

Notice of Decision and Reasons for Decision

Applicant:	'FD8'
Agency:	Department of Education and Training
Decision date:	15 May 2023
Exemptions considered:	Sections 30(1), 33(1)
Citation:	'FD8' and Department of Families, Fairness and Housing (Freedom of Information) [2023] VICmr 43 (15 May 2023)

FREEDOM OF INFORMATION – school documents – accessible education learning environment involving a child – parent seeking access to information regarding their child – third party personal affairs information – emails

All references to legislation in this document are to the *Freedom of Information Act 1982 (Vic)* (**FOI Act**) unless otherwise stated.

Notice of Decision

I have conducted a review under section 49F of the Agency's fresh decision to refuse access to documents requested by the Applicant under the FOI Act.

My decision on the Applicant's request differs from the Agency's decision.

On the information before me, I am satisfied certain information identified by the Agency is exempt from release under sections 30(1) and 33(1). However I have determined to release additional information where I am not satisfied it is exempt from release under section 30(1).

Where I am satisfied it is practicable to provide the Applicant with an edited copy of a document with irrelevant and/or exempt information deleted in accordance with section 25, access to the document is granted in part. Where I am satisfied it is not practicable to do so, access is denied in full.

The Schedule of Documents in **Annexure 1** sets out my decision in relation to each document.

A marked-up copy of the documents indicating exempt or irrelevant information in accordance with my decision has been provided to the Agency.

My reasons for decision follow.

Joanne Kummrow
Public Access Deputy Commissioner

15 May 2023

Reasons for Decision

Background to review

1. The Applicant is the parent of a child who attended a primary school.
2. The Applicant made a request to the Agency seeking access to correspondence about their child between staff and other specified persons, meeting minutes, staff diary notes and behaviour plans and reports.
3. Following consultation with the Agency, the Applicant clarified their request seeking access to the following documents:

Meeting minutes for the following meetings that occurred at [child]'s school, [name of school]: [eight specified dates]
4. Following the Agency's intention to refuse to process the request under section 25A(1), the Applicant narrowed the scope of their request to remove emails that listed the Applicant as the sender or receiver.
5. The Agency identified 43 documents falling within the terms of the Applicant's request and refused access to 12 documents in full, 10 documents in part under sections 30(1) and 33(1) and granted access to 21 documents in full. The Agency's decision letter sets out the reasons for its decision.

Review application

6. The Applicant sought review by the Information Commissioner under section 49A(1) of the Agency's decision to refuse access.
7. I have examined a copy of the documents subject to review.
8. The Applicant and the Agency were invited to make a written submission under section 49H(2) in relation to the review.
9. I have considered all communications and submissions received from the parties.
10. During the course of the review, the Agency provided additional information regarding the Agency's decision and released additional information directly to the Applicant with the intention of informally resolving the matter without making a formal fresh decision under section 49M of the FOI Act (**Agency's reconsidered decision**). In addition to releasing further information, the Agency also refused access to certain information under a different exemption, which is discussed below.
11. In conducting a review under section 49F, section 49P requires that I make a new or 'fresh decision'. Therefore, my review does not involve determining whether the Agency's decision is correct, but rather requires my fresh decision to be the 'correct or preferable decision'.¹ This involves ensuring my decision is correctly made under the FOI Act and any other applicable law in force at the time of my decision.
12. Accordingly, while my review is of the original decision made by the Agency on the FOI application, I am obliged to consider new reasons that formed part of the Agency's reconsidered decision. I note this is particularly important as further information was released to the Applicant. Therefore, the Schedule of Documents in **Annexure 1** sets out the Agency's original decision and its informal reconsidered decision as set out in its submission.

¹ *Drake v Minister for Immigration and Ethnic Affairs* (1979) 24 ALR 577 at [591].

