

# OVIC 2021-22

Annual Report  
Refining Focus



Authorised by the  
OFFICE OF THE VICTORIAN INFORMATION COMMISSIONER

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# Letter of transmittal

**To:** The Honourable President of the Legislative Council

**And:** The Honourable Speaker of the Legislative Assembly

**And:** The Honourable Jaclyn Symes MP, Attorney General

I am pleased to transmit, in accordance with section 64(5) of the *Freedom of Information Act 1982* (Vic), the annual report of the Office of the Victorian Information Commissioner for the financial year ending 30 June 2022, for presentation to Parliament.

This report has been prepared in accordance with section 64 of the *Freedom of Information Act 1982* (Vic) and section 116 of the *Privacy and Data Protection Act 2014* (Vic).

Sven Bluemmel

**Information Commissioner**

# Contents

|                         |   |
|-------------------------|---|
| Commissioner's foreword | 1 |
| Year at a glance        | 3 |
| Guiding statements      | 6 |

## **Office of the Victorian Information Commissioner** 5

|  |    |
|--|----|
| Who we are                             | 7  |
| What we do                             | 8  |
| Our staff                              | 9  |
| Organisational chart                   | 10 |
| Finances                               | 11 |
| Budget paper number three              | 13 |
| Governance                             | 15 |
| Complaints about OVIC                  | 17 |
| Legislation                            | 17 |
| Regulatory action                      | 19 |
| Submissions                            | 22 |
| Consulting with government             | 23 |
| Public sector and community engagement | 24 |

## **Privacy** 29

|                                   |    |
|-----------------------------------|----|
| Complaints                        | 31 |
| Enquiries                         | 36 |
| Data breach notifications         | 37 |
| Publications                      | 39 |
| Stakeholder engagement            | 42 |
| Privacy Impact Assessments        | 42 |
| National and international forums | 43 |
| Youth Advisory Group              | 44 |
| Privacy Awareness Week            | 45 |
| Presentations                     | 46 |

## **Information security** 47

|   |    |
|---|----|
| Guidance and product development                              | 49 |
| 2021 Attestations   | 50 |
| 2022 Protective Data Security Plans                           | 50 |
| Engagement and support  | 51 |
| Class B Cemetery Trusts                                       | 53 |
| Monitoring and assurance                                      | 54 |
| Breakdown of incidents  | 55 |
| Victoria Police   | 56 |
| Information security and privacy in Victorian law enforcement | 57 |
| Review and guidance   | 57 |



## **Freedom of Information**

**59**

|                                       |    |
|---------------------------------------|----|
| Reviews                               | 64 |
| Access charge certificates            | 79 |
| Complaints and Professional Standards | 80 |
| Professional Standards                | 91 |
| Key projects                          | 95 |
| Key policy initiatives                | 96 |
| Stakeholder engagement                | 98 |
| Guidance and publications             | 95 |



## **Report on the operation of the FOI act**

**101**

|  |     |
|--|-----|
| Government bodies covered by FOI         | 103 |
| The data                                 | 103 |
| Accuracy of data                         | 103 |
| The past five years                      | 103 |
| Requests and appeals                     | 105 |
| Sources of FOI requests                  | 106 |
| Timeliness of agency decision making     | 107 |
| Access decisions                         | 108 |
| Five years of access decisions by sector | 109 |
| Exemptions                               | 110 |
| Application fees and access charges      | 111 |
| Top 30 agencies                          | 112 |
| FOI administration                       |     |



## **Appendices**

**115**

|  |     |
|--|-----|
| Disclosure index                           | 117 |
| Appendices to Part 5                       | 119 |
| Explanation of appendices                  | 119 |
| Requests received by agencies              | 120 |
| Agencies that did not receive FOI requests | 132 |
| Appeals to VCAT                            | 137 |
| Exemptions cited                           | 139 |
| Names and titles of decision makers        | 147 |
| Fees and charges                           | 165 |

# Commissioner's foreword

## **A renewed focus on the community**

Information powers today's digital economy. It is used to solve public policy issues, improve service delivery, and drive better outcomes for public sector organisations and for individuals.

Since OVIC was established, we have focused on embedding a culture in the Victorian public sector (**VPS**) that protects information and provides fair public access to it.

In January 2022, we published our 2021-24 Strategic Plan to guide our work over the next three years. It contains a renewed focus on engaging meaningfully and directly with members of the community to ensure they are aware of their information rights and how to exercise them.

## **Reflecting on the impacts of the pandemic**

2021-22 was an opportunity to reflect on the lessons we learned from the COVID-19 pandemic and the significant changes to the operations of the Victorian public sector.

In April 2022, we published a special report on the State of Freedom of Information (**FOI**) in Victoria: 2019 - 21. The report examined FOI data during the pandemic and highlighted that the public's right to access government information suffered during this time.

We also updated our guidance on privacy and vaccine information for members of the public, and guidance for agencies on FOI and COVID-19 to address challenges with processing FOI requests.

## **Engaging to ensure the protection of public sector information**

In 2021-22, we engaged widely across the VPS to support organisations with their information security obligations to protect public sector information. We hosted a range of forums and published new guidance.

In July 2021, we published four new animations on key information security principles for VPS organisations. We also engaged widely to support organisations in the lead up to the Attestation submission deadline in August 2021, and the Protective Data Security Plans submission deadline in August 2022.

We also updated our website to make it easier for organisations to find guidance on their reporting obligations, and published two Incident Insights Reports in October 2021 and March 2022 based on notifications received under the information security incident notification scheme.

## **Celebrating information rights**

In September 2021, we hosted a range of events to celebrate International Access to Information Day to promote the public's right to access government held information.

In May 2022, we also hosted a range of events to celebrate Privacy Awareness Week to raise awareness of the importance of respecting individual privacy to build trust between the community and government. We published new animations that explain how to make a privacy complaint, and what to do if you experience a data breach.

## Improving our website for the public

Our new strategic approach places the community at the centre of our regulatory, investigative, and educational activities. In May 2022, we conducted research into how members of the community interact with our website for the first time. The insights will provide recommendations to improve our website so that citizens can more easily find guidance on their information rights.

We also refreshed our guidance on how to make a privacy complaint, by publishing step-by-step instructions.

## Promoting greater transparency to build public trust

In 2021-22, we worked on encouraging agencies to provide more information to the public proactively and informally. We also hosted a Regional Roadshow for regional public sector employees across Victoria on how both FOI and privacy can improve public trust in government.

## Regulatory action

In 2021-22, we established new regulatory priorities that reflect existing and emerging issues that impact on the information rights of Victorians.

In September 2021, my Investigation report into delays in FOI decisions was tabled in the Victorian Parliament. This was the first investigation of its kind under the *Freedom of Information Act 1982* (Vic) (**FOI Act**). The report called for a wide-ranging review of Victoria's FOI law to make it easier for members of the public to gain access to government information, increase transparency and enhance the long-term health of our democracy.

In November 2021, we completed an audit on the identification and security value assessment of public sector information. The audit assessed four organisations' adherence to Standard 2 of the Victorian Protective Data Security Standards. The audit report outlined a range of recommendations to strengthen the protection of public sector information.

## Improving learning outcomes to uphold information rights

One of OVIC's key functions is to provide effective and trusted advice, education, and guidance to VPS organisations and the public. In 2021-22, OVIC's events, forums and webinars were attended by more than 6,400 attendees. This is up from approximately 3,000 in 2020-21.

Our monthly training sessions on privacy and FOI were also attended by over 440 VPS staff. In July 2021, we launched a new e-Learning module on conducting Privacy Impact Assessments.

In the third year of our annual stakeholder engagement survey, most of our performance measures improved compared to the previous year. These measures included the quality of advice provided to agencies, FOI and privacy complaint and review processes, information security sector support and education.

## Looking ahead

As we look ahead to the next three years, our focus will be on empowering Victorians to better understand and exercise their information rights while educating and supporting government agencies to respect those rights at all times. This will build trust and lead to better relationships between citizens and their government. In turn, this will support a stronger and healthier democratic society for all of us.



# Year at a glance

## 2021

### July

Published animations on tips for making an FOI request and requesting changes to personal information

Published series of animations on information security

Published new e-Learning module on Privacy Impact Assessments

### August

Hosted an Information Access Series webinar on local government

Hosted roundtable sessions for Attestation submissions

Attestations submitted to OVIC

### September

Tabled an own motion investigation report on impediments to timely FOI

Celebrated International Access to Information Day

Delivered presentations for members of the public on what makes a good FOI request

Hosted a panel discussion on breaking down the culture of FOI

### October

Tabled 2020-21 Annual Report in Victorian Parliament

Published an Incident Insights Report

Published regulatory priorities for 2021-22

Commenced annual stakeholder engagement survey

### November

Published guidance on privacy and vaccination information

Hosted a Victorian Privacy Network meeting

Hosted a Victorian Information Security Network (**VISN**) forum

Hosted an Information Access Series webinar on health information

### December

Delivered agency training on the early stages of FOI processing

Published Protective Data Security Plan template for Class B Cemetery Trusts and How-to Guide

Commenced consultation on the draft FOI Guidelines



# 2022

## January

Published 2021-24 Strategic Plan

## February

Hosted a presentation on FOI trends and decisions in 2021

Hosted a VISN forum on Protective Data Security Plans

Published new guidance on privacy by design and privacy considerations for local government

Hosted a Public Access Agency Reference Group meeting

## March

Hosted a Victorian Privacy Network meeting

Published new landing page on privacy complaints

Hosted the first joint FOI and Privacy Regional Roadshow

Published an Incident Insights Report

Published guidance on compensation in privacy complaints

## April

Published a special report on FOI in Victoria from 2019-2021 that examined the impact of COVID-19 on public access to information

Published a Practitioner Guide on Control Analytics

Hosted an Information Access Series webinar on dealing with requests

## May

Celebrated Privacy Awareness Week

Published new Guiding Principles for Surveillance

Hosted a Class B Cemetery Trust online forum

Conducted website user research with members of the public

## June

Published the FOI Professional Standards Framework

Updated guidance on FOI complaints process for members of the public

Hosted six Ask Us Anything sessions on Protective Data Security Plans

Published new guidance on proactive and informal release of information

# 1

# OVIC

|    |  |
|----|--|
| 7  | Who we are                             |
| 8  | What we do                             |
| 9  | Our staff                              |
| 10 | Organisational chart                   |
| 11 | Finances                               |
| 13 | Budget paper number three              |
| 15 | Governance                             |
| 17 | Complaints about OVIC                  |
| 17 | Legislation                            |
| 19 | Regulatory action                      |
| 22 | Submissions                            |
| 23 | Consulting with government             |
| 24 | Public sector and community engagement |

## We support the Victorian public sector by



**Educating** on FOI, privacy and information security matters



Providing **guidance** on the Victorian Protective Data Security Framework and on efficient and effective information security outcomes



**Ensuring** fair access to government information



Providing **guidance** on the Information Privacy Principles

## We support the Victorian community by



**Helping** individuals understand and exercise their privacy rights



Helping individuals **understand and exercise** their right to access government information



Taking **regulatory action** in the public interest



## Who we are

The Office of the Victorian Information Commissioner (**OVIC**) is established under section 6B of the *Freedom of Information Act 1982* (Vic). OVIC is responsible for regulating that Act and the *Privacy and Data Protection Act 2014* (Vic).

### Commissioners

Information Commissioner  
**Sven Bluemmel**

Public Access Deputy Commissioner  
**Joanne Kummrow**

Privacy and Data Protection Deputy Commissioner  
**Rachel Dixon**



# What we do

OVIC has oversight of the Victorian government's collection, use and disclosure of information. The functions of the Information Commissioner, Public Access Deputy Commissioner, and Privacy and Data Protection Deputy Commissioner are set out in the *Freedom of Information Act 1982* (Vic) (**FOI Act**) and the *Privacy and Data Protection Act 2014* (Vic) (**PDP Act**).

## Freedom of Information Act

The FOI Act provides the public with a general right of access to documents in the possession of the Victorian government, subject to limited exceptions and exemptions.

Under the FOI Act, the key functions of the Information Commissioner and Public Access Deputy Commissioner are:

- to promote understanding and acceptance by agencies and the public of the FOI Act and its object;
- to conduct reviews of decisions made by agencies and Ministers under the FOI Act;
- to receive and handle complaints made under the FOI Act;
- to provide advice, education and guidance to agencies and the public in relation to the Information Commissioner's functions; and
- to develop and monitor compliance with Professional Standards, and to provide advice, education and guidance to agencies and the public in relation to compliance with the Professional Standards.

## Privacy and Data Protection Act

The PDP Act provides for the regulation of information privacy, protective data security, and law enforcement data security.

The key functions of the Information Commissioner and Privacy and Data Protection Deputy Commissioner in relation to information privacy are:

- to promote awareness and understanding of the Information Privacy Principles (**IPPs**);
- to receive complaints about possible breaches of the IPPs by the Victorian public sector (**VPS**);
- to conduct audits to assess compliance with the IPPs; and
- to undertake research, issue reports, guidelines, and other materials with regard to information privacy.

The key functions of the Information Commissioner and Privacy and Data Protection Deputy Commissioner in relation to protective data security and law enforcement data security are:

- to develop the Victorian Protective Data Security Framework (**VPDSF**);
- to issue protective data security standards and promote their uptake by the Victorian public sector;
- to conduct monitoring and assurance activities to assess compliance with those standards; and
- to undertake research, issue reports, guidelines, and other materials with regard to protective data security.

## Our staff

Staff assisting the Information Commissioner are employed under Part 3 of the *Public Administration Act 2004* to enable the Information Commissioner to perform the Commissioner's functions and exercise powers under the FOI Act and PDP Act.

Early in 2021, staff began a gradual return to the workplace as OVIC moved to a hybrid model of working, with staff working both remotely and in the office. It is a testament to the willingness and resilience of OVIC staff that the office was able to adapt to this new model of working arrangements with no disruption to business as usual.

In 2021-22, OVIC put significant time, resources, and commitment into the professional development of staff. Individual development needs were identified through the annual performance development planning process and informed by the findings of the Victorian Public Sector Commission's annual People Matters Survey results.

In 2021-22, OVIC staff undertook a range of training activities and workshops including:

- Good complaints handling;
- Investigative interview training;
- Human-centred design training;
- Plain English writing;
- Transgender Victoria training;
- Disability training;
- Gender equality; and
- Respectful workplace behaviours.

## Focusing on gender equality

In line with requirements under the *Gender Equality Act 2020*, OVIC commenced drafting its first Gender Equality Action Plan in 2021-22. Informed by data from the annual People Matters survey results and staff consultations, the draft plan was submitted to the Gender Equality Commission for review.

Following the development of the Gender Equality Action Plan, an engagement plan for OVIC staff which includes professional development also commenced in May 2022.

## Workforce profile

As at 30 June 2022 OVIC staff, excluding statutory appointees, comprised:

- 56 ongoing (with 4 on maternity leave); and
- 4 fixed term.

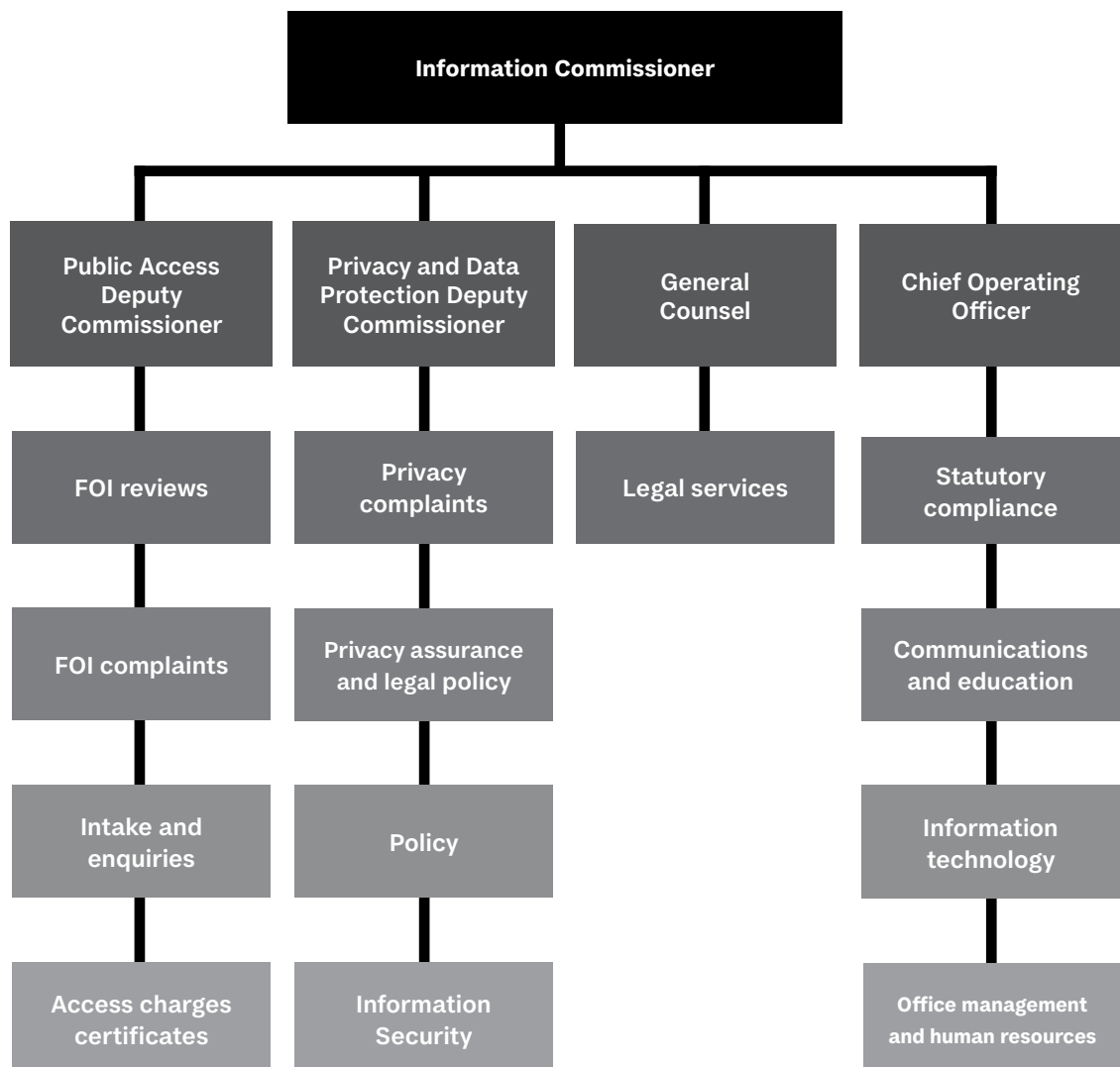
As at 30 June 2022, OVIC staff profile comprised:

- 41 female and 19 male staff;
- 29 staff under 35 years of age;
- 20 staff from 35 to 44 years of age; and
- 11 staff from 45 to 72 years of age.

#### Workforce profile breakdown

| <b>Classification</b>    | <b>Ongoing</b>         |                 | <b>Fixed term</b>      |                 |
|--------------------------|------------------------|-----------------|------------------------|-----------------|
|                          | Employees (Head count) | Employees (FTE) | Employees (Head count) | Employees (FTE) |
| VPS-3                    | 12                     | 11.7            | 3                      | 3.0             |
| VPS-4                    | 24                     | 21.4            |                        |                 |
| VPS-5                    | 10                     | 9.8             |                        |                 |
| VPS-6                    | 9                      | 8.3             |                        |                 |
| Snr Technical Specialist | 1                      | 1               | 1                      | 1.0             |
| <b>Total</b>             | <b>56</b>              | <b>52.2</b>     | <b>4</b>               | <b>4.0</b>      |

## Organisational chart





## Finances

OVIC's annual financial statements have been consolidated into the Department of Justice and Community Safety's annual financial statements pursuant to determinations made by the Minister for Finance under section 53(i)(b) of the

*Financial Management Act 1994*. A high level un-audited consolidated operating statement, summary of expenses and transactions and balance sheet for OVIC is reported below.

### Operating statement

|  | <i>Financial period ended<br/>30 June 2022</i> | <i>Financial period ended<br/>30 June 2021</i> |
|--|--|--|
| <b>Appropriation</b>                                     | <b>\$9,713,052</b>                             | <b>\$9,535,800</b>                             |
| <b>Other revenues</b>                                    | <b>\$145,682</b>                               | <b>\$145,682</b>                               |
| <b>Expenses from transactions</b>                        |  |  |
| Salaries   | \$7,984,427                                    | \$7,663,182                                    |
| Supplies and services                                    | \$1,817,746                                    | \$2,021,300                                    |
| Depreciation   | \$152,613                                      | \$146,406                                      |
| <b>Total expenses from transactions</b>                  | <b>\$9,954,786</b>                             | <b>\$9,830,888</b>                             |
| <b>Net result from transactions (funded)</b>             | <b>-\$96,052</b>                               | <b>-\$149,406</b>                              |
| <b>Other economic flows included in net result</b>       |  |  |
| Other gains/(losses) from other economic flows           | \$0  | \$0  |
| <b>Total other economic flows included in net result</b> |  |  |
| <b>Comprehensive result</b>                              | <b>(\$96,052)</b>                              | <b>(\$149,406)</b>                             |

### Expenses from transactions

|   |                    |                    |
|---|--------------------|--------------------|
| <b>(a) Employee expenses</b>  |                    |                    |
| Salaries and wages  | \$6,803,628        | \$6,641,895        |
| Annual leave and long service leave                                 | \$90,186           | \$123,659          |
| Superannuation costs  | \$657,537          | \$597,394          |
| Other on-costs (fringe benefit tax, payroll tax and WorkCover levy) | \$433,077          | \$300,234          |
| <b>Total employee expenses</b>                                      | <b>\$7,984,428</b> | <b>\$7,663,182</b> |
| <b>(b) Supplies and services</b>                                    |                    |                    |
| Professional services   | \$188,116          | \$394,102          |
| Information technology  | \$535,053          | \$646,781          |
| Other   | \$1,094,577        | \$980,417          |
| <b>Total supplies and services</b>                                  | <b>\$1,817,746</b> | <b>\$2,021,300</b> |
| <b>(c) Depreciation</b>   |                    |                    |
| Depreciation - building leasehold improvements                      | \$145,281          | \$139,446          |
| Depreciation - motor vehicles under finance lease                   | \$6,960            | \$6,960            |
| Depreciation - plant and equipment                                  | \$373              | \$0                |
| <b>Total depreciation</b>   | <b>\$152,614</b>   | <b>\$146,406</b>   |

## Balance sheet

|                               | <i>Financial period ended<br/>30 June 2022</i> | <i>Financial period ended<br/>30 June 2021</i> |
|-------------------------------|--|--|
| Receivables                   | \$3,540,202                                    | \$3,747,748                                    |
| Property, plant and equipment | \$1,243,052                                    | \$1,194,543                                    |
| Other non-financial assets    | \$49,797                                       | \$30,396                                       |
| <b>Total assets</b>           | <b>\$4,833,051</b>                             | <b>\$4,972,687</b>                             |
| Provisions                    | -\$2,206,436                                   | -\$2,052,290                                   |
| Payables                      | -\$1,279,637                                   | -\$1,470,081                                   |
| Other                         | -\$13,745                                      | -\$21,031                                      |
| <b>Total liabilities</b>      | <b>-\$3,499,818</b>                            | <b>-\$3,543,402</b>                            |
| <b>Net assets</b>             | <b>\$1,333,233</b>                             | <b>\$1,429,285</b>                             |
| <b>Net worth</b>              | <b>\$1,333,233</b>                             | <b>\$1,429,285</b>                             |

## Remuneration

Total remuneration received by the Accountable Officer in connection with the management of OVIC during the reporting period was in the range: \$370,000 - \$380,000.

## Consultancies over \$10,000

In 2021-22, there were nine consultancies undertaken where the total fees payable to the individual consultancies were more than \$10,000. The total expenditure incurred during 2021-22 in relation to these consultancies was \$202,898.5 (excluding GST).

## Consultancies under \$10,000

In 2021-22, there were no consultancies undertaken where the total fees payable to the individual consultancies were less than \$10,000.

## Major contracts

No contracts valued at more than \$10 million were entered into in 2021-22.

## Budget Paper Number Three (BP3) Output Performance 2021-22

OVIC's performance measures were included in the Department of Justice and Community Safety's, Public Sector Information Management, Privacy and Integrity output in 2021-22.

| Performance measures  | Unit of measure | 2021-22 actual | 2021-22 target | Performance variation (%) | Result 1 |
|---|-----------------|----------------|----------------|---------------------------|----------|
| <b>Quantity</b>   |                 |                |                |                           |          |
| Education and training activities delivered by Office of the Victorian Information Commissioner   | number          | 147            | 120            | +23.0                     | ✓        |
| <b>This measures education and training activities delivered to promote improved FOI, privacy and data protection practices in the Victorian public sector.</b><br>The 2021-22 full year actual is higher than the 2021-22 target due to continued program efficiencies achieved by running all training and events virtually since COVID-19. Educational digital mail outs providing information and advice for agencies working remotely also similarly increased. The number, type of activities, and attendees has also expanded through audience diversification strategies such as targeting harder to engage audiences like time poor VPS senior executives and Cemetery Trusts with low digital literacy. |                 |                |                |                           |          |
| Regulatory actions conducted: Examinations, reviews, audits, or investigations  | number          | 5              | 5              | 0                         | ✓        |
| <b>Regulatory actions are conducted to provide assurance in government's handling of information and to alert agencies to opportunities to improve their systems and practices.</b>   |                 |                |                |                           |          |
| Reviews and complaints closed by Office of the Victorian Information Commissioner   | number          | 1432           | 950            | +50.7                     | ✓        |
| <b>This measures FOI reviews and FOI/privacy complaints closed in accordance with the FOI and PDP Acts.</b><br>This measures FOI reviews and FOI and privacy complaints closed in accordance with the FOI and PDP Acts. The 2021-22 full year actual is higher than the 2021-22 target due to larger than anticipated incoming numbers of FOI complaints. Further, there was a strong focus on the effective handling and finalisation of FOI reviews and complaints and privacy complaints.  |                 |                |                |                           |          |

## Performance measures

|   |          | Unit of measure | 2021-22 actual | 2021-22 target | Performance variation (%) | Result <sup>1</sup> |
|---|----------|-----------------|----------------|----------------|---------------------------|---------------------|
| <b>Quality</b>  |          |                 |                |                |                           |                     |
| Client satisfaction with education and training provided  | per cent | 97.3            | 90             | +8.1           | ✓                         |                     |
| <b>This measures client satisfaction with education and training activities on FOI, privacy and information security provided to agencies.</b><br>The 2021-22 full year actual is higher than the 2021-22 target due to participants consistently registering high levels of satisfaction for OVIC's strategically designed and targeted education and training activities.                           |          |                 |                |                |                           |                     |
| FOI review decisions overturned or set aside on appeal to VCAT  | per cent | 2.5             | < 25           | -90            | ✓                         |                     |
| <b>This reflects the quality of FOI decisions by measuring the percentage of review decisions overturned or set aside by VCAT.</b><br>The 2021-22 full year actual is below the 2021-22 target due to the success of OVIC's processes regarding detailed assessment of documents subject to review and providing comprehensive reasons for decisions to limit the number of matters appealed to VCAT. |          |                 |                |                |                           |                     |
| FOI reviews withdrawn by agreement following internal resolution  | per cent | 25              | 26.4           | +5.8           | ✓                         |                     |
| <b>This measures FOI reviews withdrawn by agreement following informal resolution.</b><br>Informal resolution reduces time frames and formality for FOI requests and appeals. The 2021-22 full year actual is higher than the 2021-22 target due to OVIC's focus on and success in implementing strategies to achieve agreements with agencies and complainants.                                      |          |                 |                |                |                           |                     |
| <b>Timeliness</b>   |          |                 |                |                |                           |                     |
| FOI reviews completed within timelines agreed with applicant  | per cent | 60              | 60             | 0              | ✓                         |                     |
| <b>This measures FOI reviews processed within agreed timeframe to meet legislative obligations.</b>   |          |                 |                |                |                           |                     |

<sup>1</sup> ■ Performance target not achieved – exceeds 5 per cent variance.

✓ Performance target achieved or exceeded.

(A variance exceeding 5 per cent is a significant variance that requires an explanation, including internal or external factors that cause the variance).

▲ Performance target not achieved – within 5 per cent variance.

## Governance

The Corporate Governance Committee (**CGC**) advises the Information Commissioner on business practices, legislative and corporate governance issues. The CGC oversees OVIC's risk framework and register including OVIC's Security Risk Profile Assessment, a program of internal audits including assurance reviews and the development and review of OVIC's policies and processes. These include conflict of interest, gifts, benefits and hospitality, fraud, confidentiality obligations, document management, financial management and workplace standards.

### Shared services

In 2021-22, a range of corporate support services were provided by the Department of Premier and Cabinet, the Department of Justice and Community Services, the Department of Treasury and Finance and the Department of Education and Training, in human resources and financial management. The agreements between OVIC and the relevant parties regarding service provision are contained in Memorandums of Understanding.

### Occupational health and safety

OVIC aims to provide employees with a healthy and safe workplace. No time was lost in 2021-22 due to workplace injuries. 2021-22 cemented OVIC's hybrid working model with full time staff working in the office a minimum of two days per week. Staff were provided with opportunities throughout the year to request any office peripherals to ensure that their health and safety at their home workplace was not impacted.

### Workplace relations

No industrial relations issues were registered, or grievances received in 2021-22.

### Public sector conduct

OVIC staff uphold the Code of Conduct for Victorian Public Sector Employees of Special Bodies. No breaches of the Code of Conduct by staff occurred in 2021-22.

## Environmental impacts

Under the terms of the Occupancy Agreement between the Department of Treasury and Finance Shared Services Provider and OVIC, the lessor has responsibility for the provision of energy, water and waste disposal for the premises occupied. Energy and water are not metered separately. The principal environmental impacts are therefore not included in this report.

### Risk and insurance management

OVIC's risk management processes meet the requirements of the Victorian Government's Risk Management Framework (**VGRMF**). OVIC's risk management framework was updated to prepare for new VGRMF requirements. To assist in this preparation, in 2021-22 OVIC's executive, the CGC and senior managers participated in sessions coordinated by the Victorian Managed Insurance Authority (**VMIA**) to review OVIC's risk profile and make corresponding modifications to OVIC's risk register.

OVIC's insurance is arranged with VMIA and reviewed annually.

### Public interest disclosures

The *Public Interest Disclosures Act 2012* (Vic) ensures that people who report improper conduct and corruption in the VPS will be protected. Protections include keeping confidential the identity of the person reporting improper conduct and protecting them from reprisals including bullying, harassment, or legal action.

Any report of improper conduct or corruption in relation to the Information Commissioner, Deputy Commissioners or any OVIC staff may be made to the Independent Broad-based Anti-Corruption Commission (**IBAC**) or to the Victorian Ombudsman.

### **Independent Broad-based Anti-Corruption Commission**

Level 1, 459 Collins Street (North Tower)  
Melbourne VIC 3000

**Website:** [www.ibac.vic.gov.au](http://www.ibac.vic.gov.au)

**Phone:** 1300 735 135

### **Victorian Ombudsman**

Level 2, 570 Collins Street  
Melbourne VIC 3000

**Website:** [www.ombudsman.vic.gov.au](http://www.ombudsman.vic.gov.au)

**Phone:** 03 9613 6222

### **Gifts, benefits and hospitality**

A register of gifts, benefits and hospitality is maintained. Two declarable items were registered in 2021-22. A copy of OVIC's gifts, benefits and hospitality register is available on our website: [www.ovic.vic.gov.au](http://www.ovic.vic.gov.au).

### **Social procurement**

OVIC's social procurement strategy adopted the following Social Procurement Framework (SPF) objectives:

- opportunities for Victorian Aboriginal people;
- opportunities for Victorians with disability;
- women's equality and safety;
- supporting safe and fair workplaces; and
- sustainable Victorian social enterprises and Aboriginal business sectors.

The objectives and the value of potential suppliers' commitment to them are included in OVIC's documentation relating to requests for a quote to supply. OVIC staff seeking to obtain quotes or source supplies are advised of the high priority of OVIC's SPF objectives and how to identify appropriate social benefit suppliers on the Vendor Panel. Staff are also advised on the possibility of working with OVIC's legal team to seek commitments from suppliers to support OVIC's SPF objectives.

### **Part II statements**

Part II of the FOI Act requires OVIC to publish a range of information about our functions and procedures, the types of documents we keep, reports and publications and freedom of information arrangements. This information was updated in 2022 and is available on our website: [www.ovic.vic.gov.au](http://www.ovic.vic.gov.au).

### **Freedom of information requests**

The FOI Act provides everyone with the right to request access to documents held by OVIC. The object of the FOI Act is to extend as far as possible the right of the community to access information in the possession of the government and other bodies constituted under the law of Victoria.

Under section 6AA of the FOI Act, a document with information that relates to a review, a complaint, or an investigation under the FOI Act is not subject to release under the FOI Act.

An FOI request must be made in writing, clearly describe the information or document sought, and be accompanied by the prescribed application fee. A request for access can be made to OVIC by email to [enquiries@ovic.vic.gov.au](mailto:enquiries@ovic.vic.gov.au) or by post to PO Box 24274 Melbourne VIC 3001.

## Complaints about OVIC

If a member of the public has a complaint about an OVIC staff member or service OVIC has provided, OVIC encourages them to contact the relevant business unit to address any concerns in the first instance. The responsible team manager will investigate and respond to these types of complaints.

If the complaint cannot be resolved by the OVIC business unit, OVIC's complaints coordinator receives and deals with complaints about OVIC's staff conduct and OVIC's processes.

OVIC's complaints coordinator can be contacted:

**By post:** PO Box 24274, Melbourne VIC 3001

**By email:** [feedback@ovic.vic.gov.au](mailto:feedback@ovic.vic.gov.au)

**By phone:** 1300 006 842 (1300 00 OVIC)

**On our website:** [www.ovic.vic.gov.au](http://www.ovic.vic.gov.au)

### Complaints to the Victorian Inspectorate

The Victorian Inspectorate can receive and investigate complaints about how OVIC exercises its coercive powers and complies with procedural fairness requirements under the FOI Act and PDP Act.

The Victorian Inspectorate can be contacted:

**By post:** PO Box 617, Collins Street West  
Melbourne VIC 8007

**By email:** [info@vicinspectorate.vic.gov.au](mailto:info@vicinspectorate.vic.gov.au)

**By phone:** 03 8614 3225

**On its website:** [www.vic.gov.au/vicinspectorate](http://www.vic.gov.au/vicinspectorate)

### Complaints to the Integrity and Oversight Committee

The Integrity and Oversight Committee (**IOC**) of Victorian Parliament monitors how OVIC performs its functions and exercises its powers. It can receive and investigate complaints about OVIC under section 7 of the *Parliamentary Committees Act 2003*. The IOC was created to replace the Accountability and Oversight Committee when that body and the committee overseeing IBAC were amalgamated.

The IOC can be contacted:

**By post:** Care of Parliament House, Spring Street  
East Melbourne VIC 3002

**By email:** [ioc@parliament.vic.gov.au](mailto:ioc@parliament.vic.gov.au)

**By phone:** 03 8682 2815

### Complaints to the Victorian Ombudsman

The Victorian Ombudsman can investigate any administrative action taken by OVIC under the PDP Act. The Ombudsman cannot enquire into or investigate any administrative action taken under the FOI Act.

The Victorian Ombudsman can be contacted:

**By post:** Level 2, 570 Bourke Street,  
Melbourne VIC 3000

**By email:** [ombudvic@ombudsman.vic.gov.au](mailto:ombudvic@ombudsman.vic.gov.au)

**By phone:** 03 9613 6222

**On its website:** [www.ombudsman.vic.gov.au](http://www.ombudsman.vic.gov.au)

## Legislation

### Amendment of the FOI Act

On 30 March 2022, the FOI Act was amended to insert a new definition of "Ministerial Council" and amended section 37 to omit the words "for Companies and Securities" after the words "Ministerial Council".

Section 5(1) of the FOI Act defines "Ministerial Council" as "a body (however described) that consists of the Minister of the Commonwealth and the Minister of each State and Territory, each of whom is principally responsible for companies and securities".

Section 37 of the FOI Act provides that certain Ministerial Council documents and documents arising out of companies and securities legislation are exempt from disclosure under the FOI Act.



## *Social Services Regulation Act 2021*

The *Social Services Regulation Act 2021* (**the SSR Act**) received royal assent on 21 September 2021. It has not yet commenced.

Section 210 of the SSR Act provides that the FOI Act does not apply to a document that is in the possession of the Social Services Regulator or a Panel convened under section 68, to the extent to which the document discloses protected information. Protected information is defined in section 188 of the SSR Act. Section 211 of the SSR Act is a secrecy provision for the purposes of section 38 of the FOI Act.

## *Police Informants Royal Commission Implementation Monitor Act 2021*

The *Police Informants Royal Commission Implementation Monitor Act 2021* (**the PIRCIM Act**) came into effect on 15 September 2021.

Section 23 of the PIRCIM Act provides that the:

- FOI Act does not apply to the Department of Justice and Community Safety in relation to a document that is received or stored by the Department solely on behalf of the Implementation Monitor for the purposes of the PIRCIM Act; and
- An Implementation Monitor is not, and cannot be declared to be, a prescribed authority for the purposes of the FOI Act.

## *Health Services Act 1988*

On 1 March 2022, the *Health Legislation Amendment (Quality and Safety) Bill 2021* received royal assent. This Act inserts a new Part 5A into the *Health Services Act 1988* (**HSA Act**). Part 5A has not yet commenced.

Section 128I of the HSA Act provides that the FOI Act does not apply to a document or information that has come into a person's possession or under their control, or come under their notice, in the performance of the functions relating to a protected quality and safety review.

Section 128J of the HSA Act will be a secrecy provision for the purposes of section 38 of the FOI Act.

## *Public Health and Wellbeing Act 2008*

On 8 December 2021, the *Public Health and Wellbeing Act 2008* (**the PHW Act**) was amended to establish a regime for the formal declaration and control of pandemics.

Section 165BT of the PHW Act provides that the Minister may apply to the Information Commissioner for a pandemic information determination in relation to an act or practice of an organisation that contravenes or may contravene an Information Privacy Principle or an approved code of practice within the meaning of the PDP Act or a Health Privacy Principle.

The Information Commissioner may make a pandemic information determination on application under section 165BT if satisfied that the public interest in the organisation doing the act or engaging in the practice substantially outweighs the public interest in complying with the specified Information Privacy Principle, approved code of practice or Health Privacy Principle.

## Regulatory action

OVIC undertakes regulatory action in response to existing or emerging, FOI, privacy, and information security issues.

Each year, OVIC identifies regulatory priorities that guide our regulatory action.

In 2021-22, OVIC identified four regulatory priorities.

### **Privacy and security when outsourcing**

The protection of public sector information by contracted service providers is a key issue identified across OVIC's monitoring and assurance functions. This includes through privacy complaints, information security incident notifications, and both proactive and reactive regulatory action.

VPS organisations must take steps to ensure the protection of public sector information, including when it is being handled by third-parties on their behalf. Standard 8 of the Victorian Protective Data Security Standards (VPDSS) recognises that there are inherent information security risks when engaging third-parties. In October 2021, OVIC commenced an audit of four VPS agencies in relation to Standard 8.

The audit outlined opportunities for strengthening the management of information security risks before, during and after a third-party engagement. The report will be published in early 2022-23.

This priority will remain an important focus in 2022-23 as outsourcing arrangements continue to be a central focus of regulatory activity conducted by OVIC.

### **Privacy and security in Victorian law enforcement**

In 2021-22, OVIC continued its close engagement with Victoria Police.

This involved receiving and reviewing security incidents recorded and reported by Victoria Police and undertaking site visits to facilities and units to improve understanding of privacy and information security trends and issues in contemporary policing practice.

In 2021-22, a key focus for OVIC was the intersection between privacy and security and how Victoria Police take steps to protect the sensitive and personal information it holds.

In September 2021, OVIC commenced an examination into how Victoria Police trains personnel on privacy and information handling, specifically regarding family violence investigations.

A report containing findings from the examination will be published in early 2022-23.

## **Monitoring information security risks in the Victorian public sector**

This priority reflects the importance of agencies' adherence to the VPDSS. Under the VPDSS, Victorian government agencies are required to build information security capability utilising existing risk frameworks. OVIC monitors and supports agencies through engagement, providing advice and developing guidance material.

In 2021-22, OVIC completed an audit of four agencies and their adherence to Standard 2 of the VPDSS. Standard 2 requires VPS agencies to effectively identify and assess the security value of information. OVIC assessed each agency against the elements under Standard 2 and examined whether they had accurately reported in their 2020 Protective Data Security Plans to OVIC. The report was published in November 2021 and provided a range of recommendations to strengthen the identification and security value assessment of public sector information.

## **Compliance with the FOI Professional Standards**

Under the FOI Act, one of OVIC's key functions is to promote understanding and acceptance by VPS agencies and the public of the FOI Act.

The purpose of the Professional Standards is to ensure agencies administer the FOI Act consistently, to extend the right of the community to access government-held information.

In 2020-21, OVIC published the FOI Professional Standards Framework to be open and transparent about how it regulates compliance with the Professional Standards. The Framework details how OVIC identifies, records, and monitors agency compliance. It also outlines OVIC's procedures for handling Professional Standard matters.

In September 2021, OVIC published an own motion investigation report into delay in FOI decisions by Victorian government agencies. The report was tabled in Victorian Parliament and outlines factors contributing to delayed FOI decision making and information release. It also identified 16 recommendations to address these causes. OVIC continued to monitor the progress of the five agencies subject to the report in their implementation of the recommendations. OVIC will also provide status updates to the Parliamentary Integrity and Oversight Committee on their progress.

In 2021-22, ongoing monitoring and assurance of the Professional Standards led OVIC to focus on an agency's duty to assist an FOI applicant to make a request that complies with the Act. This has been important when assessing how agencies engage with the validity of FOI requests in a manner that supports the applicant, the intent of the Act, and the Professional Standards.

Ongoing monitoring of compliance with the Professional Standards will remain a regulatory priority in 2022-23.

## Reviewing our Regulatory Action Policy

OVIC's Regulatory Action Policy underpins how we use our regulatory powers to ensure that regulated agencies understand and comply with the PDP Act and FOI Act.

The policy will be reviewed and refined - to reflect changes to OVIC's authorising and operating environment since 2019.

These changes include the introduction of the *Integrity and Accountability Legislation Amendment (Public Interest Disclosures, Oversight and Independence) Act 2019* which conferred new regulatory powers on OVIC, OVIC's development and publication of FOI Professional Standards and version two of the VPDSS. The new policy will also include expanded guidance on communicating regulatory action and information about OVIC's regulatory priorities.

The amended policy aims to keep the community and agencies informed about OVIC's approach to undertaking regulatory action. It will be published in early 2022-23.

## Regulatory priorities 2022 – 25

In 2021-22, OVIC announced new regulatory priorities for the next three years.



**Compliance** with the FOI Professional Standards



**Privacy and security** when **outsourcing**



Information governance during **crises**



Privacy, security and transparency in **emerging technologies**

## Submissions

Making submissions enables OVIC to comment on policy and legislation that may impact the community's information rights.

In 2021-22, OVIC made 12 submissions to consultations, reviews, and inquiries.

Of those 12 submissions:

- 5 relate to privacy;
- 3 relate to data protection;
- 2 relate to freedom of information;
- 1 relates to privacy and data protection; and
- 1 relates to freedom of information and data protection.

### Privacy

In 2021-22, OVIC's submissions commenting on privacy matters related to:

- an online privacy code;
- the review of Australia's federal privacy legislation;
- the reform of Australia's electronic surveillance framework;
- the Australian curriculum from Foundation to Year 10; and
- digital identity schemes.

Common themes in these submissions included:

- supporting the community's desire for strong privacy protections in a data driven world;
- recognising the importance of privacy to a democratic society;
- recommending deeper privacy education in primary and secondary schools; and
- emphasising the need for privacy safeguards in digital identity schemes.

## Freedom of information

In 2021-22, OVIC's submissions commenting on freedom of information matters related to:

- the federal government's Australian Data Strategy;
- a federal inquiry into a Bill to prevent access to documents of the Council of Australian Governments; and
- Infrastructure Victoria's Infrastructure Strategy for 2021-2051.

In all submissions, OVIC outlined the benefits of transparent and open government to improve accountability and build and maintain public trust.

### Data protection

In 2021-22, OVIC's submissions commenting on data protection matters related to:

- cyber security;
- data security;
- the federal government's Australian Data Strategy;
- the Australian Curriculum from Foundation to Year 10; and
- an inquiry into whether Victoria should take part in a national electoral roll platform.

In all submissions, OVIC commented on how governments can improve the security of public sector information.

## Consulting with government

Organisations frequently engage OVIC on significant initiatives and reforms that intersect with privacy, information security, and freedom of information. Many of these consultations are led by OVIC's Policy team.

In 2021-22, OVIC's Policy team responded to organisations' request for input on 117 occasions, representing a substantial and important component of the team's work.

These consultations involved:

- reviewing documents on 42 occasions;
- attending 65 meetings; and
- engaging with organisations in 10 other instances via phone, emails, or letter.

In addition to these engagements, other parts of OVIC also contributed to government initiatives and reforms that have the potential to affect information rights in Victoria.

Consultations involve providing advice and feedback on proposed projects, initiatives, policies, procedures, guidelines, and legislative proposals. The matters raised by consultations are diverse.

In 2021-22, key themes included:

- initiatives and responses to the COVID-19 pandemic;
- major government programs;
- transparency and open government;
- information sharing, use, disclosure, and restriction; and
- data analytics and ethics.

Sectors represented in these consultations included Ministers, departments, statutory authorities, local councils, private sector organisations or contracted service providers, hospitals, and health service providers.

### Reviewing proposed legislation

Reviewing and commenting on draft legislation that impacts privacy, information security, and freedom of information is an important function of OVIC's work. In 2021-22, organisations requested OVIC's input on eight occasions in relation to draft legislation and drafting instructions. OVIC is also often consulted in the early stage of legislative development, for example, reviewing position and consultation papers.

# Public sector and community engagement

One of OVIC's key functions is to provide effective and trusted advice, education, and guidance to VPS organisations and the public. OVIC delivers free face-to-face training programs, webinars, e-Learning modules, and guidance materials to help VPS staff build capability across FOI, privacy, and data protection.

OVIC also receives enquiries from, and publishes guidance for, members of the public to help them understand their information rights. In 2021-22, OVIC received approximately 7,000 phone enquiries from members of the community which is more than double the amount of phone calls we received from the previous year. We also received approximately 15,000 email enquiries.

## Enhancing engagement with agencies

OVIC's new 2021-24 Strategic Plan was published in 2021-22. It includes the aspirations that OVIC will be seen by stakeholders as a trusted authority and that relationships with stakeholders are constructive and based on trust.

The objective of OVIC's Stakeholder Engagement Strategy (**the Strategy**) is to communicate OVIC's purpose, operations, desired outcomes and to drive cultural change to improve the way the VPS creates, handles, and shares information. The Strategy includes an evaluation framework which identifies six measures to measure the Strategy against.

An online survey was administered for the first time in October 2019 to measure the effectiveness of the Strategy and establish a benchmark against which future results can be compared. The third annual survey was completed in October 2021. Of the total of 340 survey responses; 137 responses related to FOI, 99 related to privacy and 104 related to information security. The number of survey participants was slightly higher than in 2020.

Survey findings highlighted that OVIC is engaging effectively with stakeholders. There were significant improvements achieved across all key measures including the quality of written advice provided to agencies, FOI and privacy complaint and review processes, information security sector support and engagement, and training and education.



## Presentations, events and forums

While many COVID-19 restrictions were lifted in 2021-22, we continued to run events virtually to increase accessibility and to allow stakeholders from rural and regional Victoria to attend more easily. In 2021-22, OVIC's online events and forums attracted over 6,400 attendees, up from approximately 3,000 in 2020-21.

Highlights from OVIC's engagement activities in 2021-22 include:

- Hosting six events during Privacy Awareness Week (**PAW**) 2022 including a launch event, a series of three Lightning Talks, a panel discussion and an event with the Youth Advisory Group targeted at young people;
- Receiving 951 event registrations for PAW 2022 events, compared to 716 registrations in 2021 (an increase of 32.9%). There were also 708 total attendees at PAW 2022 events;
- An FOI and privacy Regional Roadshow focused on how FOI and privacy can both improve trust in government;
- Two Victorian Privacy Network meetings with a total of 317 attendees;
- Regular Information Access Series (**IAS**) seminars for FOI practitioners working in the VPS on high conflict training, vicarious trauma, dealing with requests, the FOI Professional Standards and more;
- Celebrating International Access to Information Week by hosting a launch event, two Lightning Talks and an IAS webinar on breaking down FOI culture. These events received over 240 participants;
- Hosting a forum with 100 attendees from Class B Cemetery Trusts; and
- Hosting a series of Ask Us Anything sessions which encouraged attendees to ask questions about the Protective Data Security Plan reporting process and FOI annual agency survey.

## E-learning modules

OVIC's training program is complemented by e-Learning modules. In 2021-22, our e-Learning modules were completed over 6,000 times. We offer e-Learning modules on:

- an introduction to privacy in the Victorian public sector;
- managing the privacy impacts of data breaches;
- processing an FOI request;
- Privacy Impact Assessments (**PIAs**);
- commonly applied exemptions in Part IV of the FOI Act; and
- FOI Professional Standards.

## Building FOI, privacy, and data protection capability

OVIC provides free monthly training sessions to build privacy, FOI, and data protection capabilities across the VPS. In 2021-22, these training sessions were attended by over 440 VPS staff.

In 2021-22, OVIC offered the following training and education activities:

- Monthly webinar training on Administering the FOI Act; and
- Monthly webinar training on Introduction to Information Privacy and the PDP Act.

### Feedback from training webinars:

*Thank you for organising the PDP training session that I participated in. I have so many take aways from the session over and above the "Must and May" disclosure list. I was just telling one of my colleagues how we all need to be so mindful, all the time of what information we might be exposing inadvertently to those that do not need to know. I cited a couple of the training examples.*

*What a fabulous presenter of what could potentially be a very "dry" topic. I loved the presentation style and the facilitator's ability to engage, her dry sense of humour, the variety of examples from first-hand experience and her comprehensive knowledge makes her the perfect person to present this subject matter.*

*I really enjoyed the training and learnt so much. It has inspired me to think about how I work and what changes I can employ to protect my own, my colleagues and our client's privacy and data.*

## Evaluating our education offerings

In 2021-22, OVIC's virtual training sessions and e-Learning modules were in high demand. There was an average of 23 participants in each training session and an average of 365 completions of our e-Learning modules each month. We used information from evaluation surveys to refine and improve course content where possible, and over 97% of participants who completed our privacy and FOI e-Learning modules ranked their experience as satisfactory or above. Learning checks were also conducted throughout the modules to enhance learning outcomes.

## Privacy Authorities Australia Communications Working Group

Established in 2021, the Privacy Authorities Australia (**PAA**) Communications Working Group convenes quarterly and is a forum for communications officers to collaborate on campaigns and share ideas and experiences to enhance public trust in government handling of personal information. The Group also meets more regularly during campaign periods. OVIC actively participated in the Group for Privacy Awareness Week 2022, and in 2021, the Group collaborated for the first time to publish a joint animation promoting International Access to Information Day and key messages for the community.

## Digital engagement

OVIC sends a monthly newsletter to stakeholders across the VPS and industry containing the latest news and updates including published guidance, events, decisions and more. Our newsletter audience grew from 2,390 in 2020-21 to 2,772 in 2021-22 (a 16% increase).

OVIC uses Twitter to publish guidance, resources and engage with Victorian public sector stakeholders and members of the public. In 2021-22, OVIC received 160,349 impressions on Twitter compared to almost 330,000 impressions in 2020-21. OVIC also gained 108 new followers on Twitter in 2021-22, which is a net follower growth of 8.9%.

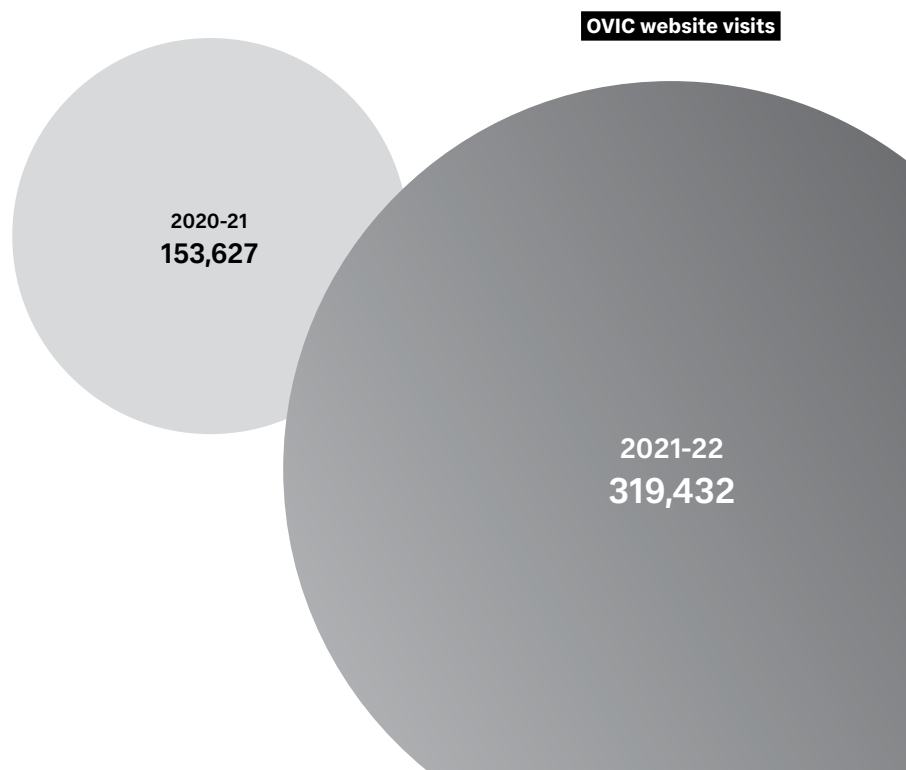
OVIC started using LinkedIn in 2019 as an additional digital channel to engage with our stakeholders. LinkedIn has been an effective channel for recruitment, to share guidance, and to build relationships with and engage stakeholders across government and industry. Since establishing OVIC's profile in December 2019, our LinkedIn audience has grown to over 1,500 followers. In 2021-22, OVIC received 62,620 impressions on LinkedIn compared to 70,522 impressions in 2020-21. OVIC also gained 411 new followers on LinkedIn in 2021-22, which is a net follower growth of 36%.

## Improving the user experience of our website

In 2019-20, OVIC undertook research on how to improve the user experience of our website and make it more accessible for users. Since then, we have implemented a range of improvements to our website to improve navigation, content, and accessibility. In 2021-22, we implemented a new sidebar so that users can more easily download documents, improved the landing pages we developed the previous year, refreshed the homepage to bring information on latest news, events, and training further up the page, and developed a new secure website form for making privacy complaints and notifications of information security incidents.

OVIC's website received 319,432 visits in 2021-22, compared to 153,627 visits in 2020-21. This is an increase of 107.9%.

In 2021-22, we undertook research on how to improve the user experience of our website for individuals in the community. This is the first research we have conducted with members of the community, rather than focusing on VPS staff. In 2022-23 we will focus on implementing the recommendations from the research to make our website easier to navigate, more accessible and improve user experience for Victorians.

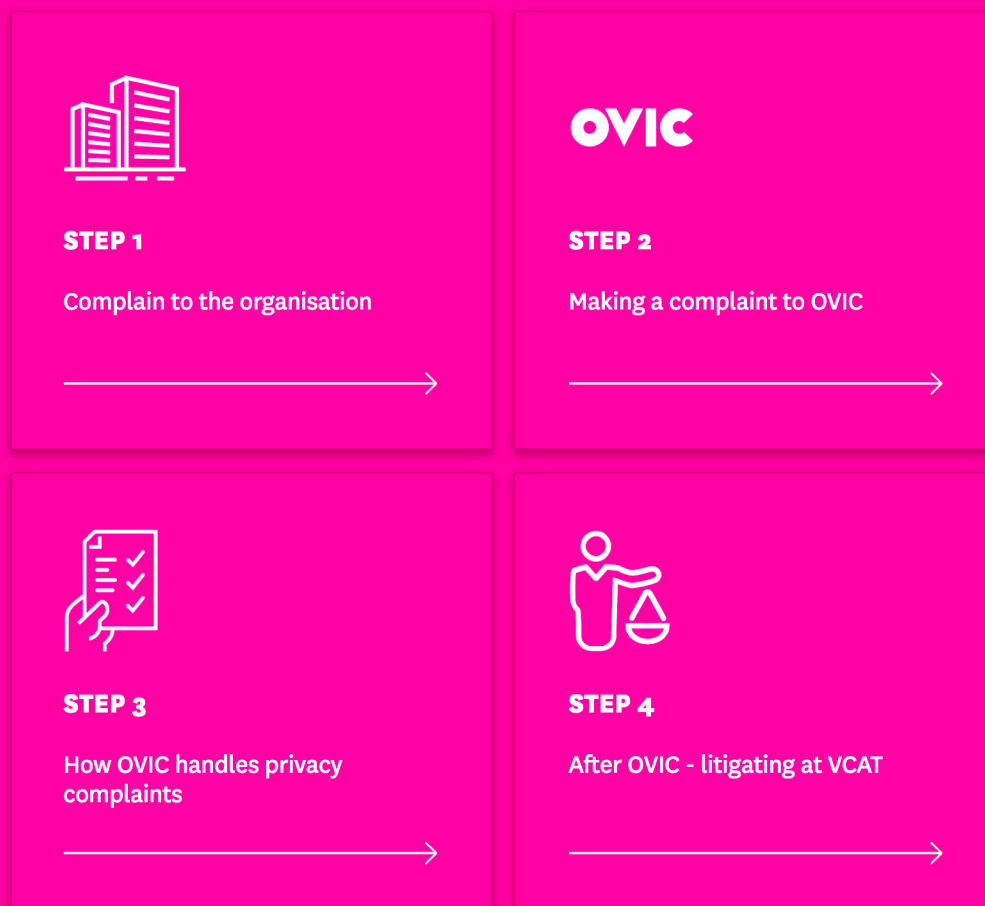


# 2

# Privacy

|    |                                   |
|----|-----------------------------------|
| 31 | Complaints                        |
| 36 | Enquiries                         |
| 37 | Data breach notifications         |
| 39 | Publications                      |
| 42 | Stakeholder engagement            |
| 42 | Privacy Impact Assessments        |
| 43 | National and international forums |
| 44 | Youth Advisory Group              |
| 45 | Privacy Awareness Week            |
| 46 | Presentations                     |

The functions of the Information Commissioner and Privacy and Data Protection Deputy Commissioner for information privacy are set out in section 8C of the *Privacy and Data Protection Act 2014* (Vic). These functions include promoting an understanding and acceptance of the Information Privacy Principles, examining the practices of organisations with respect to personal information they hold, issuing guidance and receiving complaints about potential interferences with privacy.



