

Amendment requests under the FOI Act

Initial steps once an application is received

When an application for amendment is received under the [Freedom of Information Act 1988 \(Cth\)](#) (FOI Act) it should be registered and triaged by IAU in the first instance to ensure it meets the formal requirements in s 49 (amendment) or s 51A (annotation). See also Part 7 of the [FOI Guidelines](#) which relates to amendment and annotation of personal records. If anything is unclear, consultation with the applicant should occur. Information Law is available to provide advice or support should there be any concerns that an application for amendment or annotation does not meet the statutory requirements.

While there is no statutory requirement to acknowledge a request to amend or annotate records within 14 days as there is with an access request made under Part III, it is still good practice to write to an applicant and acknowledge their application as soon as practicable after receiving the application. This provides an early opportunity to clarify any aspects of the application which are unclear, and/or to request additional information to support the application if required. It is also possible at this stage to seek the applicant's informal agreement to an extension of time. However, it is important to note that should the applicant agree to an extension, this agreement will not be binding (unlike an agreement with an applicant on an access request under s 15AA).

Amendment/annotation decisions are required to be notified to an applicant within 30 days after the day on which the request is received (s 51D). If a decision is not made within 30 days, the department is taken to have made a decision refusing to amend or annotate the record of personal information. An [extension of time request](#) can be made to the Information Commissioner seeking additional time to process an amendment or annotation application. We recommend that where an application for amendment or annotation has not been made within the 30-day statutory period, a request for further time to deal with the application be made to the OAIC to ensure any subsequent decision is valid. Information Law is available to provide advice regarding processing amendment/annotation applications, including seeking an extension of time from the Information Commissioner under s 51DA(3). Requests for advice should be sent to information law at INFORMATION.LAW@dva.gov.au.

Transfer of amendment or annotation applications

The FOI Guidelines at [7.73] provide that an agency or minister may transfer an amendment or annotation application to another agency or minister who holds the documents requiring amendment or annotation or where the relevant documents contain subject matter which is more closely related to the other agency's or minister's functions (s 51C(1)).

The receiving agency or minister must agree to accept the transfer before it can take place — and, as a general rule, can be expected to agree to a transfer, unless there are exceptional circumstances (see [7.74 of the FOI Guidelines]).

Who can apply for amendment of a record

Under s 48 of the FOI Act, a person may apply to an agency for an amendment or annotation to a document of an agency that contains their personal information where they claim that the personal information contained in the document is 'incomplete, incorrect, out of date or misleading'.

The FOI Guidelines at [7.13] explain that the right to amendment or annotation only extends to the applicant’s personal information within the document. For example, a person cannot apply for correction or annotation of a policy document that contains no personal information about them. To qualify for amendment or annotation, the personal information must be:

- information (such as date of birth or residential address), or
- an opinion (such as a medical opinion)

about an identified individual, or an individual who is reasonably identifiable (see s 4(1) of the FOI Act and s 6(1) of the *Privacy Act 1988* (Cth)).

In addition, a person only has a right to seek amendment or annotation under the FOI Act if they have lawfully been provided with access to the document(s) in question (s 48). Lawful access includes access:

- granted under the FOI Act
- provided under an agency’s general discretion to allow access to its documents (for example, in response to an admin access request)
- required or permitted under any other law of the Commonwealth.

What should a decision maker consider when deciding whether to amend a record

As stated above, a person may apply to an agency for an amendment or annotation to a document of an agency where they claim that the personal information contained in the document is ‘incomplete, incorrect, out of date or misleading’. When assessing whether the information in the document is incomplete, incorrect, out of date or misleading, a decision maker should consider:

1. the nature of the information the applicant seeks to amend
2. the evidence on which the decision is to be based, including the circumstances in which the original information was provided, and
3. the consequences of amendment, where relevant (FOI Guidelines at [7.34]).

The FOI Guidelines contain guidance around what is considered ‘incomplete, incorrect, out of date or misleading’ information, which is summarised in the table below.

