

## Notice of Decision and Reasons for Decision

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Applicant:	'FK1'
Agency:	Department of Premier and Cabinet
Decision date:	17 November 2023
Exemptions and provisions considered:	Sections 28(1)(b), 28(1)(c), 28(1)(d), 30(1), 25
Citation:	'FK1' and Department of Premier and Cabinet (Freedom of Information) [2023] VICmr 95 (17 November 2023)

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FREEDOM OF INFORMATION – online surveys – focus groups – cabinet documents – survey questions – survey data

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 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.

I am satisfied certain documents are exempt from release under sections 28(1)(b), 28(1)(c) and 28(1)(d). However, I am not satisfied a small amount of information exempted by the Agency is exempt under these provisions or under section 30(1).

Where it is practicable to provide the Applicant with an edited copy of the documents with irrelevant and exempt information deleted in accordance with section 25, access is granted in part. Where it is not, access is refused in full.

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

My reasons for decision follow.

Shantelle Ryan  
**Acting Public Access Deputy Commissioner**

17 November 2023

## Reasons for Decision

### Background to review

1. The Applicant made a request to the Agency seeking access to certain documents. Following clarification with the Agency, the scope was confirmed as:

...all documents (both hard and electronic, emails including) detailing communications between a company called [business name] and its staff [named person 1] and [named person 2] and the Department of Premier and Cabinet for the period of [date range].
2. The Agency identified 39 documents falling within the terms of the Applicant's request and granted access to the documents in part, refusing access to certain information under sections 28(1)(a), 28(1)(b), 28(1)(c), 30(1), 33(1) and 34(1)(b). The Agency's decision letter sets out the reasons for its decision.

### Review application

3. The Applicant sought review by the Information Commissioner under section 49A(1) of the Agency's decision to refuse access.
4. During the review the Applicant advised they do not seek review of the Agency's decision to exempt personal affairs information or information claimed exempt under section 34(1)(b). This information is therefore irrelevant to the request and will not be considered under review.
5. I have examined a copy of the documents subject to review.
6. The Applicant and the Agency were invited to make a written submission under section 49H(2) in relation to the review.
7. I have considered all communications and submissions received from the parties.
8. 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.
9. 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 28(1) – Cabinet documents*

10. Section 28(7)(a) defines 'Cabinet' as including a committee or sub-committee of Cabinet.

11. In *Ryan v Department of Infrastructure*,<sup>1</sup> the Victorian Civil and Administrative Tribunal (VCAT) observed:

It has been said that a document is not exempt merely because it has some connection with Cabinet, or is perceived by departmental officers or others as being of a character that they believe ought to be regarded as a Cabinet document or because it has some Cabinet “aroma” around it. Rather, for a document to come within the Cabinet document exemption, “it must fit squarely within one of the four exemptions [(now five)]” in section 28(1) of the Act.

12. Where a document attracts the Cabinet exemption, the exemption in section 28(1) provides complete protection from release of the document.
13. Section 28(3) provides the exemption in section 28(1) does not apply to a document to the extent it contains purely statistical, technical or scientific material unless disclosure of the document would involve disclosure of any deliberation or decision of the Cabinet.<sup>2</sup>

#### **Documents subject to review**

14. The documents under review are, for the most part, subject to exemptions under 28(1)(b), (c) and (d) relating to cabinet documents.
15. Given the confidentiality regarding such documents, I am limited in the description I can provide in my reasons for decision.
16. However, as set out below in the Schedule of Documents at **Annexure 1**, based on the content of the documents and the Agency’s submissions received during the review, I am satisfied that the majority of the documents relate to subject matter concerning cabinet decisions and deliberations.

