



15 July 2024

Alex Cambridge

**BY EMAIL:** [foi+request-11559-033e70ab@righttoknow.org.au](mailto:foi+request-11559-033e70ab@righttoknow.org.au)

**In reply please quote:**

FOI Request: FA 24/06/01190

File Number: FA24/06/01190

Dear Alex Cambridge

**Freedom of Information (FOI) request**

On 25 June 2024, the Department of Home Affairs (the Department) received a request for access to information under the *Freedom of Information Act 1982* (the FOI Act).

**1 Scope of request**

You have requested access to the following:

- 1. The number of on-hand (ie ongoing and not finalised) investigations into suspected breaches of the APS Code of Conduct as of 25 June 2024*
- 2. The average processing time of investigations into suspected breaches of the APS Code of Conduct finalised since 1 July 2023.*

On 1 July 2024 you agreed to revise the scope of your request to the following:

- 1. The number of open investigations into suspected breaches of the APS Code of Conduct being conducted by Integrity Investigations Section as of 25 June 2024, where the subject of the investigation has been notified they are under such investigation. I am not seeking any details about such investigations, simply the number of investigations ongoing at the specified date.*
- 2. The average processing time of investigations into suspected breaches of the APS Code of Conduct that were undertaken by Integrity Investigations Section and that were finalised since 1 January 2024. By processing time I refer to time that elapsed between the subject of the investigation being notified they were under such an investigation, and when the matter was closed.*

## **2 Authority to make decision**

I am an officer authorised under section 23 of the FOI Act to make decisions in respect of requests to access document or to amend or annotate records.

## **3 Relevant material**

In reaching my decision I referred to the following:

- the terms of your request
- the document relevant to the request
- the FOI Act
- Guidelines published by the Office of the Information Commissioner under section 93A of the FOI Act (the FOI Guidelines)
- advice from Departmental officers with responsibility for matters relating to the document to which you sought access.

## **4 Document in scope of request**

In accordance with section 17 of the FOI Act, the Department has used its computer system to produce one document that contains information that falls within the scope of your request. The data produced in the document existed in the possession of the Department on 25 June 2024 when your FOI request was received.

## **5 Decision**

The decision in relation to the document in the possession of the Department which fall within the scope of your request is as follows:

- Release one document in full.

## **6 Legislation**

A copy of the FOI Act is available at <https://www.legislation.gov.au/Series/C2004A02562>. If you are unable to access the legislation through this website, please contact our office for a copy.

## **7 Your review rights**

If you disagree with this decision, you have the right to apply for either an internal review or an Information Commissioner review of the decision.

### ***Internal review***

If you want the Department to review this decision, you must make your internal review request within 30 days of being notified of this decision.

When making your internal review request, please provide the Department with the reasons why you consider this decision should be changed.

You can send your internal review request to:

**Email:** [foi.reviews@homeaffairs.gov.au](mailto:foi.reviews@homeaffairs.gov.au)

Or

**Postal mail:**

Freedom of Information  
Department of Home Affairs  
GPO Box 241 MELBOURNE VIC 3001

The internal review will be carried out by an officer who is more senior than the original decision maker. The Department must make its decision on the review within 30 days of receiving your request for internal review.

***Information Commissioner review***

If you want the Australian Information Commissioner to review this decision, you must make your request to the Office of the Australian Information Commissioner (OAIC) within 60 days of being notified of this decision. You can find more information about Information Commissioner reviews [on the OAIC website](#).

You can apply for an Information Commissioner review using the [Information Commissioner review application form on the OAIC website](#).

**8 Making a complaint**

You may make a complaint to the Australian Information Commissioner if you have concerns about how the Department has handled your request under the FOI Act. This is a separate process to the process of requesting a review of the decision as indicated above.

You can make an FOI complaint to the Office of the Australian Information Commissioner (OAIC) at: [FOI Complaint Form on the OAIC website](#).

**9 Contacting the FOI Section**

Should you wish to discuss this decision, please do not hesitate to contact the FOI Section at [foi@homeaffairs.gov.au](mailto:foi@homeaffairs.gov.au)

Yours sincerely



**Melissa Kay**  
**Position number 60037742**  
**Authorised Decision Maker**  
**Department of Home Affairs**