

National Library of Australia

23 October 2024

Ref: NLA24/83/93

By email: foi+request-12076-750db635@righttoknow.org.au

Dear Wadek

Freedom of Information Request – Access Decision and Statement of Reasons

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

I, Emma Appleton, am authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests made to the National Library of Australia (**Library**).

Background

1. By email on 23 September 2024, you requested for the period 1 January 2022 to 6 August 2024 access to the following information:
 - a. the four requests for content to be taken down on Trove, issued from the Australian Public Service Commission (APSC);
 - b. correspondence by officials or contractors of the Library to give effect to the four “take down” requests; and
 - c. correspondence in the possession of the Library notifying officials in the APSC about the content removed from Trove pursuant to the four requests issued by the APSC.

Material taken into account

2. I have taken the following material into account in making my decision:
 - a. the terms of your request;
 - b. the content of the documents captured by your request;
 - c. the relevant provisions of the FOI Act;
 - d. the FOI Guidelines issued under section 93A of the FOI Act by the Office of the Australian Information Commissioner (Guidelines); and
 - e. information provided by the relevant business areas within the Library.

Documents within the scope of your request

3. The Library has undertaken searches for documents which fall within the scope of your FOI application.
4. The Library has identified one document within the scope of your FOI request, an Excel spreadsheet which contains details taken from correspondence tracking software, of the take down requests received from the APSC, correspondence of Library staff relating to those takedown requests, and correspondence with the APSC relating to the take down requests.

Decision and reasons for decision

5. I find that one document comes within the scope of your request. This document was in the possession of the Library when your request was received.
6. I have decided to grant access in part to this document.



Parkes Place Canberra ACT 2600 Australia
T +61 2 6262 1111
nla.gov.au ABN 28 346 858 075

7. The document that I have chosen to grant access to is listed in the schedule at Attachment A.
8. The schedule provides a description of the document and the access decision in respect of the information contained within the document.
9. Document 1 contain the names of APS level staff members both within the Library and at the APSC, and I have decided to redact their names under s47F of the FOI Act.
10. Section 47F conditionally exempts documents where disclosure would involve the unreasonable disclosure of the personal information of any person.
11. On balance, I consider that the release of APS level staff names would be contrary to the public interest, as it would not protect the personal privacy of those individuals.

Publication of material released under the FOI Act

12. Where I have decided to release a document to you, the Library may also publish the released material on its Disclosure Log.
13. The Library will not publish personal or business affairs information where it would be unreasonable to do so.
14. For your reference the Library's Disclosure Log can be found [here](#).

Review Rights

15. If you are dissatisfied with my decision, you may apply to the Library for an internal review at foi@nla.gov.au

Information Commissioner review

16. Alternatively, under section 54L of the FOI Act, you may apply to the Australian Information Commissioner to review my decision.
17. An application for review by the Information Commissioner must be made in writing within 60 days after the date of this letter, and can be lodged in one of the following ways:

online: Information Commissioner [Review Application form](#)
email: foidr@oaic.gov.au
post: Director of FOI Dispute Resolution, GPO Box 5288, Sydney, NSW 2001

Questions about the decision

18. If you wish to discuss this decision, please contact the Library's Assistant Director Legal, Peter Hutchison on 02 6262 1621 or foi@nla.gov.au.

Yours sincerely



Emma Appleton
Chief Operating Officer
National Library of Australia

SCHEDULE OF DOCUMENTS

Doc No.	Number of Pages	Description of document	Decision on access	Provision of FOI Act
1.	PDF of 1 Excel spreadsheet	Take down requests received from the APSC and correspondence relating to those requests by Library staff, including with the APSC.	Access granted in part	S47F (personal privacy)