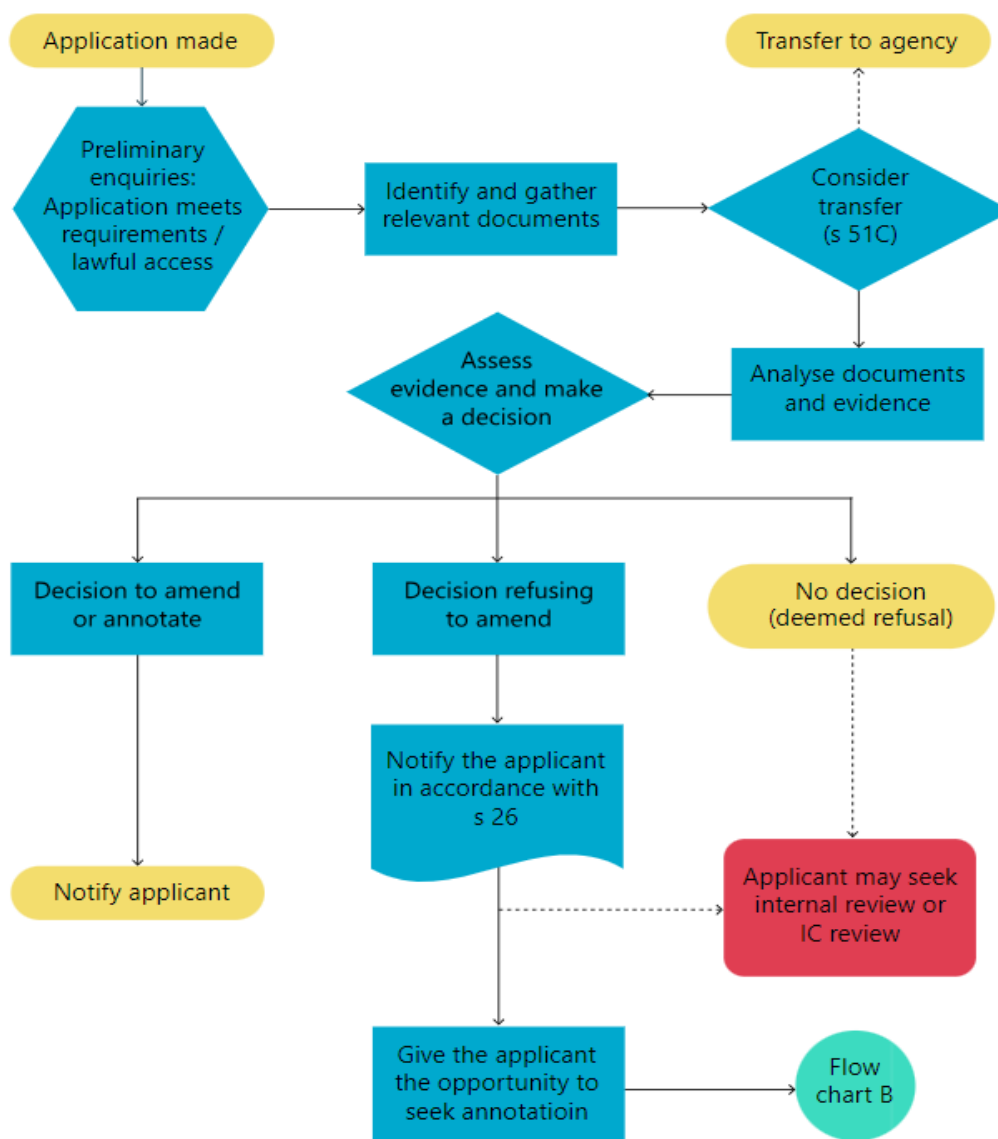
<p>‘Incorrect’ Information</p>	<p>‘Incorrect’ has its normal everyday meaning. Personal information is incorrect if it contains an error or defect. An example is inaccurate factual information about a person’s name, date of birth, residential address or current or former employment.</p> <p>An opinion about an individual given by a third party is not incorrect by reason only that the individual disagrees with that opinion or advice. The opinion may be ‘correct’ if:</p> <ul style="list-style-type: none"> • it is presented as an opinion and not objective fact, • it correctly records the view held by the third party, and
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	<ul style="list-style-type: none"> • is an informed assessment that takes into account competing facts and views.
'Incomplete' Information	<p>Personal information is incomplete if it presents a partial or misleading picture, rather than a true or full picture. For example, a statement that an individual has only two rather than three children will be incomplete if that information is held for the purpose of, and is relevant to, assessing a person's eligibility for a benefit or service.</p>
'Misleading' Information	<p>Information is misleading if it could lead a reader into error or convey a second meaning which is untrue or inaccurate. For example, an applicant may claim that a record of opinion or advice is misleading because it does not contain information about the circumstances surrounding that opinion or recommendation. The applicant may seek to have incorporated in the document information that sets out the context for that opinion or recommendation.</p>
'Out of date' Information	<p>Personal information is out of date if it contains facts, opinions or other pieces of information that are no longer current. An applicant may request that more recent information be inserted into the record as their circumstances change. For example, an applicant may request amendment of a statement that the applicant lacks a particular qualification or accreditation that they have subsequently obtained.</p> <p>Personal information about a past event may have been accurate at the time it was recorded, but have been overtaken by a later development. Whether that information is out of date will depend on the purpose for which it is held. If point in time information from the past is required for the particular purpose, the information will not be out of date for that purpose. In these circumstances, an agency or minister must still ensure that the information is complete and not misleading.</p>

