



Attachment A

DECISION RECORD

Request Details

FOI Request: FA 16/07/00108
File Number: ADF2016/30911

Scope of request

1. On 29 June 2016 you requested:

I request the current versions of the following documents under the Freedom of Information Act 1982:

1. *SRSS Policy Advice Manual*
2. *SRSS Operation Procedures Manual*

Both refer the Status Resolution Support Services (SRSS) programme.

2. On 23 August 2016 the scope of your request was redefined as:

“Current Status Resolution Support Services (SRSS) Programme policy and procedure documents in relation to the overall Programme and in relation to Band 5. This includes documents that describe eligibility for Band 5, how this is to be assessed, and the administrative arrangements between DIBP and any service providers for determining eligibility and providing services under Band 5. This request does not include information that relates exclusively to Bands 1, 2, 3, 4 or 6 (and is not relevant to Band 5).”

Documents in scope

3. The Department has identified two documents that fall within the scope of your request. These documents consist of Status Resolution Support Services (SRSS) Operational Procedures Manual (OPM) and the SRSS Policy Advice Manual.

Authority to make decision

4. I am an officer authorised under section 23 of the FOI Act to make decisions in respect of requests to access documents or to amend or annotate Departmental records.

Information considered

5. In reaching my decision, I have considered the following:
 - The *Freedom of Information Act 1982*;
 - The Departmental documents identified above;
 - Consultations with relevant business areas within the Department; and
 - The Australian Information Commissioner’s guidelines relating to access to documents held by government.

Reasons for decision

6. Section 22(2) of the FOI Act provides that, where an agency reaches the view that a document contains exempt information or material that is irrelevant to the request and it is possible for the agency to prepare an edited copy of the document with the irrelevant or exempt material deleted, then the agency must prepare such a copy.
7. This edited copy must be provided to the applicant. Further, the decision maker must advise the applicant in writing that the edited copy of the document has been prepared and of the reason(s) for each of the deletions in the document (s.22(3) of the FOI Act).
8. Exempt material is deleted pursuant to s.22(1)(a)(i) and irrelevant material is deleted pursuant to s.22(1)(a)(ii) of the FOI Act.

Exemptions applied to the documents

9. The Schedule of Documents (Attachment B) and the Documents Released (Attachment D) detail the exemptions that have been applied. Exemptions were applied on the following grounds:

Section 47E(d) – have a substantial adverse effect on the proper and efficient conduct of the operations of an agency

10. Section 47E(d) provides that a document is conditionally exempt if its disclosure under the Act would, or could reasonably be expected to, have a substantial adverse effect on the proper and efficient conduct of the operations of an agency
11. The material exempted under s.47E(d) consists of operational email addresses that are not available in the public domain. Release of this information could have the potential to impede the operations of relevant agencies if the addresses were to be targeted with malicious emails or spam.
12. Additionally, material exempted under s.47E(d) consists of commercially sensitive information taken directly from contracts made with SRSS service providers.
13. On this basis, I am satisfied that release of the information would, or could reasonably be expected to, have a substantial adverse effect on the proper and efficient conduct of the Department's and other agency operations. I am therefore satisfied that the material in issue is conditionally exempt under s.47E(d) of the Act.

Application of the public interest test

14. I acknowledge that release of the documents without the exemptions made under s.47E(d) would promote the objects of the FOI Act, through facilitating and promoting public access to information.
15. I do not consider that release of the information would inform debate on a matter of public importance, promote effective oversight of public expenditure or allow a person to gain access to his or her own personal information.
16. In contrast, I consider that the ability of the Department and other agencies to utilise email channels which are confidential to the relevant agencies to be in the public interest.
17. I consider that the detail of contractual arrangements between the Department and its SRSS service providers are confidential in nature and that revealing such details is not in

the public interest because it could compromise the Department's relationships with these parties.

18. Taking into account the above matters, on balance, I consider that disclosure of the information in the documents exempted under s.47E(d) to be contrary to the public interest. Accordingly, I have decided that the documents are exempt in part under s.47E(d) of the FOI Act. The exemptions have therefore been applied to the documents released.

Deletion of irrelevant material

19. The material deleted under section 22(1)(a)(ii) includes:

- the names and direct contact details of Departmental staff (although the names of Departmental senior executive service staff have been retained). The Department's intended deletion of this information was notified to you in the acknowledgment letter of 4 July 2016 and you did not raise any objections; and
- any information relating to the forwarding or printing of documents, where such action was taken by the Department for the purpose of processing this FOI request.

(signed electronically)

██████████
Authorised Freedom of Information Decision Maker
Freedom of Information Section
Department of Immigration and Border Protection

Phone ██████████
Email foi@border.gov.au

6 October 2016



Attachment B

SCHEDULE OF DOCUMENTS TO DECISION RECORD

FOI Request FA 16/07/00108

No.	Date of document	Folio	Description	Relevant legislation (FOI Act)	
1.	21 October 2014	1-51	Status Resolution Support Services (SRSS) Policy Advice Manual	Released in part	s.47E(d)
2.	July 2016	52-254	Status Resolution Support Services (SRSS) Programme – Operational Procedures Manual –Version 4 – July 2016	Released with irrelevant information deleted Released in part	s.22(1)(a)(ii) s.47E(d)

Released by DIBP under the
Freedom of Information Act 1982

Attachment C – Extract of relevant legislation (FOI Act)

Section 11A – Public interest exemptions – factors

Scope

- 1) This section applies for the purposes of working out whether access to a conditionally exempt document would, on balance, be contrary to the public interest under subsection 11A(5).
- 2) This section does not limit subsection 11A(5).

