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 2026-267
Date of Application	14 September 2026
Date of Decision	22 October 2026
Processing time (in working days)	27
Fees	N/A
Decision on Access	Refusal
Information Requested (summary)	Information concerning recruitment, appointment, promotion, transfer, temporary employmnet, acting or higher duties arrangements within WorkSafe ACT.

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	

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

12 Sep 2026 12:48:45 PM

Reference code

2D4ZL4GY

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 Information Officer,

I make this access application under section 30 of the Freedom of Information Act 2016 (ACT) for government information concerning recruitment, appointment, promotion, transfer, temporary employment, acting or higher duties arrangements, and conversion to permanent or ongoing employment within WorkSafe ACT.

The relevant period is 1 July 2020 to 30 June 2026, covering WorkSafe ACT's operation as an independent regulator through six complete financial years.

The application concerns the recruitment pathways used to fill WorkSafe ACT positions, particularly where a person:

- entered a role temporarily and was later made permanent or ongoing;
- acted in, performed higher duties in, or temporarily occupied a position before obtaining the substantive role;
- was appointed, promoted or transferred without a fresh openly advertised competitive process for that vacancy;
- was appointed through direct appointment or direct promotion;
- was selected from an earlier merit list, merit pool or order of merit;
- was permanently transferred at level;
- became permanent through workforce conversion or a comparable process; or
- occupied substantially the same position through successive temporary, acting, higher duties or contractual arrangements before obtaining permanent or ongoing employment.

The application is directed to the recruitment pathway, decision, authority and Gazette record, rather than unrelated private information concerning employees or unsuccessful candidates.

1. Existing recruitment and staffing records
Please provide any existing registers, spreadsheets, reports, databases or staffing records identifying WorkSafe ACT employment actions during the relevant period involving:

- permanent appointments and promotions;
- permanent transfers;
- direct appointments or promotions;
- use of merit lists, merit pools or orders of merit;
- temporary, fixed-term, acting or higher duties arrangements followed by permanency;
- workforce conversions; and
- other appointments or transfers made without a fresh openly advertised competitive process for the particular vacancy.

Where recorded, I seek:

- position title and number;
- classification;
- type of employment action;
- date the person first occupied the role;
- original employment status;
- date of permanent appointment, promotion or transfer;
- recruitment pathway used;
- recruitment or vacancy reference;
- Gazette advertisement reference;
- Gazette appointment, promotion or transfer reference; and
- legislative, industrial, policy or administrative authority relied upon.

where this information already exists in a structured record, I seek that record rather than requiring CMTEDD to create a new table.

2. Positions filled without a fresh advertised competitive process

Please provide government information identifying each WorkSafe ACT position during the relevant period that was permanently or ongoingly filled without a fresh openly advertised competitive process for that particular vacancy.
For each such action, please provide information identifying:

- position title, number and classification;
- date of the employment decision;
- recruitment pathway used instead;
- whether the person had previously occupied the role temporarily, through acting arrangements or higher duties;
- whether an earlier recruitment process, merit list, merit pool or order of merit was relied upon;
- whether the action involved direct appointment, direct promotion, permanent transfer, workforce conversion or another process;
- the authority relied upon; and
- the relevant delegate approval or decision.

Where an earlier recruitment process was relied upon, please identify that process and its advertisement, recruitment or Gazette reference.

3. Temporary or acting arrangements followed by permanency

For each case where a person temporarily occupied a WorkSafe ACT position before being permanently appointed, promoted or transferred into that position or a substantially similar position, please provide:

- the original approval or decision;
- the original approved period;
- records of extensions or renewals;
- any advertisement or recruitment reference;
- any selection or suitability assessment relied upon;
- the recommendation or decision leading to permanency;
- delegate approval; and
- the authority relied upon where permanency occurred without a fresh competitive process.

Where the later appointment relied upon an earlier advertisement or selection process, please provide information showing whether that earlier process contemplated or permitted subsequent permanent appointment or promotion.