13. During the review, OVIC identified certain missing documents that would meet the terms of the Applicant's request. These documents were provided to OVIC and are considered as part of my review. The Applicant was notified about the additional documents subject to review.
14. In undertaking my review, I have had regard to the object of the FOI Act, which is to create a general right of access to information in the possession of the Government or other public bodies, limited only by exceptions and exemptions necessary to protect essential public interests, privacy and business affairs.
15. I note Parliament's intention the FOI Act must be interpreted so as to further the object of the Act and any discretions conferred by the Act must be exercised, as far as possible, so as to facilitate and promote the disclosure of information in a timely manner and at the lowest reasonable cost.

Review of exemptions

Section 30(1) – Internal working documents

16. Section 30(1) has three requirements:
 - (a) the document must disclose matter in the nature of opinion, advice or recommendation prepared by an officer or Minister, or consultation or deliberation that has taken place between officers, Ministers or an officer and a Minister;
 - (b) such matter must be made in the course of, or for the purpose of, the deliberative processes involved in the functions of an agency or Minister or of the government; and
 - (c) disclosure of the matter would be contrary to the public interest.
17. The exemption does not apply to purely factual material in a document.²

Do the documents disclose matter in the nature of opinion, advice or recommendation prepared by an officer or Minister, or consultation or deliberation that has taken place between officers, Ministers or an officer and a Minister?

18. The term 'officer of an Agency' is defined in section 5(1). It includes a member of an agency, a member of an agency's staff, and any person employed by or engaged on behalf of an agency, whether or not they are subject to *Public Administration Act 2004* (Vic).
19. The documents comprise emails, handwritten notes and meeting minutes prepared by Agency officers and third parties. I am satisfied certain information the Agency exempted from release under section 30(1) is in the nature of opinion, advice and deliberation between Agency officers created in the management of the Applicant's child in transitioning into a particular school environment.

Were the documents made in the course of, or for the purpose of, the deliberative processes involved in the functions of an agency or Minister or of the government?

20. I am satisfied the documents were provided in the course of, and for the purpose of, the Agency's deliberative process concerning the Applicant's child, their transition into the school environment and ensuring accessibility needs are met.

Would disclosure of the documents be contrary to the public interest?

21. In determining if disclosure of the documents would be contrary to the public interest, I must consider all relevant facts and circumstances remaining mindful the object of the FOI Act is to

² Section 30(3).

facilitate and promote the disclosure of information. In doing so, I have given weight to the following relevant factors:³

- (a) the right of every person to gain access to documents under the FOI Act;
 - (b) the degree of sensitivity of the issues discussed in the documents and the broader context giving rise to the creation of the documents;
 - (c) the stage of a decision or status of policy development or a process being undertaken at the time the communications were made;
 - (d) whether disclosure of the documents would be likely to inhibit communications between Agency officers, essential for the agency to make an informed and well-considered decision or participate fully and properly in a process in accordance with the Agency's functions and other statutory obligations;
 - (e) whether disclosure of the documents would give merely a part explanation, rather than a complete explanation for the taking of a particular decision or the outcome of a process, which the Agency would not otherwise be able to explain upon disclosure of the documents;
 - (f) the impact of disclosing documents in draft form, including disclosure not clearly or accurately representing a final position or decision reached by the Agency at the conclusion of a decision or process; and
 - (g) the public interest in the community being better informed about the way in which the Agency carries out its functions, including its deliberative, consultative and decision making processes and whether the underlying issues require greater public scrutiny.
22. I acknowledge there is a strong personal interest for the Applicant in obtaining access to the information in the documents.
 23. Having considered the content and context of the documents, I am satisfied they contain information that is sensitive in nature in terms of the Agency's staff deliberating on and making decisions in connection with the Agency's duty of care to the Applicant's child and its statutory obligations, including to provide for the child's education and learning environment.
 24. While the Applicant's child is no longer a student at the relevant school, I consider the sensitive nature of certain information in the documents remains.
 25. While acknowledging the Applicant's personal interest, I consider there is a public interest in the disclosure of certain information in the documents where it would provide greater transparency as to the way in which the Agency provides for inclusive education for children with a disability. In this case, I note the Agency released further information in the documents to the Applicant following its original decision.
 26. Having reviewed the remaining information in the documents, to which the Agency refused access under section 30(1), for the most part, I am satisfied the further release of information by the Agency strikes a fair and reasonable balance between the need for transparency and the ability for Agency staff to communicate, seek advice and deliberate on handling sensitive and complex requests and concerns raised by parents and/or their representatives regarding issues affecting their child's education and learning environment. This also applies to the recording of the opinions of Agency staff in fulfilment of the Agency's duty of care to the Applicant's child and its statutory obligations,

