



Decision and Reasons for Decision

Citation:	<i>B31 and Queensland Ombudsman [2021] QICmr 16 (1 April 2021)</i>
Application Number:	315663
Applicant:	B31
Respondent:	Queensland Ombudsman
Decision Date:	1 April 2021
Catchwords:	ADMINISTRATIVE LAW - RIGHT TO INFORMATION - REFUSAL OF ACCESS - CONTRARY TO PUBLIC INTEREST INFORMATION - direct contact details of senior public officers - whether disclosure would, on balance, be contrary to the public interest - whether access may be refused under sections 47(3)(b) and 49 of the <i>Right to Information Act 2009</i> (Qld)

REASONS FOR DECISION

Summary

1. The applicant applied¹ to the Queensland Ombudsman (**QO**) under the *Right to Information Act 2009* (Qld) (**RTI Act**) for access to:

Any documents that directly relate to [the applicant] including meta-data

The legal research undertaken by the Queensland Ombudsman as stated in his 11-AUG-2020 correspondence with [the applicant] (including meta-data)

Any document with the direct line (telephone number) of the Ombudsman (including meta-data)

Any document with the direct email address of the Ombudsman (including meta-data)

Any document with the direct line (telephone number) of the Deputy Ombudsman (including meta-data)

Any document with the direct email address of the Deputy Ombudsman (including meta-data).

2. QO was unable to complete processing the application within the statutory timeframe set out in the RTI Act and requested an extension of time from the applicant.² The applicant refused, stating that, 'As no reason for the request is provided, no extension of time will

¹ Application dated 24 August 2020 but not made compliant until 2 September 2020.

² Section 35 of the RTI Act.

be provided.³ QO was therefore deemed to have refused access to the requested information.⁴

3. The applicant applied⁵ to the Information Commissioner (**OIC**) for external review of QO's deemed refusal of access.
4. Shortly after the commencement of the external review, QO released responsive information to the applicant. The applicant indicated that he wished to continue to pursue access to the direct contact information for the Ombudsman and Deputy Ombudsman that had been redacted from some documents and in respect of which QO objected to disclosure. For the reasons explained below, I decide to vary QO's deemed refusal of access to this information by finding that disclosure of such information would, on balance, be contrary to the public interest under the RTI Act.

Request for meeting with the Information Commissioner

5. In an email of 17 March 2021, the applicant stated:

In order to progress this matter, it will be necessary for me to meet [the Information Commissioner and the Right to Information Commissioner] at the premises of the Office of the Information Commissioner. Due to other time commitments, I am unavailable until 01 July 2021. I look forward to arranging a time to meet at the premises of the Office of the Information Commissioner on or after this date.

6. I advised the applicant that his request was refused.⁶ I expressed my preliminary view to the applicant about the issues for determination in this review in a letter dated 16 December 2020 and invited his response. The Information Commissioner reiterated those views in a letter dated 16 February 2021. The applicant has provided written submissions in support of his position on several occasions which I will discuss below (to the extent that they are relevant to the issues for determination), including on 8 February 2021 and 17 March 2021. I am satisfied that he has been afforded procedural fairness in the conduct of this review⁷ and has been given an opportunity to present his views.⁸ He has provided no reasons as to why a meeting to provide oral submissions is necessary in order to progress the review. I note that it is not necessary for a participant to be given an opportunity to appear before the Information Commissioner if the participant has had an opportunity to present their views.⁹ I also note that the procedure to be followed on external review is, subject to the RTI Act, within the discretion of the Information Commissioner.¹⁰

Background

7. The applicant undertook a dual degree at the Queensland University of Technology (**QUT**) between 2009 and 2016. He failed a number of subject units while undertaking the dual degree. In 2019, he applied to QUT to be retrospectively permitted to withdraw, without academic penalty, from nine units of study. He supplied affidavits in support of his application which set out the relevant circumstances and reasons for making the application. The effect of this application, if granted, would be to remove the failed units of study from the applicant's academic record and thus improve his Grade Point Average (**GPA**). The applicant's concern was that his low GPA was hindering his attempts to

³ Applicant's email of 7 October 2020.