Processing a request to amend or annotate personal records

Flow chart A (below) sets out the key steps in processing a request for amendment or annotation of a record.

Flow chart A



Analyse the documents and evidence

1. Once it has been determined that the amendment or annotation application meets the formal requirements as set out in the FOI Act¹, the relevant departmental documents that have been collected should be analysed.

¹ See sections 48 (lawful access), 49 (amendment) and 51A (annotation).

- Do the documents contain the applicant's personal information? Records that do not contain personal information (such as policy documents) cannot be amended under the FOI Act.

2. Analyse the evidence that the applicant supplied:

- The material that an applicant needs to provide to support their claim will vary according to each case. If an applicant can produce a document that supports the request, they should do so. The department should also search its own records or other sources to find any evidence supporting an applicant's claims. The applicant's opinion is not determinative; it is for the Decision Maker to be reasonably satisfied that the applicant's claims are correct.
- Was the evidence not available at the time of making the original record?
- Does the authenticity of the document need to be verified? It can be difficult to establish the authenticity of documents provided in support of an application for an amendment. While it may be unrealistic to insist on presentation of originals, the Decision Maker may give less weight to a copy, particularly where the authenticity of the original document is in question (see FOI Guidelines at [7.48]).

Assess the evidence

Assess the evidence (including the original records) and form your view on whether, and how strongly, it supports the requested amendment or annotation. Consider the following:

- What supporting documentation was originally provided?
- What new documentation has been provided?
- Do differences that emerge from the documents support the applicant's claims?
- How old is the document the applicant wants amended or annotated? Is it still used for an administrative purpose?
- If the document is still used for an administrative purpose, amendment could be justified.
- Archived documents that are no longer used for an administrative purpose should be annotated rather than amended.
- How did the department first obtain the documents or information that the applicant is seeking to change? How reliable was the source?
- Can the authorities that issued the original documents be consulted to check the authenticity of the documents or the applicant's account of events?
- Will changing the person's details have consequences for that person's further dealings with the department or another agency? If so, consult the applicant.

Amending a fact: If considering whether to correct a particular fact, consider the following:

- Was the recorded fact correct at the time it was supplied?
- Has a change in circumstances or the passage of time affected the accuracy of the record?
- Has the document containing the record been previously amended or annotated to reflect relevant changes through time? If yes, it is arguable that the record is not incorrect, misleading or out of date.

Amending an opinion: If considering whether to correct an opinion, take particular care. The applicant's disagreement with an opinion does not necessarily make it incorrect, misleading or out of date. Consider the following:

- Was the recorded fact correct at the time it was supplied?