³ *Hulls v Victorian Casino and Gambling Authority* (1998) 12 VAR 483.

including to provide for the child's education and learning environment. I am satisfied it would be contrary to the public interest to disclose certain information in the documents.

27. Accordingly, having balanced the Applicant's personal interest in obtaining access to information with the broader public interest concerns set out above, I am satisfied certain information in the documents is exempt from release under section 30(1). However, I am satisfied the disclosure of some additional information would not be contrary to the public interest, and have determined this information is not exempt from release under section 30(1).
28. My decision in relation to section 30(1) is set out in the Schedule of Documents in **Annexure 1**.

Section 33(1) – Documents affecting personal privacy

29. Section 33(1) provides a document is exempt from release if two conditions are satisfied:
 - (a) disclosure of the document under the FOI Act would 'involve' the disclosure of information relating to the 'personal affairs' of a person other than the Applicant (a **third party**);⁴ and
 - (b) such disclosure would be 'unreasonable'.

Do the documents contain the 'personal affairs information' of a third party?

30. Information relating to a person's 'personal affairs' includes information that identifies any person or discloses their address or location. It also includes any information from which such information may be reasonably determined.⁵
31. Even where an applicant claims to know the identity of a third party, disclosure of their personal affairs information may still be unreasonable in the circumstances.⁶
32. A document will disclose a third party's personal affairs information if it is capable, either directly or indirectly, of identifying that person. As the nature of disclosure under the FOI Act is unrestricted and unconditional, this is to be interpreted by reference to the capacity of any member of the public to identify a third party.⁷
33. I am satisfied the documents contain third party personal information, being their names, initials, position titles and opinions as well as other information provided to the Agency, by agency officers and third parties.

Would release of the personal affairs information be unreasonable in the circumstances?

34. In *Victoria Police v Marke*,⁸ the Victorian Court of Appeal held there is 'no absolute bar to providing access to documents which relate to the personal affairs of others'. Further, the exemption under section 33(1) 'arises only in cases of unreasonable disclosure' and '[w]hat amounts to an unreasonable disclosure of someone's personal affairs will necessarily vary from case to case'.⁹ The Court further held, '[t]he protection of privacy, which lies at the heart of [section] 33(1), is an important right that the FOI Act properly protects. However, an individual's privacy can be invaded by a lesser or greater degree'.¹⁰

⁴ Sections 33(1) and 33(2).

⁵ Section 33(9).

⁶ *AB v Department of Education and Early Childhood Development* [2011] VCAT 1263 at [58]; *Akers v Victoria Police* [2003] VCAT 397.

⁷ *O'Sullivan v Department of Health and Community Services (No 2)* [1995] 9 VAR 1 at [14]; *Beauchamp v Department of Education* [2006] VCAT 1653 at [42].

⁸ [2008] VSCA 218 at [76].

⁹ *Ibid.*

¹⁰ *Ibid* at [79].

35. In determining whether disclosure of the personal affairs information would be unreasonable in the circumstances, I have considered the following factors:

(a) The nature of the personal affairs information

The personal affairs information in the documents is the names, contact details and non-related work discussions of certain Agency officers and other third parties.

In my view, the names of public sector agency officers are generally not sensitive where they appear in an official document in the context of an officer carrying out their professional roles only and in the absence of any exceptional circumstances making the personal affairs information sensitive.

However, in context of this matter, which involves discussions between Agency officers, I consider the names of certain Agency officers may involve some sensitivity.

(b) The circumstances in which the information was obtained by the Agency

The information was obtained by the Agency in the course of Agency officers undertaking their professional teaching duties. The documents outline the attendance by the Applicant's child at school, the management of their learning needs and interactions between the Agency and the Applicant. This includes correspondence and meeting notes resulting out of the Student Support Group (**SSG**) formed between the school, parents, other agencies and the student.

