Freedom of information review form

Use this form to apply to OVIC for a review of a written decision that you have received from a Victorian public sector agency or Minister in relation to your freedom of information (**FOI**) request.

Before applying for a review by us it is important to read about [what we can review, our FOI reviews process, and what happens next.](https://ovic.vic.gov.au/freedom-of-information/for-the-public/foi-reviews/)

When you have completed this form email it to [enquiries@ovic.vic.gov.au](mailto:enquiries@ovic.vic.gov.au). If you need help completing this form or have questions, please [contact us](https://ovic.vic.gov.au/about-us/contact-us/).

**How will the information I provide be used?**

We use the information you provide to help us to undertake a review. This includes contacting the agency or Minster to notify them of the review, discussing the review with them, and collecting information about you from them.

**Will information be provided to third parties?**

If the documents you requested contain information relating to another person or business, and we decide to release their information, we are required to notify those individuals or businesses of our decision. They may choose to appeal our decision. Our notification will include your name, what you requested, and a description of the documents being released.

We manage personal information in accordance with our [Privacy Policy](https://ovic.vic.gov.au/about-us/internal-policies-procedures-and-registers/privacy-policy/).

|  |  |  |  |
| --- | --- | --- | --- |
|  | A copy of the review decision may be published online | | |
|  | Information with solid fill | | A de-identified copy of the decision we make in relation to your review may be published on [our website](https://ovic.vic.gov.au/decision/) and on the [Australasian Legal Information Institute website](https://www.austlii.edu.au/cgi-bin/viewdb/au/cases/vic/VICmr/). The published decision will not include any information that will directly identify you or any other individual. If you are applying on behalf of an organisation or corporation, the organisation or corporation’s name may be published. The name of the agency or Minister will be published. |
|  |  | I understand that a de-identified copy of the review decision may published be online. | |

|  |  |  |  |
| --- | --- | --- | --- |
|  | Are you applying for a review of a written decision made by a Victorian public sector agency or a Victorian Minister? | | |
|  | Information with solid fill | | We can only review a decision of a Victorian public sector agency or a Victorian Minister.  For example, a Victorian department, a Victorian council, or a Victorian statutory authority.  [Find the names of Victorian public sector agencies and Ministers here](https://ovic.vic.gov.au/freedom-of-information/find-an-agency/). |
|  |  | Yes – Continue to question 3. | |
|  |  | No – We are unable to assist you. [Find information on other ombudsman or commissions that may be able to assist you](https://ovic.vic.gov.au/freedom-of-information/for-the-public/foi-reviews/#who-else-might-be-able-to-help-me). | |

|  |  |  |  |
| --- | --- | --- | --- |
|  | What is the name of the agency or Minister? | | |
|  | Information with solid fill | [Find the names of Victorian public sector agencies and Ministers here](https://ovic.vic.gov.au/freedom-of-information/find-an-agency/). | |
|  | Agency or Minister’s name: | | Click or tap here to enter text. |

|  |  |  |
| --- | --- | --- |
|  | Do you know the agency or Minister’s reference number for the FOI request? | |
|  | Their reference number: | Click or tap here to enter text. |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | Are you applying for a review within 28 days of receiving the decision letter? | | | |
|  | Information with solid fill | | We cannot accept a review application if it is received by us outside of 28 days of you receiving the written decision letter unless it is due to an act or omission of the agency or Minister. | |
|  |  | Yes – What date did you receive the decision letter? | | Click or tap to enter a date. |
|  |  | No – We cannot accept your review unless an act or omission of the agency or Minister stopped you from requesting this review within 28 days. If you received the written decision more than 28 days ago [contact us](https://ovic.vic.gov.au/about-us/contact-us/) to discuss if you can apply for a review or not. | | |

|  |  |  |
| --- | --- | --- |
|  | What type of decision do you want us to review? | |
|  |  | A decision to redact information in part, or exempt documents in full. Continue to question 7. |
|  |  | A decision refusing to amend personal information in a document. Skip to question 9. |
|  |  | A decision to not waive or reduce the application fee. Skip to question 9. |
|  |  | A decision to defer access to a document until a later date. Skip to question 9. |
|  |  | None of the above – [Contact us](https://ovic.vic.gov.au/about-us/contact-us/) to discuss if you can apply for a review or not. |

|  |  |  |  |
| --- | --- | --- | --- |
|  | If the documents you requested contain personal affairs information of other people, do you need that information? | | |
|  | Information with solid fill | | Personal affairs information includes any information about another person, their address or location, and any information that can be used to reasonably determine a person’s identity, address, or location.  Examples include a person’s name, signature, phone number, email address, a person's opinion expressed about another person, audio or CCTV recordings, criminal history, details of a victim of crime, or complaints made by someone else. |
|  |  | No – Personal affairs information of other people can be redacted from the documents. | |
|  |  | Yes – What is the specific personal affairs information you want and why do you need it? | |
|  |  | Click or tap here to enter text. | |

