholder and relevant policy area if appropriate.

## COURTESY CONSULTATIONS

You may also decide to conduct informal courtesy consultations with a Minister's office, or with other internal or external stakeholders, for example due to the sensitive nature of the request. Courtesy consultations are conducted by the FOI Team in conjunction with the FOI Action Officer.

THE TREASURY — POLICIES AND PROCEDURES

**Decision-Maker's Checklist**

## INITIAL CHECKLIST FOR DECISION-MAKERS

### RELEVANCE AND SCOPE

#### Consider the relevance of the request and whether the scope is manageable.

- Is the request one that should be processed by Treasury? Or
  - Should it be transferred to another agency?
  - Is the information already publicly available?
- Is the scope of the request clear? If no, notify the FOI Team, who may choose to contact the applicant to redefine the request.
- Is the scope of the request manageable? If no, notify the FOI Team, who may choose to contact the applicant to narrow the request.
- The FOI Team can assist with interpreting the scope of the FOI request.

### PAST CASES

#### Consider relevant past case/s

- The FOI Team will provide information on similar requests that Treasury has dealt with in the past which can inform how to respond to the request.

### STRATEGIC CONSIDERATIONS

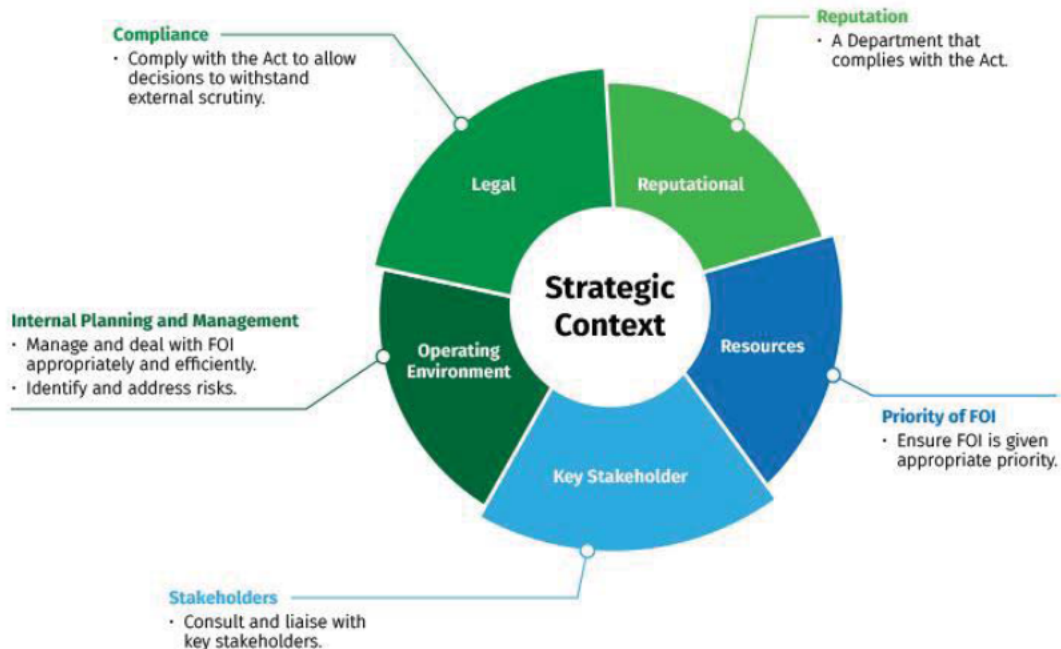
#### Consider the sensitivities and risks involved with the request

- Is the request departmentally or politically sensitive? Does the issue need to be escalated?
- Would release of the documents involved likely result in harm or damage to the public?
- Consider risk associated with the request, in relation to the following areas:

<p><b>Legal Risk</b></p> <p>In responding to the request, the Department does not comply with the legal requirements of the <i>Freedom of Information Act 1982</i>.</p>	<p><b>Legal Risk Source</b></p> <ul style="list-style-type: none"> <li>• The release of documents to the Applicant is outside the time requirements of the Act.</li> <li>• Release of inappropriate material.</li> <li>• All appropriate information within the scope of the request is not released.</li> <li>• Lack of support by those involved in completing the FOI request.</li> </ul>
<p><b>Reputational Risk</b></p> <p>In responding to the request, the Department’s reputation is damaged due to either the release or withholding of documents.</p>	<p><b>Reputational Risk Source</b></p> <ul style="list-style-type: none"> <li>• The release of the documents to the Applicant is outside the time requirements of the Act.</li> <li>• Release of inappropriate material.</li> <li>• All appropriate information within the scope of the request is not released.</li> <li>• Lack of support by those involved in completing the FOI request.</li> </ul>

Resource Risk	Resource Risk Source
<p>In responding to the request, the Department does not have sufficient staff available, with the necessary skills and experience to administer the FOI request process.</p>	<ul style="list-style-type: none"> <li>• Division Heads do not have sufficient resources to give consideration to FOI decisions.</li> <li>• Treasury does not deliver on its primary policy functions.</li> <li>• Loss of key staff and corporate knowledge.</li> <li>• Sufficient or adequately skilled resources are not available to complete requests in a timely manner.</li> <li>• Lack of effective planning and scheduling.</li> <li>• Ineffective use/tasking of staff.</li> <li>• Timeframes clash with significant events such as MYEFO or Budget.</li> </ul>

Using the guidance noted above, if a request is considered to be sensitive or high risk then this should be communicated to the FOI Team as soon as possible.



THE **TREASURY** — POLICIES AND PROCEDURES

**Action Officer's Checklist**

## FOI CHECKLIST FOR ACTION OFFICERS

Completed

1. Do the documents requested exist? 
  - Do you have access to the documents?
  - Does your area have authority over all of the documents?
2. Consider scope of request. Is the request “doable”? 
  - *Meet with FOI Unit to discuss scope interpretation*
3. Search and retrieve documents 
  - Calculate estimate of documents, pages and time to process
  - *Meet with the FOI Unit to discuss application of charges*
  - Search all relevant paper and electronic files. This includes email and voice recordings
4. Assess documents 
  - Is consultation required?
  - Do the documents contain any Cabinet material?
  - *Meet with FOI Unit to discuss redactions and applying exemptions*
5. Indicate sections in document for redaction and note the relevant exemption 
  - Send marked up and clean electronic copies of the documents to the FOI Unit
6. Facilitate Decision-Maker approval and sign-off 
  - The Decision-Maker will need to approve and/ or sign:
    - Redacted documents for release
    - All formal correspondence e.g. Charges Letter, Decision Letter etc.