

Freedom of Information (FOI) FAQ's

What is the FOI Act?

The purpose of the Freedom of Information Act 1991 is to make the business of government open and accountable to all.

Under the South Australian FOI Act, people in Australia have the right to:

- request access to documents in the possession of an agency, specifically including the University of South Australia
- request the amendment of documents that relate to themselves which are incomplete, incorrect, out-of-date or misleading.

Does the University need to respond to FOI applications?

Yes, as the University was established for a public purpose under an Act it is deemed as an agency under the FOI Act.

How long does the University have to respond to an FOI application?

An application for access must be determined within 30 days from receipt of the application. This time limit includes locating the document(s), consulting author(s) and assessing exemption(s). Failure to respond (with a formal determination) is deemed as refusal and the application may escalate to the Vice Chancellor, State Ombudsman or court.

What can people request under FOI?

All information held by the University can be requested under the FOI Act.

Who makes the FOI determination?

Determinations under the Act may only be made by accredited FOI Officers, of which the University has 2:

- Giulia Bernardi
- Douglas Pitt

Will all information provided be released by the accredited FOI officer?

Just because someone has requested information doesn't mean they will gain access to it. Under the Act an accredited FOI officer of the University has the right to exclude certain information, the main exclusions may include (but are not limited):

- Documents affecting personal affairs
- Documents affecting business affairs
- Documents affecting the conduct of research.

What information cannot be excluded?

Information cannot be excluded for the sole reason that it might be embarrassing or harm the reputation of the University.

What should I do if I get contacted about supplying information as part of a FOI application?

If you are asked to locate a document by an FOI Officer, please treat the matter as urgent, confidential, and high priority. You must reveal all relevant documents held by the University, whether or not they are generated by UniSA.

Do I have to provide all information within the scope of an FOI application?

All relevant information should be supplied to the FOI officer so a determination can be made.

Should I supply information that may fall within scope of the application?

If you're in doubt whether information falls within scope of an application you should still provide it to the FOI officer so they can make the decision if it should be included.

I have received a FOI application directly, what should I do?

Please forward the FOI application to one of the University's accredited FOI officers immediately so a determination can be made in a timely manner.

What is the difference between an FOI application and FOI consultation?

An FOI application is an application that has been received directly by the University and will be responded to by the University.

An FOI consultation is an application that has been received by another agency but as the application deals with information that relates to the University they have a legal requirement to consult with the University.

I have received a FOI consultation, what should I do?

Please contact one of the University's accredited FOI officers who will work with you to provide a response to the consultation.

For further information contact:

- Douglas Pitt, Records Manager, Ext 25598
- Giulia Bernardi, Director: Chancellery and Council Services, Ext 20731

Or visit State Records Website:

<https://www.archives.sa.gov.au/>