⁴ Section 46 of the RTI Act.

⁵ Application dated 7 October 2020.

⁶ Letter dated 24 March 2021.

⁷ Section 97(2)(a) of the RTI Act.

⁸ Section 97(2)(b) of the RTI Act.

⁹ Section 97(2)(b) of the RTI Act.

¹⁰ Section 95(1)(a) of the RTI Act.

secure the type of employment he desired and to further his studies by undertaking a postgraduate degree.

8. QUT refused the applicant's application. On 8 February 2020, the applicant complained to QO about QUT's decision.¹¹ QO advised him that it had decided not to investigate his complaint under section 23(1)(d) of the *Ombudsman Act 2001* (Qld) (**Ombudsman Act**) because it was premature and QUT had not yet been given an opportunity to address his complaint through its own complaint process.
9. The applicant made a complaint to QUT. QUT upheld its decision to refuse the applicant's application. The applicant made a fresh complaint to QO about QUT on 22 March 2020.
10. QO reviewed the matter and decided not to further investigate the applicant's complaint because it was not satisfied that QUT had acted unreasonably in refusing the applicant's application.¹²
11. Following this, the applicant made several service delivery complaints to QO. He also requested an internal review of QO's decision not to further investigate his complaint. He received responses from both the Deputy Ombudsman and Ombudsman to his service delivery complaints. The Ombudsman also conducted the internal review and decided that the original decision-maker's decision was correct, and that the applicant's complaint did not merit further investigation.
12. The applicant then made his RTI access application to QO on 24 August 2020, in the terms set out in paragraph 1 above.

Complaints and allegations made by the applicant

13. Throughout the course of the review, the applicant has made numerous complaints about QO, alleging incompetence, corruption, failing to act impartially, abuse of process, and collusion with other agencies, including OIC. He has complained about the absence of documents that he considers should be contained on QO's files if QO had conducted a thorough investigation of his complaint, such as, for example, evidence of legal research, and evidence of consultation with QUT. He initially raised a 'sufficiency of search' issue about these issues, although later indicated¹³ that he did not seek to pursue this issue.¹⁴
14. I have explained to the applicant that I have no jurisdiction under the RTI Act to investigate or deal with his complaints or allegations against QO regarding the way it conducted its investigation of his complaint, the decision it reached, or how it reached it. I have referred him to the appropriate bodies if he wishes to pursue those complaints. I have no oversight nor investigatory role in respect of QO. My role under the RTI Act is confined to reviewing an agency's decision about access to documents and deciding whether to affirm it, vary it, or set it aside.
15. The applicant has also alleged that OIC is incompetent, corrupt, has consistently failed to meet deadlines, and has failed in its obligation to report QO to various authorities. The applicant's various allegations are contained in his correspondence with OIC, some of which is set out below in extracts from his submissions. In his email to QO in which he

¹¹ Letter dated 12 February 2020. Under the Ombudsman Act, QO may investigate complaints about the actions and decisions of state government departments and agencies, local councils and public universities.

¹² Letter to the applicant dated 22 April 2020.

¹³ In an email of 17 March 2021 wherein the applicant stated that he did not seek to argue that OIC's preliminary view (communicated to him on 16 December 2020) regarding the sufficiency of search issue was incorrect.

¹⁴ In response to the Information Commissioner's letter to the applicant dated 16 February 2021.

refused QO's request for an extension of time to process his application,¹⁵ and which he copied to OIC by way of making his application for external review, the applicant stated:

... I know full well that the Right to Information Act 2009 (Qld) is a dysfunctional piece of legislation and that the Office of the Information Commissioner is using COVID-19 as an excuse to alleviate deficiencies in that Act. The Office of the Information Commissioner has had a decade to make recommendations and try to amend the Right to Information Act 2009 (Qld). It cannot now rely upon COVID-19 as an excuse. The Office of the Information Commissioner can fully expect either correspondence or a call from me every business day until I receive a decision with documents, after which I will continue to progress the conflict.