#### ***Section 28(1)(b) – Document prepared for purpose of submission for consideration by the Cabinet***

17. Section 28(1)(b) provides a document is exempt if it has been prepared by a Minister or on his or her behalf or by an agency for the purpose of submission for consideration by the Cabinet.
18. A document will be exempt under section 28(1)(b) if the sole purpose, or one of the substantial purposes, for which it was prepared, was for submission to the Cabinet for its consideration. In the absence of direct evidence, the sole or substantial purpose of a document may be determined by examining the use of the document, including whether it was submitted to the Cabinet.<sup>3</sup>
19. A report prepared by an external consultant is a document prepared by an ‘agency’ for the purposes of section 28(1)(b).<sup>4</sup>

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<sup>1</sup> [2004] VCAT 2346 at [33].

<sup>2</sup> *Mildenhall v Department of Premier & Cabinet (No. 1)* (1995) 8 VAR 284.

<sup>3</sup> *Secretary to the Department of Treasury and Finance v Dalla-Riva* [2007] VSCA 11 at [15].

<sup>4</sup> See for example *Smith v Department of Sustainability and Environment* (2006) 25 VAR 65; [2006] VCAT 1228 at [16-17].

***Section 28(1)(ba) – Document prepared for the purpose of briefing a Minister in relation to issues to be considered by the Cabinet***

20. Section 28(1)(ba) provides a document is exempt if it has been prepared for the purpose of briefing a Minister in relation to issues to be considered by the Cabinet.
21. A document will be exempt under section 28(1)(ba) if the sole purpose, or one of the substantial purposes, for which the document was prepared was to brief a Minister in relation to an issue to be considered by the Cabinet.<sup>5</sup> In the absence of direct evidence, the sole or substantial purpose of a document may be determined by examining the use of the document, including whether it was submitted to Cabinet.<sup>6</sup>
22. The Cabinet briefing purpose must be ‘immediately contemplated’ when the document is created. The exemption cannot apply merely because Cabinet ultimately considered the issue.<sup>7</sup>
23. The word ‘briefing’ means a ‘short accurate summary of the details of a plan or operation. The ‘purpose...is to inform’. Therefore, the document should have the character of briefing material. A document will be of such character if it contains ‘information or advice...prepared for the purpose of being read by, or explained to, a [m]inister’. It requires more than having ‘placed a document before a Minister’.<sup>8</sup>
24. The term ‘issues to be considered by the Cabinet’ within the meaning of section 28(1)(ba), requires that it must be more than just ‘likely’ the Cabinet will consider it. There must be an intention or expectation the relevant issue will be considered by the Cabinet, even if not ultimately considered. Evidence that a matter was included on the Agenda for a Cabinet meeting will meet this test.<sup>9</sup>

***Section 28(1)(c) – A copy, draft or extract from a Cabinet document***

25. Section 28(1)(c) provides a document is an exempt document if it is a document that is a copy or a draft of, or contains extracts from, a document referred to in paragraph (a), (b) or (ba).
26. A document will be a copy if it is a reproduction of the document, for example a photocopy.
27. A draft is a ‘preliminary version’ of the document. A document will not be considered a draft simply because it was created before the relevant submissions or because there is information common to both sets of documents. It should be the actual document, preferably marked as draft and not documents of ‘different kinds prepared by different agencies’.<sup>10</sup>

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<sup>5</sup> *Ryan v Department of Infrastructure* (2004) 22 VAR 226; [2004] VCAT 2346 at [34] citing *Mildenhall v Department of Premier and Cabinet (No 2)* (1995) 8 VAR 478, at 290; *Herald & Weekly Times v Victorian Curriculum & Assessment Authority* [2004] VCAT 924, at [72]. See also *Department of Treasury and Finance v Dalla-Riva* (2007) 26 VAR 96; [2007] VSCA 11 at [13].

<sup>6</sup> *Secretary to the Department of Treasury and Finance v Dalla Riva* [2007] VSCA 11 at [15].

<sup>7</sup> *Hennessy v Minister Responsible for the Establishment of an Anti-Corruption Commission & Anor* [2013] VCAT 822.