- What evidence has the applicant produced in support of the claim?
- Was the opinion correct at the time it was supplied?
- How was the opinion originally reached and did the decision maker take into account, as far as you can tell, all of the available facts?
- Can you contact the author of the opinion to discuss whether they considered all of the relevant facts?
- Does the opinion seem to relate reasonably to the facts available at the time it was formed? Are these facts still convincing in current circumstances or do they suggest a different opinion might be formed?

Make a decision

Take all reasonable steps to notify the applicant of the decision within 30 days after the day the request was received.

If a decision is not notified to the applicant within 30 days, it will be taken as a deemed refusal. No extension of time is available unless the Information Commissioner allows further time under s 51DA of the FOI Act.

An agency or minister who is satisfied the information is incomplete, incorrect, out of date or misleading and that the information has been used, is being used or is available for use for an administrative purpose justified may decide to amend the record as requested (see [7.55] of the FOI Guidelines). It is good practice to note on the relevant file, database or other appropriate place why the decision was made to amend the information, so that the reasons are clear to those who later use the information.

Decision refusing to amend a record

If you refuse to amend either in whole or in part, or refuse to annotate, notify the applicant in writing of your decision in accordance with s 26 of the FOI Act. Include information about the applicant's review rights and consider annotation – see section below.

Consider annotation

If you refuse to amend either in whole or in part, you must give the applicant an opportunity to submit a statement seeking annotation of the record (see Flow chart B below). Section 51A of the FOI Act sets out the matters that an applicant needs to include in their submission.

The general rule is that an agency or minister must annotate a record as requested, as annotation, unlike amendment, is not discretionary. However, agencies or ministers are not obliged to annotate a record if they consider the applicant's statement is irrelevant, defamatory or unnecessarily voluminous (s 51(2)) (FOI Guidelines at [7.69]).

Internal review or IC review

If a decision is made not to amend or annotate a document as requested, the applicant may seek internal review and/or IC review of the department's primary decision. Or if you fail to notify your decision within 30 days, the applicant may seek IC review as internal review is not available on a deemed access refusal (see s 54E(b) of the FOI Act).

Implementing amendment decisions

The FOI Act does not specify how records are to be amended. Each agency can therefore adopt the procedure best suited to its record keeping practices. For example, s 50(2) of the FOI Act provides that an agency may amend a record by either altering the document itself or by adding to that document a note specifying the respects in which the agency is satisfied that the information is incomplete, incorrect, out of date or misleading.

Where an agency or minister decides to amend a record in response to a request, all relevant active records must be amended in whatever form those records are kept. It may be that only a central record, such as a database containing client details, need be amended rather than all related records. The records may be amended by correcting or updating them or by adding new information to make the record complete (FOI Guidelines at [7.59]).

Care must be taken, however, to preserve the integrity of the record. Agencies and ministers should remember that the information being amended still has value as an historical record, and therefore should be retained as far as possible. Section 50(3) of the FOI Act requires an agency or minister when making an amendment to ensure, as far as practicable, that the amendment does not obliterate the text of the record, as it originally existed. Removing or destroying part of a record would prejudice the record's integrity as an account of the information originally supplied. Such a record may still be necessary to explain an action taken on the basis of the original information. If this is not possible, the agency should keep a careful account of any changes made, cross-referencing to the file or database that contains the record of the amendment decision

Amending paper records	Amending electronic and other records
<p>Information on a paper document could be corrected by:</p> <ul style="list-style-type: none"> • ruling through the incorrect information • writing the correct information next to, above or below the incorrect information • inclusion of explanatory words such as: 'Amended on (insert date) under s 50 of the FOI Act' • inclusion of cross-references to the amendment by adding the words 'see folio (x) of file (x)', and • pre-printed stickers with the appropriate wording if there are a large number of amendments (see FOI Guidelines at [7.61] for further guidance). <p>Additional or updated information can be recorded in a similar way with the words: 'Additional information provided under s 48 of the FOI Act on [insert date]' or 'updated under the FOI Act on [insert date]'. The date of amendment must always be recorded. The notation could refer to s 51 (where a prior application for amendment was unsuccessful) or</p>	<p>Non-paper records (for example, computer data and microfilm) should be amended where possible. As with paper records, where information cannot be altered on the document or in the database, the folio(s) or record(s) which contain this information should be clearly cross-referenced to the relevant place where the correct information is held.</p> <p>Although information should be amended in a way that does not obliterate the original text of the record, this may not always be possible with electronic records. The OAIC recommends that agencies consult their systems administrators or record managers for guidance on amending or annotating electronic records [FOI Guidelines at 7.66]).</p> <p>A note that merely states the applicant's views without making a finding on the accuracy of the information the agency or minister holds is insufficient to constitute an amendment for the purposes of the FOI Act. Where information cannot be amended on the document or in the database, the folio(s) or record(s) which contains this information should clearly cross-reference to</p>