16. I reject the allegations made by the applicant about the conduct of his review by OIC as without substance. Despite his continual assertions that OIC has failed to meet deadlines, he has not identified any timeframes contained in the RTI Act that OIC has failed to comply with. I am satisfied that there have been no delays in the progress of this review as a result of OIC's conduct. I am also satisfied that the applicant has been treated fairly in the conduct of the review, and that the review has progressed in the usual manner. As a result of the review, the applicant has been given access to the bulk of the information to which he requested access under the RTI Act.

Procedure on external review - QO's request for an extension of time

17. Upon OIC notifying QO of the receipt of the external review application, QO indicated that it had been very close to making a decision when the timeframe expired, and that it wished to apply to OIC under section 93(1)(b) of the RTI Act for a further 20 business days to deal with the access application.¹⁶ OIC emailed the applicant on 20 October 2020 to ask that he contact OIC to discuss the external review. Having received no response, OIC emailed again on 22 October 2020 to advise of QO's request and to advise that, subject to any concerns from the applicant, OIC was inclined to grant the extension given that the applicant would receive QO's decision and any documents that QO was prepared to release in a much shorter timeframe than through a formal external review process. The applicant was asked to respond as soon as possible.
18. The applicant responded on 25 October 2020, objecting to the grant of an extension of time to QO in the following terms:

*Your assertion that providing an extension of time to the QO would not disadvantage the application is incorrect and rejected. The State of Queensland is in an election cycle and election terms have been extended from 3 years to 4 years. Failure to provide the requested documents in or before **26 October 2020** will stop the applicant from releasing evidence of the QO's systemic corruption and/or systemic abuse of process and or systemic incompetence and failure which is an issue that constituents should be allowed to consider this election cycle.*

Furthermore the act of the OIC assisting the QO in delaying the release of the documents without providing an adequate reason for the delay is taken to be a brazen act of corruption and a total failure to maintain the public trust. Without providing an adequate reason for the delay the applicant is left to assume that the continuing delay is an act of intentional corruption to protect the QO and the former Legal Affairs and Community Safety Committee constituted by the following members of the Queensland Parliament: ...

...

I note the application to the QC [sic] was made 24 August 2020, being a purported application. Evidence of identity was supplied on 02 September 2020. It is now 22 October 2020 and a Decision with or without documents has not been provided. Further the OIC intends to extend time until 23 November 2020 for the QO, but provided no reasons for the extension.

¹⁵ Dated 7 October 2020.

¹⁶ QO's email of 12 October 2020.

As you are also aware, time at Common Law and at Statute is of the essence. I note section 38(4) of the Acts Interpretation Act 1954 (Qld) states that:

“If no time is provided or allowed for doing anything, the thing is to be done as soon as possible, and as often as the relevant occasion happens.”

The QO has now had 42 business days to process the Application. What consequence will the QO face for failing to comply with time limit in the Right to Information Act 2009 (Qld)? I'm curious to know what the consequence is for government agencies failing to comply with the Law (other than dealing with the passive aggressive nature of the OIC)?

*The QO and OIC have until **4:00pm Monday, 26 October 2020** to provide me with two decisions (One [sic] from the QO and one from the OIC) and two sets of released documents (one from the QO with its redactions and one from the OIC with its redactions).*

*In relation to [OIC's] email dated 20 October 2020, ... on Thursday and Friday I am underemployed in relation to time, skill, and security which is a consequence of the continuing failure and continuing discrimination of the Queensland Government. I note that the QO and OIC consistently act as defacto defence mechanisms for the Public Service in relation to this and many other issues, rather than act as any genuine oversight. [OIC] can expect my call on **Monday, 02 November 2020** and can fully expect that call to be recorded. I strongly suggest that Right to Information Commissioner Louisa Lynch take the call.*

I note the Modus Operandi (“MO”) of the OIC is to “befriend” or “get the applicant onside” or use any other social or psychological manipulative tactic to reposition the applicant. The vast extension of time proposed by the OIC without justification evidences this MO.