<sup>8</sup> *Ryan v Department of Infrastructure* (2004) 22 VAR 226; [2004] VCAT 2346 at [41].

<sup>9</sup> *Mildenhall v Department of Treasury and Finance* (unreported, AAT of Vic, Macnamara DP, 18 March 1996). See also *Batchelor v Department of Premier and Cabinet* (unreported, AAT of Vic, Fagan P and Coghlan M, 29 January 1998); *Hulls v Department of Treasury and Finance (No 2)* (1994) 14 VAR 295 at [320–321]; reversed on other grounds by the Court of Appeal: *Department of Premier & Cabinet v Hulls* [1999] 3 VR 331; 15 VAR 360; [1999] VSCA 117.

<sup>10</sup> *Asher v Department of Infrastructure* (2006) 25 VAR 143; [2006] VCAT 1375 at [43].

### ***Section 28(1)(d) –Disclosure of any deliberation or decision of the Cabinet***

28. Section 28(1)(d) provides a document is an exempt document if its disclosure would involve the disclosure of any deliberation or decision of the Cabinet or a sub-committee of the Cabinet,<sup>11</sup> other than a document by which a decision of the Cabinet was officially published.
29. A document will be exempt under section 28(1)(d) if there is evidence the Cabinet discussed and determined options or issues set out in a document.<sup>12</sup>
30. In *Asher v Department of Sustainability and Environment*,<sup>13</sup> VCAT held that where a document, on its face, does not disclose a decision or deliberation of the Cabinet, or the extent of the Cabinet's interaction with a document is unclear, section 28(1)(d) will not apply.
31. The Victoria Court of Appeal has held 'deliberations' should be given a narrow interpretation such that it means the actual debate that took place rather than the subject matter of a debate:<sup>14</sup>

It all depends upon the terms of the document. At one end of the spectrum, a document may reveal no more than that a statistic or description of an event was placed before Cabinet. At the other end, a document on its face may disclose that Cabinet required information of a particular type for the purpose of enabling Cabinet to determine whether a course of action was practicable or feasible or may advance an argument for a particular point of view.<sup>15</sup> The former would say nothing as to Cabinet's deliberations; the latter might say a great deal.

32. A 'decision' means any conclusion as to the course of action the Cabinet adopts whether it is a conclusion as to final strategy on a matter or conclusions about how a matter should proceed.<sup>16</sup>
33. Where a decision made by the Cabinet is public, an announcement in relation to the issue decided will not disclose the Cabinet's decision or deliberation.<sup>17</sup>
34. My decision in relation to each document is set out in the Schedule of Documents at **Annexure 1.**

### ***Section 30(1) – Internal working documents***

35. 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; and

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<sup>11</sup> Section 28(7).

<sup>12</sup> *Smith v Department of Sustainability and Environment* (2006) 25 VAR 65; [2006] VCAT 1228 at [23]; *Asher v Department of Infrastructure* (2006) 25 VAR 143; [2006] VCAT 1375 at [27].

<sup>13</sup> (General) [2010] VCAT 601 (6 May 2010) at [42], citing *Re Birrell and Department of Premier and Cabinet [Nos 1 and 2]* (1986) 1 VAR 230 at [239].

<sup>14</sup> *Department of Infrastructure v Asher* (2007) 19 VR 17; [2007] VSCA 272 at [8].

<sup>15</sup> *Re Smith and Department of Environment and Sustainability* [2006] VCAT 1228.

<sup>16</sup> *Dalla-Riva v Department of Treasury and Finance* (2005) 23 VAR 396; [2005] VCAT 2083 at [30], citing *Toomer and Department of Agriculture, Fisheries and Forestry and Ors* [2003] AATA 1301.

<sup>17</sup> *Honeywood v Department of Innovation, Industry and Regional Development* (2004) 21 VAR 1453; [2004] VCAT 1657 at [26]. *Ryan v Department of Infrastructure* [2004] VCAT 2346 at [46].

