**To**: [insert email address]

**Subject**: Document search required for FOI request [insert reference number] – your action required

Dear [Name]

We received a request under the *Freedom of Information Act 1982* (**FOI Act**) on [insert date] for access to:

*[insert terms of request or attach a copy]*

Given the nature of the request and the subject matter of the requested documents, we believe these documents are held in your [team/ business area].

We request that you conduct a search for all relevant documents and provide any documents you locate to us by [insert date]. You must provide us with all relevant documents you locate. They will be assessed by us to determine whether or not they can be released to the applicant.

**What you need to do**

Please read the terms of the FOI request, conduct a search for documents, and complete and return the following attachments:

* *Part A – Checklist* – which provides further information about conducting a search for documents; and
* *Part B – Record of Document Search* – to record a summary of your searches and provide information about any documents you locate.

If you locate documents, send them to us via email where possible. Documents in hard copy format may be sent in hard copy to the FOI Unit or scanned and emailed via reply email if more convenient.

If you do not locate documents, you are still required to complete and return the search checklist, and, if relevant, explain why you believe the documents do not exist or could not be found.

**What is a document?**

The FOI Act defines ‘document’ very broadly – it captures essentially all information in any form. For example, a document includes emails, diary and calendar entries, SMS and WhatsApp messages, CCTV footage, policy guides or manuals, letters, handwritten notes, file notes, sticky notes, files, photographs, telephone call or interview recordings and voice messages.

**Conducting a search**

The FOI Act requires that a thorough and diligent search be conducted for all documents relevant to the request. This means taking all reasonable steps to identify relevant documents in your possession. When you conduct a search, please keep in mind:

* the request covers documents in all formats (e.g. emails, memoranda, CCTV) unless the request specifically refers to one type of document;
* the request only covers documents that exist at the date of the request (i.e. you do not need to search for documents created after that date);
* multiple document storage systems may need to be searched to locate all relevant documents (e.g. electronic files, hard copy files, archived files);
* duplicate and draft documents must be provided, unless excluded by the applicant; and
* all relevant documents, even those marked confidential or subject to legal professional privilege, must be provided to us so we may assess them under the FOI Act.

**Timeframe for completing your search**

We are required to finalise the decision on the request as soon as practicable but no later than [insert due date].

You must provide copies of the relevant documents (where applicable), search checklist and search record as soon as possible but no later than [insert date].

If you have any questions or would like to discuss this email further, please contact us on [insert phone] or [insert email] and quote [insert agency reference].

Yours sincerely

[Name of officer]

[Position title]

**Part A – Search checklist**

|  |  |  |  |
| --- | --- | --- | --- |
| **SEARCH CHECKLIST** | | | |
| 1. **Preliminary** | | | |
| 1.1 | Do you understand the terms of the request and which documents to look for? | Yes  Continue to 1.2 | No  Go to 6.1 |
| 1.2 | Is your business area or team likely to hold documents relevant to the FOI request? | Yes  Continue to 1.3 | No  Go to 6.1 |
| 1.3 | Is there another business area in the agency that may hold documents relevant to the FOI request? | Yes  Go to 6.1 | No  Continue to 1.4 |
| 1.4 | Will it take longer than 2.5 hours to search for relevant documents? | Yes  Go to 6.1 | No  Continue to 1.5 |
| 1.5 | Does the request appear to cover a large volume of material? | Yes  Go to 6.1 | No  Continue to 1.6 |
| 1.6 | Will there be a delay of more than five days to respond to this request? | Yes  Go to 6.1 | No  Continue to Step 2 |
| 1. **Searching for documents** | | | |
| 2.1 | I confirm I have searched all relevant locations I have access to. This includes:   * all hard copy files * all electronic files * archive/storage files | Continue to 2.2 | |
| 2.2 | I confirm I have searched for all relevant types of documents. This might include:   * reports * emails * drafts * multimedia | Continue to Step 3 | |
| 1. **Recording searches** | | | |
| 3.1 | I confirm I have completed the Record of Document Search Form – Part B, detailing the searches I conducted, and listed any documents I located. | Continue to Step 4 | |
| 1. **Information for the FOI officer** | | | |
| 4.1 | I have outlined any sensitivities, concerns or issues regarding releasing the located documents. | Continue to 4.2 | |
| 4.2 | I have provided any other information the FOI officer should know when assessing the located documents for release. | Continue to Step 5 | |
| 1. **FInalise search and contact the FOI officer** | | | |
| 5.1 | Provide or send the Record of Document Search, this Checklist, any documents, and information in 4.1 and 4.2 to the FOI officer within the required timeframe. | | |
| 1. **Other** | | | |
| 6.1 | Contact the FOI Officer to discuss your issues or questions before continuing with the checklist. | | |

**Part B – Record of document search under the *Freedom of Information Act 1982* (Vic)**

The record of document search should record all searches conducted in relation to the applicant’s FOI request. An example of how the form can be completed is shown.

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Record of document search under the *Freedom of Information Act 1982* (Vic)** | | | | | | | | | |
| **Applicant:** | Jane Smith | | | | **Date valid request received:** | | 13 September 2018 | | |
| **Agency reference:** | FOI12345 | | | | **Decision due date:** | | 14 October 2018 | | |
| **FOI officer:** | Morgan Grey | | | | | | | | |
| **Date** | **Time taken** | **Name, position and area of officer who conducted the search** | **Locations searched** | **Describe searches (method or type of search)** | | **If applicable, key words used** | | **Result of searches** | **If relevant, why a document could not be located or why it does not exist** |
| 18/09/2018 | 1 hour, 25 mins | Jamie Chan, Project Officer, Infrastructure Projects team | Email accounts for Jamie Chan, Michael Brown and Sam Lines in the Infrastructure Projects team  TRIM | Key word search | | Green wedge project  Green wedge AND project  GWP  Green project  GW project | | Located 20 emails, one report and one briefing  Did not locate consultant reports | Consultant reports not located because the Infrastructure Projects team has not yet engaged consultants for the Green Wedge Project |
|  |  |  |  |  | |  | |  |  |

*Repeat as necessary*

**Additional information for the FOI officer**

Provide information for the FOI officer to consider when assessing the documents for release under the FOI Act. Outline any sensitivities, concerns, issues or other information in relation to the release of the documents.