I thank you for your email evidencing the total incompetence, or in the alternative, the brazen corruption of the Public Service. As I am intimating that the OIC and QO are abusing the process and the position of their office by acting subjectively in each other's best interests and not objectively for the public good, I have carbon copied this email to the Crime and Corruption Commission (CCC). I am curious to see how the CCC will address the ongoing issues in the OIC and QO.

19. Given the applicant's views, QO withdrew its application for an extension of time, and OIC commenced its external review of QO's deemed refusal of access on 28 October 2020.

Reviewable decision

20. The decision under review is QO's deemed refusal of access.

Evidence considered

21. The evidence, submissions, legislation and other material I have considered in reaching this decision are disclosed in these reasons (including the footnotes and Appendix).
22. Significant procedural steps relating to this review are set out in the Appendix.

Application of the Human Rights Act

23. I have had regard to the *Human Rights Act 2019* (Qld) (**HR Act**), particularly to the right to seek and receive information as embodied in section 21 of that Act. I consider that in observing and applying the law prescribed in the RTI Act, a decision maker will be 'respecting and acting compatibly with'¹⁷ this right and others prescribed in the HR Act,

¹⁷ *XYZ v Victoria Police (General)* [2010] VCAT 255 (16 March 2010) (**XYZ**) at [573]; *Horrocks v Department of Justice (General)* [2012] VCAT 241 (2 March 2012) at [111].

and that I have done so in making this decision, as required under section 58(1) of the HR Act. In this regard, I note Bell J's observations on the interaction between the Victorian analogues of Queensland's RTI/IP Acts and HR Act: *'it is perfectly compatible with the scope of that positive right in the Charter for it to be observed by reference to the scheme of, and principles in, the Freedom of Information Act'*.¹⁸

Information in issue

24. As noted, shortly after the commencement of the external review, QO released information to the applicant, but redacted the direct contact details of QO officers. In his email of 16 November 2020, the applicant indicated that he wished to continue to pursue access to the direct contact details of the Ombudsman and Deputy Ombudsman (**Information in Issue**).

Issue for determination

25. The issue for determination is whether disclosure of the Information in Issue would, on balance, be contrary to the public interest under the RTI Act.

Relevant law

26. The RTI Act provides for a right of access to information held by Queensland government agencies. However, this right has limitations, including grounds for refusing access to information. One ground is where disclosure would, on balance, be contrary to the public interest.¹⁹ In deciding where the balance of the public interest lies, the RTI Act requires a decision maker to identify factors for and against disclosure, to identify and disregard irrelevant factors²⁰ and decide, on balance, whether disclosure would be contrary to the public interest.²¹

Discussion – application of the public interest balancing

Submissions of QO

27. Upon the applicant indicating that he wished to pursue access to the Information in Issue, I invited QO to provide a written submission in support of its objection to disclosure of this information.
28. In its letter in response,²² QO relevantly submitted:

[Release] may result in people directly contacting the Ombudsman and Deputy Ombudsman, which would bypass the existing intake and assessment processes in place in this Office. There is a substantial likelihood that the Deputy Ombudsman's telephone and email and the Ombudsman's email would be inundated with communications if the information in issue were disclosed to the public, which, in turn, would lead to the prejudice of the management functions of this Office. Such detriment to the management functions would include:

- *the Ombudsman and Deputy Ombudsman receiving a high volume of emails and having to redirect them to the correct email box within the Office so that the proper contact channel and processes are followed to deal with each matter*
- *the Deputy Ombudsman receiving a high volume of phone calls on her direct office telephone and having to redirect them to the correct area within the Office for the same reason above*

¹⁸ XYZ at [573].

¹⁹ Section 47(3)(b) and section 49 of the RTI Act.

²⁰ Including those at schedule 4, part 1 of the RTI Act.