- (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.
36. The exemption does not apply to purely factual material in a document.<sup>18</sup>
37. The term 'officer of an Agency' is defined in section 5(1). It includes a member of the agency, a member of the agency's staff, and any person employed by or for the agency, regardless of whether they are subject to the Public Administration Act 2004 (Vic) apply or not.
38. I must also be satisfied releasing this information is not contrary to the public interest. This requires a 'process of the weighing against each other conflicting merits and demerits'.<sup>19</sup>
39. In deciding if release is contrary to the public interest, I must consider all relevant facts and circumstances remaining mindful that the object of the FOI Act is to facilitate and promote the disclosure of information.
40. In deciding whether the information exempted by the Agency would be contrary to the public interest, I have given weight to the following relevant factors:<sup>20</sup>
- (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.

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<sup>18</sup> Section 30(3).

<sup>19</sup> *Sinclair v Maryborough Mining Warden* [1975] HCA 17; (1975) 132 CLR 473 at [485], adopted in *Department of Premier and Cabinet v Halls* [1999] VSCA 117 at [30].

<sup>20</sup> *Halls v Victorian Casino and Gambling Authority* (1998) 12 VAR 483.

41. My decision in relation to section 30(1) is set out in the Schedule of Documents at **Annexure 1**.

### ***Section 25 – Deletion of exempt or irrelevant information***

42. 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.
43. Determining what is ‘practicable’ requires consideration of the effort and editing involved in making the deletions ‘from a resources point of view’<sup>21</sup> 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.<sup>22</sup>
44. As the Applicant is not seeking review of information claimed under sections 33(1) or 34(1)(b), the information exempted by the Agency under those provisions are irrelevant to the request for the purposes of this review.
45. I have considered the effect of deleting irrelevant and exempt information from the documents. In my view, it is practicable for the Agency to delete irrelevant and exempt information, because it would not require substantial time and effort, and the edited documents would retain meaning.

### **Conclusion**

46. On the information before me, I am satisfied certain information in the documents is exempt from release under sections 28(1)(b), 28(1)(c) and 28(1)(d). However, I am not satisfied documents are exempt under section 30(1).
47. Where it is practicable to provide the Applicant with an edited copy of the documents with irrelevant and exempt information deleted in accordance with section 25, access is granted in part. Where it is not, access is refused in full.

### **Review rights**

48. 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.<sup>23</sup>
49. The Applicant may apply to VCAT for a review up to 60 days from the date they are given this Notice of Decision.<sup>24</sup>
50. The Agency may apply to VCAT for a review up to 14 days from the date it is given this Notice of Decision.<sup>25</sup>

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<sup>21</sup> *Mickelborough 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].

<sup>22</sup> *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], [155].

<sup>23</sup> The Applicant in section 50(1)(b) and the Agency in section 50(3D).

<sup>24</sup> Section 52(5).

<sup>25</sup> Section 52(9).

51. Information about how to apply to VCAT is available online at [www.vcat.vic.gov.au](http://www.vcat.vic.gov.au). Alternatively, VCAT may be contacted by email at [admin@vcat.vic.gov.au](mailto:admin@vcat.vic.gov.au) or by telephone on 1300 018 228.
52. 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.<sup>26</sup>

**When this decision takes effect**

53. My decision does not take effect until the Agency's 14-day review period expires. If a review application is made to VCAT, my decision will be subject to any VCAT determination.

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<sup>26</sup> Sections 50(3F) and 50(3FA).



