



13 January 2025

Nosey Rosey

foi+request-12618-f03e9e6c@righttoknow.org.au

Dear Nosey,

FREEDOM OF INFORMATION REQUEST NO. 2024-25/10 - NOTICE OF DECISION

The purpose of this letter is to give you a decision about access to documents that you requested under the Freedom of Information Act 1982 (FOI Act).

Screen Australia has completed processing the request and this letter is written notice to you of Screen Australia's decision in accordance with section 26 of the FOI Act.

SCOPE OF REQUEST

On 14 December 2024, you requested access to documents personal information received by Screen Australia originating from the Department of Veterans' Affairs. Specifically, you sought access to:

- All records of data sharing arrangements between DVA and Screen Australia, including but not limited to memoranda of understanding, service-level agreements, emails, letters, meeting minutes, file transfer logs, internal reports, and instructions that outline what data was shared, when it was shared, and the format or system used for the transfer between December 2014 and December 2024;
- Any internal Screen Australia policies, procedures, guidelines, or frameworks that govern how Screen Australia requests, obtains, stores, handles, or uses DVA client information. This includes documents that detail the criteria for approving access to such data, any consent or authorization processes, security controls, and retention or destruction policies between December 2014 and December 2024;
- Any internal Screen Australia copies of any ethics committee approvals, privacy impact assessments, internal review board decisions, or other documents that reflect deliberations or authorizations from Screen Australia for obtaining DVA client information. This includes records that show the agency considered the ethical, legal, or privacy implications of receiving or using DVA client data between December 2014 and December 2024;
- Screen Australia documents that outline the intended uses or practical applications of the DVA client data, such as project proposals, business cases, internal strategy papers, or briefings that explain why Screen Australia sought access to this information, how it was intended to be integrated into the agency's operations, and any expected outcomes or benefits between December 2014 and December 2024.

On 20 December 2024, I sent you an 'Acknowledgement of Access Request Received' letter.



Material taken into account

I have taken the following material into account in making my decision:

- (a) the terms of your request;
- (b) consultation with officers at Screen Australia who have oversight of the relevant areas to which the request relates;
- (c) the FOI Act; and
- (d) the guidelines issued by the Australian Information Commissioner under section 93A of the FOI Act.

DECISION AND REASONS FOR DECISION

I am an officer authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests.

I have decided to refuse access under section 24A(1)(b)(ii) of the FOI Act on the basis that the documents you requested do not exist.

Section 24A(1)(b)(ii) of the FOI Act provides that an agency may refuse a request if it has taken all reasonable steps to find the documents requested, and it is satisfied that the documents do not exist.

The steps taken to identify documents within the scope of your request included conducting searches of Screen Australia's electronic document and records management system (**EDRMS**), Screen Australia's funding management system (**SmartyGrants**), and emails. Search terms used included "DVA OR Veteran* Affair*" (note: this will find all derivations of Department of Veterans Affairs) created/updated since 2013. Search terms "data" and "client information" were also conducted within the context of the Department of Veterans Affairs. Myself and staff within our information support team conducted the searches.

Accordingly, I am satisfied that the documents you requested do not exist at Screen Australia.

YOUR REVIEW RIGHTS

If you are dissatisfied with my decision, you may apply for internal review or Information Commissioner review of the decision. We encourage you to seek internal review as a first step as it may provide a more rapid resolution of your concerns.

INFORMATION COMMISSIONER REVIEW

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

online: https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICR_10

email: foidr@oaic.gov.au

post: GPO Box 5218 Sydney NSW 2001



More information about Information Commissioner review is available on the Office of the Australian Information Commissioner website. Go to <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/information-commissioner-review/>.

FOI COMPLAINTS

If you are not satisfied with our response, you can make a complaint to the Australian Information Commissioner. A complaint to the Information Commissioner must be made in writing. Complaints can be lodged in one of the following ways:

online: https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=ICCA_1

email: foidr@oaic.gov.au

post: GPO Box 5218 Sydney 2001

More information about complaints is available on the Office of the Australian Information Commissioner at <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/make-an-foi-complaint/>.

If you are not sure whether to lodge an Information Commissioner review or an Information Commissioner complaint, the Office of the Australian Information Commissioner has more information at: <https://www.oaic.gov.au/freedom-of-information/reviews-and-complaints/>.

QUESTIONS ABOUT THIS DECISION

If you wish to discuss this decision, please contact me using the details below:

Kirsten Delaney

FOI Contact Officer

foi@screenaustralia.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to be "Kirsten Delaney".

Kirsten Delaney

FOI Contact Officer