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 2026-277 and 278
Date of Application	18 September 2026
Date of Decision	12 October 2026
Processing time (in working days)	15
Fees	N/A
Decision on Access	Refusal
Information Requested (summary)	Recruitment records of Assistant Director – Injury Management and Records related to Assistant Director – Injury Management

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

18 Sep 2026 4:12:20 PM

Reference code

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?*

I seek access under the Freedom of Information Act 2016 (ACT) to records concerning the recruitment of:

[redacted]
Assistant Director – Injury Management
Work Safety Group | Office of Industrial Relations & Workforce Strategy
Chief Minister, Treasury and Economic Development Directorate | ACT Government
[redacted]

Specifically, I seek records concerning the recruitment processes through which [redacted]:

was appointed to CMTEDD at ASO6 level effective 10 December 2020; and
was selected for the Assistant Director, Injury Management SOGC recruitment advertised on or about 21 November 2023, resulting in his appointment or promotion to PN00420.

For each recruitment process, I seek:

a. the names, substantive positions and roles of all selection panel members;

b. the name and position of the recruitment delegate or decision-maker;

c. all conflict-of-interest, probity or related declarations made by panel members or the delegate;

d. records identifying any actual, potential or perceived conflict of interest declared or identified in relation to [redacted] candidature;

e. any assessment of such a conflict; and

f. any resulting recusal, management arrangement, restriction or other probity measure.

If disclosure of a declaration raises privacy concerns, records sufficient to identify:

whether a declaration was made;
who made it;
the date;
the nature of the professional or official relationship concerned;
who assessed it; and
the management outcome

will suffice.

I do not seek unrelated personal information.

Electronic copies are preferred.

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.

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

18 Sep 2026 4:28:31 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

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State

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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?*

I seek access under the Freedom of Information Act 2016 (ACT) to records concerning:

[redacted]
Assistant Director – Injury Management
Work Safety Group | Office of Industrial Relations & Workforce Strategy
Chief Minister, Treasury and Economic Development Directorate | ACT Government
[redacted]

The relevant period is 10 December 2020 to 18 September 2026.

Specifically, I seek:

records sufficient to establish whether [redacted] was previously employed by, contracted to, or otherwise professionally associated with mlcoa or MedHealth Pty Ltd and, if so:

a. the relevant entity;

b. his position title or role;

c. the commencement and cessation dates, or approximate period, of that employment or association;

d. the nature of the professional relationship; and

e. his principal duties or functions, particularly insofar as they concerned injury management, rehabilitation, workers compensation, independent medical examinations or return-to-work services.

the government records in which that professional history is recorded or verified, including any relevant application, curriculum vitae, employment history or employment verification record, limited to the professional information identified at paragraph 1;
records sufficient to identify whether that previous employment or association was disclosed, considered or relied upon in connection with [redacted] recruitment, appointment or promotion within CMTEDD;
any conflict-of-interest, probity or related declaration made by [redacted] concerning mlcoa or MedHealth;
any assessment of whether that previous association gave rise to an actual, potential or perceived conflict of interest;
any resulting recusal, restriction, management arrangement or decision that no management action was required; and

records sufficient to identify any official role exercised by [redacted] concerning:

a. referrals to mlcoa or MedHealth;

b. approval of medical assessments or examiners;

c. provider selection;

d. procurement or contract management; or

e. governance or oversight of those providers.

For avoidance of doubt, I seek the records containing the information requested above, not merely

confirmation that such records exist or a yes/no response as to whether [redacted] had a previous association with mlcoa or MedHealth.

If disclosure of a conflict declaration raises privacy concerns, records sufficient to identify:

whether a declaration was made;
the professional relationship concerned;
who assessed it; and
the management outcome

will suffice.

I do not seek private contact details, remuneration, referee identities or comments, performance assessments, personal circumstances, employee medical records or other unrelated personal information.

Where a responsive document contains both the requested professional or official information and unrelated personal information, I seek access to the former with the latter redacted, rather than refusal of access to the document as a whole.

This request does not allege that a conflict existed or that improper conduct occurred.

Electronic copies are preferred.

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 2026-277/278

'Anonymous'

via email: [redacted]

To Whom It May Concern

FREEDOM OF INFORMATION REQUEST – NOTICE OF DECISION

I refer to your applications under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 18 September 2026.

Specifically, you sought access to information concerning [redacted].

As advised in the Acknowledgement notice of 21 September 2026, your two access applications, CMTEDDFOI2026-277 and CMTEDDFOI2026-278, have been combined in accordance with section 43(2) - *a respondent can deal with two applications if the applications are related and made by the same person.*

Please refer to Appendix 1 for the combined scope.

On 22 September 2026, you received a notice of intent to refuse your access application. The decision maker intended to refuse to deal with your application under section 35(1)(d) on two grounds:

1. *section 43(1)(b), they are satisfied the application is frivolous or vexatious.*
2. *section 43(1)(c), they are satisfied the application is an abuse of process.*

You responded on the 23 September 2026 to the notice of intent to refuse. You confirmed that 'both applications reman on foot' and you did not consider the grounds identified for refusing to deal with either application to be established.

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 consultation period of 10 days was provided to you.

