



Australian Government

Australian Public Service Commission

Not Rex Patrick

By email: foi+request-11718-112494fc@righttoknow.org.au

Our reference: LEX 1093

Dear Applicant

Freedom of Information request

1. I am writing about your Freedom of Information (FOI) request under the *Freedom of Information Act 1982* (FOI Act) made on **19 July 2024** for access to documents held by the Australian Public Service Commission (Commission).
2. The FOI Act and all other Commonwealth legislation referred to in this letter are publicly available from www.legislation.gov.au.

Documents relevant to your request

3. You requested access to documents in the following terms:

“Consistent with section 17 of the Freedom of Information Act, I am seeking a document to be created and provided by the Australian Public Service Commission that includes:

the number of documents held by the Commission relating to conflicts of interest of current Secretaries or heads of agencies that were created or received by the Commission from 1 July 2022 to 30 June 2024.

I ask that the number be aggregated but broken down by month the document was created or received by the Commission.”

4. On 30 July 2024, the Commission wrote to you requesting clarification on the type of conflict of interest documents you were seeking. That is, whether you were seeking conflict of interest declarations of current Secretaries and Agency Heads, or whether there was scope to exclude correspondence relating to conflict of interest declarations relating to current Secretaries and Agency Heads.
5. You had not provided a response.

Decision on your FOI request

5. I am authorised under subsection 23(1) of the FOI Act to make FOI decisions.
6. I am satisfied that all reasonable steps have been taken to locate documents relevant to your request.
7. I have created one (1) document that contains information relevant to your request.
8. The document created contains the following information:
 - Document 1: Number of conflict of interest documents held by the Commission between 1 July 2022 – 30 June 2024.
9. Document 1 was created under section 17 of the FOI Act, as the data you have sought were not readily available in discrete form within the Commission.
10. I have decided to grant you **full access** to Document 1.
11. **Attachment A** provides a description of the document in scope to be released.

Contacts

12. If you require clarification on matters in this letter please contact the Commission's FOI Officer email at foi@apsc.gov.au.

Review rights

13. You are entitled to seek review of this decision. Your review rights are set out at **Attachment B**.

Yours sincerely



Meeghan Webster

Authorised FOI decision maker

15 August 2024

SCHEDULE OF DOCUMENTS

Document	Description	Exemption grounds
1	Number of conflict of interest documents held by the Commission between 1 July 22 to 30 June 2024.	Full release

Rights of Review

Asking for a full explanation of a Freedom of Information decision

If you are dissatisfied with this decision, you may seek review. Before you seek review of a Freedom of Information (FOI) decision, you may contact us to discuss your request and we will explain the decision to you.

Seeking review of a Freedom of Information decision

If you still believe a decision is incorrect, the *Freedom of Information Act 1982* (the FOI Act) may give you the right to apply for a review of the decision. Under sections 54 and 54L of the FOI Act, you can apply for a review of an FOI decision by seeking:

1. an internal review by an different officer of the Australian Public Service Commission; and/or
2. external review by the Australian Information Commissioner.

There are no fees applied to either review option.

Applying for a review by an Internal Review Officer

If you apply for internal review, a different decision maker to the authorised agency officer who made the original decision will carry out the review. The Internal Review Officer will consider all aspects of the original decision and decide whether it should change. An application for internal review must be made in writing within 30 days of receiving this letter to:

Email: foi@apsc.gov.au
Post: The FOI Officer
Australian Public Service Commission
B Block, Treasury Building
GPO Box 3176
Parkes Place West
PARKES ACT 2600

You do not need to fill in a form. However, it is a good idea to set out any relevant submissions you would like the Internal Review Officer to further consider, and your reasons for disagreeing with the decision.

Applying for external review by the Australian Information Commissioner

If you do not agree with the original FOI decision or the internal review decision, you can ask the Australian Information Commissioner to review the decision. You have 60 days to apply in writing for a review by the Office of the Australian Information Commissioner (the OAIC) from the date you received this letter or any subsequent internal review decision.

You can **lodge your application**:

Online: www.oaic.gov.au

Post: Australian Information
Commissioner GPO Box 5218
SYDNEY NSW 2001

Email: enquiries@oaic.gov.au

The OAIC encourage applicants to apply online. Where possible, to assist the OAIC you should include your contact information, a copy of the related FOI decision and provide details of your reasons for objecting to the decision.

Complaints to the Information Commissioner and Commonwealth Ombudsman

Information Commissioner

You may complain to the Information Commissioner concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act. There is no fee for making a complaint. A complaint to the Information Commissioner must be made in writing. The Information Commissioner's contact details are:

Telephone: 1300 363 992

Website: www.oaic.gov.au

Commonwealth Ombudsman

You may complain to the Ombudsman concerning action taken by an agency in the exercise of powers or the performance of functions under the FOI Act. There is no fee for making a complaint. A complaint to the Ombudsman may be made in person, by telephone or in writing. The Ombudsman's contact details are:

Phone: 1300 362 072

Website: www.ombudsman.gov.au