Page 14 s 51B (where an application for annotation is made under s 48 without first seeking amendment).

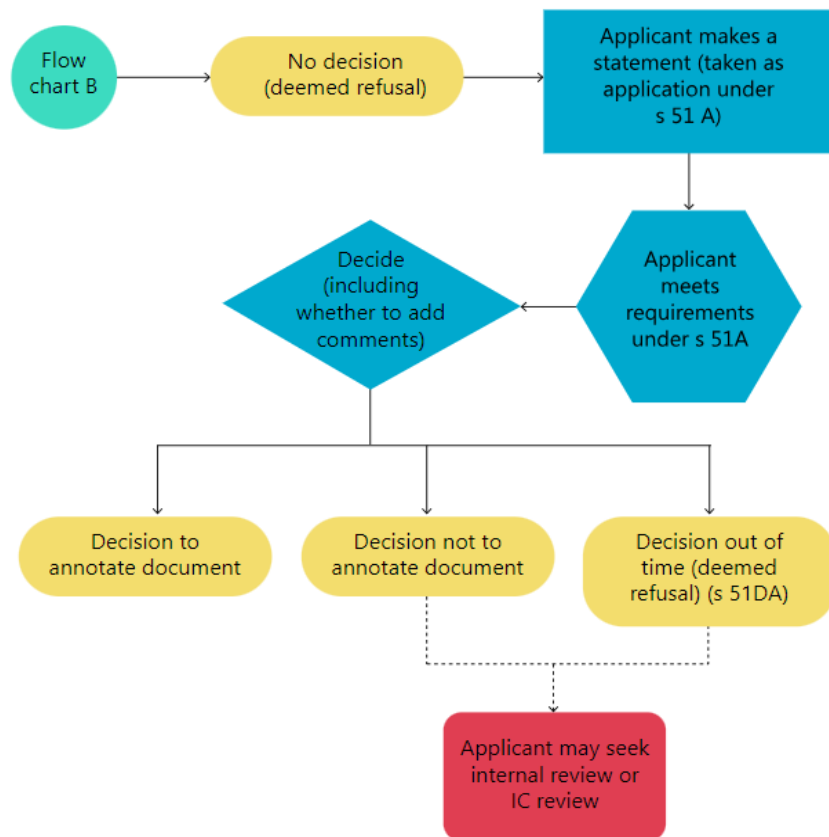
the relevant file containing the correct information.

Processing a request to annotate personal records following a decision to refuse to amend a record

The FOI Guidelines at [7.68] provide that where an agency or minister has declined to amend a record either wholly or partly in accordance with a request, the applicant must be given an opportunity to submit a statement seeking annotation of the record that they claim is incorrect, incomplete, out of date or misleading (s 51(1) of the FOI Act).

Flow chart B (below) sets out the steps to process a request to annotate personal records where an agency has refused to amend the records.

Flow chart B



Applicant given the opportunity to provide a statement

If you are refusing to amend a document either in whole or part, you must allow the applicant an opportunity to provide a statement that contains the following:

- the information that they claim to be incomplete, incorrect, out of date or misleading
- which of those categories applies to the information

- their reasons for making the claim, and
- any other information which would make the information in question complete, correct, up to date or not misleading.

Applicant provides a statement

If the applicant provides a statement, the statement must meet the requirements of an application for annotation under s 51A of the FOI Act.