Factors favouring access

- 3) Factors favouring access to the document in the public interest include whether access to the document would do any of the following:
 - a) promote the objects of this Act (including all the matters set out in sections 3 and 3A);
 - b) inform debate on a matter of public importance;
 - c) promote effective oversight of public expenditure;
 - d) allow a person to access his or her own personal information.

Irrelevant factors

- 4) The following factors must not be taken into account in deciding whether access to the document would, on balance, be contrary to the public interest:
 - a) access to the document could result in embarrassment to the Commonwealth Government, or cause a loss of confidence in the Commonwealth Government;
 - aa) access to the document could result in embarrassment to the Government of Norfolk Island or cause a loss of confidence in the Government of Norfolk Island;
 - b) access to the document could result in any person misinterpreting or misunderstanding the document;
 - c) the author of the document was (or is) of high seniority in the agency to which the request for access to the document was made;
 - d) access to the document could result in confusion or unnecessary debate.

Guidelines

- 5) In working out whether access to the document would, on balance, be contrary to the public interest, an agency or Minister must have regard to any guidelines issued by the Information Commissioner for the purposes of this subsection under section 93A.

11B - Public interest exemptions—factors

- (1) This section applies for the purposes of working out whether access to a conditionally exempt document would, on balance, be contrary to the public interest under subsection 11A(5).
- (2) This section does not limit subsection 11A(5).

Factors favouring access

- (3) Factors favouring access to the document in the public interest include whether access to the document would do any of the following:
 - (a) promote the objects of this Act (including all the matters set out in sections 3 and 3A);
 - (b) inform debate on a matter of public importance;
 - (c) promote effective oversight of public expenditure;
 - (d) allow a person to access his or her own personal information.

Irrelevant factors

- (4) The following factors must not be taken into account in deciding whether access to the document would, on balance, be contrary to the public interest:
 - (a) access to the document could result in embarrassment to the Commonwealth Government, or cause a loss of confidence in the Commonwealth Government;
 - (aa) access to the document could result in embarrassment to the Government of Norfolk Island or cause a loss of confidence in the Government of Norfolk Island;
 - (b) access to the document could result in any person misinterpreting or misunderstanding the document;
 - (c) the author of the document was (or is) of high seniority in the agency to which the request for access to the document was made;
 - (d) access to the document could result in confusion or unnecessary debate.

Guidelines

- (5) In working out whether access to the document would, on balance, be contrary to the public interest, an agency or Minister must have regard to any guidelines issued by the Information Commissioner for the purposes of this subsection under section 93A.

22 Access to edited copies with exempt or irrelevant matter deleted

Scope

- (1) This section applies if:
 - (a) an agency or Minister decides:
 - (i) to refuse to give access to an exempt document; or
 - (ii) that to give access to a document would disclose information that would reasonably be regarded as irrelevant to the request for access; and
 - (b) it is possible for the agency or Minister to prepare a copy (an **edited copy**) of the document, modified by deletions, ensuring that:

- (i) access to the edited copy would be required to be given under section 11A (access to documents on request); and
 - (ii) the edited copy would not disclose any information that would reasonably be regarded as irrelevant to the request; and
- (c) it is reasonably practicable for the agency or Minister to prepare the edited copy, having regard to:
- (i) the nature and extent of the modification; and
 - (ii) the resources available to modify the document; and
- (d) it is not apparent (from the request or from consultation with the applicant) that the applicant would decline access to the edited copy.

Access to edited copy

- (2) The agency or Minister must:
- (a) prepare the edited copy as mentioned in paragraph (1)(b); and
 - (b) give the applicant access to the edited copy.

Notice to applicant

- (3) The agency or Minister must give the applicant notice in writing:
- (a) that the edited copy has been prepared; and
 - (b) of the grounds for the deletions; and
 - (c) if any matter deleted is exempt matter—that the matter deleted is exempt matter because of a specified provision of this Act.
- (4) Section 26 (reasons for decision) does not apply to the decision to refuse access to the whole document unless the applicant requests the agency or Minister to give the applicant a notice in writing in accordance with that section.

Section 47E – certain operations of agencies

A document is conditionally exempt if its disclosure under this Act would, or could reasonably be expected to, do any of the following:

- (a) prejudice the effectiveness of procedures or methods for the conduct of tests, examinations or audits by an agency;
- (b) prejudice the attainment of the objects of particular tests, examinations or audits conducted or to be conducted by an agency;
- (c) have a substantial adverse effect on the management or assessment of personnel by the Commonwealth, by Norfolk Island or by an agency;
- (d) have a substantial adverse effect on the proper and efficient conduct of the operations of an agency.

Note: Access must generally be given to a conditionally exempt document unless it would be contrary to the public interest (see section 11A).