I consider it is important that Agency officers are able to have open and fulsome discussions with parents and make detailed notes of those discussions without concern the information recorded will be disclosed to a third party under the FOI Act. To do so serves the public interest in the appropriate recording of information to record discussions and outcomes from the discussions and also serve future Agency staff who may need to access those notes to inform future deliberations and decisions.

(c) The Applicant's interest in the information

The FOI Act provides a general right of access that can be exercised by any person, regardless of their motive or purpose for seeking access to a document. However, the reasons why an applicant seeks access to a document is a relevant consideration in determining whether disclosure would be unreasonable under section 33(1).¹¹

I acknowledge the Applicant's personal interest in relation to obtaining full access to the documents as they are records concerning their child. I also note the Applicant has stated they wish to see emails involving [a third party], whose contact according to the Applicant was organised by the Applicant.

While I acknowledge the Applicant's interest in obtaining access to the requested documents in full, having carefully reviewed the documents I consider certain information relates to private communications between Agency officers and third parties about the management of the schooling environment and ensuring proper accessibility adjustments.

¹¹ *Victoria Police v Marke* [2008] VSCA 218 at [104].

(d) Whether any public interest would be promoted by release of the personal affairs information

I do not consider the public interest would be promoted in the release of the third party personal affairs information in the documents.

Rather, I consider the public interest would be promoted by maintaining the confidentiality of such information given its connection to and the public interest in the Agency being able to provide for the care and wellbeing of children in schools.

(e) The likelihood of disclosure of information, if the documents are released

As the FOI Act does not place any restrictions on an applicant's use or dissemination of documents obtained under FOI, this factor is to be interpreted by reference to the capacity of any member of the public to identify a third party.¹²

Accordingly, I have considered the likelihood of the personal affairs information being further disseminated, if disclosed, and the effects broader disclosure of this information would have on the privacy of the relevant third parties.

I acknowledge the Applicant's personal interest in obtaining access to the documents. However, as well as providing a right to access government-held information, the FOI Act provides for the protection of the personal privacy rights of third parties.

In this case, I consider the third parties' right to privacy outweighs the Applicant's interest in obtaining full access to their personal affairs information in the documents subject to review.

(f) Whether the individuals to whom the information relates object, or would be likely to object, to the release of the information

In deciding whether disclosure of a document would involve the unreasonable disclosure of a third party's personal affairs information, an agency must notify that person an FOI request has been received for documents containing their personal information and seek their view as to whether disclosure of the document should occur.¹³ However, this obligation does not arise in certain circumstances, including where it is not practicable to do so.¹⁴

The Agency advised it did not consult with the relevant third parties. with the exception of the Agency officers, I agree it is not practicable to do so in the circumstances.

In any case, I am satisfied certain third parties would be likely to object to the release of their personal affairs information under the FOI Act in the circumstances of this matter.

(g) Whether disclosure of the information would or would be reasonably likely to endanger the life or physical safety of any person

In determining whether the disclosure of a document would involve the unreasonable disclosure of information relating to the personal affairs of any person, I must consider whether the disclosure of the information would, or would be reasonably likely to, endanger the life or physical safety of any person.¹⁵

There is no information before me that indicates disclosure of the third party personal affairs information would be reasonably likely to endanger the life or physical safety of any person.

¹² Ibid at [68].

¹³ Section 33(2B).

¹⁴ Section 33(2C).

¹⁵ Section 33(2A).

36. In weighing the above factors, on balance, I am satisfied disclosure of certain third parties' personal affairs information would be unreasonable in the circumstances of this matter and is exempt from release under section 33(1). However, I am satisfied the disclosure of the names of third parties in draft correspondence to the Applicant, as well as a small amount of opinion in certain documents, would not be unreasonable and is to be released.
37. My decision in relation to section 33(1) is set out in the Schedule of Documents at **Annexure 1**.