Make a decision

Take all reasonable steps to notify the applicant of your decision within 30 days after the day the request was received. You must annotate the document containing the personal information in question, unless the statement is irrelevant, defamatory or unnecessarily voluminous (s 51B of the FOI Act).

Consider whether you should add comments to the annotation (such as where the matter is complex) (s 51E of the FOI Act).

No decision or decision not to annotate a document: internal review or IC review

If a decision is made not to annotate a document as requested, the applicant may seek internal review and/or IC review of the department's decision. Or if you fail to notify your decision within 30 days, the applicant may seek IC review as internal review is not available on a deemed access refusal (see s 54E(b) of the FOI Act).

**For further information and guidance on decisions to amend or annotate a record, please see Annexures A – C below.*

Annexure A: Notice of decision not to amend personal information

Annexure B: Notice of decision to amend personal information

Annexure C: Acknowledgement of request to amend personal information

Still have questions?

Information Law is available to provide advice regarding processing amendment/annotation applications under Part V of the FOI Act. Requests for advice should be sent to information law at INFORMATION.LAW@dva.gov.au.

Annexure A: Notice of decision not to amend personal information

Note on sample notice

In making a decision about a request for amendment of personal information, agencies should have regard to the *Guidelines issued by the Australian Information Commissioner under section 93A of the Freedom of Information Act 1982, Part 7 (Amendment and annotation of personal information)*, available at <https://www.oaic.gov.au/freedom-of-information/foi-guidelines/part-7-amendment-and-annotation-of-personal-records/>

Part 7 of the Guidelines explains what matters a decision maker should consider when deciding whether to amend personal information.

Dear *[applicant name]*

Amendment of personal information request no. *[insert identifier number /code]*

The purpose of this letter is to give you a decision about your request for amendment of personal information we hold about you.

Summary

I, *[insert name, position]*, am an officer authorised under section 23(1) of the *Freedom of Information Act 1982* (FOI Act) to make decisions in relation to FOI requests for amendment of personal information.

You requested that *[name of agency]* amend personal information we hold about you. Specifically you have asked *[name of agency]* to *[update / correct]*:

[quote or accurately paraphrase the terms of the request and the affected documents].

You claimed that the personal information in these documents is *[incomplete / incorrect / out of date / misleading]* because *[quote or accurately paraphrase the applicants reasons for claiming the information is in need of amendment]*. *[Insert if applicable: To support your claim, you provided *[outline any evidence the applicant has provided]*].*

I have decided to refuse your request for amendment of *[insert nature of amendment]*. Therefore the records that *[name of agency]* holds have not been amended and still show *[insert details of unaltered information]*.

DECISION AND REASONS FOR DECISION

In order to make an amendment under the FOI Act, I must be satisfied that the record of personal information is incomplete, incorrect, out of date or misleading. I assessed your claim that the information was *[incomplete / incorrect / out of date / misleading]* and found that:

- *[insert findings of material fact]*

Having considered these findings, I am not satisfied that the information is *[incomplete / incorrect / out of date / misleading]*. *[Explain reasons for decision based on findings of material fact.]*

Material taken into account

I took the following material into account in making my decision:

- *[list material taken into account]*

Your option to have the records annotated

Under the FOI Act, you are entitled to submit a statement outlining your reasons for claiming the information *[name of agency]* holds about you is inaccurate. The statement should state whether you claim the information to be incomplete, incorrect, out of date or misleading, why you believe it

is inaccurate and what information would correct it. We will annotate your record to include the statement, as long as the statement is not irrelevant, defamatory or unnecessarily voluminous. We may also attach our own comments to any annotation.

If you would like to have your records annotated, please submit a statement to [\[me, using the details at the end of this letter/the contact officer whose details are given at the end of this letter\]](#).

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.

[If the decision maker is a minister or the principal officer of an agency, replace preceding paragraph with: If you are dissatisfied with my decision, you may apply for Information Commissioner review.]

[Insert as applicable: Internal review

Under section 54 of the FOI Act, you may apply in writing to [\[the Department / name of agency\]](#) for an internal review of my decision. The internal review application must be made within 30 days of the date of this letter.