|  |  |  |  |
| --- | --- | --- | --- |
|  | If we decide the documents contain irrelevant or exempt information that cannot be provided to you, will you accept a copy of the documents with this information redacted? | | |
|  | Information with solid fill | | If you do not agree to accept a copy of documents with irrelevant or exempt information redacted, you will be refused access to the documents in full, even if some information could have been provided to you. |
|  |  | Yes – I will accept a copy of the documents with irrelevant or exempt information redacted. | |
|  |  | No – I will not accept a copy of documents with irrelevant or exempt information redacted. | |

|  |  |  |
| --- | --- | --- |
|  | What other information can you tell us? | |
|  | Information with solid fill | It will assist us if you can provide information on why you made your FOI request and why you disagree with the agency or Minister’s decision. For example:   * What communication has there been between you and the agency or Minister? * If you requested a document or information:   + Why do you want the document or information?   + Why do you disagree we the exemption that has been applied?   + Are you only trying to find a particular document or piece of information? * If you asked for an amendment to your personal information:   + Why is the information untrue or incorrect?   + What specific information is missing?   + How have the circumstances changed since that time?   + Who would be misled and why? |
|  | Click or tap here to enter text. | |

|  |  |  |  |
| --- | --- | --- | --- |
|  | If the agency or Minister requests a copy of this review application, do you consent to us providing it to them? | | |
|  | Information with solid fill | | The agency or Minster might ask us for a copy of your review application. This includes all information and any attachments you provide to us. We will not provide them with a copy unless you consent. You do not have to provide your consent. |
|  |  | Yes – A copy of this review application and any supporting information or attachments can be provided to the agency or Minister. | |
|  |  | No – A copy of this review application cannot be provided to the agency or Minister. | |

|  |  |  |  |
| --- | --- | --- | --- |
|  | Do you agree to a 60 day extension of time for us to undertake your review? | | |
|  | Information with solid fill | | It currently takes us approximately 90 to 120 days to complete a review. This is due to the volume and complexity of the requests we receive.  If we have not completed your review within 30 days of receiving it, you can apply to the [Victorian Civil and Administrative Tribunal](https://www.vcat.vic.gov.au/) (**VCAT**) for a review instead of waiting for our decision. We ask every applicant if they will agree to a 60 day extension to this initial 30 day period. This provides us with 90 days to complete your review.  You are under no obligation to agree to an extension. If you do not agree to an extension and we have not completed your review within 30 days, you can then apply to VCAT.  If you don’t apply to VCAT we will continue to progress your review until it is completed. This will be approximately 90 to 120 days from the date you submit this form. |
|  |  | Yes – I agree to the initial 30 day period being extended by an additional 60 days. | |
|  |  | No – I do not agree to an extension. I understand that after 30 days I can apply to VCAT or otherwise wait for a decision to be made by OVIC. | |

|  |  |  |  |
| --- | --- | --- | --- |
|  | Are you applying for this review on someone’s behalf or as a representative? | | |
|  | Information with solid fill | | For example, you are someone’s lawyer or advocate. |
|  |  | No – Skip to question 15. | |
|  |  | Yes – Continue to question 13. | |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Who do you represent? | | | | |
|  | Information with solid fill | These are the details of the person you are acting for or represent. | | | |
|  | Title: | | Click or tap here to enter text. | | |
|  | First Name: | | Click or tap here to enter text. | | |
|  | Last Name: | | Click or tap here to enter text. | | |
|  | Organisation (if applicable): | | | | Click or tap here to enter text. |
|  | Your relationship: | | | Click or tap here to enter text. | |

|  |  |  |  |
| --- | --- | --- | --- |
|  | Do you have authority to represent or act for this person? | | |
|  | Information with solid fill | | You must have authority and consent from the person listed above act on their behalf. We may request evidence of your authority to act, including evidence of your identity. |
|  |  | I confirm I have authority to act for the person named above. I have their consent to receive and disclose their information and authority to resolve, finalise, or close this review. | |

|  |  |  |  |
| --- | --- | --- | --- |
|  | What is your name? | | |
|  | Title: | Click or tap here to enter text. | |
|  | First Name: | Click or tap here to enter text. | |
|  | Last Name: | Click or tap here to enter text. | |
|  | Organisation (if applicable): | | Click or tap here to enter text. |

|  |  |  |  |
| --- | --- | --- | --- |
|  | How can we contact you? | | |
|  | Information with solid fill | Please provide a phone number and either an email or postal address. | |
|  | Phone: | | Click or tap here to enter text. |
|  | Email: | | Click or tap here to enter text. |
|  | Post: | | Click or tap here to enter text. |

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | What supporting information or documents are you attaching to this application? | | | | |
|  | Information with solid fill | | | Please attach any relevant information or documents that supports your application. | |
|  |  | | A copy of the request that was made to the agency or Minister. | | |
|  |  | | A copy of the agency or Minister’s decision letter. | | |
|  |  | | Correspondence sent to and from the agency or Minister. | | |
|  |  | Other: | | | Click or tap here to enter text. |

|  |  |  |  |
| --- | --- | --- | --- |
|  | Declaration | | |
|  | Information with solid fill | | Please confirm the following declarations. |
|  |  | To the best of my knowledge, the information provided on this form, including any attachments, is true and accurate. | |
|  |  | I understand that there are penalties and offences for providing false or misleading information to OVIC. | |

: