

# Freedom of Information Statement - BHI - Version 2

Document: **Freedom of Information Statement**

Document No.: **GOVSTA001**

Process Area: **Strategy and Governance**



## Document Control

Version	Date	Amended by	Changes Made
1	2016		Initial document
1.2	29/10/19	Business Improvement Analyst	Updated in line with legislative changes Regulations 2014 Complies in section 4.2 and 4.3; Office of the Victorian Information Commissioners; removed reference to CAE
2	8/04/2020	Acting Executive Director Strategy and Governance	Endorsed

The statements below detail:

- What kinds of information are held by Box Hill Institute and what is available for public access
- How members of the public can access information held by Box Hill Institute
- When personal information can be accessed by the person who is the subject of that information

## 1 Access to Government Information

The Freedom of Information (FOI) Act gives members of the public the right to apply for access to documents that are held by the Institute and to request that incorrect or misleading information held by the Institute about individuals be amended or removed.

A significant amount of information held by Box Hill Institute is published on our websites [www.cae.edu.au](http://www.cae.edu.au), [www.boxhill.edu.au](http://www.boxhill.edu.au), and other publications.

Published documents on these websites include:

- Detailed annual reports with a summary of the functions and activities of the organisation including comprehensive Financial Statements
- Strategic directions and major project related information documents
- Policies and procedures relating to core functions
- Substantive data on educational and program outcomes

Where corporate information is not published on our website but is available for public inspection we will whenever possible make available documents for inspection at the Institute's main campus.

If you are considering making an application for access to documents through the FOI process you should first contact the Institute's FOI Officer, to find out whether the documents are available outside of that process.

You can apply for access to:

- Documents about your personal affairs, regardless of the age of the documents.
- Documents of a non-personal nature, not older than 5 July 1978.
- Documents can include a broad range of media including maps, films, microfiche, photographs, computer printouts, emails, computer discs, tape recordings and videotapes.
- Documents supplied to the Institute by external parties

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You may ask for a copy of the document, or you may request access to the document, for example, to see a film or to get a transcript of a tape recording at Box Hill Institutes campus. Costs may apply when a FOI application is made. Box Hill Institute aims to make requested releasable information promptly available at a reasonably low cost.

Documents that you might be able to obtain without an FOI application include those containing:

- Your own personal information, such as personnel records.
- Information which is available publicly, such as on a public register.
- If you need documents for a court case or some type of litigation, speak to your legal advisor about other processes for accessing those documents.

Information that is subject to one or more of the exemptions under the Freedom of Information Act 1982 (Vic) (FOI Act) will not be released.

## 2 Making a Request

When making a FOI request application a written request with application fee payment is required. Where financial hardship is experienced a waiver of the application fee may be requested. Address and payment details are provided below:

- Email to: [foi@boxhill.edu.au](mailto:foi@boxhill.edu.au) or
- Post to Box Hill Institute: Freedom of Information Officer:  
Directorate Office, Box Hill Institute, Elgar Campus, 465 Elgar Road, Box Hill, Vic, 3128.
- Application fee payment – \$29.60 (Refer to item 5.1)

Application to access documents under a FOI Act must:

- Be in written form and identify the request is made under the FOI Act
- Provide what the documents relate to or enough information for them to be identified and include:
  - the approximate date the document was created
  - where the document may be located (i.e. email account, student administration centre)
  - the type of document you require (i.e. email, report)
- Not be part of a letter or email on another subject
- Provide an Australian address for notifications
- Provide an email address/contact phone number

If you wish to correct or make amendments to documents that contain your personal information you will need to identify how/why the documents are inaccurate, incomplete or misleading.

The Institute's Freedom of Information (FOI) Officer identifies the right to access documents under the Freedom of Information Act. The FOI Officer will provide advice on what documents may be accessed, inspected or copied and released. Where the documents are exempt from the FOI Act the FOI Officer will inform the applicant of the reasons behind the exemption.

Where you are seeking information about the personal affairs of a person and you are that person you may request access to your personnel file or student record **without** a formal Freedom of Information request.

If access to a third parties personal data is requested written authorisation from that person is required. Refer to the Box Hill Institute and Council of Adult Education Personal Information and Data privacy Collection notice available on [www.boxhill.edu.au](http://www.boxhill.edu.au) and [www.cae.edu.au](http://www.cae.edu.au).

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Where you have made a request to inspect documents and that request, or part of the request is refused by the Institute you may make a formal FOI request as outlined in Statement 6.

### **3 Privacy Policy**

BHI and CAE have a Privacy Policy that can be found on BHI and CAE websites which outlines the ways in which we meet our privacy commitments.

### **4 Charges for access**

A Freedom of Information Act 1982 request requires you to pay an application fee and additionally you may also be required to pay access charges dependant of the request made.

#### **4.1 Application Fee**

An application fee is charged and ensures that your written request is valid. The application fee of \$29.60 is effective as of 1 July 2019. The Application fee may be waived if payment is likely to cause you hardship.

Note: A request is invalid and cannot be processed until

- The application fee is paid
- The Institute has provided written confirmation of waiving the fee

#### **4.2 Access Charges**

Access charges are made as a result of costs involved in processing a request. Access charges are established by the Freedom of Information Regulations 2014 and may include:

- Search fee – charged at 1.5 fee units (\$22.22) per hour or part of an hour
- Supervising document inspection – charged at 1.5 fee units (\$22.22) per hour
- Photocopying – 20 cents per page
- Provision of written transcripts of recorded documents – reasonable costs per written document.

#### **4.3 Deposits**

Where access charges are between \$50 and \$100, a deposit of \$25.00 is requested. Where the access charges are payable for your request are more than \$100 a 50% deposit of estimated charges is required.

Estimated charges will be provided in writing and you may contact the Institute to alter your request to reduce the estimated charge. The timeframe in which to complete your request does not commence until the receipt of the deposit.

When you receive an estimate and are required to pay a deposit you can choose whether to:

- Proceed with the request and pay the deposit
- Request to discuss alternatives for altering the request and reducing the charge
- Withdraw your request.

The charges may be waived where the information contains the applicant's personal information or where the information is undertaken as a routine request for document access.

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## 5 Processing

Once the Institute receives your request, the FOI Officer will review it to make sure that all the necessary information has been included and the documents you are requesting have been clearly identified. The Institute will write to you if any further information is required.

When your request has been processed, you will be sent a letter with the Institute's decision outlining reasons for the rulings made.

### 5.1 Processing Time

The FOI Act requires the Institute to complete your request within 30 days from the date that it was received. This time limit only applies if your request is sufficiently clear for the officer to process it and the application fee has been paid or waived.

#### 5.1.1 Additional Processing Time

When a third party is involved, the Institute will notify you of third party involvement. An additional 15 days of processing time is provided by the Act for requests involving third parties.

## 6 Complaints

If you are unhappy about with the outcome of your request or the way your request is being handled. Your first contact is with the FOI Officer available on 03)9286 9313 or [foi@boxhill.edu.au](mailto:foi@boxhill.edu.au) to discuss your concerns.

### 6.1 Resolve

If you are not satisfied with the Institutes decision or resolve you will have a right to review by the Freedom of Information Commissioner. For the complaint to be valid it must:

- Provide the conduct you are complaining about within 60 days of the conduct
- Present the complaint in writing
- Describe the nature of the complaint (with supporting documents)

You can complete and send OVICs complaint form and supporting documents to [enquiries@ovic.vic.gov.au](mailto:enquiries@ovic.vic.gov.au) or by post to:

FOI Commissioner  
PO Box 24274  
Melbourne Vic 3001

Further information is available on the OVIC website [www.ovic.vic.gov.au](http://www.ovic.vic.gov.au) or through contacting OVIC by:

**P:** 1300 006 842 **E:** [enquiries@ovic.vic.gov.au](mailto:enquiries@ovic.vic.gov.au)