ACT Government
Chief Minister, Treasury and Economic Development

Freedom of Information Disclosure Log Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

Application Details	
Ref. No.	CMTEDDFOI 2026-234
Date of Application	20 August 2026
Date of Decision	9 October 2026
Processing time (in working days)	14
Fees	N/A
Decision on Access	Refusal
Information Requested (summary)	Doucments held by CMTEDD and WorkSafe ACT concerning current WorkSafe ACT employees

Publication Details		
Original application	☑ Published	☐ N/A
Decision notice	☑ Published	☐ N/A
Documents and schedule	☐ Published	☑ N/A
Decision made by Ombudsman	N/A	
Additional information identified by Ombudsman	N/A	
Decision made by ACAT	N/A	
Additional information identified by ACAT	N/A	

Main Style Sheet

Freedom of Information (FOI) request - Submission confirmation

Your submission has been successful. Please keep a copy of this receipt for your records.

Date and time

20 Aug 2026 3:04:14 PM

Reference code

[redacted]

Chief Minister, Treasury and Economic Development Directorate (CMTEDD)

GPO Box 158
Canberra City, ACT 2601

Phone: 6207 7754
CMTEDDFOI@act.gov.au

Applicant information

- [x] I want to submit this request anonymously

Assistance

Do you need assistance with preparing your request?

- ( ) Yes
- (•) No

Do you need an interpreter?

- ( ) Yes
- (•) No

Contact details

For your anonymous request to be valid, please provide at least one method of contact. This information will help us confirm the details of your request and/or deliver information to you once your request is completed.

Phone number

Email address

Address line 1

Address line 2

Suburb

State

Postcode

Help us direct your request

The following information helps us send your request to the most appropriate team who will coordinate and respond to your request.

What do you know about the information you are requesting?*

- (●) I know the Directorate or agency
- ( ) I know the topic
- ( ) I am not sure

Directorate or agency*

- ( ) Canberra Health Services
- (•) Chief Minister, Treasury and Economic Development Directorate
- ( ) City and Environment Directorate
- ( ) Digital Canberra
- ( ) Education Directorate
- ( ) Health and Community Services Directorate
- ( ) Infrastructure Canberra
- ( ) Justice and Community Safety Directorate
- ( ) Multiple Directorate request

Request for

To help us process your request:

- Include enough detail in your application so we can identify what government information you want.
- As an alternative to using fields within the form, you may choose to attach documents or audio recordings.
- You may wish to include a statement on how the release of this information is in the public interest.

Scope of your request

What information are you requesting access to?*

Dear CMTEDD FOI Team,

Freedom of Information Request

I request access under the Freedom of Information Act 2016 (ACT) to documents held by CMTEDD, including WorkSafe ACT, concerning current WorkSafe ACT employees whose employment, recruitment or appointment records show previous employment with Safe Work Australia, together with information concerning their recruitment or appointment to WorkSafe ACT and associated conflict-of-interest and probity arrangements.

This request follows information previously released by WorkSafe ACT under FOI confirming that two current members of the WorkSafe ACT Senior Leadership Group had previously been employed by Safe Work Australia.

For the purposes of this request, “current employees” means persons employed by WorkSafe ACT as at the date of this request.

I request access to existing records, reports, spreadsheets, HR or recruitment-system extracts, appointment records, selection records, panel records or other documents sufficient to show the following.

1. Current employees previously employed by Safe Work Australia

The names of all current WorkSafe ACT employees whose employment, recruitment, appointment or personnel records show that they previously worked for Safe Work Australia.

For each employee identified, documents sufficient to show:

a. their current WorkSafe ACT position title;

b. their current classification level;

c. their current organisational area, branch or team; and

d. their commencement date with WorkSafe ACT.

If CMTEDD considers that the names of some employees should not be disclosed, I request that each such employee be assigned a consistent unique de-identified identifier, such as Employee A, Employee B, Employee C, and that the same identifier be used throughout the response so that the associated employment, recruitment, appointment and conflict-of-interest information can be matched to the same person.

2. Previous Safe Work Australia employment

For each employee identified at paragraph 1, documents sufficient to show, where recorded:

a. their former position title or classification at Safe Work Australia;

b. the period, or approximate period, during which they worked at Safe Work Australia; and

c. whether the records held by CMTEDD or WorkSafe ACT indicate that another employment or position

intervened between the employee's Safe Work Australia employment and commencement with WorkSafe ACT.

