



Purpose

1. This Policy (and the supporting Procedures) outlines the process to be followed by Workplace Injury Commission (**WIC**) when a request for information is received under the *Victorian Freedom of Information Act 1982* ("the Act").
2. WIC is a prescribed authority (or "Agency") under the Act. The Act extends to the community the right to access information from prescribed authorities. The "information" sought by an applicant under the Act must be in the form of a document and must be in the Agency's possession.

Principles

3. WIC will provide access to information requests from the public in a voluntary and cooperative manner, to the extent that it is legally permissible and/or appropriate without the need for those seeking information to resort to an application under the Act. WIC will release information requested under a Freedom of Information (FOI) request unless the information is exempt under the Act.

Scope

4. This policy applies to all WIC employees, directors, agency staff, and contractors ("Employees").

Request for Documents

5. All correspondence and communications with applicants about an FOI request will be managed by the FOI Officer or delegate.
6. An FOI request must be lodged in writing to the FOI Officer, accompanied by the application fee set by government either via:
 - a. Email: foi@wic.vic.gov.au; or
 - b. Mail: WIC, GPO Box 251, Melbourne 3001; andpay the application fee set by the government unless the fee is waived or reduced due to hardship).
7. FOI requests must be sufficiently clear to enable WIC to identify the documents sought.
8. Certain documents may be regarded as exempt. These are outlined in sections 30 to 38 of the Act. The FOI Officer shall assess whether a document is exempt.



9. Once a FOI request is made, the FOI Officer must conduct a thorough search and record the process undertaken and outcomes. WIC employees shall assist the FOI Officer with compiling relevant documents and information set out in the FOI request.

Decision Letter

10. The FOI Officer must issue a decision letter to the applicant within 30 days of the date of receipt of the FOI request, and payment of the application fee (unless exempt). If WIC has relied on an exemption to withhold information under the Act, the letter must explain how each exempt document (or part of a document) meets the criteria for exemption, including the public interest considerations considered and the weight given to them.
11. WIC may request an extension to this timeframe as outlined in the Act.

Appeal

12. If an applicant is dissatisfied with the FOI Officer's decision not to release all or part of a requested document, the applicant has 28 days from receipt of the decision letter to lodge a request for a review of the decision by the Office of the Information Commissioner of Victoria (OVIC).
13. Decisions of OVIC can be appealed to the Victorian Civil and Administrative Tribunal. Generally, an application must be made within 60 days from the date of the notice of decision of the OVIC.
14. WIC or any other government agency has 14 days to apply to VCAT for review of an OVIC decision

Reporting

15. The FOI Officer must retain a register of all FOI requests. Details of FOI requests must be:
 - a. Reported to the Department of Justice and Regulation; and
 - b. Disclosed in WIC's Annual Report.

Breaches

16. Failure to behave in the ways described in this Policy may lead to action under relevant performance management or misconduct processes as outlined in the *Code of Conduct for Victorian Public Sector Employees*.

Responsibilities



Freedom of Information (FOI) Officer

17. The Chief Financial Officer is the designated FOI Officer and is responsible for:
- a. Implementing policies and processes that are consistent with the Act.
 - b. Processing FOI requests received, complete reporting, and provide advice on FOI issues.
 - c. Providing advice and training, reviews FOI applications where requested, and managers complaints. Reviewing the FOI policy and processes periodically to ensure compliance with regulatory and statutory and legislative requirements.

All WIC employees

18. WIC employees are responsible for:
- a. Referring all FOI applications and enquires to the FOI Officer.
 - b. Cooperating with the FOI Officer and providing relevant documents or advice promptly upon request.

Related Documents

19. Documents related to this Policy include:
- a. *Freedom of Information Act 1982.*
 - b. *Freedom of Information Amendment (Office of the Victorian Information Commissioner) Act 2017 (Vic) (The "OVIC Act 2017").*
 - c. *Freedom of Information Procedure Manual.*
 - d. *Freedom of Information Statement.*
 - e. *Freedom of Information Register.*

Questions About this Policy

20. If you have any questions about this policy, please contact the Chief Financial Officer (FOI Officer).