

Freedom of information requests

Claims administration

✓ Authority and consent on claims

✓ Communication with stakeholders

Quality assurance

✓ File and diary maintenance

✓ Receiving and actioning requests for claim file

✓ Suspensions, ceases and refusal to deal

✓ Compliance and fraud

✓ Agency information

Jump to:

[Introduction](#)

[What makes a compliant FOI request?](#)

[What timeframes apply for actioning FOI requests?](#)

[FOI requests that can be processed under Section 59](#)

Introduction

Comcare makes a range of information available for public access. An employee can formally request access under the *Freedom of Information Act 1982* (the FOI Act) to documents Comcare holds.

Before making a formal request for information under the FOI Act to Comcare, the employee should browse Comcare's [Information Publication Scheme](#) to see if the information is already available there.

If you receive an enquiry concerning accessing other documents held by Comcare, you can refer the applicant to the following page [Requests for information under the Freedom of Information Act 1982](#).

If you receive an FOI request, you should advise your Assistant Director of the request as soon as possible.

The FOI and Privacy team is responsible for actioning requests documents. All FOI requests for documents should be forwarded to the [FOI team](#) for action.

Requests for information under Section 59 of the SRC Act

Claim file information is not provided under FOI. Section 59 of the SRC Act provides the legislative basis to supply certain documents on request. Comcare is obliged to release the information it holds in relation to an employee's claim under section 59 of the SRC Act.

Note: If an employee or employer is seeking information on how they can access documents held on their claim file, you can refer them to the following page [How Do I Request a Copy of My Claim File?](#)

Differences between Section 59 of the SRC Act and the FOI Act

The key differences between Section 59 of the SRC Act and the FOI act are as follows:

- there is no requirement under the FOI Act for the person requesting the information to have a personal interest in that information
- requesting documents and providing them under the FOI Act is a more formalised process, and
- there are costs associated with the processing of an FOI request, however the applicant can request these be waived with their request application)

[Return to top of page](#) | [Return to top of section](#)

What makes a compliant FOI request?

For access to any other document held by Comcare, which is not on the claim file, the employee will need to make a valid FOI request. For a request to be valid under the FOI Act, it must:

- be in writing
- state that the request is an application for the purposes of the FOI Act
- provide information concerning the document as is reasonably necessary to enable Comcare to identify it
- give details of how notices under the FOI Act may be sent to the requesting party (for example by providing an electronic address to which notices may be sent by electronic communication).

[Return to top of page](#) | [Return to top of section](#)

What timeframes apply for actioning FOI requests?

It is a requirement of the FOI Act that any request for information be met within timeframes specified by that Act.

On receiving a request, Comcare must take all reasonable steps to:

- notify the applicant that the request has been received as soon as practicable, but not later than 14 days after the day on which the request is received by or on behalf of the agency or Minister, and
- notify the applicant of a decision on the request (including a decision under Section 21 to defer the provision of access to a document), as soon as practicable, but not later than the end of the period of 30 days after the day on which the request is received by or on behalf of the agency or Minister.

[Return to top of page](#) | [Return to top of section](#)

FOI requests that can be processed under section 59

In circumstances where you or the FOI Officer receives an FOI request for documents relating to a claim file, Comcare considers the request as creating concurrent obligations under both the FOI Act and the SRC Act.

It is Comcare's preference and practice, wherever possible, to process the request under Section 59 of the SRC Act. For further guidance refer to the [Request for claim file](#) page or the [How do I request a copy of my claim file?](#) page on Comcare's website.

It is also preferred because Comcare's disclosure obligations are generally broader under Section 59, processing timeframes are shorter, and there is no requirement for fees to be borne by the applicant.

In many instances, the request can be processed under Section 59 of the SRC Act. However, there will be certain situations where the request will need to be actioned specifically under the FOI Act. The FOI Officer will determine whether the request is to be completed as a Section 59 request or an FOI request.

[Return to top of page](#) | [Return to top of section](#)

Procedure for actioning a Freedom of Information request

There are specific requirements and time frames that you must adhere to on receipt of a request to release information under the provisions of the FOI Act.

The following procedure details how you process a FOI request:

Step 1: Advise your Assistant Director and the FOI team

You must advise your Assistant Director of the FOI request as soon as it is received.

You must send a copy of the request immediately to the [FOI team](#).

Step 2: Update Pracsys

Go to '*Manage Claim Comment*' (MCOM) and enter a comment noting the FOI request received and that the request has been sent to the FOI team for further action.

[Return to top of page](#) | [Return to top of section](#)