Section 25 – Deletion of exempt or irrelevant information

38. Section 25 requires an agency to grant access to an edited copy of a document where it is practicable to delete exempt or irrelevant information and the applicant agrees to receiving such a copy.
39. Determining what is 'practicable' requires consideration of the effort and editing involved in making the deletions 'from a resources point of view'¹⁶ and the effectiveness of the deletions. Where deletions would render a document meaningless, they are not 'practicable', and release of the document is not required under section 25.¹⁷
40. The Agency determined certain information in the document is irrelevant information based on the terms of the Applicant's FOI request and deleted this information under section 25.
41. Having reviewed the information, I agree most of it falls outside the scope of the Applicant's request as it records students other than the Applicant's child and Agency activities that are unrelated to the Applicant's FOI request. I am also satisfied the names of Agency officers, who generated the document for FOI processing purposes, is not relevant to the subject matter of the Applicant's request.
42. I have considered information redacted in Document 1 is not irrelevant to the Applicant's review and that no exemption applies to this information.
43. I have also considered the effect of deleting exempt and irrelevant information from the documents. Where I am satisfied it is practicable to provide the Applicant with an edited copy of a document with irrelevant and exempt information deleted in accordance with section 25, access to the document is granted in part. Where I am satisfied it is not practicable to do so, access is denied in full.

Section 38 – Documents subject to a secrecy provision

44. Given my decision in relation to sections 30(1) and 25, it is not necessary for me to consider the application of section 38 to Document 36, 37 or 48.

Conclusion

45. On the information before me, I am satisfied certain information identified by the Agency is exempt from release under sections 30(1) and 33(1). However I have determined to release additional information where I am not satisfied it is exempt from release under section 30(1).
46. Where I am satisfied it is practicable to provide the Applicant with an edited copy of a document with irrelevant and exempt information deleted in accordance with section 25, access to the document is granted in part. Where I am satisfied it is not practicable to do so, access is denied in full.
47. My decision in relation to each document is set out in the Schedule of Documents in **Annexure 1**.

¹⁶ *Mickelburgh v Victoria Police (General)* [2009] VCAT 2786 at [31]; *The Herald and Weekly Times Pty Limited v The Office of the Premier (General)* [2012] VCAT 967 at [82].

¹⁷ *Honeywood v Department of Human Services* [2006] VCAT 2048 at [26]; *RFJ v Victoria Police FOI Division (Review and Regulation)* [2013] VCAT 1267 at [140] and [155].

48. A marked-up copy of the documents indicating exempt or irrelevant information in accordance with my decision has been provided to the Agency.

Review rights

49. If either party to this review is not satisfied with my decision, they are entitled to apply to the Victorian Civil and Administrative Tribunal (**VCAT**) for it to be reviewed.¹⁸
50. The Applicant may apply to VCAT for a review up to 60 days from the date they are given this Notice of Decision.¹⁹
51. The Agency may apply to VCAT for a review up to 14 days from the date it is given this Notice of Decision.²⁰
52. Information about how to apply to VCAT is available online at www.vcat.vic.gov.au. Alternatively, VCAT may be contacted by email at admin@vcat.vic.gov.au or by telephone on 1300 018 228.
53. The Agency is required to notify the Information Commissioner in writing as soon as practicable if either party applies to VCAT for a review of my decision.²¹

¹⁸ The Applicant in section 50(1)(b) and the Agency in section 50(3D).

¹⁹ Section 52(5).

²⁰ Section 52(9).

²¹ Sections 50(3F) and 50(3FA).