### Privacy complaints step-by-step landing page

In 2021-22, OVIC focused on helping Victorians exercise their privacy rights. We created a simplified landing page on our website with step-by-step instructions to make it easier for members of the public to make a privacy complaint.

# 2

## Privacy

Privacy is a fundamental human right enshrined in the *Privacy and Data Protection Act 2014* (**PDP Act**) and the Victorian Charter of Human Rights and Responsibilities. OVIC promotes the right to privacy across the Victorian public sector (**VPS**) and the community by advancing the objects of the PDP Act.

Our privacy functions are performed by two teams – the Privacy Guidance and Dispute Resolution team and the Policy team.

In 2021-22, the Privacy Guidance team changed its name to Privacy Guidance and Dispute Resolution to reflect the multipurpose role that it and its case officers, known as Privacy Advisers and Conciliators, perform. As advisers, the team engages with regulated agencies to encourage good privacy practices and information governance. As conciliators, the team also supports individuals to understand their rights and access remedies when things go wrong.

The Policy team leads our privacy and public access policy work – producing guidance and resources for the VPS, engaging with stakeholders through consultations, hosting events and coordinating the Youth Advisory Group.

## Complaints

The PDP Act establishes a cause of action for individuals to seek remedies for interferences with their information privacy. OVIC's role is to promote the settlement of the dispute that gave rise to the complaint through conciliation. If not resolved, complaints can be litigated by the complainant at the Victorian Civil and Administrative Tribunal (**VCAT**) which can ultimately determine the matter.



## 2021-22 at a glance:

We received 86 complaints, which is the same amount compared to last year;

|         |    |
|---------|----|
| 2021-22 | 86 |
| 2020-21 | 86 |

We finalised 89 complaints, a 5% decrease compared to last year;

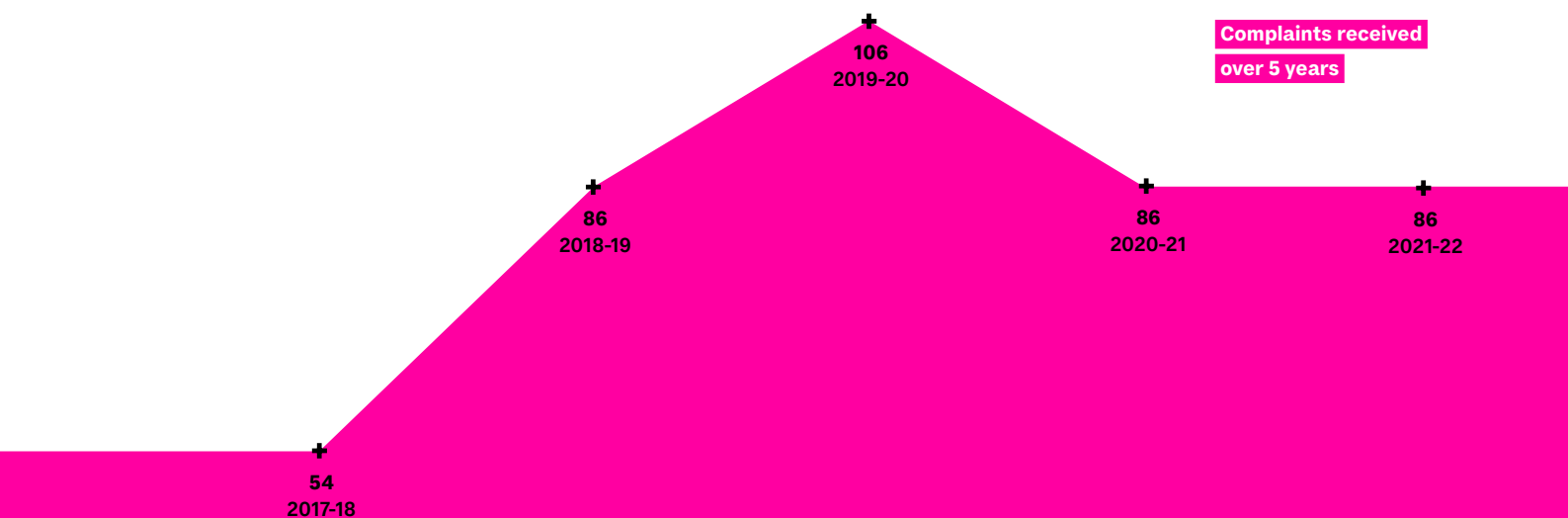
|         |             |    |
|---------|-------------|----|
| 2021-22 | 5% decrease | 89 |
| 2020-21 |             | 94 |

The average time it took to finalise a complaint was 123 days. This is a 24 day improvement in timeliness on last year, and 80% of complaints were finalised in less than 6 months; and

|         |                    |          |
|---------|--------------------|----------|
| 2021-22 | 24 day improvement | 123 days |
| 2020-21 |                    | 147 days |

We finalised 30% of complaints without the need to refer the complaint to VCAT, which is a 1% improvement on last year.

|                         |                       |                       |
|-------------------------|-----------------------|-----------------------|
| 89 complaints finalised | 70% finalised by OVIC | 30% finalised by VCAT |
|-------------------------|-----------------------|-----------------------|



### Number of complaints

OVIC received 86 privacy complaints in 2021-22, the same number received in 2020-21. After a peak in 2019-20, the number of complaints has steadied.

Facilitating direct resolution of complaints has been a focus for the Privacy Guidance and Dispute Resolution team. In 2020-21, OVIC published guidance to assist agencies to handle and resolve privacy complaints internally.

The number of complaints may also be attributable to OVIC case officers frequently providing advice to prospective complainants, including:

- encouraging them to make a complaint to the responsible agency first; and/or
- on the likely application of the PDP Act and their prospects if they proceed to making a privacy complaint. For example, this could result in members of the public not initiating a privacy complaint or pursuing other more appropriate avenues of redress.

## Privacy complaint case study – preliminary view

### The complaint

The complainant received a letter from an organisation inviting them to undertake a breast examination as part of a Victorian government initiative. The complainant discovered that the organisation had obtained their contact details from another organisation, which became the respondent.

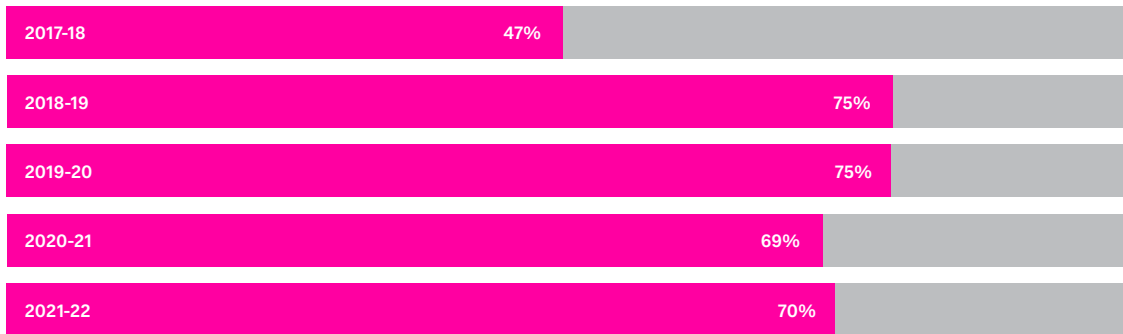
The complainant made a complaint to OVIC that the respondent inappropriately disclosed their personal information to the agency in contravention of Information Privacy Principle (IPP) 2.1.

### Preliminary view

OVIC wrote to the complainant setting out our view that the respondent had not interfered with her privacy. This was because a legislative provision existed that allowed the respondent to disclose personal information to third parties where the respondent believed that doing so was in the public interest. In this instance, that public interest was that of improving public health.

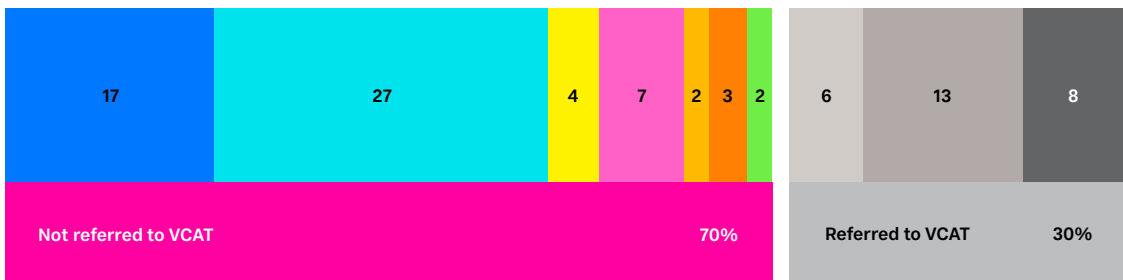
The preliminary view resulted in the complainant withdrawing their complaint.

#### Proportion of complaints finalised without referral to VCAT (percent)



■ Referred to VCAT  
■ Not referred to VCAT

#### Outcomes for privacy complaints closed in 2021-22



#### Outcome

#### Number

#### Percent

#### Not referred to VCAT

62

70%

Formally conciliated

17

19%

Withdrawn by complainant

27

30%

OVIC declined to entertain complaint

4

4%

OVIC decided conciliation was inappropriate

7

8%

Conciliation failed

2

2%

Referred to another office

3

3%

Dismissed as stale

2

2%

#### Referred to VCAT

27

30%

OVIC declined to entertain complaint

6

7%

OVIC decided conciliation was inappropriate

13

15%

Conciliation failed

8

9%

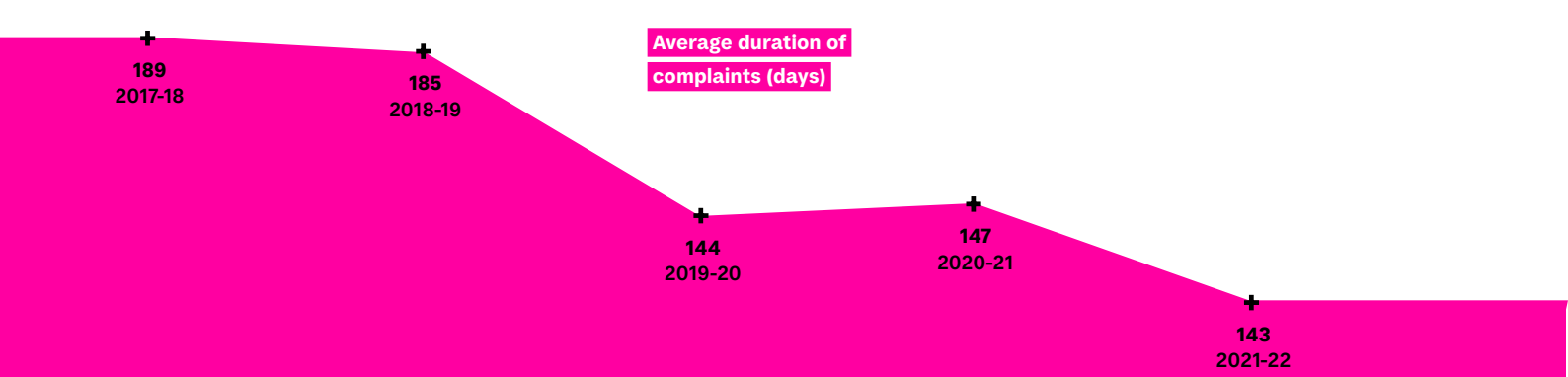
Resolution of complaints

In 2021-22, 70% of complaints made to OVIC were finalised without being escalated to VCAT. Similarly, 19% of complaints were successfully resolved through conciliation.

In 2021-22, OVIC improved the timeliness of completing privacy complaints. The average time to finalise a complaint was 123 days, which is a 24 day improvement in timeliness on 2020-21. Additionally, 80% of complaints were finalised in less than six months.

These results were achieved by case officers utilising a range of alternative dispute resolution techniques and internal processes as part of our complaint handling process. These included:

- providing preliminary views on whether there was a breach of privacy to complainants and agencies. This resulted in complainants being more likely to withdraw their complaint if it had no prospect of success and agencies more likely to make an offer to resolve a complaint that appeared to involve a breach of the PDP Act;
- assisting complainants and agencies to evaluate their positions regarding outcomes. This resulted in complainants and agencies often moving from their initial position on proposed outcomes to resolve complaints; and
- attempting to resolve complaints through informal resolution - by shifting focus towards outcomes to resolve a complaint from the outset of a complaint.



## Enquiries

OVIC receives privacy enquiries from organisations and members of the community about their privacy obligations and rights respectively. OVIC provides these stakeholders with guidance, including about the applicability of the Information Privacy Principles.

In 2021-22, the average time taken to finalise an enquiry was 14 days, which was an increase from an average of 8 days in 2020-21. This reflects the increased level of our engagement with enquiries – particularly from organisations who approach us with increasingly sophisticated matters as their privacy maturity grows.

In 2021-22, common enquiries received included:

- members of the public asking when an agency can and can't disclose their personal information to a third-party, and how to make a privacy complaint;
- organisations asking about requests they have received to disclose personal information to a third-party organisation, and about privacy risks involved in new projects they are considering implementing; and
- both members of the public and agencies asking about the handling of COVID-19 vaccination information. To address these enquiries, we produced new guidance on COVID-19 vaccine information which answers frequently asked questions from stakeholders.

## Informal resolution case study

### The complaint

A local Council was conducting a survey for its constituents for feedback on an ongoing project. Several complaints were made to OVIC that the survey did not include a collection notice. The complainants were concerned that they were not able to vote anonymously; and did not know which staff or third-parties would be able to see their vote and for what purpose.

### OVIC early resolution

The complaints were received a week before the survey was to close. OVIC contacted Council the day after receiving the complaints, informed Council of the issue, and explored options for resolution.

### Resolution

The next day, Council updated its website to include a collection notice addressing the concerns. The notice advised voters that their personal information was required to confirm the validity of the vote and ensure the integrity of the survey. Council also advised that only staff responsible for conducting the survey would have access to the personal information.

Council also published a series of advertisements on social media, informing voters that if they had already voted without providing their personal information their vote would not be counted and advising that they should vote again with the appropriate information. This resulted in most complaints being resolved successfully.

# Data breach notifications

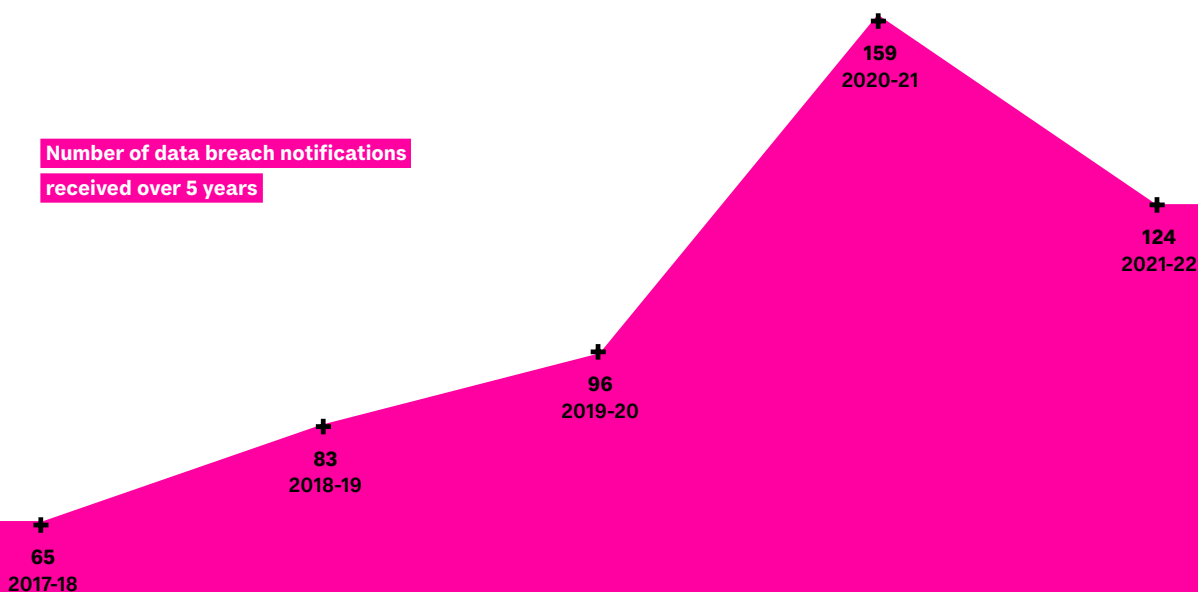
There are two ways OVIC's Privacy Guidance and Dispute Resolution team can be notified of data breaches by organisations:

1. organisations may choose to voluntarily report a data breach that involves personal information; or
2. organisations that are subject to Part 4 of the PDP Act must notify OVIC of information security incidents that are of business impact level (**BIL**) 2 or greater, under OVIC's Information Security Incident Notification Scheme. These notifications are initially triaged by OVIC's Information Security Unit, which may refer notifications with significant privacy implications to OVIC's Privacy Guidance team for follow up.

Where we receive notification of a data breach, we review the information provided and encourage the organisation to take steps to:

- ensure that the data breach is contained – for example, by securing the information or retrieving it where possible;
- assess the risk of harm posed by the breach to affected individuals;
- minimise the impact on affected individuals – for example, by notifying affected individuals of the breach; and
- reduce the risk of recurrence – by examining the causes of the breach and taking steps to prevent similar breaches occurring in future.

Number of data breach notifications  
received over 5 years



The volume of data breaches handled by the Privacy Guidance and Dispute Resolution team in 2021-22 decreased by 22% when compared to 2020-21.

This figure does not represent a decrease of data breaches across the VPS. Rather, it reflects the team attempting to maximise its impact by working with OVIC's Information Security Unit - to identify those incidents which have the greatest likelihood to adversely affect individuals or where the organisation's response may benefit from further guidance.

By doing this, the Privacy Guidance and Dispute Resolution team has been able to respond more substantively and provide more detailed guidance where we decide to engage with an organisation that has reported a data breach.

#### Data breach notifications received



## Data breach case study

### Incident

A Water Authority became aware that an individual had made numerous calls to its call centre over the course of a week, masquerading as different customers and asking them to change the contact details on the accounts. It is believed that the individual aimed to gain access to those customers' online accounts and exploit the personal information they stored to facilitate identity theft.

### Guidance provided

OVIC confirmed with the Water Authority that it had temporarily locked the three accounts affected and generated new login credentials. This was to contain the incident so that the individual could no longer access these accounts.

OVIC reviewed the notification that the Water Authority had provided to the three customers and provided guidance that, as the risk of harm included identity theft, the Water Authority may wish to notify customers that they could contact ID Care and/or one of Australia's three credit card reporting agencies to organise identity or financial monitoring.

OVIC explored preventative measures with the Water Authority to reduce the likelihood of similar incidents occurring in the future. OVIC recommended that the Water Authority provide further training on the risks of incidents of this nature and include this incident as an example to improve staff awareness.

# Publications

## Guiding Principles for Surveillance

Over the past five years there have been considerable advances in surveillance technologies and their use has become more widespread.

In May 2022, OVIC published Guiding Principles for Surveillance and an accompanying Checklist and Case Studies for VPS organisations.

The resources support organisations to:

- identify and test surveillance practices; and
- take a privacy and human rights approach to using surveillance technologies practices.

This guidance recognises the serious privacy implications of surveillance practices in 2022 and supports organisations to make appropriate choices about whether or not to engage in surveillance activities.



## Guidance for organisations

In 2021-22, OVIC published a range of other guidance material to help VPS organisations enhance their privacy practices.

Guidance we published in 2021-22 includes:

- An e-Learning module on preparing a Privacy Impact Assessment (**PIA**). The module helps VPS organisations gain a deeper understanding of PIAs and how to complete one. The module complements OVIC's existing PIA template and guide, and together these resources help organisations handle personal information appropriately when developing new programs;
- An information sheet on privacy and the *Gender Equality Act 2020* (Vic). The information sheet provides guidance to organisations on when and how they can use, collect, disclose, and publish personal information when complying with their obligations under this Act;
- An update to OVIC's Privacy by Design resource. The resource provides an overview of Privacy by Design, its benefits, and the steps an organisation can take to implement it;
- An information sheet on privacy considerations for local government. The resource addresses some of the most common enquiries OVIC receives from councils, and provides guidance on improving information management, privacy, and information security practices; and
- A training video for the OVIC website on de-identification.



## Making it easier for members of the public to exercise their privacy rights

In 2021-22, the Privacy Guidance and Dispute Resolution team set its focus to engage more directly with Victorians by publishing a range of guidance material to help members of the public exercise their privacy rights.

The guidance material includes:

- A new landing page on the website with step-by-step instructions on making a privacy complaint. It helps individuals to make complaints directly to agencies, explains how OVIC handles privacy complaints, and outlines how to pursue a complaint at VCAT if it is not resolved; and
- A new, more accessible, privacy complaint form. The new form makes it easier for OVIC to obtain relevant information and has helped the team assess complaints more efficiently.



### STEP 1

#### Complain to the organisation

This section explains that you should complain to the organisation first and outlines how to do so.

This is often the quickest and easiest way to resolve complaints.



### STEP 2

#### Making a complaint to OVIC

This section explains whether we can handle your complaint and how you can make a complaint to OVIC.

You will also find our complaint form here.



### STEP 3

#### How OVIC handles privacy complaints

This section explains our privacy complaint process and what happens after you submit your complaint to us.



### STEP 4

#### After OVIC - litigating at VCAT

This section explains your remaining option if OVIC cannot resolve your complaint.

It sets out how VCAT works and handles privacy cases.



## 2 Privacy

### Helping parties put a price on privacy

A trend identified by the Privacy Guidance and Dispute Resolution team based on conciliating privacy complaints, was that parties would often disagree on the amount of financial compensation they considered fair and proportionate to adequately address harm caused by an interference with privacy. In 2021-22, OVIC published guidance on assessing harm and levels of compensation in privacy complaints to assist parties by:

- explaining the types of loss envisaged by the PDP Act; the principles and levels of awards for assessing economic and non-economic loss; and reimbursement of expenses incurred in pursuing a complaint; and
- acting as a reference point for parties making their own assessments on what level of financial compensation, if any, is appropriate in their circumstances.

| <b>Severity of harm</b> | <b>Compensation amount</b> | <b>Example of harm</b>  |
|-------------------------|----------------------------|---|
| No harm or trivial harm | \$0                        | This may include mere annoyance, slight inconvenience or a complainant failing to establish the harm occurred.              |
| Low harm                | \$500 – \$5,000            | This may include suffering 'some stress and anxiety'.   |
| Moderate harm           | \$5,000 – \$12,000         | This may include suffering 'significant distress and humiliation' or 'reactivation of psychological symptoms and distress'. |
| Serious harm            | \$12,000 – \$20,000        | This may include experiencing a 'significant psychological effect'.   |
| Severe harm             | Over \$20,000              | This may include experiencing humiliation, loss of dignity and injury to feelings amounting to 'enormous harm'.             |

## Guidance on COVID-19 vaccine information

In response to a high number of enquiries relating to the handling of COVID-19 vaccination information following changes to Health Directions, OVIC published a resource answering the most frequently asked questions by members of the public. These include:

- What documents an employee can provide as proof of COVID-19 vaccination;
- Obligations imposed on employers under Orders made by the Minister of Health; and
- Guidance on what COVID-19 vaccination information employers should avoid collecting.

## Making information available to the public whilst respecting privacy

Over the last two years there has been considerable legislative change on how planning authorities should make planning documents available to the public. To help facilitate transparency and accountable planning whilst balancing an individual's rights to privacy, OVIC consulted with the Department of Environment, Land, Water and Planning on its redrafting of Planning Practice Note 74. The guidance makes it easier for planning authorities to meet their obligations under both planning and privacy legislation.

## Privacy Impact Assessments

OVIC reviews Privacy Impact Assessments (**PIAs**) on request, offering feedback and guidance to VPS organisations and their contracted service providers on how they can improve their privacy practices. In 2021-22, OVIC reviewed two PIAs relating to the integration of customer information and the handling of personal information of vulnerable individuals. These PIAs were sent to OVIC by a local Council and contracted service provider.

## Stakeholder engagement

OVIC participates in national and international privacy forums and convenes two stakeholder groups bringing together privacy professionals in Victoria.

### Privacy Roundtable

The Privacy Roundtable is comprised of privacy practitioners from Victorian government departments and agencies. The Privacy Roundtable meets every six months and allows OVIC to consult with agencies about its work, privacy challenges, and the operation and administration of the PDP Act. The minutes of the Privacy Roundtable are published on OVIC's website.

### Victorian Privacy Network

The Victorian Privacy Network (**VPN**) offers privacy professionals across Victoria an opportunity to connect, learn from each other's experiences and hear guest speakers present on a range of topics. Since its establishment in 2018, the VPN has grown to more than 1,000 members.

We hosted two VPN meetings in 2021-22.

The meeting in November 2021 was attended by 160 participants, and the meeting in March 2022 was attended by 157 participants. As a result of the ongoing COVID-19 pandemic, these meetings were held virtually.

Topics covered in the VPN meetings included privacy beyond personal information, modern challenges of consent and privacy, the benefits and risks of de-identification, compensation in privacy complaints and the outsourcing and management of cloud-based systems in the public sector. Guest speakers from the Victorian Equal Opportunity and Human Rights Commission, Digital Rights Watch and the Victorian Electoral Commission presented at the events.

# National and international forums

## Privacy Authorities Australia

OVIC is an active participant in the Privacy Authorities Australia (**PAA**) group, a bi-annual forum for privacy commissioners around Australia to connect and discuss matters of mutual significance. Commissioners share updates from their jurisdictions relating to complaints, enforcement, and policy developments.

## Privacy Authorities Australia Policy Group

OVIC actively participates in the PAA Policy Group, a sub-group of the PAA consisting of senior policy officers from each of Australia's privacy regulators. The PAA Policy Group meets quarterly, and members discuss work being undertaken in their respective jurisdictions, exchange ideas and learn from each other's experiences in privacy policy matters.

## Privacy Authorities Australia Complaints and Enforcement Group

The Privacy Authorities Australia Complaints and Enforcement (**PAACE**) group is a forum comprising complaints and enforcement managers at each of Australia's privacy authorities. PAACE provides a forum for its members to share ideas and experiences and work together to enhance Australia's information privacy complaint handling and enforcement capabilities.

## Asia Pacific Privacy Authorities

The Asia Pacific Privacy Authorities (**APPA**) forum was established in 1992 and is the principal forum for privacy and data protection authorities in the Asia Pacific region to share policy and regulatory experiences, discuss global privacy developments, and form partnerships.

APPA provides OVIC an opportunity to engage with international stakeholders, learn from their experiences, and to express a Victorian perspective on privacy to shape international thinking on privacy issues.

APPA meets bi-annually and OVIC's Information Commissioner, Privacy and Data Protection Deputy Commissioner and Assistant Commissioners attend the meetings.

## Global Privacy Assembly

OVIC maintains an active relationship with the Global Privacy Assembly (**GPA**). The GPA seeks to provide leadership at an international level on privacy issues facing the global community. There are more than 130 privacy authorities who are members of the GPA. In October 2021, the Information Commissioner attended the 43rd conference of the GPA, which was hosted virtually by the National Institute for Transparency, Access to Information and Personal Data Protection, Mexico.

OVIC is also a member of the GPA's Policy Strategy Working Group and participates in its workstream on the relationship between privacy and other human rights.

## Global Privacy Enforcement Network

The Global Privacy Enforcement Network (**GPEN**) promotes international cross-border cooperation among privacy authorities. OVIC attends monthly teleconferences with GPEN members where we hear presentations on current privacy issues from guest speakers.

## Youth Advisory Group

Young people remain at the forefront of technological and social change and have a unique perspective on privacy. OVIC's Youth Advisory Group (**YAG**) provides a platform for young people to collaborate with OVIC on:

- understanding the privacy issues affecting young people;
- raising awareness around the privacy concerns of young people in both the community and within VPS organisations; and
- developing materials to raise awareness of privacy among young people.

YAG currently comprises 11 young people between the ages of 15 and 22 years. In 2021-22, YAG assisted in organising and delivering a panel discussion event with Reset Australia, to discuss privacy issues impacting young people for Privacy Awareness Week 2022.

YAG also engaged with international stakeholders, with three members participating in a research project conducted by the University of Warwick in the United Kingdom on the potential use of data trusts for longitudinal health research. These members are also collaborating with the University of Warwick and other project participants to co-author an academic paper on the research project to raise awareness around youth perspectives on the privacy impacts of data trusts.

# Privacy Awareness Week

Privacy Awareness Week (**PAW**) is celebrated annually in May across the Asia Pacific region, to raise awareness of the importance of protecting privacy rights. In 2022, OVIC celebrated PAW from 2 – 8 May with the theme Privacy: The foundation of trust.

To launch PAW, the Information Commissioner delivered an address on the importance of privacy as a human right and the relationship between respecting individuals' privacy and public trust in government.

OVIC hosted two panel events during the week. The first panel event explored public trust in an information age and included guest speakers from across the VPS and industry. The second panel event featured speakers from OVIC's Youth Advisory Group and Reset Australia, discussing privacy considerations for young people.

OVIC also hosted three virtual Lightning Talks during the week on enhancing trust through complaint handling; surveillance and privacy in the public sector; and technology, artificial intelligence, and the Information Privacy Principles.

OVIC also published a privacy quiz and two animations, explaining to the public how to make a privacy complaint and how VPS staff should respond in the event of a data breach.

OVIC received 2,325 impressions on LinkedIn, 4,216 impressions on Twitter and 8,536 visits to its website during PAW. OVIC also received support from the Independent Broad-based Anti-corruption Commission, the Public Record Office Victoria, the Victorian Public Sector Commission for Gender Equality and other partner organisations who shared OVIC's content on their social media channels. OVIC also published a blog promoting PAW and the Lightning Talks on the Innovation Network.



## Presentations

In 2021-22, the Information Commissioner participated in six presentations to external bodies relating to privacy.

These included:

- an ethics panel at a 6 Degrees Media Artificial Intelligence conference;
- an ACMI seminar on children's digital rights and data privacy;
- the Information Systems Audit and Control Association Annual General Meeting on information security, outsourcing, artificial intelligence and facial recognition;
- the Public Sector Network Innovate VIC conference on embedding privacy in the design stage of innovation;
- the Australian Institute of Administrative Law annual conference on artificial intelligence and privacy; and
- a presentation to data law students at the University of Melbourne on key issues and future directions for data use and protection.

The Information Commissioner and Privacy and Data Protection Deputy Commissioner also appeared at a public hearing before the Victorian Parliament Pandemic Accountability and Oversight Committee review of pandemic orders.

# 3

# Information Security

|    |   |
|----|---|
| 49 | Guidance and product development                              |
| 50 | 2021 Attestations   |
| 50 | 2022 Protective Data Security Plans                           |
| 51 | Engagement and support  |
| 53 | Class B Cemetery Trusts                                       |
| 54 | Monitoring and assurance                                      |
| 55 | Breakdown of incidents  |
| 56 | Victoria Police   |
| 57 | Information security and privacy in Victorian law enforcement |
| 57 | Review and guidance   |

Information security safeguards public sector information from unauthorised access, disclosure, and use, and seeks to ensure that the right people have access to the right information at the right time.

Under Parts 4 and 5 of the *Privacy and Data Protection Act 2014* (Vic), Victorian public sector organisations must adhere to the Victorian Protective Data Security Framework (**VPDSF**) and Victorian Protective Data Security Standards (**VPDSS**).





**Information security stakeholder engagement in 2021-22 at a glance**

|  |   |   |
|--|---|---|
| Victorian Information Security Network Forums      |  | 3 |
| 2021 Attestation Roundtable Forums                 |  | 4 |
| 2022 Reporting Ask Us Anything Sessions            |  | 6 |
| State and Territory Security Representatives Group |  | 1 |
| Cemetery Trust reporting forum                     |  | 1 |
| Targeted engagements                               |  | 3 |

# 3

## Information Security

OVIC's Information Security Unit actively promotes responsible information security practices across the Victorian public sector (**VPS**) by developing guidance and products and engaging widely with stakeholders across the VPS and industry.

### Guidance and Product Development

#### Information security videos

In 2021-22, OVIC developed four animations to increase awareness of key information security issues across the VPS.

These videos provide an overview of information security, outline which organisations are applicable under Part 4 and 5 of the *Privacy and Data Protection Act 2014* (Vic) (**PDP Act**), introduce the Victorian Protective Data Security Standards (**VPDSS**), and highlight the information security responsibilities of staff who handle public sector information.

Since its launch in 2021, the video series has been used by several VPS organisations to bolster their existing information security awareness programs. The videos have been viewed more than 4,300 times on Vimeo and social media since their publication.

#### Executive Briefing Pack

In 2021-22, to assist Information Security Leads in briefing their executive leadership, we developed an Executive Briefing Pack. This presentation outlines Parts 4 and 5 of the PDP Act, the VPDSS, the Victorian Protective Data Security Framework (**VPDSF**), an information security implementation approach, and key roles and responsibilities.

#### Victorian Protective Data Security Standards Glossary

At the start of 2022, OVIC also updated the VPDSS Glossary which defines terms used in the VPDSS.

## Practitioner Guide on Control Analytics

As part of the available supporting security guides on the VPDSF and VPDSS, OVIC published the Practitioner Guide: Control Analytics in April 2022. This guide helps VPS organisations in their approach to information security risk management and complements existing activities within an enterprise risk management framework.

## 2021 Attestations

In 2021, the body Heads of VPS organisations were required to attest to the progress of information security activities identified in their 2020 Protective Data Security Plan (**PDSP**) submissions. They also had to attest that there was no significant change to the organisation's operating environment or risk profile since the previous PDSP submission.

## 2022 Protective Data Security Plans

In early 2022, we commenced preparing VPS organisations for the 2022 reporting cycle. Informed by the feedback gathered last year, we refined the PDSP template and designed new guidance materials to better support organisations.

### 2022 PDSP Template

In 2021-22, we identified adjustments to the PDSP to improve usability of the template.

While the VPDSS and Elements remained unchanged, the adjustments focused on restructuring the template and adding new fields and content, including:

- a note to auditors reinforcing the risk-based nature of the VPDSS;
- an option to add supporting control libraries;
- splitting the 'Partial' status into two subcategories to allow greater reporting granularity; and
- removing reference to the former protective marking scheme.

We also removed content from the PDSP template and used it to develop new guidance material.

#### 2022 PDSP How-to guide

In December 2021, OVIC published a guide to completing the 2022 PDSP template. The guide was developed in response to stakeholder feedback on the need for further detailed guidance on completing the PDSP.

The guide provides answers to frequently asked questions, explanations, and descriptions of each field in the 2022 PDSP. It was developed to assist organisations and individuals approaching the PDSP for the first time, as well as organisations and individuals who are familiar with the process.

#### Refreshing the website

To help VPS organisations more easily navigate their reporting obligations, in 2021-22 we refreshed the Data Protection section of the OVIC website. We created an Agency Reporting Obligations hub and tailored journeys for both the VPS and Class B Cemetery Trusts.

#### A video message from the Information Commissioner

Following positive feedback from stakeholders in 2020 and 2021, we understood the importance of engaging executives on the upcoming PDSP submission deadline. The Information Commissioner filmed a video clarifying public sector body Head accountability for the PDSP submission and emphasising the importance of resourcing information security efforts across the organisation. We published the video on our website and on social media channels.

## Engagement and support

In 2021-22, OVIC promoted the VPDSF and VDPSS and provided support and guidance to stakeholders across the VPS and industry.

OVIC provides both proactive support through forums and roundtable sessions, panel events, special interest groups, and product development; and reactive support, by responding to enquiries, facilitating meetings and discussions.

In addition, the team proactively engages with partnering entities and industry stakeholders to ensure consistent messaging across the VPS.

#### 2021 Attestation Roundtable Sessions

In July 2021, OVIC hosted four Attestation roundtable sessions. These sessions allowed VPS stakeholders to drop in and ask any questions regarding the 2021 Attestation.

#### Victorian Information Security Network Forums

The Victorian Information Security Network (**VISN**) presents an opportunity for stakeholders across government and industry to discuss information security issues and initiatives.

In 2021-22, OVIC hosted three VISN forums.

The first forum in November 2021 explored insights from the Incident Notification Scheme and launched the consolidated incident notification form. Presenters included representatives from OVIC, the Information Security Manager at Department of Environment, Land, Water and Planning (**DELWP**), Senior Manager of the Victorian Government Cyber Incident Response Service (**CIRS**), and the Deputy Commissioner of the Independent Broad-based Anti-Corruption Commission (**IBAC**). The panel discussion provided attendees with practical accounts of incident management across the VPS which may inform their own incident management practices.

The second forum in February 2022 launched the revised 2022 PDSP template and the guide to completing the 2022 PDSP template. We also addressed any questions from attendees relating to the 2022 reporting period.

The third forum in March 2022 took a deep dive into the latest Incident Insights report and featured presentations from members of OVIC's Information Security Unit and Investigations team, and the Senior Manager of the Victorian CIRS. The presenters explored the latest themes and trends from the Incident Notification scheme, and how OVIC uses these insights to inform investigations.

### Targeted engagements

In 2021-22, OVIC hosted a range of engagements across sectors and industries. These included the Water Sector Information Management Special Interest Group, the Municipal Association of Victoria Information Management Group, and the Professional Services Special Interest Group. These sessions allow OVIC to provide tailored feedback and guidance to stakeholders.

### Ask Us Anything Sessions

In the lead up to the 2022 reporting cycle, OVIC hosted six Ask Us Anything Sessions. These conversational sessions were led by stakeholders, where OVIC staff were available to answer any questions related to the 2022 PDSPs.

#### 2021-22 Information security stakeholder engagement at a glance:

|  |   |
|--|---|
| Victorian Information Security Network Forums      | 3 |
| 2021 Attestation Roundtable Forums                 | 4 |
| 2022 Reporting Ask Us Anything Sessions            | 6 |
| State and Territory Security Representatives Group | 1 |
| Cemetery Trust reporting forum                     | 1 |
| Targeted engagements                               | 3 |

## Class B Cemetery Trusts

2021-22 was the second year of engagement between OVIC and the Cemetery Trust sector. We focused on deepening our understanding of this stakeholder group and the information security requirements required in the tailored Class B Cemetery Trust Protective Data Security Plan.

### Providing focused support

In 2021-22, OVIC consulted with key stakeholders to create a bespoke Information Asset Register (**IAR**) to better suit the needs of the sector. The IAR helps address some requirements outlined in the tailored Class B Cemetery Trust PDSP template and their obligations under the PDP Act.

The IAR assists Class B Cemetery Trusts in identifying and documenting information asset types and promote information security and information management practices.

### Engagement

With pandemic restrictions easing, OVIC attended a regional conference held by the Cemeteries and Crematoria Association of Victoria (**CCAV**) in March 2022 to present on information security reporting obligations. This face-to-face engagement with sector members was an opportunity to respond in person to their information security enquiries and build and strengthen relationships.

In May 2022, OVIC hosted a forum for Class B Cemetery Trusts to address any questions on the 2022 reporting requirements. This session was attended by approximately 25% of the sector. Local Councils and the Department of Health also attended, which helped the sector gain a holistic response to their questions.

Attendees had the opportunity to highlight challenges and showed interest in developing a network where cemetery trusts could discuss their journey along the information security pathway. This provided additional opportunities for OVIC to engage with the sector moving forward.

### Looking ahead

Responses received in the upcoming 2022 Class B Cemetery Trusts PDSPs will identify further opportunities to provide support and guidance to the sector. OVIC continues to work with the sector to develop guidance material that reflects their unique operating environment.

# Monitoring and assurance

## Information Security Incident Notification Scheme

The Information Security Incident Notification Scheme requires VPS organisations to notify OVIC of incidents that compromise the confidentiality, integrity, or availability of public sector information with a business impact of Level 2 ('limited') or higher on government operations, organisations, or individuals.

OVIC also liaises with the Department of Premier and Cabinet's Cybersecurity unit where necessary, to ensure agencies are provided with practical assistance if required.

OVIC developed a single notification form in 2021-22 that captures both privacy breaches and information security incidents. This streamlines the notification process for VPS organisations and allows OVIC to gain more holistic data.

In 2021-22, OVIC received 633 total incident notifications. Overall, 77% of notifications related to soft copy material, and 80% affected the confidentiality of information.

Although there was a rise in notifications received in 2021-22, 633 up from 373 in 2020-21, the percentages for information format, security attributes affected, and type of information compromised are similar.

To provide VPS organisations with greater insights and assist in developing their incident management frameworks, OVIC publishes Incidents Insights Reports.

These reports cover key areas captured in incident notifications, including:

- information affected and format;
- security attributes and controls areas; and
- threat actors and threat types.

Additionally, each report contains risk statements based on the incident notifications received by OVIC for consideration by VPS organisations when reviewing their information security risks.

## Breakdown of incidents

Of the 633 incidents notified to OVIC, most of the notifications received had the following attributes:

| <i>Information format</i> | <i>#</i>   | <i>2021-22</i> | <i>2020-21</i> |
|---------------------------|------------|----------------|----------------|
| Hard copy                 | 124        | 19%            | 21%            |
| Electronic                | 489        | 77%            | 73%            |
| Verbal                    | 22         | 3%             | 5%             |
| Not identified            | 4          | 1%             | 1%             |
| <b>Total</b>              | <b>639</b> | <b>100%</b>    | <b>100%</b>    |

| <i>Security attributes impacted</i> | <i>#</i>   | <i>2021-22</i> | <i>2020-21</i> |
|-------------------------------------|------------|----------------|----------------|
| Confidentiality                     | 593        | 80%            | 82%            |
| Integrity                           | 82         | 11%            | 8%             |
| Availability                        | 62         | 8%             | 10%            |
| <b>Total</b>                        | <b>737</b> | <b>100%</b>    | <b>100%</b>    |

| <i>Type of information</i> | <i>#</i>   | <i>2021-22</i> | <i>2020-21</i> |
|----------------------------|------------|----------------|----------------|
| Personal                   | 590        | 75%            | 74%            |
| Financial                  | 29         | 4%             | 4%             |
| Legal                      | 28         | 4%             | 6%             |
| Health                     | 72         | 9%             | 9%             |
| Policy                     | 8          | 1%             | 2%             |
| Operational                | 43         | 5%             | 4%             |
| Critical infrastructure    | 7          | 1%             | 1%             |
| Other/ Unknown             | 11         | 1%             | 0%             |
| <b>Total</b>               | <b>788</b> | <b>100%</b>    | <b>100%</b>    |



# Victoria Police

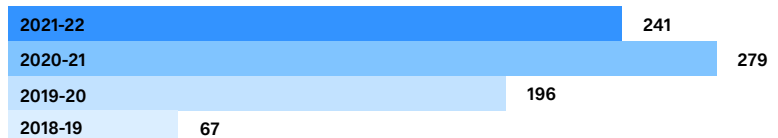
OVIC receives notifications of information security incidents from the Victoria Police Security Incident Registry team.

Incident reporting in 2021-22 highlights five closed incident categories commonly experienced by Victoria Police.

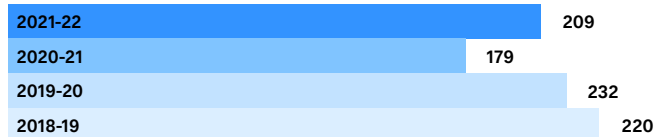
Overall, there was a decline in incident notifications across all five closed incident categories (from the previous year) except for Lost or Stolen IDs (this statistic remains relatively consistent since 2019).

## Victoria Police statistics

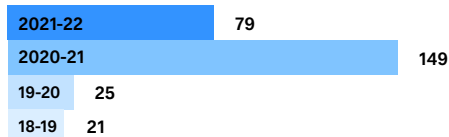
### Theft or loss of asset



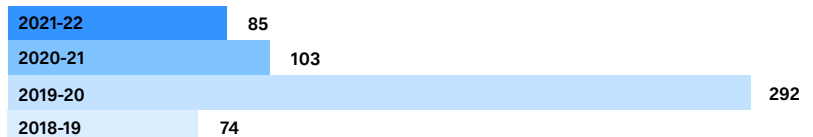
### Lost or stolen ID



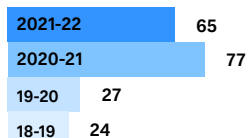
### Information handling



### Unauthorised release or disclosure of information



### Other event



## Information security and privacy in Victorian law enforcement

### Site inspections

Conducting site inspections of Victoria Police facilities is a focus of engagement between OVIC and Victoria Police. In line with our regulatory priority into privacy and security in Victorian law enforcement, OVIC conducted two site inspections of Victoria Police facilities in 2021-22.

The objective of the site inspection program is to maintain and improve law enforcement data security practices.

The focus of an inspection can vary from a focus on one, or all, of the five security areas – governance, physical security, information security, personnel security, and ICT security.

In 2021-22, OVIC focused on operational practice including the handling of information security incidents and general information security awareness and training.

### Engagement

As part of its oversight of Victoria Police and its management of law enforcement data in 2021-22, OVIC:

- hosted frequent meetings with stakeholders from the Victoria Police Digital Services and Security Department (**DSSD**). These meetings provide an opportunity for Victoria Police and OVIC to discuss emerging trends or issues in law enforcement information security;
- participated in an implementation working group with DSSD representatives to discuss outstanding recommendations made by the former Office of the Commissioner for Law Enforcement Data Security and the former Office of the Commissioner for Privacy and Data Protection. In 2021-22, five more recommendations were closed;
- reviewed Victoria Police Protective Data Security Plans; and
- reviewed Victoria Police information security incidents reported to OVIC on a weekly basis and responses to request more detail where necessary.

## Review and guidance

While OVIC continues to promote the VPDSS and supports VPS organisations locally, the team also works alongside our peers and counterparts nationally, and internationally on the development, revision and refinement of information security standards, frameworks, and practices.

OVIC's active participation in these local, national, and international working groups, forums and committees provides an opportunity to continually advocate for VPS organisations and our stakeholders. It also ensures our material continually promotes best practice and reduces the regulatory burden on VPS organisations.

OVIC provides input, commentary, and subject matter expertise on legislative, regulatory and/or administrative reforms and initiatives at a State, national, and international level.

### States and Territory Security Representatives Meeting

The State and Territory Security Representatives Group (**STSRG**) brings together protective security representatives from all Australian states and territories, the Commonwealth, and our counterparts in New Zealand.

The STSRG provides a forum for senior protective security personnel from each State and Territory to develop relationships while facilitating dialogue on protective security issues and opportunities. OVIC chaired an STSRG meeting in December 2021 with strong attendance from all jurisdictions.

## Australian and International Standards

At a national level, OVIC representatives are involved in two Standards Australia **(SA)** committees:

- IT-012 Information security, cybersecurity and privacy protection (mirror committee to ISO/IEC JTC1/SC27); and
- MB-025 Security and Resilience (mirror committee to ISO/TC 292)

In 2021-22, OVIC representatives actively participated in the review of 36 international ballots, including:

- ISO 22340 Protective security - Guidelines for an enterprise protective security architecture and framework;
- ISO 22350 Emergency management - Overview and framework;
- ISO 22388 Guidelines for securing physical documents;
- ISO/IEC 27002 Information security controls;
- ISO/IEC 27005 Guidance on managing information security risks;
- ISO/IEC 27032 Guidelines for Internet Security;
- ISO/IEC 27035-1 Information security incident management - Part 1: Principles and process;
- ISO/IEC 27035-2 Information security incident management - Part 2: Guidelines to plan and prepare for incident response;
- ISO/IEC 27036-1 Supplier relationships - Part 1 Overview and concepts;
- ISO/IEC 27036-2 Supplier relationships - Part 2: Requirements;

- ISO/IEC 27036-3 Supplier relationships - Part 3: Guidelines for information and communication technology supply chain security;
- ISO/IEC 27403 - IoT security and privacy - Guidelines for IoT-domotics;
- ISO/IEC 27553-1 Security and Privacy requirements for authentication using biometrics on mobile devices - Part 1: Local modes; and
- ISO/IEC 24392 Security reference model for Industrial Internet Platform **(IIP)**.

In February 2022, ISO/IEC 27002 Information security, cybersecurity, and privacy protection - Information security controls was approved and published.

OVIC representatives led the revision of Australian Standard **(AS)** 4811 and in March 2022, AS 4811 Workforce screening was published. This document sets out requirements and guidance for the development of organisation-specific workforce screening principles, policies, and processes.

OVIC's continued engagement in these local, national, and international settings, ensures we maintain our standing as an active leader in the information security community, and as a trusted advisor to the Victorian Government.

# 4

## Freedom of Information

|    |                                       |
|----|---------------------------------------|
| 64 | Reviews                               |
| 79 | Access charge certificates            |
| 80 | Complaints and Professional Standards |
| 91 | Professional Standards                |
| 95 | Key projects                          |
| 96 | Key policy initiatives                |
| 98 | Stakeholder engagement                |
| 95 | Guidance and publications             |

Public access to information, including freedom of information (**FOI**), underpins public trust and accountability in government. In 2021-22, a record 43,978 FOI requests were made to Victorian government agencies or Ministers. Most requests were made by individuals seeking access to their personal information.

OVIC undertakes independent reviews of decisions refusing access to documents and investigates complaints about the handling of FOI requests by an agency or Minister. We also monitor compliance by agencies with the FOI Professionals Standards.

### Complaints received and reviews finalised at a glance

In 2021-22, OVIC received a record number of complaints (825). This is an 11.6% increase from 2020-21 (739) and a 58% increase from 2019-20 (522).

In 2021-22, we finalised 552 reviews, of which over 25% were resolved through informal resolution. We improved our timeliness in the finalisation of reviews and completed 60% of reviews within the statutory timeframe or as agreed with the applicant.

825

11%  
increase

739

Complaints received

2021-22

Complaints received

2020-21

110

Reviews finalised (average days)

2021-22

118

Reviews finalised (average days)

2020-21

# 4

## Freedom of Information

### Public Access branch

The functions of the Information Commissioner and Public Access Deputy Commissioner are set out in section 6I of the *Freedom of Information Act 1982* (Vic) (**FOI Act**).

These functions include:

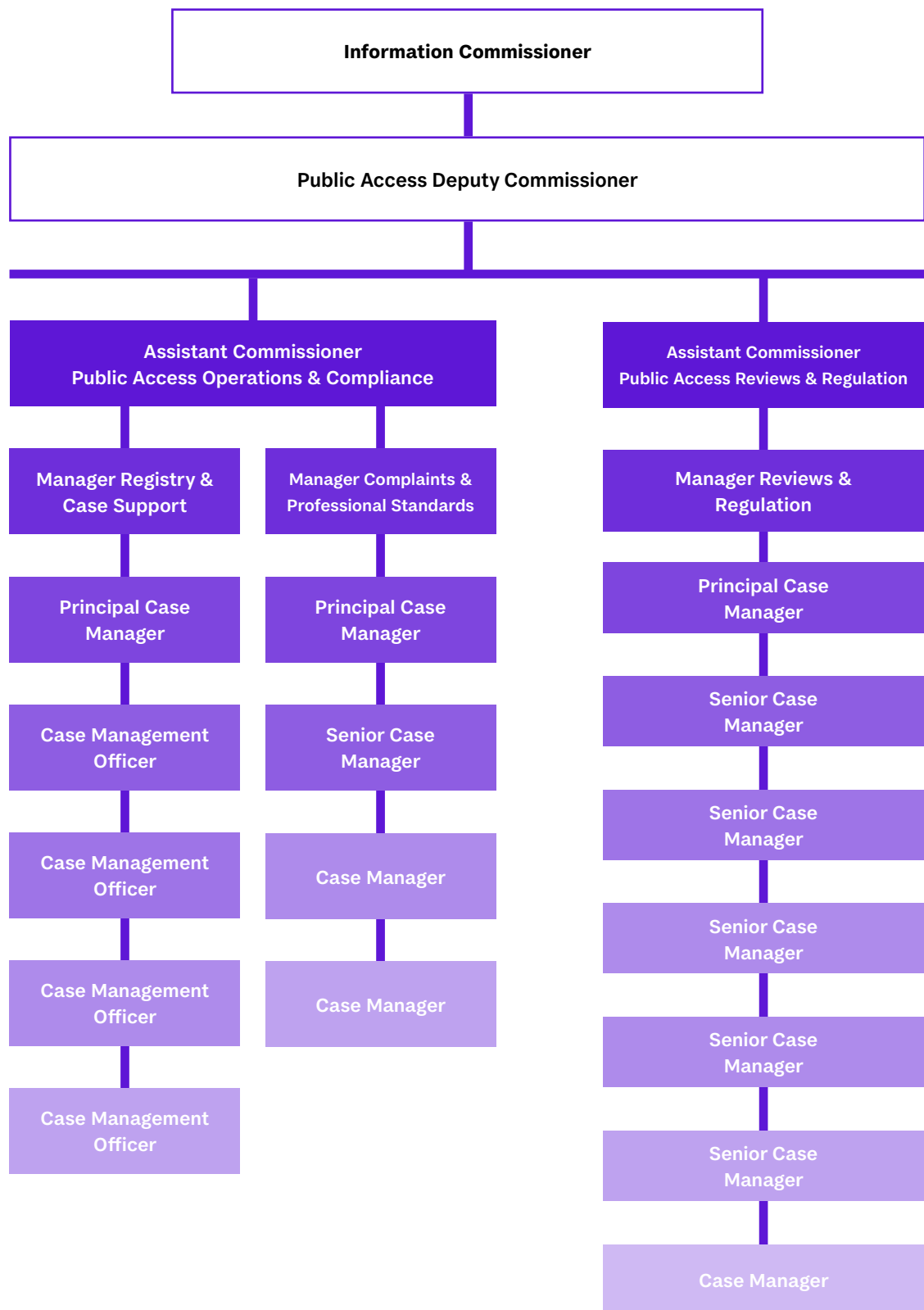
- promoting understanding and acceptance by agencies and the public of the FOI Act and its object;
- conducting reviews of decisions by agencies and Ministers;
- receiving and handling complaints;
- monitoring compliance with the Professional Standards and providing advice; and
- providing education and guidance to agencies and the public.

The Commissioners are supported by the Public Access branch, which is led by the Assistant Commissioner – Public Access Operations and Compliance, and the Assistant Commissioner – Public Access Reviews and Regulation, who report to the Public Access Deputy Commissioner.

The Public Access branch comprises 21 staff who work across three teams:

- Registry and Case Support, including Informal Resolution;
- Complaints and Professional Standards; and
- Reviews.

The Commissioners are also supported by the Policy, Investigations and Assurance, and Communication and Education teams.



## 4 Freedom of Information

### Registry and Case Support team

With a customer service focus, the Registry and Case Support team responds to all incoming enquiries received by OVIC across FOI, privacy, and information security. The team is led by the Manager, Registry and Case Support and overseen by the Assistant Commissioner – Public Access Operations and Compliance.

The team handles all incoming enquiries and correspondence from members of the public and agencies. The team also receives and registers new FOI review applications and complaints, privacy complaints and finalises completed FOI review applications and complaints.

In 2021-22, the team handled approximately 7,000 telephone enquiries, an increase of over 130% compared to last year, and 15,000 email enquiries.

Each year, OVIC conducts the annual FOI agency survey. This involves collecting data from each Victorian government agency and Minister on the administration and operation of the FOI Act, including the number of FOI requests received and finalised, and details about decisions made granting and refusing access to documents. In 2021-22, the annual survey was deployed to over 990 Victorian government agencies and Ministers.

In 2021-22, the Informal Resolution team worked within the Registry and Case Support team, led by a Principal Case Manager. The Informal Resolution team is responsible for the triage and assessment of FOI review applications and complaints. Where appropriate, it identifies opportunities for informal resolution to resolve or narrow the scope of a review application or complaint at an early stage.

#### Telephone enquiries (approximate)

|         |               |       |
|---------|---------------|-------|
| 2021-22 | 130% increase | 7,000 |
| 2020-21 | 3,000         |       |



# Reviews

## Overview

A person seeking access to information under the FOI Act may apply for review of a decision made by an agency or Minister involving:

- refusal to grant access to a document;
- deferral of access to a document;
- refusal to waive or reduce an application fee; or
- refusal to amend a document.

A review application must:

- be in writing;
- identify the agency or Minister concerned;
- identify the decision to be reviewed; and
- be made within 28 calendar days of the applicant receiving written notice from an agency or Minister of a decision.

There is no fee for making a review application.

If OVIC considers it may be possible to reach an agreement between an applicant and the agency, we will try to facilitate an informal resolution.

If a matter cannot be resolved informally, the Commissioner will make a fresh decision on the review application.

The Commissioner may decline to accept or dismiss a review application at any stage if:

- the applicant agrees in writing to the review being dismissed;
- the application is frivolous, vexatious, misconceived, lacking in substance or not made in good faith;
- the applicant fails to cooperate with the review without reasonable excuse;
- the applicant is unable to be contacted despite reasonable attempts;
- the review would be more appropriately dealt with by the Victorian Civil and Administrative Tribunal (**VCAT**); or
- the review is not appropriate in the circumstances.

4 Freedom of Information

Reviews team

The Reviews team is led by the Manager, Public Access Reviews and Regulation and overseen by the Assistant Commissioner – Public Access Reviews and Regulation. The FOI Act requires us to conduct reviews in a timely, efficient and fair manner, with as little formality and technicality as possible. Consequently, OVIC starts its reviews by attempting to informally resolve disputed issues, where possible.

OVIC’s review process often includes providing either the applicant or the agency with a preliminary view on the merits of a review application, or the likely outcome should the matter proceed to a formal decision and inviting their response.

