

Freedom of Information

Sparke Helmore's Government Legal Training Service offers two courses designed to assist agency personnel to understand the process and obligations of agencies managing FOI requests under the *Freedom of Information Act 1982* (Cth) (**FOI Act**).

CPD ELIGIBILITY: 3 POINTS

FOI Fundamentals

Part one: Overview of FOI Act (1 hour)

- Object of the FOI Act.
- Scope of the FOI Act.
 - what is "government information"?
 - what is a "record"?
 - when is a record "held"?
- What is a valid FOI request?
- Who can seek access and how?
- Timeframes, extensions of time and how to proactively manage them.
- Documents of an Agency, including:
 - Commonwealth contracts
 - Minister Office documents
 - Communications on message apps (WhatsApp / Signal)

Part two: Role of an FOI officer (1 hour)

- Proactively managing the process.
- Search obligations.
- Decision-making.
- Refusals:
 - information not held
 - practical refusals - unclear and voluminous request
 - information already available
 - third party consultations
 - courtesy consultations.

Part three: Exemptions and conditional exemptions and reasons for refusal overview (1 hour)

- Exemptions.
- Conditional exemptions.
- Balancing the public interest:
 - factors in favour of disclosure
 - factors against disclosure
 - balancing the factors.

Cost

\$590 plus GST per person.

CPD ELIGIBILITY: 3 POINTS

Advanced FOI

Part one: Deep dive into exemptions, conditional exemptions and reasons for refusal (1 hour)

- Exemptions.
- Conditional exemptions.
- Balancing the public interest:
 - factors in favour of disclosure
 - factors against disclosure
 - balancing the factors.
- Practical Refusals.

Part two: Third party consultation, courtesy consult and PMC consult (1 hour)

- When to undertake third-party consultation.
- How to undertake third-party consultation.
- Impact on timeframes.
- Third-party appeal rights.

Part three: Risks and review process (1 hour)

- Risks.
- Review of options:
 - Internal review
 - Office of the Australian Information Commissioner Review
 - ART review
 - Federal Court appeal.

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Find out more

For 2025 course dates and to find out more about the training, please email government.training@sparke.com.au.



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