4. Alternative recruitment pathways

For appointments made through direct appointment, direct promotion, merit pools, permanent transfer or workforce conversion, please provide the records necessary to identify the pathway used and demonstrate the basis for the decision.
This includes, where applicable:

- the earlier competitive or prescribed selection process;
- original advertisement and recruitment reference;
- Gazette or JobsACT reference;
- record of the period the person performed the role;
- required performance or suitability assessment;
- recommendation;
- delegate approval;
- approval to use a merit list or merit pool;
- record showing why the originating and later positions were considered sufficiently comparable;

- Instrument of Permanent Transfer or equivalent decision record; or
- assessment against workforce-conversion criteria.

I do not seek unrelated performance-management material or applications, CVs or referee reports of unsuccessful candidates.

5. Successive temporary, acting or higher duties arrangements

Please provide information identifying cases where the same person occupied substantially the same WorkSafe ACT position through successive temporary contracts, acting arrangements, higher duties, temporary transfers or extensions.

For those cases, please provide records identifying:

- each approved period;
- extensions or renewals;
- total period occupying the role;
- whether and when the position was advertised;
- selection or suitability process relied upon;
- any consideration of whether further advertising or competitive selection was required because of the duration or extension; and
- relevant delegate approvals.

6. Gazette advertising of vacancies

For employment actions within scope, please provide information identifying whether the relevant vacancy was advertised through JobsACT, the ACT Government Gazette or another prescribed recruitment channel.

Where advertised, please provide:

- date;
- vacancy, JobsACT or Gazette reference;
- position title and number;
- classification;
- whether advertised as permanent, temporary, acting or with the possibility of permanency; and
- closing date.

Where the advertisement is publicly available, a reference sufficient to locate it is sufficient.

Where no fresh advertisement occurred, please provide any existing information recording:

- the recruitment pathway used instead;
- why advertising was not required; and
- the authority relied upon.

7. Gazette notification of employment decisions

Separately, please provide information identifying the Gazette notification of each appointment, promotion, permanent transfer or other employment action within scope where notification was required.

Please provide:

- employee name where contained in the published notification;
- position title and classification;
- type of employment action;
- date of decision;
- date published; and
- Gazette reference.

Where a notification is publicly available, a reference sufficient to locate it is sufficient.

Where an in-scope employment action was not notified, please provide any existing information recording why notification was not required or did not occur.

8. Recruitment integrity and approval records

For employment actions within scope that did not involve a fresh openly advertised competitive process, please provide any existing:

- recruitment approval;
- selection report or recommendation;
- delegate decision;
- panel composition record;
- conflict-of-interest declaration;
- merit and equity assessment or declaration;
- HR advice concerning the recruitment pathway;
- approval to use an existing merit list or merit pool;
- direct appointment or promotion approval;
- transfer approval;
- workforce conversion approval; and
- record identifying the authority relied upon.

I do not seek private information concerning unsuccessful candidates. Such information may be redacted while the recruitment-process information and successful employment decision are released.

9. WorkSafe ACT-specific recruitment guidance

Please provide any WorkSafe ACT-specific policy, instruction, guidance, delegation or standing arrangement applying during the relevant period concerning:

- direct appointment or promotion;
- temporary appointments, acting or higher duties;
- extensions or renewals;
- temporary-to-permanent appointment;
- merit pools;
- permanent transfers;
- workforce conversion; or
- circumstances in which a fresh advertised competitive process was not required.

I do not seek whole-of-government policies already publicly available unless WorkSafe ACT modified or supplemented them.

Date range and earlier processes

The primary date range is 1 July 2020 to 30 June 2026.

Where an employment decision within that period relied upon a recruitment, merit, acting or temporary process commencing before 1 July 2020, the application includes the earlier records necessary to identify and understand the pathway relied upon for that later decision.

Privacy and partial access

I do not seek private residential or contact details, dates of birth, medical information, security-clearance information, financial information, private family circumstances, applications or CVs of unsuccessful candidates, unsuccessful referee reports, or legally privileged advice.

Where responsive records contain such information, I request that it be redacted and the remaining recruitment and process information released under section 50.

Public interest

I ask that this be treated as my statement under sections 30(4) and 37.