²¹ Section 49(3) of the RTI Act.

²² Letter dated 30 November 2020.

- *this additional volume of work would be unreasonable and prevent the Deputy Ombudsman from performing her role of managing four teams of intake, assessment and investigation officers, as well as other executive duties*
- *this additional volume of work would be unreasonable and prevent the Ombudsman from managing the office as a whole.*

All members of the public already have clear channels of communication with the Office via a main telephone number, email address and online complaint form. Anyone may write a letter addressed personally to the Ombudsman and Deputy Ombudsman. I therefore see no benefit to the public interest in disclosing the information in issue.

Submissions of the applicant

29. The applicant's initial complaint was that QO had redacted the Information in Issue from the released documents without providing a reason.²³ Upon being provided with QO's submission set out above, together with my preliminary view that disclosure of the Information in Issue would, on balance, be contrary to the public interest,²⁴ the applicant submitted:²⁵

I have reviewed the OIC's preliminary decision with regards to the redacted information. I note the significant errors in the preliminary decision. I look forward to making formal submissions with respect to the redaction of the information once I receive the QO's decision and the two outstanding statutory declarations which I am unable to locate in the released documents.

30. The applicant did not identify the 'significant errors' that he asserted were contained in my letter. The decision to which he referred was a decision then pending by QO in response to an IP Act amendment application made by the applicant to QO on 8 February 2021. He had also complained that QO had failed to identify, as responsive to his application, two statutory declarations that he had provided on a USB to QO in support of his complaint about QUT.²⁶
31. The Information Commissioner responded to the applicant,²⁷ advising him that his IP Act amendment application was irrelevant to the issues for determination in this review, and not a valid reason for delaying the progress of this review. The Information Commissioner provided the applicant with a final opportunity to provide submissions relevant to the issues for determination.
32. The applicant responded in an email of 17 March 2021, noting '*the length and breadth of the dishonesty in the correspondence as well as the breach of the Public Sector Ethics Act 1994 (Qld)*'. As regards the Information in Issue, the applicant submitted:

The OIC asserts that, in my previous correspondence, there was no response to the preliminary review [sic] from the OIC's correspondence dated 16 December 2020. That's false. The OIC's preliminary view is that disseminating the requested information could reasonably be expected to hinder the QO's function. There is no evidence of this within the released documents that the function of the QO would be hindered. In fact, the overwhelming evidence in the documents is that the QO can't or doesn't perform its functions. The OIC has made its preliminary decision based upon mere conjecture and without regard to the evidence it has before it and which it has assessed. This was nuanced in my previous correspondence. As was further nuanced in my previous correspondence, the released documents show the QO failed to conduct an investigation, failed to act impartially, failed to consider a complaint against its agency, and allowed the subjects of a complaint to determine how the complaint was to be

²³ Applicant's email of 16 November 2020.

²⁴ Letter dated 16 December 2020.

²⁵ Email of 8 February 2021.

²⁶ There were in fact three statutory declarations contained on the USB supplied by the applicant. QO subsequently located and released these documents to the applicant during the course of the external review.

²⁷ Letter dated 16 February 2021.

handled and the outcome of the complaint. The overwhelming evidence before the OIC is that the release of the requested information could reasonably be expected and would enhance the transparency and function of the QO. Why was this position not considered in the OIC's preliminary decision?

...

I note that OIC assertion that the "IP Act amendment application" is "unrelated to the issues for determination in this review". That's false. If the application is approved it is evidence that the QO is unable to perform its function and the release of the outstanding information won't hinder the QO's function and/or in the alternative enhance the QO's transparency and function.

Further, the OIC states that "I see no reason to delay the progress of this review while QO deals with your amendment [sic]". There are significant issues of Justice, Public Service Ethics, and Government Transparency in this matter. Any rushed decision would be a miscarriage of Justice and further evidence of the OIC's failure to perform its duties.