3. Recruitment or appointment pathway into WorkSafe ACT

For each employee identified at paragraph 1, documents sufficient to identify:

a. their initial recruitment, appointment or engagement pathway into WorkSafe ACT, including whether by advertised merit-selection process, permanent appointment, temporary appointment, transfer, secondment, mobility arrangement, executive contract or another appointment or engagement mechanism; and

b. where their current substantive position resulted from a subsequent competitive recruitment or appointment process, that subsequent process.

I do not seek every acting arrangement, higher-duties period or intermediate internal movement unless it resulted in the employee's current substantive position.

4. Recruitment panel and approving delegate

For each competitive recruitment or selection process identified at paragraph 3, documents sufficient to show:

a. the panel chair;

b. each internal panel member;

c. each external or independent panel member;

d. the position title and organisational affiliation of each panel member;

e. the approving delegate or decision-maker; and

f. the date of the recruitment or appointment decision.

This includes the relevant portions of any selection report, panel report, delegate approval or equivalent record sufficient to show the panel composition, successful candidate and decision date.

A single selection report, panel report, delegate approval or equivalent document satisfying these requirements is sufficient. I do not seek duplicative records where one document contains the relevant information.

If names of panel members are considered exempt, I request position titles and organisational affiliations instead.

5. Conflict-of-interest and probity declarations

For each recruitment or selection process identified at paragraph 3, documents sufficient to show:

a. whether panel members declared any actual, potential or perceived conflict of interest;

b. whether panel members confirmed that no such conflict existed;

c. the date on which any relevant declaration or confirmation was made; and

d. whether the recruitment record, selection report, panel report, checklist or probity record contains any conflict-of-interest declaration or confirmation.

Where a declaration identified a prior professional relationship with the successful candidate, previous employment with Safe Work Australia, or another relevant actual, potential or perceived conflict, I request the relevant declaration itself.

6. Prior professional relationships involving Safe Work Australia

Documents sufficient to show whether, in any recruitment or appointment process involving an employee identified at paragraph 1, consideration was given to any actual, potential or perceived conflict of interest arising from:

a. a panel member being recorded, identified or known during the recruitment process as having previously worked at Safe Work Australia;

b. a prior professional or working relationship between a panel member and the successful candidate at Safe Work Australia; or

c. any other prior professional relationship between a panel member and the successful candidate that was identified, disclosed or recorded during the recruitment process.

7. Assessment and resolution of any conflict-of-interest issue

Where a conflict-of-interest or probity issue was identified or considered, documents sufficient to show:

a. the nature of the issue considered;

b. any assessment or probity advice obtained;

c. any determination that no actual, potential or perceived conflict existed;

d. any decision that the relevant panel member could continue to participate;

e. any approval or authorisation for continued participation; and

f. any management, mitigation, recusal or other measure considered or adopted.

8. Applicable conflict-of-interest requirements

The conflict-of-interest or probity policy, procedure, guidance and/or declaration template actually applicable to each identified recruitment process, where different.

I do not seek multiple versions of general recruitment or HR policies that were not applicable to the identified processes.

9. Aggregate information

Where an existing report, spreadsheet, system extract or other record contains the information, I also request the total number of current WorkSafe ACT employees whose records show previous employment with Safe

Work Australia.

Where already recorded, I request any existing breakdown by:

a. classification level; and

b. organisational area or branch.

I do not require CMTEDD or WorkSafe ACT to create a new statistical analysis where no such existing record or system extract is available.

Scope and privacy

I do not seek home addresses, private contact details, dates of birth, payroll information, medical information, family information or other private personal information unrelated to the employment, recruitment or appointment matters described above.

Where responsive documents contain exempt or irrelevant personal information, I request partial access with that information redacted rather than refusal of access to the document in full.

If names of employees are withheld, I request that the unique de-identified identifiers described at paragraph 1 be used consistently throughout all responsive material.

If no standalone conflict-of-interest declaration exists for a particular recruitment process, I nevertheless seek any selection, panel, recruitment or probity record sufficient to show whether panel members declared a conflict or confirmed that no conflict existed.

