FREEDOM OF INFORMATION

# INFORMATION SHEET

The *Freedom of Information Act 1982* (the FOI Act)provides a right of access to documents held by specified agencies such as state government departments and statutory authorities.

## HOW TO MAKE AN APPLICATION

In order to make an application under the FOI Actfor access to documents held by the Commission for Children and Young People (the Commission), you should carefully read this document and then send a written application to the Commission.

The written application can be comprised of a completed application form that includes all of the information and documentation that is requested. Alternatively it can be a letter or email that includes the following information and documentation:

* Your personal details including your full name, your address and date of birth
* Proof of your identity
* Proof of your relationship

You can make a written application (including all of the necessary documentation) to the Commission’s Chief Executive Officer and send it to the following address:

Chief Executive Officer
Commission for Children and Young People
18/570 Bourke Street
Melbourne VIC 3000

You can also send an email with attachments to contact@ccyp.vic.gov.au and attention it to the Commission’s Chief Executive Officer.

## PROOF OF IDENTITY

In order to assist the Commission to make a decision about what documents and information can be provided to you, we need you to provide a copy of a photo identification document, such as your driver’s license, passport, birth certificate, Medicare card, pension or concession card or official letter that is addressed to you at your current address.

If you are unable to provide us with any documents to establish your identity, please contact the Commission on (03) 8601 5237 to speak with an FOI officer.

## PROOF OF RELATIONSHIP

If you are seeking access to documents about another person, you will need to provide some additional information and documentation to assist the Commission to make its decision about what documents and information can be provided to you.

You will need to provide the name, date of birth, and contact details of the person (if known) as well as certified copies of any documents that prove your relationship with this person. This may include a birth certificate, parenting orders, protection orders, or guardianship and administration orders.

## FEES AND CHARGES

An application fee of $31.80 applies to all FOI requests. However, you can request that we waive the fee on the basis of financial hardship.

The FOI Act also allows the Commission to charge, where reasonable, for access to documents if there are significant costs associated with its preparation. Depending on the nature of the request, the Commission may charge for:

* search time
* photocopying
* supervising an inspection of documents.

We will request a deposit where the estimated charges are estimated to exceed $50. If this is the case, we will notify you in writing. You can then choose whether to proceed or withdraw your request.

There are circumstances where charges will be waived (for example, where the request is for documents containing information about the personal affairs of the applicant and the applicant is impecunious; or the request is a routine request). There are other circumstances where charges (other than for photocopying) will not be levied (for example, where the request is for access to a document containing information relating to the personal affairs of the applicant).

An applicant can pay the application fee by making a bank transfer to the following bank account. Evidence (such as a screen shot) of the transfer must be provided as part of the application.

Account Name – DHHS Revenue Account
BSB – 033-222
Account – 140210.

## EXEMPT DOCUMENTS

Where possible, the Commission will make information available. Under the FOI Act, we can refuse access to information in certain circumstances. This includes documents:

* containing information provided to the Commission in confidence
* concerning law enforcement and public safety
* subject to legal professional privilege
* subject to secrecy provisions in other legislation
* containing information about personal affairs or another person
* containing information about business affairs of another person or organisation.

**TIMING**

The Commission must ordinarily make a decision on a valid request within 30 days of receiving an application.

1. The Commission will acknowledge receipt of your application.
2. If you need to pay access charges, you will receive a letter from us. You ware able to dispute the charges.
3. Once processed, we will send you a letter outlining our decision about your request.

**Consulting others**

If the information the Commission releases contains personal information about other people, the Commission may need to first contact those people to ask their permission to release their personal information.

When this occurs, it may be necessary to extend the request timeframe by 15 days to allow them to respond.

**REVIEW**

If you are dissatisfied with the decision that the Commission has made in relation to your FOI request, you have the right to seek review from the Office of the Victorian Information Commissioner (OVIC).

You must make a request for a review with 28 days of receiving the Commission’s decision.

The Information Commissioner can also receive complaints about an agency’s handling of a request.

Further information is available from the OVIC website – [www.ovic.vic.gov.au](http://www.ovic.vic.gov.au)

**YOUR PRIVACY**

The Commission is committed to protecting your privacy. We collect and handle personal information in a FOI application for the purposes of processing the application.

For more information on the Commission’s privacy collection statement, please refer to the following website – <https://ccyp.vic.gov.au/privacy/>