As to the OIC's words: "You have been in receipt of the RTI Commissioner's views since 16 December 2020", The [sic] QO and the OIC are responsible for processing the Application and have only recently completed the request (save for the outstanding information in dispute). Furthermore, despite several requests, the materials the QO relies upon have not been provided to the Applicant for his review.

As I have stated in previous correspondence, the OIC and QO have consistently failed to meet deadlines and thus are in no position to dictate the reckoning of time. This position is further compounded by the OIC's failure to be transparent.

...

Findings

Irrelevant factors

33. I have taken no irrelevant factors into account in reaching my decision.

Factors favouring disclosure

34. In my letter to the applicant dated 16 December 2020 in which I expressed a preliminary view about the issues for determination, I said:

Apart from the public interest in the general accountability and transparency of government agencies and public officers whose offices and positions are funded from the public purse, I am unable to identify public interest considerations weighing in favour of disclosure of the contact information in issue. I would afford this accountability public interest factor only low weight when balancing the public interest, given that members of the public already have ready access to QO via a variety of communication channels, and can seek to bring matters to the attention of the Ombudsman or Deputy Ombudsman via those published channels. I am not satisfied that disclosure of direct email addresses and telephone numbers would enhance the accountability of QO or its officers in the discharge of their duties.

I also note that you have been given access to the names of the officers who were involved in any decision-making in connection with your complaint, and that QO's accountability in that regard has been satisfied. It is only direct contact information that has been withheld.²⁸

35. In response, the applicant submitted that there was nothing in the information that had been released to him by QO to support a finding that disclosure of the Information in Issue would hinder QO's operations.²⁹

²⁸ Footnotes omitted.

²⁹ Email of 17 March 2021.

36. I reject the applicant's continued assertion above that the IP Act amendment application he made to QO is related to the only issue to be determined in this review. I do not accept that QO granting his amendment application will '*evidence that the QO is unable to perform its function and the release of the outstanding information won't hinder the QO's function and/or in the alternative enhance the QO's transparency and function.*'
37. I recognise that QO must be transparent and accountable in how it deals with complainants.³⁰ However, I do not accept that disclosure of the Information in Issue would enhance the accountability of QO in any significant way, particularly given that the applicant is already aware of the names of QO officers who dealt with his various complaints, and has been given access to relevant information from QO's files that shows how QO dealt with his complaints. I am not satisfied that giving him access to the direct contact information for the Ombudsman and Deputy Ombudsman would:
- further the applicant's understanding of QO's processes and procedures
 - enhance the transparency of QO's processes and procedures; or
 - enhance the accountability of the Ombudsman and Deputy Ombudsman for the performance of their duties under the Ombudsman Act.
38. Accordingly, I afford these two factors favouring disclosure low weight in the public interest balancing test.

Factors favouring nondisclosure

39. In my letter to the applicant dated 16 December 2020, I said:

In respect of public interest considerations favouring nondisclosure, the information in question is the personal information of the persons concerned, and a public interest harm in disclosure therefore automatically arises. In addition, it is my preliminary view that disclosure could reasonably be expected to prejudice the efficient management of QO and the ability of the Ombudsman and Deputy Ombudsman to carry out their management functions, and executive roles and responsibilities, in an efficient and effective manner. I consider that public disclosure of the direct contact details of those officers could reasonably be expected to result in members of the public attempting to circumvent the processes and procedures that have been established within QO for the receipt, assessment and handling of complaints, thereby having an adverse effect on the efficient operation and management of QO.

40. I also referred the applicant to a recent decision of the Administrative Appeals Tribunal where a decision of the Office of Australian Information Commissioner (**OAIC**) to release the names and telephone numbers of public servants was set aside in the circumstances, and for the reasons, explained in that decision.³¹
41. I am satisfied that disclosure of the Information in Issue could reasonably be expected to prejudice the efficient management of QO and the ability of the Ombudsman and Deputy Ombudsman to carry out their management functions, and executive roles and responsibilities, in an efficient and effective manner. I consider that public disclosure of the direct contact details of those officers could reasonably be expected to result in members of the public attempting to circumvent the processes and procedures that have been established within QO for the receipt, assessment and handling of complaints, thereby having an adverse effect on the efficient operation and management of QO.