I seek existing records and extracts from existing electronic records and do not require the creation of new information that is not held.

Processing priority

If processing the whole request would otherwise be considered too broad, complex or likely to require substantial processing, I request that priority be given to paragraphs 1, 3, 4, 5 and 6 before any broader policy or aggregate material is considered.

If any part of the request remains problematic, please contact me before making a decision so that I may consider narrowing the scope rather than having the request refused.

Kind regards

Attach additional documents to support your application

Submit application

Timeframes

The Directorate responsible for your application must:

- inform you in writing within 10 working days that it has received your application
- communicate to you about any difficulties/ delays in processing your request
- provide you with a decision on access to the information within 30 working days or less

Requests may take longer than 30 days in situations where an extension has been granted.

If the Directorate must consult a third party, the deadline for providing a decision is extended by 15 working days. The Directorate will notify you if consultation is required.

Anonymous request

You're submitting an anonymous FOI request. The information you supply will be provided to:

- **Chief Minister, Treasury and Economic Development Directorate**
- **cmteddFOI@act.gov.au**

The FOI team may contact you to clarify details of your request. This will assist the team in reaching a decision on providing access to the information.

After submitting your request, you may wish to save a PDF copy of your form or email a PDF copy to your nominated email address.

ACT Government
Chief Minister, Treasury and Economic Development

Our ref: CMTEDDFOI 2026-234

'Anonymous'

via email: [redacted]

To Whom It May Concern

FREEDOM OF INFORMATION REQUEST – NOTICE OF DECISION

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 24 August 2026.

Following clarification of scope, you have sought access to the following information:

> *"... documents held by WorkSafe ACT, concerning current WorkSafe ACT employees whose employment records show previous employment with Safe Work Australia.*
>
> *For the purposes of this request, "current employees" means persons employed by WorkSafe ACT as at the date of this request.*
>
> *Specifically, I request:*
>
> *1. Documents that identify all current WorkSafe ACT employees whose records show previous employment with Safe Work Australia and, for each employee:*
>
> - *current position title;*
> - *classification level;*
> - *organisational area or branch; and*
> - *commencement date with WorkSafe ACT.*
>
> *2. Documents that show, where recorded:*
>
> - *the employee's former position or classification at Safe Work Australia;*
> - *the period of their employment with Safe Work Australia; and*
> - *whether another employment position intervened between their Safe Work Australia employment and commencement with WorkSafe ACT.*
>
> *3. Documents that show how each Safe Work Australia employee was recruited, appointed, engaged, transferred, seconded, or otherwise appointed to WorkSafe ACT.*
>
> *a) For each recruitment or selection process identified, documents that show: - recruitment panel composition;*
>
> - *panel member positions or organisational affiliations;*
> - *the approving delegate or decision-maker;*
> - *the recruitment or appointment decision date.*

b) Documents that show whether, in relation to the recruitment or selection process: - any panel member, approving delegate or other person involved in the process declared an actual, potential or perceived conflict of interest;

- *any prior professional, supervisory, management, reporting or other working relationship between a panel member, approving delegate or other person involved in the process and the successful candidate was recorded or disclosed, including any previous relationship arising from employment at Safe Work Australia; and*
- *any resulting conflict-of-interest or probity issue was identified, considered, assessed, managed or resolved.*

4. The conflict-of-interest, probity, recruitment, or panel-member declaration policies, procedures, guidance, and templates applicable to the identified recruitment processes.

5. Any existing report, spreadsheet, system extract, or record showing the total number of current WorkSafe ACT employees whose records show previous employment with Safe Work Australia."

On 21 September 2026, I notified you of my intention to refuse to deal with parts 2, 3 and 5 of this application.

On 21 September, you responded to the intention to refuse to deal with an amended scope:

'Part 2

For the nine employees identified by WorkSafe ACT, I seek the following information in de-identified form:

- *former Safe Work Australia position title or classification, expressed at a broader level where necessary to avoid identification;*
- *period of employment with Safe Work Australia, expressed by year or broader period where necessary;*
- *whether another employment position intervened before commencement with WorkSafe ACT, on a yes/no basis.*

I do not require names, direct personal identifiers or the identity of any intervening employer.

