17 February 2017

David Brumby
FOI Coordinator
University Records
The Australian National University
10A East Road
Acton, ACT, 2601

+61 2 6125 4237
foi@anu.edu.au

CRICOS Provider No. 00120C

Dear [REDACTED]

**Freedom of Information Requests 201600048C**

I refer to your request, under the *Freedom of Information Act 1982*. I have taken your request to be for access to:

1. The 2016 annual report on student progress, grievances and discipline
2. The 2016 annual report on appeals, discipline and academic misconduct
3. All reports of meetings of the Academic Board from 2016
4. Reviews of academic misconduct from 2015 to present held by the Academic Standards and Quality Office and falling under:
   - sections 3.2.f, 3.2.i, 3.2.j, or 3.2.k of the ANU Discipline Rule 2015, and
   - academic misconduct, plagiarism, collusion or poor academic practice as defined in the ANU Academic Misconduct Rule 2015.
5. Any reports relating to the investigation into the use of the essay-selling company Assignment King by ANU students.

As the Freedom of Information delegate I find that:

- The reports requested in points 1 and 2 were found not to exist as they have not yet been compiled by the University.
- A search was conducted of the records of the University for documents relating to points 4 and 5 of your request but no relevant documents could be located.
- Six documents were found pertaining to point 3 of your request.

I have decided, as an officer authorised under section 23(1) of the FOI Act to make decisions in relation to FOI requests

- 5 documents are suitable for full release;
- 1 document is partially exempt from release under Section 47F.

For your information, I have attached copies of these documents and a Schedule of Documents.
Section 47F of the Act provides that:

(1) A document is conditionally exempt if its disclosure under this Act would involve the unreasonable disclosure of personal information about any person (including a deceased person).

(2) In determining whether the disclosure of the document would involve the unreasonable disclosure of personal information, an agency or Minister must have regard to the following matters:
   
   a. the extent to which the information is known;
   
   b. whether the person to whom the information relates is known to be (or to have been) associated with the matters dealt with in the document;
   
   c. the availability of the information from publicly accessible sources;
   
   d. any other matters that the agency or Minister consider relevant.

Personal Information means information or an opinion (including information forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

I have determined that parts of the document includes personal information of third parties and the information contained in the document: readily identifies a natural person, the information directly relates to them and the information says something about them. I have also determined that the public release of the information would affect the individual’s personal privacy interests.

In reaching my decision, I considered: the extent to which the information is well known; whether the person identified in your request is known to be or have been associated with the matters dealt with in the information and whether this information is publically available.

In relation to factors favouring disclosure I believe the following are relevant:

   (a) the general public interest in access to information under the Act;
   
   (b) the general public interest to scrutinise the operations of a government agency.

In relation to the factors against disclosure, I believe the following are relevant:

   (c) the extent to which the information is well known;
   
   (d) the availability of the information from publicly accessible sources; and
   
   (e) the likely impact on the individual if the personal information were to be released; and
   
   (f) whether the individual has a reasonable expectation of privacy in the information.

I have considered the public interest factors in favour and against disclosure and I find that the factors at (c) to (f) outweigh the factors in favour of disclosure. Considering all the circumstances I find that material contained in the identified document would be exempt under section 47F of the Act. Therefore I have exempted parts of the document identifying personal information of an individual and information detailing the personal affairs of that individual.

**Outstanding charges**

We received your deposit of $20 on 14th February 2017. Upon completion of your request, the actual amount for processing was calculated to be $33.75.

Following payment of the outstanding charge of $13.75 the University will provide the requested documents to you via email unless you indicate your preference for a different manner of delivery.
### PROCESSING CHARGES

**Search and retrieval**

<table>
<thead>
<tr>
<th>Task</th>
<th>Time</th>
<th>Cost @ $15/hr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Search and retrieval of relevant documents</td>
<td>1.75 hours</td>
<td>$26.25</td>
</tr>
<tr>
<td>Preparation of schedule of documents</td>
<td>.5 hours</td>
<td>$7.50</td>
</tr>
<tr>
<td><strong>A. Search and retrieval subtotal</strong></td>
<td><strong>2.25 hours</strong></td>
<td><strong>$33.75</strong></td>
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</table>

**Decision making**

<table>
<thead>
<tr>
<th>Task</th>
<th>Time</th>
<th>Cost @ $20/hr</th>
</tr>
</thead>
<tbody>
<tr>
<td>Examination of documents</td>
<td>1 hour</td>
<td>$20</td>
</tr>
<tr>
<td>Consultation with third parties</td>
<td>1 hour</td>
<td>$20</td>
</tr>
<tr>
<td>Preparation of documents for release</td>
<td>.5 hours</td>
<td>$10</td>
</tr>
<tr>
<td>Preparation of notice of access decision</td>
<td>1 hour</td>
<td>$20</td>
</tr>
<tr>
<td><strong>Decision making subtotal (before deduction of 5 hours)</strong></td>
<td><strong>3.5 hours</strong></td>
<td><strong>$70</strong></td>
</tr>
<tr>
<td><strong>B. Decision making subtotal (after deduction of first 5 hours free)</strong></td>
<td><strong>0 hours</strong></td>
<td><strong>$0</strong></td>
</tr>
</tbody>
</table>

**TOTAL, DEPOSIT AND BALANCE**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td><strong>TOTAL</strong></td>
<td>$33.75</td>
</tr>
<tr>
<td><strong>DEPOSIT PAID</strong></td>
<td>$20</td>
</tr>
<tr>
<td><strong>BALANCE</strong></td>
<td>$13.75</td>
</tr>
</tbody>
</table>

Payments to The Australian National University can be made by direct deposit to the following bank account:

**Bank:** NATIONAL AUSTRALIA BANK  
**Branch:** CANBERRA CITY, LONDON CIRCUIT & AINSLIE AVE CIVIC SQUARE, AUSTRALIAN CAPITAL TERRITORY (ACT), AUSTRALIA. 2601  
**BSB:** 082-902  
**Account Number:** 674507553  
**Account Name:** THE AUSTRALIAN NATIONAL UNIVERSITY GENERAL ACCOUNT  
**Reference:** FREEDOM OF INFORMATION REQUEST

Please note that information released under the FOI Act may later be published online on our disclosure log [http://foi.anu.edu.au/ps/disclosure_log/disclosure_log.php](http://foi.anu.edu.au/ps/disclosure_log/disclosure_log.php), subject to certain exceptions. (For example, personal information will not be published where this would be unreasonable.)

If you wish to discuss this decision, please contact me using the details below.

Yours sincerely,

David Brumby  
FOI Coordinator, University Records
+61 2 6125 4237, foi@anu.edu.au

Your review rights

If you are dissatisfied with my decision, you may apply for internal review or Information Commissioner review of the decision. We encourage you to seek internal review as a first step as it may provide a more rapid resolution of your concerns.

Application for Internal Review of Decision

Section 54A of the Act, gives you the right to apply for an internal review of my decision.

It must be made in writing within 30 days of 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.

The application should be addressed to:

Executive Director (Administration & Planning)
Building 10
The Australian National University
Canberra ACT 2601

Or via email: edap@anu.edu.au

Application for Information Commissioner Review of decision

Under section 54L of the FOI Act, you may apply to the Australian Information Commissioner to review my decision. An application must be made in writing within 60 days of the date of this letter, and be lodged in one of the following ways:

- email: enquiries@oaic.gov.au
- post: GPO Box 5218, Sydney NSW 2001
- in person: Level 3, 175 Pitt Street, Sydney NSW