³⁰ Schedule 4, part 2, items 1 and 3 of the RTI Act.

³¹ *Warren; Chief Executive Officer, Services Australia and (Freedom of information) [2020] AATA 4557 (9 November 2020)*. I note that in a recent decision of the OAIC – '*WN and Inspector General of Taxation (Freedom of Information) [2020] AICmr 71 (22 December 2020)* – OAIC accepted that release of the direct contact details of public servants could reasonably be expected to have a substantial adverse effect on the relevant agency's operations.

42. I am satisfied that there is a strong public interest in protecting QO's ability to perform its statutory functions as efficiently as possible. I therefore afford significant weight to the public interest in protecting its management functions from prejudice.³²
43. The Information in Issue also comprises the personal information³³ of the officers concerned, and a public interest harm in disclosure therefore automatically arises.³⁴ Associated with this is the public interest in protecting the right to privacy of the officers.³⁵ I accept that the Information in Issue is employment-related and concerns the roles of senior public officers. However, I am also cognisant of QO's role as a complaint-handling body and that it often deals with unreasonable complainant behaviour. In these circumstances, I afford the public interest in protecting the personal information and right to privacy of QO officers moderate weight in the public interest balancing test.

Balancing the public interest

44. For the reasons explained, I afford low weight to the two public interest factors favouring disclosure, and moderate to significant weight to the three public interest factors favouring nondisclosure.
45. I therefore find that disclosure of the Information in Issue would, on balance, be contrary to the public interest.

DECISION

46. I vary QO's deemed refusal of access by finding that access to the Information in Issue may be refused under the RTI Act because its disclosure would, on balance, be contrary to the public interest.
47. I have made this decision under section 110 of the RTI Act, as a delegate of the Information Commissioner under section 145 of the RTI Act.

Louisa Lynch
Right to Information Commissioner

Date: 1 April 2021

³² Schedule 4, part 3, item 19 of the RTI Act.

³³ 'Personal information' is defined in section 12 of the *Information Privacy Act 2009* (Qld).

³⁴ Schedule 4, part 4, section 6 of the RTI Act.

³⁵ Schedule 4, part 3, item 3 of the RTI Act.

APPENDIX**Significant procedural steps**

Date	Event
7 October 2020	OIC received the applicant's application for external review
8 October 2020	OIC sent the applicant an acknowledgement email
8 October 2020	OIC requested preliminary information from QO
12 October 2020	QO applied for additional time to complete processing the access application
20 October 2020	OIC sent the applicant an email requesting that he telephone OIC to discuss his application
22 October 2020	OIC sent the applicant an email advising of an intention to grant QO additional time subject to any concerns of the applicant
25 October 2020	OIC received an email from the applicant advising that he objected to QO being granted additional time
26 October 2020	OIC sent an email to the applicant advising that QO would not be granted additional time
27 October 2020	OIC received an email from QO confirming that it withdrew its application for additional time
28 October 2020	OIC sent emails to the applicant and to QO advising of commencement of the external review, and requesting relevant documents from QO
31 October 2020	OIC received an email from QO requesting additional time to attend to OIC's request
10 November 2020	OIC received requested information from QO
11 November 2020	QO released the bulk of the responsive information to the applicant OIC sent an email to the applicant requesting that he indicate any information in respect of which he wished to continue to pursue access
16 November 2020	OIC received a submission from the applicant
19 November 2020	OIC requested that QO provide a submission in support of its objection to disclosure
14 December 2020	OIC received a submission from QO
16 December 2020	OIC expressed a preliminary view to the applicant and requested a response
8 February 2021	OIC received a submission from the applicant
16 February 2021	OIC expressed a preliminary view to the applicant and requested a response
17 March 2021	OIC received a submission from the applicant
24 March 2021	OIC responded to the applicant