Where possible please attach reasons why you believe review of the decision is necessary. The internal review will be carried out by another officer within 30 days.]

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 unhappy with the way we have handled your FOI request, please let us know what we could have done better. We may be able to rectify the problem. 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 [\[me, using the details below/the following officer\]](#):

[Insert officer name, position and contact details]

Yours sincerely

Annexure B: Notice of decision to amend personal information

Dear *[applicant name]*

Amendment of personal information request no. *[insert identifier number /code]*

I refer to your request for *[name of agency]* to amend personal information we hold about you. Specifically you have asked *[name of agency]* to *[update / correct]*:

[quote or accurately paraphrase the terms of the request and the affected documents].

You claimed that the personal information in these documents was *[incomplete / incorrect / out of date / misleading]* because *[quote or accurately paraphrase the applicants reasons for claiming the information is in need of amendment]*. *[Insert if applicable: To support your claim, you provided *[outline any evidence the applicant has provided]*].*

I am writing to tell you that I considered your request and was satisfied that a correction was required. *[Name of agency]* has therefore amended *[insert details of the amendment and the records to which amendments were made (including any records other than those identified by the applicant)]*.

*[Insert if applicable: Attached is your *[evidence provided by the applicant]*.]*

If you wish to discuss this decision, please contact *[me, using the details below/the following officer]*:

[Insert officer name, position and contact details]

Yours sincerely

Annexure C: Acknowledgement of request to amend personal information

Note on sample notice

The *Freedom of Information Act 1982* (FOI Act) does not require agencies to acknowledge a request to amend personal information. However, it is good administrative practice to acknowledge the receipt of a request within 14 days (as required for FOI access requests).

From 12 March 2014, in addition to the right to seek amendment and annotation of personal information under the FOI Act, Australian Privacy Principle 13 of the *Privacy Act 1988* provides a separate means for individuals to seek correction of personal information. More information is available in Chapter 13 of the *Australian Privacy Principles Guidelines*, available at [APP Chapter 13](#)

Dear *[applicant name]*

Amendment of personal information request no. *[insert identifier number /code]*

I refer to your request for *[name of agency]* to amend personal information we hold about you. Specifically you have asked *[name of agency]* to *[update / correct]*:

[quote or accurately paraphrase the terms of the request and the affected documents].

You claim that the personal information in these documents is *[incomplete / incorrect / out of date / misleading]* because *[quote or accurately paraphrase the applicant's reasons for claiming the information is in need of amendment]*. *[Insert if applicable: To support your claim, you provided *[outline any evidence the applicant has provided]*.*

*[Optional (request for further information): To enable us to process your request, could you [also] provide *[insert details of evidence required and how it should be submitted (for example, hardcopies or electronic copies, originals or scans, to which postal or email address)]*.*

We received your request on *[insert date of receipt]* and the 30 day statutory period for processing your request commenced from the day after that date. You should therefore expect a decision from us by *[insert date]*.

We will contact you using the *[choose one: email address and phone number / postal address and phone number]* you provided. Please advise if you would prefer us to use an alternative means of contact. If you have any questions, please contact the following officer:

[Insert officer name, position and contact details]

Yours sincerely



Release of Information

Presenter: Brett s 47F A/g Director,
Information Access Unit
CESS Division

Agenda

- What is release of information
- Role of the Information Access Unit (IAU)
- Administrative release, consent and redactions
- Freedom of Information requests
- Search minutes and conducting searches
- How do I know what to release?
- Support and more information

Purpose of the presentation

- To inform staff about information release
- To ensure information is being released correctly and consistently
- To ensure staff are aware of, and understand their responsibilities regarding information release
- To ensure staff are aware of the requirements of conducting thorough searches
- To ensure staff are aware of statutory timeframes associated with information release mechanisms

What is release of information?