Annexure 1 – Schedule of Documents

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	Agency reconsidered decision	OVIC Decision	OVIC Comments
<p>Please note: The following documents were reassessed by the Agency during this review. The Agency submission column represents the Agency’s revised assessment of these documents. The Agency has also split certain documents meaning that the original 43 documents are now 48 documents, however the page total of the documents remains the same.</p>							
1.	[date]	Diary Notes	2	Released in full with irrelevant information deleted	N/A	<p>Release in part Section 25 The document is to be released in accordance with the marked-up version provided to the Agency with this decision.</p>	<p>Section 25: The Agency redacted the Applicant’s name as irrelevant information. I am satisfied it is not irrelevant and is to be released.</p>
2.	[date]	Email Chains	10	Released in part Sections 30(1), 33(1)	Release in part Sections 30(1), 33(1)	<p>Release in part Sections 30, 33(1), 25 My decision on the document is in line with the Agency’s reconsidered decision.</p>	<p>Section 30(1): I am satisfied information in the document is exempt from release under section 30(1) for the reasons provided in the Notice of Decision above.</p> <p>Section 33(1): I am satisfied the disclosure of the personal affairs information in the document would be unreasonable and is exempt from release under section 33(1).</p>

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	Agency reconsidered decision	OVIC Decision	OVIC Comments
							Section 25: I am satisfied it remains practicable to provide the Applicant with an edited copy of this document with exempt and irrelevant information deleted in accordance with section 25.
3.	Unknown	Diary Notes	4	Released in part Section 33(1)	Release in part Section 33(1)	Release in part Section 33(1) My decision on the document is in line with the Agency's reconsidered decision.	Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
4.	[date]	Email	1	Released in part Section 33(1)	Release in part Section 33(1)	Release in part Sections 33(1), 25 My decision on the document is in line with the Agency's reconsidered decision.	Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
5.	[date]	Parent Communication	2	Released in full	N/A	Not subject to review	
6.	[date]	Email Chain	2	Released in part Section 33(1)	Release in part Section 33(1)	Release in part Sections 33(1), 25 The document is to be released in line with	Section 33(1): I am satisfied the disclosure of the personal affairs information in the document would be unreasonable and is exempt

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	Agency reconsidered decision	OVIC Decision	OVIC Comments
						the marked-up version provided to the Agency with this decision.	from release under section 33(1). I am further satisfied the information related to the other students exempted by the Agency under section 33(1) is irrelevant and to be deleted under section 25. Section 25: I am satisfied the information removed by the Agency under section 25 is outside of the Applicant's request as it concerns other students and is therefore irrelevant.
7.	[date]	SSG Notes	1	Released in full	N/A	Not subject to review	
8.	[date]	Email Chains	7	Released in part Sections 30(1), 33(1)	Release in part Sections 30(1), 33(1)	Release in part Sections 30(1), 33(1) The document is to be released in line with the marked-up version provided to the Agency with this decision.	Section 30(1): I am satisfied certain information in the document is exempt from release under section 30(1). However, I am not satisfied certain information in the document is exempt from release under section 30(1) for the reasons outlined in the Notice of Decision above. Section 33(1): See comments for Document 2.

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	Agency reconsidered decision	OVIC Decision	OVIC Comments
							Section 25: See comments for Document 2.
9.	[date]	Diary Notes	1	Released in full	N/A	Not subject to review	
10.	[date]	Reading Assessment	8	Released in full	N/A	Not subject to review	
11.	[date]	Email Chain	2	Released in part Section 33(1)	Release in part Sections 30(1), 33(1)	Release in part Sections 30(1), 33(1), 25 My decision on the document is in line with the Agency's reconsidered decision.	Section 30(1): See comments for Document 2. Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
12.	[date]	Diary Entry	1	Released in full	N/A	Not subject to review	
13.	[date]	Speech Therapist Report	1	Released in full	N/A	Not subject to review	
14.	[date]	Email Chains	4	Released in part Sections 30(1), 33(1)	Release in part Sections 30(1), 33(1)	Release in part Sections 30(1), 33(1), 25 The document is to be released in line with the marked-up version provided to the	Section 30(1): See comments for Document 8. Section 33(1): See comments for Document 6. Section 25: See comments for Document 2.