The application concerns recruitment and employment decisions by a public regulatory authority and would assist understanding of:

- how public-sector positions have been filled;
- whether merit and recruitment requirements have been applied consistently;
- the authority relied upon where positions were filled without fresh advertised competition;

- whether applicable advertising and Gazette requirements were followed; and
- the use of temporary, acting, direct appointment, merit-pool, transfer and conversion pathways.

The request is directed to recruitment-process information and excludes substantial categories of unrelated private information.
Reasonable searches

Without limiting section 34, relevant information may be held by WorkSafe ACT, the Office of the Work Health and Safety Commissioner, CMTEDD HR or People and Capability, Strategic HR and Industrial Relations, Shared Services Recruitment, relevant executive or delegate offices, recruitment and employment systems, records-management systems, and Gazette or JobsACT records.
Consultation
If CMTEDD considers that the volume of material may give rise to a refusal-to-deal issue, I request consultation under section 46.
If practical staging would assist, my priority is:
1. existing summary records and recruitment pathways;
2. vacancy advertising and Gazette employment notifications; and
3. supporting recruitment and approval records.

Any staging is intended to facilitate processing and does not amend or narrow the substantive scope.
Form of access

Please provide responsive information electronically.
Where information is held in a spreadsheet, register, database extract or other structured format, I request it in its existing native or another searchable electronic format where reasonably practicable.

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 2026-267

[redacted]

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 12 September 2026, in which you sought access to information concerning WorkSafe ACT Recruitment.

Refer **Appendix 1** for the full scope of your request.

A notice of intent to refuse was provided to you on 29 September with a response to clarify or consult required by 14 October 2026. No response was received.

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.

A notice of intention to refuse was provided to you on 29 September 2026. A consultation period of 10-working days was provided. This time is in addition to the 30 days provided under section 40.

Therefore, a decision is due by **10 November 2026.**

Decision on access

I refuse to deal with your request on the following grounds:

A decision-maker can refuse to deal with an application under s 35(1)(c) where, as outlined in s 43(1)(a), they are satisfied the application would require an unreasonable and substantial diversion of the respondent's resources.

In order for a decision-maker to apply the provision of section 44 - *Refusing to deal with application—unreasonable and substantial diversion of resources*, the decision-maker must consider that the application would:

- inhibit the ability of the respondent to exercise its function, refer section 44(1)(a) and
- the extent to which the public interest is advanced does not justify the use of the required resources, refer section 44(1)(b).

Unreasonable and substantial diversion of resources

I consider the resources required to identify, locate, and collate the recruitment information requested as held by WorkSafe ACT over the six-year period, in addition to the resources required to review, assess, third-party consult relevant third parties (assuming that there would be information of concern to individuals if disclosed, refer s38 of the Act), review information that is publicly available and prepare the final decision notice to be unreasonable.

You further clarify your date range as '*Where an employment decision within that period relied upon a recruitment, merit, acting or temporary process commencing before 1 July 2020, the application includes the earlier records necessary to identify and understand the pathway relied upon for that later decision*'. This suggests that records could in fact be held elsewhere entirely for some of the information you are seeking.

WorkSafe ACT is a regulatory agency of around 91 employees. You are requesting examination of all recruitment records since before the inception of the agency in 2020. Including the Director of Corporate and HR there are three positions in the human resources and industrial relations team of WorkSafe ACT. I consider your request would be an unreasonable burden on that team which would substantially interfere with their ability to perform their primary function.

Diversion of resources not justified in the public interest

Much of the information you have requested is based on individual recruitment records. You have requested some information that is unlikely to be disclosed including, but not limited to, conflict-of-interest declarations, records on the length of time employees were in positions, the assessments of suitability and previous acting or temporary work arrangements for many employees from WorkSafe ACT.

In addition, some of the information you are requesting is publicly available, although you have requested for this information to be provided to you. WorkSafe ACT is required to report on workforce profiling via the annual State of the Service report produced by the ACT Government, for *State of the Service 2024-25* refer here. Other information can be found in the WorkSafe ACT annual reports in addition to ACT Government employment gazettes.

Charges

Processing charges are not applicable for this request because the number of pages released to you is below the charging threshold of 50.