# Annexure 1 – Schedule of Documents

No.	Date of document	Title or description of document	No. pages	Agency's decision	OVIC decision	OVIC comments
1	[date]	Email chain between [business name] and DPC – Outstanding invoices	3	Released in part Section 33(1)	Not subject to review	
1A	[date]	Invoice – [reference]	1	Released in part Sections 33(1), 34(1)(b)	Not subject to review	
1B	[date]	Invoice – [reference]	1	Released in part Section 33(1)	Not subject to review	
1C	[date]	Invoice – [reference]	1	Released in part Sections 33(1), 34(1)(b)	Not subject to review	
2	[date]	Email from [business name] to DPC –survey data	1	Released in part Sections 28(1)(d), 33(1)	Release in part Section 25  The document is to be released with irrelevant information deleted in accordance with section 25.	<b>Section 28(1)(d):</b> During the review the Agency advised it no longer sought to exempt certain information under section 28(1)(d). This information is therefore to be released to the Applicant.  <b>Section 25:</b> The Applicant is not seeking review of information exempted under section 33(1). This information is therefore irrelevant to the request.

No.	Date of document	Title or description of document	No. pages	Agency's decision	OVIC decision	OVIC comments
2A	N/A	Document: Extract of DPC Online Survey Round 12 (First 10 pages of spreadsheet only)	19	Refused in full  Section 28(1)(d)	Refuse in full  Section 28(1)(d)	Section 28(1)(d): I am satisfied, based on the information provided by the Agency in support of its decision, that the document discloses the deliberations of a subcommittee of cabinet. It is therefore exempt in full under section 28(1)(d).
2B	N/A	Document: Survey	4	Refused in full  Section 28(1)(d)	Refuse in full  Section 28(1)(d)	Section 28(1)(d): See comments for Document 2A.
2C	N/A	Document: Survey	5	Refused in full  Section 28(1)(d)	Refuse in full  Section 28(1)(d)	Section 28(1)(d): See comments for Document 2A.
3	[date]	Email from DPC to [business name] –overview slides	1	Released in part  Sections 28(1)(d), 33(1)	Release in part  Section 25  The document is to be released with irrelevant information deleted in accordance with section 25.	Section 28(1)(d): During the review the Agency advised it no longer sought to exempt certain information under section 28(1)(d). This information is therefore to be released to the Applicant.  Section 25: see comment for Document 2.

No.	Date of document	Title or description of document	No. pages	Agency's decision	OVIC decision	OVIC comments
3A	N/A	Document: Overview	4	Refused in full  Section 28(1)(c)	Refuse in full  Section 28(1)(c)	<b>Section 28(1)(c):</b> Based on the Agency's submission, I accept the document is an extract of a document prepared for the purpose of submission to a subcommittee of cabinet. It is therefore exempt under section 28(1)(c).
4	[date]	Email chain between [business name] and DPC – quant report	2	Released in part  Section 28(1)(d), 33(1)	<b>Release in part</b>  Section 25  The document is to be released with irrelevant information deleted in accordance with section 25.	<b>Section 28(1)(d):</b> During the review the Agency advised it no longer sought to exempt certain information under section 28(1)(d). This information is therefore to be released to the Applicant.  <b>Section 25:</b> see comment for Document 2.
4A	N/A	Survey [date]	56	Refused in full  Section 28(1)(b)	Refuse in full  Section 28(1)(b)	<b>Section 28(1)(b):</b> Based on the document and the Agency's submission, I accept the document was prepared for the purpose of submission to a subcommittee of cabinet. It is therefore exempt under section 28(1)(b).

No.	Date of document	Title or description of document	No. pages	Agency's decision	OVIC decision	OVIC comments
5	[date]	Email chain between [business name] and DPC – June round scheduling	3	Released in part Section 33(1)	Not subject to review	
5A	N/A	Group schedule 2020 - 2021	1	Released in full	Not subject to review	
6	[date]	Email from [business name] to DPC - Vaccinations	1	Released in part Section 33(1)	Not subject to review	
6A	N/A	Memorandum: Vaccinations in Victoria, May 2021	1	Released in part Section 33(1)	Not subject to review	
7	[date]	Email from [business name] to DPC – Generations	1	Released in part Section 33(1)	Not subject to review	
8	[date]	Email chain between [business name] and DPC	2	Released in part Sections 28(1)(d), 33(1)	Release in part Section 25  The document is to be released with irrelevant information deleted in accordance with section 25.	Section 28(1)(d): I do not consider the information redacted by the Agency discloses the deliberations of a subcommittee of cabinet. Rather, I consider it is in the nature of advice provided by an Agency officer on a general topic. It is therefore not exempt under section 28(1)(d).  Section 30(1): For completeness, I also do

