Wednesday, 11 May 2011

Carrie Raftery
Assistant Manager, University Records
Division of Information
+61 2 6125 3756
+61 2 6125 5571
foi@anu.edu.au
Canberra ACT 0200 Australia
http://foi.anu.edu.au
CRICOS Provider No. 00120C

Dear [Redacted],

Freedom of Information (FOI) Request

I refer to your email dated 12 April 2011 in which you seek access to documents under the Freedom of Information Act 1982 (Cth) ("the Act") relating to:

The minutes of a meeting of the College Deans, The Vice Chancellor, The Dean of Students and the University Librarian held around November 2010 in relation to the planned amalgamation of the ANU School of Music and the School of Arts Libraries.

• Pursuant to Section 23 of the Act I am the authorised officer responsible for making decisions in relation to Freedom of Information matters.

• To fulfil your request I conducted searches of the University’s recordkeeping system using the following terms: "Vice chancellor minutes", Deans meetings", "Vice Chancellor Deans"; "Vice Chancellor meetings"; "library amalgamation"; "cass librar" "music library"; and "art library". The results of the searches did not locate any documents containing minutes that relate to the meeting held around November 2010 in which amalgamation of the libraries was discussed.

• Subsequent to searching the University’s recordkeeping system, I consulted various areas of the University that may have knowledge of the meeting or other relevant information to your request. The areas I contacted were: the Office of the Vice-Chancellor, the Dean of the College of Arts and Social Sciences and the University Librarian. These areas confirmed that no minutes were taken at the meeting.

• In accordance with Section 26 of the Act, I am satisfied and therefore find that the University does not possess minutes from the meeting at which the amalgamation of the Schools of Art and Music libraries was discussed.

• I would like to make you aware that during the course of completing my searches, I found a document that may be related to your request and may be helpful to you. Although the document is not strictly confined to the scope of your request, it contains information relating to the consolidation of the Music and Art Libraries. In keeping with the purpose of the Freedom of Information Act, I have found that the public interest in providing you with the document outweighs considerations against disclosing it. I have attached the document in Appendix A.
• In making my decision I considered the relevance of Section 47G of the Act. The document has been identified as containing information to which Section 47G applies.

Section 47G of the Act provides that:

A document is conditionally exempt if its disclosure under this Act:

(a) would, or could reasonably be expected to, unreasonably affect that person adversely in respect to his or her lawful business or professional affairs or that organisation undertaking in respect of its lawful business, commercial or financial affairs;

• I have considered the public interest factors both in favour and against disclosure.

• In relation to the factors favouring disclosure, the following considerations are relevant:

  (a) Disclosure enhances the accountability and scrutiny of public decision-making;
  (b) Disclosure informs the debate on matters of public interest; and
  (c) Disclosure promotes effective oversight of public expenditure;

• In relation to the factors against disclosure, the following factor is relevant:

  (a) Disclosure may prejudice the ability of the University to maintain confidentiality regarding its financial affairs.

• I have considered the public interest factors both in favour and against disclosure and am of the view that the factors at (a) (b) and (c) in favour of disclosure outweigh the factor against disclosure.

• I have therefore determined that a full copy of the document will be provided to you in this letter.

Application for Internal Review of Decision

I draw your attention to Section 54A of the Act, which give you the right to apply for an internal review of my decision.

An application for internal review of my decision must be made in writing within 30 days receipt of this letter, no particular form is required but it is desirable to set out in the application the grounds on which you consider the decision should be reviewed.

Application for review of the decision should be addressed to:

Pro Vice-Chancellor
Building 108
Australian National University (ANU)
CANBERRA ACT 2601
Application for Information Commissioner (IC) Review of decision

I draw your attention to Section 54F of the Act, which gives you the right to apply for an Information Commissioner review of my decision.

An application for IC review must be made in writing within 30 days receipt of this letter.

Application for IC review of the decision can be made via online form on the Office of the Australian Information Commissioners website or posted to:

    FOI Review  
    PO Box 2999,  
    CANBERRA ACT 2601

Or hand delivered to:

    Level 3, 25 National Circuit  
    Forrest, ACT

Yours sincerely

Carrie Rafferty  
FOI Officer  
Encl.