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

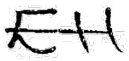
ACT Civil and Administrative Tribunal (ACAT) Review

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



Emma Hotham

Information Officer
Chief Minister, Treasury and Economic Development Directorate

22 October 2026

Appendix 1 – Scope

I make this access application under section 30 of the Freedom of Information Act 2016 (ACT) for government information concerning recruitment, appointment, promotion, transfer, temporary employment, acting or higher duties arrangements, and conversion to permanent or ongoing employment within WorkSafe ACT.

The relevant period is **1 July 2020 to 30 June 2026, covering WorkSafe ACT's operation as an independent regulator through six complete financial years.**

The application concerns the recruitment pathways used to fill WorkSafe ACT positions, particularly where a person:

• entered a role temporarily and was later made permanent or ongoing;

• acted in, performed higher duties in, or temporarily occupied a position before obtaining the substantive role;

• was appointed, promoted or transferred without a fresh openly advertised competitive process for that vacancy;

• was appointed through direct appointment or direct promotion;

• was selected from an earlier merit list, merit pool or order of merit;

• was permanently transferred at level;

• became permanent through workforce conversion or a comparable process; or

• occupied substantially the same position through successive temporary, acting, higher duties or contractual arrangements before obtaining permanent or ongoing employment.

The application is directed to the recruitment pathway, decision, authority and Gazette record, rather than unrelated private information concerning employees or unsuccessful candidates.

1. Existing recruitment and staffing records

Please provide any existing registers, spreadsheets, reports, databases or staff ing records identifying WorkSafe ACT employment actions during the relevant period involving:

• permanent appointments and promotions;

• permanent transfers;

• direct appointments or promotions;

• use of merit lists, merit pools or orders of merit;

• temporary, fixed-term, acting or higher duties arrangements followed by permanency;

• workforce conversions; and

• other appointments or transfers made without a fresh openly advertised competitive process for the particular vacancy.

Where recorded, I seek:

• position title and number;

• classification;

• type of employment action;

• date the person first occupied the role;

• original employment status;

• date of permanent appointment, promotion or transfer;

• recruitment pathway used;

• recruitment or vacancy reference;

• Gazette advertisement reference;

• Gazette appointment, promotion or transfer reference; and

• legislative, industrial, policy or administrative authority relied upon.

Where this information already exists in a structured record, I seek that record rather than requiring CMTEDD to create a new table.

2. Positions filled without a fresh advertised competitive process

Please provide government information identifying each WorkSafe ACT position during the relevant period that was permanently or ongoingly filled without a fresh openly advertised competitive process for that particular vacancy.

For each such action, please provide information identifying:

• position title, number and classification;

• date of the employment decision;

• recruitment pathway used instead;

• whether the person had previously occupied the role temporarily, through acting arrangements or higher duties;

• whether an earlier recruitment process, merit list, merit pool or order of merit was relied upon;

• whether the action involved direct appointment, direct promotion, permanent transfer, workforce conversion or another process;

• the authority relied upon; and

• the relevant delegate approval or decision.

Where an earlier recruitment process was relied upon, please identify that process and its advertisement, recruitment or Gazette reference.

3. Temporary or acting arrangements followed by permanency

For each case where a person temporarily occupied a WorkSafe ACT position before being permanently appointed, promoted or transferred into that position or a substantially similar position, please provide:

• the original approval or decision;

• the original approved period;

• records of extensions or renewals;

• any advertisement or recruitment reference;

• any selection or suitability assessment relied upon;

• the recommendation or decision leading to permanency;

• delegate approval; and

• the authority relied upon where permanency occurred without a fresh competitive process.

Where the later appointment relied upon an earlier advertisement or selection process, please provide information showing whether that earlier process contemplated or permitted subsequent permanent appointment or promotion.

4. Alternative recruitment pathways

For appointments made through direct appointment, direct promotion, merit pools, permanent transfer or workforce conversion, please provide the records necessary to identify the pathway used and demonstrate the basis for the decision.

This includes, where applicable:

• the earlier competitive or prescribed selection process;

• original advertisement and recruitment reference;

• Gazette or JobsACT reference;

• record of the period the person performed the role;

• required performance or suitability assessment;

• recommendation;

• delegate approval;

• approval to use a merit list or merit pool;

• record showing why the originating and later positions were considered suff iciently comparable;

• Instrument of Permanent Transfer or equivalent decision record; or

• assessment against workforce-conversion criteria.