No.	Date of document	Title or description of document	No. pages	Agency's decision	OVIC decision	OVIC comments
						not consider it is exempt under section 30(1).  Section 25: see comment for Document 2.
9	[date]	Email from DPC to [business name] – invoice from last round of quant	1	Released in part  Section 33(1)	Not subject to review	
10	[date]	Email chain between [business name] and DPC – [reference] from [business name] for DPC	2	Released in part  Section 33(1)	Not subject to review	
10A	[date]	Invoice – [reference]	1	Released in part  Sections 33(1), 34(1)(b)	Not subject to review	
11	[date]	Email chain between [business name] and DPC – focus groups confirmed for next week	2	Released in part  Section 33(1)	Not subject to review	
12	[date]	Email from DPC to [business name] – [business name] version of discussion guide with suggested ordering for tonight's groups and links to view groups live	2	Released in part  Section 33(1)	Not subject to review	

No.	Date of document	Title or description of document	No. pages	Agency's decision	OVIC decision	OVIC comments
13	[date]	Email chain between [business name] and DPC – Feedback on discussion guide for tonight's groups	4	Released in part  Sections 28(1)(d), 33(1)	Release in part  Section 25  The document is to be released with irrelevant information deleted in accordance with section 25.	Section 28(1)(d): During the review the Agency advised it no longer sought to exempt certain information under section 28(1)(d). This information is therefore to be released to the Applicant.  Section 25: See comments for Document 2.
13A	N/A	Document: [date] Focus Group – Draft V2 – Discussion Guide	5	Refused in full  Sections 28(1)(d), 30(1)	Release in full	Section 28(1)(d): The document does not reveal the outcome of the survey research and for that reason I do not consider it discloses the deliberation or decision of a subcommittee of cabinet. It is therefore not exempt under section 28(1)(d).  Section 30(1): I consider the document, being a draft, provides the advice and opinion of agency officers prepared for the deliberative processes of the Agency. However,

No.	Date of document	Title or description of document	No. pages	Agency's decision	OVIC decision	OVIC comments
						given the lack of sensitivity of the document I do not consider disclosure would be contrary to the public interest. It is therefore not exempt under section 30(1).
13B	N/A	Document: [month] Focus Group topics - DRAFT	3	Released in full	Not subject to review	
14	[date]	Email chain between [business name] and DPC – Preso	2	Released in part Section 33(1)	Not subject to review	
14A	N/A	Document: Presentation – [location and date]	12	Refused in full Section 28(1)(c)	Refuse in full Section 28(1)(c)	Section 28(1)(c): I am satisfied, based on the contents of the email to which the document was attached, the document is a draft prepared for the purpose of submission to a subcommittee of cabinet. The document is therefore exempt under section 28(1)(c).
15	[date]	Email chain between [business name] and DPC – Suggested changes for June online survey – Feedback/approval	3	Released in part Section 33(1)	Not subject to review	

No.	Date of document	Title or description of document	No. pages	Agency's decision	OVIC decision	OVIC comments
		required by COB today				
15A	N/A	DPC Online Survey – June 2021, Round 13 (draft v2)	9	Released in full	Not subject to review	
16	[date]	Email chain between [business name] and DPC - RE: qual report	1	Released in part Section 33(1)	Not subject to review	
17	[date]	Email from DPC to [business name] – Some small edits to draft report	1	Released in part Sections 28(1)(d), 30(1), 33(1)	Release in part Sections 28(1)(d), 25  The document is to be released with exempt and irrelevant information deleted in accordance with section 25.	Section 28(1)(d): See comments for Document 2A.  Section 25: See comments for Document 2.
17A	N/A	Document: [Survey location and date]	38	Refused in full Section 28(1)(c)	Refuse in full Section 28(1)(c)	Section 28(1)(c): See comments for Document 14A.
18	[date]	Email from DPC to [business name] –	1	Released in part Section 33(1)	Not subject to review	
19	[date]	Email chain between [business name] and DPC –	5	Released in part	Not subject to review	