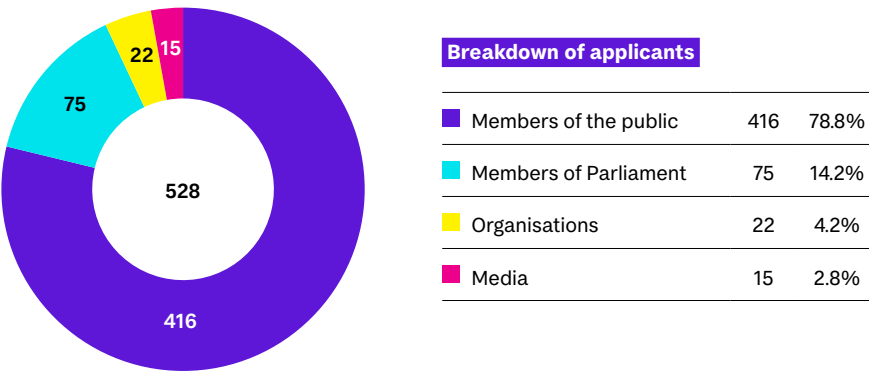
If a review is not resolved or dismissed, the Reviews team will undertake further detailed analysis of documents to determine whether they are exempt from release under the FOI Act and prepare recommendations to inform the Commissioner’s final decision.

To improve understanding of the FOI Act and its object, the Reviews team presents educational seminars for members of the public and agencies. OVIC also conducts regular stakeholder engagement with agency FOI practitioners and via OVIC’s Public Access Agency Reference Group.

Review applications received

In 2021-22, OVIC received 528 review applications seeking review of decisions refusing access to documents made by 113 agencies and one Minister. OVIC received 79 fewer review applications compared to 2020-21 (607 applications received).

In part, the decrease in review applications received by OVIC is attributable to the reduced number of review applications regarding refusal decisions made by Victoria Police. In 2021-22, OVIC received 60 review applications in relation to Victoria Police, compared to 96 in 2020-21. This decrease is attributable to significant delays in Victoria Police making decisions on FOI requests and a consequential reduction in review applications received by OVIC.



## Review applicants

In 2021-22, 78.8% (416) of review applicants were members of the public. Other applicants included Members of Parliament 14.2% (75), followed by organisations 4.2% (22) and media 2.8% (15).

In 2021-22, there was a 29.1% increase in the number of applications received from Members of Parliament, and an 11.4% decrease in applications from organisations and the media compared to 2020-21.

## Documents requested

In 2021-22, a broad range of documents were sought by review applicants including:

- personal health records;
- Child Protection and Care Leaver (Ward of State) records;
- Victoria Police investigations and police conduct;
- major infrastructure projects;
- local government records, including building and planning matters;
- prison and prisoner records;
- student records and school incident investigations;
- employee and recruitment records and workplace investigations;
- regulatory investigations and enforcement matters; and
- government decision making, including the government's response to the COVID-19 pandemic.

## 4 Freedom of Information

### Review applications received about agency and Minister decisions in 2021-22

|   |    |   |    |
|---|----|---|----|
| Ambulance Victoria                                  | 4  | Department of Transport   | 28 |
| Austin Health                                       | 1  | Department of Treasury and Finance                                  | 14 |
| Barwon Health                                       | 4  | Development Victoria  | 2  |
| Bass Coast Shire Council                            | 2  | Eastern Health  | 4  |
| Bayside City Council                                | 2  | Emergency Services Telecommunications Authority                     | 5  |
| Benalla Health                                      | 1  | Energy Safe Victoria  | 1  |
| Bendigo Health Care Group                           | 6  | Environment Protection Authority                                    | 3  |
| Brimbank City Council                               | 1  | Essential Services Commission                                       | 1  |
| Campaspe Shire Council                              | 1  | Fire Rescue Victoria  | 5  |
| Castlemaine Health                                  | 1  | Game Management Authority   | 2  |
| City of Boroondara                                  | 1  | Glen Eira City Council  | 7  |
| City of Casey                                       | 2  | Gordon Institute of TAFE  | 1  |
| City of Darebin                                     | 1  | Goulburn Ovens Institute of TAFE (t/a GOTAFE)                       | 1  |
| City of Greater Bendigo                             | 1  | Goulburn-Murray Rural Water Corporation (t/a Goulburn-Murray Water) | 1  |
| City of Greater Dandenong                           | 1  | Grampians Health  | 1  |
| City of Greater Geelong                             | 4  | Greater Shepparton City Council                                     | 1  |
| City of Melbourne                                   | 3  | Greyhound Racing Victoria   | 1  |
| City of Monash                                      | 1  | Hepburn Shire Council   | 5  |
| City of Stonnington                                 | 4  | Horsham Rural City Council  | 3  |
| Country Fire Authority                              | 1  | Hume City Council   | 5  |
| Court Services Victoria                             | 1  | Independent Broad-based Anti-Corruption Commission                  | 1  |
| Deakin University                                   | 1  | Kinglake Ranges Cemetery Trust                                      | 1  |
| Dental Health Services Victoria                     | 1  | La Trobe University   | 1  |
| Department of Education and Training                | 24 | Latrobe City Council  | 2  |
| Department of Environment, Land, Water and Planning | 20 | Loddon Shire Council  | 1  |
| Department of Families, Fairness and Housing        | 32 | Major Transport Infrastructure Authority                            | 14 |
| Department of Health                                | 24 | Maribyrnong City Council  | 2  |
| Department of Jobs, Precincts and Regions           | 22 | Maroondah City Council  | 1  |
| Department of Justice and Community Safety          | 38 | Medical Panels  | 1  |
| Department of Premier and Cabinet                   | 13 |   |    |

|   |   |
|---|---|
| Melbourne Convention and Exhibition Trust | 1 |
| Melbourne Health                          | 7 |
| Mercy Hospitals Victoria Ltd              | 1 |
| Minister for Agriculture                  | 1 |
| Mitchell Shire Council                    | 1 |
| Monash Health                             | 1 |
| Monash University                         | 2 |
| Moonee Valley City Council                | 5 |
| Moorabool Shire Council                   | 2 |
| Moreland City Council                     | 3 |
| Mornington Peninsula Shire                | 4 |
| Murrindindi Shire Council                 | 2 |
| Northern Health                           | 5 |
| Parks Victoria                            | 1 |
| Peninsula Health                          | 4 |
| Portland District Health                  | 1 |
| Racing Victoria Limited                   | 4 |
| Residential Tenancies Bond Authority      | 1 |
| RMIT University                           | 1 |
| RSPCA (Victoria)                          | 2 |
| Rural City of Wangaratta                  | 1 |
| Safer Care Victoria                       | 2 |
| South Gippsland Shire Council             | 3 |
| St Vincent's Health                       | 2 |
| Suburban Rail Loop Authority              | 4 |
| Surf Coast Shire Council                  | 2 |
| Sustainability Victoria                   | 1 |
| Swinburne University of Technology        | 1 |
| The Kilmore & District Hospital           | 1 |
| The Royal Children's Hospital             | 4 |
| The Royal Women's Hospital                | 2 |

|   |            |
|---|------------|
| Transport Accident Commission                         | 3          |
| Trust for Nature (Victoria)                           | 1          |
| University of Melbourne                               | 9          |
| V/Line Corporation                                    | 1          |
| VicForests  | 1          |
| Victoria Legal Aid                                    | 1          |
| Victoria Police                                       | 60         |
| Victoria State Emergency Service                      | 1          |
| Victoria University                                   | 1          |
| Victorian Building Authority                          | 5          |
| Victorian Electoral Commission                        | 1          |
| Victorian Equal Opportunity & Human Rights Commission | 1          |
| Victorian Government Solicitor                        | 1          |
| Victorian Inspectorate                                | 1          |
| Victorian Institute of Teaching                       | 2          |
| Victorian Legal Services Board                        | 2          |
| Victorian Legal Services Commissioner                 | 1          |
| Victorian Rail Track (t/a VicTrack)                   | 1          |
| Victorian WorkCover Authority                         | 20         |
| Western Health  | 1          |
| Wyndham City Council                                  | 1          |
| Yarra City Council                                    | 2          |
| Yarra Ranges Shire Council                            | 2          |
| Yooralla  | 1          |
| Not identified/Out of jurisdiction                    | 3          |
| <b>Total</b>  | <b>528</b> |

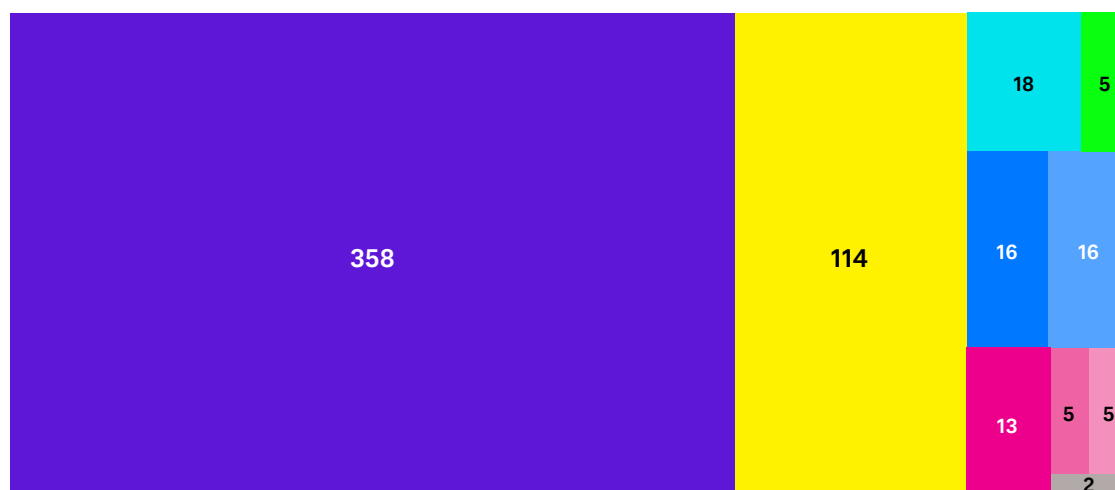
## 4 Freedom of Information

### Review application outcomes

In 2021-22, OVIC finalised 552 review applications compared to 617 applications in 2020-21.

As at 30 June 2022, 139 review applications remain to be finalised with eight carried over from 2020-21. This represents a decrease of 14.7% compared to the number of open reviews on 30 June 2021 (163, with six carried over from 2019-20).

In 2021-22, review applications were finalised by:



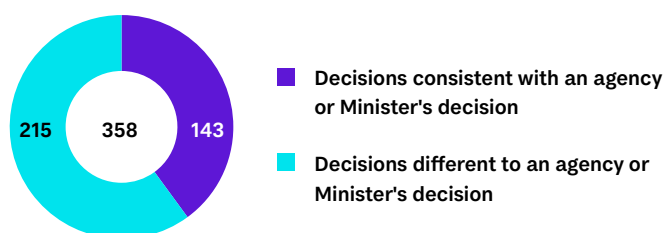
|   |  |     |       |
|---|--|-----|-------|
| a formal decision made by a Commissioner  |  | 358 | 64.8% |
| informal resolution (by way of withdrawal) facilitated with OVIC's assistance   |  | 114 | 20.6% |
| a fresh decision made by an agency following informal resolution by OVIC and  |  |     |       |
| the applicant responded and agreed with the fresh decision  |  | 16  | 2.9%  |
| the applicant did not respond and was taken to agree with the fresh decision  |  | 16  | 2.9%  |
| a fresh decision made by an agency without OVIC intervention where the applicant did not respond and was taken to agree with the fresh decision |  | 2   | 0.4%  |
| a Commissioner dismissed a review application on the basis:   |  |     |       |
| a review was not appropriate in the circumstances   |  | 13  | 2.4%  |
| the applicant could not be contacted following reasonable attempts to do so   |  | 5   | 0.9%  |
| a review would be more appropriately dealt with at VCAT   |  | 5   | 0.9%  |
| the applicant elected to seek review by VCAT as a decision was not made by a Commissioner in time   |  | 5   | 0.9%  |
| a Commissioner declined to accept a review application as it fell outside their review jurisdiction under the FOI Act                           |  | 18  | 3.3%  |

## Commissioner review decisions

The FOI Act outlines that exceptions and exemptions in the Act should only be relied on by agencies and Ministers when it is necessary to protect essential public interests and the private and business affairs of individuals.

Of the 358 review decisions made by the Commissioners in 2021-22, 215 (60.1%) differed to decisions originally made by an agency or Minister. This reflects OVIC's commitment to upholding the object of the FOI Act to ensure fair public access to government information. This also reflects where OVIC has encouraged applicants to narrow the scope of their review application, an agency or Minister agreeing to withdraw their reliance on an exemption, or to release further information during the review process.

### Review decision outcomes



In 2021-22, common issues in review applications included:

- **Matters in the nature of opinion, advice or recommendation (section 30(1))** – Section 30(1) of the FOI Act provides that a document is exempt if it contains matter in the nature of opinion, advice or recommendation, prepared by an agency officer in the course of the deliberative processes of an agency, and where disclosure of that document would be contrary to the public interest. The public interest test is considered a high bar and the Commissioners consistently determined it was not met without the agency clearly identifying the detriment that would be caused by disclosure. This includes where that detriment would not be outweighed by the public interest in disclosure where this promotes transparency and accountability for government decision making.
- **Documents containing information obtained in confidence from a third-party (section 35(1)(b))** – Where information in a document was obtained in confidence by an agency, and disclosure of the information would impair the agency's ability to obtain similar information in the future, it is exempt from release under section 35(1)(b) of the FOI Act. This exemption applies when information is provided in confidence to an agency on a voluntary basis, and disclosure of the information would damage the trust required for future confidential communication between individuals and the agency. However, the exemption is not available for ordinary communications between officers within an agency, despite the information being considered confidential.

## 4 Freedom of Information

- **Cabinet documents (section 28(1))** – Each of the four exemptions under section 28(1) of the FOI Act requires an agency to demonstrate that a document fits squarely within the Cabinet document exemption. For example, section 28(1)(b) requires a document must have been 'prepared for the purpose of submission for consideration by the Cabinet' and an agency must demonstrate, with sufficient supporting information or evidence, that the document was prepared for that purpose. Throughout 2021-22, the Commissioners routinely required relevant agency officers to provide further information or evidence to satisfy them of the purpose for which a document was prepared. In a number of cases, agencies subsequently withdrew their reliance on a Cabinet document exemption or a Commissioner determined they were not satisfied the exemption applied.
- **All requested documents would be exempt (section 25A(5))** – An agency may refuse to process an FOI request based on the terms of the request if all documents requested would be exempt from release. This provision can be used in limited circumstances only and is carefully monitored. In several cases in 2021-22, the Commissioners were not satisfied that all documents requested by an applicant in their FOI request would be exempt from release in full and the agency was required to process the applicant's request in accordance with the FOI Act.
- **Secrecy or confidentiality provision (section 38)** – Section 38 of the FOI Act applies where there is a secrecy or confidentiality provision in another piece of legislation and agency officers are prohibited under that Act from disclosing the information or document requested by the applicant. The Commissioners carefully consider the application of each secrecy or confidentiality provision relied on by an agency and the application of any exceptions to the prohibition on disclosure to ensure the objects of the FOI Act, to extend as far as possible the right of the community to access government information, are met.
- **Exposure of a commercial entity to disadvantage (section 34(1)(b))** – A document will be exempt from release if it contains business, commercial or financial information acquired by an agency from a 'business undertaking' and its disclosure would expose the business undertaking unreasonably to disadvantage. In certain cases, the Commissioners were not satisfied the disclosure of the business, commercial or financial information would expose the undertaking unreasonably to disadvantage given the public interest in transparency and accountability as to the spending by the public sector of public funds on goods and services, including the construction and delivery of large infrastructure projects.



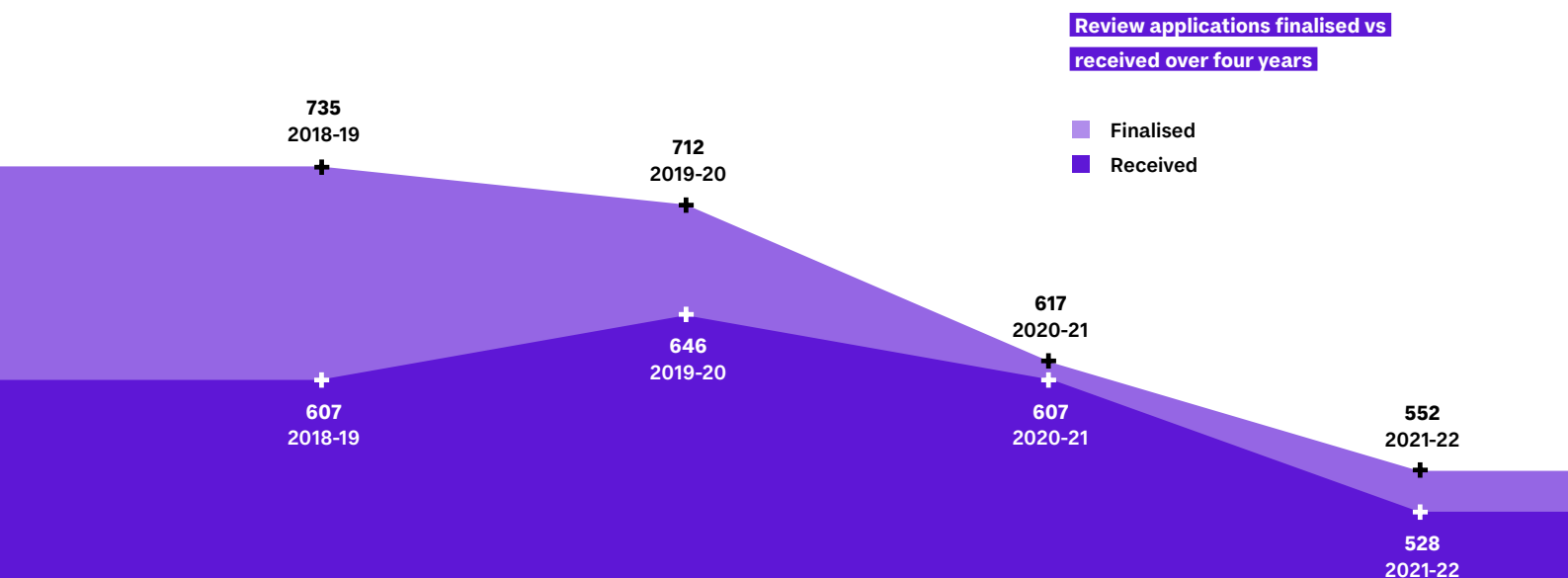
## Informal resolution of review applications

In 2020-21, OVIC focused on the informal resolution of review applications. This is consistent with the requirement for the Commissioners to perform their functions and exercise their powers under the FOI Act with as little formality and technicality as possible. Informal resolution also promotes understanding and acceptance by agencies and the public of the FOI Act.

In 2021-22, a total of 552 review applications were finalised. Of this, 146 applications (26.4%) were resolved through informal resolution including with OVIC's assistance where a fresh decision was made by an agency following OVIC's involvement, or where an applicant agreed with the agency's fresh decision while under review.

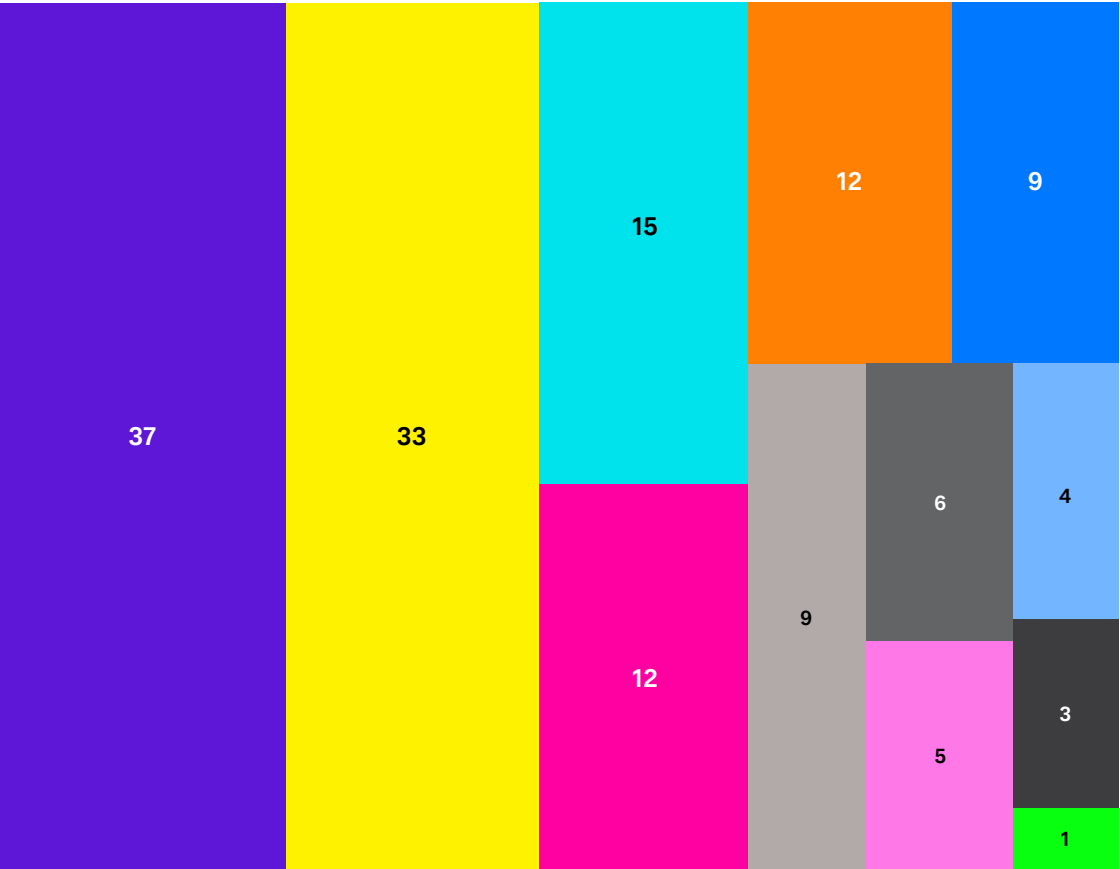
Of the 146 review applications informally resolved:

- 114 were resolved during the course of the review and the applicant withdrew their application;
- 16 were dismissed under section 49MA(1) of the FOI Act, after the agency made a fresh decision under section 49M of the FOI Act and where the applicant was taken to have agreed with the agency's fresh decision under section 49M(7); and
- 16 were dismissed under section 49MA(1) of the FOI Act on the basis the applicant agreed with the agency's fresh decision made.



4 Freedom of Information

A breakdown of review applications informally resolved by type/sector:



| Type/Sector   |             | Number of files<br>informally<br>resolved |
|---|-------------|---|
| Government decision making and infrastructure project documents       | <div></div> | 37  |
| Refusal of an FOI request by an agency under section 25A(1) or 25A(5) | <div></div> | 33  |
| Local government records, including building and planning matters     | <div></div> | 15  |
| Victoria Police investigations and police conduct                     | <div></div> | 12  |
| Personal health records   | <div></div> | 12  |
| Student records and school incident investigations                    | <div></div> | 9   |
| Employee and recruitment records and workplace investigations         | <div></div> | 9   |
| Disputes and complaints   | <div></div> | 6   |
| Prison and prisoner records   | <div></div> | 5   |
| Amendment of records under section 39                                 | <div></div> | 4   |
| Child Protection and Care Leaver (Ward of State) records              | <div></div> | 3   |
| FOI access charges  | <div></div> | 1   |

Our informal resolution process involves providing an applicant, an agency or Minister with options for informally resolving a review application for their consideration. This may involve providing a Commissioner's preliminary view on the merits of a review application or decision made by an agency or Minister, supported by a published Notice of Decision dealing with similar documents or issues, relevant OVIC guidance material or practice notes.

When information requested by an applicant does not appear in a document, or when it is likely a Commissioner will make the same decision as the agency or Minister, we encourage the applicant to narrow the scope of their review application or withdraw their application. We may also seek further written submissions or clarification from an applicant or agency, where appropriate.

Where we do not consider a document is exempt from release, we invite the agency or Minister to disclose the document or make a fresh decision under section 49M of the FOI Act. The informal resolution process can result in the following positive outcomes:

- the agency agrees to make a fresh decision or releases further information or documents, including outside the FOI Act;
- an applicant withdraws their review application, either following a better understanding of the merits of their application or receiving advice about other ways to obtain the requested information or documents; or
- the number of documents subject to review is reduced with the agreement of the applicant, which reduces the time taken to complete the review.

## Agency fresh decision case study

OVIC received an application seeking review of an agency's refusal to process the applicant's FOI request relating to documents concerning the applicant's personal information. OVIC staff engaged with the applicant and the agency to discuss the agency's decision and to explore options for resolution of the application.

The applicant advised OVIC they sought access to the documents to understand what information the agency holds about them. The agency advised OVIC the terms of the FOI request were too large to process based on the estimated number of documents relevant to the request and the agency's current workload.

Having assessed the terms of the applicant's FOI request and written submissions received from both parties, OVIC provided the agency with a preliminary view on the merits of its decision supported by a published Notice of Decision involving similar circumstances where a Commissioner overturned the agency's decision. Subsequently, the agency determined to reconsider its original decision and made a fresh decision under section 49M of the FOI Act.

In making its fresh decision, the agency released further information to the applicant.

## 4 Freedom of Information

### Review decisions made by the Commissioners

| <i>Agency or Minister</i>                           | <i>Same decision</i> | <i>Varied decision</i> | <i>Total</i> |
|---|----------------------|------------------------|--------------|
| Ambulance Victoria                                  | 1                    | 2                      | 3            |
| Australian Grand Prix Corporation                   | 0                    | 1                      | 1            |
| Bairnsdale Regional Health Service                  | 1                    | 0                      | 1            |
| Barwon Health                                       | 1                    | 1                      | 2            |
| Bayside City Council                                | 0                    | 5                      | 5            |
| Bendigo Health Care Group                           | 2                    | 1                      | 3            |
| Campaspe Shire Council                              | 1                    | 0                      | 1            |
| Castlemaine Health                                  | 1                    | 0                      | 1            |
| City of Boroondara                                  | 0                    | 2                      | 2            |
| City of Greater Bendigo                             | 1                    | 0                      | 1            |
| City of Greater Dandenong                           | 1                    | 1                      | 2            |
| City of Greater Geelong                             | 0                    | 5                      | 5            |
| City of Melbourne                                   | 0                    | 1                      | 1            |
| City of Monash                                      | 1                    | 0                      | 1            |
| City of Port Phillip                                | 0                    | 1                      | 1            |
| City of Stonnington                                 | 1                    | 1                      | 2            |
| Commercial Passenger Vehicles Victoria              | 0                    | 1                      | 1            |
| Country Fire Authority                              | 0                    | 2                      | 2            |
| Court Services Victoria                             | 1                    | 0                      | 1            |
| COVID-19 Quarantine Victoria                        | 0                    | 1                      | 1            |
| Deakin University                                   | 0                    | 1                      | 1            |
| Dental Health Services Victoria                     | 1                    | 0                      | 1            |
| Department of Education and Training                | 7                    | 7                      | 14           |
| Department of Environment, Land, Water and Planning | 5                    | 9                      | 14           |
| Department of Families, Fairness and Housing        | 8                    | 10                     | 18           |
| Department of Health                                | 2                    | 13                     | 15           |
| Department of Jobs, Precincts and Regions           | 6                    | 12                     | 18           |

| <i>Agency or Minister</i>                       | <i>Same decision</i> | <i>Varied decision</i> | <i>Total</i> |
|---|----------------------|------------------------|--------------|
| Department of Justice and Community Safety      | 15                   | 13                     | 28           |
| Department of Premier and Cabinet               | 2                    | 10                     | 12           |
| Department of Transport                         | 5                    | 11                     | 16           |
| Department of Treasury and Finance              | 0                    | 6                      | 6            |
| Development Victoria                            | 0                    | 1                      | 1            |
| Eastern Health                                  | 1                    | 2                      | 3            |
| Emergency Services Telecommunications Authority | 1                    | 1                      | 2            |
| Energy Safe Victoria                            | 0                    | 1                      | 1            |
| Essential Services Commission                   | 1                    | 0                      | 1            |
| Family Safety Victoria                          | 0                    | 1                      | 1            |
| Fire Rescue Victoria                            | 0                    | 5                      | 5            |
| Game Management Authority                       | 0                    | 1                      | 1            |
| Glen Eira City Council                          | 1                    | 0                      | 1            |
| Grampians Health                                | 1                    | 0                      | 1            |
| Hepburn Shire Council                           | 1                    | 1                      | 2            |
| Holmesglen Institute                            | 0                    | 2                      | 2            |
| Horsham Rural City Council                      | 2                    | 2                      | 4            |
| Hume City Council                               | 0                    | 1                      | 1            |
| Indigo Shire Council                            | 0                    | 1                      | 1            |
| Kinglake Ranges Cemetery Trust                  | 1                    | 0                      | 1            |
| Kingston City Council                           | 0                    | 1                      | 1            |
| Knox City Council                               | 0                    | 1                      | 1            |
| Labour Hire Authority                           | 0                    | 2                      | 2            |
| Latrobe City Council                            | 1                    | 0                      | 1            |
| Macedon Ranges Shire Council                    | 0                    | 1                      | 1            |
| Major Transport Infrastructure Authority        | 2                    | 8                      | 10           |
| Maribyrnong City Council                        | 1                    | 0                      | 1            |
| Maroondah City Council                          | 0                    | 2                      | 2            |

| <b>Agency or Minister</b>                      | <b>Same decision<br/>Varied decision<br/>Total</b> |   |   |
|--|--|---|---|
| Melbourne Convention and Exhibition Trust      | 1  | 0 | 1 |
| Melbourne Health                               | 1  | 1 | 2 |
| Mercy Hospitals Victoria Ltd                   | 0  | 1 | 1 |
| Minister for the Prevention of Family Violence | 0  | 1 | 1 |
| Mitchell Shire Council                         | 0  | 1 | 1 |
| Monash Health                                  | 1  | 1 | 2 |
| Monash University                              | 1  | 1 | 2 |
| Moonee Valley City Council                     | 1  | 3 | 4 |
| Moorabool Shire Council                        | 0  | 1 | 1 |
| Moreland City Council                          | 1  | 0 | 1 |
| Mornington Peninsula Shire                     | 0  | 1 | 1 |
| Moyne Shire Council                            | 1  | 0 | 1 |
| Murrindindi Shire Council                      | 0  | 1 | 1 |
| Northern Health                                | 0  | 4 | 4 |
| Peninsula Health                               | 2  | 2 | 4 |
| Peter MacCallum Cancer Centre                  | 0  | 1 | 1 |
| Racing Victoria Limited                        | 0  | 1 | 1 |
| Residential Tenancies Bond Authority           | 1  | 0 | 1 |
| RSPCA (Victoria)                               | 4  | 0 | 4 |
| Safer Care Victoria                            | 0  | 2 | 2 |
| South Gippsland Shire Council                  | 2  | 1 | 3 |
| St Vincent's Health                            | 0  | 2 | 2 |
| Surf Coast Shire Council                       | 0  | 1 | 1 |
| Sustainability Victoria                        | 0  | 1 | 1 |
| Swan Hill Rural City Council                   | 0  | 1 | 1 |
| The Royal Children's Hospital                  | 1  | 2 | 3 |
| The Royal Women's Hospital                     | 1  | 0 | 1 |
| Towong Shire Council                           | 0  | 1 | 1 |
| Transport Accident Commission                  | 1  | 0 | 1 |

| <b>Agency or Minister</b>                               | <b>Same decision<br/>Varied decision<br/>Total</b> |            |            |
|---|--|------------|------------|
| University of Melbourne                                 | 3  | 6          | 9          |
| VicForests  | 1  | 0          | 1          |
| Victoria Legal Aid                                      | 1  | 0          | 1          |
| Victoria Police   | 27   | 7          | 34         |
| Victoria State Emergency Service                        | 1  | 0          | 1          |
| Victoria University                                     | 0  | 2          | 2          |
| Victorian Building Authority                            | 2  | 3          | 5          |
| Victorian Commission for Gambling and Liquor Regulation | 0  | 1          | 1          |
| Victorian Government Solicitor                          | 1  | 0          | 1          |
| Victorian Institute of Teaching                         | 0  | 3          | 3          |
| Victorian Legal Services Board                          | 1  | 1          | 2          |
| Victorian Legal Services Commissioner                   | 2  | 0          | 2          |
| Victorian Registration and Qualifications Authority     | 0  | 1          | 1          |
| Victorian WorkCover Authority                           | 9  | 7          | 16         |
| Yarra City Council                                      | 0  | 1          | 1          |
| Yooralla  | 0  | 1          | 1          |
| <b>Total</b>  | <b>143</b>   | <b>215</b> | <b>358</b> |

## 4 Freedom of Information

### Timeliness of finalising reviews

In 2021-22, OVIC completed 60% of reviews within the statutory timeframe (within 30 days or other extended time period agreed by an applicant). This represents a 7% improvement in timeliness compared to 2020-21 and meets our business performance target measure.

|         |                |       |
|---------|----------------|-------|
| 2021-22 | 7% improvement | 60%   |
| 2020-21 |                | 56.1% |

The average time to complete a review also improved by 6.8% with a decrease from 118 days in 2020-21 to 110 days in 2021-22.

|         |                  |          |
|---------|------------------|----------|
| 2021-22 | 6.8% improvement | 110 days |
| 2020-21 |                  | 118 days |

Of the 358 formal review decisions made in 2021-22, 54.2% were completed within the statutory 30 day timeframe or other extended time period as agreed by the applicant. This represents a 3.4% improvement when compared to last year (52.4%).

The following factors affect timeliness in making a formal review decision:

- the operating environment of Victorian public sector agencies due to the COVID-19 pandemic and challenges to workforce resources;
- applicants not responding to, or refusing requests from, OVIC for extensions of time to complete a review;
- an increase in the number of complaints received by OVIC;
- where a review application also involves a complaint made under the FOI Act and it is necessary to resolve an associated complaint prior to finalising the review;
- the complexity and volume of documents subject to review; and
- the time required to conduct a thorough review and assessment of documents subject to review and to prepare comprehensive reasons for decision.

Where a review decision is not made by a Commissioner within the statutory timeframe, an applicant may exercise their right to seek review of an agency or Minister's decision by VCAT. Where an applicant chooses to exercise this right, we close their review application.

## Appeals to VCAT

An applicant can apply to VCAT for review of a decision or dismissal made by a Commissioner on a review application. The affected agency or Minister can also apply to VCAT for a review of a decision made by a Commissioner. Third-parties can apply to VCAT for review of a decision made by a Commissioner to disclose personal or business affairs information or information provided in confidence.

In 2021-22, OVIC was notified of 76 applications made to VCAT seeking review of a decision made by the Commissioners, compared to 68 applications in 2020-21. This is an 11.8% increase in the total number of applications made to VCAT compared to last year. Fifty-two applications were commenced by an applicant or a third-party individual or corporate entity, compared to 46 in 2020-21.

## Notification

An agency or Minister must notify the Information Commissioner if they apply to VCAT for a review of a decision made by a Commissioner, or in some circumstances if an applicant makes an application to VCAT for review.

Despite this legislative requirement, agencies do not always notify us of an appeal made to VCAT. Accordingly, we are not able to accurately report on the total number of review applications or outcomes of matters commenced or finalised by VCAT.

### Access charge certificates

Agencies may request an applicant to pay access charges when processing an FOI request. Examples of access charges include the cost involved in an agency providing a copy of documents or access in an alternate form, supervising access to a document, conducting document searches and generating documents from electronic data.

Access charges are calculated in accordance with section 22 of the FOI Act and the *Freedom of Information (Access Charges) Regulations 2014* (Vic).

An applicant may apply to VCAT for a review of access charges. However, a review application can only be made if a Commissioner certifies the matter is of sufficient importance for VCAT to consider.

In 2021-22, we received 11 requests for access charge certificates and finalised 13 requests, including two requests carried over from 2020-21. No access charge requests remain open as at 30 June 2022.

Of the 13 requests finalised this year:

- 2 certificates were issued;
- 7 certificates were not issued; and
- 4 requests were withdrawn.



# Complaints and Professional Standards

A complaint can be made about an agency or Minister arising from an FOI request.

In the case of an agency, an applicant can make a complaint about:

- a delay in handling an FOI request;
- a decision that a requested document does not exist or cannot be located; or
- an action taken or failed to be taken by a principal officer in the performance or purported performance of their functions and obligations under Part IB the Professional Standards or Part II (publication of certain documents and information) of the FOI Act.

In the case of a Minister, an applicant can make a complaint about:

- a delay in dealing with an FOI request;
- a decision that a requested document does not exist or cannot be located;
- a delay in handling an FOI request;
- a decision to defer giving access to a document; or
- a decision to release a document containing personal or business affairs information.

To be valid, a complaint must:

- be made in writing, unless an applicant is unable to do so, in which case the complaint can be made orally;
- set out the nature of the complaint;
- identify the relevant agency or Minister; and
- be made within 60 calendar days after the action or conduct occurred.

## Complaints and Professional Standards team

The Complaints and Professional Standards team attempts to resolve complaints informally or by agreement with a complainant and an agency or Minister. The team is led by the Manager, Complaints and Professional Standards and is overseen by the Assistant Commissioner – Public Access Operations and Compliance.

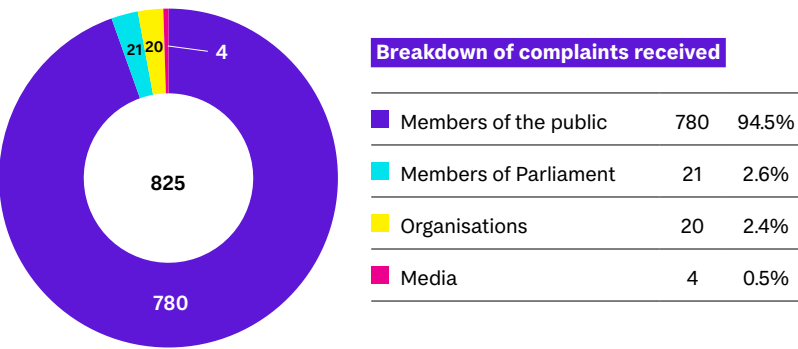
4 Freedom of Information

OVIC’s informal resolution process for complaints may involve:

- contacting a complainant to find out more about their complaint and clarifying what documents or resolution they are seeking;
- contacting an agency or Minister to make preliminary enquiries about the complaint and seeking a response;
- considering information provided by a complainant, agency or Minister, to assess ways for the informal resolution of the complaint;
- issuing a preliminary view or resolution options for consideration by the complainant, agency or Minister;
- following up with a complainant, agency or Minister to obtain further information and propose resolution options for consideration; and
- identifying and monitoring agency compliance with the Professional Standards through requests for further information or written submissions.

If informal resolution of a complaint is unsuccessful, we may attempt to conciliate a complaint with the agreement of the parties.

If conciliation is unsuccessful, or is not appropriate in the circumstances, we may dismiss a complaint or make recommendations or directions to the relevant agency, principal officer or Minister. Recommendations may include improvements to FOI policies, procedures and systems. Directions may include directing an agency to process a request by a certain date or undertaking OVIC’s Professional Standards Self-Assessment Tool.



## Complaints received

In 2021-22, OVIC received a record number of complaints (825). This is an 11.6% increase from 2020-21 (739) and a 58% increase from 2019-20 (522).

|         |      |        |     |
|---------|------|--------|-----|
| 2021-22 | +58% | +11.6% | 825 |
| 2020-21 |      |        | 739 |
| 2019-20 |      |        | 522 |

Of the complaints received in 2021-22, 72.5% (598) concerned agency delays in making FOI decisions within statutory or agreed timeframes. Of this increase in delay complaints, 48.2% (288) concerned Victoria Police.

Challenges associated with the COVID-19 pandemic also continued to have a significant impact on some agencies meeting their statutory obligations.

Non-delay complaints related to:

- an agency or Minister's decision that a document does not exist or cannot be located;
- the adequacy of document searches conducted by an agency or Minister; and
- general handling complaints, such as the obligation on an agency or Minister to assist an applicant to make a valid request under the FOI Act or a request that can be processed without involving a substantial or unreasonable diversion of an agency or Minister's resources.

## Management of delay complaints

OVIC's jurisdiction in handling delays complaints is limited given the Commissioners are unable to require an agency to make a decision by a certain date. When OVIC receives a complaint concerning agency delays, the complaint is generally kept open until the agency makes its decision or the complainant exercises their right to apply to VCAT on the basis of a 'deemed refusal' decision under sections 50(1)(ea) and 53(1) of the FOI Act.

OVIC encourages agencies and Ministers to engage meaningfully with applicants at an early stage and be transparent about their capacity to process a request, particularly on the potential for delays.

OVIC meets regularly with agency FOI practitioners that have been impacted by the COVID-19 pandemic to monitor their compliance with the FOI Act and the Professional Standards.

In some cases, OVIC requires agencies to report to OVIC about their FOI workload, staff resources and other challenges impacting their ability to meet their obligations under the FOI Act and the Professional Standards to assist them to minimise these delays.

During the handling of a complaint, OVIC seeks written submissions from agencies detailing workload, staffing resources and other COVID-19 pandemic related challenges. OVIC provides complainants with regular updates on the progress of their delay complaint.

## 4 Freedom of Information

### Agencies and Ministers subject to a complaint received in 2021-22

|  |     |  |    |
|--|-----|--|----|
| Alpine Health  | 1   | Department of Premier and Cabinet                                    | 3  |
| Alpine Shire Council                                   | 2   | Department of Transport  | 44 |
| Ambulance Victoria                                     | 6   | Eastern Health   | 5  |
| Attorney-General                                       | 1   | Emergency Services Telecommunications Authority                      | 2  |
| Austin Health  | 1   | Environment Protection Authority                                     | 3  |
| Australian Grand Prix Corporation                      | 4   | Fire Rescue Victoria   | 1  |
| Ballarat General Cemeteries Trust                      | 4   | Frankston City Council   | 1  |
| Banyule City Council                                   | 2   | Game Management Authority  | 1  |
| Barwon Health  | 2   | Glen Eira City Council   | 3  |
| Bass Coast Shire Council                               | 4   | Goulburn-Murray Rural Water Corporation t/a<br>Goulburn-Murray Water | 1  |
| Bayside City Council                                   | 1   | Greater Shepparton City Council                                      | 1  |
| Bendigo Health Care Group                              | 1   | Greater Western Water Corporation                                    | 4  |
| Central Goldfields Shire Council                       | 5   | Greyhound Racing Victoria  | 1  |
| City of Ballarat                                       | 1   | Hepburn Shire Council  | 2  |
| City of Boroondara                                     | 4   | Heritage Council of Victoria   | 2  |
| City of Casey  | 2   | Hobsons Bay City Council   | 1  |
| City of Greater Dandenong                              | 1   | Horsham Rural City Council   | 1  |
| City of Greater Geelong                                | 2   | Hume City Council  | 9  |
| City of Melbourne                                      | 2   | Indigo Shire Council   | 1  |
| City of Monash   | 1   | Kingston City Council  | 3  |
| Country Fire Authority                                 | 2   | La Trobe University  | 2  |
| Court Services Victoria                                | 4   | Latrobe City Council   | 1  |
| Deakin University                                      | 1   | Macedon Ranges Shire Council   | 4  |
| Department of Education and Training                   | 13  | Major Transport Infrastructure Authority                             | 9  |
| Department of Environment, Land, Water and<br>Planning | 12  | Maribyrnong City Council   | 2  |
| Department of Families, Fairness and Housing           | 118 | Melbourne Convention and Exhibition Trust                            | 2  |
| Department of Health                                   | 33  | Melbourne Health   | 4  |
| Department of Health and Human Services                | 1   | Minister for Consumer Affairs, Gaming and Liquor<br>Regulation       | 2  |
| Department of Jobs, Precincts and Regions              | 8   | Minister for Emergency Services                                      | 1  |
| Department of Justice and Community Safety             | 47  | Minister for Health  | 1  |

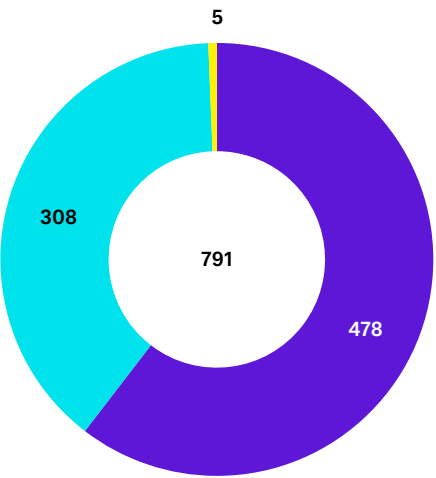
|  |     |
|--|-----|
| Minister for Industry Support and Recovery | 1   |
| Minister for Transport Infrastructure      | 1   |
| Monash Health                              | 4   |
| Monash University                          | 1   |
| Moorabool Shire Council                    | 7   |
| Moreland City Council                      | 1   |
| Mount Hotham Resort Management Board       | 1   |
| Moyne Shire Council                        | 2   |
| Municipal Association of Victoria          | 1   |
| Murrindindi Shire Council                  | 1   |
| Northern Health                            | 3   |
| Parks Victoria                             | 2   |
| Peninsula Health                           | 2   |
| Peter MacCallum Cancer Centre              | 1   |
| Racing Victoria Limited                    | 2   |
| RSPCA (Victoria)                           | 1   |
| Safer Care Victoria                        | 1   |
| St Vincent's Health                        | 3   |
| State Revenue Office                       | 1   |
| Strathbogie Shire Council                  | 1   |
| Surf Coast Shire Council                   | 1   |
| Swinburne University of Technology         | 7   |
| The Royal Children's Hospital              | 2   |
| Towong Shire Council                       | 1   |
| Transport Accident Commission              | 3   |
| University of Melbourne                    | 1   |
| VicForests                                 | 4   |
| Victoria Police                            | 323 |
| Victorian Auditor-General's Office         | 1   |
| Victorian Building Authority               | 6   |

|                                    |            |
|------------------------------------|------------|
| Victorian Institute of Teaching    | 4          |
| Victorian Ombudsman                | 2          |
| Victorian Public Sector Commission | 1          |
| Victorian WorkCover Authority      | 10         |
| Western Health                     | 2          |
| Whittlesea City Council            | 1          |
| Wyndham City Council               | 2          |
| Yarra Ranges Shire Council         | 8          |
| Yarra Valley Water Corporation     | 2          |
| Yarram and District Health Service | 1          |
| Not identified/out of jurisdiction | 3          |
| <b>Total</b>                       | <b>825</b> |

Complaints outcomes

In 2021-22, OVIC finalised 791 complaints compared to 604 in 2020-21. This is the largest number of complaints finalised by OVIC in the past four years. As at 30 June 2022, 231 complaints remained open, compared to 198 open complaints as at 30 June 2021. Six complaints were carried over from 2020-21.

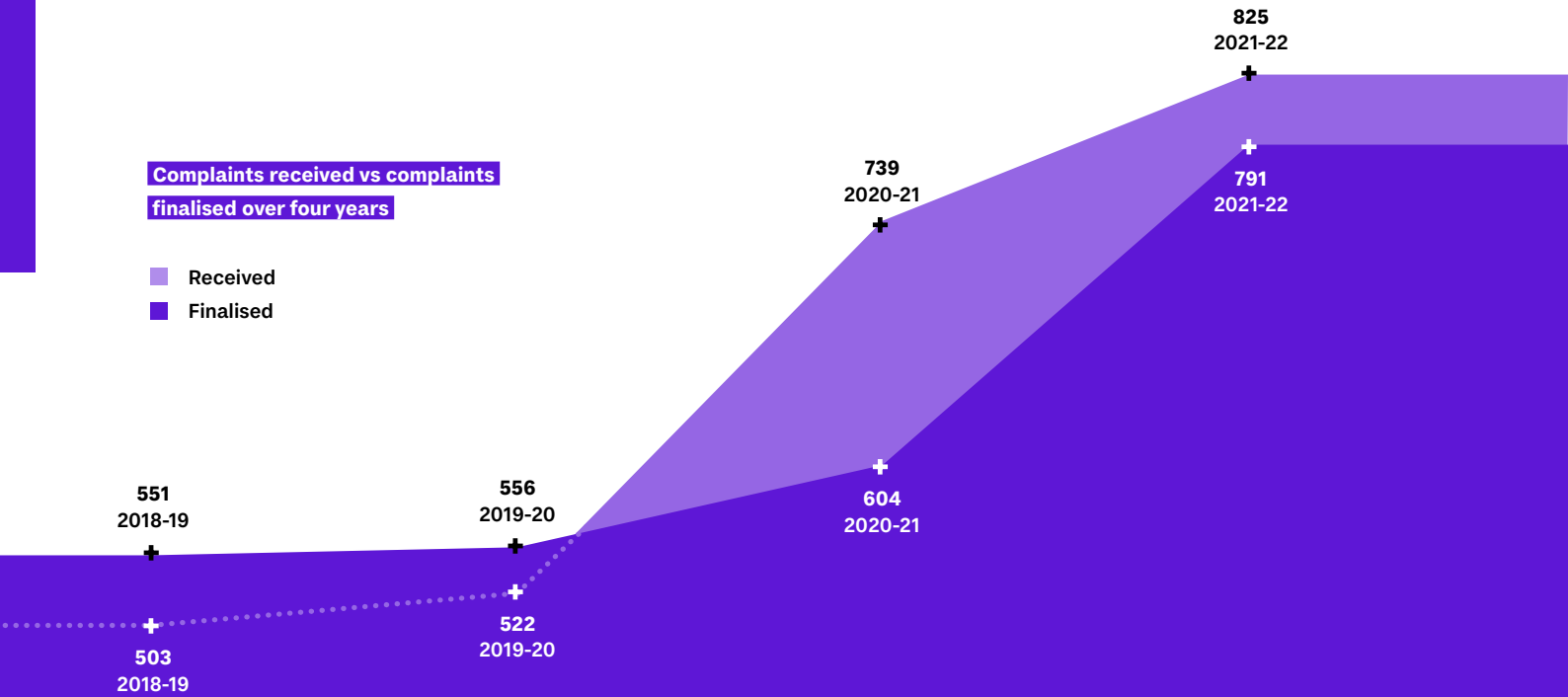
This year complaints were finalised by:



|   |     |       |
|---|-----|-------|
| Informal resolution facilitated with our assistance                       | 478 | 60.4% |
| Decision to dismiss or not accept a complaint                             | 308 | 39%   |
| Decision that a complaint fell outside our jurisdiction under the FOI Act | 5   | 0.6%  |

Complaints received vs complaints finalised over four years

Received  
Finalised



We may determine not to accept or dismiss a complaint at any stage, for example, where:

- an action taken by an agency, or its failure to take action, was not in the performance of its functions or obligations under the FOI Act;
- an action taken by an agency's principal officer, or their failure to take action, was not in the performance of their functions or obligations under Part IB or II of the FOI Act;
- the complaint is made out of time, or is frivolous, vexatious, misconceived, lacking in substance or not made in good faith;
- we consider a complaint is not appropriate in the circumstances;
- we are unable to contact the complainant following reasonable attempts to do so; or
- following the acceptance of a complaint and enquiries made with an agency, we may determine a complaint has been pursued to the fullest extent and there is no grounds for the taking of further action.

## Complaint timeliness

In 2021-22, the average time taken by OVIC to finalise a delay complaint was 105 days, and the average time taken to finalise a general handling complaint was 70 days. Overall, the average time to finalise a complaint increased by 57.4%, or 96 days up from 61 days in 2020-21.

The increase in time to finalise complaints was due to the increased number of complaints received by OVIC, ongoing delays by agencies making a decision on an FOI request and the absence of a power under the FOI Act for a Commissioner to require an agency to make a delayed decision by a certain date.

## Recommendations made by the Information Commissioner

After considering a complaint, the Information Commissioner may make recommendations to an agency or Minister under Part VIA of the FOI Act that the Commissioner considers appropriate.

In 2021-22, no formal recommendations were made by the Information Commissioner.

# General handling complaint case study

The applicant sought access to documents about their incarceration. During the processing of their FOI request, the agency advised the applicant that they located documents relevant to the request. However, they were only able to process the request in batches of 150 pages at a time. The applicant did not agree with the agency's method for processing their FOI request and wished to receive a decision on all requested documents in accordance with the FOI Act.

Following the agency's decision to process the first batch of documents, the applicant made a complaint to OVIC about the agency's handling of their FOI request. The applicant advised OVIC of the sensitivity of the documents and the urgency of the matter as they were required for an upcoming legal proceeding.

OVIC staff engaged with the agency in relation to its ability to process FOI requests, where our view was that it was inappropriate for the agency to process the applicant's request in 150 page batches in the absence of the applicant's agreement to do so. In response, the agency advised it was only able to process the remaining parts of the applicant's request in 200 and 300 page batches.

OVIC staff engaged in further consultation with the agency and requested it process the remaining documents in one batch. The agency subsequently agreed to process the remaining documents in one batch which resulted in the complaint being finalised once the documents were provided to the applicant.

## 4 Freedom of Information

### Agency and Minister complaint outcomes in 2021-22

| <b>Agency</b>                                       | <b>Complaint<br/>not in<br/>jurisdiction</b> | <b>Dismissed<br/>or not<br/>accepted</b> | <b>Withdrawn<br/>or resolved<br/>informally</b> | <b>Total</b> |
|---|--|--|---|--------------|
| Alpine Health                                       | 0  | 0  | 1   | <b>1</b>     |
| Alpine Shire Council                                | 0  | 0  | 1   | <b>1</b>     |
| Ambulance Victoria                                  | 0  | 3  | 3   | <b>6</b>     |
| Attorney-General                                    | 0  | 0  | 1   | <b>1</b>     |
| Austin Health                                       | 0  | 1  | 0   | <b>1</b>     |
| Australian Grand Prix Corporation                   | 0  | 0  | 4   | <b>4</b>     |
| Ballarat General Cemeteries Trust                   | 0  | 4  | 0   | <b>4</b>     |
| Banyule City Council                                | 0  | 1  | 2   | <b>3</b>     |
| Barwon Health                                       | 0  | 0  | 3   | <b>3</b>     |
| Bass Coast Shire Council                            | 0  | 2  | 3   | <b>5</b>     |
| Bayside City Council                                | 0  | 1  | 1   | <b>2</b>     |
| Bendigo Health Care Group                           | 0  | 1  | 0   | <b>1</b>     |
| Central Goldfields Shire Council                    | 0  | 1  | 7   | <b>8</b>     |
| City of Ballarat                                    | 0  | 0  | 1   | <b>1</b>     |
| City of Boroondara                                  | 0  | 1  | 3   | <b>4</b>     |
| City of Casey                                       | 0  | 1  | 0   | <b>1</b>     |
| City of Greater Dandenong                           | 0  | 0  | 1   | <b>1</b>     |
| City of Greater Geelong                             | 0  | 0  | 2   | <b>2</b>     |
| City of Melbourne                                   | 0  | 0  | 1   | <b>1</b>     |
| City of Monash                                      | 0  | 0  | 1   | <b>1</b>     |
| Country Fire Authority                              | 0  | 1  | 1   | <b>2</b>     |
| Court Services Victoria                             | 0  | 4  | 0   | <b>4</b>     |
| Deakin University                                   | 0  | 0  | 1   | <b>1</b>     |
| Department of Education and Training                | 1  | 4  | 8   | <b>13</b>    |
| Department of Environment, Land, Water and Planning | 0  | 4  | 9   | <b>13</b>    |
| Department of Families, Fairness and Housing        | 0  | 22                                       | 53  | <b>75</b>    |
| Department of Health                                | 0  | 23                                       | 27  | <b>50</b>    |
| Department of Health and Human Services             | 0  | 1  | 0   | <b>1</b>     |
| Department of Jobs, Precincts and Regions           | 0  | 3  | 8   | <b>11</b>    |



| <b>Agency</b>   | <b>Complaint<br/>not in<br/>jurisdiction</b> | <b>Dismissed<br/>or not<br/>accepted</b> | <b>Withdrawn<br/>or resolved<br/>informally</b> | <b>Total</b> |
|---|--|--|---|--------------|
| Department of Justice and Community Safety                        | 0  | 15                                       | 30  | <b>45</b>    |
| Department of Premier and Cabinet                                 | 0  | 1  | 6   | <b>7</b>     |
| Department of Transport   | 0  | 18                                       | 30  | <b>48</b>    |
| Eastern Health  | 0  | 2  | 3   | <b>5</b>     |
| Emergency Services Telecommunications Authority                   | 0  | 0  | 2   | <b>2</b>     |
| Environment Protection Authority                                  | 0  | 1  | 4   | <b>5</b>     |
| Fire Rescue Victoria  | 0  | 0  | 1   | <b>1</b>     |
| Frankston City Council  | 0  | 1  | 0   | <b>1</b>     |
| Game Management Authority   | 0  | 1  | 1   | <b>2</b>     |
| Glen Eira City Council  | 0  | 0  | 3   | <b>3</b>     |
| Goulburn-Murray Rural Water Corporation t/a Goulburn-Murray Water | 0  | 1  | 0   | <b>1</b>     |
| Greater Shepparton City Council                                   | 0  | 2  | 2   | <b>4</b>     |
| Greater Western Water Corporation                                 | 0  | 3  | 1   | <b>4</b>     |
| Greyhound Racing Victoria   | 0  | 1  | 0   | <b>1</b>     |
| Hepburn Shire Council   | 0  | 1  | 1   | <b>2</b>     |
| Heritage Council of Victoria                                      | 0  | 0  | 2   | <b>2</b>     |
| Hobsons Bay City Council  | 0  | 1  | 0   | <b>1</b>     |
| Horsham Rural City Council  | 0  | 0  | 1   | <b>1</b>     |
| Hume City Council   | 0  | 2  | 4   | <b>6</b>     |
| Indigo Shire Council  | 0  | 0  | 1   | <b>1</b>     |
| Kingston City Council   | 1  | 1  | 2   | <b>4</b>     |
| La Trobe University   | 0  | 0  | 1   | <b>1</b>     |
| Latrobe City Council  | 0  | 0  | 1   | <b>1</b>     |
| Macedon Ranges Shire Council                                      | 0  | 1  | 1   | <b>2</b>     |
| Major Transport Infrastructure Authority                          | 0  | 5  | 5   | <b>10</b>    |
| Maribyrnong City Council  | 0  | 0  | 2   | <b>2</b>     |
| Melbourne Convention and Exhibition Trust                         | 0  | 1  | 1   | <b>2</b>     |
| Melbourne Health  | 0  | 1  | 3   | <b>4</b>     |
| Minister for Agriculture  | 0  | 0  | 1   | <b>1</b>     |
| Minister for Consumer Affairs, Gaming and Liquor Regulation       | 0  | 0  | 1   | <b>1</b>     |

## 4 Freedom of Information

| <b>Agency</b>                              | <b><i>Complaint<br/>not in<br/>jurisdiction</i></b> | <b><i>Dismissed<br/>or not<br/>accepted</i></b> | <b><i>Withdrawn<br/>or resolved<br/>informally</i></b> | <b>Total</b> |
|--|---|---|--|--------------|
| Minister for Emergency Services            | 0   | 0   | 1  | <b>1</b>     |
| Minister for Health                        | 0   | 1   | 1  | <b>2</b>     |
| Minister for Industry Support and Recovery | 0   | 0   | 1  | <b>1</b>     |
| Minister for Racing                        | 0   | 0   | 1  | <b>1</b>     |
| Minister for Transport Infrastructure      | 0   | 0   | 1  | <b>1</b>     |
| Monash Health                              | 0   | 2   | 2  | <b>4</b>     |
| Monash University                          | 0   | 1   | 1  | <b>2</b>     |
| Moorabool Shire Council                    | 0   | 0   | 7  | <b>7</b>     |
| Mount Hotham Resort Management Board       | 0   | 0   | 1  | <b>1</b>     |
| Moyne Shire Council                        | 0   | 2   | 0  | <b>2</b>     |
| Municipal Association of Victoria          | 0   | 0   | 1  | <b>1</b>     |
| Northern Health                            | 0   | 2   | 1  | <b>3</b>     |
| Parks Victoria                             | 0   | 1   | 1  | <b>2</b>     |
| Peninsula Health                           | 0   | 1   | 1  | <b>2</b>     |
| Peter MacCallum Cancer Centre              | 0   | 0   | 1  | <b>1</b>     |
| Premier of Victoria                        | 0   | 2   | 1  | <b>3</b>     |
| Racing Victoria Limited                    | 0   | 1   | 1  | <b>2</b>     |
| RSPCA (Victoria)                           | 0   | 0   | 1  | <b>1</b>     |
| South Gippsland Shire Council              | 0   | 2   | 2  | <b>4</b>     |
| St Vincent's Health                        | 0   | 1   | 1  | <b>2</b>     |
| State Revenue Office                       | 0   | 1   | 0  | <b>1</b>     |
| Strathbogie Shire Council                  | 0   | 1   | 0  | <b>1</b>     |
| Surf Coast Shire Council                   | 0   | 0   | 1  | <b>1</b>     |
| Swinburne University of Technology         | 0   | 5   | 1  | <b>6</b>     |
| The Royal Children's Hospital              | 1   | 0   | 2  | <b>3</b>     |
| Towong Shire Council                       | 0   | 0   | 1  | <b>1</b>     |
| Transport Accident Commission              | 0   | 3   | 1  | <b>4</b>     |
| University of Melbourne                    | 0   | 0   | 3  | <b>3</b>     |
| V/Line Corporation                         | 0   | 0   | 1  | <b>1</b>     |
| VicForests                                 | 0   | 1   | 3  | <b>4</b>     |

| <b>Agency</b>                      | <b><i>Complaint<br/>not in<br/>jurisdiction</i></b> | <b><i>Dismissed<br/>or not<br/>accepted</i></b> | <b><i>Withdrawn<br/>or resolved<br/>informally</i></b> | <b><i>Total</i></b> |
|------------------------------------|---|---|--|---------------------|
| Victoria Police                    | 0   | 125   | 162  | <b>287</b>          |
| Victorian Auditor-General's Office | 0   | 0   | 1  | <b>1</b>            |
| Victorian Building Authority       | 0   | 2   | 3  | <b>5</b>            |
| Victorian Institute of Teaching    | 0   | 4   | 1  | <b>5</b>            |
| Victorian Ombudsman                | 0   | 2   | 1  | <b>3</b>            |
| Victorian Public Sector Commission | 0   | 0   | 1  | <b>1</b>            |
| Victorian WorkCover Authority      | 0   | 5   | 7  | <b>12</b>           |
| Western Health                     | 0   | 0   | 2  | <b>2</b>            |
| Whittlesea City Council            | 0   | 1   | 0  | <b>1</b>            |
| Wimmera Health Care Group          | 0   | 0   | 1  | <b>1</b>            |
| Yarra Ranges Shire Council         | 0   | 5   | 2  | <b>7</b>            |
| Yarra Valley Water Corporation     | 0   | 0   | 3  | <b>3</b>            |
| Yarram and District Health Service | 0   | 0   | 1  | <b>1</b>            |
| Not subject to the FOI Act         | 2   | 0   | 1  | <b>3</b>            |
| <b>Total</b>                       | <b>5</b>  | <b>278</b>                                      | <b>478</b>   | <b>791</b>          |

# Professional Standards

Under Part IB of the FOI Act, the Information Commissioner has the power to develop Professional Standards relating to the conduct of agencies and the administration of the FOI Act. The Professional Standards commenced operation on 2 December 2019. There are 33 Standards based on 10 themes, which are binding and apply to Victorian government agencies subject to the FOI Act.