I do not seek unrelated performance-management material or applications, CVs or referee reports of unsuccessful candidates.

5. Successive temporary, acting or higher duties arrangements

Please provide information identifying cases where the same person occupied substantially the same WorkSafe ACT position through successive temporary contracts, acting arrangements, higher duties, temporary transfers or extensions.

For those cases, please provide records identifying:

• each approved period;

• extensions or renewals;

• total period occupying the role;

• whether and when the position was advertised;

• selection or suitability process relied upon;

• any consideration of whether further advertising or competitive selection was required because of the duration or extension; and

• relevant delegate approvals.

6. Gazette advertising of vacancies

For employment actions within scope, please provide information identifying whether the relevant vacancy was advertised through JobsACT, the ACT Government Gazette or another prescribed recruitment channel.

Where advertised, please provide:

• date;

• vacancy, JobsACT or Gazette reference;

• position title and number;

• classification;

• whether advertised as permanent, temporary, acting or with the possibility of permanency; and

• closing date.

Where the advertisement is publicly available, a reference sufficient to locate it is sufficient

Where no fresh advertisement occurred, please provide any existing information recording:

• the recruitment pathway used instead;

• why advertising was not required; and

• the authority relied upon.

7. Gazette notification of employment decisions

Separately, please provide information identifying the Gazette notification of each appointment, promotion, permanent transfer or other employment action within scope where notification was required.

Please provide:

• employee name where contained in the published notification;

• position title and classification;

• type of employment action;

• date of decision;

• date published; and

• Gazette reference.

Where a notification is publicly available, a reference sufficient to locate it is sufficient.

Where an in-scope employment action was not notified, please provide any existing information recording why notification was not required or did not occur.

8. Recruitment integrity and approval records

For employment actions within scope that did not involve a fresh openly advertised competitive process, please provide any existing:

• recruitment approval;

• selection report or recommendation;

• delegate decision;

• panel composition record;

• conflict-of-interest declaration;

• merit and equity assessment or declaration;

• HR advice concerning the recruitment pathway;

• approval to use an existing merit list or merit pool;

• direct appointment or promotion approval;

• transfer approval;

• workforce conversion approval; and

• record identifying the authority relied upon.

I do not seek private information concerning unsuccessful candidates. Such information may be redacted while the recruitment-process information and successful employment decision are released.

9. WorkSafe ACT-specific recruitment guidance

Please provide any WorkSafe ACT-specific policy, instruction, guidance, delegation or standing arrangement applying during the relevant period concerning:

• direct appointment or promotion;

• temporary appointments, acting or higher duties;

• extensions or renewals;

• temporary-to-permanent appointment;

• merit pools;

• permanent transfers;

• workforce conversion; or

• circumstances in which a fresh advertised competitive process was not required.

I do not seek whole-of-government policies already publicly available unless WorkSafe ACT modified or supplemented them.

Date range and earlier processes

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The application concerns recruitment and employment decisions by a public regulatory authority and would assist understanding of:

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• the authority relied upon where positions were filled without fresh advertised competition;

• whether applicable advertising and Gazette requirements were followed; and

• the use of temporary, acting, direct appointment, merit-pool, transfer and conversion pathways.

The request is directed to recruitment-process information and excludes substantial categories of unrelated private information.

Reasonable searches

Without limiting section 34, relevant information may be held by WorkSafe ACT, the Office of the Work Health and Safety Commissioner, CMTEDD HR or People and Capability, Strategic HR and Industrial Relations, Shared Services Recruitment, relevant executive or delegate off ices, recruitment and employment systems, records-management systems, and Gazette or JobsACT records.

Consultation

If CMTEDD considers that the volume of material may give rise to a refusal-to-deal issue, I request consultation under section 46.

If practical staging would assist, my priority is:

1. existing summary records and recruitment pathways;

2. vacancy advertising and Gazette employment notifications; and

3. supporting recruitment and approval records.

Any staging is intended to facilitate processing and does not amend or narrow the substantive scope.