- ▶ Information release is the process of releasing information, most commonly documents the Department holds to clients, their family members, authorised representatives, members of the public or other statutory bodies
- ▶ Familiarise yourself with the new policy and guidelines
 - ▶ DVA Information Release Policy
 - ▶ DVA Administrative Release Guidelines
 - ▶ DVA Redaction Guidelines
- ▶ Information can be released using multiple mechanisms
 - ▶ Public access and self service
 - ▶ Administrative release
 - ▶ Freedom of Information – formal, must be in writing
 - ▶ Lawful request – subpoenas, court orders, notices

Role of the Information Access Unit (IAU)

- The IAU is now DVA’s “single access point”
 - Supports veterans and families seeking access to information
 - Supports staff in managing complex information access requests
 - Manages all FOI requests for the Department
 - Manages redactions required in documents
- Facts and figures
- Types of information requests managed by IAU

What is administrative release?

- ▶ An informal mechanism to release personal and non-personal information
 - ▶ Often used for personal documents
 - ▶ No written application required
 - ▶ More accessible to veterans and families
- ▶ DVA's preferred method of release of information

Consent and administrative release

- ▶ Consent is King
- ▶ Consent to disclose
- ▶ Four elements of consent
- ▶ Own information versus a third party
- ▶ Records of deceased persons
- ▶ Updating consent to disclose

Redactions and administrative release

- ▶ What is redacting?
- ▶ Redactions may still be needed under administrative release
- ▶ What do I need to do?

Freedom of Information (FOI)

- ▶ Requests made under the Freedom of Information Act 1982 (Cth) are:
 - ▶ More formal than administrative access and require a formal decision letter
 - ▶ Subject to a strict 30 calendar day statutory timeframe
 - ▶ Used for personal and non-personal (corporate) documents
 - ▶ Required to have a request made in writing
 - ▶ Subject to rights of review
-
- ▶ If you receive a request for information under the FOI Act in writing, please immediately forward it to the Information Access Unit at INFORMATION.ACCESS@dva.gov.au

Search Minutes

- Read the instructions carefully including applicable timeframes
- Contact the IAU if you anticipate any issues conducting the search or meeting the timeframes
- Conduct a detailed search for documents within scope, this includes electronic documents, paper documents and archive record systems
- Make commentary in the search minute regarding any potential sensitivities in the documents within scope
- Once complete, have your search minute signed by your Senior Executive

How do I know what to release?

The Administrative Release Guidelines provide information on:



- ▶ Types of information generally released under administrative access
- ▶ Types of information more suited to release under FOI Act
- ▶ Identifying the need for escalation

Support and more information

- Guidelines and Policy
- DVA Information Release Policy
- DVA Administrative Release Guidelines
- DVA Redaction Guidelines
- <https://www.dva.gov.au/accessing-information/what-can-i-access/personal-information-access/accessing-information>
- Release of Information SharePoint
- <https://dvashare.dvastaff.dva.gov.au/Projects/Release-of-Information/SitePages/Home.aspx>
- Information Access Unit
- INFORMATION.ACCESS
INFORMATION.ACCESS@dva.gov.au
- **s 47F** hard transfer from Cisco phone
- DVA Information Access Unit softphone option

Information Access: Administrative Release— Quick Guide

What information can be released by staff?

Staff to Provide	Details	Action needed
	<ul style="list-style-type: none"> • The request is made specifically under 'Freedom of Information' or 'FOI' even if the information could be released administratively. • The request relates to someone other than the person requesting the information – including a family member. • The request is for employment information about a former staff member. • The information was provided to DVA by a third party (ATO, Centrelink). • The request is for a copy of internal procedures or policies. • Documents that are available on MyService that are not saved on a record that the processing staff can access. <p><i>Note: For requests from other agencies or representatives, please refer to your business procedures and what consent has been provided.</i></p>	<p>Send the request to the information access unit for assessment Information.Access@dva.gov.au</p>
	<ul style="list-style-type: none"> • Medical or Service records that relate to the person requesting the information. • Payment history. • Information on the current active claim that you or your area are working on. • Documents provided to or supplied to DVA by the person requesting the information. • The request is relating to other claims information that have been finalised – ensuring the information does not include third party information or full names of non-SES staff. 	<p>Correspondence of the request and response should be saved into the UIN in HPE (TRIM)</p> <p>For support or any questions on administrative release including redacting information please refer to the Release of Information SharePoint page</p>