The purpose of the Professional Standards is to ensure agencies administer the FOI Act consistently with:

- the object of the FOI Act – to extend as far as possible the right of the community to access information in the possession of an agency subject to the Act; and
- Parliament's intention – that the provisions of the FOI Act are interpreted to further its object and any discretions conferred by the FOI Act are exercised as far as possible to facilitate and promote the prompt disclosure of information at the lowest reasonable cost.

The Professional Standards aim to improve communication between agencies and applicants, ensure applications are processed in a timely manner, provide clarity to certain provisions in the FOI Act, and ensure the Act is given a modern interpretation, both in practice and process.

In 2021-22, the most common Professional Standards engagements concerned Theme 2, 8 and 10:

- Theme 2 concerns an agency receiving an FOI request. Standard 2.4 prescribes an agency that receives a request that is not valid must take reasonable steps to notify an applicant within 21 days of receiving the request why the request is not valid, provide reasonable assistance and advise the request may be refused;

- Theme 8 concerns decisions and reasons for decision. Standard 8.2 requires an agency to explain its reasons why an exemption or exception applies and to address each limb of an exemption or exception;

- Standard 8.4a concerns a written decision for a document or documents that cannot be located or do not exist. An agency's decision must summarise the document searches undertaken and may include the locations searched, method or types of searches undertaken and key word search terms used;

- Under Standard 8.4b an agency must explain in its decision why a requested document does not exist or cannot be located; and

- Theme 10 concerns working with the Information Commissioner. Standard 10.3 prescribes an agency must respond to a request for documents by, or on behalf of, a Commissioner within requested or agreed timeframes.

## Professional Standards complaints

Professional Standards complaints can be made to OVIC by an applicant or complainant, an agency by way of self-reporting, or identified by OVIC during the handling of an enquiry, review application or complaint.

During 2021-22, the impact of the COVID-19 pandemic presented challenges to agencies in meeting their obligations under the Professional Standards. OVIC supported agencies by taking a flexible approach to enforcement under the FOI Act, in particular to minor breaches attributable to the impact of the COVID-19 pandemic.

OVIC also monitors agency practices under the FOI Act through the receipt of review applications and complaints, data collected as part of agencies' annual report survey responses, and the Information Commissioner's own motion investigation powers under Part VIB of the FOI Act.

## Non-compliance with the Professional Standards

Professional Standards are 'engaged' when potential or actual instances of non-compliance are identified and recorded.

Where we need more information about an engagement, we will make preliminary enquiries with the agency and the applicant or complainant.

Where non-compliance is established, OVIC considers the nature and extent of the breach and determines what action, if any, to take.

In accordance with OVIC's Professional Standards Framework, procedural fairness is afforded to an agency by providing them with an opportunity to respond to a proposed finding or action to be taken in relation to a breach.

OVIC uses a range of mechanisms to promote and enforce agency compliance with the Professional Standards. This includes providing advice and training to agencies on the administration and operation of the FOI Act and taking action against an agency where there is a breach of the Professional Standards. OVIC's approach to taking action depends on the nature and seriousness of the breach.

## Professional Standard outcomes

OVIC will generally take educational and informal action to resolve minor or technical instances of non-compliance.

Educational or informal action may involve OVIC:

- engaging with FOI practitioners to educate and support them in meeting their Professional Standards obligations. For example, OVIC may meet with an FOI practitioner to discuss the breach, how it could have been avoided, and how to avoid it in the future;
- requesting that an agency participate in an educational activity, such as completing the Professional Standards Self-Assessment Tool or referring them to OVIC's online resources;
- requesting evidence from the agency to show how it intends to comply with the Professional Standards in the future. For example, a policy, procedure or template letter;
- writing to an FOI practitioner about the breach and asking them for a response or written submission to explain how the breach happened;
- addressing breaches of the Professional Standards in the covering letter of a Notice of Decision to an agency. For example, to remind the agency of their obligations under the Professional Standards; and/or
- monitoring the agency's compliance with the Professional Standards for a period of time.

OVIC may take formal action in response to a significant, persistent or systemic breach of the Professional Standards. Formal action may involve OVIC contacting the agency's principal officer to notify them of the breach and providing them an opportunity to respond to the information.

## Case study

### Breach of Standard 5.1

OVIC accepted a complaint under section 61A(1) of the FOI Act from a member of the public in relation to the handling by a local Council of an applicant's FOI request. In dealing with the complaint, OVIC identified a Professional Standard engagement in relation to Standard 5.1.

Standard 5.1 provides:

An agency must take reasonable steps to notify an applicant under section 25A(6) of the Act of its intention to refuse a request under section 25A(1) within 21 days of receiving a valid request.

OVIC informed the Council and requested it provide a written submission explaining its handling of the complainant's FOI request and possible non-compliance with Standard 5.1. The Council provided OVIC with a written submission that challenged the Information Commissioner's complaint jurisdiction under the FOI Act.

OVIC advised the Council that it proposed to make a finding that its handling of the complainant's FOI request breached Standard 5.1 and repeated its request for a written submission explaining its handling of the complainant's FOI request.

The Council provided OVIC with a written submission and repeated its challenge to the Information Commissioner's complaint jurisdiction under the FOI Act.

OVIC wrote to the Council noting that it was satisfied the complaint raised concerns regarding its handling of the complainant's FOI request, including its delay in notifying the applicant under section 25A(6) of the FOI Act of its intention to refuse the request, which is regulated by Standard 5.1.

The Public Access Deputy Commissioner made the following finding and recorded a breach of Standard 5.1 against the Council:

***The Council failed to comply with Standard 5.1 by failing to notify the applicant of its intention to refuse the applicant's FOI request until 189 days after accepting the request as valid under section 17 of the FOI Act.***

In addition, the Deputy Commissioner recommended the Council take the following actions to address its non-compliance with the Professional Standards:

- review its processes and procedures regarding the timely processing of FOI requests and providing notification to applicants to ensure the Council complies with Standard 5.1 and the operation of sections 25A(1) and 25A(6) of the FOI Act; and
- complete OVIC's Professional Standards Agency Self-Assessment tool and report the outcome of the self-assessment to OVIC within three months.

# Case study

## Breach of Standard 2.4

OVIC accepted a complaint under section 61A(1) of the FOI Act from a member of the public in relation to the handling of their FOI request by the agency. As part of their complaint, the applicant raised a Professional Standards engagement in relation to Standard 2.4.

Standard 2.4 provides:

An agency that receives a request that is not valid, must take reasonable steps to notify the applicant of the following information within 21 days of receiving the request:

- (a) why the request is not valid;
- (b) provide reasonable assistance or advice to the applicant about how to make the request valid; and
- (c) advise the applicant that the agency may refuse to comply with the request if it does not comply with section 17 of the Act.

The applicant raised concerns that they had provided a copy of their healthcare card as part of their FOI request and the agency did not request payment of the application fee until four months after the request had been made.

OVIC informed the agency and requested a submission that outlined the timeline for the handling of the applicant's FOI request in the context of Standard 2.4.

The agency submitted that there was no clear request for a fee waiver and the delay in processing of the FOI request was due to the applicant's lack of response to the agency's requests for clarification.

OVIC noted that there were substantial delays by the agency in responding to the applicant's clarification attempts. In relation to the agency's request for payment of the application fee, OVIC made the following finding and recorded a breach of Standard 2.4 against the agency:

***...the delay in raising this issue until [date], over 4 months after the FOI request, is a breach of Standard 2.4.***

In addition, OVIC took the following actions to address its non-compliance with the Professional Standards:

- monitoring the agency's compliance with its obligations under the Professional Standards and will discuss any future Professional Standard engagements through regular stakeholder meetings with the agency; and
- encouraging the agency to utilise the resources available on OVIC's website relating to the Professional Standards, including the Self-Assessment tool which allows agencies to measure their adherence to, and compliance

## 4 Freedom of Information

### Professional Standards Self-Assessment tool

The Professional Standards Self-Assessment tool (**the Self-Assessment tool**) was designed to assist agencies in evaluating their compliance with the Professional Standards. It also allows agencies to identify and develop strategies to improve their FOI practices.

The Self-Assessment tool is an interactive document consisting of 91 statements, across the 10 themes.

When completing the Self-Assessment tool, FOI practitioners have a choice of four responses for each statement. Responses to the initial self-assessment can be used as a starting point or benchmark to identify how current processes could be improved to satisfy obligations under the Professional Standards.

The Self-Assessment tool also includes useful links to OVIC's guidance material.

Agencies are encouraged to complete the Self-Assessment tool several times per year and use the results to track improvements and maturity of FOI processes.

## Key projects

### State of FOI in Victoria – special report

In April 2022, OVIC published a special report on the State of FOI in Victoria: A Special Look at FOI in Victoria from 2019 to 2021. The report reviewed three years of FOI data and analysed the impact of the COVID-19 pandemic on the public's right to access information.

The data shows that the COVID-19 pandemic exacerbated existing challenges in administering the FOI Act. The report aims to highlight how information rights can be better promoted and protected during times of crisis and recommends that agencies:

- appropriately resource their FOI and information access functions;
- be open by design through proactive and informal release;
- take a customer service approach to FOI;
- design new systems and processes with transparency in mind; and
- utilise OVIC's guidance and resources.

### Professional Standards Framework

In 2021-22, OVIC developed and published the Professional Standards Framework to inform agencies and the public about how OVIC identifies, records and monitors agency compliance with the Professional Standards. The Framework outlines OVIC's procedures for handling Professional Standard compliance matters.

### Agency FOI Information Service

In 2021-22, OVIC's Agency FOI Information Service received 106 enquiries. The service operates via email and provides agencies with free advice and guidance on the administration and operation of the FOI Act and the Professional Standards.

### Publication of review decisions

Since 2019, OVIC has published de-identified notices of decision to improve public and agency awareness of the administration and operation of the FOI Act. Notices of decision are published on the OVIC and Australasian Legal Information Institute (**AustLII**) websites after a Commissioner's decision is issued to the applicant and agency or Minister.

As at 30 June 2022, we have published 515 decisions and the Victorian Information Commissioner AustLII webpage has been accessed over 15,250 times in the last 12 months.



## Providing redacted review documents to agencies

In 2021-22, to assist agencies in giving effect to notices of decision, we explored options for providing agencies with a marked-up copy of documents subject to a review showing any information to be released or exempt and irrelevant information.

In 2022-23, we will commence providing agencies and Ministers with a marked-up copy of review documents when issuing a notice of decision showing relevant redactions on a case-by-case basis.

This initiative will benefit both agencies and applicants by streamlining the process of preparing documents for release following a review decision made by a Commissioner resulting in more timely release of information to applicants.

## Complaint guidance

In 2021-22, OVIC reviewed, updated and simplified our website guidance and information on making and the handling of complaints.

# Key policy initiatives

## FOI Guidelines

In 2020-21, OVIC commenced development of the FOI Guidelines (**Guidelines**). The Guidelines include:

- commentary on each section of the FOI Act;
- case study examples;
- relevant Court, Tribunal and OVIC decisions;
- links to other resources such as OVIC's FOI templates; and
- relevant FOI Professional Standards.

The Guidelines aim to enhance agency FOI practice and to promote understanding of the FOI Act consistent with the object of the Act.

In 2021-22, OVIC commenced public consultation on draft content including Part IA – Office of the Victorian Information Commissioner, Part IB – Professional Standards, Part II – Publication of certain documents and information, Part III – Access to documents, and Part I – Preliminary. Consultation for each part was open for a minimum of four weeks, and OVIC encouraged submissions from across the VPS and other stakeholders.

OVIC will continue to consult on draft content and begin publishing final content in stages in 2022-23.

## Proactive and informal release and behavioural change

OVIC recognises the importance of the proactive and informal release of information to promote transparency, accountability, and open government.

In 2020-21, OVIC engaged an external consultant to seek feedback from VPS agencies and regulators from other Australian and New Zealand jurisdictions. Following this, OVIC published an action plan for proactive and informal release in its paper Enhancing Victoria's FOI culture to be open by design.

In 2021-22, OVIC completed Phase 1 of the action plan for proactive and informal release, which included developing and updating resources for both agencies and the public. In 2022, we published six resources as part of the project.

In 2022-23, OVIC will develop a series of training sessions on topics relating to proactive and informal release, and new material to introduce VPS employees to Victoria's information access system.

## 4 Freedom of Information

### Monash University – culture of FOI research

In 2020-21, Monash University made a successful application to the Australian Research Council to conduct research into the culture of administering FOI. The Office of the Information Commissioner – Western Australia, the South Australian Ombudsman and OVIC are supporting Monash University to undertake this study.

In 2021-22, the study commenced gathering insights from a broad range of agencies, statutory authorities, and government departments in each jurisdiction.

The aims of the research are to:

- capture and analyse how FOI officers view information access and the factors that shape their attitudes towards implementing FOI;
- determine the factors that play a key role in building FOI culture within agencies;
- identify and develop practical measures that can be implemented by regulators to improve FOI cultures; and
- identify any additional measures that may be required to improve the interface between records management and FOI practice.

In particular, the insights gathered from the Victorian portion of this research will:

- assist OVIC to gain a deeper understanding of the culture of FOI in the VPS;
- enable the development of education and awareness programs to help agencies enhance their administration of the Act; and
- contribute to the future direction of Victoria's information access system.

# Stakeholder engagement

## 13th International Conference of Information Commissioners

OVIC is a member of the International Conference of Information Commissioners (**ICIC**). The ICIC includes Information Commissioners and Ombudsmen from around the world who meet annually to discuss the protection and promotion of the right to public information for the benefit of citizens.

In June 2022, the Information Commissioner, Public Access Deputy Commissioner and OVIC staff attended the 13th ICIC virtually, which was hosted by the National Institute for Transparency, Access to Information and Personal Data Protection of Mexico.

## Association of Information Access Commissioners

In September 2021 and April 2022, the Information Commissioner and Public Access Deputy Commissioner attended meetings of the Association of Information Access Commissioners (**AIAC**). Typically, the bi-annual meeting is attended by Information Commissioners and Ombudsmen in person from across Australia and New Zealand. However, due to the COVID-19 pandemic, the September 2021 meeting, which was hosted by the Western Australian Information Commissioner, proceeded virtually, while the April 2022 meeting was held in person in Sydney, New South Wales.

## International Access to Information Day 2021

Every year on 28 September, OVIC celebrates International Access to Information Day (**IAID**) to raise awareness of the importance of open and accountable government and the community's right to access government information. In 2021, OVIC celebrated IAID over one week, exploring the theme: Open by design.

Activities included:

- a launch event featuring an address from Information Commissioner Sven Bluemmel highlighting the importance of information access to democracy and to an open and accountable government;
- a panel discussion hosted by Information Governance ANZ with the Information and Privacy Commission, New South Wales on opening government – contemporary opportunities and challenges;
- a special Information Access Series webinar featuring a panel discussion on OVIC's research into the culture of administering FOI in Victoria and creating behavioural change to promote and enhance proactive and informal release of information;
- two Lightning Talks on how to make a good FOI request, and OVIC's role in promoting information access through the FOI Act; and
- the promotion of animations for individuals on how to access to information, making an FOI request and requesting changes to personal information held by an agency.

## Public Access Agency Reference Group

The Public Access Agency Reference Group is comprised of representatives from across the Victorian public sector. Meetings are held quarterly and are an opportunity for OVIC to engage with agencies about OVIC's work and agencies' experiences, operating environments and ideas regarding the operation and administration of the FOI Act by Victorian public sector agencies.

In 2021-22, the Reference Group discussed increasing FOI workloads, recruitment and resourcing, ongoing challenges with remote work arrangements due to the COVID-19 pandemic, return-to-office arrangements, OVIC's education and training activities and other OVIC initiatives.

## 4 Freedom of Information

The Reference Group is an important forum that informs OVIC's initiatives to support agencies in administering the FOI Act. Minutes from Reference Group meetings are published on OVIC's website.

### Victorian FOI Regional Roadshows

In 2021-22, OVIC continued its focus on engaging rural and regional stakeholders by hosting two virtual roadshows including one focused on FOI for the North East region and a joint privacy and FOI roadshow on how FOI and privacy can both improve trust in government. These roadshows were targeted at local government, public health service providers and were attended by over 85 participants.

### Information Access Series

OVIC hosts regular virtual Information Access Series (**IAS**) webinars for Victorian FOI practitioners to promote best practice in FOI. In 2021-22, over 780 stakeholders attended IAS webinars. Recordings and presentation slides were published on OVIC's website after most webinars making them accessible to FOI practitioners and members of the public. IAS webinars in 2021-22 focused on:

- The special report into the State of FOI in Victoria: 2019-2021;
- Sections 25A(1), 25A(5) and 25 of the FOI Act;
- The FOI processing stages – including clarification and searching;
- Health and medical information;
- Breaking down the culture of FOI;
- Plain English writing for FOI practitioners;
- How to identify and manage vicarious trauma; and
- FOI in 2021 – an annual review of key published OVIC decisions and FOI matters determined by other jurisdictions.

In 2021-22, we also delivered information sessions to assist members of the public in understanding their access to information rights on:

- OVIC's role in promoting information access through the FOI Act; and
- What makes a good FOI request?

### Animations

In 2021-22, the suite of animations OVIC developed aim to promote understanding and acceptance of the FOI Act to members of the public, included:

- How to make an FOI request;
- Requesting a review;
- How to make an FOI complaint;
- Accessing your health records;
- Requesting amendments to your information; and
- Tips for making your FOI request.

In 2021-22, the highest viewed animation was how to make an FOI request, which received 733 views.



## Presentations

In 2021-22, the Information Commissioner and Public Access Deputy Commissioner participated in the following presentations:

- the Victorian Integrity and Oversight Panel at the Australian Study of Parliament Group Conference. The conference theme was parliamentary transparency, checks and balances;
- an Information Governance ANZ webinar on opening government, contemporary opportunities and challenges;
- appearance before a public hearing of the Victorian Parliament Pandemic Accountability and Oversight Committee review of pandemic orders; and
- appearance before a public hearing of the Victorian Parliament Integrity and Oversight Committee inquiry into witness welfare.
- an update to our practice note on proactive release of information to include examples and the benefits of proactive release, along with further information on how to support a culture of proactive release within agencies;
- an update to our practice note on informal release of information to include circumstances where informal release can be relevant, detailing the benefits of informal release, and further information on how to support a culture of informal release within agencies;
- an update to our checklist template for agencies processing an FOI request to include consideration of whether documents can be proactively or informally released outside the FOI Act;
- an update to our FOI request template for the public to include information on proactive and informal release, and what options an applicant might consider before making a formal FOI request;
- an update to our template letter for agencies on providing access to documents informally or via alternative means; and
- an update to our FOI training manual for agencies to include references to the Professional Standards and proactive and informal release of information.

## Guidance and publications

In 2021-22, we updated and published a range of guidance materials to support members of the public, agencies and Ministers including:

- an article titled, 'Using Transparency to Achieve Equality' published in the Law in Context Journal. The article examines government responses to the COVID-19 pandemic and promotes FOI as an important mechanism to challenge government decision making, and ultimately enhance the long-term health of our democracy;
- new guidance for the public on proactive and informal release, and how they can seek access to a document outside the FOI Act, where appropriate;

# 5

## Report on the operation of the FOI Act in Victoria

|     |  |
|-----|--|
| 99  | Government bodies covered by FOI         |
| 103 | The data                                 |
| 103 | Accuracy of data                         |
| 103 | The past five years                      |
| 103 | Requests and appeals                     |
| 105 | Sources of FOI requests                  |
| 106 | Timeliness of agency decision making     |
| 107 | Access decisions                         |
| 108 | Five years of access decisions by sector |
| 109 | Exemptions                               |
| 110 | Application fees and access charges      |
| 111 | Top 30 agencies                          |
| 112 | FOI administration                       |

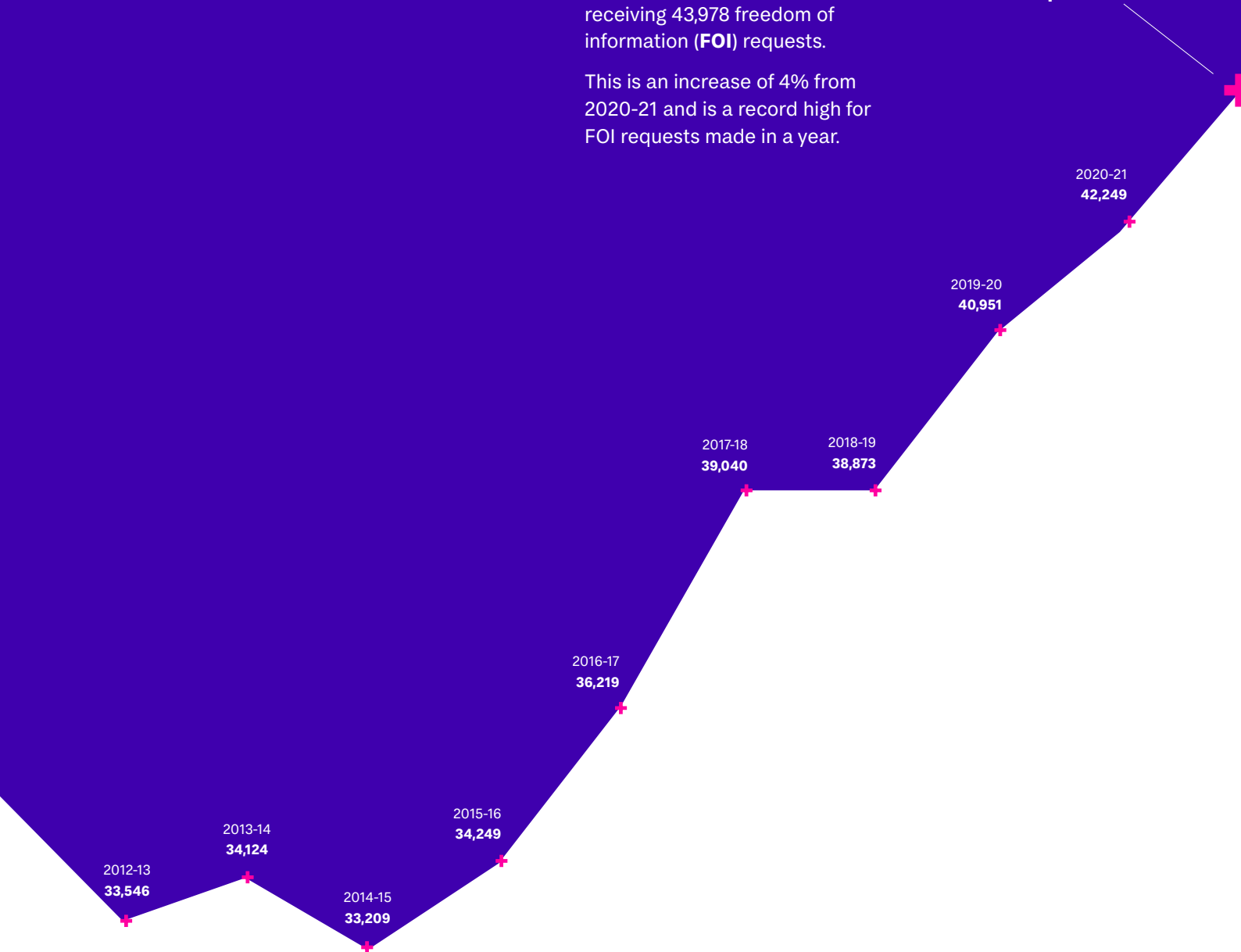
Section 64 of the *Freedom of Information Act 1982* (Vic) (**FOI Act**) requires the Information Commissioner to report on the operation of the FOI Act in Victoria.

#### Total FOI requests over ten years

In 2021-22, Victorian government agencies reported receiving 43,978 freedom of information (**FOI**) requests.

This is an increase of 4% from 2020-21 and is a record high for FOI requests made in a year.

2021-22  
**43,978**  
FOI requests



# Report on the operation of the FOI Act in Victoria

## Government bodies covered by FOI

The FOI Act provides the right to apply for access to documents held by the wide range of agencies<sup>2</sup> listed in this report, including departments, local councils, most semi-government agencies and statutory authorities, public hospitals, universities, and TAFE colleges.

each agency. Agencies are responsible for the accuracy of the data provided as it reflects the information held and reported by the agencies. Any discrepancies or queries regarding the data provided by an agency should be directed to the relevant agency in the first instance.

## The data

The information contained in this section was collated from data provided by approximately 1,000 agencies that are subject to the FOI Act. This data is provided through an electronic survey which ensures that all the information required in this report under section 64 of the FOI Act is provided on a uniform basis.

All agencies completed the survey for 2021-22.

The Information Commissioner thanks agencies for completing the survey and for their cooperation in providing the information contained in this section.

The data relates to FOI requests that met the definition of a request, pursuant to section 17 of the FOI Act. Section 17 of the FOI Act requires that an FOI request be made in writing, provide sufficient information to enable the identification of the document sought and be accompanied by the required fee, unless the application fee is waived or reduced in specific circumstances.

## Accuracy of data

All data reported in this section and in the appendices relates to agency FOI matters, and has been identified, collated, and reported by

## The past five years

This report includes an analysis of five years' worth of data, to identify trends and act as a benchmark for future reports. As more data is collected in future years, we will be able to assess if improvements have occurred over time.

## Requests and appeals

The number of FOI requests reported in 2021-22 was 43,978. This is an increase of 4% from 2020-21 and is a record high for FOI requests made in a year.

Agencies also reported 5,838 FOI requests outstanding at 30 June 2021. This is a decrease when compared to the 6,064 outstanding FOI requests reported in 2020-21.

Agencies reported that 191 appeals to the Victorian Civil and Administrative Tribunal (**VCAT**) were lodged in 2021-22. Of the 38 cases decided by VCAT, agency decisions were affirmed in full in 30 cases. It was also reported that VCAT varied agency decisions in 8 cases and it did not overturn any agency decisions. Agencies reported that 91 appeals were withdrawn.

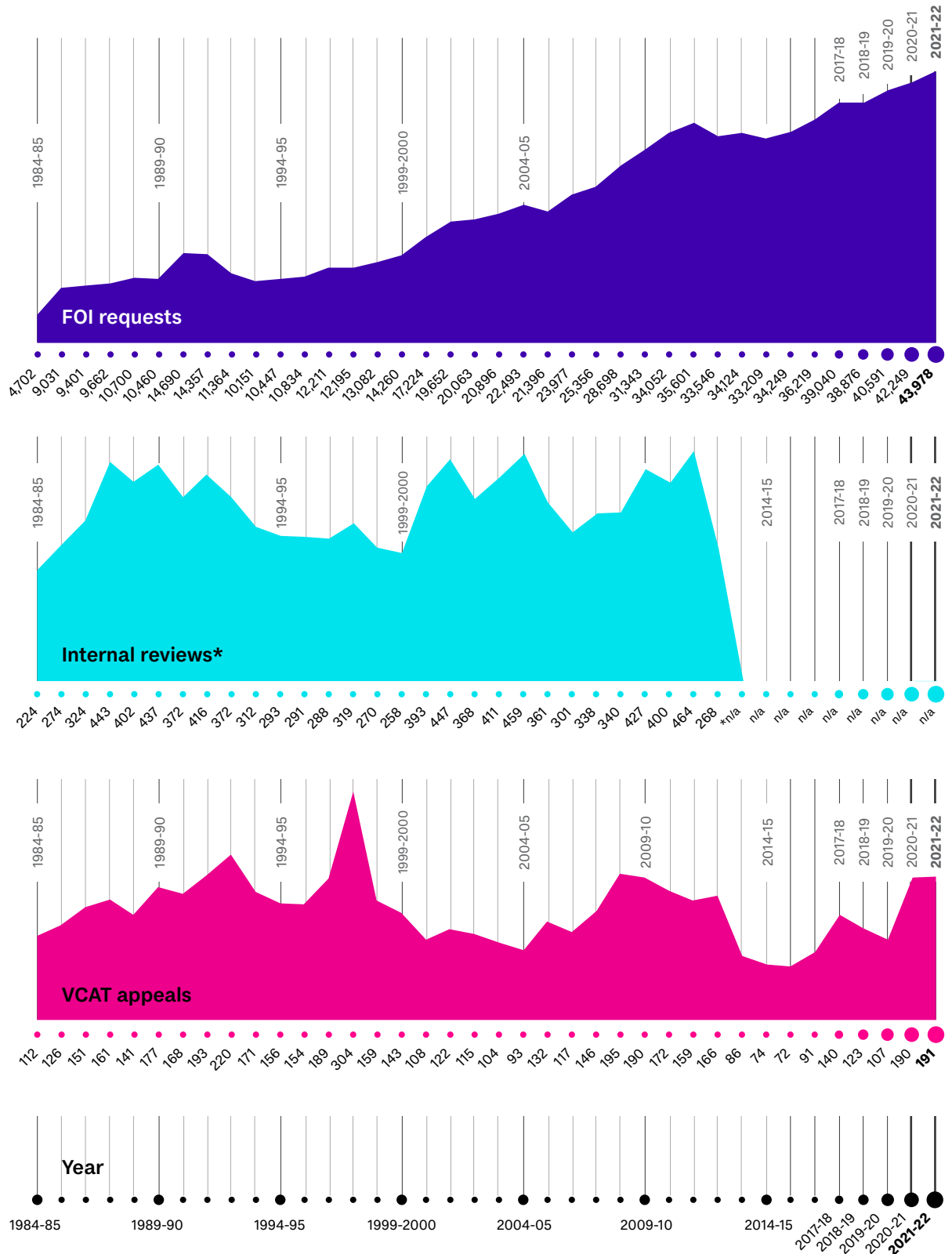
This data may vary from the actual data held by VCAT, as the source for the data in this report is the agency.

<sup>2</sup> The term 'agency/agencies' includes Ministers.



## Number of requests, internal reviews and appeals reported by agencies

\*Internal reviews ceased in 2013-14 and are listed n/a

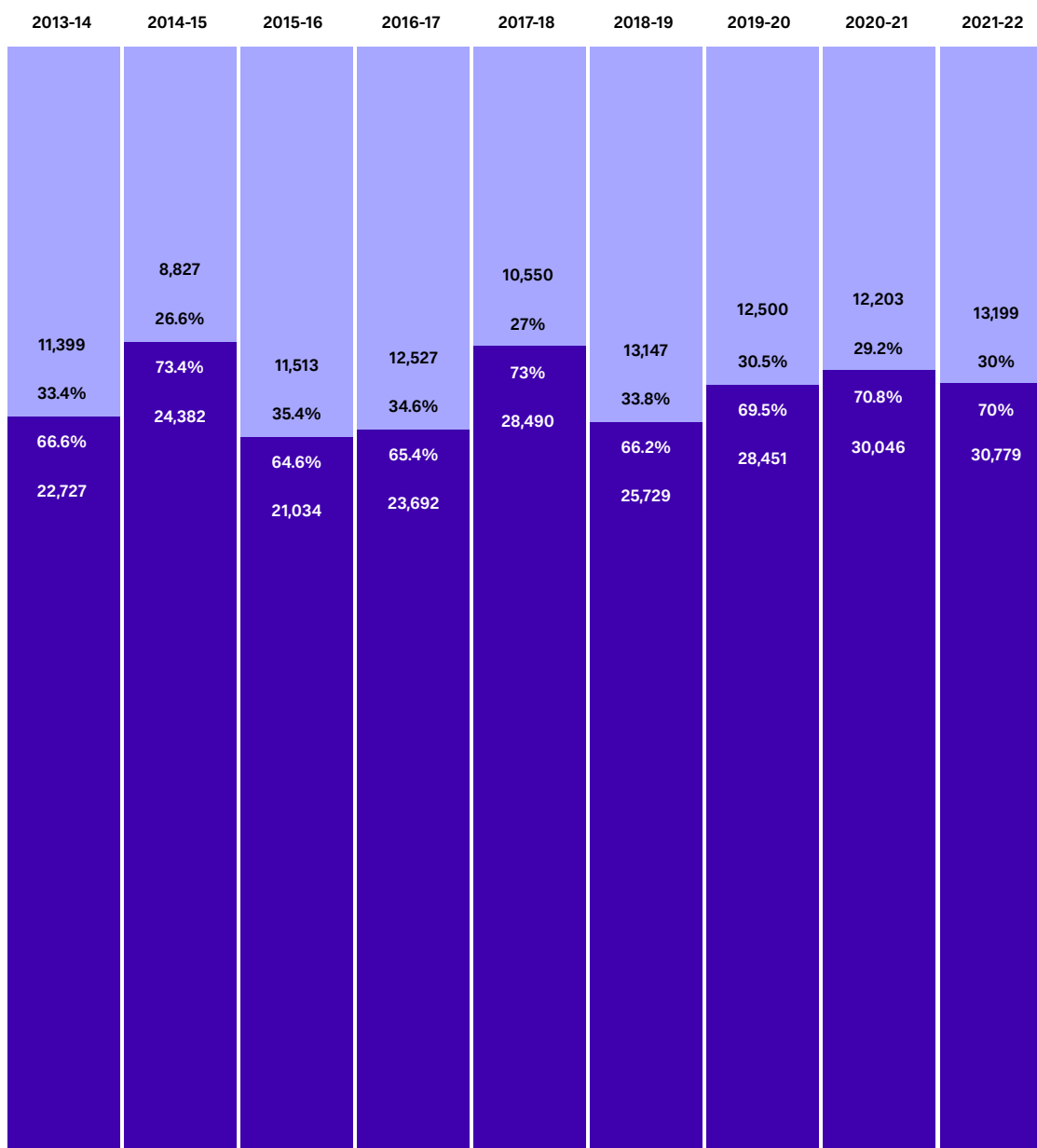


## Sources of FOI requests

In 2021-22, personal requests (for information mainly relating to the applicants themselves) represented 70% of total requests received, while non-personal requests represented 30%. Non-personal requests include those made by Members of Parliament and the media.

### Types of FOI requests

- Non-personal
- Personal



## Timeliness of agency decision making

Section 21 of the FOI Act requires an agency to notify an applicant of a decision on an FOI request within 30 days. However, this time may be extended in two instances:

- a single extension of up to 15 days is available if the agency determines that consultation with third-parties is required under sections 29, 29A, 31, 31A, 33, 34 or 35 of the FOI Act; or
- an applicant may grant one or more extensions of up to 30 days at a time.

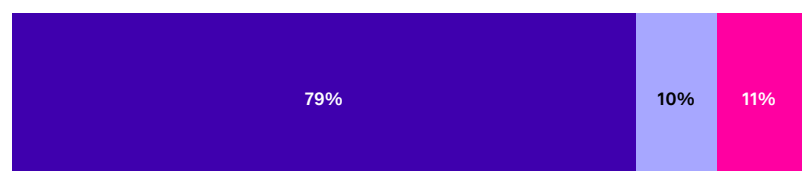
There are limited exceptions to how calendar days are calculated for responding to valid FOI requests:

- the processing period for unreasonably large FOI requests is suspended under section 25A of the FOI Act;
- if a deposit has been sought, the timeframe commences when the deposit has been paid under section 22(5) of the FOI Act; and
- if a deposit has been sought, the timeframe can be negotiated to reduce the charges under section 22(6) of the FOI Act.

Agencies reported that 79% of requests were processed within the requirements of section 21 in 2021-22. This has decreased from 79.3% last year.

Agencies also reported that 21% of requests were processed outside of the requirements of section 21. This has increased from 20.7% last year.

### Timeliness of total requests processed



|  |             |     |
|--|-------------|-----|
| Processed within the requirements of section 21 of the FOI Act                       | <div></div> | 79% |
| Processed outside the requirements of section 21 of the FOI Act by 45 days or less   | <div></div> | 10% |
| Processed outside the requirements of section 21 of the FOI Act by more than 45 days | <div></div> | 11% |

## Access decisions

The information provided by agencies about their access decisions does not include situations where a request was received and one of the following applied:

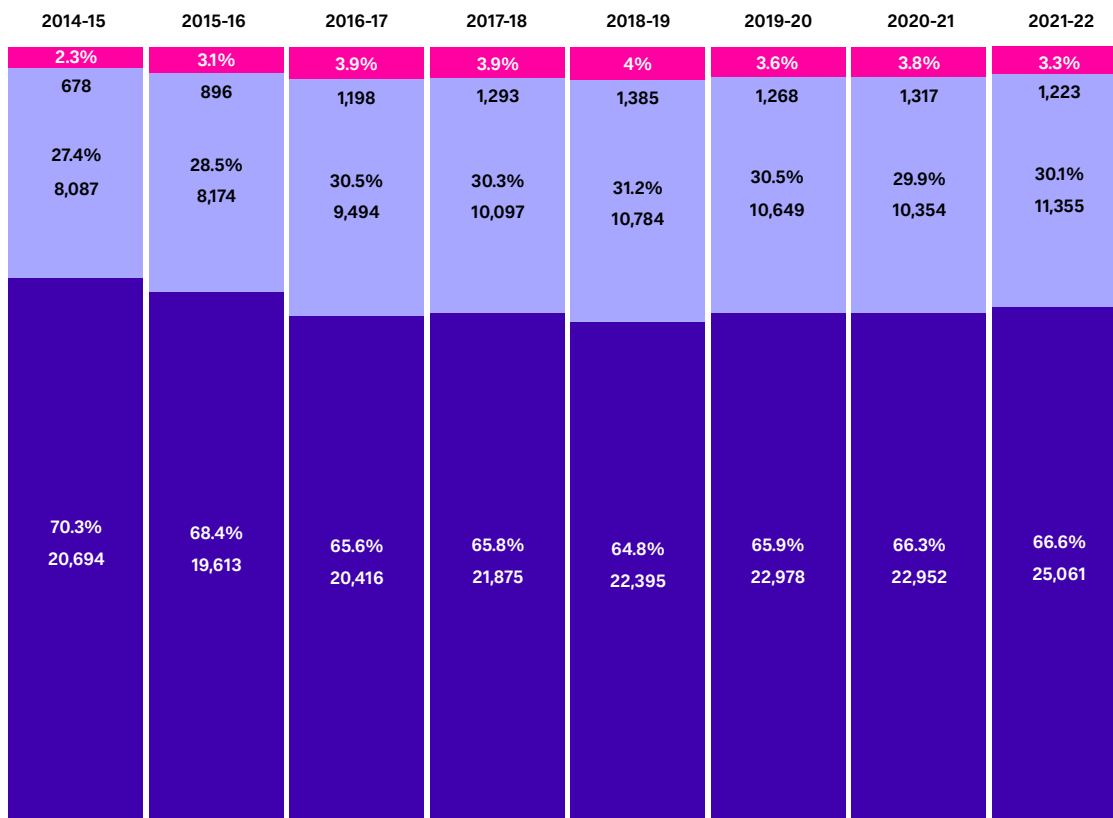
- the applicant did not proceed with the request;
- the request had not been decided at the end of the 2021-22 reporting period;
- the agency did not hold the documents sought; and
- the agency and the applicant agreed on a form of access outside of the FOI process.

Analysis of the past five years on agency access decisions reveals:

- there is a yearly downward trend on the percentage of applications granted in full by Health sector agencies from 91.9% in 2017-18 to 88.2% in 2021-22;
- there is a general upward trend by the Government and Emergency sectors in the number of applications granted in full over the past 5 years; and
- The number of times exemptions claimed under S.38 and S.35 were record highs.

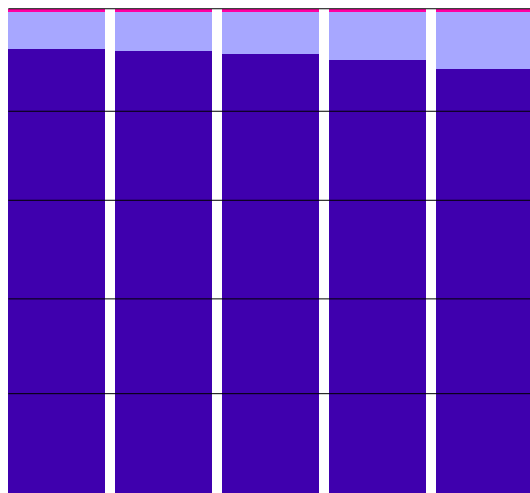
### FOI decisions for the past 5 years (percentage)

- Access denied
- Access granted in part
- Access granted in full



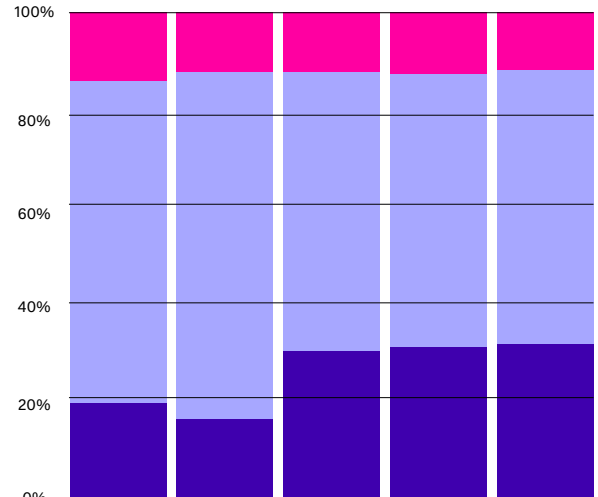
## Five years of access decisions by sector

### Health



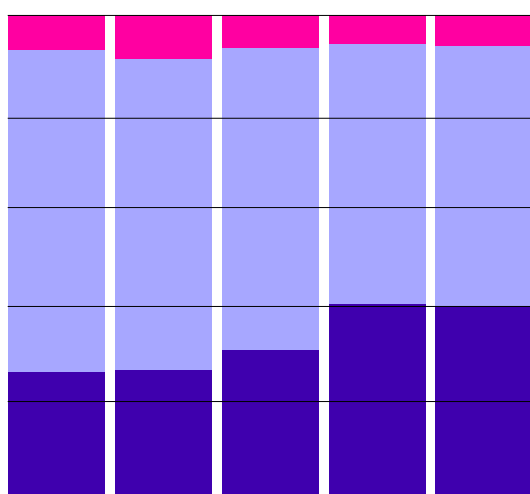
| Year          | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|---------------|---------|---------|---------|---------|---------|
| Full access   | 92%     | 91.8%   | 91%     | 90%     | 88.2%   |
| Part access   | 7.7%    | 7.8%    | 8.7%    | 9.6%    | 11.6%   |
| Access denied | 0.3%    | 0.4%    | 0.3%    | 0.4%    | 0.2%    |

### Government



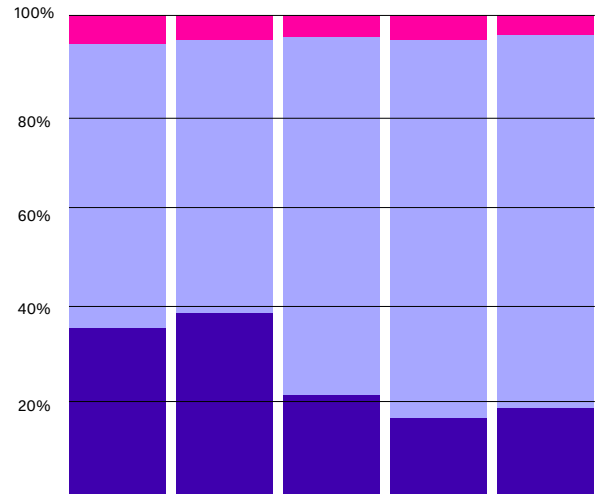
| Year          | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|---------------|---------|---------|---------|---------|---------|
| Full access   | 19.9%   | 16.7%   | 30.6%   | 31.4%   | 32.2%   |
| Part access   | 66.5%   | 71.2%   | 57.4%   | 56%     | 56.1%   |
| Access denied | 13.6%   | 12.1%   | 12%     | 12.6%   | 11.7%   |

### Emergency



| Year          | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|---------------|---------|---------|---------|---------|---------|
| Full access   | 26.7%   | 27%     | 30.9%   | 40.3%   | 40.4%   |
| Part access   | 66.3%   | 64%     | 62.4%   | 53.4%   | 54.1%   |
| Access denied | 7%      | 9%      | 6.7%    | 6.3%    | 5.5%    |

### Statutory Authority



| Year          | 2017-18 | 2018-19 | 2019-20 | 2020-21 | 2021-22 |
|---------------|---------|---------|---------|---------|---------|
| Full access   | 35.5%   | 38.7%   | 22.1%   | 17.1%   | 19.5%   |
| Part access   | 58.7%   | 56.4%   | 73.7%   | 78.2%   | 76.5%   |
| Access denied | 5.8%    | 4.9%    | 4.2%    | 4.7%    | 4%      |

# Exemptions

In 2021-22, agencies claimed that documents were exempt under a variety of provisions of the FOI Act.

The five most frequently claimed grounds for exemption in initial FOI decisions included (in order of most used to least used):

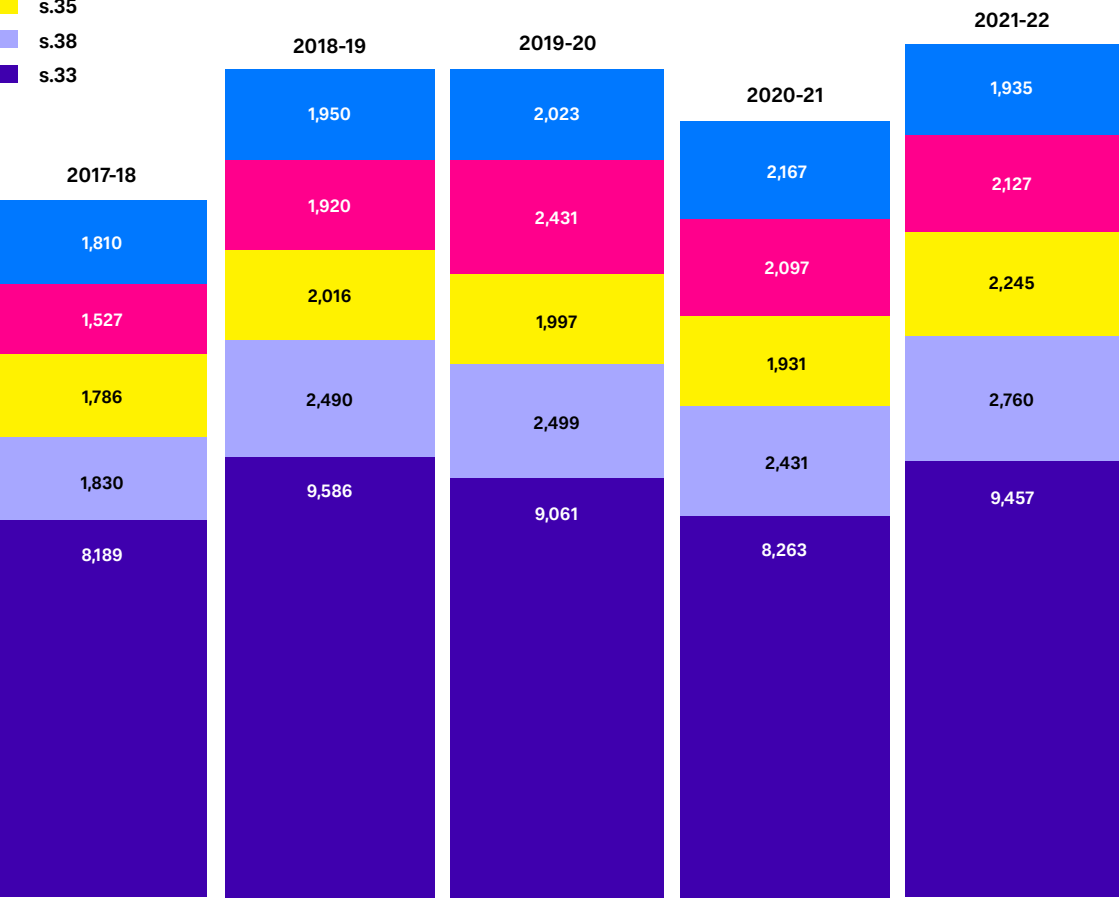
1. Section 33: the protection of an individual's personal affairs;
2. Section 38: where a secrecy or confidentiality provision of an Act other than the FOI Act applies to particular documents;

3. Section 35: information obtained in confidence;
4. Section 31: documents related to law enforcement activities; and
5. Section 30: internal working documents containing opinions, advice, or recommendations where it would not be in the public interest for those documents to be released.

The five most frequently claimed grounds for exemption account for around 88% of exemptions cited.

## Exemptions most commonly cited in original decision.

- s.30
- s.31
- s.35
- s.38
- s.33



All provisions cited in  
2021-22 decisions

| <b>Exemption</b> | <b>Original<br/>decisions</b> | <b>VCAT appeals</b> |
|------------------|-------------------------------|---------------------|
| s.23             | 7                             | 0                   |
| s.24(1)          | 1                             | 1                   |
| s.24A(1)         | 0                             | 0                   |
| s.25A(1)         | 402                           | 8                   |
| s.25A(5)         | 405                           | 3                   |
| s.28             | 281                           | 4                   |
| s.29             | 32                            | 0                   |
| s.29A            | 10                            | 0                   |
| s.29B            | 0                             | 0                   |
| s.30             | 1,935                         | 4                   |
| s.31             | 2,127                         | 2                   |
| s.31A            | 6                             | 0                   |
| s.32             | 889                           | 4                   |
| s.33             | 9,457                         | 20                  |
| s.34             | 476                           | 2                   |
| s.35             | 2,245                         | 5                   |
| s.36             | 20                            | 0                   |
| s.38             | 2,760                         | 1                   |
| s.38A            | 23                            | 0                   |
| <b>Total</b>     | <b>21,076</b>                 | <b>54</b>           |

■ The five most frequently claimed grounds for exemption account for around 88% of exemptions cited.

## Application fees and access charges

Costs associated with FOI comprise the application fee and access charges. Application fees were \$30.10 in 2021-22.

In 2021-22, agencies reported application fee revenue of \$974,343.82.

The FOI Act provides that agencies may waive or reduce an application fee if the payment of the fee would cause hardship to the applicant. Agencies reported that the total amount of application fees waived in 2021-22 was \$350,809.69.

Access charges are payable when a decision has been made to provide access in full or in part. Charges relate to the copying of documents, providing access in alternative forms, the supervision of access to documents, search costs and generating documents from electronic data.

Charges must be waived where the applicant is impecunious, and the request is for personal documents. The FOI Act also provides for other circumstances where access charges are not payable.

In 2021-22, agencies collected \$1,049,376.05 in access charges. The total amount of access charges waived was \$176,140.66.

## Top 30 agencies

The top 30 agencies received a total of 37,303 FOI requests in 2021-22.  
This accounts for approximately 85% of all requests received.

### Top 30 agencies\*

|    |  | Non-personal | Personal | Total        |
|----|--|--------------|----------|--------------|
| 1  | Victoria Police                              | 587          | 3,399    | <b>3,986</b> |
| 2  | Melbourne Health                             | 1,216        | 1,612    | <b>2,828</b> |
| 3  | Alfred Health                                | 1,103        | 1,611    | <b>2,714</b> |
| 4  | Ambulance Victoria                           | 8            | 2,625    | <b>2,633</b> |
| 5  | Monash Health                                | 1            | 2,104    | <b>2,105</b> |
| 6  | Transport Accident Commission                | 21           | 1,637    | <b>1,658</b> |
| 7  | Victorian WorkCover Authority (t/a WorkSafe) | 1,629        | 24       | <b>1,653</b> |
| 8  | Department of Transport                      | 1,391        | 193      | <b>1,584</b> |
| 9  | Eastern Health                               | 378          | 1,173    | <b>1,551</b> |
| 10 | Austin Health                                | 398          | 1,123    | <b>1,521</b> |
| 11 | Western Health                               | 2            | 1,499    | <b>1,501</b> |
| 12 | Department of Families, Fairness and Housing | 60           | 1,411    | <b>1,471</b> |
| 13 | Northern Health                              | 424          | 761      | <b>1,185</b> |
| 14 | Barwon Health                                | 277          | 763      | <b>1,040</b> |
| 15 | St Vincent's Health                          | 49           | 947      | <b>996</b>   |
| 16 | Department of Justice and Community Safety   | 66           | 907      | <b>973</b>   |
| 17 | Peninsula Health                             | 172          | 723      | <b>895</b>   |
| 18 | Grampians Health                             | 344          | 549      | <b>893</b>   |
| 19 | Mercy Hospitals Victoria Ltd                 | 0            | 781      | <b>781</b>   |
| 20 | Royal Children's Hospital                    | 306          | 431      | <b>737</b>   |
| 21 | Albury Wodonga Health                        | 0            | 599      | <b>599</b>   |
| 22 | Department of Education and Training         | 51           | 508      | <b>559</b>   |
| 23 | Fire Rescue Victoria                         | 559          | 0        | <b>559</b>   |
| 24 | Bendigo Health Care Group                    | 202          | 353      | <b>555</b>   |
| 25 | Department of Health                         | 243          | 234      | <b>477</b>   |
| 26 | Royal Women's Hospital                       | 1            | 405      | <b>406</b>   |
| 27 | Victorian Building Authority                 | 405          | 0        | <b>405</b>   |
| 28 | Latrobe Regional Hospital                    | 0            | 398      | <b>398</b>   |
| 29 | Goulburn Valley Health                       | 0            | 331      | <b>331</b>   |
| 30 | South West Healthcare                        | 1            | 308      | <b>309</b>   |



# FOI Administration

## Disciplinary action taken in relation to the administration of the FOI Act

Agencies reported that no disciplinary action was taken in relation to the administration of the FOI Act in 2021-22.

## Notices issued under section 12 of the FOI Act

A person, under section 12 of the FOI Act, may serve a Principal Officer of an agency (other than a council) a notice stating that, in the opinion of the person, a statement published by the Principal Officer does not specify a document which is required to be specified under the FOI Act. Agencies reported no section 12 notices were served in 2021-22.

## Reading rooms provided by agencies

Ninety-five agencies reported that they have reading room facilities available, or that a reading room could be made available if required.

These agencies also reported that a variety of documents are made available, including:

- policies and procedures relating to the agency's functions;
- operational reports;
- brochures and pamphlets;
- meeting agendas and minutes;
- annual reports and other financial or corporate information;
- photographs, videos and maps;
- public registers;
- applicant's own medical record;
- applicant's own personal records;
- website content; and
- social media platforms.