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	Agency reconsidered decision	OVIC Decision	OVIC Comments
						Agency with this decision.	
14.1	[date]	Last page of above Email Chain	1	Not considered	Not considered	Release in full	I consider there are no exemptions that apply to the information in the document.
15.	Unknown	Level of Adjustment	3	Released in full	N/A	Not subject to review	
16.	[date]	Diary Notes	1	Released in full	N/A	Not subject to review	
17.	[date]	Email Chains	5	Released in part Sections 30(1), 33(1)	Release in part Sections 30(1), 33(1)	Release in part Sections 30(1), 33(1), 25 The document is to be released in accordance with the marked-up version of the document provided to the Agency with this decision.	Section 30(1): See comments for Document 8. Section 33(1): I am satisfied the disclosure of certain personal affairs information in the document would be unreasonable and is exempt from release. Section 25: See comments for Document 2.
18.	[date]	Handwritten Notes	6	Released in full	N/A	Not subject to review	
19.	[date]	Email	1	Refused in full Section 30(1)	Released in part Sections 30(1), 33(1)	Release in part Sections 33(1), 25	Section 30(1): I am not satisfied the information in the document is exempt from release under section 30(1)

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	Agency reconsidered decision	OVIC Decision	OVIC Comments
						The document is to be released in accordance with the marked-up version of the document provided to the Agency with this decision.	for the reasons outlined in the Notice of Decision above. Section 33(1): Section 25: See comments for Document 2.
20.	[date]	SSG Meeting Notes	6	Released in full	N/A	Not subject to review	
21.	[date]	Email chains	4	Refused in full Section 30(1)	Released in part Sections 30(1), 33(1), 25	Release in part Sections 33(1), 25 The document is to be released in accordance with the marked-up version of the document provided to the Agency with this decision.	Section 30(1): See comments for Document 19. Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
22.	[date]	SSG Meeting notes	2	Released in full	N/A	Not subject to review	
23.	[date]	Email chains	17	Released in part Sections 30(1), 33(1)	Released in part Sections 30(1), 33(1)	Release in part Sections 30(1), 33(1), 25	Section 30(1): See comments for Document 8. Section 33(1): See comments for Document 2.

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	Agency reconsidered decision	OVIC Decision	OVIC Comments
						My decision on the document is in line with the Agency's reconsidered decision.	Section 25: See comments for Document 2.
24.	[date]	SSG notes	3	Released in full	N/A	Not subject to review	
25.	[date]	Email chains	9	Refused in full Section 30(1)	Released in part Sections 33(1), 25	Release in part Sections 33(1), 25 My decision on the document is in line with the Agency's reconsidered decision.	Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
26.	[date]	Story book	9	Released in part Section 33(1)	Release in part Section 33(1)	Release in part Sections 33(1), 25 My decision on the document is in line with the Agency's reconsidered decision.	Section 33(1): See comments for Document 2. Section 25: See comments for Document 6.
27.	[date]	Email chains	20	Refused in full Sections 30(1), 33(1)	Released in part Sections 30(1), 33(1)	Release in part Sections 30(1), 33(1), 25 The document is to be released to the Applicant in accordance with the marked-up version of	Section 30(1): See comments for Document 8. Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.

Document No.	Date of Document	Document Description	No. of pages	Agency Decision	Agency reconsidered decision	OVIC Decision	OVIC Comments
						the document provided to the Agency with this decision.	
27.1	[date]	SSG Meeting 29 th July 2021	2	Not considered	Not considered	Release in full	I consider there are no exemptions that apply to the information in the document.
28.	[date]	Email chains	2	Released in full	N/A	Not subject to review	
29.	[date]	Email chains	4	Released in part Sections 30(1), 33(1)	Released in part Sections 30(1), 33(1)	Release in part Sections 30(1), 33(1), 25 My decision on the document is in line with the Agency's reconsidered decision.	Section 30(1): See comments for Document 2. Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
30.	[date]	Email chain	2	Released in part Sections 33(1), 30(1)	Released in part Section 33(1)	Release in part Sections 33(1), 25 My decision on the document is in line with the Agency's reconsidered decision.	Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
31.	[date]	Email chain	1	Refused in full Section 30(1)	Released in part Section 33(1)	Release in part Sections 33(1), 25 My decision on the document is in line	Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.