Part 3(a)

For each relevant recruitment or appointment process, I seek:

- *the method of entry to WorkSafe ACT, for example open merit selection, transfer, temporary transfer, executive appointment or another mechanism;*
- *the positions or organisational affiliations of panel members, without names;*
- *the position of the approving delegate or decision-maker, without the person's name;*
- *the recruitment or appointment decision date, or month and year where*

necessary to avoid identification.

Part 3(b)

For each relevant process, I seek:

- *whether an actual, potential or perceived conflict of interest was declared or recorded;*
- *whether a prior professional, supervisory, management, reporting or other working relationship between a person involved in the process and the successful candidate was declared or recorded, including a previous relationship arising from Safe Work Australia employment;*
- *whether any such matter was assessed as presenting an actual, potential or perceived conflict;*
- *what action, if any, was recorded as having been taken to assess or manage the matter.*

I do not require names or personal information unrelated to the recruitment or probity process. For clarity, I do not seek referee reports or private information contained in conflict-of-interest declarations beyond the de-identified information necessary to answer the matters above.

If any discrete field would make an individual's identity apparent or reasonably ascertainable, I am content for that field to be generalised or omitted, provided the remaining recruitment and probity information is released.

Part 5

I withdraw Part 5 because Appendix 1 has now confirmed that the relevant number of current employees is nine.'

Authority

I am an Information Officer appointed by the CMTEDD Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Timeframes

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application within 30 days.

Therefore, a decision is due by **22 October 2026.**

Decision on access

I am refusing to deal with your request on the following grounds:

A decision-maker can refuse to deal with an application under s 35(1)(d) where, as outlined in s 43(1)(c), they are satisfied the application is an abuse of process.

An abuse of process is defined to include the following:

- *harassment or intimidation of a person*
- *unreasonable request for personal information about a person.*

I consider your request to be an unreasonable request for personal information about someone other than yourself. Under the ACT Ombudsman *Guidelines for Dealing with Access Applications* (February 2020), for a request to be considered unreasonable the

request is to be for personal information of another person with additional considerations including:

- *the extent the applicant knows the information*
- *whether the person to whom the information relates is known to be (or to have been) associated with the information*
- *whether the personal information is sensitive information.*

I note that you have removed from your request actual names of employees. However, the *Information Privacy Act 2014*, section 8 (1) provides the meaning of personal information as:

(a) information or an opinion about an identified individual, or an individual who is reasonably identifiable—

(i) whether the information or opinion is true or not; and

(ii) whether the information or opinion is recorded in a material form or not; but

(b) does not include personal health information about the individual.

I consider release of the information you have requested to still be personal information as defined by the *Information Privacy Act 2014.* I consider that not only names, phone numbers, addresses, and identifying details are personal information, but so are opinions if they can be reasonably attributed to an individual as to be identifiable. This would include former workplaces and positions and would contribute to identifying individuals.

In addition, between 20 August and 18 September of this year you have submitted 11 access applications under the *Freedom of Information Act 2016* for information concerning WorkSafe ACT employees including requests for information on employee preliminary assessments, conflict-of-interest records and employment records.

Under the Ombudsman guidelines *Dealing with Access Applications* examples of harassment and intimidation could include:

- *unsubstantiated, derogatory and inflammatory allegations against agency staff*
- *requests of a repetitive nature that are apparently made with the intention of annoying or harassing agency staff, or a third party*
- *requests that are intended to overwhelm agency staff and force them to negotiate with the applicant about other matters or issues.*

CMTEDD has had 53 access applications on WorkSafe ACT staff and staffing matters since end of June 2026. Requests for other people's personal information will generally not be found to be in the public interest. There appears to be a pattern targeting WorkSafe ACT which is overwhelming agency staff.

Charges

Processing charges are not applicable for this request as no documents are being released to you.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log.

Your original access application and my decision will be published on the CMTEDD disclosure log. Your personal contact details will not be published.

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is provided to you, or a longer period allowed by the Ombudsman.

We recommend using this form *Applying for an Ombudsman Review* to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
http://www.acat.act.gov.au/

Should you have any queries in relation to your request please contact the CMTEDD FOI Team by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely

EH

Emma Hotham

Information Officer
Chief Minister, Treasury and Economic Development Directorate

9 October 2026