A physical reading room no longer appears to be needed by most agencies as an increasing amount of information is available on websites and through other electronic means.

## 5 Report on the operation of the FOI Act

### Difficulties in administering the FOI Act

#### **Consultation requirements**

Amendments to the FOI Act on 1 September 2017 introduced mandatory third-party consultation requirements when considering a range of exemptions under the FOI Act. Agencies continue to report that this process has increased their administrative workload significantly and has led to delays in finalising decisions due to the time it takes to receive consultation responses.

#### **Staffing and cost**

Only 10.3% of agencies advised of staffing or cost related difficulties in administering the FOI Act. As in previous years, difficulties reported by agencies included:

- meeting legislated timeframes with limited dedicated staff;
- re-assignment of staff due to COVID-19;
- costs recovered do not reflect the time and costs associated with processing requests;
- resourcing issues including an inability to recruit suitably skilled and knowledgeable FOI officers; and
- engagement of external lawyers and contractors to assist in meeting FOI obligations.

#### **Other issues**

Other administrative difficulties were reported by 9.8% of agencies on the application of the FOI Act.

Agencies reported the following factors impacted on their ability to administer the FOI Act:

- COVID-19 and the requirement for staff to work remotely, including a hindered ability to conduct search for hard copy documents;
- limits to current record keeping and IT systems adversely impacting the processing of FOI requests whilst working remotely;
- increasing FOI related workload due to growing number of FOI requests received and requests becoming more voluminous and complex; and
- the reduced timeframe to process requests, pursuant to legislative changes made to section 21 of the FOI Act on 1 September 2017.

## Efforts made by agencies to implement the spirit and intention of the FOI Act

Approximately 22.2% of agencies provided details on their efforts to implement the spirit and intention of the FOI Act.

These efforts include:

- releasing information outside of the FOI Act;
- making a wider range of information available on websites and social media;
- waiving fees and charges to facilitate the release of documents at the lowest reasonable cost;
- consulting with applicants to better understand requests and to assist them in making valid FOI requests;
- undertaking further education for agency staff involved in processing FOI requests to improve their ability to provide better and more timely decisions; and
- providing access to a class of documents for a fee.

Forty-eight agencies reported that releasing information proactively led to a decrease in FOI requests being received or having to be processed.

# 6

# Appendices

|     |  |
|-----|--|
| 117 | Disclosure index                           |
| 119 | Appendices to Part 5                       |
| 119 | Explanation of appendices                  |
| 120 | Requests received by agencies              |
| 132 | Agencies that did not receive FOI requests |
| 137 | Appeals to VCAT                            |
| 139 | Exemptions cited                           |
| 147 | Names and titles of decision makers        |
| 165 | Fees and charges                           |



# 6

## Disclosure index

OVIC's annual report is prepared in accordance with relevant Victorian legislation and pronouncements as appropriate. As a section 53(i)(b) agency OVIC's financial statements are combined into the Department of Justice and Community Safety's financial statements. This index has been prepared to facilitate identification of OVIC's compliance with statutory disclosure requirements.

Financial Reporting Directions (**FRD**) 10A requires entities to include a disclosure index in their annual reports that report the following:

- a list identifying the relevant clauses of Victorian legislation with statutory disclosure requirements that the entity has to comply with;
- a short description of the relevant requirements; and
- the page in the annual report where the disclosure for each requirement is made.

| <b>Legislation</b>  | <b>Requirement</b>                    | <b>Page reference</b> |
|---|---------------------------------------|-----------------------|
| <b>Standing Directions &amp; Financial Reporting Directions</b> |                                       |                       |
| Report of operations  |                                       | Pages 11-16           |
| Charter and purpose   |                                       |                       |
| FRD 22H   | Manner of establishment               | Page 7                |
| FRD 22H   | Purpose, functions, powers and duties | Page 8                |
| FRD 22H   | Key initiatives and projects          | Pages 1-4             |
| FRD 22H   | Nature and range of services provided | Page 8                |
| Management and structure  |                                       |                       |
| FRD 22H   | Organisational structure              | Page 10               |

| <b>Legislation</b>   | <b>Requirement</b>  | <b>Page reference</b> |
|--|---|-----------------------|
| <b><i>Standing Directions &amp; Financial Reporting Directions</i></b> |   |                       |
| Financial and other information  |   |                       |
| FRD 8D   | Performance against output performance measures                             | Pages 13-14           |
| FRD 10A  | Disclosure index  | Pages 117-118         |
| FRD 12B  | Disclosure of major contracts   | Page 12               |
| FRD 22H  | Employment and conduct principles   | Page 15               |
| FRD 22H  | Occupational health and safety policy                                       | Page 15               |
| FRD 22H  | Summary of the financial results for the year                               | Pages 11-12           |
| FRD 22H  | Application and operation of the <i>Freedom of Information Act 1982</i>     | Page 16               |
| FRD 22H  | Application and operation of the <i>Public Interest Disclosure Act 2012</i> | Pages 15-16           |
| FRD 22H  | Details of consultancies over \$10,000                                      | Page 12               |
| FRD 22H  | Details of consultancies under \$10,000                                     | Page 12               |
| FRD 24C  | Reporting of office based environmental impacts                             | Page 15               |
| FRD 29C  | Workforce Data disclosures  | Pages 9-10            |
| SD 5.2   | Specific requirements under Standing Direction 5.2                          | Letter of Transmittal |

## Legislation

*Freedom of Information Act 1982*  
*Building Act 1993*  
*Protected Disclosure Act 2012*  
*Carers Recognition Act 2012*  
*Disability Act 2006*  
*Local Jobs Act 2003*  
*Financial Management Act 1994*  
*Gender Equality Act 2020*

# 6

## Appendices to Part 5

### Explanation of appendices

#### **Appendix A** **Requests received by agencies**

This appendix reports the number of FOI requests received by agencies which are classified as either personal or non-personal as reported by agencies.

In 2021-22, 293 agencies reported receiving one or more FOI requests. Approximately half of those agencies received fewer than 10 requests and 15.7% received more than 100.

The remaining agencies reported they did not receive a request in 2021-22.

The access outcomes reported by agencies are listed for all requests decided in 2021-22, including those that were received prior to the start of the financial year and then decided in 2021-22.

In 2021-22, 284 agencies reported making a decision to grant access in full or part, or to deny access in full.

There were 1,150 Committees of Management under the Department of Environment, Land, Water and Planning (**DEWLP**) in 2021-22. DEWLP advised that one of these Committees received an FOI request in 2021-22.

#### **Appendix B** **Appeals to the Victorian Civil and Administrative Tribunal**

An applicant has the right to appeal certain FOI decisions to the Victorian Civil and Administrative Tribunal (**VCAT**). This appendix lists the appeal outcomes and the relevant agency that made the initial FOI decision, as reported by agencies.

The outcomes listed are for all appeals lodged or decided in 2021-22. VCAT utilises alternative dispute resolution processes, where cases may be resolved prior to a hearing. If this occurs, the appeal may be withdrawn or dismissed.

#### **Appendix C** **Exemptions cited**

Applicants have a legally enforceable right to access documents, other than documents that are exempt documents under the FOI Act. When denying access to documents, agencies must give reasons.

This appendix lists the exemptions cited by agencies when denying access to documents, in full or in part, as reported by agencies.

#### **Appendix D** **Names and titles of decision makers**

Initial FOI decisions are made by persons authorised by an agency. This appendix lists each officer, their title, and the number of decisions they granted access in full, granted access in part or denied access to documents, as reported by agencies.

#### **Appendix E** **Fees and charges**

In 2021-22, an application fee of \$30.10 was required under the FOI Act when making a FOI request.

Fees are waived or reduced where payment would cause hardship. This appendix shows the fees and charges collected and waived, as reported by agencies in 2021-22.



# Appendix A - Part 1

## Requests received by agencies

| Agency  | Requests received |                       | Outcomes <sup>3</sup> of all requests received or decided in 2021-22 |                        |                       |                    |
|---|-------------------|-----------------------|--|------------------------|-----------------------|--------------------|
|   | Personal requests | Non-personal requests | Access granted in full   | Access granted in part | Access denied in full | Other <sup>4</sup> |
| <b>Totals</b>   | <b>30,779</b>     | <b>13,199</b>         | <b>25,061</b>  | <b>11,355</b>          | <b>1,223</b>          | <b>12,339</b>      |
| Accident Compensation Conciliation Service*                                 | 1                 | 0                     | 0  | 1                      | 0                     | 1                  |
| Albury Wodonga Health   | 599               | 0                     | 514  | 20                     | 0                     | 68                 |
| Alexandra District Health   | 4                 | 8                     | 12   | 0                      | 0                     | 0                  |
| Alfred Health   | 1,611             | 1,103                 | 2,741  | 27                     | 2                     | 203                |
| Alpine Health*  | 2                 | 12                    | 14   | 0                      | 0                     | 2                  |
| Alpine Shire Council  | 0                 | 1                     | 0  | 0                      | 0                     | 1                  |
| Ambulance Victoria  | 2,625             | 8                     | 1,820  | 543                    | 1                     | 340                |
| AMES Australia (previously known as Adult Multicultural Education Services) | 1                 | 0                     | 0  | 0                      | 0                     | 1                  |
| Ararat Rural City Council   | 1                 | 3                     | 1  | 1                      | 0                     | 2                  |
| Assistant Treasurer of Victoria*  | 0                 | 0                     | 1  | 0                      | 0                     | 0                  |
| Austin Health   | 1,123             | 398                   | 1,368  | 51                     | 1                     | 238                |
| Australian Grand Prix Corporation   | 2                 | 0                     | 1  | 1                      | 1                     | 0                  |
| Bairnsdale Regional Health Service*   | 70                | 1                     | 59   | 9                      | 0                     | 7                  |
| Ballarat General Cemeteries Trust   | 0                 | 2                     | 3  | 0                      | 0                     | 0                  |
| Banyule City Council*   | 0                 | 17                    | 0  | 15                     | 0                     | 11                 |
| Barwon Coast Committee of Management Incorporated                           | 1                 | 0                     | 0  | 0                      | 0                     | 2                  |
| Barwon Health   | 763               | 277                   | 669  | 340                    | 10                    | 94                 |
| Barwon Region Water Corporation   | 5                 | 4                     | 0  | 5                      | 0                     | 4                  |
| Bass Coast Health   | 17                | 39                    | 45   | 4                      | 2                     | 8                  |
| Bass Coast Shire Council  | 0                 | 15                    | 1  | 5                      | 0                     | 27                 |
| Baw Baw Shire Council   | 0                 | 22                    | 5  | 3                      | 3                     | 16                 |
| Bayside City Council  | 0                 | 33                    | 28   | 12                     | 4                     | 8                  |
| Beaufort and Skipton Health Service*  | 2                 | 0                     | 2  | 0                      | 0                     | 0                  |

## 6 Appendices

### Requests received by agencies (continued)

| <i>Agency</i>                              | <i>Requests received</i> |                              | <i>Outcomes<sup>3</sup> of all requests received or decided in 2021-22</i> |                               |                              |                          |
|--|--------------------------|------------------------------|--|-------------------------------|------------------------------|--------------------------|
|  | <i>Personal requests</i> | <i>Non-personal requests</i> | <i>Access granted in full</i>  | <i>Access granted in part</i> | <i>Access denied in full</i> | <i>Other<sup>4</sup></i> |
| Beechworth Health Service                  | 2                        | 0                            | 2  | 0                             | 0                            | 0                        |
| Benalla Health                             | 25                       | 7                            | 28   | 0                             | 0                            | 4                        |
| Benalla Rural City Council                 | 1                        | 1                            | 3  | 0                             | 0                            | 0                        |
| Bendigo Health Care Group                  | 353                      | 202                          | 359  | 129                           | 1                            | 118                      |
| Bendigo Kangan Institute*                  | 3                        | 4                            | 1  | 3                             | 1                            | 3                        |
| Boort District Health                      | 0                        | 1                            | 1  | 0                             | 0                            | 0                        |
| Box Hill Institute                         | 0                        | 0                            | 1  | 0                             | 0                            | 0                        |
| Brimbank City Council                      | 2                        | 36                           | 24   | 7                             | 2                            | 12                       |
| Buloke Shire Council                       | 0                        | 2                            | 1  | 1                             | 0                            | 1                        |
| Bushfire Recovery Victoria                 | 1                        | 0                            | 0  | 1                             | 0                            | 0                        |
| Calvary Health Care Bethlehem*             | 8                        | 0                            | 8  | 0                             | 0                            | 0                        |
| Campaspe Shire Council*                    | 2                        | 3                            | 0  | 3                             | 0                            | 6                        |
| Cardinia Shire Council                     | 0                        | 42                           | 8  | 17                            | 4                            | 14                       |
| Castlemaine Health                         | 11                       | 0                            | 12   | 0                             | 0                            | 0                        |
| Cenitex                                    | 0                        | 1                            | 0  | 0                             | 0                            | 1                        |
| Central Gippsland Health Service           | 27                       | 96                           | 124  | 0                             | 0                            | 0                        |
| Central Goldfields Shire Council           | 3                        | 0                            | 0  | 0                             | 0                            | 8                        |
| Central Highlands Region Water Corporation | 1                        | 7                            | 4  | 2                             | 0                            | 2                        |
| Central Highlands Rural Health             | 11                       | 29                           | 33   | 0                             | 0                            | 7                        |
| Chisholm Institute                         | 0                        | 0                            | 0  | 1                             | 0                            | 0                        |
| City of Ballarat*                          | 4                        | 41                           | 22   | 5                             | 0                            | 19                       |
| City of Boroondara                         | 64                       | 2                            | 23   | 24                            | 1                            | 30                       |
| City of Casey                              | 42                       | 32                           | 10   | 23                            | 5                            | 36                       |
| City of Darebin                            | 0                        | 44                           | 1  | 33                            | 1                            | 10                       |
| City of Greater Bendigo                    | 35                       | 0                            | 1  | 17                            | 3                            | 14                       |
| City of Greater Dandenong*                 | 2                        | 27                           | 14   | 2                             | 3                            | 15                       |
| City of Greater Geelong*                   | 49                       | 135                          | 76   | 86                            | 5                            | 23                       |
| City of Melbourne*                         | 8                        | 52                           | 21   | 3                             | 3                            | 45                       |
| City of Monash                             | 0                        | 52                           | 4  | 2                             | 1                            | 57                       |
| City of Port Phillip                       | 0                        | 31                           | 25   | 4                             | 0                            | 8                        |

| <b>Agency</b>  | <b>Requests received</b> |                              | <b>Outcomes<sup>3</sup> of all requests received or decided in 2021-22</b> |                               |                              |                          |
|--|--------------------------|------------------------------|--|-------------------------------|------------------------------|--------------------------|
|  | <b>Personal requests</b> | <b>Non-personal requests</b> | <b>Access granted in full</b>  | <b>Access granted in part</b> | <b>Access denied in full</b> | <b>Other<sup>4</sup></b> |
| City of Stonnington  | 20                       | 81                           | 26   | 28                            | 6                            | 43                       |
| City of Whitehorse   | 0                        | 21                           | 9  | 7                             | 0                            | 11                       |
| Cohuna District Hospital   | 10                       | 0                            | 10   | 0                             | 0                            | 0                        |
| Colac Area Health  | 61                       | 5                            | 58   | 3                             | 0                            | 7                        |
| Colac Otway Shire*   | 0                        | 10                           | 4  | 6                             | 0                            | 2                        |
| Coliban Region Water Corporation   | 3                        | 0                            | 2  | 0                             | 0                            | 2                        |
| Commercial Passenger Vehicles Victoria   | 6                        | 3                            | 3  | 2                             | 1                            | 6                        |
| Commission for Children and Young People   | 2                        | 1                            | 0  | 0                             | 3                            | 1                        |
| Corangamite Shire*   | 0                        | 3                            | 3  | 1                             | 0                            | 1                        |
| Country Fire Authority   | 8                        | 94                           | 45   | 23                            | 6                            | 51                       |
| Court Services Victoria  | 41                       | 22                           | 1  | 0                             | 1                            | 64                       |
| Deakin University*   | 9                        | 4                            | 5  | 0                             | 3                            | 6                        |
| Dental Health Services Victoria  | 303                      | 0                            | 302  | 0                             | 1                            | 0                        |
| Department of Education and Training   | 508                      | 51                           | 143  | 257                           | 15                           | 194                      |
| Department of Environment, Land, Water and Planning  | 0                        | 162                          | 57   | 62                            | 10                           | 53                       |
| Department of Families, Fairness and Housing   | 1,411                    | 60                           | 67   | 755                           | 246                          | 755                      |
| Department of Health   | 234                      | 243                          | 52   | 137                           | 49                           | 314                      |
| Department of Jobs, Precincts and Regions  | 29                       | 101                          | 8  | 69                            | 17                           | 49                       |
| Department of Justice and Community Safety (includes Business Licensing Authority/Estate Agents Council) | 907                      | 66                           | 35   | 882                           | 104                          | 141                      |
| Department of Premier and Cabinet  | 3                        | 78                           | 9  | 41                            | 21                           | 45                       |
| Department of Transport  | 193                      | 1,391                        | 836  | 224                           | 85                           | 637                      |
| Department of Treasury and Finance*  | 0                        | 54                           | 16   | 23                            | 3                            | 24                       |
| Development Victoria   | 0                        | 4                            | 0  | 5                             | 0                            | 4                        |
| Djerriwarrh Health Services  | 115                      | 1                            | 87   | 0                             | 0                            | 29                       |
| East Gippsland Catchment Management Authority  | 1                        | 0                            | 0  | 1                             | 0                            | 0                        |
| East Gippsland Shire Council*  | 11                       | 15                           | 15   | 5                             | 2                            | 4                        |
| East Grampians Health Service  | 56                       | 33                           | 42   | 0                             | 0                            | 48                       |
| East Wimmera Health Service*   | 6                        | 0                            | 6  | 0                             | 0                            | 0                        |

## 6 Appendices

### Requests received by agencies (continued)

| <i>Agency</i>   | <i>Requests received</i> |                              | <i>Outcomes<sup>2</sup> of all requests received or decided in 2021-22</i> |                               |                              |                          |
|---|--------------------------|------------------------------|--|-------------------------------|------------------------------|--------------------------|
|   | <i>Personal requests</i> | <i>Non-personal requests</i> | <i>Access granted in full</i>  | <i>Access granted in part</i> | <i>Access denied in full</i> | <i>Other<sup>4</sup></i> |
| Eastern Health  | 1,173                    | 378                          | 649  | 810                           | 10                           | 217                      |
| Echuca Regional Health  | 30                       | 99                           | 129  | 0                             | 0                            | 0                        |
| Electoral Boundaries Commission   | 0                        | 1                            | 0  | 0                             | 0                            | 1                        |
| Emergency Services Superannuation Board (t/a ESSSuper)                    | 7                        | 0                            | 8  | 0                             | 0                            | 0                        |
| Emergency Services Telecommunications Authority*                          | 37                       | 9                            | 4  | 3                             | 36                           | 7                        |
| Energy Safe Victoria*   | 14                       | 13                           | 10   | 8                             | 3                            | 9                        |
| Environment Protection Authority  | 0                        | 104                          | 58   | 27                            | 9                            | 39                       |
| Essential Services Commission   | 0                        | 3                            | 0  | 2                             | 0                            | 1                        |
| Family Safety Victoria  | 1                        | 0                            | 0  | 1                             | 0                            | 2                        |
| Federation University Australia   | 0                        | 1                            | 1  | 0                             | 0                            | 1                        |
| Film Victoria (t/a VicScreen)   | 0                        | 1                            | 0  | 1                             | 0                            | 0                        |
| Fire Rescue Victoria  | 0                        | 559                          | 4  | 556                           | 0                            | 0                        |
| Frankston City Council  | 2                        | 26                           | 16   | 4                             | 0                            | 11                       |
| Game Management Authority   | 2                        | 2                            | 2  | 3                             | 1                            | 2                        |
| Gannawarra Shire Council*   | 1                        | 2                            | 0  | 0                             | 0                            | 5                        |
| Gippsland and Southern Rural Water Corporation (t/a Southern Rural Water) | 0                        | 1                            | 1  | 0                             | 0                            | 3                        |
| Gippsland Ports Committee of Management Incorporated*                     | 0                        | 0                            | 1  | 0                             | 0                            | 0                        |
| Gippsland Southern Health Service   | 35                       | 0                            | 31   | 0                             | 0                            | 4                        |
| Glen Eira City Council*   | 2                        | 46                           | 15   | 7                             | 8                            | 30                       |
| Glenelg Shire Council*  | 0                        | 5                            | 0  | 5                             | 0                            | 0                        |
| Golden Plains Shire Council   | 0                        | 5                            | 0  | 5                             | 0                            | 1                        |
| Gordon Institute of TAFE*   | 0                        | 2                            | 0  | 3                             | 0                            | 0                        |
| Goulburn Broken Catchment Management Authority                            | 0                        | 0                            | 3  | 4                             | 0                            | 3                        |
| Goulburn Ovens Institute of TAFE (t/a GOTAFE)                             | 0                        | 1                            | 1  | 1                             | 0                            | 0                        |
| Goulburn Valley Health  | 331                      | 0                            | 274  | 57                            | 0                            | 0                        |
| Goulburn-Murray Rural Water Corporation                                   | 2                        | 22                           | 12   | 5                             | 1                            | 9                        |

| Agency   | Requests received |                       | Outcomes <sup>3</sup> of all requests received or decided in 2021-22 |                        |                       |                    |
|--|-------------------|-----------------------|--|------------------------|-----------------------|--------------------|
|  | Personal requests | Non-personal requests | Access granted in full   | Access granted in part | Access denied in full | Other <sup>4</sup> |
| Grampians Health (includes Ballarat Health Services/Stawell Regional Health/Wimmera Health Care Group/Edenhope District & Memorial Hospital) | 549               | 344                   | 784  | 50                     | 2                     | 96                 |
| Grampians Wimmera Mallee Water Corporation (t/a GWMWater)  | 2                 | 0                     | 2  | 0                      | 0                     | 0                  |
| Grand Ridge Rail Trail Committee of Management   | 0                 | 0                     | 1  | 0                      | 0                     | 0                  |
| Great Ocean Road Coast and Parks Authority   | 1                 | 0                     | 0  | 1                      | 0                     | 0                  |
| Great Ocean Road Health (previously known as Otway Health and Lorne Hospital)  | 0                 | 15                    | 13   | 0                      | 0                     | 2                  |
| Greater Metropolitan Cemeteries Trust  | 1                 | 0                     | 1  | 0                      | 0                     | 0                  |
| Greater Shepparton City Council  | 0                 | 13                    | 7  | 2                      | 1                     | 4                  |
| Greater Western Water*   | 70                | 0                     | 6  | 46                     | 0                     | 26                 |
| Greyhound Racing Victoria*   | 1                 | 2                     | 2  | 1                      | 0                     | 0                  |
| Harness Racing Victoria  | 1                 | 0                     | 0  | 0                      | 1                     | 0                  |
| Health Complaints Commissioner   | 1                 | 0                     | 0  | 0                      | 1                     | 1                  |
| HealthShare Victoria   | 0                 | 2                     | 0  | 0                      | 0                     | 2                  |
| Heathcote Health   | 4                 | 0                     | 4  | 0                      | 0                     | 0                  |
| Hepburn Shire Council*   | 3                 | 30                    | 2  | 12                     | 4                     | 21                 |
| Hesse Rural Health Service   | 1                 | 0                     | 1  | 0                      | 0                     | 0                  |
| Heywood Rural Health   | 5                 | 0                     | 5  | 0                      | 0                     | 0                  |
| Hindmarsh Shire Council*   | 1                 | 1                     | 2  | 0                      | 0                     | 1                  |
| Hobsons Bay City Council   | 7                 | 11                    | 6  | 14                     | 1                     | 0                  |
| Holmesglen Institute*  | 4                 | 0                     | 2  | 2                      | 0                     | 0                  |
| Horsham Rural City Council   | 0                 | 3                     | 1  | 2                      | 1                     | 0                  |
| Hume City Council*   | 0                 | 48                    | 7  | 15                     | 1                     | 30                 |
| Independent Broad-based Anti-corruption Commission   | 6                 | 3                     | 0  | 1                      | 7                     | 2                  |
| Indigo Shire Council (includes Carlyle Cemetery Trust/Chiltern Cemetery Trust)   | 8                 | 0                     | 4  | 4                      | 0                     | 3                  |
| Infrastructure Victoria*   | 0                 | 1                     | 0  | 0                      | 0                     | 1                  |
| Inglewood and Districts Health Service   | 3                 | 0                     | 2  | 0                      | 0                     | 1                  |
| Kerang District Health   | 1                 | 9                     | 10   | 0                      | 0                     | 0                  |

## 6 Appendices

### Requests received by agencies (continued)

| Agency  | Requests received |                       | Outcomes <sup>3</sup> of all requests received or decided in 2021-22 |                        |                       |                    |
|---|-------------------|-----------------------|--|------------------------|-----------------------|--------------------|
|   | Personal requests | Non-personal requests | Access granted in full   | Access granted in part | Access denied in full | Other <sup>4</sup> |
| Kilmore & District Hospital   | 6                 | 46                    | 43   | 0                      | 0                     | 11                 |
| Kingston City Council*  | 0                 | 49                    | 8  | 14                     | 3                     | 33                 |
| Knox City Council   | 2                 | 14                    | 12   | 4                      | 0                     | 2                  |
| Kyabram and District Health Services  | 2                 | 21                    | 23   | 0                      | 0                     | 0                  |
| La Trobe University   | 16                | 7                     | 12   | 4                      | 3                     | 6                  |
| Latrobe City Council*   | 3                 | 12                    | 0  | 9                      | 3                     | 4                  |
| Latrobe Regional Hospital   | 398               | 0                     | 376  | 2                      | 0                     | 40                 |
| Local Government Inspectorate   | 1                 | 2                     | 0  | 1                      | 1                     | 2                  |
| Loddon Shire Council  | 0                 | 0                     | 1  | 1                      | 0                     | 0                  |
| Lower Murray Urban and Rural Water Authority (t/a Lower Murray Water)                   | 3                 | 0                     | 0  | 3                      | 0                     | 1                  |
| Macedon Ranges Shire Council  | 17                | 9                     | 6  | 1                      | 0                     | 21                 |
| Major Transport Infrastructure Authority*   | 1                 | 57                    | 15   | 18                     | 21                    | 11                 |
| Mallee Track Health and Community Service   | 2                 | 1                     | 5  | 0                      | 0                     | 0                  |
| Manningham City Council*  | 2                 | 20                    | 7  | 5                      | 2                     | 10                 |
| Mansfield District Hospital   | 2                 | 17                    | 19   | 0                      | 0                     | 0                  |
| Mansfield Shire Council   | 5                 | 2                     | 1  | 0                      | 2                     | 5                  |
| Maribyrnong City Council  | 4                 | 23                    | 13   | 3                      | 2                     | 11                 |
| Maroondah City Council*   | 1                 | 25                    | 1  | 14                     | 1                     | 11                 |
| Maryborough District Health Service*  | 42                | 11                    | 49   | 2                      | 0                     | 2                  |
| Medical Panels  | 14                | 0                     | 1  | 0                      | 2                     | 11                 |
| Melbourne and Olympic Parks Trust   | 0                 | 1                     | 0  | 0                      | 0                     | 3                  |
| Melbourne Convention and Exhibition Trust   | 1                 | 0                     | 0  | 0                      | 1                     | 1                  |
| Melbourne Health  | 1,612             | 1,216                 | 2,180  | 216                    | 4                     | 556                |
| Melbourne Market Authority  | 0                 | 1                     | 0  | 1                      | 0                     | 1                  |
| Melbourne Polytechnic   | 0                 | 1                     | 0  | 1                      | 1                     | 0                  |
| Melbourne Water* (includes Port Phillip and Westernport Catchment Management Authority) | 4                 | 21                    | 10   | 2                      | 0                     | 17                 |
| Melton City Council   | 20                | 1                     | 0  | 12                     | 0                     | 10                 |
| Mental Health Complaints Commissioner   | 5                 | 3                     | 0  | 5                      | 0                     | 3                  |

| <i>Agency</i>   | <i>Requests received</i> |                              | <i>Outcomes<sup>3</sup> of all requests received or decided in 2021-22</i> |                               |                              |                          |
|---|--------------------------|------------------------------|--|-------------------------------|------------------------------|--------------------------|
|   | <i>Personal requests</i> | <i>Non-personal requests</i> | <i>Access granted in full</i>  | <i>Access granted in part</i> | <i>Access denied in full</i> | <i>Other<sup>4</sup></i> |
| Mental Health Tribunal  | 30                       | 0                            | 0  | 0                             | 0                            | 31                       |
| Mercy Hospitals Victoria Ltd*   | 781                      | 0                            | 613  | 58                            | 1                            | 138                      |
| Mildura Base Public Hospital  | 251                      | 0                            | 330  | 0                             | 0                            | 0                        |
| Mildura Rural City Council  | 3                        | 3                            | 1  | 2                             | 0                            | 4                        |
| Minister for Consumer Affairs, Gaming and Liquor Regulation                         | 1                        | 0                            | 0  | 0                             | 0                            | 1                        |
| Minister for Emergency Services   | 1                        | 1                            | 0  | 0                             | 0                            | 2                        |
| Minister for Energy, Environment and Climate Change                                 | 0                        | 2                            | 1  | 0                             | 0                            | 2                        |
| Minister for Innovation, Medical Research and the Digital Economy                   | 0                        | 1                            | 0  | 0                             | 0                            | 1                        |
| Minister for Ports and Freight (includes Previous Minister for Fishing and Boating) | 0                        | 0                            | 1  | 0                             | 0                            | 0                        |
| Minister for Public Transport (includes Minister for Roads and Road Safety)         | 0                        | 0                            | 1  | 0                             | 0                            | 0                        |
| Minister for Transport Infrastructure (includes Minister for Suburban Rail Loop)    | 0                        | 2                            | 3  | 1                             | 0                            | 1                        |
| Minister for Treaty and First Peoples (previously Aboriginal Affairs)               | 0                        | 2                            | 0  | 1                             | 0                            | 1                        |
| Minister for Workplace Safety   | 0                        | 1                            | 0  | 0                             | 0                            | 1                        |
| Mitchell Shire Council  | 0                        | 26                           | 5  | 13                            | 2                            | 7                        |
| Moira Shire Council   | 0                        | 6                            | 2  | 3                             | 1                            | 0                        |
| Monash Health   | 2,104                    | 1                            | 1,824  | 176                           | 0                            | 206                      |
| Monash University*  | 46                       | 19                           | 35   | 4                             | 10                           | 23                       |
| Moonee Valley City Council*   | 0                        | 51                           | 25   | 5                             | 4                            | 21                       |
| Moorabool Shire Council   | 0                        | 27                           | 2  | 11                            | 1                            | 14                       |
| Moreland City Council*  | 0                        | 24                           | 11   | 10                            | 1                            | 6                        |
| Mornington Peninsula Shire*   | 1                        | 61                           | 3  | 36                            | 1                            | 30                       |
| Mount Alexander Shire Council   | 10                       | 2                            | 2  | 8                             | 0                            | 3                        |
| Moyne Health Services   | 0                        | 1                            | 0  | 0                             | 0                            | 1                        |
| Moyne Shire Council*  | 0                        | 6                            | 3  | 1                             | 0                            | 2                        |
| Municipal Association of Victoria   | 0                        | 1                            | 0  | 1                             | 0                            | 2                        |
| Murrindindi Shire Council*  | 0                        | 16                           | 2  | 10                            | 2                            | 4                        |

## 6 Appendices

### Requests received by agencies (continued)

| Agency   | Requests received |                       | Outcomes <sup>2</sup> of all requests received or decided in 2021-22 |                        |                       |                    |
|--|-------------------|-----------------------|--|------------------------|-----------------------|--------------------|
|  | Personal requests | Non-personal requests | Access granted in full   | Access granted in part | Access denied in full | Other <sup>4</sup> |
| NCN Health   | 14                | 30                    | 39   | 0                      | 0                     | 5                  |
| Nillumbik Shire Council  | 1                 | 14                    | 7  | 3                      | 1                     | 5                  |
| North East Catchment Management Authority  | 3                 | 0                     | 0  | 1                      | 0                     | 2                  |
| North East Region Water Corporation (t/a North East Water)                         | 0                 | 1                     | 0  | 0                      | 0                     | 1                  |
| Northeast Health Wangaratta  | 186               | 14                    | 179  | 2                      | 1                     | 18                 |
| Northern Health  | 761               | 424                   | 1,057  | 115                    | 2                     | 41                 |
| Office of Public Prosecutions*   | 87                | 10                    | 3  | 39                     | 3                     | 52                 |
| Office of the Victorian Information Commissioner                                   | 1                 | 4                     | 3  | 0                      | 0                     | 2                  |
| Orbost Regional Health   | 29                | 4                     | 33   | 0                      | 0                     | 0                  |
| Parks Victoria   | 14                | 37                    | 29   | 13                     | 0                     | 16                 |
| Peninsula Health   | 723               | 172                   | 843  | 31                     | 5                     | 137                |
| Peter MacCallum Cancer Centre  | 104               | 13                    | 110  | 7                      | 0                     | 0                  |
| Portland District Health   | 52                | 3                     | 1  | 47                     | 1                     | 6                  |
| Premier of Victoria  | 1                 | 12                    | 1  | 3                      | 2                     | 12                 |
| Previous Minister for Agriculture  | 0                 | 4                     | 0  | 1                      | 3                     | 1                  |
| Previous Minister for Child Protection   | 0                 | 0                     | 1  | 0                      | 0                     | 0                  |
| Previous Minister for Disability, Ageing and Carers                                | 2                 | 0                     | 0  | 1                      | 0                     | 1                  |
| Previous Minister for Health   | 0                 | 4                     | 3  | 1                      | 0                     | 4                  |
| Previous Minister for Local Government   | 0                 | 1                     | 0  | 1                      | 0                     | 0                  |
| Previous Minister for Planning   | 0                 | 4                     | 1  | 1                      | 0                     | 3                  |
| Previous Minister for Police (includes Minister for Police and Emergency Services) | 0                 | 1                     | 0  | 1                      | 0                     | 0                  |
| Previous Minister for Prevention of Family Violence                                | 1                 | 0                     | 0  | 1                      | 0                     | 0                  |
| Previous Minister for Water  | 0                 | 0                     | 0  | 0                      | 0                     | 1                  |
| PrimeSafe  | 2                 | 0                     | 0  | 0                      | 0                     | 2                  |
| Public Record Office Victoria* (includes Public Records Advisory Council)          | 1                 | 0                     | 1  | 0                      | 0                     | 0                  |
| Pyrenees Shire Council*  | 3                 | 0                     | 0  | 2                      | 0                     | 1                  |



| <i>Agency</i>   | <i>Requests received</i> |                              | <i>Outcomes<sup>3</sup> of all requests received or decided in 2021-22</i> |                               |                              |                          |
|---|--------------------------|------------------------------|--|-------------------------------|------------------------------|--------------------------|
|   | <i>Personal requests</i> | <i>Non-personal requests</i> | <i>Access granted in full</i>  | <i>Access granted in part</i> | <i>Access denied in full</i> | <i>Other<sup>4</sup></i> |
| Queen Elizabeth Centre  | 3                        | 0                            | 2  | 0                             | 0                            | 1                        |
| Racing Victoria Limited   | 9                        | 2                            | 2  | 4                             | 2                            | 5                        |
| Residential Tenancies Bond Authority                                    | 2                        | 0                            | 0  | 0                             | 2                            | 0                        |
| RMIT University*  | 8                        | 9                            | 5  | 1                             | 1                            | 11                       |
| Robinvale District Health Services                                      | 10                       | 2                            | 8  | 0                             | 0                            | 4                        |
| Rochester and Elmore District Health Service                            | 12                       | 1                            | 11   | 0                             | 0                            | 2                        |
| Royal Children's Hospital   | 431                      | 306                          | 337  | 305                           | 2                            | 115                      |
| Royal Society for the Prevention of Cruelty to Animals (RSPCA Victoria) | 6                        | 3                            | 0  | 5                             | 1                            | 5                        |
| Royal Victorian Eye and Ear Hospital                                    | 47                       | 127                          | 146  | 1                             | 0                            | 41                       |
| Royal Women's Hospital  | 405                      | 1                            | 310  | 28                            | 0                            | 98                       |
| Rural City of Wangaratta  | 2                        | 11                           | 5  | 8                             | 0                            | 2                        |
| Rural Northwest Health  | 7                        | 0                            | 7  | 0                             | 0                            | 0                        |
| Safer Care Victoria   | 9                        | 2                            | 1  | 3                             | 2                            | 10                       |
| Service Victoria  | 0                        | 1                            | 0  | 1                             | 0                            | 0                        |
| Seymour Health  | 48                       | 0                            | 45   | 0                             | 0                            | 3                        |
| South East Water Corporation  | 2                        | 34                           | 33   | 1                             | 0                            | 7                        |
| South Gippsland Hospital  | 5                        | 0                            | 5  | 0                             | 0                            | 0                        |
| South Gippsland Region Water Corporation (t/a South Gippsland Water)    | 1                        | 0                            | 1  | 0                             | 0                            | 0                        |
| South Gippsland Shire Council   | 0                        | 11                           | 3  | 3                             | 2                            | 5                        |
| South West Healthcare   | 308                      | 1                            | 274  | 24                            | 2                            | 15                       |
| South West Institute of TAFE  | 0                        | 0                            | 0  | 1                             | 0                            | 0                        |
| Southern Alpine Resort Management Board                                 | 0                        | 1                            | 1  | 0                             | 0                            | 0                        |
| Southern Grampians Shire Council  | 0                        | 0                            | 0  | 0                             | 0                            | 1                        |
| St Vincent's Health   | 947                      | 49                           | 955  | 28                            | 0                            | 53                       |
| State Electricity Commission of Victoria                                | 6                        | 1                            | 6  | 0                             | 0                            | 1                        |
| State Revenue Office  | 6                        | 6                            | 6  | 2                             | 2                            | 5                        |
| Strathbogie Shire Council*  | 0                        | 5                            | 0  | 5                             | 1                            | 0                        |
| Suburban Rail Loop Authority  | 3                        | 5                            | 1  | 6                             | 2                            | 0                        |
| Sunraysia Institute of TAFE   | 0                        | 0                            | 0  | 0                             | 1                            | 0                        |
| Surf Coast Shire Council  | 3                        | 14                           | 8  | 2                             | 5                            | 6                        |

## 6 Appendices

### Requests received by agencies (continued)

| <i>Agency</i>                                       | <i>Requests received</i> |                              | <i>Outcomes<sup>2</sup> of all requests received or decided in 2021-22</i> |                               |                              |                          |
|---|--------------------------|------------------------------|--|-------------------------------|------------------------------|--------------------------|
|   | <i>Personal requests</i> | <i>Non-personal requests</i> | <i>Access granted in full</i>  | <i>Access granted in part</i> | <i>Access denied in full</i> | <i>Other<sup>4</sup></i> |
| Sustainability Victoria                             | 0                        | 4                            | 0  | 1                             | 1                            | 2                        |
| Swan Hill District Health                           | 159                      | 0                            | 146  | 2                             | 0                            | 14                       |
| Swan Hill Rural City Council                        | 1                        | 2                            | 2  | 2                             | 0                            | 1                        |
| Swinburne University of Technology                  | 11                       | 2                            | 2  | 0                             | 1                            | 17                       |
| TAFE Gippsland                                      | 1                        | 0                            | 0  | 2                             | 0                            | 0                        |
| Tallangatta Health Service                          | 1                        | 0                            | 1  | 0                             | 0                            | 0                        |
| Terang & Mortlake Health Service                    | 7                        | 0                            | 5  | 0                             | 2                            | 0                        |
| Timboon and District Healthcare Service*            | 0                        | 1                            | 1  | 0                             | 0                            | 0                        |
| Towong Shire Council                                | 0                        | 0                            | 0  | 1                             | 0                            | 0                        |
| Transport Accident Commission                       | 1,637                    | 21                           | 434  | 1,326                         | 7                            | 222                      |
| Transport Safety Victoria                           | 37                       | 3                            | 7  | 20                            | 1                            | 19                       |
| Treasurer of Victoria*                              | 1                        | 0                            | 0  | 1                             | 0                            | 1                        |
| Trust for Nature (Victoria)                         | 2                        | 0                            | 0  | 0                             | 2                            | 0                        |
| Tweddle Child + Family Health Service               | 5                        | 0                            | 5  | 0                             | 0                            | 2                        |
| University of Melbourne*                            | 36                       | 17                           | 14   | 21                            | 8                            | 15                       |
| V/Line Corporation                                  | 12                       | 3                            | 1  | 4                             | 1                            | 9                        |
| VicForests  | 0                        | 16                           | 1  | 6                             | 1                            | 10                       |
| Victoria Legal Aid*                                 | 8                        | 2                            | 5  | 2                             | 1                            | 4                        |
| Victoria Police                                     | 3,399                    | 587                          | 223  | 1,681                         | 234                          | 4,145                    |
| Victoria State Emergency Service                    | 48                       | 1                            | 40   | 1                             | 0                            | 9                        |
| Victoria University*                                | 7                        | 2                            | 9  | 1                             | 0                            | 1                        |
| Victorian Aboriginal Heritage Council               | 3                        | 0                            | 3  | 0                             | 0                            | 0                        |
| Victorian Assisted Reproductive Treatment Authority | 0                        | 1                            | 1  | 0                             | 0                            | 0                        |
| Victorian Auditor-General's Office                  | 0                        | 3                            | 2  | 0                             | 1                            | 0                        |
| Victorian Building Authority                        | 0                        | 405                          | 157  | 86                            | 17                           | 161                      |
| Victorian Curriculum and Assessment Authority       | 1                        | 4                            | 0  | 1                             | 0                            | 4                        |
| Victorian Electoral Commission                      | 2                        | 2                            | 0  | 0                             | 2                            | 3                        |
| Victorian Environmental Assessment Council          | 0                        | 1                            | 0  | 0                             | 0                            | 1                        |

| <i>Agency</i>   | <i>Requests received</i> |                              | <i>Outcomes<sup>3</sup> of all requests received or decided in 2021-22</i> |                               |                              |                          |
|---|--------------------------|------------------------------|--|-------------------------------|------------------------------|--------------------------|
|   | <i>Personal requests</i> | <i>Non-personal requests</i> | <i>Access granted in full</i>  | <i>Access granted in part</i> | <i>Access denied in full</i> | <i>Other<sup>4</sup></i> |
| Victorian Equal Opportunity & Human Rights Commission | 1                        | 1                            | 0  | 0                             | 1                            | 1                        |
| Victorian Fisheries Authority                         | 2                        | 0                            | 3  | 0                             | 0                            | 0                        |
| Victorian Gambling and Casino Control Commission      | 3                        | 12                           | 2  | 7                             | 1                            | 6                        |
| Victorian Government Solicitor                        | 2                        | 0                            | 1  | 1                             | 0                            | 0                        |
| Victorian Independent Remuneration Tribunal           | 1                        | 0                            | 0  | 0                             | 0                            | 1                        |
| Victorian Inspectorate                                | 2                        | 2                            | 0  | 0                             | 0                            | 5                        |
| Victorian Institute of Forensic Medicine              | 4                        | 1                            | 2  | 1                             | 0                            | 2                        |
| Victorian Institute of Forensic Mental Health         | 85                       | 0                            | 53   | 31                            | 0                            | 1                        |
| Victorian Institute of Teaching                       | 36                       | 0                            | 26   | 0                             | 2                            | 9                        |
| Victorian Legal Services Board                        | 0                        | 6                            | 0  | 1                             | 5                            | 1                        |
| Victorian Legal Services Commissioner                 | 6                        | 6                            | 0  | 5                             | 6                            | 1                        |
| Victorian Managed Insurance Authority*                | 5                        | 1                            | 2  | 2                             | 0                            | 5                        |
| Victorian Ombudsman                                   | 32                       | 0                            | 1  | 0                             | 0                            | 31                       |
| Victorian Planning Authority                          | 0                        | 6                            | 2  | 3                             | 0                            | 1                        |
| Victorian Public Sector Commission                    | 0                        | 1                            | 0  | 0                             | 0                            | 1                        |
| Victorian Rail Track (t/a VicTrack)                   | 0                        | 5                            | 1  | 2                             | 1                            | 4                        |
| Victorian Registration and Qualifications Authority   | 0                        | 1                            | 0  | 0                             | 1                            | 0                        |
| Victorian WorkCover Authority (t/a WorkSafe)          | 24                       | 1,629                        | 14   | 1,031                         | 91                           | 647                      |
| Wage Inspectorate Victoria                            | 30                       | 14                           | 0  | 0                             | 0                            | 44                       |
| Wannon Region Water Corporation                       | 0                        | 1                            | 0  | 1                             | 0                            | 0                        |
| Warrnambool City Council                              | 0                        | 5                            | 0  | 2                             | 0                            | 5                        |
| Wellington Shire Council                              | 0                        | 7                            | 3  | 3                             | 0                            | 2                        |
| West Gippsland Healthcare Group                       | 115                      | 5                            | 107  | 0                             | 1                            | 15                       |
| West Wimmera Health Service                           | 39                       | 3                            | 39   | 0                             | 0                            | 3                        |
| West Wimmera Shire Council                            | 0                        | 0                            | 0  | 0                             | 0                            | 1                        |
| Western District Health Service*                      | 67                       | 28                           | 95   | 0                             | 0                            | 0                        |
| Western Health  | 1,499                    | 2                            | 1,409  | 66                            | 0                            | 385                      |
| Westernport Region Water Corporation                  | 0                        | 3                            | 1  | 0                             | 0                            | 2                        |
| Whittlesea City Council                               | 3                        | 28                           | 2  | 17                            | 2                            | 12                       |

## 6 Appendices

### Requests received by agencies (continued)

| <i>Agency</i>                      | <i>Requests received</i> |                              | <i>Outcomes<sup>3</sup> of all requests received or decided in 2021-22</i> |                               |                              |                          |
|------------------------------------|--------------------------|------------------------------|--|-------------------------------|------------------------------|--------------------------|
|                                    | <i>Personal requests</i> | <i>Non-personal requests</i> | <i>Access granted in full</i>  | <i>Access granted in part</i> | <i>Access denied in full</i> | <i>Other<sup>4</sup></i> |
| William Angliss Institute of TAFE* | 1                        | 0                            | 0  | 1                             | 0                            | 1                        |
| Wodonga City Council               | 1                        | 0                            | 1  | 0                             | 0                            | 2                        |
| Wodonga Institute of TAFE          | 0                        | 0                            | 0  | 1                             | 0                            | 0                        |
| Wyndham City Council*              | 4                        | 26                           | 13   | 8                             | 0                            | 23                       |
| Yarra City Council*                | 8                        | 87                           | 22   | 62                            | 4                            | 7                        |
| Yarra Ranges Shire Council*        | 30                       | 1                            | 8  | 9                             | 3                            | 16                       |
| Yarra Valley Water Corporation*    | 7                        | 22                           | 33   | 4                             | 0                            | 0                        |
| Yarram and District Health Service | 2                        | 3                            | 5  | 0                             | 0                            | 0                        |
| Yarrawonga Health                  | 11                       | 0                            | 11   | 0                             | 0                            | 0                        |
| Yarriambiack Shire Council         | 0                        | 1                            | 1  | 0                             | 0                            | 0                        |
| Yooralla                           | 1                        | 3                            | 4  | 0                             | 0                            | 0                        |

\* Denotes agencies that provide reading room facilities or can make them available by arrangement.

**3** Outcomes include all requests decided in 2021-22, including those that were received in 2020-21 but decided in 2021-22.

**4** 'Other' covers situations where requests were received and one of the following applied: the applicant did not proceed with the request; the request was made in 2021-22 but had not been decided at the end of the reporting period; the agency did not hold the documents sought; or the agency and the applicant agreed on a form of access satisfactory to the applicant outside the FOI process.

# Appendix A - Part 2

## Agencies that did not receive FOI requests

|  |                                       |   |
|--|---------------------------------------|---|
| Aberfeldy Cemetery Trust   | Berriwillock Cemetery Trust           | Carlsruhe Cemetery Trust  |
| Adass Israel Cemetery Trust  | Berwick and Harkaway Cemeteries Trust | Carngham Cemetery Trust   |
| Administrator Pursuant to Part IV of Electricity Industry (Residual Provisions) Act 1993 | Bethanga Cemetery Trust               | Carrajung Cemetery Trust  |
| Adult, Community and Further Education Board   | Beulah Cemetery Trust                 | Carwarp Cemetery Trust  |
| Alberton Cemetery Trust  | Birchip Cemetery Trust                | Casey-Cardinia Library Corporation  |
| Alexandra Cemetery Trust   | Blackheath Cemetery Trust             | Cassilis Cemetery Trust   |
| Alma Cemetery Trust  | Blackwood Cemetery Trust              | Casterton (New) Cemetery Trust  |
| Alpine Resorts Coordinating Council  | Bleak House Cemetery Trust            | Casterton (Old) Cemetery Trust  |
| Amherst Cemetery Trust   | Blue Mountain Cemetery Trust          | Casterton Memorial Hospital*  |
| Amphitheatre Cemetery Trust  | Boinka Cemetery Trust                 | Castlemaine Public Cemetery Trust   |
| Antwerp Cemetery Trust   | Boolarra Cemetery Trust               | Cathcart Cemetery Trust   |
| Apollo Bay Cemetery Trust  | Boorhaman Cemetery Trust              | Cathkin Cemetery Trust  |
| Appeal Costs Board   | Boort Cemetery Trust                  | Caulfield Racecourse Reserve Trust  |
| Apsley Cemetery Trust  | Boram Boram Cemetery Trust            | Cavendish Cemetery Trust  |
| Ararat Cemetery Trust  | Boroondara Cemetery Trust             | Central Gippsland Region Water Corporation (t/a Gippsland Water)                  |
| Architects Registration Board of Victoria  | Borough of Queenscliffe*              | Charlton Cemetery Trust   |
| Arthurs Creek Cemetery Trust   | Bowman's Forest Cemetery Trust        | Chetwynd Cemetery Trust   |
| Ashens Cemetery Trust  | Box Hill Cemetery Trust               | Chewton Cemetery Trust  |
| Attorney-General   | Bransholme Cemetery Trust             | Chief Investigator Transport Safety   |
| Australian Centre for the Moving Image   | Briagolong Cemetery Trust             | Chief Parliamentary Counsel Victoria  |
| Avenel Cemetery Trust  | Bridgewater Cemetery Trust            | Chiltern (Old) Cemetery   |
| Avoca Cemetery Trust   | Bright Cemetery Trust                 | Clarendon Cemetery Trust  |
| Bairnsdale Cemetery Trust  | Brim Cemetery Trust                   | Clear Lake Cemetery Trust   |
| Ballan Cemetery Trust  | Brimpaen Cemetery Trust               | Clunes Cemetery Trust   |
| Ballangeich Cemetery Trust   | Broadford Cemetery Trust              | Cobden Cemetery Trust   |
| Balmoral Cemetery Trust  | Bruthen Cemetery Trust                | Cobram Cemetery Trust   |
| Bambra Cemetery Trust  | Buangor Cemetery Trust                | Coghill's Creek Cemetery Trust  |
| Bannerton Cemetery Trust   | Buchan Cemetery Trust                 | Cohuna Cemetery Trust   |
| Bannockburn Cemetery Trust   | Buckland Cemetery Trust               | Colbinabbin Cemetery Trust  |
| Banyule Cemeteries Trust   | Bulla Cemetery Trust                  | Coleraine Cemetery Trust  |
| Baringhup Cemetery Trust   | Bullarto Cemetery Trust               | Commissioner for Better Regulation (includes Red Tape Commissioner)               |
| Barkly Cemetery Trust  | Bumberrah Cemetery Trust              | Commissioner for Environmental Sustainability                                     |
| Barmah Cemetery Trust  | Bung Bong and Wareek Cemetery Trust   | Concongella Cemetery Trust  |
| Barnawartha Cemetery Trust   | Bungaree Cemetery Trust               | Condah Cemetery Trust   |
| Barwon South West Waste and Resource Recovery Group                                      | Buninyong Cemetery Trust              | Coongulmerang Cemetery Trust  |
| Bealiba Cemetery Trust   | Bunyip Cemetery Trust                 | Corack Cemetery Trust   |
| Beaufort Cemetery Trust  | Burrum Burrum Cemetery Trust          | Corangamite Catchment Management Authority  |
| Beechworth Cemetery Trust  | Byaduk Cemetery Trust                 | Corangamite Regional Library Corporation  |
| Beenak Cemetery Trust  | Byaduk North Cemetery Trust           | Corinella Cemetery Trust  |
| Bellbrae Cemetery Trust  | Camperdown Cemetery Trust             | Corop Cemetery Trust  |
| Benalla Cemetery Trust   | Cann River Cemetery Trust             | Corryong Cemeteries Trust   |
| Benambra Cemetery Trust  | Cape Bridgewater Cemetery Trust       | Corryong Health (previously known as Upper Murray Health and Community Services)* |
| Bendoc Cemetery Trust  | Cape Clear Cemetery Trust             |   |
|  | Caramut Cemetery Trust                |   |
|  | Carisbrook Cemetery Trust             |   |

## 6 Appendices

### Agencies that did not receive FOI requests (continued)

|   |  |                                       |
|---|--|---------------------------------------|
| COVID-19 Quarantine Victoria  | Elmhurst Cemetery Trust                                  | Granite Flat Cemetery Trust           |
| Cowangie Cemetery Trust   | Elmore Cemetery Trust                                    | Grantville Cemetery Trust             |
| Cranbourne Cemetery Trust   | Elphinstone Cemetery Trust                               | Granya Cemetery Trust                 |
| Cressy Cemetery Trust   | Eltham Cemetery Trust                                    | Gray's Bridge Cemetery Trust          |
| Creswick Cemetery Trust   | Emerald Tourist Railway Board                            | Graytown Cemetery Trust               |
| Crib Point Cemetery Trust   | Ensay Cemetery Trust                                     | Great Western Cemetery Trust          |
| Crowlands Cemetery Trust  | Epping Cemetery Trust                                    | Green Hill Cemetery Trust             |
| Cudgewa Cemetery Trust  | Eureka (Chinkapook) Cemetery Trust                       | Green Lake Cemetery Trust             |
| Culgoa Cemetery Trust   | Euroa Cemetery Trust                                     | Greendale Cemetery Trust              |
| Dahwedarrre Cemetery Trust  | Falls Creek Alpine Resort Management Board               | Greta Cemetery Trust                  |
| Dairy Food Safety Victoria  | Ferntree Gully Cemetery Trust                            | Guildford Cemetery Trust              |
| Dargo Cemetery Trust  | Firearms Appeals Committee                               | Hamilton Cemetery Trust               |
| Darlington Cemeteries Trust   | First Mildura Irrigation Trust                           | Harcourt Cemetery Trust               |
| Darraweit Guim Cemetery Trust                                       | Footscray Cemetery Trust                                 | Harrietteville Cemetery Trust         |
| Dartmoor Cemetery Trust   | Foster Cemetery Trust                                    | Harrow Cemetery Trust                 |
| Daylesford Cemetery Trust   | Franklinford Cemetery Trust                              | Havilah Cemetery Trust                |
| Deep Lead Cemetery Trust  | Frankston Cemetery Trust                                 | Hawkesdale Cemetery Trust             |
| Deputy Premier of Victoria  | French Island Cemetery Trust                             | Hazelwood Cemetery Trust              |
| Dergholm Cemetery Trust   | Fryerstown Cemetery Trust                                | Heathcote Cemetery Trust              |
| Derrinallum Cemetery Trust  | Gaffney's Creek Cemetery Trust                           | Heritage Council of Victoria          |
| Devenish Cemetery Trust   | Garvoc Cemetery Trust                                    | Hexham Cemetery Trust                 |
| Digby Cemetery Trust  | Geelong Cemeteries Trust                                 | Heyfield Cemetery Trust               |
| Dimboola Cemetery Trust   | Geelong Performing Arts Centre Trust                     | Heywood Cemetery Trust                |
| Disability Services Commissioner*                                   | Geelong Regional Library Corporation*                    | Hopetoun Cemetery Trust               |
| Disciplinary Appeals Boards*  | Gembrook Cemetery Trust                                  | Horsham Cemetery Trust                |
| Donald Cemetery Trust   | Gippsland Waste and Resource Recovery Group              | Hotspur Cemetery Trust                |
| Donnybrook Cemetery Trust   | Gipsy Point Cemetery Trust                               | Indigo North Health Inc.              |
| Dookie Cemetery Trust   | Glenelg Hopkins Catchment Management Authority*          | Inglewood Cemetery Trust              |
| Dookie East Cemetery Trust  | Glengower Cemetery Trust                                 | Inverleigh Cemetery Trust             |
| Dowling Forest Cemetery Trust                                       | Glenlyon Cemetery Trust                                  | Inverloch Cemetery Trust              |
| Drik Drik Cemetery Trust  | Glenmaggie Cemetery Trust                                | Jeparit Cemetery Trust                |
| Drouin Cemetery Trust   | Glenorchy Cemetery Trust                                 | Jerro Cemetery Trust                  |
| Drouin West Cemetery Trust  | Glenthompson Cemetery Trust                              | John Foord (Wahgunyah) Cemetery Trust |
| Dunkeld Cemetery Trust  | Gobur Cemetery Trust                                     | Joyce's Creek Cemetery Trust          |
| Dunolly (New) Cemetery Trust  | Goldfields Library Corporation*                          | Judicial College of Victoria          |
| Dunolly (Old) Cemetery Trust  | Goornong Cemetery Trust                                  | Kangaroo Ground Cemetery Trust        |
| Durham Ox Cemetery Trust  | Gordon (New) Cemetery Trust                              | Kardinia Park Stadium Trust           |
| East Gippsland Region Water Corporation (t/a East Gippsland Water)* | Gordon (Old) Cemetery Trust                              | Karnak Cemetery Trust                 |
| East Gippsland Shire Cemeteries Trust                               | Gormandale Cemetery Trust                                | Katamatite Cemetery Trust             |
| Eastern Regional Libraries Corporation                              | Goulburn Valley Region Water Corporation                 | Katandra Cemetery Trust               |
| Echuca Cemetery Trust   | Goulburn Valley Regional Library Corporation             | Katyl Cemetery Trust                  |
| Eddington Cemetery Trust  | Goulburn Valley Waste and Resource Recovery Group        | Kenmare Cemetery Trust                |
| Eganstown Cemetery Trust  | Gowangardie Cemetery Trust                               | Kerang Cemetery Trust                 |
| Eildon Weir Cemetery Trust  | Grampians Central West Waste and Resource Recovery Group | Kiata Cemetery Trust                  |
| Elaine Cemetery Trust   |  | Kiewa Cemetery Trust                  |
| Eldorado Cemetery Trust   |  | Kilcunda Cemetery Trust               |
| Ellerslie Cemetery Trust  |  | Kilmore Cemetery Trust                |

