



3 June 2024

eSafety ref: FOI 24120

Greg Tannahill

By email: foi+request-11381-055876e3@righttoknow.org.au

Dear Mr Tannahill

FOI request - Decision on access

I refer to your request to the eSafety Commissioner (eSafety) for access to documents under the *Freedom of Information Act 1982* (FOI Act).

On 2 May 2024, you sought access to the following (your request):

Details of all training, professional development and formal education engaged in by the eSafety Commissioner Julie Inman Grant between her first appointment to the role in January 2017 and the date of this request.

I wish to receive correspondence about this matter through the Right to Know website.

...

The request can be narrowed in the following ways:

* I do not require the names, contact details, identifying information or personal data of any persons, whether within the eSafety Office or elsewhere, except for the names of provider organisations who have delivered training mentioned in the request.

* I do not require the details of any training, professional development or formal education which the eSafety Commissioner does not feel is relevant to her duties as eSafety Commissioner or her suitability or qualification for that role. (I do not need to know if, for example, she has learned to play the piano.)

* I do not require any details of the training OTHER THAN:

- the name of the course or qualification;
- the provider who delivered it;
- the material covered and assessed as part of the training, and the core skills developed (the description of this from the provider should be sufficient);
- the rough dates over which the training occurred, and the rough total number of hours of training (e.g. "eight hours delivered between February and March 2023");
- the nature of the training environment (online, in person in office, or at external provider); and

whether the Commissioner completed the training and was awarded the relevant certification or qualification. -

*I do not require:

- correspondence or receipts regarding booking or attendance at the course;
- course materials or assessments.

Decision

I am authorised under section 23(1) of the FOI Act to make decisions under that Act.

I have identified one document, created under section 17 of the FOI Act, that falls within the scope of your request. I have decided to grant you access to the document in full.

Material taken into account

In making my decision, I have considered the following:

- your request dated 2 May 2024
- information provided by the relevant line areas
- the relevant provisions of the FOI Act including sections 17 of the FOI Act
- the guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act (FOI Guidelines)

Reasons for decision

The attached schedule provides a description of the document and my decision on access. The reasons for my decisions are outlined below.

Section 17 of the FOI Act – Request involving the use of computers

Under section 17 of the FOI Act, if an FOI request is made for a document that could be produced by using a computer ordinarily available to the agency for retrieving or collating stored information, an agency is required to deal with the request as if it was a request for written documents to which the FOI Act applies.

The FOI Guidelines [at 3.204] explain that section 17 may require an agency to produce a written document of information that is stored electronically and not in a discrete written form, if it does not appear from the request that the applicant wishes to be provided with a computer tape or disk on which the information is recorded. The obligation to produce a written document arises if:

- the agency could produce a written document containing the information by using a computer or other equipment that is ordinarily available to the agency for retrieving or collating stored information (section 17(1)(c)(i)), or making a transcript from a sound

recording (section 17(1)(c)(ii)); and

- producing a written document would not substantially and unreasonably divert the resources of the agency from its other operations (section 17(2)).

If those conditions are met, the FOI Act applies as if the applicant had requested access to the written document and it was already in the agency's possession.

You have requested access to information that is not held in a discrete form by eSafety, but is instead able to be produced in a written document through the use of a computer.

Pursuant to section 17 of the FOI Act, eSafety has used its computer systems to produce a document that contains the following information: description of the training, the provider/delivery agency, and the date of the training. I have decided to grant you access to this document in full. Unfortunately, it is not possible for the Commissioner's Office to confirm the total number of hours of the training or the nature of the training environment.

If you require further information regarding this decision, please contact the eSafety's FOI team at FOI@eSafety.gov.au.

Yours sincerely



Pauline Ross
Head of the Commissioner's Office

Attachments

1. Schedule of documents
2. Rights of review

ATTACHMENT 1: SCHEDULE OF DOCUMENTS

<i>Number</i>	<i>Date</i>	<i>Description</i>	<i>Decision on access</i>	<i>Exemptions or deletions</i>
1	3 June 2024	Summary of Commissioner Training January 2017 – June 2024	Access in full	N/A