No.	Date of document	Title or description of document	No. pages	Agency's decision	OVIC decision	OVIC comments
		RE: quant report		Section 33(1)		
19A	N/A	Extract of DPC Online Survey Round 13 – Interim Demographics to [date]	2	Released in full	Not subject to review	
19B	N/A	[data] (First 10 pages of spreadsheet only)	32	Refused in full 28(1)(d)	Refuse in full Section 28(1)(d)	Section 28(1)(d): See comments for Document 2A.
19C	N/A	[data location and date]	6	Refused in full 28(1)(d)	Refuse in full Section 28(1)(d)	Section 28(1)(d): See comments for Document 2A.
19D	N/A	[data]	6	Refused in full 28(1)(d)	Refuse in full Section 28(1)(d)	Section 28(1)(d): See comments for Document 2A.
19E	N/A	[draft report]	53	Refused in full 28(1)(d)	Refuse in full Section 28(1)(d)	Section 28(1)(d): See comments for Document 2A.
20	[date]	Email chain between [business name] and DPC – Very rough schedule for rest of the year – possible dates for next online survey	3	Released in part Section 33(1) <i>Links to Zoom meeting marked as irrelevant.</i>	Not subject to review	
20A	N/A	DPC Research Schedule 2021-2022 (draft)	1	Released in part Section 34(1)(b)	Not subject to review	

No.	Date of document	Title or description of document	No. pages	Agency's decision	OVIC decision	OVIC comments
20B	N/A	Memorandum	4	Refused in full 28(1)(d)	Refuse in full Section 28(1)(d)	Section 28(1)(d): See comments for Document 2A.
21	[date]	Email chain between [business name] and DPC - AZ research	4	Released in part Section 33(1)	Not subject to review	
21A	N/A	Survey [date]	6	Refused in full 28(1)(d)	Refuse in full Section 28(1)(d)	Section 28(1)(d): See comments for Document 2A.
21B	N/A	[Survey data]	6	Refused in full 28(1)(d)	Refuse in full Section 28(1)(d)	Section 28(1)(d): See comments for Document 2A.
21C	N/A	[Survey] (First 10 pages of spreadsheet only)	31	Refused in full 28(1)(d)	Refuse in full Section 28(1)(d)	Section 28(1)(d): See comments for Document 2A.
22	[date]	Email chain between [business name] and DPC – reporting attitudes to vaccines by age Draft Report	3	Released in part Sections 28(1)(d), 33(1)	Release in part Section 25  The document is to be released with irrelevant information deleted in accordance with section 25.	Section 28(1)(d): See comments for Document 13A.

No.	Date of document	Title or description of document	No. pages	Agency's decision	OVIC decision	OVIC comments
22A	N/A	Survey: [date]	56	Refused in full  Section 28(1)(b)	Refuse in full  Section 28(1)(b)	Section 28(1)(b): See comments for Document 4A.
23	[date]	Email chain between [business name] and DPC – demographics	2	Released in part  Section 33(1)	Not subject to review	
24	[date]	Email from DPC to [business name] – DPC focus groups – confirmed for week commencing 6 Sept	1	Released in part  Section 33(1)	Not subject to review	
25	[date]	Email from DPC to [business name] – Files with graphs	1	Released in part  Section 33(1)	Not subject to review	
26	[date]	Email from DPC to [business name] – Another way of reporting on core items – seeking input	1	Released in part  Section 33(1)	Not subject to review	
27	[date]	Email chain between [business name] and DPC – Focus group spec for discussion – for fieldwork commencing next week	6	Released in part  Section 33(1)	Not subject to review	
28	[date]	Email from DPC to [business name] – Draft discussion topics	1	Released in part  Section 33(1)	Not subject to review	
28A	N/A	Document: Draft – Topics for discussion in September	2	Released in full	Not subject to review	