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| Kilnoorat Cemetery Trust                        |
| Kinglake Ranges Cemetery Trust                  |
| Kingower Cemetery Trust                         |
| Koetong Cemetery Trust                          |
| Koondrook Cemetery Trust                        |
| Kooweerup Regional Health Service               |
| Korong Vale Cemetery Trust                      |
| Korumburra Cemetery Trust                       |
| Kyabram Cemetery Trust                          |
| Kyneton Cemetery Trust                          |
| Labour Hire Authority                           |
| Laen North Cemetery Trust                       |
| Lake Boga Cemetery Trust                        |
| Lake Bolac Cemetery Trust                       |
| Lake Rowan Cemetery Trust                       |
| Lakes Entrance Cemetery Trust                   |
| Lalbert Cemetery Trust                          |
| Lancefield Cemetery Trust                       |
| Land Tax Hardship Relief Board                  |
| Landsborough Cemetery Trust                     |
| Lang Lang Cemetery Trust                        |
| Latrobe Valley Authority                        |
| Learmonth Cemetery Trust                        |
| Legal Practitioners' Liability Committee*       |
| Leongatha Cemetery Trust                        |
| Lethbridge Cemetery Trust                       |
| Lexton Cemetery Trust                           |
| Linton Cemetery Trust                           |
| Lismore Cemetery Trust                          |
| Loch Ard Cemetery Trust                         |
| Lockwood Cemetery Trust                         |
| Loddon Mallee Waste and Resource Recovery Group |
| Longwood Cemetery Trust                         |
| Lorquon Cemetery Trust                          |
| Macarthur Cemetery Trust                        |
| Macedon Cemetery Trust                          |
| Maddingley Cemetery Trust                       |
| Maffra Cemetery Trust                           |
| Majorca Cemetery Trust                          |
| Maldon Cemetery Trust                           |
| Mallacoota West Cemetery Trust                  |
| Mallee Catchment Management Authority           |
| Malmsbury Cemetery Trust                        |
| Manangatang Cemetery Trust                      |
| Mansfield Cemetery Trust                        |
| Marlo Cemetery Trust                            |
| Marong Cemetery Trust                           |
| Maryborough Cemetery Trust                      |
| Maryknoll Cemetery Trust                        |

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|---|
| Marysville Cemetery Trust   |
| Matlock Cemetery Trust  |
| Meeniyana Cemetery Trust  |
| Melbourne Chevra Kadisha Cemetery Trust   |
| Melbourne Cricket Ground Trust  |
| Melton Cemetery Trust   |
| Merbein Cemetery Trust  |
| Meredith Cemetery Trust   |
| Meringur Cemetery Trust   |
| Merino Cemetery Trust   |
| Merit Protection Boards*  |
| Metropolitan Waste and Resource Recovery Group*   |
| Milawa Cemetery Trust   |
| Mildura Cemetery Trust  |
| Minimay Cemetery Trust  |
| Minister for Agriculture (includes Minister for Cross Border Coordination/ Minister for Creative Industries/Minister for Regional Development/Minister for Tourism, Sport and Major Events/ Minister for Commonwealth Games Delivery/Minister for Commonwealth Games Legacy/Minister for Trade) |
| Minister for Ambulance Services   |
| Minister for Business Precincts   |
| Minister for Child Protection and Family Services   |
| Minister for Community Sport (includes Minister for Employment/Mining Land Rehabilitation Authority)  |
| Minister for Corrections  |
| Minister for Crime Prevention   |
| Minister for Disability, Ageing and Carers  |
| Minister for Early Childhood  |
| Minister for Early Childhood and Pre-Prep   |
| Minister for Economic Development*  |
| Minister for Education  |
| Minister for Energy   |
| Minister for Environment and Climate Action   |
| Minister for Equality   |
| Minister for Fishing and Boating  |
| Minister for Government Services  |
| Minister for Health   |
| Minister for Housing  |
| Minister for Industrial Relations   |
| Minister for Industry Support and Recovery  |
| Minister for Local Government   |
| Minister for Mental Health  |
| Minister for Multicultural Affairs  |
| Minister for Planning   |
| Minister for Police   |

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| Minister for Prevention of Family Violence                     |
| Minister for Racing  |
| Minister for Regulatory Reform*                                |
| Minister for Resources   |
| Minister for Solar Homes                                       |
| Minister for Suburban Development                              |
| Minister for Training and Skills and Higher Education          |
| Minister for Veterans  |
| Minister for Victim Support                                    |
| Minister for Water   |
| Minister for Women   |
| Minister for Youth   |
| Minister for Youth Justice                                     |
| Minyip Cemetery Trust  |
| Miram Cemetery Trust   |
| Mirboo North Cemetery Trust                                    |
| Mitiamo Cemetery Trust   |
| Mitta Mitta Cemetery Trust                                     |
| Moe Memorial Park Trust  |
| Moliagul Cemetery Trust  |
| Moonambel Cemetery Trust                                       |
| Moondarra Cemetery Trust                                       |
| Moonlight Head Cemetery Trust                                  |
| Moorngag Cemetery Trust  |
| Mooroopna Cemetery Trust                                       |
| Mornington Peninsula Cemetery Trust                            |
| Morrison's Cemetery Trust                                      |
| Mortlake Cemetery Trust  |
| Mount Buller and Mount Stirling Alpine Resort Management Board |
| Mount Cole Cemetery Trust                                      |
| Mount Egerton Cemetery Trust                                   |
| Mount Hotham Alpine Resort Management Board                    |
| Mount Prospect Cemetery Trust                                  |
| Moyston Cemetery Trust   |
| Muckleford Cemetery Trust                                      |
| Murchison Cemetery Trust                                       |
| Murray Valley Wine Grape Industry Development Committee        |
| Murrayville Cemetery Trust                                     |
| Murtoa Cemetery Trust  |
| Museums Victoria*  |
| Myrtleford Cemetery Trust                                      |
| Mysia Cemetery Trust   |
| Mystic Park Cemetery Trust                                     |
| Nagambie Cemetery Trust  |
| Nandaly Cemetery Trust   |
| Narimga Cemetery Trust   |
| Narracan Cemetery Trust  |

## 6 Appendices

### Agencies that did not receive FOI requests (continued)

|   |  |  |
|---|--|--|
| Narrawong Cemetery Trust                                    | Portable Long Service Authority                            | Rupanyup Cemetery Trust                  |
| Nathalia Cemetery Trust                                     | Portland (North) Cemetery Trust                            | Rushworth Cemetery Trust                 |
| Natimuk Cemetery Trust                                      | Portland (South) Cemetery Trust                            | Rye Cemetery Trust                       |
| National Gallery of Victoria*                               | Ports Victoria   | Sale Cemetery Trust                      |
| National Parks Advisory Council                             | Post Sentence Authority                                    | San Remo Cemetery Trust                  |
| Natte Yallock Cemetery Trust                                | Previous Deputy Premier of Victoria                        | Sandford Cemetery Trust                  |
| Navarre Cemetery Trust                                      | Previous Minister for Ambulance Services                   | Sandy Creek Cemetery Trust               |
| Neerim Cemetery Trust                                       | Previous Minister for Child Protection and Family Services | Scientific Advisory Committee            |
| Nelson Cemetery Trust                                       | Previous Minister for Corrections                          | Scotts Creek Cemetery Trust              |
| Netherby Cemetery Trust                                     | Previous Minister for Crime Prevention                     | Sea Lake Cemetery Trust                  |
| Newbridge Cemetery Trust                                    | Previous Minister for Education                            | Sentencing Advisory Council              |
| Newstead Cemetery Trust                                     | Previous Minister for Equality                             | Seymour Cemeteries Trust                 |
| Nhill Cemetery Trust  | Previous Minister for Housing                              | Sheep Hills Cemetery Trust               |
| Nillumbik Cemetery Trust                                    | Previous Minister for Mental Health                        | Shelford Cemetery Trust                  |
| Nirranda Cemetery Trust                                     | Previous Minister for Resources                            | Shepparton Cemetery Trust                |
| North Central Catchment Management Authority*               | Previous Minister for Suburban Development                 | Shrine of Remembrance Trustees*          |
| North East Link State Tolling Corporation                   | Previous Minister for Victim Support                       | Skipton Cemetery Trust                   |
| North East Waste and Resource Recovery Group                | Previous Minister for Women                                | Smeaton Cemetery Trust                   |
| Northern Grampians Shire Council*                           | Previous Minister for Youth Justice                        | Smythesdale Cemetery Trust               |
| Numurkah Wunghnu Cemetery Trust                             | Professional Boxing and Combat Sports Board                | Southern Metropolitan Cemeteries Trust   |
| Nurrabel Cemetery Trust                                     | Public Sector Gender Equality Commissioner                 | Speed Cemetery Trust                     |
| Nyah Cemetery Trust   | Pyramid Hill Cemetery Trust                                | Spring Hill Cemetery Trust               |
| Nyora Cemetery Trust  | Quambatook Cemetery Trust                                  | Spring Lead Cemetery Trust               |
| Office of the Family Violence Reform Implementation Monitor | Quantong Cemetery Trust                                    | St Arnaud Cemetery Trust                 |
| Office of the Road Safety Camera Commissioner*              | Queen Victoria Women's Centre Trust                        | Staffordshire Reef Cemetery Trust        |
| Omeo Cemetery Trust   | Queenstown Cemetery Trust                                  | Stanley Cemetery Trust                   |
| Omeo District Health  | Racing Integrity Commissioner                              | State Library of Victoria*               |
| Orbost Cemetery Trust                                       | Rainbow Cemetery Trust                                     | State Sport Centres Trust                |
| Ouyen Cemetery Trust  | Raywood Cemetery Trust                                     | Steiglitz Cemetery Trust                 |
| Pakenham Cemetery Trust                                     | Red Cliffs Cemetery Trust                                  | Stratford Cemetery Trust                 |
| Panmure Cemetery Trust                                      | Redbank Cemetery Trust                                     | Strathbogie Cemetery Trust               |
| Pannoo-bamawm Cemetery Trust                                | Redcastle Cemetery Trust                                   | Strathdownie Cemetery Trust              |
| Patho Cemetery Trust  | Remembrance Parks Central Victoria                         | Streatham Cemetery Trust                 |
| Paynesville Cemetery Trust                                  | Respect Victoria   | Stuart Mill Cemetery Trust               |
| Phillip Island Cemetery Trust                               | Rheola Cemetery Trust                                      | Sunbury Cemetery Trust                   |
| Phillip Island Nature Park Board of Management              | Riddells Creek Cemetery Trust                              | Surveyors Registration Board of Victoria |
| Pimpinio Cemetery Trust                                     | Ripplebrook Cemetery Trust                                 | Sutton Grange Cemetery Trust             |
| Pleasant Creek Cemetery Trust                               | Robinvale Cemetery Trust                                   | Swan Hill Cemetery Trust                 |
| Polkemmet Cemetery Trust                                    | Rochester Cemetery Trust                                   | Swanwater West Cemetery Trust            |
| Pompapriel Cemetery Trust                                   | Rokewood Cemetery Trust                                    | Talgarno Cemetery Trust                  |
| Poowong Cemetery Trust                                      | Roseberry Cemetery Trust                                   | Tallangatta Cemetery Trust               |
| Port Campbell Cemetery Trust                                | Rosedale Cemetery Trust                                    | Tallarook Cemetery Trust                 |
| Port Fairy Cemetery Trust                                   | Rothwell Cemetery Trust                                    | Taradale Cemetery Trust                  |
| Port of Hastings Corporation                                | Royal Botanic Gardens Board*                               | Tarnagulla Cemetery Trust                |
|   | Runnymede Cemetery Trust                                   | Tarrawingee Cemetery Trust               |
|   |  | Tarrayoukyan Cemetery Trust              |
|   |  | Tarwin Lower Cemetery Trust              |
|   |  | Tatura Cemetery Trust                    |



|  |   |                                      |
|--|---|--------------------------------------|
| Tatyoony Cemetery Trust  | Victorian Mining Warden                             | Woolsthorpe Cemetery Trust           |
| Tawonga Cemetery Trust   | Victorian Multicultural Commission                  | Woomelang Cemetery Trust             |
| Teesdale Cemetery Trust  | Victorian Pharmacy Authority                        | Woorak Cemetery Trust                |
| Terang Cemetery Trust  | Victorian Professional Standards Council            | Woorndoo Cemetery Trust              |
| Terrapee Cemetery Trust  | Victorian Responsible Gambling Foundation           | Woosang Cemetery Trust               |
| Thoonaa Cemetery Trust   | Victorian Skills Authority                          | WorkCover Advisory Committee         |
| Thorpdale Cemetery Trust   | Victorian Small Business Commission                 | Wycheproof Cemetery Trust            |
| Timor Cemetery Trust   | Victorian Strawberry Industry Development Committee | Wychitella Cemetery Trust            |
| Tongala Cemetery Trust   | Victorian Veterans Council                          | Yabba Cemetery Trust                 |
| Tooon Cemetery Trust   | Violet Town Cemetery Trust                          | Yackandandah Cemetery Trust          |
| Toolamba Cemetery Trust  | Waanyarra Cemetery Trust                            | Yalca North Cemetery Trust           |
| Toongabbie Cemetery Trust  | Waitchie Cemetery Trust                             | Yallourn Cemetery Trust              |
| Toora Cemetery Trust   | Walhalla Cemetery Trust                             | Yambuk Cemetery Trust                |
| Towanninie Cemetery Trust  | Wallan Cemetery Trust                               | Yan Yean Cemetery Trust              |
| Tower Hill Cemetery Trust  | Walpeup Cemetery Trust                              | Yarck Cemetery Trust                 |
| Trafalgar Cemetery Trust   | Walwa Cemetery Trust                                | Yarra Plenty Regional Library*       |
| Traralgon Cemetery Trust   | Wangaratta Cemetery Trust                           | Yarragon Cemetery Trust              |
| Trentham Cemetery Trust  | Warracknabeal Cemetery Trust                        | Yarram Cemetery Trust                |
| Tungamah Cemetery Trust  | Warragul Cemetery Trust                             | Yarrawonga & District Cemetery Trust |
| Tutye Cemetery Trust   | Warrnambool Cemetery Trust                          | Yarrayne Cemetery Trust              |
| Tyaak Cemetery Trust   | Watchem Cemetery Trust                              | Yea Cemetery Trust                   |
| Tylden Cemetery Trust  | Waterloo Cemetery Trust                             | Zoological Parks and Gardens Board   |
| Underbool Cemetery Trust   | Waubra Cemetery Trust                               |                                      |
| University of Divinity   | Wedderburn Cemetery Trust                           |                                      |
| Upper Regions (Wail) Cemetery Trust  | Welshpool Cemetery Trust                            |                                      |
| Upper Yarra Cemetery Trust   | Werona and Kooroocheang Cemetery Trust              |                                      |
| Vaughan Cemetery Trust   | Werrimull Cemetery Trust                            |                                      |
| Veterinary Practitioners Registration Board of Victoria  | West Gippsland Catchment Management Authority       |                                      |
| Victoria Skills Authority Advisory Board   | West Gippsland Regional Library Corporation*        |                                      |
| Victorian Arts Centre Trust*   | West Wimmera Shire Cemeteries Trust                 |                                      |
| Victorian Asbestos Eradication Agency  | Whitefield Cemetery Trust                           |                                      |
| Victorian Catchment Management Council   | Whitehorse Manningham Regional Library Corporation  |                                      |
| Victorian Disability Advisory Council  | Whroo Cemetery Trust                                |                                      |
| Victorian Disability Worker Commission   | Wickliffe Cemetery Trust                            |                                      |
| Victorian Disability Worker Commissioner   | Willaura Cemetery Trust                             |                                      |
| Victorian Environmental Water Holder   | Willow Grove Cemetery Trust                         |                                      |
| Victorian Government Architect   | Wimmera Catchment Management Authority              |                                      |
| Victorian Government Purchasing Board*   | Wimmera Regional Library Corporation*               |                                      |
| Victorian Health Promotion Foundation (t/a VicHealth)  | Winiam Cemetery Trust                               |                                      |
| Victorian Law Reform Commission  | Winton Cemetery Trust                               |                                      |
| Victorian Legal Admissions Board   | Wodonga Cemetery Trust                              |                                      |
| Victorian Local Government Grants Commission (includes Previous Minister for Creative Industries/Previous Minister for Regional Development/Previous Minister for Tourism, Sports and Major Events/Previous Minister for Business Precincts/Minister for Small Business) | Wonthaggi Cemetery Trust                            |                                      |
| Victorian Marine and Coastal Council   | Woodend Cemetery Trust                              |                                      |
|  | Woods Point Cemetery Trust                          |                                      |
|  | Woodside Cemetery Trust                             |                                      |

\* Denotes agencies that provide reading room facilities or can make them available by arrangement.

# Appendix B

## Appeals to the Victorian Civil and Administrative Tribunal 2021-22<sup>5</sup>

| <i>Agency</i>                                       | <i>Appeals lodged</i> | <i>Appeals withdrawn from VCAT<sup>6</sup></i> | <i>Decided by VCAT</i> | <i>Agency decision confirmed</i> | <i>Agency decision varied<sup>7</sup></i> | <i>Agency decision overturned</i> | <i>Other<sup>8</sup></i> |
|---|-----------------------|--|------------------------|----------------------------------|---|-----------------------------------|--------------------------|
| <b>Totals</b>                                       | <b>161</b>            | <b>91</b>                                      | <b>38</b>              | <b>30</b>                        | <b>8</b>                                  | <b>0</b>                          | <b>264</b>               |
| Accident Compensation Conciliation Service          | 1                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Alfred Health                                       | 0                     | 0  | 1                      | 0                                | 1   | 0                                 | 0                        |
| Ambulance Victoria                                  | 1                     | 0  | 1                      | 1                                | 0   | 0                                 | 1                        |
| Banyule City Council                                | 0                     | 1  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Bass Coast Shire Council                            | 4                     | 2  | 2                      | 2                                | 0   | 0                                 | 2                        |
| Bayside City Council                                | 1                     | 2  | 0                      | 0                                | 0   | 0                                 | 2                        |
| Bendigo Kangan Institute                            | 0                     | 1  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Chief Parliamentary Counsel Victoria                | 2                     | 0  | 4                      | 4                                | 0   | 0                                 | 0                        |
| City of Boroondara                                  | 0                     | 0  | 0                      | 0                                | 0   | 0                                 | 3                        |
| City of Port Phillip                                | 3                     | 0  | 1                      | 0                                | 1   | 0                                 | 3                        |
| City of Stonnington                                 | 2                     | 1  | 0                      | 0                                | 0   | 0                                 | 2                        |
| Commercial Passenger Vehicles Victoria              | 1                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Country Fire Authority                              | 0                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Court Services Victoria                             | 1                     | 0  | 1                      | 1                                | 0   | 0                                 | 0                        |
| Department of Education and Training                | 4                     | 0  | 8                      | 7                                | 1   | 0                                 | 3                        |
| Department of Environment, Land, Water and Planning | 2                     | 0  | 0                      | 0                                | 0   | 0                                 | 4                        |
| Department of Families, Fairness and Housing        | 4                     | 2  | 0                      | 0                                | 0   | 0                                 | 8                        |
| Department of Health                                | 16                    | 10   | 1                      | 0                                | 1   | 0                                 | 21                       |
| Department of Jobs, Precincts and Regions           | 4                     | 1  | 0                      | 0                                | 0   | 0                                 | 5                        |
| Department of Justice and Community Safety          | 12                    | 5  | 1                      | 1                                | 0   | 0                                 | 18                       |
| Department of Premier and Cabinet                   | 0                     | 1  | 0                      | 0                                | 0   | 0                                 | 6                        |
| Department of Transport                             | 7                     | 9  | 3                      | 3                                | 0   | 0                                 | 14                       |
| Department of Treasury and Finance                  | 0                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Development Victoria                                | 1                     | 0  | 0                      | 0                                | 0   | 0                                 | 3                        |
| Eastern Health                                      | 0                     | 1  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Emergency Services Telecommunications Authority     | 0                     | 1  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Environment Protection Authority                    | 2                     | 5  | 0                      | 0                                | 0   | 0                                 | 10                       |
| Fire Rescue Victoria                                | 1                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Gordon Institute of TAFE                            | 1                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Grampians Health                                    | 0                     | 1  | 0                      | 0                                | 0   | 0                                 | 2                        |
| Hobsons Bay City Council                            | 0                     | 0  | 1                      | 0                                | 1   | 0                                 | 0                        |
| Indigo Shire Council                                | 0                     | 1  | 0                      | 0                                | 0   | 0                                 | 1                        |

| <b>Agency</b>   | <b>Appeals lodged</b> | <b>Appeals withdrawn from VCAT<sup>6</sup></b> | <b>Decided by VCAT</b> | <b>Agency decision confirmed</b> | <b>Agency decision varied<sup>7</sup></b> | <b>Agency decision overturned</b> | <b>Other<sup>8</sup></b> |
|---|-----------------------|--|------------------------|----------------------------------|---|-----------------------------------|--------------------------|
| Kingston City Council   | 0                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Macedon Ranges Shire Council  | 0                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Major Transport Infrastructure Authority                                | 1                     | 1  | 1                      | 1                                | 0   | 0                                 | 2                        |
| Melbourne Health  | 0                     | 0  | 1                      | 1                                | 0   | 0                                 | 0                        |
| Mercy Hospitals Victoria Ltd  | 0                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Mitchell Shire Council  | 1                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Monash Health   | 0                     | 0  | 0                      | 0                                | 0   | 0                                 | 2                        |
| Moreland City Council   | 1                     | 0  | 0                      | 0                                | 0   | 0                                 | 0                        |
| Murrindindi Shire Council   | 0                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Northern Health   | 1                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Peninsula Health  | 2                     | 0  | 0                      | 0                                | 0   | 0                                 | 2                        |
| Racing Victoria Limited   | 1                     | 0  | 0                      | 0                                | 0   | 0                                 | 5                        |
| Royal Children's Hospital   | 1                     | 1  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Royal Society for the Prevention of Cruelty to Animals (RSPCA Victoria) | 0                     | 0  | 0                      | 0                                | 0   | 0                                 | 3                        |
| South Gippsland Shire Council   | 1                     | 1  | 0                      | 0                                | 0   | 0                                 | 2                        |
| Suburban Rail Loop Authority  | 0                     | 2  | 0                      | 0                                | 0   | 0                                 | 2                        |
| Surf Coast Shire Council  | 0                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Transport Accident Commission   | 0                     | 0  | 1                      | 1                                | 0   | 0                                 | 0                        |
| Transport Safety Victoria   | 1                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| University of Melbourne   | 1                     | 0  | 0                      | 0                                | 0   | 0                                 | 2                        |
| V/Line Corporation  | 1                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Victoria Police   | 56                    | 34   | 11                     | 8                                | 3   | 0                                 | 84                       |
| Victorian Building Authority  | 9                     | 7  | 0                      | 0                                | 0   | 0                                 | 15                       |
| Victorian Equal Opportunity & Human Rights Commission                   | 0                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Victorian Institute of Teaching   | 1                     | 0  | 0                      | 0                                | 0   | 0                                 | 3                        |
| Victorian Legal Services Board  | 1                     | 1  | 0                      | 0                                | 0   | 0                                 | 2                        |
| Victorian Legal Services Commissioner                                   | 1                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Victorian Rail Track (t/a VicTrack)                                     | 1                     | 0  | 0                      | 0                                | 0   | 0                                 | 1                        |
| Victorian WorkCover Authority (t/a WorkSafe)                            | 10                    | 0  | 0                      | 0                                | 0   | 0                                 | 9                        |

**5** The data in this table is based on the number and type of decisions handed down by the Tribunal in 2021-22, whether or not those decisions were as a result of appeals lodged in that year or previous years. This is necessary given the time that can often pass between an appeal being lodged, the mediation and other processes that can occur prior to a formal hearing, and a final decision being handed down by the Tribunal.

**6** 'Appeals withdrawn from VCAT' figures are also included in the 'Other' column.

**7** 'VCAT agency decision confirmed' includes situations where a case was struck out, or the matter was dismissed.

**8** 'Other' includes cases that were withdrawn or settled prior to the VCAT hearing or not yet decided by the Tribunal.

# Appendix C

## Exemptions cited

| <b>Agency</b>                              | <b>Initial decisions<br/>(Act provision<br/>x no. of times<br/>cited)</b>   | <b>VCAT appeals<br/>(Act provision<br/>x no. of times<br/>cited)</b> |
|--|---|--|
| Accident Compensation Conciliation Service | s.32(1) x 1   |  |
| Albury Wodonga Health                      | s.30(1) x 6<br>s.33(1) x 14   |  |
| Alfred Health                              | s.33(1) x 14<br>s.35(1)(b) x 18<br>s.38 x 3   | s.33(1) x 1  |
| Ambulance Victoria                         | s.30(1) x 3<br>s.32(1) x 1<br>s.33(1) x 538<br>s.35(1)(b) x 2   | s.33(1) x 1  |
| Ararat Rural City Council                  | s.34(1)(a) x 1<br>s.34(1)(b) x 1<br>s.38 x 1  |  |
| Austin Health                              | s.30(1) x 1<br>s.33(1) x 42<br>s.35(1)(b) x 12<br>s.38 x 7  |  |
| Australian Grand Prix Corporation          | s.25A(1) x 1<br>s.30(1) x 1   |  |
| Bairnsdale Regional Health Service         | s.25A(1) x 1<br>s.31(1)(c) x 7<br>s.33(4) x 1   |  |
| Banyule City Council                       | s.33(1) x 10<br>s.34(1)(b) x 1<br>s.35(1)(b) x 2<br>s.38 x 6  |  |
| Barwon Health                              | s.25A(1) x 4<br>s.30(1) x 19<br>s.31(1)(c) x 4<br>s.32(1) x 3<br>s.33(1) x 350<br>s.35(1)(a) x 180<br>s.38 x 9      |  |
| Barwon Region Water Corporation            | s.33(1) x 5<br>s.34(1)(a) x 1   |  |
| Bass Coast Health                          | s.33(1) x 6   |  |
| Bass Coast Shire Council                   | s.31(1)(a) x 1<br>s.31(1)(b) x 1<br>s.32(1) x 1<br>s.33(1) x 4<br>s.35(1)(b) x 1<br>s.38 x 5                        | s.33(1) x 2  |
| Baw Baw Shire Council                      | s.25A(5) x 2<br>s.30(1) x 1<br>s.32(1) x 1<br>s.33(1) x 1<br>s.34(1)(b) x 1   |  |
| Bayside City Council                       | s.30(1) x 2<br>s.32(1) x 3<br>s.33(1) x 8<br>s.34(1)(b) x 4<br>s.34(4)(a) x 2<br>s.35(1)(a) x 1<br>s.38A(1)(b) x 10 |  |

| <b>Agency</b>                              | <b>Initial decisions<br/>(Act provision<br/>x no. of times<br/>cited)</b>  | <b>VCAT appeals<br/>(Act provision<br/>x no. of times<br/>cited)</b> |
|--|--|--|
| Bendigo Health Care Group                  | s.25A(1) x 8<br>s.30(1) x 1<br>s.31(1)(a) x 1<br>s.33(1) x 108<br>s.35(1)(b) x 16<br>s.38 x 2                                  |  |
| Bendigo Kangan Institute                   | s.25A(5) x 1<br>s.33(1) x 3  |  |
| Brimbank City Council                      | s.33(1) x 6<br>s.34(1)(b) x 4<br>s.35(1)(b) x 2  |  |
| Buloke Shire Council                       | s.34(1)(b) x 1   |  |
| Bushfire Recovery Victoria                 | s.30(1) x 1<br>s.33(1) x 1<br>s.35(1)(b) x 1   |  |
| Campaspe Shire Council                     | s.30(1) x 2<br>s.33(1) x 3   |  |
| Cardinia Shire Council                     | s.25A(1) x 2<br>s.33(1) x 17<br>s.34(1)(a) x 2   |  |
| Central Highlands Region Water Corporation | s.30(1) x 1<br>s.33(1) x 2<br>s.35(1)(a) x 1   |  |
| Chief Parliamentary Counsel Victoria       |  | s.32(1) x 2<br>s.33(1) x 2   |
| Chisholm Institute                         | s.30(1) x 1<br>s.34(1)(b) x 1<br>s.34(4)(a) x 1<br>s.35(1)(b) x 1  |  |
| City of Ballarat                           | s.30(1) x 1<br>s.33(1) x 3<br>s.35(1)(b) x 1   |  |
| City of Boroondara                         | s.30(1) x 5<br>s.32(1) x 1<br>s.33(1) x 12<br>s.34(1)(b) x 1<br>s.35(1)(a) x 1<br>s.35(1)(b) x 4<br>s.38 x 3<br>s.36(2)(b) x 1 |  |
| City of Casey                              | s.33(1) x 23<br>s.38 x 7   |  |
| City of Darebin                            | s.30(1) x 1<br>s.32(1) x 1<br>s.33(1) x 30<br>s.35(1)(a) x 1<br>s.35(1)(b) x 1   |  |
| City of Greater Bendigo                    | s.25A(5) x 17<br>s.31(1)(c) x 3  |  |
| City of Greater Dandenong                  | s.32(1) x 1<br>s.33(1) x 1<br>s.33(6) x 1<br>s.34(1)(b) x 2<br>s.35(1)(b) x 1<br>s.38 x 1                                      |  |

| <b>Agency</b>                            | <b>Initial decisions<br/>(Act provision<br/>x no. of times<br/>cited)</b>  | <b>VCAT appeals<br/>(Act provision<br/>x no. of times<br/>cited)</b> |
|--|--|--|
| City of Greater Geelong                  | s.25A(5) x 24<br>s.30(1) x 11<br>s.31(1)(c) x 3<br>s.32(1) x 3<br>s.33(1) x 81<br>s.34(1)(a) x 4<br>s.34(1)(b) x 1<br>s.35(1)(b) x 15<br>s.38A(1)(a) x 1 |  |
| City of Melbourne                        | s.25A(1) x 1<br>s.25A(5) x 1<br>s.30(1) x 3<br>s.32(1) x 1<br>s.34(1)(b) x 1<br>s.35(1)(b) x 1<br>s.38 x 1   |  |
| City of Monash                           | s.25A(5) x 1<br>s.33(1) x 2<br>s.35(1)(a) x 1  |  |
| City of Port Phillip                     | s.32(1) x 1<br>s.33(1) x 1<br>s.34(1)(b) x 2   | s.33(1) x 1  |
| City of Stonnington                      | s.30(1) x 9<br>s.31(1)(b) x 1<br>s.31(1)(c) x 2<br>s.31(1)(d) x 2<br>s.32(1) x 3<br>s.33(1) x 24<br>s.34(1)(b) x 5<br>s.35(1)(b) x 9<br>s.38 x 2         |  |
| City of Whitehorse                       | s.25A(5) x 6<br>s.31(1)(a) x 1<br>s.35(1)(a) x 1   |  |
| Colac Area Health                        | s.33(1) x 3  |  |
| Colac Otway Shire                        | s.33(1) x 6  |  |
| Commercial Passenger Vehicles Victoria   | s.33(1) x 1<br>s.34(1)(b) x 1<br>s.38 x 1  |  |
| Commission for Children and Young People | s.25A(5) x 3<br>s.31(1)(a) x 3<br>s.31(1)(c) x 3<br>s.33(1) x 3<br>s.35(1)(b) x 3<br>s.38 x 3  |  |
| Corangamite Shire                        | s.33(1) x 1<br>s.34(1)(a) x 1<br>s.35(1)(a) x 1  |  |
| Country Fire Authority                   | s.30(1) x 9<br>s.31(1)(a) x 1<br>s.32(1) x 3<br>s.33(1) x 9<br>s.34(1)(b) x 2<br>s.34(4)(a) x 1<br>s.35(1)(b) x 5<br>s.36(1)(b) x 1<br>s.38 x 4          |  |
| Court Services Victoria                  | s.25A(5) x 1<br>s.29(b) x 1<br>s.33(1) x 1   | s.24A(1) x 1   |
| Deakin University                        | s.25A(1) x 1<br>s.33(1) x 2  |  |

| <b>Agency</b>                                       | <b>Initial decisions<br/>(Act provision<br/>x no. of times<br/>cited)</b>  | <b>VCAT appeals<br/>(Act provision<br/>x no. of times<br/>cited)</b> |
|---|--|--|
| Dental Health Services Victoria                     | s.32(1) x 1  |  |
| Department of Education and Training                | s.25A(1) x 8<br>s.25A(5) x 4<br>s.28(1)(b) x 2<br>s.28(1)(ba) x 4<br>s.28(1)(c) x 3<br>s.28(1)(d) x 5<br>s.30(1) x 85<br>s.31(1)(a) x 5<br>s.31(1)(b) x 3<br>s.31(1)(c) x 2<br>s.32(1) x 21<br>s.33(1) x 258<br>s.34(1)(b) x 9<br>s.35(1)(a) x 2<br>s.35(1)(b) x 71<br>s.38 x 24   | s.25A(1) x 7<br>s.30(1) x 1<br>s.33(1) x 2<br>s.35(1)(b) x 1         |
| Department of Environment, Land, Water and Planning | s.28(1)(b) x 5<br>s.28(1)(ba) x 2<br>s.28(1)(c) x 1<br>s.28(1)(d) x 12<br>s.30(1) x 35<br>s.31(1)(a) x 1<br>s.31(1)(c) x 1<br>s.31(1)(d) x 1<br>s.32(1) x 10<br>s.33(1) x 29<br>s.34(1)(a) x 4<br>s.34(1)(b) x 14<br>s.34(4)(a) x 5<br>s.35(1)(a) x 3<br>s.35(1)(b) x 17<br>s.36(1)(a) x 2<br>s.36(1)(b) x 3<br>s.38 x 2 |  |
| Department of Families, Fairness and Housing        | s.25A(1) x 97<br>s.25A(5) x 134<br>s.28(1)(ba) x 8<br>s.28(1)(d) x 1<br>s.30(1) x 25<br>s.31(1)(a) x 174<br>s.31(1)(c) x 411<br>s.31(1)(d) x 1<br>s.32(1) x 5<br>s.33(1) x 884<br>s.34(4)(a) x 12<br>s.34(4)(b) x 17<br>s.35(1)(a) x 2<br>s.35(1)(b) x 495<br>s.38 x 428   |  |
| Department of Health                                | s.25A(1) x 40<br>s.25A(5) x 11<br>s.28(1)(b) x 1<br>s.28(1)(ba) x 5<br>s.28(1)(c) x 1<br>s.28(1)(d) x 5<br>s.29(a) x 5<br>s.29(b) x 5<br>s.30(1) x 33<br>s.31(1)(a) x 1<br>s.31(1)(b) x 1<br>s.31(1)(c) x 1<br>s.32(1) x 10<br>s.33(1) x 132<br>s.34(1)(b) x 7<br>s.34(4)(a) x 6<br>s.35(1)(a) x 3<br>s.35(1)(b) x 5     | s.25A(1) x 1   |

## 6 Appendices

### Exemptions cited (continued)

| <b>Agency</b>                              | <b>Initial decisions<br/>(Act provision<br/>x no. of times<br/>cited)</b>  | <b>VCAT appeals<br/>(Act provision<br/>x no. of times<br/>cited)</b> | <b>Agency</b>                                   | <b>Initial decisions<br/>(Act provision<br/>x no. of times<br/>cited)</b>   | <b>VCAT appeals<br/>(Act provision<br/>x no. of times<br/>cited)</b>   |
|--|--|--|---|---|--|
| Department of Jobs, Precincts and Regions  | s.25A(1) x 9<br>s.25A(5) x 1<br>s.28(1)(b) x 4<br>s.28(1)(ba) x 15<br>s.28(1)(c) x 4<br>s.28(1)(d) x 9<br>s.29(a) x 1<br>s.29(b) x 1<br>s.30(1) x 28<br>s.32(1) x 5<br>s.33(1) x 46<br>s.34(1)(a) x 1<br>s.34(1)(b) x 18<br>s.34(4)(a) x 22<br>s.35(1)(b) x 5<br>s.38 x 2  |  | Department of Transport                         | s.25A(1) x 7<br>s.25A(5) x 25<br>s.28(1)(b) x 8<br>s.28(1)(ba) x 9<br>s.28(1)(c) x 9<br>s.28(1)(d) x 10<br>s.29(a) x 3<br>s.29A x 1<br>s.30(1) x 32<br>s.31(1)(a) x 4<br>s.33(1) x 125<br>s.34(1)(b) x 10<br>s.34(4)(a) x 18<br>s.35(1)(b) x 14<br>s.38 x 149 | s.28(1)(b) x 1<br>s.28(1)(c) x 1<br>s.28(1)(d) x 1<br>s.30(1) x 1<br>s.33(1) x 2<br>s.34(1)(b) x 1<br>s.34(4)(a) x 1<br>s.35(1)(b) x 1 |
| Department of Justice and Community Safety | s.25A(1) x 67<br>s.25A(5) x 10<br>s.28(1)(a) x 1<br>s.28(1)(b) x 6<br>s.28(1)(ba) x 11<br>s.28(1)(c) x 1<br>s.28(1)(d) x 22<br>s.29(a) x 1<br>s.30(1) x 169<br>s.31(1)(a) x 429<br>s.31(1)(b) x 3<br>s.31(1)(c) x 1<br>s.31(1)(d) x 238<br>s.31(1)(e) x 4<br>s.32(1) x 7<br>s.33(1) x 774<br>s.33(6) x 1<br>s.33(7) x 1<br>s.34(1)(a) x 3<br>s.34(1)(b) x 5<br>s.34(4)(a) x 4<br>s.34(4)(b) x 1<br>s.35(1)(a) x 6<br>s.35(1)(b) x 36<br>s.38 x 856 | s.25A(5) x 1<br>s.28(1)(d) x 1<br>s.30(1) x 1                        | Department of Treasury and Finance              | s.28(1)(a) x 1<br>s.28(1)(ba) x 8<br>s.28(1)(d) x 19<br>s.29(a) x 5<br>s.30(1) x 16<br>s.32(1) x 5<br>s.34(1)(b) x 13<br>s.34(4)(a) x 15  |  |
|  |  |  | Development Victoria                            | s.28(1)(a) x 1<br>s.28(1)(b) x 1<br>s.28(1)(c) x 1<br>s.28(1)(d) x 1<br>s.30(1) x 2<br>s.32(1) x 1<br>s.33(1) x 4<br>s.34(1)(b) x 4<br>s.34(4)(a) x 1<br>s.35(1)(a) x 1<br>s.36(1)(b) x 1   |  |
|  |  |  | East Gippsland Catchment Management Authority   | s.30(1) x 1<br>s.33(1) x 1  |  |
|  |  |  | East Gippsland Shire Council                    | s.25A(1) x 3<br>s.30(1) x 1<br>s.32(1) x 1<br>s.33(1) x 6<br>s.35(1)(a) x 1<br>s.38A(1)(d) x 3  |  |
| Department of Premier and Cabinet          | s.25A(1) x 3<br>s.25A(5) x 1<br>s.28(1)(a) x 3<br>s.28(1)(b) x 18<br>s.28(1)(ba) x 11<br>s.28(1)(c) x 9<br>s.28(1)(d) x 20<br>s.29(a) x 7<br>s.29(b) x 2<br>s.29A x 1<br>s.30(1) x 21<br>s.32(1) x 19<br>s.33(1) x 44<br>s.34(1)(b) x 11<br>s.34(4)(a) x 2<br>s.35(1)(a) x 4<br>s.35(1)(b) x 4<br>s.38 x 1   |  | Eastern Health                                  | s.25A(1) x 2<br>s.25A(5) x 6<br>s.30(1) x 18<br>s.32(1) x 4<br>s.33(1) x 716<br>s.33(4) x 1<br>s.35(1)(b) x 258<br>s.38 x 14  |  |
|  |  |  | Emergency Services Telecommunications Authority | s.25A(1) x 1<br>s.30(1) x 3<br>s.31(1)(a) x 1<br>s.31(1)(d) x 1<br>s.33(1) x 29<br>s.34(1)(b) x 2<br>s.34(4)(a) x 1<br>s.35(1)(b) x 2<br>s.38 x 31  |  |
|  |  |  | Energy Safe Victoria                            | s.30(1) x 1<br>s.31(1)(a) x 3<br>s.32(1) x 2<br>s.33(1) x 2<br>s.35(1)(b) x 5   |  |

| <i>Agency</i>                                  | <i>Initial decisions<br/>(Act provision<br/>x no. of times<br/>cited)</i>  | <i>VCAT appeals<br/>(Act provision<br/>x no. of times<br/>cited)</i> |
|--|--|--|
| Environment Protection Authority               | s.25A(1) x 7<br>s.25A(5) x 1<br>s.28(1)(d) x 1<br>s.30(1) x 2<br>s.31(1)(a) x 5<br>s.31(1)(b) x 3<br>s.31(1)(d) x 1<br>s.32(1) x 4<br>s.33(1) x 10<br>s.34(1)(a) x 3<br>s.34(1)(b) x 8<br>s.34(4)(a) x 1<br>s.35(1)(a) x 2<br>s.35(1)(b) x 2 |  |
| Essential Services Commission                  | s.32(1) x 1<br>s.33(1) x 2<br>s.35(1)(a) x 1   |  |
| Family Safety Victoria                         | s.33(1) x 1  |  |
| Film Victoria (t/a VicScreen)                  | s.33(1) x 1  |  |
| Fire Rescue Victoria                           | s.30(1) x 3<br>s.33(1) x 554<br>s.34(4)(a) x 1   |  |
| Frankston City Council                         | s.30(1) x 1<br>s.33(1) x 4<br>s.35(1)(b) x 1<br>s.38 x 3   |  |
| Game Management Authority                      | s.25A(1) x 1<br>s.30(1) x 3<br>s.33(1) x 3<br>s.34(1)(b) x 1<br>s.35(1)(b) x 1   |  |
| Glen Eira City Council                         | s.25A(1) x 5<br>s.30(1) x 1<br>s.32(1) x 1<br>s.33(1) x 6<br>s.38 x 7  |  |
| Glenelg Shire Council                          | s.32(1) x 2<br>s.33(1) x 5<br>s.38 x 2   |  |
| Golden Plains Shire Council                    | s.25A(5) x 2<br>s.32(1) x 1<br>s.33(1) x 3<br>s.38 x 2   |  |
| Gordon Institute of TAFE                       | s.33(1) x 2<br>s.34(1)(a) x 1  |  |
| Goulburn Broken Catchment Management Authority | s.33(1) x 3<br>s.34(1)(b) x 2  |  |
| Goulburn Ovens Institute of TAFE (t/a GOTAFE)  | s.30(1) x 1<br>s.34(4)(a) x 1  |  |
| Goulburn Valley Health                         | s.33(1) x 57   |  |
| Goulburn-Murray Rural Water Corporation        | s.29A x 2<br>s.30(1) x 2<br>s.33(1) x 2<br>s.34(1)(b) x 2<br>s.34(4)(a) x 1  |  |
| Grampians Health                               | s.30(1) x 3<br>s.31(1)(c) x 6<br>s.33(1) x 17<br>s.35(1)(b) x 48   |  |
| Great Ocean Road Coast and Parks Authority     | s.33(1) x 1  |  |

| <i>Agency</i>                                      | <i>Initial decisions<br/>(Act provision<br/>x no. of times<br/>cited)</i>  | <i>VCAT appeals<br/>(Act provision<br/>x no. of times<br/>cited)</i> |
|--|--|--|
| Greater Shepparton City Council                    | s.30(1) x 2<br>s.32(1) x 2<br>s.33(1) x 1<br>s.38 x 2  |  |
| Greater Western Water                              | s.30(1) x 7<br>s.32(1) x 3<br>s.33(1) x 2<br>s.34(4)(a) x 38   |  |
| Greyhound Racing Victoria                          | s.31(1)(a) x 1<br>s.31(1)(c) x 1<br>s.31(1)(d) x 1<br>s.32(1) x 1<br>s.33(1) x 1   |  |
| Harness Racing Victoria                            | s.35(1)(b) x 1   |  |
| Health Complaints Commissioner                     | s.25A(5) x 1   |  |
| Hepburn Shire Council                              | s.30(1) x 2<br>s.31(1)(a) x 1<br>s.31(1)(b) x 1<br>s.31(1)(c) x 1<br>s.33(1) x 2<br>s.33(6) x 1<br>s.34(1)(a) x 3<br>s.34(1)(b) x 3<br>s.34(4)(a) x 2<br>s.38 x 6<br>s.38A(1)(b) x 1<br>s.38A(1)(d) x 1<br>s.38A(1)(e) x 1<br>s.36(2)(b) x 1 |  |
| Hobsons Bay City Council                           | s.31(1)(e) x 2<br>s.33(1) x 13   | s.32(1) x 1  |
| Holmesglen Institute                               | s.30(1) x 2<br>s.32(1) x 1<br>s.33(1) x 2<br>s.34(4)(a) x 1  |  |
| Horsham Rural City Council                         | s.25A(1) x 1<br>s.33(1) x 1<br>s.35(1)(b) x 1<br>s.38 x 1  |  |
| Hume City Council                                  | s.31(1)(b) x 2<br>s.32(1) x 2<br>s.33(1) x 4<br>s.35(1)(b) x 1<br>s.38 x 7   |  |
| Independent Broad-based Anti-corruption Commission | s.30(1) x 2<br>s.32(1) x 1<br>s.31A x 5  |  |
| Indigo Shire Council                               | s.33(1) x 4<br>s.34(1)(b) x 1<br>s.35(1)(b) x 1<br>s.38 x 3  |  |
| Kingston City Council                              | s.30(1) x 3<br>s.31(1)(c) x 1<br>s.33(1) x 10<br>s.33(6) x 2<br>s.34(1)(a) x 1<br>s.34(1)(b) x 2<br>s.34(4)(a) x 1<br>s.35(1)(b) x 2<br>s.38 x 7   |  |

## 6 Appendices

### Exemptions cited (continued)

| <b>Agency</b>   | <b>Initial decisions<br/>(Act provision<br/>x no. of times<br/>cited)</b>   | <b>VCAT appeals<br/>(Act provision<br/>x no. of times<br/>cited)</b> |
|---|---|--|
| Knox City Council   | s.30(1) x 1<br>s.34(1)(a) x 1<br>s.38 x 1<br>s.23 x 1   |  |
| La Trobe University   | s.25A(1) x 2<br>s.30(1) x 2<br>s.33(1) x 7<br>s.34(1)(a) x 3<br>s.34(1)(b) x 1<br>s.35(1)(a) x 1<br>s.35(1)(b) x 1  |  |
| Latrobe City Council  | s.33(1) x 9<br>s.34(1)(b) x 2<br>s.35(1)(b) x 1   |  |
| Latrobe Regional Hospital   | s.35(1)(a) x 2  |  |
| Local Government<br>Inspectorate  | s.30(1) x 2<br>s.31(1)(a) x 1<br>s.33(1) x 2  |  |
| Loddon Shire Council  | s.38 x 1  |  |
| Lower Murray Urban and Rural<br>Water Authority (t/a Lower<br>Murray Water) | s.32(1) x 1<br>s.34(1)(a) x 2   |  |
| Macedon Ranges Shire Council  | s.33(1) x 1   |  |
| Major Transport<br>Infrastructure Authority                                 | s.25A(1) x 2<br>s.28(1)(b) x 4<br>s.28(1)(c) x 1<br>s.28(1)(d) x 1<br>s.30(1) x 18<br>s.33(1) x 12<br>s.34(1)(b) x 5<br>s.34(4)(a) x 5<br>s.35(1)(b) x 2<br>s.24(1) x 2 | s.33(1) x 1  |
| Manningham City Council   | s.30(1) x 2<br>s.31(1)(a) x 2<br>s.31(1)(c) x 3<br>s.33(1) x 6<br>s.35(1)(a) x 1<br>s.35(1)(b) x 7<br>s.38 x 6  |  |
| Mansfield Shire Council   | s.25A(1) x 1<br>s.33(1) x 1   |  |
| Maribyrnong City Council  | s.25A(5) x 2<br>s.30(1) x 1<br>s.32(1) x 1<br>s.33(1) x 1<br>s.34(1)(b) x 1<br>s.38 x 1   |  |
| Maroondah City Council  | s.30(1) x 1<br>s.33(1) x 1<br>s.34(1)(b) x 1<br>s.34(4)(a) x 1<br>s.35(1)(b) x 1<br>s.38 x 12   |  |
| Maryborough District<br>Health Service                                      | s.35(1)(a) x 2  |  |
| Medical Panels  | s.30(1) x 1<br>s.33(1) x 1  |  |
| Melbourne Convention and<br>Exhibition Trust                                | s.25A(1) x  |  |

| <b>Agency</b>   | <b>Initial decisions<br/>(Act provision<br/>x no. of times<br/>cited)</b>  | <b>VCAT appeals<br/>(Act provision<br/>x no. of times<br/>cited)</b> |
|---|--|--|
| Melbourne Health  | s.30(1) x 2<br>s.33(1) x 144<br>s.33(4) x 1<br>s.35(1)(a) x 4<br>s.35(1)(b) x 72   | s.33(1) x 1<br>s.35(1)(a) x 1<br>s.35(1)(b) x 1                      |
| Melbourne Market Authority  | s.25A(1) x 1<br>s.31(1)(c) x 1   |  |
| Melbourne Polytechnic   | s.25A(1) x 1<br>s.30(1) x 1<br>s.35(1)(a) x 1<br>s.36(1)(a) x 1  |  |
| Melbourne Water   | s.30(1) x 2<br>s.32(1) x 1<br>s.34(1)(b) x 2<br>s.34(4)(a) x 1   |  |
| Melton City Council   | s.32(1) x 1<br>s.33(1) x 12<br>s.23 x 4  |  |
| Mental Health<br>Complaints Commissioner                                    | s.30(1) x 4<br>s.31(1)(a) x 1<br>s.33(1) x 2<br>s.35(1)(a) x 2<br>s.35(1)(b) x 4<br>s.38 x 1   |  |
| Mercy Hospitals Victoria Ltd  | s.33(1) x 55<br>s.35(1)(b) x 45<br>s.38 x 1  |  |
| Mildura Rural City Council  | s.33(1) x 2<br>s.35(1)(b) x 1  |  |
| Minister for Transport<br>Infrastructure                                    | s.33(1) x 1  |  |
| Minister for Treaty and First<br>Peoples (previously<br>Aboriginal Affairs) | s.33(1) x 1  |  |
| Mitchell Shire Council  | s.25A(1) x 1<br>s.30(1) x 2<br>s.33(1) x 15<br>s.34(1)(b) x 1<br>s.34(4)(a) x 1<br>s.38 x 2  |  |
| Moira Shire Council   | s.33(1) x 4<br>s.35(1)(b) x 1  |  |
| Monash Health   | s.30(1) x 38<br>s.33(1) x 104<br>s.33(4) x 1<br>s.35(1)(a) x 2<br>s.35(1)(b) x 75<br>s.38 x 30   |  |
| Monash University   | s.25A(1) x 2<br>s.25A(5) x 1<br>s.29A x 1<br>s.30(1) x 4<br>s.31(1)(a) x 1<br>s.31(1)(d) x 1<br>s.31(1)(e) x 1<br>s.32(1) x 3<br>s.33(1) x 7<br>s.34(4)(a) x 7<br>s.34(4)(b) x 3<br>s.35(1)(b) x 1<br>s.36(1)(b) x 3 |  |



| <i>Agency</i>                             | <i>Initial decisions<br/>(Act provision<br/>x no. of times<br/>cited)</i>   | <i>VCAT appeals<br/>(Act provision<br/>x no. of times<br/>cited)</i> |
|---|---|--|
| Moonee Valley City Council                | s.30(1) x 1<br>s.32(1) x 1<br>s.33(1) x 1<br>s.34(1)(b) x 2<br>s.35(1)(b) x 1<br>s.38 x 5   |  |
| Moorabool Shire Council                   | s.30(1) x 1<br>s.31(1)(a) x 1<br>s.33(1) x 7<br>s.36(1)(a) x 1<br>s.38 x 2  |  |
| Moreland City Council                     | s.30(1) x 2<br>s.31(1)(a) x 1<br>s.32(1) x 2<br>s.33(1) x 9<br>s.34(1)(a) x 1<br>s.34(1)(b) x 2<br>s.35(1)(b) x 1<br>s.38 x 9     |  |
| Mornington Peninsula Shire                | s.25A(5) x 12<br>s.30(1) x 6<br>s.32(1) x 2<br>s.33(1) x 13<br>s.34(1)(a) x 4<br>s.35(1)(b) x 4<br>s.38 x 28<br>s.36(2)(b) x 2    |  |
| Mount Alexander Shire Council             | s.31(1)(a) x 1<br>s.33(1) x 6<br>s.34(4)(a) x 1   |  |
| Moyne Shire Council                       | s.33(1) x 1   |  |
| Municipal Association of Victoria         | s.30(1) x 1<br>s.33(1) x 1<br>s.35(1)(b) x 1  |  |
| Murrindindi Shire Council                 | s.25A(5) x 3<br>s.30(1) x 1<br>s.33(1) x 9<br>s.34(1)(a) x 2<br>s.35(1)(a) x 1  |  |
| Nillumbik Shire Council                   | s.30(1) x 1<br>s.33(1) x 1<br>s.38 x 3  |  |
| North East Catchment Management Authority | s.33(1) x 1   |  |
| Northeast Health Wangaratta               | s.33(1) x 3   |  |
| Northern Health                           | s.25A(1) x 3<br>s.25A(5) x 1<br>s.30(1) x 4<br>s.33(1) x 108<br>s.34(1)(b) x 1<br>s.35(1)(b) x 23<br>s.36(1)(b) x 1               |  |
| Office of Public Prosecutions             | s.30(1) x 1<br>s.32(1) x 1<br>s.33(1) x 40<br>s.35(1)(b) x 1  |  |
| Parks Victoria                            | s.25A(1) x 1<br>s.30(1) x 4<br>s.32(1) x 3<br>s.33(1) x 6<br>s.34(1)(b) x 3<br>s.34(4)(a) x 1<br>s.35(1)(a) x 1<br>s.35(1)(b) x 1 |  |

| <i>Agency</i>   | <i>Initial decisions<br/>(Act provision<br/>x no. of times<br/>cited)</i>                                      | <i>VCAT appeals<br/>(Act provision<br/>x no. of times<br/>cited)</i> |
|---|--|--|
| Peninsula Health  | s.30(1) x 1<br>s.31(1)(c) x 2<br>s.33(1) x 26<br>s.33(4) x 1<br>s.35(1)(b) x 6                                 |  |
| Peter MacCallum Cancer Centre   | s.33(1) x 7  |  |
| Portland District Health  | s.33(1) x 48   |  |
| Premier of Victoria   | s.25A(1) x 2<br>s.28(1)(b) x 1<br>s.28(1)(c) x 1<br>s.28(1)(d) x 1<br>s.30(1) x 2<br>s.33(1) x 3               |  |
| Previous Minister for Agriculture                                       | s.30(1) x 4<br>s.33(1) x 1   |  |
| Previous Minister for Disability, Ageing and Carers                     | s.30(1) x 1<br>s.33(1) x 1<br>s.35(1)(a) x 1   |  |
| Previous Minister for Health  | s.30(1) x 1<br>s.33(1) x 1   |  |
| Previous Minister for Local Government                                  | s.33(1) x 1  |  |
| Previous Minister for Planning  | s.33(1) x 1  |  |
| Previous Minister for Police  | s.32(1) x 1<br>s.33(1) x 1   |  |
| Previous Minister for Prevention of Family Violence                     | s.33(1) x 1  |  |
| Pyrenees Shire Council  | s.23 x 2   |  |
| Racing Victoria Limited   | s.33(1) x 6<br>s.35(1)(b) x 3  |  |
| Residential Tenancies Bond Authority                                    | s.31(1)(a) x 1<br>s.33(1) x 1<br>s.33(6) x 1<br>s.35(1)(b) x 1   |  |
| RMIT University   | s.30(1) x 2<br>s.33(1) x 2<br>s.34(1)(a) x 1<br>s.34(4)(a) x 1<br>s.35(1)(b) x 2<br>s.36(1)(b) x 1<br>s.38 x 1 |  |
| Royal Children's Hospital   | s.30(1) x 4<br>s.32(1) x 1<br>s.33(1) x 229<br>s.35(1)(b) x 75<br>s.38 x 1                                     |  |
| Royal Society for the Prevention of Cruelty to Animals (RSPCA Victoria) | s.31(1)(b) x 1<br>s.31(1)(c) x 3<br>s.31(1)(d) x 1<br>s.31(1)(e) x 1<br>s.33(1) x 2<br>s.33(6) x 1             |  |
| Royal Victorian Eye and Ear Hospital                                    | s.30(1) x 1  |  |
| Royal Women's Hospital  | s.30(1) x 4<br>s.33(1) x 21<br>s.38 x 3  |  |