Therefore, a decision is due by **16 November 2026.**

Decision on access

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

1. ***I refuse to deal with this application under s 35(1)(d), as I am satisfied as outlined in s 43(1)(b), the application is frivolous or vexatious.***

In determining whether an application is frivolous or vexatious, a decision maker must consider several individual factors, as outlined in the Ombudsman Guidelines *Dealing with Access Applications* (February 2020). These include but are not limited to:

- the number of access applications made by the applicant
- the overall number of access applications received by the respondent during the relevant period
- the subject matter and/or nature of the access applications made by the applicant
- the applicant's dealings with the respondent
- whether the applicant has previously received some or all of the information requested, either under the FOI Act or otherwise
- the purposes of the access applications and whether the access application is made for a purpose other than the seeking of access to information.

You have requested 11 access applications since 20 August 2026 for employee details of WorkSafe ACT staff or Office of Industrial Relations and Workplace Safety staff, such as conflict-of-interest records and recruitment details.

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.

It is important to consider that personal information is not only identifying information such as names, phone numbers, addresses, and identifying details, but so are opinions if they can be reasonably attributed to an individual as to be identifiable.

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.

The volume of requests and the subject matter suggest that your repeated requests for information are vexatious.

2. I refuse to deal with this application under s 35(1)(d) as I am satisfied under s 43(1)(c) 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 consider the information you have requested to be sensitive and personal information that is not publicly known. In addition, I have no knowledge of your relationship with the individual, a factor which can be taken into account despite section 17(2)(f) of the Act as section 17(3)(a) and (b) provides that an applicant's identity, circumstances and reason for seeking access to information may be taken into account if the information requested is personal information and not about the applicant.

In addition, between 20 August 2026 and 18 September 2026 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.

Release of WorkSafe ACT employee details or employees of Office of Industrial Relations and Workplace Safety such as conflict-of-interest records and recruitment details is an unreasonable request for information and could be used to harass or intimidate a person or persons.

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.

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

12 October 2026

APPENDIX 1

277

I seek access under the Freedom of Information Act 2016 (ACT) to records concerning the recruitment of:

[redacted]
Assistant Director – Injury Management
Work Safety Group | Office of Industrial Relations & Workforce Strategy
Chief Minister, Treasury and Economic Development Directorate | ACT Government
[redacted]

Specifically, I seek records concerning the recruitment processes through which [redacted]:

- was appointed to CMTEDD at ASO6 level effective 10 December 2020; and
- was selected for the Assistant Director, Injury Management SOGC recruitment advertised on or about 21 November 2023, resulting in his appointment or promotion to PN00420.

For each recruitment process, I seek:

a. the names, substantive positions and roles of all selection panel members;
b. the name and position of the recruitment delegate or decision-maker;
c. all conflict-of-interest, probity or related declarations made by panel members or the delegate;
d. records identifying any actual, potential or perceived conflict of interest declared or identified in relation to [redacted] candidature;
e. any assessment of such a conflict; and
f. any resulting recusal, management arrangement, restriction or other probity measure.

If disclosure of a declaration raises privacy concerns, records sufficient to identify:

- whether a declaration was made;
- who made it;
- the date;
- the nature of the professional or official relationship concerned;
- who assessed it; and
- the management outcome

will suffice.
I do not seek unrelated personal information.
Electronic copies are preferred.

278

I seek access under the Freedom of Information Act 2016 (ACT) to records concerning:

[redacted]
Assistant Director – Injury Management
Work Safety Group | Office of Industrial Relations & Workforce Strategy
Chief Minister, Treasury and Economic Development Directorate | ACT Government
[redacted]

The relevant period is 10 December 2020 to 18 September 2026.

Specifically, I seek:

- records sufficient to establish whether [redacted] was previously employed by, contracted to, or otherwise professionally associated with mlcoa or MedHealth Pty Ltd and, if so:
    a. the relevant entity;
    b. his position title or role;
    c. the commencement and cessation dates, or approximate period, of that employment or association;
    d. the nature of the professional relationship; and
    e. his principal duties or functions, particularly insofar as they concerned injury management, rehabilitation, workers compensation, independent medical examinations or return-to-work services.
- the government records in which that professional history is recorded or verified, including any relevant application, curriculum vitae, employment history or employment verification record, limited to the professional information identified at paragraph 1;
- records sufficient to identify whether that previous employment or association was disclosed, considered or relied upon in connection with [redacted] recruitment, appointment or promotion within CMTEDD;
- any conflict-of-interest, probity or related declaration made by [redacted] concerning mlcoa or MedHealth;
- any assessment of whether that previous association gave rise to an actual, potential or perceived conflict of interest;
- any resulting recusal, restriction, management arrangement or decision that no management action was required; and
- records sufficient to identify any official role exercised by [redacted] concerning:
    a. referrals to mlcoa or MedHealth;
    b. approval of medical assessments or examiners;
    c. provider selection;
    d. procurement or contract management; or
    e. governance or oversight of those providers.

For avoidance of doubt, I seek the records containing the information requested above, not merely confirmation that such records exist or a yes/no response as to whether [redacted] had a previous association with mlcoa or MedHealth. If disclosure of a conflict declaration raises privacy concerns, records sufficient to identify:

- whether a declaration was made;
- the professional relationship concerned;
- who assessed it; and
- the management outcome
- will suffice.

I do not seek private contact details, remuneration, referee identities or comments, performance assessments, personal circumstances, employee medical records or other unrelated personal information.

Where a responsive document contains both the requested professional or official information and unrelated personal information, I seek access to the former with the latter redacted, rather than refusal of access to the document as a whole.
This request does not allege that a conflict existed or that improper conduct occurred.
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