



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## Freedom of Information Publication Coversheet

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

FOI Reference: CMTEDDFOI 2022-198

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	N/A
4. Additional information identified	No
5. Fees	N/A
6. Processing time (in working days)	55
7. Decision made by Ombudsman	Under review
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

**From:** [REDACTED]  
**To:** [CMTEDD FOI](#)  
**Cc:** [REDACTED]  
**Subject:** CMTEDDFOI 2022-198 FOI APPLICATION - Workforce Attraction Cooperative Grant Program 2022  
**Date:** Friday, 1 July 2022 11:16:37 AM  
**Attachments:** [Workforce Attraction Cooperative Grant - \[REDACTED\]](#)

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**Caution:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. [Learn why this is important](#)

To whom it may concern

I refer to the attached letter giving reasons for the refusal of our application for a grant under the ACT Workforce Attraction Grant. The application details are set out below:

**2021-22 Workforce Attraction Cooperative Grant Application**  
**Application WACG-21/22-** [REDACTED]  
**Form Submitted 21 Feb 2022, 7:05pm AEDT**

I respectfully request the following documentation and information under the Freedom of Information Act 2016 both in relation to our application and the broader administration of the grants program:

- All correspondence generated and received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) (including but not restricted to the WACG Grants Team) in relation to its work in assessing our application for funding under the ACT Workforce Attraction Grant including correspondence exchanged by different functional areas within the CMTEDD;
- All file and case notes generated by the CMTEDD electronically and stored on electronic systems under the control of the CMTEDD including notes relating to communications exchanged by difference functional areas of the CMTEDD in relation to its work in assessing our application for funding under the ACT Workforce Attraction Grant;
- A list of organisations recommended for funding under the program and the amount of the funding;
- All reports, submissions, briefings, email correspondence, file and case notes or other documentation prepared by the CMTEDD (including but not restricted to the WACG Grants Team) in relation to the reasons for either recommending or not recommending funding to particular applicants;
- Applications made by other applicants setting out the claims for funding against the criteria of the grant program;
- Any documentation or reporting assessing the effectiveness of the grant program.

We specifically request you do not 'disclose' documents we ourselves generated or correspondence exchanged between us and the CMTEDD in the course of the administration of the grant program.

Can you please give an indication of the likely time frame for a response?

If you need clarification or further information please let me know.

Yours sincerely,

[REDACTED]





**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDD2022-198



## **FREEDOM OF INFORMATION REQUEST**

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 1 July 2022, in which you sought access to information from the Workforce Attraction Cooperative Grant Application.

Specifically, you sought: *“...the following documentation and information under the Freedom of Information Act 2016 both in relation to our application and the broader administration of the grants program:*

- *All correspondence generated and received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) (including but not restricted to the WACG Grants Team) in relation to its work in assessing our application for funding under the ACT Workforce Attraction Grant including correspondence exchanged by different functional areas within the CMTEDD;*
- *All file and case notes generated by the CMTEDD electronically and stored on electronic systems under the control of the CMTEDD including notes relating to communications exchanged by different functional areas of the CMTEDD in relation to its work in assessing our application for funding under the ACT Workforce Attraction Grant;*
- *A list of organisations recommended for funding under the program and the amount of the funding;*
- *All reports, submissions, briefings, email correspondence, file and case notes or other documentation prepared by the CMTEDD (including but not restricted to the WACG Grants Team) in relation to the reasons for either recommending or not recommending funding to particular applicants;*
- *Applications made by other applicants setting out the claims for funding against the criteria of the grant program;*
- *Any documentation or reporting assessing the effectiveness of the grant program.”*

## **Authority**

I am an Information Officer appointed by the 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 was required to provide a decision on your access application by 29 July 2022.

On 27 July 2022 I wrote to you proposing to refuse to deal with your request as it would require an unreasonable and substantial diversion of resources pursuant to section 44(1) of the Act. In that letter you were provided with the opportunity to amend your application. The time allowed for your response to my proposal, as stated under section 46(4)(a) was 10 working days, meaning a response was due to this office by 11 August 2022.

## **Decision on access**

This office received an email from you on the 28 July 2022 stating, 'I amend the request to access all documents that do not require third-party consultation and that would allow me to understand the decision'. On the same day, this office wrote to you confirming your amended request and suggested additional refinements.

Following further communication, you informed this office on 10 September 2022, that third-party consultation must occur.

I have decided to refuse to deal with your application because dealing with this request would require third-party consultation with over 10 different parties, in addition to a review of over 1000 folios and video footage. As such, dealing with this request in its current form would require an unreasonable and substantial diversion of resources pursuant to section 44(1) of the Act. I have considered the public interest that would be advanced by processing this request in its current form and have concluded that it does not justify the use of the required resources.

## **Charges**

Processing charges are not applicable for this request because no information is 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. A description of the access application and my decision will be published on the CMTEDD disclosure log. Your personal contact details will not be published. You may view CMTEDD disclosure log at <https://www.cmtedd.act.gov.au/functions/foi>

## **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 of my decision, 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](mailto: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  
Level 4, 1 Moore St  
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 me by telephone on 6207 7754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely,



Katharine Stuart  
Information Officer  
Chief Minister, Treasury and Economic Development Directorate  
16 September 2022