## 6 Appendices

### Exemptions cited (continued)

| <b>Agency</b>                      | <b>Initial decisions<br/>(Act provision<br/>x no. of times<br/>cited)</b>  | <b>VCAT appeals<br/>(Act provision<br/>x no. of times<br/>cited)</b> |
|------------------------------------|--|--|
| Rural City of Wangaratta           | s.30(1) x 1<br>s.33(1) x 6<br>s.34(1)(b) x 2<br>s.38A(1)(b) x 6  |  |
| Safer Care Victoria                | s.28(1)(c) x 1<br>s.30(1) x 3<br>s.33(1) x 5<br>s.34(4)(a) x 1<br>s.35(1)(b) x 3   |  |
| Service Victoria                   | s.33(1) x 1  |  |
| South East Water Corporation       | s.32(1) x 1  |  |
| South Gippsland Shire Council      | s.30(1) x 1<br>s.33(1) x 2<br>s.34(1)(b) x 2<br>s.38 x 1<br>s.36(2)(b) x 1   |  |
| South West Healthcare              | s.33(1) x 9<br>s.35(1)(b) x 18   |  |
| South West Institute of TAFE       | s.25A(1) x 1   |  |
| St Vincent's Health                | s.25A(1) x 1<br>s.33(1) x 3<br>s.35(1)(a) x 25   |  |
| State Revenue Office               | s.30(1) x 4<br>s.32(1) x 2<br>s.33(1) x 3<br>s.34(1)(a) x 2  |  |
| Strathbogie Shire Council          | s.25A(1) x 1<br>s.30(1) x 1<br>s.33(1) x 5<br>s.34(1)(a) x 1<br>s.34(1)(b) x 1<br>s.35(1)(b) x 1<br>s.38 x 1   |  |
| Suburban Rail Loop Authority       | s.28(1)(b) x 1<br>s.28(1)(ba) x 1<br>s.28(1)(c) x 2<br>s.28(1)(d) x 4<br>s.30(1) x 7<br>s.32(1) x 1<br>s.33(1) x 3<br>s.34(1)(b) x 1<br>s.34(4)(a) x 3<br>s.35(1)(b) x 2 |  |
| Sunraysia Institute of TAFE        | s.25A(1) x 1   |  |
| Surf Coast Shire Council           | s.31(1)(a) x 1<br>s.31(1)(b) x 1<br>s.33(1) x 2<br>s.33(6) x 3<br>s.34(1)(b) x 2   |  |
| Sustainability Victoria            | s.34(1)(b) x 2   |  |
| Swan Hill District Health          | s.33(1) x 2<br>s.35(1)(b) x 2  |  |
| Swan Hill Rural City Council       | s.30(1) x 1<br>s.33(1) x 1   |  |
| Swinburne University of Technology | s.25A(1) x 1   |  |
| TAFE Gippsland                     | s.30(1) x 1<br>s.33(1) x 2<br>s.34(1)(a) x 1<br>s.34(1)(b) x 1<br>s.35(1)(b) x 1   |  |

| <b>Agency</b>                    | <b>Initial decisions<br/>(Act provision<br/>x no. of times<br/>cited)</b>   | <b>VCAT appeals<br/>(Act provision<br/>x no. of times<br/>cited)</b>                    |
|----------------------------------|---|---|
| Terang & Mortlake Health Service | s.33(6) x 2   |   |
| Towong Shire Council             | s.30(1) x 1<br>s.35(1)(b) x 1<br>s.38 x 1   |   |
| Transport Accident Commission    | s.30(1) x 911<br>s.31(1)(a) x 6<br>s.32(1) x 617<br>s.33(1) x 164<br>s.38 x 579   | s.31(1)(c) x 1<br>s.33(1) x 1<br>s.35(1)(b) x 1   |
| Transport Safety Victoria        | s.33(1) x 21  |   |
| Treasurer of Victoria            | s.28(1)(d) x 1  |   |
| Trust for Nature (Victoria)      | s.32(1) x 2   |   |
| University of Melbourne          | s.25A(1) x 2<br>s.30(1) x 12<br>s.31(1)(a) x 1<br>s.31(1)(c) x 1<br>s.32(1) x 4<br>s.33(1) x 23<br>s.34(1)(b) x 2<br>s.34(4)(a) x 5<br>s.35(1)(a) x 1<br>s.35(1)(b) x 4   |   |
| V/Line Corporation               | s.28(1)(c) x 1<br>s.30(1) x 2<br>s.33(1) x 4<br>s.35(1)(b) x 1<br>s.31A x 1   |   |
| VicForests                       | s.25A(1) x 1<br>s.30(1) x 1<br>s.33(1) x 4<br>s.34(4)(c) x 1  |   |
| Victoria Legal Aid               | s.32(1) x 1<br>s.33(1) x 2<br>s.38 x 3  |   |
| Victoria Police                  | s.25A(1) x 72<br>s.25A(5) x 53<br>s.28(1)(d) x 1<br>s.29A x 5<br>s.30(1) x 184<br>s.31(1)(a) x 116<br>s.31(1)(b) x 92<br>s.31(1)(c) x 2<br>s.31(1)(d) x 427<br>s.31(1)(e) x 10<br>s.31(3) x 5<br>s.32(1) x 9<br>s.33(1) x 1870<br>s.33(4) x 2<br>s.33(6) x 9<br>s.34(1)(a) x 1<br>s.34(1)(b) x 2<br>s.34(4)(c) x 1<br>s.35(1)(a) x 3<br>s.35(1)(b) x 293<br>s.38 x 425<br>s.31(4) x 3 | s.25A(5) x 2<br>s.30(1) x 1<br>s.31(1)(d) x 1<br>s.32(1) x 1<br>s.33(1) x 6<br>s.38 x 1 |
| Victoria State Emergency Service | s.30(1) x 1<br>s.33(1) x 1<br>s.35(1)(b) x 1  |   |

| <b>Agency</b>   | <b>Initial decisions<br/>(Act provision<br/>x no. of times<br/>cited)</b>  | <b>VCAT appeals<br/>(Act provision<br/>x no. of times<br/>cited)</b> |
|---|--|--|
| Victoria University                                   | s.30(1) x 1<br>s.33(1) x 1<br>s.33(4) x 1<br>s.35(1)(a) x 1  |  |
| Victorian Auditor-General's Office                    | s.25A(5) x 1   |  |
| Victorian Building Authority                          | s.25A(1) x 4<br>s.30(1) x 17<br>s.31(1)(a) x 18<br>s.31(1)(b) x 11<br>s.31(1)(d) x 16<br>s.32(1) x 1<br>s.33(1) x 74<br>s.35(1)(a) x 1<br>s.35(1)(b) x 4 |  |
| Victorian Curriculum and Assessment Authority         | s.33(1) x 1  |  |
| Victorian Electoral Commission                        | s.25A(1) x 1<br>s.25A(5) x 1   |  |
| Victorian Equal Opportunity & Human Rights Commission | s.25A(1) x 1<br>s.25A(5) x 1<br>s.38 x 1   |  |
| Victorian Gambling and Casino Control Commission      | s.30(1) x 6<br>s.31(1)(d) x 1<br>s.32(1) x 2<br>s.33(1) x 5<br>s.35(1)(b) x 2<br>s.38 x 1  |  |
| Victorian Government Solicitor                        | s.32(1) x 1<br>s.33(1) x 1   |  |
| Victorian Institute of Forensic Medicine              | s.33(1) x 1  |  |
| Victorian Institute of Forensic Mental Health         | s.33(1) x 29<br>s.33(4) x 3<br>s.35(1)(a) x 6  |  |
| Victorian Institute of Teaching                       | s.30(1) x 1<br>s.31(1)(a) x 1<br>s.32(1) x 1<br>s.33(1) x 1<br>s.35(1)(b) x 1  |  |
| Victorian Legal Services Board                        | s.25A(5) x 2<br>s.33(6) x 1<br>s.38 x 5  |  |
| Victorian Legal Services Commissioner                 | s.25A(5) x 5<br>s.33(6) x 1<br>s.38 x 10   |  |
| Victorian Managed Insurance Authority                 | s.30(1) x 1<br>s.32(1) x 1<br>s.33(1) x 1  |  |
| Victorian Planning Authority                          | s.30(1) x 1<br>s.31(1)(e) x 1<br>s.34(1)(b) x 2<br>s.34(4)(a) x 1  |  |
| Victorian Rail Track (t/a VicTrack)                   | s.25A(1) x 1<br>s.28(1)(c) x 1<br>s.30(1) x 2<br>s.33(1) x 2<br>s.34(4)(a) x 1<br>s.36(1)(a) x 1   |  |

| <b>Agency</b>                                       | <b>Initial decisions<br/>(Act provision<br/>x no. of times<br/>cited)</b>   | <b>VCAT appeals<br/>(Act provision<br/>x no. of times<br/>cited)</b> |
|---|---|--|
| Victorian Registration and Qualifications Authority | s.31(1)(a) x 1<br>s.31(1)(b) x 1<br>s.31(1)(c) x 1<br>s.31(1)(d) x 1<br>s.31(1)(e) x 1<br>s.33(1) x 1<br>s.35(1)(b) x 1<br>s.38 x 1   |  |
| Victorian WorkCover Authority (t/a WorkSafe)        | s.25A(1) x 22<br>s.25A(5) x 70<br>s.28(1)(a) x 1<br>s.30(1) x 28<br>s.31(1)(a) x 33<br>s.31(1)(d) x 7<br>s.32(1) x 90<br>s.33(1) x 1028<br>s.34(1)(a) x 22<br>s.34(1)(b) x 34<br>s.34(4)(a) x 6<br>s.35(1)(a) x 3<br>s.35(1)(b) x 211<br>s.38 x 9 |  |
| Wannon Region Water Corporation                     | s.25A(1) x 1  |  |
| Warrnambool City Council                            | s.30(1) x 1<br>s.33(1) x 1<br>s.34(1)(a) x 1<br>s.35(1)(a) x 1<br>s.38 x 1  |  |
| Wellington Shire Council                            | s.25A(5) x 1<br>s.33(6) x 2<br>s.34(1)(a) x 2<br>s.35(1)(a) x 3   |  |
| West Gippsland Healthcare Group                     | s.33(1) x 1<br>s.38 x 1   |  |
| Western Health                                      | s.30(1) x 34<br>s.32(1) x 1<br>s.33(1) x 13<br>s.35(1)(a) x 18  |  |
| Whittlesea City Council                             | s.30(1) x 2<br>s.32(1) x 1<br>s.33(1) x 14<br>s.33(6) x 2   |  |
| William Angliss Institute of TAFE                   | s.25A(1) x 1<br>s.33(6) x 1   |  |
| Wodonga Institute of TAFE                           | s.29(a) x 1<br>s.30(1) x 1<br>s.31(1)(a) x 1<br>s.33(1) x 1<br>s.34(1)(a) x 1<br>s.35(1)(a) x 1   |  |
| Wyndham City Council                                | s.30(1) x 1<br>s.33(1) x 3<br>s.35(1)(b) x 2<br>s.38 x 4  |  |
| Yarra City Council                                  | s.25A(1) x 1<br>s.30(1) x 3<br>s.32(1) x 1<br>s.33(1) x 56<br>s.35(1)(b) x 6  |  |
| Yarra Ranges Shire Council                          | s.32(1) x 1<br>s.33(1) x 8<br>s.35(1)(b) x 3<br>s.38 x 8  |  |
| Yarra Valley Water Corporation                      | s.25A(1) x 4  |  |

# Appendix D

## Names and titles of decision makers

| <b>Agency</b>                              | <b>Names and titles of decision makers</b>                          | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|--|---|---|
| Accident Compensation Conciliation Service | Dale Mitchell (CFO)   | [0 - 1 - 0]   |
| Albury Wodonga Health                      | Wendy Sutcliffe (Health Information Manager)                        | [514 - 20 - 0]  |
| Alexandra District Health                  | Leonie Berry (Health Information Manager)                           | [12 - 0 - 0]  |
| Alfred Health                              | Lee Hamley (Director of Medical Services)                           | [2553 - 12 - 2]   |
|  | Simon Stafrace (Program Director Mental Health and Addiction)       | [86 - 4 - 0]  |
|  | Sudeep Saraf (Program Director Mental Health and Addiction )        | [102 - 11 - 0]  |
| Alpine Health                              | Nicholas Shaw (Chief Executive Officer)                             | [14 - 0 - 0]  |
| Ambulance Victoria                         | Paul Maclean (FOI Manager)  | [922 - 308 - 1]   |
|  | Kelly McNair (FOI Officer)  | [297 - 8 - 0]   |
|  | Tina White (FOI Officer)  | [601 - 227 - 0]   |
| Ararat Rural City Council                  | Jenny Woolcock (FOI Officer)  | [1 - 1 - 0]   |
| Assistant Treasurer of Victoria            | Mark Hamilton-Smith (FOI Manager)                                   | [1 - 0 - 0]   |
| Austin Health                              | Dr Tony Chan (Dr, FOI Reviewer)                                     | [951 - 5 - 0]   |
|  | Kate Wendt (HIS Operations Manager)                                 | [2 - 0 - 0]   |
|  | Fleur Shaw-Jones (Legal Counsel)                                    | [2 - 0 - 0]   |
|  | Mardi Stephens (FOI Manager)  | [230 - 5 - 1]   |
|  | Alan Jones (RN and FOI Reviewer- Mental Health)                     | [51 - 10 - 0]   |
|  | Kim Robinson (Counsellor Advocate - NCASA)                          | [6 - 0 - 0]   |
|  | Dr Charu Ghandi (Clinical Director - Specialty Services MH)         | [50 - 2 - 0]  |
|  | Elly Piper (Manager Community Rehab Program - RP PARC)              | [0 - 1 - 0]   |
|  | Christina Lambros (Divisional Manager - TAPS)                       | [20 - 0 - 0]  |
|  | Craig Jones (RPN - MH FOI Reviewer)                                 | [13 - 9 - 0]  |
|  | Emily McLean (Manager, Adult Services)                              | [6 - 6 - 0]   |
|  | Dr Leeanne Fisher (Clinical Director - MH Medical Staff)            | [12 - 8 - 0]  |
|  | Diana Kavelj (PAPU/EPS Clinical Nurse Lead)                         | [5 - 0 - 0]   |
|  | Julie Hume (Divisional Manager - TAPS)                              | [7 - 0 - 0]   |
|  | Dr Jennifer Bradshaw (Clinical Neuropsychologist)                   | [1 - 0 - 0]   |
|  | Melissa Leslie (NUM - Adult Services)                               | [9 - 0 - 0]   |
|  | Priyanka Puri (Transition Co-ordinator Adult Services)              | [0 - 2 - 0]   |
|  | Dr Richard Kanaan (Consultant Psychiatrist)                         | [1 - 0 - 0]   |
|  | Sando Madrigale (CATS Manager)                                      | [1 - 1 - 0]   |
|  | Dr Timothy Rolfe (Consultant Psychiatrist)                          | [1 - 0 - 0]   |
| Australian Grand Prix Corporation          | Rowan Chipchase (Manager Intensive Rehab Services - Adult Services) | [0 - 1 - 0]   |
|  | Jiji Jacob (NUM - Adult Services)                                   | [0 - 1 - 0]   |
| Australian Grand Prix Corporation          | Dale Nardella (FOI Officer)   | [1 - 1 - 1]   |

| <b>Agency</b>                       | <b>Names and titles of decision makers</b>               | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|-------------------------------------|--|---|
| Bairnsdale Regional Health Service  | Caitlin Adams (Health Information Manager)               | [22 - 2 - 0]  |
|                                     | Jane Clemm (Health Information Manager)                  | [2 - 0 - 0]   |
|                                     | Juliette Wenn (Health Information Manager)               | [23 - 4 - 0]  |
|                                     | Mau Wee (Director of Medical Services)                   | [2 - 1 - 0]   |
|                                     | Lindy Washington (Director of Medical Services)          | [3 - 1 - 0]   |
|                                     | Alice (Health Information Manager)                       | [7 - 1 - 0]   |
| Ballarat General Cemeteries Trust   | Annie De Jong (Chief Executive Officer)                  | [3 - 0 - 0]   |
| Banyule City Council                | Stephanie Neville (FOI Officer)                          | [0 - 12 - 0]  |
|                                     | Emily Outlaw (FOI Officer)                               | [0 - 1 - 0]   |
|                                     | Lia Morgan (FOI Officer)                                 | [0 - 2 - 0]   |
| Barwon Health                       | Bernadine McNamara (Legal Council)                       | [11 - 5 - 0]  |
|                                     | Fiona Harland (FOI Officer)                              | [272 - 120 - 3]   |
|                                     | Fiona Nelson (Lawyer)                                    | [2 - 1 - 0]   |
|                                     | Jane McBeath (FOI Officer)                               | [24 - 71 - 0]   |
|                                     | Jennifer McCartney (FOI Officer)                         | [60 - 15 - 0]   |
|                                     | Jodie Thompson (FOI Officer)                             | [131 - 26 - 0]  |
|                                     | Kirsty Miller (Patient Information Release Unit Manager) | [130 - 100 - 4]   |
|                                     | Melisa Robinson (Health Information Manager)             | [39 - 2 - 3]  |
| Barwon Region Water Corporation     | Robyn Gaeth (FOI Officer)                                | [0 - 5 - 0]   |
| Bass Coast Health                   | Kelly McRae (FOI Officer)                                | [33 - 3 - 1]  |
|                                     | Emilia Pezzi (Health Information Manager)                | [4 - 0 - 0]   |
|                                     | Renee Kelsall (Director of Medical Services)             | [8 - 1 - 1]   |
| Bass Coast Shire Council            | Renee Beasley (Freedom of Information Officer)           | [1 - 4 - 0]   |
|                                     | Sharyn Tilley (Coordinator Governance)                   | [0 - 1 - 0]   |
| Baw Baw Shire Council               | Maida Anderson (FOI Officer)                             | [1 - 0 - 0]   |
|                                     | Robyn D'Arcy (FOI Officer)                               | [1 - 0 - 0]   |
|                                     | Christian Thomas (Manager Customer Service)              | [3 - 3 - 3]   |
| Bayside City Council                | Karen Brown (Governance Coordinator)                     | [28 - 12 - 4]   |
| Beaufort and Skipton Health Service | Meryn Pease (Chief Executive Officer)                    | [2 - 0 - 0]   |
| Beechworth Health Service           | Elizabeth Ibrom (FOI Officer)                            | [1 - 0 - 0]   |
|                                     | Mark Ashcroft (Chief Executive Officer)                  | [1 - 0 - 0]   |
| Benalla Health                      | Jackie Kelly (Chief Executive Officer)                   | [28 - 0 - 0]  |
| Benalla Rural City Council          | Jessica Beaton (FOI Officer)                             | [3 - 0 - 0]   |
| Bendigo Health Care Group           | Amanda Watson (FOI Officer)                              | [38 - 30 - 0]   |
|                                     | Kelly Stansall (FOI Officer)                             | [41 - 11 - 0]   |
|                                     | Yonna Eadie (Health Information Manager)                 | [17 - 7 - 0]  |
|                                     | Bernadette Lamb (Senior Health Information Manager)      | [15 - 1 - 0]  |
|                                     | Hirva Thaker (FOI Officer)                               | [59 - 4 - 0]  |
|                                     | Harmony Drusko (Health Information Manager)              | [77 - 22 - 0]   |
|                                     | Sue Roberts (FOI Officer)                                | [85 - 53 - 1]   |
|                                     | Ruby Neal (Manager, Service Delivery)                    | [27 - 1 - 0]  |

## 6 Appendices

### Names and titles of decision makers (continued)

| <b>Agency</b>                              | <b>Names and titles of decision makers</b>                  | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|--|---|---|
| Bendigo Kangan Institute                   | Gideon Perrott (Privacy Officer)                            | [0 - 2 - 0]   |
|  | Kerri Ricketts (Manager Records Information and Capability) | [1 - 1 - 1]   |
| Boort District Health                      | Donna Doyle (Chief Executive Officer)                       | [1 - 0 - 0]   |
| Box Hill Institute                         | Jennifer Barry, Raffaella Cosentino (Acting FOI Officers)   | [1 - 0 - 0]   |
| Brimbank City Council                      | Julian Kris Sakarai (FOI Manager)                           | [6 - 0 - 0]   |
|  | Mate Klisanin (FOI Officer)                                 | [18 - 7 - 2]  |
| Buloke Shire Council                       | Jen Hewett (FOI Officer)                                    | [1 - 1 - 0]   |
| Bushfire Recovery Victoria                 | Lucy Higgins (FOI Officer)                                  | [0 - 1 - 0]   |
| Calvary Health Care Bethlehem              | Belinda McRae (FOI Officer)                                 | [1 - 0 - 0]   |
|  | Mark Heenan (FOI and Information Privacy Manager)           | [7 - 0 - 0]   |
| Campaspe Shire Council                     | Andrew Cowin (Manager Governance and Strategy)              | [0 - 2 - 0]   |
|  | Fleur Cousins (General Manager Corporate)                   | [0 - 1 - 0]   |
| Cardinia Shire Council                     | Doug Evans (Manager Governance)                             | [8 - 17 - 4]  |
| Castlemaine Health                         | Julie Best (FOI Officer)                                    | [12 - 0 - 0]  |
| Central Gippsland Health Service           | Sharon Shaw (Health Information Manager)                    | [124 - 0 - 0]   |
| Central Highlands Region Water Corporation | Leesa Bolt (FOI Officer)                                    | [2 - 2 - 0]   |
|  | Hayley Cassells (FOI Manager)                               | [2 - 0 - 0]   |
| Central Highlands Rural Health             | Maree Cuddihy (Chief Executive Officer)                     | [33 - 0 - 0]  |
| Chisholm Institute                         | Sally Rogers (Legal Officer)                                | [0 - 1 - 0]   |
| City of Ballarat                           | Sarah Cuthbert (FOI Officer)                                | [22 - 4 - 0]  |
|  | Cameron Montgomery (FOI Manager)                            | [0 - 1 - 0]   |
| City of Boroondara                         | Helen Pavlidis (Senior Governance officer)                  | [3 - 7 - 1]   |
|  | Elizabeth Manou (Senior Governance Officer)                 | [3 - 11 - 0]  |
|  | Kirstin Ritchie (Coordinator Governance)                    | [9 - 6 - 0]   |
|  | Chris Hurley (Coordinator Integrity )                       | [8 - 0 - 0]   |
| City of Casey                              | Kane Ireson (FOI Officer)                                   | [8 - 2 - 4]   |
|  | Julia Donaldson (FOI Officer)                               | [0 - 2 - 0]   |
|  | Ezat Alam (FOI Officer)                                     | [1 - 19 - 1]  |
|  | Renee Russell (FOI and Information Privacy Manager)         | [1 - 0 - 0]   |
| City of Darebin                            | Angelo Luczek (FOI and Information Privacy Manager)         | [1 - 33 - 1]  |
| City of Greater Bendigo                    | Rebecca Maple (FOI Officer)                                 | [1 - 17 - 3]  |
| City of Greater Dandenong                  | Dani Trimble (FOI Officer)                                  | [5 - 0 - 2]   |
|  | Kaye Peterson (FOI Officer)                                 | [5 - 0 - 0]   |
|  | Luisa Kimball (FOI Officer)                                 | [4 - 1 - 1]   |
|  | April Seymour (FOI Officer)                                 | [0 - 1 - 0]   |
| City of Greater Geelong                    | Jillian Chapman (FOI Manager)                               | [6 - 7 - 4]   |
|  | Lauren Richardson (FOI Officer)                             | [70 - 79 - 1]   |
| City of Melbourne                          | Samantha Oliver (FOI Officer)                               | [0 - 0 - 1]   |
|  | Peter Gannoni (FOI Officer)                                 | [16 - 2 - 2]  |
|  | Michelle Tipton (FOI Officer)                               | [1 - 1 - 0]   |
|  | Voula Skliris (FOI Officer)                                 | [4 - 0 - 0]   |

| <b>Agency</b>                                       | <b>Names and titles of decision makers</b>                 | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|---|--|---|
| City of Monash                                      | Rob Pedder (Manager Governance and Legal)                  | [3 - 2 - 1]   |
|   | Jarrold Doake (Chief Operating Officer)                    | [1 - 0 - 0]   |
| City of Port Phillip                                | Joanne Shea (FOI Officer)                                  | [25 - 4 - 0]  |
| City of Stonnington                                 | Lucy Bastick (FOI Officer)                                 | [26 - 28 - 6]   |
| City of Whitehorse                                  | Ralph Anania (FOI Officer)                                 | [9 - 7 - 0]   |
| Cohuna District Hospital                            | Wendy Lunghusen (FOI Officer)                              | [10 - 0 - 0]  |
| Colac Area Health                                   | Dr Ian Mackay (Director of Medical Services)               | [40 - 2 - 0]  |
|   | Dr Anne McGuane (Director of Medical Services)             | [5 - 0 - 0]   |
|   | Carolyn Gellert (Health Information Manager)               | [1 - 0 - 0]   |
|   | Eve Eden (Health Information Manager)                      | [4 - 0 - 0]   |
|   | Fiona Brew (Chief Executive Officer)                       | [0 - 1 - 0]   |
|   | Louisa Pearce (FOI Officer)                                | [8 - 0 - 0]   |
| Colac Otway Shire                                   | Marlo Emmitt (FOI Officer)                                 | [4 - 6 - 0]   |
| Coliban Region Water Corporation                    | Darren Masters (FOI Officer)                               | [2 - 0 - 0]   |
| Commercial Passenger Vehicles Victoria              | Katarina Palmgren (FOI Manager)                            | [1 - 0 - 0]   |
|   | Keshini Singh (FOI Officer)                                | [0 - 1 - 0]   |
|   | Alexander Rabinovich (FOI Manager)                         | [1 - 1 - 1]   |
|   | Emma Kiernan (FOI Officer)                                 | [1 - 0 - 0]   |
| Commission for Children and Young People            | Leanne Barnes (Chief Executive Officer)                    | [0 - 0 - 2]   |
|   | Gayathri Paramasivam (Chief Executive Officer)             | [0 - 0 - 1]   |
| Corangamite Shire                                   | Leah Teal (FOI Officer)                                    | [2 - 1 - 0]   |
|   | Jane Clifford (FOI Officer)                                | [1 - 0 - 0]   |
| Country Fire Authority                              | Monica Barnes (FOI and Information Privacy Manager)        | [44 - 23 - 5]   |
|   | Leanna La Combre (FOI Officer)                             | [1 - 0 - 1]   |
| Court Services Victoria                             | Cybele Stockley (FOI Manager)                              | [1 - 0 - 1]   |
| Deakin University                                   | Sandra Mussett (FOI Officer)                               | [5 - 0 - 3]   |
| Dental Health Services Victoria                     | Wendy Long (FOI and Information Privacy Manager)           | [302 - 0 - 0]   |
|   | Edward Howarth (FOI Manager)                               | [0 - 0 - 1]   |
| Department of Education and Training                | Elle Maroudas (FOI Manager)                                | [47 - 62 - 8]   |
|   | Gaven Sturma (Team Leader)                                 | [64 - 123 - 6]  |
|   | Jane Taylor (Former FOI Manager)                           | [31 - 66 - 1]   |
|   | Melissa Zarif (Acting Team Leader)                         | [1 - 6 - 0]   |
| Department of Environment, Land, Water and Planning | Roopinder Dillon (Senior FOI Officer)                      | [8 - 8 - 0]   |
|   | Bena Asafu-Adjaye (FOI Officer)                            | [22 - 21 - 1]   |
|   | Stuart Atkins (FOI and Information Privacy Manager)        | [13 - 9 - 6]  |
|   | Kim Reeves (Principal Advisor FOI and Information Privacy) | [1 - 7 - 1]   |
|   | Veronica Finn (Senior FOI Officer)                         | [9 - 10 - 1]  |
|   | Arielle Perlow (Senior FOI Officer)                        | [4 - 7 - 1]   |

## 6 Appendices

### Names and titles of decision makers (continued)

| <b>Agency</b>                                | <b>Names and titles of decision makers</b> | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|--|--|---|
| Department of Families, Fairness and Housing | Nicole Afif (FOI Officer)                  | [1 - 21 - 0]  |
|  | Cristina Aviles (FOI Officer)              | [0 - 2 - 1]   |
|  | Annalise Bamford (Executive Director)      | [5 - 17 - 4]  |
|  | Jay Cadiramen (FOI Officer)                | [2 - 0 - 0]   |
|  | Tracey Capek (FOI Officer)                 | [0 - 0 - 3]   |
|  | Claire Coghill (Director)                  | [1 - 3 - 0]   |
|  | Josie Collings (FOI Officer)               | [8 - 1 - 9]   |
|  | Pearlie Dacanay (FOI Officer)              | [7 - 23 - 1]  |
|  | James Dassios (FOI Officer)                | [0 - 17 - 0]  |
|  | Hannah Duxbury (FOI Officer)               | [0 - 0 - 2]   |
|  | Melissa Gardner (FOI Officer)              | [1 - 10 - 0]  |
|  | Pneet Grewal (FOI Officer)                 | [0 - 0 - 18]  |
|  | Elena Keane (FOI Officer)                  | [8 - 28 - 0]  |
|  | Cheryl Kilmartin (FOI Officer)             | [2 - 54 - 21]   |
|  | Ophelia Lobo (FOI Officer)                 | [0 - 0 - 27]  |
|  | Meagan Lowe (FOI Officer)                  | [0 - 0 - 4]   |
|  | Noeline McKenzie (FOI Officer)             | [6 - 192 - 0]   |
|  | Deena Morgan (FOI Officer)                 | [0 - 0 - 24]  |
|  | Jandeep Mundi (FOI Officer)                | [2 - 70 - 1]  |
|  | Heather Murray (FOI Officer)               | [0 - 5 - 5]   |
|  | Hamsa Nadir (FOI Officer)                  | [0 - 0 - 37]  |
|  | Sophie Nevell (Director)                   | [11 - 18 - 4]   |
|  | Dunsin Oluwasola (FOI Officer)             | [0 - 0 - 1]   |
|  | Jade Papathanasiou (FOI Officer)           | [1 - 16 - 0]  |
|  | Robbie Peschel (FOI Officer)               | [8 - 78 - 0]  |
|  | Samantha Phipps (FOI Officer)              | [1 - 90 - 2]  |
|  | Lisa Scholes (FOI Manager)                 | [0 - 11 - 1]  |
|  | Diantha Schut (FOI Officer)                | [0 - 0 - 81]  |
|  | Abel Simpson-Yap (FOI Officer)             | [1 - 32 - 0]  |
|  | Sally Yeoland (FOI Officer)                | [2 - 65 - 0]  |
|  | Regan Richards (Principal Advisor)         | [0 - 1 - 0]   |
|  | Amanda Rogers (Principal Advisor)          | [0 - 1 - 0]   |
| Department of Health                         | Sonia Rivalland (Director)                 | [10 - 32 - 13]  |
|  | Lisa Marsicovetere (Director)              | [1 - 7 - 0]   |
|  | Michael Ghobrial (FOI Manager)             | [41 - 98 - 36]  |
| Department of Jobs, Precincts and Regions    | Kate Kulman (FOI Officer)                  | [8 - 69 - 17]   |



| <b>Agency</b>                              | <b>Names and titles of decision makers</b>          | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|--|---|---|
| Department of Justice and Community Safety | Ezat Alam (FOI Officer)                             | [1 - 102 - 3]   |
|  | Seyhan Balkis (FOI Officer)                         | [0 - 47 - 2]  |
|  | Mike Cain (FOI Senior Adviser)                      | [2 - 11 - 1]  |
|  | Catherine Castro (FOI Officer)                      | [1 - 49 - 10]   |
|  | Alia Dib (FOI Officer)                              | [0 - 7 - 5]   |
|  | Jeremy Frampton (FOI Assistant Manager)             | [0 - 2 - 0]   |
|  | Natasha Haslem (Senior Adviser)                     | [3 - 58 - 6]  |
|  | Lucy Higgins (FOI Officer)                          | [1 - 34 - 0]  |
|  | Karla Hooke (FOI Officer)                           | [2 - 122 - 14]  |
|  | Sophie Liakos (FOI Officer)                         | [3 - 66 - 11]   |
|  | Kathy Maikousis (FOI Manager)                       | [0 - 8 - 1]   |
|  | Nick McArdle (FOI Officer)                          | [1 - 21 - 0]  |
|  | Claire McDonough (FOI Officer)                      | [10 - 89 - 10]  |
|  | Nicole Monteiro (FOI Officer)                       | [0 - 49 - 2]  |
|  | William Ng (FOI Officer)                            | [0 - 41 - 1]  |
|  | Lisa Pascolo (FOI Team Leader)                      | [0 - 1 - 2]   |
|  | Cartia Pisano (FOI Officer)                         | [3 - 64 - 1]  |
|  | Tracy Rooney (FOI Adviser)                          | [0 - 29 - 1]  |
|  | Abel Simpson-Yap (FOI Officer)                      | [1 - 21 - 2]  |
|  | Bryan Sketchley (FOI Team Leader)                   | [0 - 2 - 1]   |
|  | Karen Smith (FOI Officer)                           | [0 - 27 - 30]   |
|  | Brenna Steel (FOI Assistant Manager)                | [0 - 3 - 0]   |
|  | Monica White (FOI Senior Adviser)                   | [7 - 21 - 1]  |
|  | Jacqueline Tierney (FOI Officer)                    | [0 - 8 - 0]   |
| Department of Premier and Cabinet          | Eleanor Bishop (FOI and Privacy Officer)            | [0 - 4 - 3]   |
|  | Gemma Briffa (FOI and Privacy Officer)              | [3 - 8 - 6]   |
|  | Pneet Grewal (FOI and Privacy Officer)              | [0 - 0 - 2]   |
|  | Teagan McKenna (Senior FOI and Privacy Officer)     | [2 - 11 - 5]  |
|  | Brenna Steel (Senior FOI and Privacy Officer)       | [1 - 2 - 0]   |
|  | Matthew Thompson (Manager, FOI and Privacy)         | [1 - 12 - 4]  |
|  | Phoebe Tobin-White (FOI and Privacy Officer)        | [2 - 4 - 1]   |
| Department of Transport                    | Allana Parolin (FOI Officer)                        | [102 - 50 - 5]  |
|  | Markus Winter (FOI Officer)                         | [0 - 8 - 2]   |
|  | Darson Bonett (FOI Officer)                         | [150 - 15 - 24]   |
|  | Heather Kenny (FOI Officer)                         | [45 - 18 - 3]   |
|  | Andrew Weston (FOI and Information Privacy Manager) | [5 - 36 - 8]  |
|  | Kristian Dzolev (FOI Officer)                       | [436 - 53 - 41]   |
|  | Pranav Saluja (FOI Officer)                         | [78 - 17 - 2]   |
|  | Michelle Grech (FOI Officer)                        | [2 - 0 - 0]   |
|  | Gavin Mak (FOI Officer)                             | [18 - 27 - 0]   |
| Department of Treasury and Finance         | Mark Hamilton-Smith (FOI Manager)                   | [16 - 23 - 3]   |
| Development Victoria                       | Aileen Guanlao (FOI Officer)                        | [0 - 3 - 0]   |
|  | Nilesh Patel (FOI Officer)                          | [0 - 1 - 0]   |
|  | Samantha Oliver (FOI Officer)                       | [0 - 1 - 0]   |

## 6 Appendices

### Names and titles of decision makers (continued)

| <b>Agency</b>   | <b>Names and titles of decision makers</b>                   | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|---|--|---|
| Djerriwarrh Health Services   | David Smallwood (Director of Medical Services)               | [83 - 0 - 0]  |
|   | Amanda Joyce (FOI Officer)                                   | [2 - 0 - 0]   |
|   | Andrea Cochrane (Health Information Manager)                 | [2 - 0 - 0]   |
| East Gippsland Catchment Management Authority                             | Graeme Dear (Chief Executive Officer)                        | [0 - 1 - 0]   |
| East Gippsland Shire Council  | Georgette Bou Kanaan (FOI Officer)                           | [1 - 0 - 0]   |
|   | Ree Kent (FOI Officer)                                       | [3 - 0 - 0]   |
|   | Graeme Hill (FOI Officer)                                    | [6 - 2 - 2]   |
|   | Ela Alexander (FOI Officer)                                  | [5 - 3 - 0]   |
| East Grampians Health Service   | Sophie Ping (Director of Medical Services)                   | [42 - 0 - 0]  |
| East Wimmera Health Service   | Trevor Adem (Chief Executive Officer)                        | [6 - 0 - 0]   |
| Eastern Health  | Andrea Allis (FOI Officer)                                   | [168 - 242 - 2]   |
|   | Erin Diercke (FOI Officer)                                   | [39 - 30 - 2]   |
|   | Jacqueline Chalwell (FOI Officer)                            | [35 - 47 - 0]   |
|   | Kelly Rutledge (FOI Officer)                                 | [139 - 106 - 3]   |
|   | Sally-Ann Thomas (FOI Officer)                               | [100 - 249 - 1]   |
|   | Sally-Anne McKinney (FOI Manager)                            | [25 - 17 - 1]   |
|   | Teegan Brennan (FOI Officer)                                 | [143 - 119 - 1]   |
| Echuca Regional Health  | Dr Glenn Howlett (Director of Medical Services)              | [129 - 0 - 0]   |
| Emergency Services Superannuation Board (t/a ESSSuper)                    | Ivone Caeiro Alves (FOI Officer)                             | [8 - 0 - 0]   |
| Emergency Services Telecommunications Authority                           | Stephen Leane (Chief Executive Officer)                      | [1 - 0 - 0]   |
|   | Amy Kelly (General Counsel)                                  | [1 - 2 - 11]  |
|   | Felicity Walsh (Privacy Officer)                             | [0 - 0 - 16]  |
|   | Alice Felman (General Counsel (Acting))                      | [2 - 1 - 9]   |
| Energy Safe Victoria  | Katherine Ludvik (FOI Officer)                               | [10 - 8 - 3]  |
| Environment Protection Authority  | Xavier Lavery (Solicitor )                                   | [10 - 4 - 0]  |
|   | Colin Wolfe (FOI Manager)                                    | [13 - 11 - 5]   |
|   | Mark Aylward (FOI Officer)                                   | [34 - 12 - 4]   |
|   | Sam Sunter (Paralegal)                                       | [1 - 0 - 0]   |
| Essential Services Commission   | Kate Symons (Chairperson)                                    | [0 - 2 - 0]   |
| Family Safety Victoria  | Amanda Rogers (Senior Legal Policy Officer)                  | [0 - 1 - 0]   |
| Federation University Australia   | Stephanie Fryer-Smith (Director, Governance, Legal and Risk) | [1 - 0 - 0]   |
| Film Victoria (t/a VicScreen)   | Michelle Rubin (Legal and Program Services Manager)          | [0 - 1 - 0]   |
| Fire Rescue Victoria  | Jan Smith (FOI Officer)                                      | [0 - 515 - 0]   |
|   | Sarah McKellar-White (FOI Manager)                           | [4 - 41 - 0]  |
| Frankston City Council  | Carole Fleeman (Coordinator FOI and Privacy)                 | [10 - 3 - 0]  |
|   | Rhys Matulis (FOI and Legal Officer)                         | [6 - 1 - 0]   |
| Game Management Authority   | Kate Kulman (FOI Officer)                                    | [0 - 2 - 0]   |
|   | Alexandra Henderson (Acting FOI Manager)                     | [2 - 1 - 1]   |
| Gippsland and Southern Rural Water Corporation (t/a Southern Rural Water) | Hayley Johnson (FOI Officer)                                 | [1 - 0 - 0]   |
| Gippsland Ports Committee of Management Incorporated                      | Stephen Martin (FOI and Information Privacy Manager)         | [1 - 0 - 0]   |

| <b>Agency</b>   | <b>Names and titles of decision makers</b>                             | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|---|--|---|
| Gippsland Southern Health Service   | Karen Davison (Health Information Manager)                             | [25 - 0 - 0]  |
|   | Vivienne Lowe (Director of Medical Services)                           | [2 - 0 - 0]   |
|   | Mark Johnson (Chief Executive Officer)                                 | [1 - 0 - 0]   |
|   | Emily Cribb (Health Information Manager)                               | [3 - 0 - 0]   |
| Glen Eira City Council  | Tiina Price (Legal and Governance Officer)                             | [1 - 1 - 2]   |
|   | Michael O'Connor (Principal Legal Officer )                            | [0 - 0 - 1]   |
|   | Joanne McKay (Legal and Governance Officer)                            | [14 - 6 - 5]  |
| Glenelg Shire Council   | Kylie Walford (Corporate Governance Coordinator/FOI Officer)           | [0 - 5 - 0]   |
| Golden Plains Shire Council   | Rosie Wright (FOI Officer)   | [0 - 5 - 0]   |
| Gordon Institute of TAFE  | Dale Kent (Records Manager)  | [0 - 3 - 0]   |
| Goulburn Broken Catchment Management Authority                                | Eileen Curtis (FOI Officer)  | [3 - 4 - 0]   |
| Goulburn Ovens Institute of TAFE (t/a GOTAFE)                                 | Sharon Olivier (FOI and Information Privacy Manager)                   | [1 - 1 - 0]   |
| Goulburn Valley Health  | Donna Campbell (FOI Officer)   | [274 - 1 - 0]   |
|   | A/Prof Ravi Bhat (Chief Psychiatrist)                                  | [0 - 56 - 0]  |
| Goulburn-Murray Rural Water Corporation                                       | Lauren Cornwall (Solicitor Litigation)                                 | [1 - 1 - 0]   |
|   | Nick Whittington (Executive Manager Legal and Statutory Configuration) | [1 - 1 - 0]   |
|   | Amy Tonkin (Legal Officer)   | [10 - 3 - 1]  |
| Grampians Health  | Andre Nel (FOI Officer)  | [123 - 0 - 0]   |
|   | Jessie Hicks (Secretary)   | [2 - 2 - 0]   |
|   | Kate Pryde (Chief Executive Officer)                                   | [8 - 0 - 0]   |
|   | Denise Fitzpatrick (Director of Quality, Risk and Performance)         | [1 - 0 - 0]   |
|   | Karina Reinerts (Acting director of Clinical Services)                 | [6 - 0 - 0]   |
|   | Sue Campigli (Acting Director of clinical services)                    | [2 - 0 - 0]   |
|   | Anna Glenn (FOI Officer)   | [98 - 0 - 0]  |
|   | Ann Sharman (FOI Officer)  | [55 - 0 - 0]  |
|   | Serin Cooper Maidlow (Registrar)                                       | [20 - 3 - 0]  |
|   | Rosemarie Eyre (Registrar)   | [55 - 3 - 0]  |
|   | Linda Danvers (Medicolegal Medical Officer)                            | [305 - 25 - 1]  |
|   | Anoop Lalitha (Clinical Director of Mental Health)                     | [104 - 17 - 1]  |
|   | Pauline Basilio (Manager Health Information Services)                  | [5 - 0 - 0]   |
| Grampians Wimmera Mallee Water Corporation (t/a GWMWater)                     | Ross Higgins (FOI Manager)   | [2 - 0 - 0]   |
| Grand Ridge Rail Trail Committee of Management                                | David Knowles (Chairperson)  | [1 - 0 - 0]   |
| Great Ocean Road Coast and Parks Authority                                    | Chris Badelow (Governance and Risk Manager)                            | [0 - 1 - 0]   |
| Great Ocean Road Health (previously known as Otway Health and Lorne Hospital) | Andrea Russell (Director of Clinical Services)                         | [11 - 0 - 0]  |
|   | Sandy Chamberlin (Chief Executive Officer)                             | [2 - 0 - 0]   |
| Greater Metropolitan Cemeteries Trust   | Andrew Port (Secretary)  | [1 - 0 - 0]   |
| Greater Shepparton City Council   | Peter Lucarelli (Governance Compliance Officer)                        | [7 - 2 - 1]   |
| Greater Western Water   | Rosalind Robson (Legal Counsel )                                       | [6 - 46 - 0]  |
| Greyhound Racing Victoria   | Jane Butterworth (Secretary)   | [2 - 1 - 0]   |
| Harness Racing Victoria   | Glynn Michael Mayne (Head of Legal, Risk and Governance)               | [0 - 0 - 1]   |

## 6 Appendices

### Names and titles of decision makers (continued)

| <b>Agency</b>                                      | <b>Names and titles of decision makers</b>                     | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|--|--|---|
| Health Complaints Commissioner                     | Angela Palombo (Legal and Policy Officer)                      | [0 - 0 - 1]   |
| Heathcote Health                                   | Gerry Canny (FOI Officer)                                      | [4 - 0 - 0]   |
| Hepburn Shire Council                              | Krysten Forte (Former Manager Governance and Risk )            | [1 - 4 - 4]   |
|  | Andrew Burgess (Director Organisational Services)              | [0 - 1 - 0]   |
|  | Rebecca Smith (Manager Governance and Risk )                   | [1 - 7 - 0]   |
| Hesse Rural Health Service                         | John Brockway (FOI Officer)                                    | [1 - 0 - 0]   |
| Heywood Rural Health                               | Andrea Thomas (Secretary)                                      | [5 - 0 - 0]   |
| Hindmarsh Shire Council                            | Petra Croot (FOI Officer)                                      | [1 - 0 - 0]   |
|  | Helen Thomson (FOI Officer)                                    | [1 - 0 - 0]   |
| Hobsons Bay City Council                           | Diane Eyckens (Manager Corporate Integrity and Legal Counsel)  | [4 - 2 - 1]   |
|  | Julie Brne (Coordinator Governance and Information Management) | [2 - 12 - 0]  |
| Holmesglen Institute                               | Tricia Farnes (FOI Manager)                                    | [2 - 2 - 0]   |
| Horsham Rural City Council                         | Catherine Schroder (FOI Officer)                               | [0 - 1 - 0]   |
|  | Anthony Dean (FOI Officer)                                     | [1 - 0 - 1]   |
|  | Rosemary Lehmann (FOI Officer)                                 | [0 - 1 - 0]   |
| Hume City Council                                  | Nick Petroulias (FOI Officer)                                  | [2 - 13 - 1]  |
|  | Peter Faull (FOI Officer)                                      | [5 - 0 - 0]   |
|  | Ian Sweeting (FOI Officer)                                     | [0 - 2 - 0]   |
| Independent Broad-based Anti-corruption Commission | Hannah Hughan (FOI Officer)                                    | [0 - 1 - 1]   |
|  | Cara Friedman (FOI Officer)                                    | [0 - 0 - 1]   |
|  | Ruba Zorah (FOI Officer)                                       | [0 - 0 - 1]   |
|  | Saige Exner (FOI Officer)                                      | [0 - 0 - 1]   |
|  | Grace Hwang (FOI Officer)                                      | [0 - 0 - 1]   |
|  | Emily Ireland (FOI Officer)                                    | [0 - 0 - 1]   |
|  | Veronica Hogan (FOI Officer)                                   | [0 - 0 - 1]   |
| Indigo Shire Council                               | Annabel Harding (Governance Officer)                           | [2 - 1 - 0]   |
|  | Jane Still (Senior Governance Advisor)                         | [2 - 3 - 0]   |
| Inglewood and Districts Health Service             | Greg Pullen (Chief Executive Officer)                          | [2 - 0 - 0]   |
| Kerang District Health                             | Helen Disher (Records Coordinator)                             | [2 - 0 - 0]   |
|  | Cheryl Dear (Records Coordinator)                              | [8 - 0 - 0]   |
| Kilmore & District Hospital                        | Claire Poulter (Health Information Manager)                    | [43 - 0 - 0]  |
| Kingston City Council                              | Emily Scopel-Reed (Governance Officer)                         | [4 - 6 - 2]   |
|  | Kelly Shacklock (Team Leader Organisational Governance)        | [0 - 1 - 1]   |
|  | Sasha Pearson (Governance and FOI Officer)                     | [0 - 3 - 0]   |
|  | Tiina Price (Governance and FOI Officer)                       | [4 - 2 - 0]   |
|  | Catherine McGarry (Governance and FOI Officer)                 | [0 - 1 - 0]   |
|  | James Hoimes (MD)  | [0 - 1 - 0]   |
| Knox City Council                                  | Damian Watson (FOI Officer)                                    | [12 - 4 - 0]  |
| Kyabram and District Health Services               | Lisa Drysdale (Health Information Manager)                     | [23 - 0 - 0]  |
| La Trobe University                                | Fiona Rowley (FOI and Information Privacy Manager)             | [12 - 4 - 3]  |

| <b>Agency</b>  | <b>Names and titles of decision makers</b>                        | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|--|---|---|
| Latrobe City Council   | Louise Van der Velden (FOI Officer)                               | [0 - 1 - 0]   |
|  | Nathan Frith (FOI Officer)  | [0 - 8 - 3]   |
| Latrobe Regional Hospital  | Dr Aruna Chari (Director of Medical Services)                     | [279 - 1 - 0]   |
|  | Dr Paul Lee (Director of Mental Health Services)                  | [97 - 1 - 0]  |
| Local Government Inspectorate  | Sophie Liakos (FOI Officer)                                       | [0 - 1 - 0]   |
|  | Michael Stefanovic (Chief Municipal Inspector)                    | [0 - 0 - 1]   |
| Loddon Shire Council   | Peter Williams (FOI Officer)                                      | [0 - 1 - 0]   |
|  | Sharon Morrison (FOI Manager)                                     | [1 - 0 - 0]   |
| Lower Murray Urban and Rural Water Authority<br>(t/a Lower Murray Water) | Erinne Carey (Team Leader Corporate Services)                     | [0 - 3 - 0]   |
| Macedon Ranges Shire Council   | Kate Young (FOI Manager)  | [1 - 0 - 0]   |
|  | Jess Baguley (FOI Officer)  | [3 - 0 - 0]   |
|  | Evvie Lambrianidis (FOI Officer)                                  | [2 - 1 - 0]   |
| Major Transport Infrastructure Authority                                 | Dustin Byrne (Senior Lawyer)                                      | [6 - 3 - 4]   |
|  | Lillian Neilson (Lawyer)  | [2 - 3 - 0]   |
|  | Matt Hall (FOI Officer)   | [1 - 8 - 17]  |
|  | Robert Forte (Director Commercial and Legal)                      | [2 - 0 - 0]   |
|  | James Melville (Lawyer)   | [2 - 4 - 0]   |
|  | Samuel Sheridan (Commercial and Legal Specialist)                 | [2 - 0 - 0]   |
| Mallee Track Health and Community Service                                | Pamela Vallance (FOI Officer)                                     | [5 - 0 - 0]   |
| Manningham City Council  | Daan Van Orsouw (Freedom of<br>Information/Privacy Officer)       | [7 - 5 - 2]   |
| Mansfield District Hospital  | Leonie Berry (Health Information Manager)                         | [19 - 0 - 0]  |
| Mansfield Shire Council  | Moir Moss (FOI Officer)   | [1 - 0 - 2]   |
| Maribyrnong City Council   | Jessica Baguley (FOI Officer)                                     | [6 - 0 - 0]   |
|  | Adele Woolcock (FOI Officer)                                      | [4 - 2 - 1]   |
|  | Danny Bilaver (FOI Manager)                                       | [3 - 1 - 1]   |
| Maroondah City Council   | Duncan Mackellar (Coordinator Risk, Information<br>and Integrity) | [0 - 2 - 1]   |
|  | David Smith (Risk and Integrity Officer)                          | [1 - 12 - 0]  |
| Maryborough District Health Service                                      | Jade Mekon (FOI Officer)  | [49 - 2 - 0]  |
| Medical Panels   | Robert Tagell (FOI Officer)                                       | [0 - 0 - 2]   |
|  | Shenelle Ranasingha (FOI Officer)                                 | [1 - 0 - 0]   |
| Melbourne Convention and Exhibition Trust                                | Stuart Davies (Chief Financial Officer)                           | [0 - 0 - 1]   |

## 6 Appendices

### Names and titles of decision makers (continued)

| <b>Agency</b>   | <b>Names and titles of decision makers</b>                       | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|---|--|---|
| Melbourne Health  | Daniel Lewis (FOI Manager)                                       | [0 - 0 - 1]   |
|   | Veronique Browne (FOI Officer)                                   | [19 - 17 - 0]   |
|   | Miguel Fernandez (FOI Officer)                                   | [3 - 0 - 0]   |
|   | Lynne Humble (FOI Officer)                                       | [1380 - 59 - 2]   |
|   | Emily Cole (FOI Officer)   | [708 - 76 - 1]  |
|   | James Hair (FOI Officer)   | [57 - 56 - 0]   |
|   | Arthur Kokkinias (FOI Officer)                                   | [0 - 4 - 0]   |
|   | Andrea Polari (FOI Officer)                                      | [1 - 0 - 0]   |
|   | Catherine Greenwood-Smith (FOI Officer)                          | [4 - 1 - 0]   |
|   | Catherine Hearn (FOI Officer)                                    | [2 - 0 - 0]   |
|   | Enrico Cementon (FOI Officer)                                    | [1 - 1 - 0]   |
|   | Lorraine Robb (FOI Officer)                                      | [1 - 0 - 0]   |
|   | Olivia Klotz (FOI Officer)                                       | [2 - 0 - 0]   |
|   | Roy McKenzie (FOI Officer)                                       | [1 - 0 - 0]   |
|   | Susanna McFadyen (FOI Officer)                                   | [0 - 2 - 0]   |
|   | Vidyendaran Rudhrun (FOI Officer)                                | [1 - 0 - 0]   |
| Melbourne Market Authority  | Malcolm Lum (General Counsel and Head of Property / FOI officer) | [0 - 1 - 0]   |
| Melbourne Polytechnic   | Gracieuse Amah (FOI and Information Privacy Manager)             | [0 - 1 - 1]   |
| Melbourne Water   | Kate Croker (FOI Officer)  | [10 - 2 - 0]  |
| Melton City Council   | Sian Rainford (FOI Officer)                                      | [0 - 10 - 0]  |
|   | Bradley Dosser (FOI and Information Privacy Manager)             | [0 - 1 - 0]   |
|   | Emma Perconte (FOI Officer)                                      | [0 - 1 - 0]   |
| Mental Health Complaints Commissioner                                 | Isabel Anton (Principal Legal Officer)                           | [0 - 5 - 0]   |
| Mercy Hospitals Victoria Ltd  | Suhan Baskar (Medical Director Governance)                       | [588 - 0 - 0]   |
|   | Dean Stevenson (Clinical Services Director)                      | [25 - 58 - 1]   |
| Mildura Base Public Hospital  | Sophie George (FOI and Information Privacy Manager)              | [330 - 0 - 0]   |
| Mildura Rural City Council  | Charmaine Calis (FOI Officer)                                    | [1 - 2 - 0]   |
| Minister for Energy, Environment and Climate Change                   | Roopinder Dhillon (FOI Officer)                                  | [1 - 0 - 0]   |
| Minister for Ports and Freight  | Andrew Weston (FOI and Information Privacy Manager)              | [1 - 0 - 0]   |
| Minister for Public Transport   | Andrew Weston (FOI and Information Privacy Manager)              | [1 - 0 - 0]   |
| Minister for Transport Infrastructure                                 | Andrew Weston (FOI and Information Privacy Manager)              | [3 - 1 - 0]   |
| Minister for Treaty and First Peoples (previously Aboriginal Affairs) | Gemma Briffa (FOI and Privacy Officer)                           | [0 - 1 - 0]   |
| Mitchell Shire Council  | Ellen McComish (FOI Officer)                                     | [4 - 5 - 0]   |
|   | Lidia Harding (FOI Officer)                                      | [1 - 8 - 2]   |
| Moira Shire Council   | Margaret Hinck (Senior Governance Officer)                       | [2 - 3 - 1]   |

| <b>Agency</b>                                    | <b>Names and titles of decision makers</b>  | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|--|---|---|
| Monash Health                                    | Hayley Capiron (FOI Manager)  | [105 - 2 - 0]   |
|  | Jodie Thompson (FOI Officer)  | [535 - 67 - 0]  |
|  | Maija Dimits (FOI Officer)  | [529 - 38 - 0]  |
|  | Frances Rogers (FOI Officer)  | [366 - 59 - 0]  |
|  | Carrie Harris (FOI Officer)   | [192 - 3 - 0]   |
|  | Elaine Elliott (FOI Officer)  | [80 - 5 - 0]  |
|  | Theresa Vu (FOI Officer)  | [17 - 2 - 0]  |
| Monash University                                | Fiona Hunt (FOI Officer)  | [35 - 4 - 8]  |
|  | Richard Long (FOI Officer)  | [0 - 0 - 1]   |
|  | John Denier (FOI Officer)   | [0 - 0 - 1]   |
| Moonee Valley City Council                       | Rosie Ferreira (FOI Officer)  | [23 - 2 - 3]  |
|  | Lee McSweeney (FOI Officer)   | [2 - 3 - 1]   |
| Moorabool Shire Council                          | Troy Delia (FOI Officer)  | [1 - 7 - 1]   |
|  | Leanne Manton (A/General Manager, Customer Care and Advocacy)                                 | [0 - 1 - 0]   |
|  | Renee Hodgeson (FOI Officer)  | [1 - 3 - 0]   |
| Moreland City Council                            | Naomi Ellis (Team Leader Governance)  | [11 - 10 - 1]   |
| Mornington Peninsula Shire                       | Diana Harris (Governance Office)  | [2 - 11 - 1]  |
|  | Pam Vercoe ( Manager - Governance)  | [0 - 1 - 0]   |
|  | Lis Morgan (FOI Officer)  | [1 - 24 - 0]  |
| Mount Alexander Shire Council                    | Augustine Sheppard (FOI Manager)  | [2 - 4 - 0]   |
|  | Karen Lockyer (FOI Officer)   | [0 - 2 - 0]   |
|  | Joshua Handley (FOI Officer)  | [0 - 1 - 0]   |
|  | Gabrielle Turner-Eyelandar (FOI Officer)  | [0 - 1 - 0]   |
| Moyne Shire Council                              | Alicia Cohen (Governance Coordinator)   | [3 - 1 - 0]   |
| Municipal Association of Victoria                | Dr Adam Janson (Acting as Principal Officer for the purposes of section 33(4) of the FOI Act) | [0 - 1 - 0]   |
| Murrindindi Shire Council                        | Tara Carter (FOI and Information Privacy Manager)   | [2 - 10 - 2]  |
| NCN Health                                       | Jacque Phillips (Chief Executive Officer)   | [39 - 0 - 0]  |
| Nillumbik Shire Council                          | Emma Christensen (Senior Governance Advisor)  | [6 - 3 - 1]   |
|  | Janet Taylor (Governance Officer)   | [1 - 0 - 0]   |
| North East Catchment Management Authority        | Katie Warner (Chief Executive Officer)  | [0 - 1 - 0]   |
| Northeast Health Wangaratta                      | Dr Rowena Mann (FOI Manager)  | [179 - 2 - 1]   |
| Northern Health                                  | Bree Coulthard (FOI Manager)  | [935 - 48 - 2]  |
|  | Meri Milevski (FOI Officer)   | [10 - 2 - 0]  |
|  | Vijay Danivas (Deputy Director Clinical Services)   | [112 - 65 - 0]  |
| Office of Public Prosecutions                    | Nina Sulzer (FOI Officer)   | [2 - 18 - 0]  |
|  | Tanya DSouza (FOI Officer)  | [1 - 21 - 2]  |
|  | Abbey Hogan (FOI Officer)   | [0 - 0 - 1]   |
| Office of the Victorian Information Commissioner | Bryan Wee (General Counsel)   | [2 - 0 - 0]   |
|  | Ted Lipiarski (Chief Operations Officer)  | [1 - 0 - 0]   |
| Orbost Regional Health                           | Susan Wait (FOI and Information Privacy Manager)  | [33 - 0 - 0]  |