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						with the Agency's reconsidered decision.	
32.	[date]	Email chain	5	Refused in full Section 30(1)	Released in part Sections 30(1), 33(1)	Release in part Sections 30(1), 33(1), 25 My decision on the document is in line with the Agency's reconsidered decision.	Section 30(1): See comments for Document 2. Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
33.	[date]	Email	1	Released in full	N/A	Not subject to review	
34.	[date]	Email chain	5	Released in part Section 33(1)	Released in part Section 33(1), 25	Release in part Sections 33(1), 25 My decision on the document is in line with the Agency's reconsidered decision.	Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
35.	[date]	Handwritten Notes	1	Released in full	N/A	Not subject to review	
36.	[date]	Email chain	1	Refused in full Section 30(1)	Refused in full Sections 30(1), 38	Refuse in full Section 30(1) My decision on the document is in line with the Agency's reconsidered decision.	Section 30(1): I am satisfied the document contains information in the nature of opinion, advice and recommendation recorded by Agency officers in connection with a

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							<p>deliberative or decision-making process. I am further satisfied it would be contrary to the public interest for the reasons described in the Notice of Decision above to disclose this information under the FOI Act. Accordingly, I am satisfied the document is exempt from release under section 30(1).</p> <p>Section 25: I am not satisfied it is practicable to provide the Applicant with an edited copy of the document with exempt information deleted.</p> <p>Section 38: Given my decision in relation to sections 30(1) and 25, it is not necessary for me to consider the application of section 38 to this document.</p>
37.	[date]	Email chain	2	Refused in full Section 30(1)	Refused in full Sections 30(1), 38	<p>Refuse in full Section 30(1)</p> <p>My decision on the document is in line with the Agency's reconsidered decision.</p>	<p>Section 30(1): See comments for Document 36.</p> <p>Section 25: See comments for Document 36.</p> <p>Section 38: See comments for Document 36.</p>

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38.	[date]	Diary Note	1	Released in full	N/A	Not subject to review	
39.	[date]	Email chain	6	Refused in full Section 30(1)	Released in part Sections 30(1), 33(1)	Release in part Sections 33(1), 25 The document is to be released in accordance with the marked-up version of the document provided to the Agency with this decision.	Section 30(1): See comments for Document 19. Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
40.	[date]	Email chain with Attachment	8	Released in full	N/A	Not subject to review	
41.	[date]	Email chain	1	Refused in full Section 30(1)	Released in part Sections 30(1), 33(1)	Release in part Sections 30(1), 33(1), 25 My decision on the document is in line with the Agency's reconsidered decision.	Section 30(1): See comments for Document 2. Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
42.	[date]	Email chain	2	Refused in full Section 30(1)	Release in full	Release in full My decision on the document is in line	Section 30(1): See comments for Document 19.

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						with the Agency's reconsidered decision.	
43.	[date]	Email chain	1	Refused in full Section 30(1)	Release in full	Release in full My decision on the document is in line with the Agency's reconsidered decision.	Section 30(1): See comments for Document 19.
44.	[date]	Handwritten Note	1	Release in full	N/A	Not subject to review	
45.	[date]	Email chain	2	Refused in full Sections 30(1), 33(1)	Released in part Sections 30(1), 33(1)	Release in part Sections 30(1), 33(1), 25 My decision on the document is in line with the Agency's reconsidered decision.	Section 30(1): See comments for Document 8. Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.
46.	N/A	Handwritten Notes	9	Released in full	N/A	Not subject to review	
47.	[date]	Email chain	3	Refused in full Sections 30(1), 33(1)	Released in part Sections 30(1), 33(1)	Release in part Sections 30(1), 33(1), 25 My decision on the document is in line	Section 30(1): See comments for Document 14. Section 33(1): See comments for Document 2. Section 25: See comments for Document 2.

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						with the Agency's reconsidered decision.	
48.	[date]	Note	1	Refused in full Sections 30(1), 33(1)	Refused in full Sections 30(1), 33(1), 38	Refuse in full Section 30(1) My decision on the document is in line with the Agency's reconsidered decision.	Section 30(1): See comments for Document 36. Section 25: See comments for Document 36. Section 38: See comments for Document 36.