



Freedom of information statement

The *Freedom of Information Act 1992* (the FOI Act) was established to enhance public participation in government and increase the accountability of State and local governments.

In creating a right of public access to government documents, the FOI Act requires agencies to make available details about the kind of documents it holds and provide information as to how they can be accessed.

Along with enabling the public to understand how government and its agencies operate, the FOI Act also allows people to obtain and seek amendment to personal information about themselves if the information held on the public record is inaccurate, incomplete, out of date or misleading.

In accordance with the FOI Act, the Health and Disability Services Complaints Office (HaDSCO) aims to make information available to the public promptly and at the least possible cost.

Health and Disability Services Complaints Office

HaDSCO is an independent Statutory Authority offering an impartial resolution service for complaints relating to health, disability and mental health services in Western Australia and the Indian Ocean Territories. Our vision is to empower users and providers to collaboratively improve health and disability services.

The Office is required to administer legislation on behalf of the State Government. Legislation administered outlines the responsibilities and processes required to manage complaints.

HaDSCO administers the following legislation:

- *Health and Disability Services (Complaints) Act 1995*
- Part 6 of the *Disability Services Act 1993*
- Part 19 of the *Mental Health Act 2014*

Under this legislation, HaDSCO's main functions are to:

- Deal with complaints by conciliation, negotiated settlement or investigation.
- Review and identify the causes of complaints.
- Provide advice and make recommendations for service improvement.
- Educate users and providers about complaint handling procedures.
- Inquire into broader issues of health and disability care arising from complaints received.

- Work in collaboration with users and providers to improve health and disability services.
- Publish the work of the Office.
- Perform any other function conferred on the Director by the Act or another written law.

In accordance with the legislation, the office is able to do all things that are necessary, or convenient to be done, in order to perform these functions.

Freedom of Information applications

The FOI Act recognises two kinds of requests for information, personal and non-personal information.

Clause 1, Schedule 2 of the FOI Act defines personal information as ‘information or an opinion, whether true or not, and whether recorded in a material form, or not, about an individual whether living or dead’. This includes, but is not limited to, information from which the identity of an individual is apparent or can reasonably be ascertained.

Non-personal information relates to information concerning people other than the FOI access applicant. This also includes, but is not limited to, information, opinions, contact details or genetic information.

Application submission

In accordance with s.12 of the FOI Act applications must:

- be in writing;
- provide enough information so that the requested document can be identified;
- provide an Australian address to which notices can be sent; and
- be lodged at the agency together with the application fee (if required).

Applications by post or by email can be made as follows:

By post:
FOI Coordinator
PO Box B61
PERTH, WA 6838

By email:
FOI Coordinator
mail@hadsco.wa.gov.au

In accordance with s.13 of the FOI Act an acknowledgement letter will be forwarded to the applicant notifying them of the 45 day deadline in which their application will be processed.

Fees and charges

In accordance with s.16(1)(d) of the FOI Act, no fee or charge is payable for access to, or amendment of personal information. However, under s.12(1)(e) a fee is payable for FOI applications which request access to non-personal information.

The following table details the fees and charges applicable under the FOI Act.

Charge Description	Fee Payable
Application fee	\$30.00
Time taken dealing with the application	\$30.00 per hour
Access time supervised by staff	\$30.00 per hour
Photocopying relevant documents	\$30.00 per hour for staff time, plus 20c per copy
Staff time in transcribing information from a tape or other device	\$30.00 per hour
Duplicating a tape, film or computer information	Actual cost
Delivery, packaging and postage	Actual cost

Processing FOI applications

The FOI Coordinator is responsible for the management of all requests received and liaises with the applicant and stakeholders to process the application in accordance with the FOI Act.

When a decision has been made, the applicant will receive a Notice of Decision which outlines the rationale for the decision in accordance with s.30 of the FOI Act. The Notice of Decision will advise the manner in which access has been provided. The levels of access are:

- Full access
- Partial access (edited format)
- Refused access

Decision review

If the applicant is dissatisfied with a FOI decision made, an application for an internal review of the decision may be made. Internal review applications should be made in writing within 30 calendar days of receiving the Notice of Decision. HaDSCO will respond within 15 days of receiving the internal review request.

If the applicant is still not satisfied after the internal review is completed, a written complaint may be lodged to the Information Commissioner for an external review. In certain instances, questions of law that arise in the course of dealing with an FOI complaint may be referred to the Supreme Court.

Please note that no fees or charges are applicable for internal or external reviews.

Documents held by the Office

Records of the Office are arranged using activities based classification and include information about the following functions and activities:

- Service One: Assessment, negotiated settlement, conciliation and investigation of complaints; and
- Service Two: Education and training in the prevention and resolution of complaints.

There is some information that is freely available to the public. Broad categories of documents including the range indicated below are available to the public and can be accessed through the Office website at www.hadSCO.wa.gov.au

- Annual Reports
- Brochures on various topics
- Forms
- Information sheets on various topics
- Videos
- Reports on particular issues and emerging trends
- Strategic Plan
- Translated brochures and documents

If you are seeking access to a specific document which cannot be located online, please contact the FOI Coordinator on (08) 6551 7620 with your request, prior to lodging a FOI application.

How to Amend Your Personal Information

An application can be made to the FOI Coordinator to request a correction or amendment to any document/s which contain personal information. Applications must be made in writing and clearly demonstrate how or why the record/s are inaccurate, incomplete, out-of-date or misleading.

Details as to the amendment to be made must be specified in the application, within the options set out in the FOI Act.

If the Office decides to amend personal information, this will usually be done by amending the record or adding a further note to the record.

Similar to an FOI application, HaDSCO will inform the applicant of the decision and reasoning, via a Notice of Decision. The FOI Act also provides applicants with the right to appeal an amendment decision via the internal and external review process outlined in the decision review section.

The Office of the Information Commissioner can be contacted at the following address:

Office of the Information Commissioner

Albert Facey House
469 Wellington Street
PERTH WA 6000

Tel: (08) 6551 7888
Toll Free: 1800 621 244 (Western Australia only)
Fax: (08) 6551 7889

info@foi.wa.gov.au
www.foi.wa.gov.au