## 6 Appendices

### Names and titles of decision makers (continued)

| <b>Agency</b>                                       | <b>Names and titles of decision makers</b>                         | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|---|--|---|
| Parks Victoria                                      | Jacqueline Borrett (Senior Manager, Information Governance)        | [1 - 1 - 0]   |
|   | Andres Mendez Ceroni (Senior Governance Officer (FOI and Privacy)) | [26 - 10 - 0]   |
|   | May Martinez (Divisional Support Officer)                          | [1 - 2 - 0]   |
|   | Natalie Capriotti (A/Governance Officer (FOI))                     | [1 - 0 - 0]   |
| Peninsula Health                                    | Debbie Warry (Senior PIRU Clerk)                                   | [115 - 4 - 0]   |
|   | Hadrian Dawson (Senior PIRU Clerk)                                 | [357 - 21 - 1]  |
|   | Tracey Mogford (Senior PIRU Clerk)                                 | [252 - 4 - 2]   |
|   | Bobby Dhiman (Senior PIRU Clerk)                                   | [119 - 2 - 2]   |
| Peter MacCallum Cancer Centre                       | Teresa Trotta (FOI Officer)  | [110 - 7 - 0]   |
| Portland District Health                            | Casey Mills (FOI Officer)  | [1 - 0 - 0]   |
|   | Kaushik Banerjea (Director of Medical Services)                    | [0 - 0 - 1]   |
|   | Casey Mills (FOI Officer)  | [0 - 27 - 0]  |
|   | Casey Scott (Health Information Manager)                           | [0 - 20 - 0]  |
| Premier of Victoria                                 | Gemma Briffa (FOI and Privacy Officer)                             | [0 - 1 - 0]   |
|   | Pneet Grewal (FOI and Privacy Officer)                             | [0 - 0 - 2]   |
|   | Teagan McKenna (Senior FOI and Privacy Officer)                    | [0 - 1 - 0]   |
|   | Matthew Thompson (Manager, FOI and Privacy)                        | [1 - 0 - 0]   |
|   | Phoebe Tobin-White (FOI and Privacy Officer)                       | [0 - 1 - 0]   |
| Previous Minister for Agriculture                   | Kate Kulman (FOI Officer)  | [0 - 1 - 3]   |
| Previous Minister for Child Protection              | Annalise Bamford (Executive Director)                              | [1 - 0 - 0]   |
| Previous Minister for Disability, Ageing and Carers | Annalise Bamford (Executive Director)                              | [0 - 1 - 0]   |
| Previous Minister for Health                        | Sonia Rivalland (Director)   | [3 - 1 - 0]   |
| Previous Minister for Local Government              | Alexandra Henderson (Acting FOI Manager)                           | [0 - 1 - 0]   |
| Previous Minister for Planning                      | Veronica Finn (FOI Officer)  | [1 - 0 - 0]   |
|   | Roopinder Dhillon (FOI Officer)                                    | [0 - 1 - 0]   |
| Previous Minister for Police                        | Claire McDonough (FOI Officer)                                     | [0 - 1 - 0]   |
| Previous Minister for Prevention of Family Violence | Annalise Bamford (Executive Director)                              | [0 - 1 - 0]   |
| Public Record Office Victoria                       | Justine Heazlewood (Director and Keeper of Public Records)         | [1 - 0 - 0]   |
| Pyrenees Shire Council                              | Michelle Richards (FOI Manager)                                    | [0 - 2 - 0]   |
| Queen Elizabeth Centre                              | Sue White (Chief Executive Officer)                                | [2 - 0 - 0]   |
| Racing Victoria Limited                             | Simonette Foletti (FOI Officer)                                    | [2 - 4 - 2]   |
| Residential Tenancies Bond Authority                | Claire McDonough (FOI Officer)                                     | [0 - 0 - 1]   |
|   | Nicole Rich (Executive Director)                                   | [0 - 0 - 1]   |
| RMIT University                                     | Briony Lewis (FOI and Information Privacy Manager)                 | [4 - 0 - 1]   |
|   | Nicholas Pappin (FOI and Information Privacy Manager)              | [1 - 1 - 0]   |
| Robinvale District Health Services                  | Vicki Shawcross (Director Corporate Services)                      | [8 - 0 - 0]   |
| Rochester and Elmore District Health Service        | Dorothy Stone (FOI Officer)  | [10 - 0 - 0]  |
|   | Darren Clark (FOI Officer)   | [1 - 0 - 0]   |



| <b>Agency</b>   | <b>Names and titles of decision makers</b>                     | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|---|--|---|
| Royal Children's Hospital   | Judith Smith (FOI Officer)                                     | [137 - 57 - 1]  |
|   | Ricky Huynh (FOI reviewer)                                     | [153 - 212 - 0]   |
|   | Angela Wood (FOI reviewer)                                     | [40 - 33 - 0]   |
|   | Justine Raczkowski (Legal Counsel)                             | [0 - 2 - 0]   |
|   | Katherine Stevens (Legal Counsel)                              | [0 - 0 - 1]   |
|   | Annabelle Mann (General Counsel)                               | [1 - 0 - 0]   |
|   | Joanne Dean (Nurse Unit Manager)                               | [2 - 0 - 0]   |
|   | Karen Hogan (Manager)  | [0 - 1 - 0]   |
|   | Sanjay Patel (Mental Health Clinician)                         | [4 - 0 - 0]   |
| Royal Society for the Prevention of Cruelty to Animals (RSPCA Victoria) | Leah Marshall (FOI Officer)                                    | [0 - 3 - 1]   |
|   | Trinette Ambrose (FOI Officer)                                 | [0 - 2 - 0]   |
| Royal Victorian Eye and Ear Hospital                                    | Josephine Pickett (Health Information Manager)                 | [104 - 0 - 0]   |
|   | Virginia Brumby (Health Information Manager)                   | [42 - 1 - 0]  |
| Royal Women's Hospital  | Angela Mayhew (FOI and Information Privacy Manager)            | [2 - 0 - 0]   |
|   | Michelle Schonrock (Freedom of Information Coordinator)        | [31 - 11 - 0]   |
|   | Felix Billington-Kleinman (FOI Officer)                        | [277 - 17 - 0]  |
| Rural City of Wangaratta  | Andrew Scoffern (FOI Officer)                                  | [3 - 0 - 0]   |
|   | Gabby Stratton (FOI Officer)                                   | [2 - 8 - 0]   |
| Rural Northwest Health  | Joanne Martin (Chief Executive Officer)                        | [7 - 0 - 0]   |
| Safer Care Victoria   | Mike Roberts (Chief Executive Officer)                         | [0 - 2 - 1]   |
|   | Robyn Hudson (Acting Chief Executive Officer)                  | [1 - 1 - 1]   |
| Service Victoria  | Helen Anstis (FOI Officer)                                     | [0 - 1 - 0]   |
| Seymour Health  | Sandra Toomey (Health Information Manager)                     | [32 - 0 - 0]  |
|   | Ward Steet (Chief Executive Officer)                           | [1 - 0 - 0]   |
|   | Anne Daley (Records Coordinator)                               | [6 - 0 - 0]   |
|   | Vickie Callaghan (Records Coordinator)                         | [2 - 0 - 0]   |
|   | Anna Gear (FOI Officer)  | [4 - 0 - 0]   |
| South East Water Corporation  | Kate O'Connor (FOI Officer)                                    | [32 - 1 - 0]  |
|   | Gavin Warner (FOI Officer)                                     | [1 - 0 - 0]   |
| South Gippsland Hospital  | Paul Greenhalgh (Chief Executive Officer)                      | [5 - 0 - 0]   |
| South Gippsland Region Water Corporation (t/a South Gippsland Water)    | Philippe du Plessis (Managing Director )                       | [1 - 0 - 0]   |
| South Gippsland Shire Council   | Allan Williams (FOI Officer)                                   | [3 - 3 - 2]   |
| South West Healthcare   | Kate McConnon (Director of Medical Services)                   | [243 - 15 - 2]  |
|   | Richard Campion (Executive Director of Mental Health Services) | [31 - 9 - 0]  |
| South West Institute of TAFE  | Andrew Long (FOI Officer)                                      | [0 - 1 - 0]   |
| Southern Alpine Resort Management Board                                 | Gail Conman (Chief Executive Officer)                          | [1 - 0 - 0]   |
| St Vincent's Health   | Dr Nim Nadarajah (Medical Specialist )                         | [912 - 0 - 0]   |
|   | Dr Peter Bosanac (Director of Medical Services)                | [39 - 28 - 0]   |
|   | Paul OBrien (FOI Officer)                                      | [3 - 0 - 0]   |
|   | Dr Lin May Lim (Director of Medical Services)                  | [1 - 0 - 0]   |
| State Electricity Commission of Victoria                                | John Drewett (Consultant)                                      | [6 - 0 - 0]   |

## 6 Appendices

### Names and titles of decision makers (continued)

| <b>Agency</b>                           | <b>Names and titles of decision makers</b>                         | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|---|--|---|
| State Revenue Office                    | Seaton Theobald (FOI Officer)                                      | [2 - 0 - 0]   |
|   | Sue Kaufmann (FOI and Information Privacy Manager)                 | [2 - 2 - 0]   |
|   | Roman Valher (FOI Officer)   | [1 - 0 - 2]   |
|   | Michelle Thyreum (FOI Officer)                                     | [1 - 0 - 0]   |
| Strathbogie Shire Council               | Dawn Bray (Director People and Governance )                        | [0 - 1 - 1]   |
|   | Aileen Davidson (FOI Officer)                                      | [0 - 4 - 0]   |
| Suburban Rail Loop Authority            | Candice Tan (Senior Lawyer)  | [1 - 6 - 2]   |
| Sunraysia Institute of TAFE             | Geoff Dea (Chief Executive Officer)                                | [0 - 0 - 1]   |
| Surf Coast Shire Council                | Evvie Lambrianidis (FOI Officer)                                   | [8 - 1 - 4]   |
|   | Melanie Crellin (Coordinator Risk Management)                      | [0 - 0 - 1]   |
|   | Don Coulson (FOI Officer)  | [0 - 1 - 0]   |
| Sustainability Victoria                 | Helen Grutzner (FOI Officer)                                       | [0 - 1 - 1]   |
| Swan Hill District Health               | Megan Leahy (Chief Health Information Manager)                     | [64 - 1 - 0]  |
|   | Allison Harvey (Health Information Manager)                        | [75 - 1 - 0]  |
|   | Kim Robinson (FOI Officer)   | [2 - 0 - 0]   |
|   | Dr Rex Prabhu (Director of Medical Services)                       | [1 - 0 - 0]   |
|   | Michelle Barry (Primary Health Medical Clinic Admin)               | [4 - 0 - 0]   |
| Swan Hill Rural City Council            | Helen Morris (Acting Director Corporate Services)                  | [1 - 0 - 0]   |
|   | Anthony Duffin (Information Coordinator)                           | [1 - 2 - 0]   |
| Swinburne University of Technology      | Kornel Koffsovitz (Associate Director (Legal and Regulation))      | [1 - 0 - 1]   |
|   | Matthew Smith (FOI Officer)  | [1 - 0 - 0]   |
| TAFE Gippsland                          | Simon Alleaume (FOI Officer)                                       | [0 - 1 - 0]   |
|   | Grant Radford (Chief Executive Officer)                            | [0 - 1 - 0]   |
| Tallangatta Health Service              | Vicki Pitcher (Chief Executive Officer)                            | [1 - 0 - 0]   |
| Terang & Mortlake Health Service        | Julia Ogden (Chief Executive Officer)                              | [5 - 0 - 2]   |
| Timboon and District Healthcare Service | Anna Reilly (Director of Clinical Services)                        | [1 - 0 - 0]   |
| Towong Shire Council                    | Emma Woolaston (Director Corporate and Organisational Development) | [0 - 1 - 0]   |
| Transport Accident Commission           | Felicity Wright (FOI and Information Privacy Manager)              | [13 - 38 - 1]   |
|   | Delilah Nichols (FOI and Privacy Adviser)                          | [6 - 10 - 1]  |
|   | Ashlee Morgan (FOI Officer)  | [41 - 99 - 0]   |
|   | Harris Monahan (FOI Officer)                                       | [23 - 50 - 0]   |
|   | Louise Luus (FOI Officer)  | [104 - 298 - 0]   |
|   | Marjan Popal (FOI Officer)   | [113 - 222 - 0]   |
|   | Cheryl Johnson (FOI Officer)                                       | [71 - 314 - 1]  |
|   | Suzie Camorra (FOI Officer)  | [56 - 255 - 2]  |
|   | Victoria Karpicz (FOI Officer)                                     | [7 - 40 - 1]  |
|   | Chris Checuti (Senior Governance Manager)                          | [0 - 0 - 1]   |
| Transport Safety Victoria               | Karan Kahlon (FOI Officer)   | [3 - 16 - 1]  |
|   | Lauren Kowalski (FOI Officer)                                      | [4 - 4 - 0]   |
| Treasurer of Victoria                   | Tim Pallas (Treasurer of Victoria)                                 | [0 - 1 - 0]   |
| Trust for Nature (Victoria)             | Victoria Marles (Chief Executive Officer)                          | [0 - 0 - 2]   |

| <b>Agency</b>   | <b>Names and titles of decision makers</b>  | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|---|---|---|
| Tweddle Child + Family Health Service                 | Paola Critelli (Health Information Manager)   | [5 - 0 - 0]   |
| University of Melbourne                               | Gioconda Di Lorenzo (University Secretary and FOI Officer)  | [1 - 14 - 8]  |
|   | John Prins (Head of Medical School)   | [13 - 7 - 0]  |
| V/Line Corporation                                    | Steven Lay (FOI Officer)  | [1 - 4 - 1]   |
| VicForests  | Erin Simmons (Senior Legal Counsel)   | [0 - 3 - 0]   |
|   | Katerina Poulakis (Senior Legal Counsel)  | [1 - 0 - 0]   |
|   | Robyn Selby Smith (Corporate Counsel)   | [0 - 2 - 0]   |
|   | Wendy Rowe (Director Governance and Reporting)  | [0 - 1 - 1]   |
| Victoria Legal Aid                                    | Ali Yildiz (Acting Managing Lawyer)   | [5 - 2 - 1]   |
| Victoria Police                                       | Insp Craig Matters (Deputy FOI Officer)   | [2 - 25 - 3]  |
|   | Mitchell Beach (Acting FOI Coordinator)   | [4 - 50 - 4]  |
|   | Shane Skelton (Acting FOI Coordinator)  | [2 - 18 - 1]  |
|   | Dr Jomini Cheong (A/Senior Police Medical Officer)  | [0 - 1 - 0]   |
|   | Robin Davey (FOI Manager)   | [69 - 942 - 142]  |
|   | Diane Moore (FOI Coordinator)   | [146 - 645 - 84]  |
| Victoria State Emergency Service                      | Lisa Macdermott (Freedom of Information and Privacy Officer)  | [40 - 1 - 0]  |
| Victoria University                                   | Ana Mitrovic (Manager Records and Archives)   | [9 - 1 - 0]   |
| Victorian Aboriginal Heritage Council                 | Gabrielle Lauder (FOI Manager)  | [1 - 0 - 0]   |
|   | Matthew Storey (FOI Manager)  | [2 - 0 - 0]   |
| Victorian Assisted Reproductive Treatment Authority   | Sophie Vasenszky (Principal Legal Officer)  | [1 - 0 - 0]   |
| Victorian Auditor-General's Office                    | Andrew Greaves (Auditor-General)  | [2 - 0 - 1]   |
| Victorian Building Authority                          | Rebecca Fraser (Legal Counsel- Legislative Functions, Reforms and Advice)                           | [12 - 2 - 0]  |
|   | Andrea McKie (FOI Officer)  | [95 - 59 - 8]   |
|   | Jade Forrester (FOI Officer)  | [50 - 25 - 8]   |
|   | Costa Koutsoukis (Manager, Human Resources)   | [0 - 0 - 1]   |
| Victorian Curriculum and Assessment Authority         | Helen Kearney (Senior Solicitor)  | [0 - 1 - 0]   |
| Victorian Electoral Commission                        | Anika Clynick (FOI Officer)   | [0 - 0 - 2]   |
| Victorian Equal Opportunity & Human Rights Commission | Tal Shmerling (Legal Manager)   | [0 - 0 - 1]   |
| Victorian Fisheries Authority                         | Travis Dowling (Chief Executive Officer)  | [3 - 0 - 0]   |
| Victorian Gambling and Casino Control Commission      | Scott May (General Counsel and Executive Director, Regulatory Policy and Legal Services)            | [2 - 3 - 1]   |
|   | Amy Rudolph (Acting General Counsel and Executive Director, Regulatory Policy and Legal Services)   | [0 - 3 - 0]   |
|   | Cameron Warfe (Acting General Counsel and Executive Director, Regulatory Policy and Legal Services) | [0 - 1 - 0]   |
| Victorian Government Solicitor                        | Matthew Hocking (Victorian Government Solicitor)  | [1 - 1 - 0]   |
| Victorian Institute of Forensic Medicine              | Fiona Leahy (FOI Officer)   | [2 - 1 - 0]   |
| Victorian Institute of Forensic Mental Health         | Loay Othman (Health Information Manager)  | [24 - 30 - 0]   |
|   | Marree Brown (Health Information Manager)   | [29 - 1 - 0]  |
| Victorian Institute of Teaching                       | Geoffrey Coates (FOI and Information Privacy Manager)   | [26 - 0 - 1]  |
|   | Damien Cricchiola (FOI Officer)   | [0 - 0 - 1]   |

## 6 Appendices

### Names and titles of decision makers (continued)

| <b>Agency</b>                                       | <b>Names and titles of decision makers</b>               | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|---|--|---|
| Victorian Legal Services Board                      | David Forbes (FOI Officer)                               | [0 - 1 - 5]   |
| Victorian Legal Services Commissioner               | David Forbes (FOI Officer)                               | [0 - 5 - 6]   |
| Victorian Managed Insurance Authority               | Frieda Esquelin (FOI Officer)                            | [1 - 1 - 0]   |
|   | Duncan Mackellar (FOI Officer)                           | [1 - 0 - 0]   |
|   | Andrew Davies (Chief Executive Officer)                  | [0 - 1 - 0]   |
| Victorian Ombudsman                                 | Vanessa Twigg (Principal Legal Adviser)                  | [1 - 0 - 0]   |
| Victorian Planning Authority                        | Ed Small (Board Secretary and Chief Financial Officer)   | [2 - 3 - 0]   |
| Victorian Rail Track (t/a VicTrack)                 | Brett Collier (FOI Officer)                              | [1 - 0 - 0]   |
|   | Olivia Jones (FOI Officer)                               | [0 - 2 - 0]   |
|   | Barry Whitehead (FOI Officer)                            | [0 - 0 - 1]   |
| Victorian Registration and Qualifications Authority | Karissa Robinson (FOI Officer)                           | [0 - 0 - 1]   |
| Victorian WorkCover Authority (t/a WorkSafe)        | Bronte Wright (Legal Counsel, FOI)                       | [1 - 11 - 9]  |
|   | Karen van der Chys (FOI Officer)                         | [1 - 141 - 15]  |
|   | Melanie Waugh (FOI Officer)                              | [0 - 116 - 12]  |
|   | Michelle Limb (FOI Officer)                              | [1 - 134 - 8]   |
|   | Sue Xie (FOI Officer)                                    | [6 - 215 - 10]  |
|   | Tim Craven (FOI Officer)                                 | [2 - 274 - 22]  |
|   | Yasmine Assafiri (FOI Officer)                           | [3 - 140 - 15]  |
| Wannon Region Water Corporation                     | Steven Kearns (FOI Officer)                              | [0 - 1 - 0]   |
| Warrnambool City Council                            | Wendy Clark (FOI Officer)                                | [0 - 2 - 0]   |
| Wellington Shire Council                            | Evelyn Macartney (Records Coordinator)                   | [3 - 3 - 0]   |
| West Gippsland Healthcare Group                     | Kyle Galley (FOI Officer)                                | [107 - 0 - 0]   |
|   | Emma Taylor (Health Information Manager)                 | [0 - 0 - 1]   |
| West Wimmera Health Service                         | Ritchie Dodds (Chief Executive Officer)                  | [39 - 0 - 0]  |
| Western District Health Service                     | Dr Dale Ford (Director of Medical Services)              | [95 - 0 - 0]  |
| Western Health                                      | Gayle Ekonomou (FOI Officer)                             | [721 - 40 - 0]  |
|   | Sofia Feye (FOI Officer)                                 | [399 - 11 - 0]  |
|   | Humaira Dad (Legal Counsel)                              | [289 - 15 - 0]  |
| Westernport Region Water Corporation                | Dona Tantirimudalige (Managing Director)                 | [1 - 0 - 0]   |
| Whittlesea City Council                             | Lence Mitrovski (FOI Officer)                            | [1 - 5 - 1]   |
|   | Adreana Latimer (FOI Officer)                            | [1 - 2 - 0]   |
|   | Sharmayne Bishop (FOI Officer)                           | [0 - 3 - 0]   |
|   | Anna Gottlieb (FOI Officer)                              | [0 - 1 - 0]   |
|   | Amanda Marijanovic (FOI Officer)                         | [0 - 6 - 1]   |
| William Angliss Institute of TAFE                   | Eileen Sargent (Director Corporate (CFO))                | [0 - 1 - 0]   |
| Wodonga City Council                                | Kevin Scully (FOI Officer)                               | [1 - 0 - 0]   |
| Wodonga Institute of TAFE                           | Phillip Paterson (Chief Executive Officer)               | [0 - 1 - 0]   |
| Wyndham City Council                                | Joy Painter (Coordinator Information Management)         | [3 - 2 - 0]   |
|   | Loredana Drury (FOI and Information Privacy Team Leader) | [2 - 1 - 0]   |
|   | Tim Newbegin (Coordinator Information Management)        | [8 - 5 - 0]   |

| <b>Agency</b>                      | <b>Names and titles of decision makers</b>                     | <b>Number of decisions where:<br/>access was granted in full,<br/>in part, or access was denied</b> |
|------------------------------------|--|---|
| Yarra City Council                 | Ivan Gilbert (FOI Officer)                                     | [22 - 62 - 4]   |
| Yarra Ranges Shire Council         | Marissa Gardiner (Executive Officer<br>Information Management) | [8 - 9 - 3]   |
| Yarra Valley Water Corporation     | Frank Portelli (FOI and Information Privacy Manager)           | [33 - 4 - 0]  |
| Yarram and District Health Service | Jane Millard (FOI Manager)                                     | [5 - 0 - 0]   |
| Yarrawonga Health                  | Cate Febey (FOI Officer)                                       | [11 - 0 - 0]  |
| Yarriambiack Shire Council         | Bernardine Schilling (FOI Manager)                             | [1 - 0 - 0]   |
| Yooralla                           | Rod Carracher (FOI Officer)                                    | [4 - 0 - 0]   |

# Appendix E

## Fees and charges<sup>9</sup>

| <i>Agency</i>   | <i>Fees<br/>collected</i> | <i>Fees<br/>waived</i> | <i>Charges<br/>collected</i> | <i>Charges<br/>waived</i> | <i>Transferred<br/>fees waived</i> |
|---|---------------------------|------------------------|------------------------------|---------------------------|------------------------------------|
| <b>Totals</b>   | <b>\$974,343.82</b>       | <b>\$350,809.68</b>    | <b>\$1,049,376.05</b>        | <b>\$176,140.66</b>       | <b>\$0.00</b>                      |
| Accident Compensation Conciliation Service                                  | \$0.00                    | \$30.10                | \$0.00                       | \$0.00                    | \$0.00                             |
| Albury Wodonga Health   | \$14,267.40               | \$3,762.50             | \$7,710.61                   | \$1,875.00                | \$0.00                             |
| Alexandra District Health   | \$301.00                  | \$60.20                | \$0.00                       | \$0.00                    | \$0.00                             |
| Alfred Health   | \$54,932.50               | \$26,758.90            | \$261,035.64                 | \$15,630.90               | \$0.00                             |
| Alpine Health   | \$360.00                  | \$61.40                | \$0.00                       | \$0.00                    | \$0.00                             |
| Alpine Shire Council  | \$30.10                   | \$0.00                 | \$25.00                      | \$0.00                    | \$0.00                             |
| Ambulance Victoria  | \$50,712.30               | \$28,541.00            | \$0.00                       | \$0.00                    | \$0.00                             |
| AMES Australia (previously known as Adult Multicultural Education Services) | \$0.00                    | \$30.10                | \$0.00                       | \$0.00                    | \$0.00                             |
| Ararat Rural City Council   | \$120.40                  | \$0.00                 | \$63.09                      | \$0.00                    | \$0.00                             |
| Austin Health   | \$33,982.90               | \$11,799.20            | \$22,817.80                  | \$5,981.85                | \$0.00                             |
| Australian Grand Prix Corporation   | \$60.20                   | \$0.00                 | \$0.00                       | \$0.00                    | \$0.00                             |
| Bairnsdale Regional Health Service  | \$963.20                  | \$1,173.90             | \$486.20                     | \$0.00                    | \$0.00                             |
| Ballarat General Cemeteries Trust   | \$60.20                   | \$0.00                 | \$0.00                       | \$97.85                   | \$0.00                             |
| Banyule City Council  | \$481.60                  | \$30.10                | \$270.00                     | \$494.50                  | \$0.00                             |
| Barwon Coast Committee of Management Incorporated                           | \$30.10                   | \$0.00                 | \$0.00                       | \$0.00                    | \$0.00                             |
| Barwon Health   | \$24,049.90               | \$7,254.10             | \$54,204.00                  | \$6,880.00                | \$0.00                             |
| Barwon Region Water Corporation   | \$210.70                  | \$30.10                | \$0.00                       | \$0.00                    | \$0.00                             |
| Bass Coast Health   | \$1,097.70                | \$587.90               | \$2,026.30                   | \$145.00                  | \$0.00                             |
| Bass Coast Shire Council  | \$481.60                  | \$0.00                 | \$119.28                     | \$0.64                    | \$0.00                             |
| Baw Baw Shire Council   | \$692.30                  | \$0.00                 | \$0.00                       | \$0.00                    | \$0.00                             |
| Bayside City Council  | \$933.10                  | \$60.20                | \$2,547.35                   | \$458.60                  | \$0.00                             |
| Beaufort and Skipton Health Service   | \$60.20                   | \$0.00                 | \$52.50                      | \$0.00                    | \$0.00                             |
| Beechworth Health Service   | \$0.00                    | \$60.20                | \$188.03                     | \$60.20                   | \$0.00                             |
| Benalla Health  | \$210.70                  | \$752.50               | \$326.50                     | \$225.50                  | \$0.00                             |
| Benalla Rural City Council  | \$60.20                   | \$0.00                 | \$70.00                      | \$0.00                    | \$0.00                             |
| Bendigo Health Care Group   | \$14,869.40               | \$1,836.10             | \$20,653.15                  | \$507.45                  | \$0.00                             |
| Bendigo Kangan Institute  | \$60.20                   | \$90.30                | \$0.00                       | \$0.00                    | \$0.00                             |
| Borough of Queenscliffe   | \$30.10                   | \$0.00                 | \$0.00                       | \$0.00                    | \$0.00                             |
| Brimbank City Council   | \$1,052.50                | \$91.30                | \$0.00                       | \$0.00                    | \$0.00                             |
| Buloke Shire Council  | \$60.20                   | \$0.00                 | \$225.00                     | \$0.00                    | \$0.00                             |
| Bushfire Recovery Victoria  | \$30.10                   | \$0.00                 | \$0.00                       | \$0.00                    | \$0.00                             |

| <b>Agency</b>                                       | <b>Fees collected</b> | <b>Fees waived</b> | <b>Charges collected</b> | <b>Charges waived</b> | <b>Transferred fees waived</b> |
|---|-----------------------|--------------------|--------------------------|-----------------------|--------------------------------|
| Calvary Health Care Bethlehem                       | \$30.10               | \$210.70           | \$43.80                  | \$0.00                | \$0.00                         |
| Campaspe Shire Council                              | \$120.40              | \$0.00             | \$361.60                 | \$0.00                | \$0.00                         |
| Cardinia Shire Council                              | \$1,264.20            | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Castlemaine Health                                  | \$180.60              | \$150.50           | \$0.00                   | \$0.00                | \$0.00                         |
| Cenitex   | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Central Gippsland Health Service                    | \$3,702.30            | \$0.00             | \$1,474.90               | \$0.00                | \$0.00                         |
| Central Goldfields Shire Council                    | \$90.30               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Central Highlands Region Water Corporation          | \$90.30               | \$150.50           | \$0.00                   | \$0.00                | \$0.00                         |
| Central Highlands Rural Health                      | \$993.30              | \$210.70           | \$558.60                 | \$0.00                | \$0.00                         |
| City of Ballarat                                    | \$1,294.30            | \$60.20            | \$724.30                 | \$178.80              | \$0.00                         |
| City of Boroondara                                  | \$1,836.10            | \$150.50           | \$294.50                 | \$87.60               | \$0.00                         |
| City of Casey                                       | \$2,070.90            | \$126.40           | \$1,274.69               | \$40.54               | \$0.00                         |
| City of Darebin                                     | \$1,234.10            | \$90.30            | \$866.35                 | \$26.50               | \$0.00                         |
| City of Greater Bendigo                             | \$692.30              | \$361.20           | \$562.00                 | \$0.00                | \$0.00                         |
| City of Greater Dandenong                           | \$872.90              | \$0.00             | \$472.20                 | \$22.50               | \$0.00                         |
| City of Greater Geelong                             | \$5,056.80            | \$451.50           | \$0.00                   | \$0.00                | \$0.00                         |
| City of Melbourne                                   | \$1,503.00            | \$303.00           | \$4,695.55               | \$112.80              | \$0.00                         |
| City of Monash                                      | \$1,053.50            | \$511.70           | \$0.00                   | \$0.00                | \$0.00                         |
| City of Port Phillip                                | \$752.50              | \$150.50           | \$3,172.50               | \$499.50              | \$0.00                         |
| City of Stonnington                                 | \$3,040.10            | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| City of Whitehorse                                  | \$632.10              | \$0.00             | \$58.20                  | \$92.20               | \$0.00                         |
| Cohuna District Hospital                            | \$90.30               | \$210.70           | \$108.25                 | \$0.00                | \$0.00                         |
| Colac Area Health                                   | \$1,685.60            | \$301.00           | \$92.40                  | \$265.40              | \$0.00                         |
| Colac Otway Shire                                   | \$301.00              | \$0.00             | \$633.64                 | \$0.00                | \$0.00                         |
| Coliban Region Water Corporation                    | \$88.80               | \$1.50             | \$49.20                  | \$0.00                | \$0.00                         |
| Commercial Passenger Vehicles Victoria              | \$361.20              | \$90.30            | \$0.00                   | \$0.00                | \$0.00                         |
| Commission for Children and Young People            | \$90.30               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Corangamite Shire                                   | \$30.10               | \$60.20            | \$207.96                 | \$0.00                | \$0.00                         |
| Country Fire Authority                              | \$3,070.20            | \$150.50           | \$3,123.85               | \$23.60               | \$0.00                         |
| Court Services Victoria                             | \$722.40              | \$1,173.90         | \$0.00                   | \$0.00                | \$0.00                         |
| Deakin University                                   | \$180.60              | \$210.70           | \$0.00                   | \$0.00                | \$0.00                         |
| Dental Health Services Victoria                     | \$692.30              | \$8,428.00         | \$0.00                   | \$0.00                | \$0.00                         |
| Department of Education and Training                | \$12,250.70           | \$4,816.00         | \$1,267.20               | \$56.80               | \$0.00                         |
| Department of Environment, Land, Water and Planning | \$4,996.60            | \$662.20           | \$764.70                 | \$2,483.65            | \$0.00                         |
| Department of Families, Fairness and Housing        | \$1,234.10            | \$41,959.40        | \$259.77                 | \$2,128.88            | \$0.00                         |
| Department of Health                                | \$9,511.60            | \$7,043.40         | \$25.00                  | \$2,894.20            | \$0.00                         |

## 6 Appendices

### Fees and charges (continued)

| <i>Agency</i>   | <i>Fees collected</i> | <i>Fees waived</i> | <i>Charges collected</i> | <i>Charges waived</i> | <i>Transferred fees waived</i> |
|---|-----------------------|--------------------|--------------------------|-----------------------|--------------------------------|
| Department of Jobs, Precincts and Regions                                 | \$2,859.50            | \$1,143.80         | \$1,052.40               | \$567.70              | \$0.00                         |
| Department of Justice and Community Safety                                | \$9,689.10            | \$19,598.20        | \$3,684.80               | \$0.00                | \$0.00                         |
| Department of Premier and Cabinet   | \$1,956.50            | \$541.80           | \$69.86                  | \$864.10              | \$0.00                         |
| Department of Transport   | \$34,701.80           | \$15,113.20        | \$86.80                  | \$11,852.20           | \$0.00                         |
| Department of Treasury and Finance  | \$1,565.20            | \$90.30            | \$0.00                   | \$0.00                | \$0.00                         |
| Development Victoria  | \$60.20               | \$60.20            | \$736.22                 | \$643.72              | \$0.00                         |
| Djerriwarrh Health Services   | \$3,070.20            | \$421.40           | \$1,390.50               | \$0.00                | \$0.00                         |
| East Gippsland Catchment Management Authority                             | \$30.10               | \$0.00             | \$93.60                  | \$0.00                | \$0.00                         |
| East Gippsland Shire Council  | \$752.50              | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| East Grampians Health Service   | \$1,234.10            | \$1,444.80         | \$1,404.07               | \$1,019.80            | \$0.00                         |
| East Wimmera Health Service   | \$180.60              | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Eastern Health  | \$37,126.90           | \$9,498.00         | \$34,955.30              | \$24,995.00           | \$0.00                         |
| Echuca Regional Health  | \$3,100.30            | \$782.60           | \$3,496.10               | \$682.00              | \$0.00                         |
| Electoral Boundaries Commission   | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Emergency Services Superannuation Board (t/a ESSSuper)                    | \$210.70              | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Emergency Services Telecommunications Authority                           | \$1,234.10            | \$90.30            | \$0.00                   | \$0.00                | \$0.00                         |
| Energy Safe Victoria  | \$571.90              | \$210.70           | \$0.00                   | \$337.00              | \$0.00                         |
| Environment Protection Authority  | \$2,678.90            | \$421.40           | \$240.00                 | \$1,687.00            | \$0.00                         |
| Essential Services Commission   | \$90.30               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Federation University Australia   | \$0.00                | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| Film Victoria (t/a VicScreen)   | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Fire Rescue Victoria  | \$16,735.60           | \$0.00             | \$1,317.70               | \$0.00                | \$0.00                         |
| Frankston City Council  | \$571.90              | \$240.80           | \$681.79                 | \$776.11              | \$0.00                         |
| Game Management Authority   | \$90.30               | \$30.10            | \$0.00                   | \$69.10               | \$0.00                         |
| Gannawarra Shire Council  | \$59.70               | \$30.60            | \$0.00                   | \$0.00                | \$0.00                         |
| Gippsland and Southern Rural Water Corporation (t/a Southern Rural Water) | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Gippsland Southern Health Service   | \$632.10              | \$421.40           | \$779.40                 | \$760                 | \$0.00                         |
| Glen Eira City Council  | \$1,474.90            | \$0.00             | \$1,530.14               | \$134.00              | \$0.00                         |
| Glenelg Shire Council   | \$150.50              | \$0.00             | \$259.25                 | \$0.00                | \$0.00                         |
| Golden Plains Shire Council   | \$120.40              | \$0.00             | \$90.20                  | \$0.00                | \$0.00                         |
| Gordon Institute of TAFE  | \$2.00                | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Goulburn Ovens Institute of TAFE (t/a GOTAFE)                             | \$0.00                | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| Goulburn Valley Health  | \$9,632.00            | \$331.10           | \$13,138.47              | \$0.00                | \$0.00                         |



| <b>Agency</b>   | <b>Fees collected</b> | <b>Fees waived</b> | <b>Charges collected</b> | <b>Charges waived</b> | <b>Transferred fees waived</b> |
|---|-----------------------|--------------------|--------------------------|-----------------------|--------------------------------|
| Goulburn-Murray Rural Water Corporation                                       | \$662.20              | \$60.20            | \$728.96                 | \$191.67              | \$0.00                         |
| Grampians Health  | \$14,040.20           | \$12,839.10        | \$9,681.80               | \$6,947.60            | \$0.00                         |
| Grampians Wimmera Mallee Water Corporation (t/a GWMWater)                     | \$60.20               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Great Ocean Road Coast and Parks Authority                                    | \$30.10               | \$0.00             | \$337.50                 | \$0.00                | \$0.00                         |
| Great Ocean Road Health (previously known as Otway Health and Lorne Hospital) | \$265.30              | \$186.20           | \$0.00                   | \$0.00                | \$0.00                         |
| Greater Metropolitan Cemeteries Trust   | \$30.10               | \$0.00             | \$472.50                 | \$0.00                | \$0.00                         |
| Greater Shepparton City Council   | \$268.90              | \$122.40           | \$157.60                 | \$0.00                | \$0.00                         |
| Greater Western Water   | \$2,046.80            | \$30.10            | \$3,339.20               | \$0.00                | \$0.00                         |
| Greyhound Racing Victoria   | \$90.30               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Harness Racing Victoria   | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Health Complaints Commissioner  | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| HealthShare Victoria  | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Heathcote Health  | \$120.40              | \$0.00             | \$21.80                  | \$0.00                | \$0.00                         |
| Hepburn Shire Council   | \$662.20              | \$331.10           | \$561.92                 | \$35.33               | \$0.00                         |
| Hesse Rural Health Service  | \$0.00                | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| Heywood Rural Health  | \$60.20               | \$90.30            | \$0.00                   | \$0.00                | \$0.00                         |
| Hindmarsh Shire Council   | \$0.00                | \$60.20            | \$29.80                  | \$0.00                | \$0.00                         |
| Hobsons Bay City Council  | \$451.50              | \$60.20            | \$0.00                   | \$0.00                | \$0.00                         |
| Holmesglen Institute  | \$60.20               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Horsham Rural City Council  | \$60.20               | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| Hume City Council   | \$1,113.70            | \$331.10           | \$260.71                 | \$0.00                | \$0.00                         |
| Independent Broad-based Anti-corruption Commission                            | \$150.50              | \$120.40           | \$0.00                   | \$0.00                | \$0.00                         |
| Indigo Shire Council  | \$210.70              | \$30.10            | \$115.09                 | \$0.00                | \$0.00                         |
| Inglewood and Districts Health Service  | \$0.00                | \$90.30            | \$0.00                   | \$0.00                | \$0.00                         |
| Kerang District Health  | \$301.00              | \$0.00             | \$325.03                 | \$0.00                | \$0.00                         |
| Kilmore & District Hospital   | \$1,565.20            | \$0.00             | \$590.80                 | \$0.00                | \$0.00                         |
| Kingston City Council   | \$1,173.90            | \$240.80           | \$270.40                 | \$391.22              | \$0.00                         |
| Knox City Council   | \$451.50              | \$30.10            | \$2,457.44               | \$22.55               | \$0.00                         |
| Kyabram and District Health Services  | \$632.10              | \$60.20            | \$632.50                 | \$41.00               | \$0.00                         |
| La Trobe University   | \$541.80              | \$150.50           | \$0.00                   | \$0.00                | \$0.00                         |
| Latrobe City Council  | \$240.80              | \$210.70           | \$0.00                   | \$0.00                | \$0.00                         |
| Latrobe Regional Hospital   | \$8,729.00            | \$3,250.80         | \$16,346.40              | \$4,670.80            | \$0.00                         |
| Local Government Inspectorate   | \$0.00                | \$90.30            | \$0.00                   | \$0.00                | \$0.00                         |
| Lower Murray Urban and Rural Water Authority (t/a Lower Murray Water)         | \$90.30               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Macedon Ranges Shire Council  | \$752.22              | \$30.38            | \$421.05                 | \$31.55               | \$0.00                         |

## 6 Appendices

### Fees and charges (continued)

| <i>Agency</i>   | <i>Fees collected</i> | <i>Fees waived</i> | <i>Charges collected</i> | <i>Charges waived</i> | <i>Transferred fees waived</i> |
|---|-----------------------|--------------------|--------------------------|-----------------------|--------------------------------|
| Major Transport Infrastructure Authority                              | \$30.10               | \$90.30            | \$0.00                   | \$0.00                | \$0.00                         |
| Mallee Track Health and Community Service                             | \$90.30               | \$0.00             | \$349.50                 | \$0.00                | \$0.00                         |
| Manningham City Council   | \$631.10              | \$31.10            | \$591.20                 | \$0.00                | \$0.00                         |
| Mansfield District Hospital   | \$511.70              | \$60.20            | \$62.10                  | \$0.00                | \$0.00                         |
| Mansfield Shire Council   | \$210.70              | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Maribyrnong City Council  | \$662.20              | \$120.40           | \$169.09                 | \$0.00                | \$0.00                         |
| Maroondah City Council  | \$812.20              | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Maryborough District Health Service                                   | \$1,204.00            | \$391.30           | \$497.00                 | \$195.00              | \$0.00                         |
| Medical Panels  | \$0.00                | \$421.40           | \$0.00                   | \$0.00                | \$0.00                         |
| Melbourne and Olympic Parks Trust                                     | \$0.00                | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| Melbourne Convention and Exhibition Trust                             | \$0.00                | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| Melbourne Health  | \$76,213.20           | \$8,849.40         | \$115,763.90             | \$1,646.80            | \$0.00                         |
| Melbourne Market Authority  | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Melbourne Polytechnic   | \$0.00                | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| Melbourne Water   | \$451.50              | \$270.90           | \$362.50                 | \$1,747.55            | \$0.00                         |
| Melton City Council   | \$180.60              | \$451.50           | \$0.00                   | \$0.00                | \$0.00                         |
| Mental Health Complaints Commissioner                                 | \$30.10               | \$210.70           | \$0.00                   | \$0.00                | \$0.00                         |
| Mental Health Tribunal  | \$0.00                | \$903.00           | \$0.00                   | \$0.00                | \$0.00                         |
| Mercy Hospitals Victoria Ltd  | \$16,039.30           | \$7,529.00         | \$9,322.50               | \$1,052.00            | \$0.00                         |
| Mildura Base Public Hospital  | \$5,719.00            | \$1,836.10         | \$11,660.00              | \$3,743.00            | \$0.00                         |
| Mildura Rural City Council  | \$180.60              | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Minister for Consumer Affairs, Gaming and Liquor Regulation           | \$0.00                | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| Minister for Emergency Services                                       | \$30.10               | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| Minister for Energy, Environment and Climate Change                   | \$60.20               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Minister for Innovation, Medical Research and the Digital Economy     | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Minister for Transport Infrastructure                                 | \$60.20               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Minister for Treaty and First Peoples (previously Aboriginal Affairs) | \$60.20               | \$0.00             | \$0.00                   | \$21.80               | \$0.00                         |
| Minister for Workplace Safety   | \$0.00                | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| Mitchell Shire Council  | \$782.60              | \$0.00             | \$582.75                 | \$7.60                | \$0.00                         |
| Moir Shire Council  | \$210.70              | \$0.00             | \$553.65                 | \$123.86              | \$0.00                         |
| Monash Health   | \$51,200.10           | \$12,160.40        | \$96,295.12              | \$2,543.30            | \$0.00                         |
| Monash University   | \$1,775.90            | \$180.60           | \$258.75                 | \$0.00                | \$0.00                         |
| Moonee Valley City Council  | \$1,535.10            | \$0.00             | \$1,417.14               | \$0.00                | \$0.00                         |

| <b>Agency</b>  | <b>Fees collected</b> | <b>Fees waived</b> | <b>Charges collected</b> | <b>Charges waived</b> | <b>Transferred fees waived</b> |
|--|-----------------------|--------------------|--------------------------|-----------------------|--------------------------------|
| Moorabool Shire Council                                    | \$510.70              | \$302.00           | \$248.80                 | \$0.00                | \$0.00                         |
| Moreland City Council                                      | \$722.40              | \$30.10            | \$851.35                 | \$794.00              | \$0.00                         |
| Mornington Peninsula Shire                                 | \$1,835.60            | \$60.70            | \$472.50                 | \$0.00                | \$0.00                         |
| Mount Alexander Shire Council                              | \$361.20              | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Moyne Health Services                                      | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Moyne Shire Council  | \$180.60              | \$0.00             | \$262.56                 | \$0.00                | \$0.00                         |
| Municipal Association of Victoria                          | \$0.00                | \$30.10            | \$93.20                  | \$0.00                | \$0.00                         |
| Murrindindi Shire Council                                  | \$451.50              | \$30.10            | \$663.90                 | \$90.30               | \$0.00                         |
| NCN Health   | \$632.10              | \$692.30           | \$180.50                 | \$0.00                | \$0.00                         |
| Nillumbik Shire Council                                    | \$420.90              | \$30.60            | \$90.10                  | \$157.50              | \$0.00                         |
| North East Catchment Management Authority                  | \$90.30               | \$0.00             | \$375.90                 | \$0.00                | \$0.00                         |
| North East Region Water Corporation (t/a North East Water) | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Northeast Health Wangaratta                                | \$4,829.30            | \$1,190.70         | \$8,535.10               | \$2,046.50            | \$0.00                         |
| Northern Health  | \$30,310.70           | \$5,357.80         | \$62,624.99              | \$17,831.40           | \$0.00                         |
| Office of Public Prosecutions                              | \$2,137.10            | \$1,083.60         | \$0.00                   | \$0.00                | \$0.00                         |
| Office of the Victorian Information Commissioner           | \$120.40              | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| Orbost Regional Health                                     | \$571.90              | \$421.40           | \$372.02                 | \$0.00                | \$0.00                         |
| Parks Victoria   | \$1,384.60            | \$150.50           | \$4,028.00               | \$560.00              | \$0.00                         |
| Peninsula Health   | \$23,881.70           | \$3,057.80         | \$25,261.10              | \$3,322.80            | \$0.00                         |
| Peter MacCallum Cancer Centre                              | \$3,070.20            | \$451.50           | \$9,349.60               | \$184.00              | \$0.00                         |
| Portland District Health                                   | \$541.80              | \$1,113.70         | \$388.40                 | \$515.20              | \$0.00                         |
| Premier of Victoria  | \$331.10              | \$60.20            | \$0.00                   | \$41.20               | \$0.00                         |
| Previous Minister for Agriculture                          | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Previous Minister for Disability, Ageing and Carers        | \$0.00                | \$60.20            | \$0.00                   | \$0.00                | \$0.00                         |
| Previous Minister for Health                               | \$120.40              | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Previous Minister for Local Government                     | \$30.10               | \$0.00             | \$0.00                   | \$23.10               | \$0.00                         |
| Previous Minister for Planning                             | \$120.40              | \$0.00             | \$0.00                   | \$22.20               | \$0.00                         |
| Previous Minister for Police                               | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Previous Minister for Prevention of Family Violence        | \$0.00                | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| PrimeSafe  | \$0.00                | \$60.20            | \$0.00                   | \$0.00                | \$0.00                         |
| Public Record Office Victoria                              | \$0.00                | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| Pyrenees Shire Council                                     | \$60.20               | \$30.10            | \$60.20                  | \$0.00                | \$0.00                         |
| Queen Elizabeth Centre                                     | \$0.00                | \$90.30            | \$0.00                   | \$0.00                | \$0.00                         |
| Racing Victoria Limited                                    | \$90.30               | \$240.80           | \$0.00                   | \$0.00                | \$0.00                         |
| Residential Tenancies Bond Authority                       | \$30.10               | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| RMIT University  | \$451.50              | \$60.20            | \$186.75                 | \$68.50               | \$0.00                         |

## 6 Appendices

### Fees and charges (continued)

| <b>Agency</b>   | <b>Fees collected</b> | <b>Fees waived</b> | <b>Charges collected</b> | <b>Charges waived</b> | <b>Transferred fees waived</b> |
|---|-----------------------|--------------------|--------------------------|-----------------------|--------------------------------|
| Robinvale District Health Services                                      | \$60.20               | \$301.00           | \$172.40                 | \$0.00                | \$0.00                         |
| Rochester and Elmore District Health Service                            | \$240.80              | \$150.50           | \$73.70                  | \$0.00                | \$0.00                         |
| Royal Children's Hospital   | \$11,317.60           | \$10,805.90        | \$11,537.20              | \$715.90              | \$0.00                         |
| Royal Society for the Prevention of Cruelty to Animals (RSPCA Victoria) | \$60.20               | \$180.60           | \$0.00                   | \$0.00                | \$0.00                         |
| Royal Victorian Eye and Ear Hospital                                    | \$4,362.00            | \$875.40           | \$5,055.55               | \$20.00               | \$0.00                         |
| Royal Women's Hospital  | \$9,601.90            | \$2,588.60         | \$14,658.60              | \$1,920.82            | \$0.00                         |
| Rural City of Wangaratta  | \$361.20              | \$30.10            | \$110.00                 | \$0.00                | \$0.00                         |
| Rural Northwest Health  | \$210.70              | \$0.00             | \$120.50                 | \$0.00                | \$0.00                         |
| Safer Care Victoria   | \$331.10              | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Service Victoria  | \$0.00                | \$0.00             | \$0.00                   | \$7.20                | \$0.00                         |
| Seymour Health  | \$752.50              | \$692.30           | \$976.88                 | \$460.00              | \$0.00                         |
| South East Water Corporation  | \$993.30              | \$60.20            | \$1,377.78               | \$0.00                | \$0.00                         |
| South Gippsland Hospital  | \$150.50              | \$0.00             | \$186.66                 | \$0.00                | \$0.00                         |
| South Gippsland Region Water Corporation (t/a South Gippsland Water)    | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| South Gippsland Shire Council   | \$300.00              | \$31.10            | \$0.00                   | \$0.00                | \$0.00                         |
| South West Healthcare   | \$5,357.80            | \$3,943.10         | \$7,088.50               | \$0.00                | \$0.00                         |
| Southern Alpine Resort Management Board                                 | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| St Vincent's Health   | \$24,080.00           | \$5,899.60         | \$30,842.42              | \$9,129.70            | \$0.00                         |
| State Electricity Commission of Victoria                                | \$180.60              | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| State Revenue Office  | \$301.00              | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Strathbogie Shire Council   | \$150.50              | \$0.00             | \$73.12                  | \$0.00                | \$0.00                         |
| Surf Coast Shire Council  | \$571.90              | \$0.00             | \$157.50                 | \$0.00                | \$0.00                         |
| Sustainability Victoria   | \$60.20               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Swan Hill District Health   | \$2,347.80            | \$2,438.10         | \$5,376.77               | \$0.00                | \$0.00                         |
| Swan Hill Rural City Council  | \$90.30               | \$0.00             | \$65.00                  | \$0.00                | \$0.00                         |
| Swinburne University of Technology                                      | \$27.90               | \$363.40           | \$0.00                   | \$0.00                | \$0.00                         |
| TAFE Gippsland  | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Tallangatta Health Service  | \$30.10               | \$0.00             | \$78.75                  | \$0.00                | \$0.00                         |
| Terang & Mortlake Health Service  | \$150.50              | \$60.20            | \$49.10                  | \$0.00                | \$0.00                         |
| Timboon and District Healthcare Service                                 | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Transport Accident Commission   | \$45,782.10           | \$4,123.70         | \$22,465.70              | \$40.80               | \$0.00                         |
| Transport Safety Victoria   | \$1,113.70            | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Treasurer of Victoria   | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Trust for Nature (Victoria)   | \$0.00                | \$60.20            | \$0.00                   | \$0.00                | \$0.00                         |

| <b>Agency</b>   | <b>Fees collected</b> | <b>Fees waived</b> | <b>Charges collected</b> | <b>Charges waived</b> | <b>Transferred fees waived</b> |
|---|-----------------------|--------------------|--------------------------|-----------------------|--------------------------------|
| Tweddle Child + Family Health Service                 | \$90.30               | \$60.20            | \$0.00                   | \$0.00                | \$0.00                         |
| University of Melbourne                               | \$1,264.20            | \$331.10           | \$2,277.10               | \$875.88              | \$0.00                         |
| V/Line Corporation                                    | \$270.90              | \$150.50           | \$0.00                   | \$0.00                | \$0.00                         |
| VicForests  | \$481.60              | \$0.00             | \$1,208.40               | \$0.00                | \$0.00                         |
| Victoria Legal Aid                                    | \$30.10               | \$270.90           | \$0.00                   | \$0.00                | \$0.00                         |
| Victoria Police                                       | \$100,594.10          | \$18,842.70        | \$1,479.77               | \$8,717.95            | \$0.00                         |
| Victoria State Emergency Service                      | \$1,143.80            | \$331.10           | \$0.00                   | \$0.00                | \$0.00                         |
| Victoria University                                   | \$240.80              | \$30.10            | \$0.00                   | \$200.00              | \$0.00                         |
| Victorian Aboriginal Heritage Council                 | \$60.20               | \$30.10            | \$30.10                  | \$30.10               | \$0.00                         |
| Victorian Assisted Reproductive Treatment Authority   | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Victorian Auditor-General's Office                    | \$0.00                | \$90.30            | \$0.00                   | \$0.00                | \$0.00                         |
| Victorian Building Authority                          | \$7,615.30            | \$4,575.20         | \$517.65                 | \$4,972.50            | \$0.00                         |
| Victorian Curriculum and Assessment Authority         | \$90.30               | \$0.00             | \$0.00                   | \$0.40                | \$0.00                         |
| Victorian Electoral Commission                        | \$90.30               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Victorian Environmental Assessment Council            | \$0.00                | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| Victorian Equal Opportunity & Human Rights Commission | \$30.10               | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| Victorian Fisheries Authority                         | \$30.10               | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| Victorian Gambling and Casino Control Commission      | \$481.60              | \$30.10            | \$535.80                 | \$337.50              | \$0.00                         |
| Victorian Government Solicitor                        | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Victorian Independent Remuneration Tribunal           | \$30.10               | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Victorian Inspectorate                                | \$0.00                | \$120.40           | \$0.00                   | \$0.00                | \$0.00                         |
| Victorian Institute of Forensic Medicine              | \$90.30               | \$60.20            | \$0.00                   | \$0.00                | \$0.00                         |
| Victorian Institute of Forensic Mental Health         | \$0.00                | \$2,558.50         | \$0.00                   | \$0.00                | \$0.00                         |
| Victorian Institute of Teaching                       | \$150.50              | \$933.10           | \$0.00                   | \$0.00                | \$0.00                         |
| Victorian Legal Services Board                        | \$0.00                | \$180.60           | \$0.00                   | \$0.00                | \$0.00                         |
| Victorian Legal Services Commissioner                 | \$30.10               | \$331.10           | \$0.00                   | \$0.00                | \$0.00                         |
| Victorian Managed Insurance Authority                 | \$180.60              | \$0.00             | \$0.00                   | \$0.00                | \$0.00                         |
| Victorian Ombudsman                                   | \$240.80              | \$752.50           | \$0.00                   | \$0.00                | \$0.00                         |
| Victorian Planning Authority                          | \$177.60              | \$3.00             | \$314.31                 | \$0.00                | \$0.00                         |
| Victorian Public Sector Commission                    | \$0.00                | \$30.10            | \$0.00                   | \$0.00                | \$0.00                         |
| Victorian Rail Track (t/a VicTrack)                   | \$120.40              | \$0.00             | \$424.10                 | \$0.00                | \$0.00                         |
| Victorian WorkCover Authority (t/a WorkSafe)          | \$48,753.50           | \$1,092.10         | \$1,361.60               | \$13,688.00           | \$0.00                         |
| Wage Inspectorate Victoria                            | \$30.10               | \$1,294.30         | \$0.00                   | \$0.00                | \$0.00                         |
| Wannon Region Water Corporation                       | \$30.10               | \$0.00             | \$296.00                 | \$0.00                | \$0.00                         |
| Warrnambool City Council                              | \$120.40              | \$30.10            | \$482.53                 | \$0.00                | \$0.00                         |

## 6 Appendices

### Fees and charges (continued)

| <b>Agency</b>                        | <b>Fees<br/>collected</b> | <b>Fees<br/>waived</b> | <b>Charges<br/>collected</b> | <b>Charges<br/>waived</b> | <b>Transferred<br/>fees waived</b> |
|--------------------------------------|---------------------------|------------------------|------------------------------|---------------------------|------------------------------------|
| Wellington Shire Council             | \$180.60                  | \$30.10                | \$244.35                     | \$131.55                  | \$0.00                             |
| West Gippsland Healthcare Group      | \$3,036.10                | \$575.90               | \$7,733.60                   | \$0.00                    | \$0.00                             |
| West Wimmera Health Service          | \$361.20                  | \$903.00               | \$568.70                     | \$0.00                    | \$0.00                             |
| Western District Health Service      | \$2,528.40                | \$331.10               | \$4,722.70                   | \$796.00                  | \$0.00                             |
| Western Health                       | \$30,611.70               | \$14,598.50            | \$76,460.53                  | \$0.00                    | \$0.00                             |
| Westernport Region Water Corporation | \$90.30                   | \$0.00                 | \$132.14                     | \$0.00                    | \$0.00                             |
| Whittlesea City Council              | \$842.80                  | \$30.10                | \$771.75                     | \$22.50                   | \$0.00                             |
| William Angliss Institute of TAFE    | \$30.10                   | \$0.00                 | \$0.00                       | \$30.10                   | \$0.00                             |
| Wodonga City Council                 | \$30.10                   | \$0.00                 | \$45.10                      | \$0.00                    | \$0.00                             |
| Wyndham City Council                 | \$903.00                  | \$0.00                 | \$418.00                     | \$0.00                    | \$0.00                             |
| Yarra City Council                   | \$2,498.30                | \$361.20               | \$0.00                       | \$0.00                    | \$0.00                             |
| Yarra Ranges Shire Council           | \$722.40                  | \$210.70               | \$1,286.81                   | \$68.64                   | \$0.00                             |
| Yarra Valley Water Corporation       | \$692.30                  | \$120.40               | \$0.00                       | \$0.00                    | \$0.00                             |
| Yarram and District Health Service   | \$150.50                  | \$0.00                 | \$0.00                       | \$0.00                    | \$0.00                             |
| Yarrawonga Health                    | \$120.40                  | \$210.70               | \$0.00                       | \$0.00                    | \$0.00                             |
| Yarriambiack Shire Council           | \$29.60                   | \$0.50                 | \$0.00                       | \$0.00                    | \$0.00                             |
| Yooralla                             | \$30.10                   | \$90.30                | \$0.00                       | \$0.00                    | \$0.00                             |

- 9** Some agencies show nil returns in respect of application fees, both collected and waived. This can happen where the FOI requests they received were either received in the previous reporting year or were transferred to the agency from another agency, in which case, the original agency would have received and reported the application fee.



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