

Glenn Hamiltonshire

By email: foi+request-12569-d80d2106@righttoknow.org.au

Our Reference :2024/04

Dear Glenn

Freedom of Information (FOI) Request - 2024/05

I refer to your email dated 13 December 2024 seeking access to documents and information held by the Workplace Gender Equality Agency (the Agency/WGEA) under the *Freedom of Information Act 1982* (FOI Act).

You have requested access to the following:

This is a Freedom of Information Request for the purposes of the Freedom of Information Act 1982.

I request access to the Style Guides/Brand Guides/Writing Guides currently used for the Workplace Gender Equality Agency,

On 8 January 2025, you agreed to a 30-day extension, meaning our decision is due by 12 February 2025.

My decision and reasons for my decision

I am an officer authorised under subsection 23(1) of the FOI Act to make decisions in relation to FOI requests. This letter sets out the reasons for my decision.

I have identified 2 documents directly within the scope of your request.

Document 1 – WGEA Glossary and Style Guide.

Document 2 – WGEA Visual Brand Guidelines.

After considering the relevant identified documentation, I have decided:

- to grant access in part to Document 1 and 2 with relevant exempt matter deleted under section 47E(d).

I have decided that Document 1 and 2 contains information that is exempt from disclosure under section 47E(d) of the FOI Act as disclosure would have a substantial adverse effect on the proper and efficient conduct of the operations of an agency. The section prescribes that:

Conditional exemption

Section 47E – operations of agencies

- *Section 47E(d) conditionally exempts a document where disclosure would, or could reasonably be expected to, prejudice or have a substantial adverse effect on certain identified agency operations.*
- *According to paragraph 6.101 of the FOI Guidelines, a reasonable expectation must be more*

than merely an assumption or allegation that damage may occur if the document were to be released.

Document 1 the Glossary and Style Guide document falls into 4 sections:

- Overview and Style Guide sections (pages 3 and 4) – contains information to create consistent content. The Agency follows the Australian Government style manual [Home | Style Manual](#) that is readily available online.
- Other guidance section (pages 5 to 7) - contains detailed information about specific treatment and internal decision making on logo use.

Release of the **Other Guidance** section could be reasonably expected to provide information that could compromise the workplace data information and /or undermine trust in the Agency's genuine operations.

Document 2 the Visual Brand Guidelines document falls into 4 sections:

- WGEA logo, Typography, Colour palette and Visual Assets sections (pages 3 to 16) – contains detailed information about the positioning, spacing, and sizing of the WGEA's logo, and other Agency products, graphic devices, and iconography as well as the typeface and colour palette to be used when creating official documents.
- As the operator of the WGEA Gender Equality reporting platform, security is at the centre of our operations.

Release of **WGEA Logo Typography, Colour palette and Visual Assets** sections could be reasonably expected to provide information that could allow an individual or organisation to impersonate the Agency or its products and/or compromise the security of the workplace employee information and/or undermine trust in the Agency's genuine operations.

Public interest test

Where a document is conditionally exempt, access must be given unless in the circumstances giving access would, on balance, be contrary to the public interest (s11A(5) of the FOI Act) and part 6 of the FOI guidelines. One factor in favour of access is that disclosure could promote the object of the FOI Act.

With regard to the public interest factors set out in the FOI Guidelines, I consider the relevant factors against disclosure are that disclosure could reasonably be expected to:

- provide information that could allow an individual or organisation to impersonate the Agency or its products and/or compromise the security of Agency information and/or undermine trust in the Agency's genuine operations.

Based on the scope of the request, which is access to the Style Guides/Brand Guides/Writing Guides currently used for WGEA the factors against disclosure of the conditionally exempt material, **Other Guidance section, WGEA logo, Typography, Colour palette and Visual Assets sections** outweigh the factor in favour of disclosure.

This is because the public benefit that lies in disclosure is outweighed by the adverse effects that may occur on workplace employee data collected and the Workplace Gender Equality Agency's operational and regulatory responsibilities.

In making my decision, I have had regard to the following:

- the terms of your FOI request
- the content of the documents that fall within the scope of your request
- the relevant provisions of the FOI Act,

- the FOI Guidelines by the Office of the Australian Information Commissioner (OAIC Guidelines)

Publicly available documents

In addition to the internal WGEA documents, WGEA also uses the following publicly available guides which are intended for all Australian Government departments:

- Australian Government Style Manual: [Australian Government Style Manual](#)
- Australian Government Branding Guidelines: [Australian Government Branding Guidelines | PM&C](#)
- Government Writing Handbook: [Government writing handbook \[PDF\]](#)

Rights of Review

If you are dissatisfied with this decision, you are entitled to seek a review. Your rights are set out at **Attachment A** to this letter.

If you require clarification of any of the matters discussed in this decision, please contact the Agency by email at foi@wgea.gov.au.

Yours sincerely



Anne Beath
Operations Executive Manager and FOI Officer
12 February 2025

Schedule of documents:

Document 1 – FOI Request 2024.05 (WGEA Glossary and Style Guide)

Document 2 - FOI Request 2024.05 (WGEA Visual Brand Guidelines).

Attachment A

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 an 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* (FOI Act) gives you the right to apply for a review of the decision. Under sections 54 and 54L of the Act, you can apply review of an FOI decision by seeking:

1. an internal review by an different officer of the Australian Public Service Commission, and/or
2. a 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 Agency delegate 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@wgea.gov.au

Post: The FOI Officer
Workplace Gender Equality Agency
GPO Box 4917
SYDNEY NSW 2001

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 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 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 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:

Telephone: 1300 362 072

Website: www.ombudsman.gov.au