No.	Date of document	Title or description of document	No. pages	Agency's decision	OVIC decision	OVIC comments
		focus groups				
29	[date]	Email chain between [business name] and DPC – Discussion guide requested	2	Released in part Section 33(1)	Not subject to review	
29A	N/A	Document: September 2021 – Focus Groups Draft V2 Discussion Guide	3	Refused in full Sections 28(1)(d), 30(1)	Release in full	Sections 28(1)(d) and 30(1): See comments for Document 13A.
30	[date]	Email chain between [business name] and DPC – Re: memo	1	Released in part Section 33(1)	Not subject to review	
31	[date]	Email from DPC to [business name] – New slides [redacted] to reflect Sept groups	1	Released in part Sections 28(1)(d), 33(1)	Release in part Section 25  The document is to be released with irrelevant information deleted in accordance with section 25.	Sections 28(1)(d) and 30(1): See comments for Document 13A.  Section 25: See comments for Document 2.
32	[date]	Email chain between [business name] and DPC	2	Released in part Sections 28(1)(d), 33(1)	Release in part Section 25  The document is to be	Sections 28(1)(d) and 30(1): See comments for Document 13A.  Section 25: See comments for

No.	Date of document	Title or description of document	No. pages	Agency's decision	OVIC decision	OVIC comments
					released with irrelevant information deleted in accordance with section 25.	Document 2.
32A	N/A	Document: Notes [redacted] Slides – September 2021	2	Refuse in full Section 28(1)(d)	Refuse in full Section 28(1)(d)	Section 28(1)(d): See comments for Document 2A.
33	[date]	Email chain between [business name] and DPC	2	Released in part Sections 28(1)(d), 33(1)	Release in part Section 25  The document is to be released with irrelevant information deleted in accordance with section 25.	Sections 28(1)(d) and 30(1): See comments for Document 13A.  Section 25: See comments for Document 2.
33A	N/A	Document: [survey date and location]	46	Refused in full Sections 28(1)(c)	Refuse in full Section 28(1)(c)	Section 28(1)(c): See comments for Document 14A.
34	[date]	Email chain between [business name] and DPC – Planning for next online survey – working draft	3	Released in part Section 33(1)	Not subject to review	

No.	Date of document	Title or description of document	No. pages	Agency's decision	OVIC decision	OVIC comments
		attached				
34A	N/A	Document: DPC Online Survey – October 2021 (dates tbc) – DRAFT – Working document	13	Released in full	Not subject to review	
35	[date]	Email from DPC to [business name] – Update on October research dates and heads up on focus group requirements	1	Released in part Section 33(1)	Not subject to review	
36	[date]	Email from DPC to [business name] – Recruitment spec good to go	1	Released in part Section 33(1)	Not subject to review	
37	[date]	Email from DPC to [business name] – Draft discussion guide for review	1	Released in part Section 33(1)	Not subject to review	
38	[date]	Email chain between [business name] and DPC – Changes to guide for DCP focus groups scheduled for tonight and tomorrow night	3	Released in part Section 33(1)	Not subject to review	

No.	Date of document	Title or description of document	No. pages	Agency's decision	OVIC decision	OVIC comments
38A	N/A	Document: October 2021 – Focus Group – DRAFT V3 Discussion Guide	5	Released in part Sections 28(1)(d), 30(1)	Release in full	Sections 28(1)(d and 30(1): See comments for Document 13A.
39	[date]	Email from [business name] to DPC – RE: Invoices	2	Released in part Section 33(1)	Not subject to review	